

# 2019 COLORADO AAUW LEGISLATIVE AGENDA

## ACTIVE SUPPORT

**SB 19-007      *Prevent Sexual Misconduct on Higher Ed Campuses***  
*Sens. Pettersen and Winter & Reps. McLachlan and Buckner*

The bill requires each institution of higher education to adopt, periodically review, and update a policy on sexual misconduct. The bill establishes minimum requirements for the policies, including reporting options, procedures for investigations and adjudications, and protections for involved persons. Institutions shall promote the policy by posting information on their websites and annually distributing the policy and information.

Institutions are required to provide training on awareness and prevention of sexual misconduct, the policy, and resources available to discuss such misconduct.

The bill requires institutions to report to the department of higher education on their policies and training, and the department shall post the reports on the website.

The department is to host biennial summits on sexual misconduct on institution campuses to facilitate communication, share information, and hear from experts. The bill identifies membership of the planning committee for the summits. The planning committees are to report to specified committees of the general assembly on the summits.

**SB 19-085      *Equal Pay for Equal Work***  
*Sens. Danielsen and Pettersen & Reps. Buckner and Gonzales-Gutierrez*

The bill removes the authority of the director of the division of labor standards and statistics in the department of labor and employment 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 on one or more factors, including: a seniority system, a merit system, a system that measures earnings by quantity or quality of production.

The bill prohibits a former employer from: seeking a wage rate history of a prospective employee; relying on prior wage rate to determine a wage rate; discriminating or retaliating against a prospective 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 rate 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.

**HB 19-1032      *Comprehensive Human Sexuality Education***  
*Rep, Lontine & Sens. Todd and Coram*

The bill moves provisions of the statutory legislative declaration to a non-statutory declaration.

The bill clarifies content requirements for public schools that offer comprehensive human sexuality education and prohibits instruction from explicitly or implicitly teaching or endorsing religious ideology or sectarian tenets or doctrines, using shame-based or stigmatizing language or instructional tools, employing gender norms or gender stereotypes, or excluding the relational or sexual experiences of lesbian, gay, bisexual, or transgender individual experiences.

Current law provides for a comprehensive human sexuality education grant program. The bill amends certain provisions of the grant program to: Require the department of public health and environment to submit an

annual report concerning the outcomes of the grant program indefinitely; add 8 representatives to the oversight entity and require membership of the oversight entity to be comprised of at least 7 members of groups of people who have been or might be discriminated against; require grant applicants to demonstrate a need for money to implement comprehensive human sexuality education; and require that rural public schools or public schools that do not currently offer comprehensive human sexuality education receive priority when selecting grant recipients.

The bill provides a general appropriation of at least \$1 million annually for the grant program.

The bill prohibits the state board of education from waiving the content requirements for any public school that provides comprehensive human sexuality education.

### **HB 19-1051 Human Trafficking Prevention Training**

*Reps. Carver and McLachlan & Sens. Gardner and Ginal*

The bill requires the division of criminal justice to provide human trafficking training to law enforcement agencies and entities that provide services to human trafficking victims. The training may include: Train the Trainer programs; Direct trainings; and Online training programs.

The training may be provided to law enforcement agencies, organizations that provide direct services to human trafficking victims, school personnel and parents or guardians of students, and any other organization, agency, or group that would benefit from such training. The training must be developed in consultation with the Colorado human trafficking council. When considering requests for training, the division should give priority to requests from areas of the state that have limited access to training resources. Beginning in 2020, the council's annual human trafficking report must include an update on the training provided.

The bill requires the Colorado school safety resource center to include awareness and prevention of human trafficking in the materials and training that it provides.

## **ACTIVE OPPOSITION**

### **HB 19-1103 Protect Human Life at Conception**

*Reps. Humphrey and Saine*

The bill would change Colorado's statutory definition of pregnancy banning virtually all abortions, emergency contraception, and some forms of fertility treatment and impose criminal penalties against providers, pharmacists and other health professionals who perform abortion or dispense medication for a non-surgical procedure.

The bill would prohibit abortion except when necessary to prevent a pregnant woman's death. It provides no exception for when abortion is necessary to preserve the health of the pregnant woman, or for rape or incest.

## SUPPORT

**SB 19-049\* Statute of Limitations/Child Abuse reporting**

*Sen. Fields & Rep. Michaelsen Jenet*

Makes 5 year statute of limitations for failure to report child abuse.

