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21

LEGISLATION IN REVIEW

JULY 2021

2021 Legislation in Review

- 3 2021 Session by the Numbers
- 4 Introduction
- 5 Bills Respond to Pressing Issues of Today
- 8 A Big Year for Bold Policy
- 9 Equity-Oriented Policies Reflect an Increasingly Diverse Legislature
- 11 Polis Leaves His Mark on 2021
- 12 A Budgetary 180
- 14 Allocating ARPA Funds
- 15 Catch '22: Next Year's Election
- 16 Three for '21: Questions to Consider the Rest of the Year

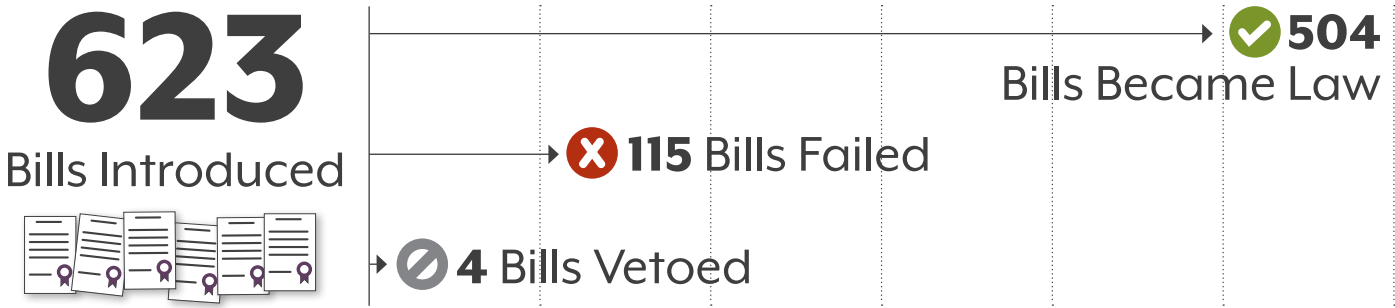
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2021 Session by the Numbers



Bigger Rainy Day Fund, Historic Investment Opportunity

\$1.7B

Set Aside for State's General Fund Reserve

\$3.8B

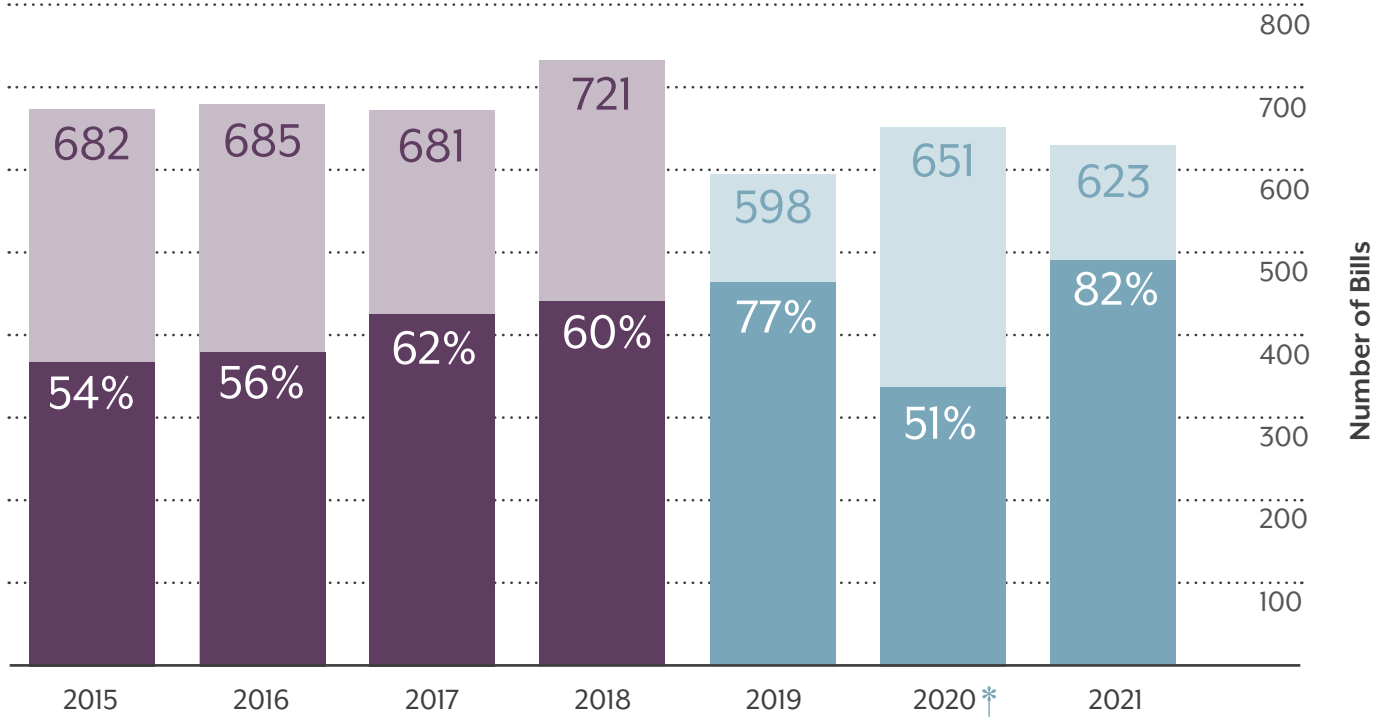
American Rescue Plan Act Funds for State Legislators to Direct

