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**SENATE  
STATE OF COLORADO  
DENVER**

**Senator Steve King's 2011 Legislative Policy Report**

**Create Colorado Economic Stability Fund (SB-027)** was sponsored by Sen. **S. King**. This bill creates the Colorado Economic Stability Fund in the State Treasury. In any year when General Fund revenue increases over the prior year, ten percent of the increase must be deposited into the fund. The fund cannot exceed 15 percent of General Fund revenue in any given fiscal year. The fund's interest earnings must remain in the fund in fiscal years when money is not drawn from the fund. The Senate Committee on State, Veterans and Military Affairs postponed indefinitely SB11-027 on February 15, 2011.

**Mandatory Post-Enactment Review of Bills (SB-046)** was sponsored by Sen. **S. King**. Under current law, the nonpartisan legislative services agencies conduct a post-enactment review on any bill that contains an accountability clause. Inclusion of the accountability clause on a bill is optional, but when included, the clause must identify either a 2-year or 5-year review option. Beginning January 1, 2012, this bill makes the accountability clause mandatory with exceptions when such a review is inappropriate such as for appropriations, redistricting, and criminal sentencing bills. The 2-year option is eliminated, so only 5-year reviews will be conducted. The 10 items set in statute for consideration in a review, are unchanged. The Senate Committee on State, Veterans and Military Affairs postponed indefinitely SB11-046 on February 2, 2011.

**OSA Security Audit IT Systems (SB11-082)** was sponsored by Sen. **S. King** and Rep. **Acree**. This bill authorizes the State Auditor to conduct audits of security systems used for information technology maintained or administered by the state, including educational institutions, and the judicial and legislative branches. SB11-082 as signed **into law by Governor Hickenlooper on April 13, 2011**.

**Sunset Drunk Driving Task Force (SB11-093)** was sponsored by Sen. **S. King** and Rep. **Vaad**. Senate Bill 11-093 implements the recommendations of the Department of Regulatory Affairs in its 2010 sunset review of the Interagency Task Force on Drunk Driving (ITFDD). The bill continues the functions of the ITFDD effective upon the bill's enactment. The bill removes the repeal of the ITFDD and increases its membership by 4 members. SB11-093 as signed **into law by Governor Hickenlooper on March 21, 2011**.

**Phase-Out Business Personal Property Tax (SB11-098)** was sponsored by Sen. **S. King**. Beginning with the first odd-numbered property tax year after a year in which the total statewide assessed value of business personal property increases by at least 12 percent, the bill exempts from property tax an increasing percentage of all business personal property. The Senate

Committee on State, Veterans and Military Affairs postponed indefinitely SB11-098 on February 14, 2011.

**Public Utility Ratepayer Protection Act (SB11-113)** was sponsored by Sen. **S. King**. This bill prohibits the Colorado Public Utilities Commission (PUC) from considering future regulations or the risk of future costs associated with greenhouse gas emissions when establishing utility rates. The Senate Committee on State, Veterans and Military Affairs postponed indefinitely SB11-113 on February 9, 2011.

**Interoperable Communications in Schools (SB11-173)** was sponsored by Sen. **S. King** and Reps. **B. Gardner** and **Fields**. The bill specifies the role of the Fire Safety Division in the Department of Public Safety in assessing and enquiring about a school's emergency response framework, and providing technical assistance as needed. Finally, the bill encourages collaboration from the School Safety Resource Center within the Department of Public Safety and the Office of Information Technology. SB11-173 was **sent to the Governor Hickenlooper on May 11, 2011**.

**Parole Board Changes (SB11-241)** was sponsored by Sens. **S. King** and **Carroll** and Reps. **B. Gardner** and **Kagan**. Under current law, some inmates with serious and debilitating medical conditions may be classified as "special needs offenders" for the purpose of special needs parole consideration. This bill expands the definition of a special needs offender to include individuals who are 60 years of age or older, have been diagnosed with a chronic infirmity, illness, condition, disease, or mental illness, and have been determined to be incapacitated to the extent that they are not likely to pose a public safety risk; or suffer from a chronic, permanent, terminal, or irreversible physical or mental illness, condition, or disease that requires costly care or treatment and have been determined to be incapacitated to the extent that they are not likely to pose a public safety risk. SB11-241 passed the House on Second Reading on May 10, 2011.

**Penalties for Graffiti (SB11-256)** were sponsored by Sens. **Guzman** and **S. King** and Reps. **J. Kerr** and **Ferrandino**. This bill changes the manner in which multiple offenses for defacing property and causing more than \$500 in damage may be treated. Specifically, it allows damages from two or more offenses committed within six months to be aggregated and charged as a single class 1 misdemeanor. Offenses charged in this manner shall continue to be subject to a mandatory minimum of fine of \$750 upon conviction. SB11-256 was repassed by the Senate on May 9, 2011.

**Name Change of Mesa State College to Colorado Mesa University (SB11-265)** was sponsored by Sens. **Johnston** and **S. King** and Reps. **Duran** and **Scott**. This bill changes the name of Mesa State College to Colorado Mesa University and makes conforming amendments. SB11-241 passed the House on Third Reading on May 6, 2011.

**Mesa State College Personnel (HB11-1006)** was sponsored by Sen. **S. King** and Rep. **Bradford**. This bill allows the president of Mesa State College to hold an election of the school's classified employees to determine if those employees wish to exempt themselves from the state personnel system in order to have the option to participate in the college's alternative personnel system. If a majority of classified employees approve the exemption, the president must adopt necessary procedures and time frames for each employee to choose in which system he or she

will participate. The Senate Committee on State, Veterans and Military Affairs postponed indefinitely HB11-1006 on March 16, 2011.

