

# LEGISLATIVE UPDATE

MARCH 19, 2024  
TOWN COUNCIL



# SUGGESTED POSITIONS

## **Oppose**

HB 1168: Equal Access to Public Meetings – Would require, among other provisions, remote public testimony at public meetings

Staff expects – and recommends opposing – a bill restricting special districts’ authority to set fees charged to defray future impacts on water or sewer systems. While the draft bill does not appear to apply to the Town, the precedent this could set is not in the Town’s best interests

## **Support**

Staff expects – and recommends supporting – a bill delaying by a year, until July 2025, potential repercussions associated with being out of compliance with the State’s new digital accessibility law, which takes effect July 1

# CML REQUEST

*Does Council wish to sign on to this letter?*

## Support Partnership, Not Preemption

Dear Members of the Colorado General Assembly:

We are writing as members of municipal governing bodies directly elected by and working for citizens in our cities and towns.

Last year, Colorado municipal leaders pledged to work as partners with Gov. Polis and proponents of affordable housing legislation toward common goals. Unfortunately, 2023 represented a missed opportunity with legislation focused on land use preemption instead of collaborative outcomes.

Now we find ourselves in a new year with much more time left in the legislative session to get it right. We urge you to treat municipal leaders as partners, not adversaries, and pass meaningful legislation that will build on the success of Proposition 123 and the 200 communities that have signed on to meet its goals.

We urge you to support outcomes that fulfill the promises made of safe and reliable transit, so that municipal leaders can attract developers willing to build the high-density development that people will want.

We ask that you respect the voices of citizens, planners, and others that work diligently to determine how to zone for and encourage infill via accessory dwelling units, especially given the need to ensure adequate infrastructure and services.

We know our communities and wish to continue to engage our partners to ensure a mix of housing that meets community and regional needs, creates and maintains livable places, promotes conservation, clean air and water, and honors Colorado's tradition home rule and decision making.

We know support for municipalities must come with expectations, including that:

- *Municipalities continue to work to address any local issues that may make housing less available and affordable.*
- *Municipalities will use home rule and "local control" to develop locally appropriate solutions to address the demonstrated local and regional housing affordability and availability needs while protecting against displacement and preserving a sense of place.*
- *Municipalities will partner with all groups that have a voice in housing issues, even those they may not always agree with*

My municipality prides itself on being a leader on meeting and exceeding the needs and challenges of our citizens. We know that statewide solutions come from **Partnership, Not Preemption**. We believe that these issues should create a win-win outcome and not win-lose.

Thank you for your consideration.

# OPPOSED BILLS UPDATES

*HB 1007: Prohibit Residential Occupancy Limits* – Town code prohibits more than five unrelated persons from living together – this would eliminate that cap – **passed both houses and is set to become law**

*HB 1080: Youth Sports Personnel Requirements* – Mandates international background checks on employees and volunteers who work with youth and adds training requirements – **set in Senate Health & Human Services committee Thursday**

*HB 1152: Accessory Dwelling Units* – The Town currently permits ADUs and has seen roughly 100 of them constructed – this would replace the Town’s specifications with State specifications – **testified Feb. 27 – Committee advanced bill to Appropriations**

*HB 1239: Single-Exit Stairway Multifamily Structure* – Would mandate local governments adopt specific building codes to allow multifamily units up to five levels to have a single stairway exit – **set in Transportation, Housing & Local Government committee on April 10**

*HB 1292: Prohibit Certain Weapons Used in Mass Shootings* – Prohibits ownership of an “assault weapon” and possession of a rapid-fire trigger activator – **set on the House floor today**

*HB 1304: Minimum Parking Requirements* – Prohibits county and municipal minimum parking requirements for real property within an MPO (DRCOG) – **testified March 5 – Committee advanced bill to Appropriations**

*HB 1313: Housing in Transit-Oriented Communities* – Mandates rezoning of certain areas around rail and bus transit corridors by local governments within Metropolitan Planning Organizations, so it does not apply to Castle Rock as it stands today – **have sent letter – set in Finance Committee on March 25**

*HB 1366: Sustainable Local Government Community Planning* – Would require the Town’s master plan to include a climate action element – **set in Transportation, Housing & Local Government committee on April 9**

*HB 1372: Regulating Law Enforcement Use of Prone Restraint* – Would restrict law enforcement agency from using prone restraints unless circumstances present justify the use of deadly force – **set in Judiciary committee today**

*SB 131: Prohibit Carrying Firearms in Sensitive Spaces* – Prohibits open and concealed carrying of firearms in areas including parks and the locations of local government meetings – we could enact a law to permit carrying at meeting places – **set on the Senate floor today**

# SUPPORT BILLS UPDATES

*SB 106: Right to Remedy Construction Defects* – Aims to reduce insurance costs by decreasing the frequency and magnitude of claims, with a goal of creating more housing choices – **set on the Senate floor Monday**

*SB 174: Sustainable Affordable Housing Assistance* – CML-initiated bill that requires local governments to conduct housing needs assessments and progress toward meeting goals – **in Local Government & Housing committee today**

*HB 1362: Measures to Incentivize Graywater Use* – Authorizes the installation of graywater treatment works statewide except where prohibited and creates a tax credit – **set in Finance committee tomorrow**



# PROPOSED MOTION

*“I move to affirm staff’s recommended positions on State legislation as presented and direct staff to communicate the positions to the Town’s legislative delegation, CML and others.”*