Longmont Chamber

HB19-1210   Local Government Minimum Wage

Position:	**Oppose**
Sponsors:	J. Melton | R. Galindo / J. Danielson | D. Moreno
Summary:	The bill allows a unit of local government to enact laws establishing a minimum wage within its jurisdiction. *(Note: This summary applies to this bill as introduced.)*
Status:	2/25/2019 Introduced In House - Assigned to Transportation & Local Government 3/6/2019 House Committee on Transportation & Local Government Refer Amended to House Committee of the Whole 3/8/2019 House Second Reading Special Order - Passed with Amendments - Committee, Floor 3/11/2019 House Third Reading Passed - No Amendments 3/13/2019 Introduced In Senate - Assigned to Business, Labor, & Technology
Fiscal Notes:	[Fiscal Note](#)
Analyze This Comments:	
Cal. Notif. Action:	
Date Introduced:	2019-02-25
Amendments:	[Amendments](#)

HB19-1240   Sales And Use Tax Administration

Position:	**Actively Monitor**

Sponsors:	T. Kraft-Tharp	K. Van Winkle / L. Court	J. Tate
Summary:	The bill:

- Establishes economic nexus for purposes of retail sales made by retailers without physical presence and specifies that the economic nexus does not apply for sales made by such retailers prior to June 1, 2019;
- Codifies the department of revenue's destination sourcing rule for state sales tax collection, for sales taxes imposed by any statutory incorporated town, city, or county, and for special districts, but specifies that a small retailer may source its sales to the business' location regardless of where the purchaser receives the tangible personal property or service until a geographic information system provided by the state is online and available for the retailer to determine the taxing jurisdiction in which an address resides;
- Requires marketplace facilitators to collect and remit sales tax on behalf of marketplace sellers that enter into a contract with a marketplace facilitator that facilitates the sale of the marketplace seller's tangible personal property, commodities, or services through the marketplace facilitator's marketplace and also:
- Allows marketplace facilitators to retain the vendor fee for the collection and remittance of the sales tax on sales made by marketplace sellers on its marketplace;
- Provides the marketplace facilitator with audit relief if the marketplace facilitator can demonstrate to the satisfaction of the executive director of the department of revenue that it made a reasonable effort to obtain accurate information regarding the obligation to collect tax from the marketplace seller; and
- Specifies that the marketplace seller does not have the liabilities, obligations, and rights of a retailer if the marketplace facilitator is required to collect and remit sales tax on its behalf, including licensing, collection, and remittance requirements; and
- Repeals outdated references to remote sales and remote sellers that were added pursuant to House Bill 13-1295 but are not applicable because Congress never enacted an act that authorizes states to require certain retailers to pay, collect, or remit state or local sales taxes.
(Note: This summary applies to this bill as introduced.)

Status:	3/12/2019 Introduced In House - Assigned to Business Affairs & Labor + Finance 3/26/2019 House Committee on Business Affairs & Labor Refer Amended to Finance
Fiscal Notes:	Fiscal Note

HB19-1258	**Allocate Voter-approved Revenue For Education & Transportation**

Position:	**Actively Monitor**
Sponsors:	K. Becker	J. McCluskie / L. Court	K. Priola
Summary:	The bill is contingent on voters approving a related referred measure to annually retain and spend state revenues in excess of the constitutional spending limit. If the measure passes, in years when the state retains and spends revenue under the authority of the measure there will be additional revenue in the general fund exempt account (account). **Section 1** of the bill requires 1/3 of this money in the account to be allocated to each of the purposes approved by voters, which are:

- Public schools;
- Higher education; and
- Roads, bridges, and transit.

The general assembly is required to appropriate the money for public schools and higher education for the state fiscal year after the state retains the revenue under the authority of the voter-approved revenue change, with an exception for the state fiscal year 2018-19. The money appropriated for public schools must be distributed on a per pupil basis and used by public schools only for nonrecurring expenses for the purpose of improving classrooms, and it may not be used as part of a district reserve.

The state treasurer is required to transfer the remaining 1/3 of the money to the highway users tax fund (HUTF) after the state treasurer receives a report certifying the state's TABOR revenues (report). **Section 3** clarifies that the report must include the money that the state keeps and spends as a result of the 2019 measure, and that this amount must be reported separately from the referendum C money in the account.

Under **section 4** the money the state treasurer transfers to the HUTF is allocated 60% to the state highway fund, 22% to counties, and 18% to cities and incorporated towns. Under **section 5** no more than 90%

of the money allocated to the state highway fund may be expended for highway purposes or highway-related capital improvements and at least 10% must be expended for transit purposes or for transit-related capital improvements.

Section 2 includes a conforming amendment to ensure that the allocation for the referendum C money does not apply to any new revenue in the account as a result of the 2019 voter approval.
(Note: This summary applies to this bill as introduced.)