Dates of recess for COVID-19:

Jan. 13 – Feb. 26

Introduced Bills and Pass Rate by Year

■ Split-Party Control
 ■ Single-Party Control
 Lighter Shade = Number of Bills Introduced / Darker Shade = Pass Rate



The COVID-19 pandemic disrupted the 2020 session and forced many bills to be tabled due to time and budget constraints.

INTRODUCTION

2021 was a year for bold health policy action in the Colorado legislature.

Lawmakers created a new state health insurance option and new departments and boards focused on prescription drug costs, behavioral health, and early childhood, and they oversaw an influx of funds for health and other areas.

After the unprecedented 2020 session, which was interrupted by the COVID-19 pandemic and saw a number of highly anticipated proposals deferred or jettisoned due to uncertainty about funding and the future, 2021 almost felt like business as usual under the Gold Dome — aside from remote participation options and plexiglass partitions on the House and Senate floors.

Legislators returned to the Capitol in January for three days of quick work on a set of procedural and pandemic-focused bills, and then paused for a month in order to let COVID-19 case rates fall as more people in the state were vaccinated against the virus. The session ended on June 8 — later than in a typical year, but still earlier than last year's June 15 conclusion.

Democrats controlled both legislative houses and the governor's office for the third year running, and they made use of the less-interrupted session. Over 116 working days, legislators debated more than 600 bills, more than 80% of which ultimately landed on Gov. Jared Polis's desk.

Legislators also approved a \$13.1 billion general fund budget replete with extra funds, including a state stimulus package, that was bolstered by the promise of billions of incoming federal relief dollars.

The grim tolls of 610,000 Americans and more than 7,000 Coloradans dead from the coronavirus hovered in the background, and many continued

to struggle or grieve in the wake of the pandemic. Legislators took steps to respond to the lingering economic and health challenges and debated the role of local authorities in responding to public health emergencies like COVID-19. But their attention was also on persistent problems like the affordability of health care and housing, and on responding to a tumult of current events through bills addressing issues ranging from wildfire prevention to gun control to police misconduct.

Many of those bills and budget lines reflected the priorities of a legislature that was more diverse and more focused on equity than ever, including an effort to reduce racial disparities in perinatal health and birth outcomes and a first-in-the-nation plan to extend access to public housing to immigrants without documentation. But some of the most progressive proposals on the table, including a state-run health insurance plan, were modified as they made their way through the legislative process to appease more moderate Democrats.

In 2022, legislators will return to the Capitol with billions more to spend in recovery funds — and with an election on the horizon, which often makes politicians more risk-averse. That suggests that 2021 may have been a unique political moment: More people are being vaccinated, and the economy is recovering, if incompletely; the state's Democrats hold more power than in recent memory; and federal and state relief dollars have offered the opportunity for historic investments just a year after debilitating budget cuts. In the years to come, we will trace how this year's policy decisions impact Coloradans' physical, emotional, and financial health.



THEMES AND BILLS

Bills Respond to Pressing Issues of Today

Sometimes the origin stories of bills can be murky. Other times, legislation is a clear response to recent events and calls to action. In 2021, many bills fell into that latter category, with Colorado legislators introducing measures responding to major social, political, environmental, and health issues of today.

Police Violence and Racial Justice

Last year was marked by renewed outrage over police violence against Black Americans, including a young Aurora resident named Elijah McClain. In 2019, McClain was walking home from a convenience store when someone called 911, saying he looked suspicious. McClain was subsequently placed in a chokehold by police and injected with ketamine, a powerful sedative, by paramedics on the scene. He went into cardiac arrest while being transported to the hospital and died three days later.