**Electronically Submitted Court Documents (HB11-1018)** was sponsored Sen. **S. King** and by Rep. **Tyler**. This bill modifies court procedures for handling electronic records and documents, including arrest and search warrants. Specifically, the acceptable forms of a seal of the court or a public official are expanded to include one that is electronically attached to or associated with an electronic record or document. HB11-1018 was **signed into law by Governor Hickenlooper on March 11, 2011.**

**Blue Alert for Injured Peace Officers (HB11-1036)** was sponsored by Sen. **S. King** and Rep. **B. Gardner**. This bill creates the "Blue Alert" program to broadcast when a peace officer has been killed or seriously wounded in the line of duty and the suspect has fled the scene. HB11-1036 was **signed into law by Governor Hickenlooper on March 17, 2011.**

**DNA Expungement Clarification (HB11-1051)** was sponsored by Sen. **S. King** and Rep. **Swerdfeger**. Current law provides that the DNA records based on a sample taken at arrest are expunged if the person is convicted of an offense that is not a felony under title 18, Colorado Revised Statutes. The bill clarifies that the records are expunged if the person is convicted of any non-felony offense, not just a felony under title 18, Colorado Revised Statutes. HB11-1051 was **signed into law by Governor Hickenlooper on March 11, 2011.**

**Address Confidentiality Program (HB11-1080)** was sponsored by Sen. **S. King** and Rep. **Todd**. The Address Confidentiality Program was established in the Department of State in 2007. The purpose of the program is to establish a confidential substitute address for a program participant to be used by state and local government agencies whenever possible; to provide agencies access to the participant's actual address, when appropriate; to establish a mail forwarding system for program participants; and to ensure there is adequate funding to pay the program costs for everyone who applies. Program participants are victims of domestic violence, sexual offenses, or stalking. This bill transfers the existing Address Confidentiality Program from the Office of the Secretary of State to the Department of Personnel and Administration (DPA). HB11-1080 was **sent to the Governor Hickenlooper on May 9, 2011.**

**Subpoenas issued by Administrative Law Judges in Finance Campaign Proceedings (HB11-1117)** was sponsored by Sen. **S. King** and Reps. **McCann** and **Court**. The bill codifies a procedure for subpoenas issued by administrative law judges in campaign finance proceedings. HB11-1117 was **signed into law by Governor Hickenlooper on March 21, 2011.**

**Fund Foreclosure Prevention Counseling (HB11-1136)** was sponsored by Sen. **S. King** and Rep. **A. Williams**. This bill authorizes the establishment of a foreclosure counseling and outreach program within the Division of Housing in the Department of Local Affairs. A foreclosure prevention counseling surcharge of \$240 will be assessed by the public trustee prior to sale of a property in foreclosure. The public trustee may collect and retain an additional fee of \$10 for the costs of collecting and processing the surcharge. The public trustee shall waive the prevention counseling surcharge under certain conditions. Both the surcharge and the public trustee fee is repealed, effective March 31, 2015. . The House Appropriations Committee postponed indefinitely HB11-1136 on April 4, 2011.

**Colorado Oil and Gas Conservation Commission (HB11-1223)** was sponsored by Sen. **S. King** and Rep. **Scott**. This bill expands the composition of the Colorado Oil and Gas Conservation Commission to include 11 members. The two current ex officio voting members would become nonvoting members. The remaining nine voting members would include five members with substantial experience in the oil and gas industry, at least two of which would have a college degree in petroleum geology or petroleum engineering. The Senate Committee on State, Veterans and Military Affairs postponed indefinitely HB11-1006 on May 11, 2011.

**DUI Per Se for Excess THC in Blood (HB11-1261)** was sponsored by Sen. **S. King** and Rep. **Boyd** and Reps. **Waller** and **Levy**. Current law prohibits driving a motor vehicle under the influence of alcohol or drugs and defines "DUI per se" as driving with a blood alcohol content of 0.08 or more. This bill expands the definition of DUI per se to include driving with a tetrahydrocannabinol (THC) blood content of five nanograms or more. Under the bill, it is a misdemeanor for a person to drive with a THC blood content of five nanograms or more at the time of driving or within two hours after driving. HB11-1261 lost in the Senate on Second Reading.

**Distribute Federal Mineral Leaving Funds to Affected Counties (HB11-1308)** was sponsored by Sen. **S. King** and Rep. **Buamgarner**. This bill specifies that all federal mineral lease (FML) revenue received by the state that is related to the naval oil shale reserves (NOSR) is to be distributed as follows: 40 percent to Garfield County; 40 percent to Rio Blanco County; 10 percent to Mesa County; and 10 percent to Moffat County. The House Agriculture, Livestock and Natural Resources Committee postponed indefinitely HB11-1308 on May 4, 2011.

### **Resolutions**

**Colorado Oil Share Production (HJR11-1024)** was sponsored by Sen. **S. King** Rep. **Bradford**.

**100 Year Anniversary of the Colorado Monument (SJR11-050)** was sponsored by Sen. **S. King** and Reps. **Scott** and **Bradford**.

**Peace Officers' Memorial Day & Police Week (SJR11-052)** was sponsored by Sens. **S. King** and **Morse** and Rep. **Barker**.