Status:	3/20/2019 Introduced In House - Assigned to Finance
Fiscal Notes:	Fiscal Note
Analyze This Comments:	
Cal. Notif. Action:	1:30 p.m. Room Old
Date Introduced:	2019-03-20
Amendments:	

SB19-006   Electronic Sales And Use Tax Simplification System

Position:	**Support**
Sponsors:	A. Williams / T. Kraft-Tharp	K. Van Winkle
Summary:	**Sales and Use Tax Simplification Task Force.** The bill requires the office of information technology (office) and the department of revenue (department), within existing resources, to conduct a sourcing method in accordance with the applicable provisions of the procurement code, and any applicable rules, for the development of an electronic sales and use tax simplification system (system). The bill also requires the office and the department to involve stakeholders to develop the scope of work.

The bill requires the general assembly to make any necessary appropriations for the initial funding and ongoing maintenance of the system from any net sales tax revenues that is credited to the general fund.

The bill specifies that on and after the date the system is online the department is required to accept any returns and payments processed through the system for state sales and use tax and for any sales and use taxes that are collected by the department on behalf of any local taxing jurisdiction.

The bill specifies that it is the general assembly's intent that a certain number of local taxing jurisdictions with home rule charters voluntarily use the system when the system comes online. Additionally, the bill states that it is the general assembly's intent that all local taxing jurisdictions with home rule charters voluntarily use the system within a specified number of years.

(Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)

Status:	1/4/2019 Introduced In Senate - Assigned to Finance 1/22/2019 Senate Committee on Finance Refer Amended - Consent Calendar to Senate Committee of the Whole 1/25/2019 Senate Second Reading Passed with Amendments - Committee 1/28/2019 Senate Third Reading Passed - No Amendments 1/31/2019 Introduced In House - Assigned to Finance 2/11/2019 House Committee on Finance Refer Amended to Appropriations 3/8/2019 House Committee on Appropriations Refer Unamended to House Committee of the Whole 3/8/2019 House Second Reading Special Order - Passed with Amendments - Committee 3/11/2019 House Third Reading Laid Over Daily - No Amendments 3/15/2019 House Third Reading Passed with Amendments - Floor 3/19/2019 Senate Considered House Amendments - Result was to Concur - Repass
Fiscal Notes:	Fiscal Note
Analyze This Comments:	
Cal. Notif. Action:	
Date Introduced:	2019-01-04
Amendments:	Amendments

SB19-085 — Equal Pay For Equal Work Act

Position:	**Monitor/Oppose Unless Amended**
Sponsors:	J. Danielson | B. Pettersen / J. Buckner | S. Gonzales-Gutierrez
Summary:	The bill removes the authority of the director of the division of labor standards and statistics in the department of labor and employment (director) to enforce wage discrimination complaints based on an employee's sex and instead permits an aggrieved person to bring a civil

action in district court to pursue remedies specified in the bill.

The bill allows exceptions to the prohibition against a wage differential based on sex if the employer demonstrates that a wage differential is based upon one or more factors, including:

- A seniority system;
- A merit system; or
- A system that measures earnings by quantity or quality of production.

The bill prohibits an employer from:

- Seeking the wage rate history of a prospective employee;
- Relying on a prior wage rate to determine a wage rate;
- Discriminating or retaliating against a prospective employee for failing to disclose the employee's wage rate history; and
- Discharging or retaliating against an employee for actions by an employee asserting the rights established by the bill against an employer.

The bill requires an employer to announce to all employees employment advancement opportunities and job openings and the pay range for the openings. The director is authorized to enforce actions against an employer concerning transparency in pay and employment opportunities, including fines of between $500 and $10,000 per violation.

(Note: This summary applies to this bill as introduced.)

Status:	1/17/2019 Introduced In Senate - Assigned to Judiciary 2/20/2019 Senate Committee on Judiciary Refer Amended to Appropriations
Fiscal Notes:	Fiscal Note
Analyze This Comments:	
Cal. Notif. Action:	8:00 AM LSB-B
Date Introduced:	2019-01-17
Amendments:	Amendments

SB19-188	**FAMLI Family Medical Leave Insurance Program**
Position:	**Oppose Unless Amended**

Sponsors:	F. Winter	A. Williams / M. Gray	M. Duran
Summary:	The bill creates the family and medical leave insurance (FAMLI) program and the division of family and medical leave insurance (division) in the department of labor and employment to provide partial wage replacement benefits to an eligible individual who takes leave from work:

- To care for a new child or a family member with a serious health condition;
- Because the eligible individual is unable to work due to the individual's own serious health condition or because the individual or a family member is the victim of abusive behavior; or
- Due to certain needs arising from a family member's active duty service.

Each employee and employer in the state will pay one-half the cost of a premium as specified in the bill, which premium is based on a percentage of the employee's yearly wages. The premiums are deposited into the family and medical leave insurance fund, and family and medical leave benefits are paid to eligible individuals from the fund. The division is established as an enterprise, and premiums paid into the fund are not considered state revenues for purposes of the taxpayer's bill of rights (TABOR).

(Note: This summary applies to this bill as introduced.)

Status:	3/7/2019 Introduced In Senate - Assigned to Business, Labor, & Technology 3/13/2019 Senate Committee on Business, Labor, & Technology Refer Amended to Finance
Fiscal Notes:	Fiscal Note
Analyze This Comments:	
Cal. Notif. Action:	
Date Introduced:	2019-03-07
Amendments:	Amendments