**SB 19-063 Strategic Action Plan – Family Child Care Home Shortages**

*Sens. Priola and Story & Reps. Bucatello and A. Valdez*

Department of human services and early childhood leadership commission create strategic plan to address shortage of family child care homes.

**HB 19-1004 Develop Proposal for State Option for Affordable Healthcare Coverage**

*Reps. Roberts and Catlin & Sen. Donovan*

A proposal for implementing a competitive state option for more affordable healthcare coverage in Colorado and requesting federal money for the proposed state option.

**HB 19-1013\* Extend Child Care Tax credit – Low Income**

*Rep. Exum and Sen. Pettersen*

Permanently extend income tax credit for child care expenses. Gross income of \$25,000 or less.

**HB 19-1025\* Limit Criminal History Question on Job Application**

*Rep. Melton and Herod*

Prohibits employer from asking for criminal history on *job application*. OK to ask in interview or do background checks.

**HB 19-1038 Dental Services for pregnant women on Children’s Basic Health Plan**

*Reps. Duran and Lontine & Sens. Ginal and Story*

Children on CBHP currently covered. Adds pregnant women who are CBHP eligible.

**HB 19-1039\* Identity Documents for Transgender Persons**

*Rep. Esgar and Sen. Moreno*

New requirements for issuing a new birth certificate to a transgender person, no court order required

**HB 19-1055 Public School Cap Construction Assistance**

*Rep. Bird & Sen. Zenzinger*

Requires all state retail marijuana excise tax be credited to the public school capital construction fund

**HB 19-1120 Youth Mental Health & Suicide Prevention**

*Rep. Michaelson Jenet and Roberts & Sen. Fenberg*

Allows a minor 12 years or older to seek psychotherapy services without parental consent. Creates free mental health education literacy resource bank. State BOE adopt mental health standards, including suicide prevention.

## OPPOSE

### **HB 19-1058 Income Tax Benefit for Family Leave**

*Reps. Landgraft and Beckman*

Establishes savings accounts, like HAS, for Family Leave and tax credits for employer who pays employee for leave. Bill is not comprehensive in its coverage, only higher income workers will benefit.

## BILLS OF INTEREST

These bills may not fit directly into our Public Policy Program or may seem more controversial than we are comfortable with. But they may be of interest to some members and/or may affect the well-being of women and girls in a more indirect way. AAUW of Colorado does not support or oppose these bills but just calls them to your attention if you are interested. You can find out more about them on the Colorado General Assembly website (see handout).

### **HB19-1056: Election Day Holiday in Place of Columbus Day**

*Rep. A. Benavidez | Sen. J. Gonzales*

This bill establishes election day as a state legal holiday in place of Columbus Day.

### **HB19-1118: Time Period to Cure Lease Violations**

*Rep. D. Jackson | Rep. R. Galindo | Sen. A. Williams*

The bill requires a landlord to provide a tenant 14 days (as opposed to the current 3 days) to cure a violation for unpaid rent or for a first violation of any other condition or covenant of a lease agreement, other than a substantial violation, before the landlord can initiate eviction proceedings.

### **HB 19-1110: Media literacy**

*Rep. L. Cutter*

The bill creates the media literacy advisory committee within the department of education. The committee is responsible for studying media literacy and creating a report for the legislature regarding the committee's findings and recommendations for implementing media literacy in elementary and secondary education and then requires the department to implement media literacy in elementary and secondary education standards based upon the committee's report.

### **SB19-001 Expands Medication-assisted Treatment Pilot Program**

*Sen. L. Garcia*

This bill shifts the administration of the program, expands the counties that may participate in the program, extends the duration of the program and increases its funding.

### **SB19-008: Substance Abuse Disorder Treatment in Criminal Justice System**

*Sen. K. Priola | Sen. B. Pettersen | Rep. C. Kennedy | Rep. J. Singer*

This bill has 7 sections, all dealing with an aspect of treating individuals with substance abuse disorders who come into the criminal justice system. Includes an appropriation.

**SB19-102: Public School as Innovation School**

*Sen. R. Zenzinger and Rep. B. Titone*

Under existing law, a public school may become an innovation school by submitting an innovation plan to its local school board and having the local school board approve that plan. The bill defines "community school" and permits a public school to include in its innovation plan that it will operate as a community school. We had a lot of questions about this: how is a "community school" different from a charter school, etc.