The legislature passed several new laws in response to police violence. **House Bill (HB) 1251** limits the use of ketamine outside of a hospital. **HB 1122** establishes a commission to improve first responder interactions with people with disabilities. And **HB 1250** builds on last year's landmark police reform bill, **Senate Bill**

(SB) 20-217, adding protections for whistleblowers and requiring investigations into use-of-force cases, among other measures.

Firearms and Gun Deaths

Gun policy has long been contentious in Colorado. Legislators introduced a wide array of firearm-related bills this year. Some measures sought to relax existing gun policies; others aimed to strengthen them.

Republicans introduced five bills right out of the gate, including **HB 1038**, which would have allowed people with concealed carry permits to carry guns on school grounds, and **HB 1070**, which would have reversed a prohibition on selling and owning certain large-capacity ammunition magazines. All five measures died in committee hearings.



Democrats, meanwhile, introduced three gun-control measures early in the session. Then in March, a gunman shot and killed 10 people at a King Soopers in Boulder, prompting Democrats to introduce an additional three bills to strengthen Colorado's gun laws. Less than two months later, a mass shooting in Colorado Springs left seven people, including the shooter, dead.

In the weeks following these dual tragedies, Democrats made historic movement on gun control. Legislators passed six measures to strengthen Colorado's gun laws, including **SB 256**, which allows local governments to pass gun control laws for their jurisdictions; **HB 1299**, which creates the Office of Gun Violence Prevention; and **HB 1298**, which adds certain misdemeanor convictions, such as bias-motivated crimes or sexual assault, to the list of crimes that prohibit someone from buying a gun.

Wildfires and Drought

In recent years, Colorado has experienced some of the worst wildfires and drought conditions in the state's history.

Policymakers from both sides of the aisle responded with legislation related to wildfire prevention, water management, and climate change, including **SB 54**, which allocates \$13 million to wildfire prevention and recovery, and **HB 1242**, which creates the Agricultural Drought and Climate Resilience Office under the Department of Agriculture.

Support for Students

The pandemic forced students to navigate remote and hybrid learning while diminishing opportunities to interact with friends, teachers, and other adults outside of their homes.

Several new laws address students' unmet mental health needs and attempt to make up for lost learning time. **HB 1258** sets up a temporary program to screen children and youth for mental health needs that may have emerged during the pandemic and provides eligible students with up to three mental health counseling sessions. **HB 1234** creates grants for tutoring programs that



address student learning loss due to the pandemic. **SB 13** directs the Colorado Department of Education to create a bank of resources aimed at countering learning loss, and **HB 1259** streamlines the process for creating expanded learning opportunities such as summer school, extended school days or weeks, and social-emotional supports for students.

Broadband and Telehealth

The pandemic also underscored the need for infrastructure that can support Coloradans' needs in the digital age, including the ability to access telemedicine, work from home, and learn remotely if needed.

Legislators passed several bills — some with bipartisan support — to expand access to broadband internet in Colorado, including **SB 60**, **HB 1109**, and **HB 1289**.

On the telemedicine front, the passage of **SB 139** means insurance companies are required to cover some teledentistry services. And **HB 1256** tasks the Department of Health Care Policy & Financing (HCPF) with creating new rules for providers who see patients exclusively or predominantly via telemedicine and who are often based out of state.

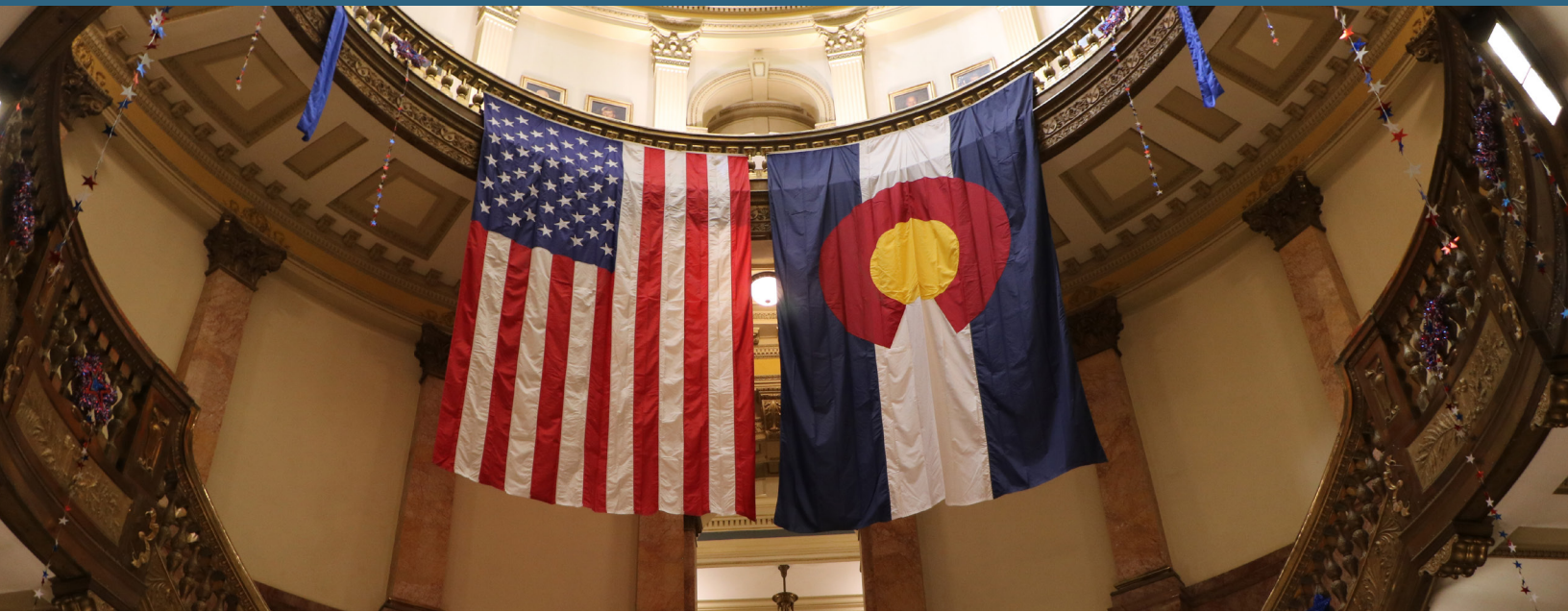
Pandemic Response

Of course, pandemic response was front and center at the Capitol this year.

Some legislation aimed to bolster the state's public health infrastructure and workforce — both to aid in pandemic recovery and to better prepare for public health crises to come. For example, **SB 243** allocates \$21 million to local public health agencies and the Disease Control and Public Health Response Division of the Colorado Department of Public Health and Environment (CDPHE). **HB 1281** sets up a Community Behavioral Health Disaster Preparedness and Response Program. And **HB 1005** establishes a task force to make recommendations on the creation of a Health Care Services Reserve Corps that could help provide medical care during an emergency.

Republicans also introduced a handful of bills to give local governments more authority — and the state less authority — in handling future public health emergencies. These measures (**HB 1032**, **HB 1036**, **HB 1081**, **SB 28**, and **SB 36**) all died in committee.





A Big Year for Bold Policy

The 2021 legislative session had two key ingredients for passing big, bold policy measures: political will (with Democratic control of both the House and the Senate during a non-election year) and, critically, an abundance of funds. The result: landmark legislation addressing prescription drug pricing, health insurance, behavioral health, and more.

Prescription Drug Pricing

After several years of trying with limited success, policymakers tackled the high cost of prescription drugs. Most notably, legislators passed **SB 175**, which sets up a Prescription Drug Affordability Board to review the cost of certain drugs and, in some cases, establish upper payment limits. Legislators also enhanced measures to make insulin more affordable for people with diabetes (**HB 1307**), constrained how pharmacy middlemen operate to improve affordability for consumers (**HB 1237** and **HB 1297**), and allowed Colorado to import drugs from countries besides Canada, if and when the federal government permits it (**SB 123**).

The Bill Formerly Known as the Public Option

HB 1232 is an ambitious attempt to drive down health care costs in Colorado. As originally introduced, the bill would have created a path to a “public option,” a state health insurance plan offered alongside private plans. But after much

debate, pushback from health care industry groups, and extensive amendments, the bill in its final form no longer sets up a true public option. Instead, it directs the Division of Insurance to create a standardized health insurance plan to be offered by all private insurers. It also requires insurers to reduce premium prices for the standardized plan by 15% by 2025 and would push providers to accept rates set by state regulators if needed to meet the specified premium reductions. While the bill — referred to as the Colorado Option — was watered down over the course of the session, proponents of the measure still hail it as a major achievement that will make a real difference in the lives of Colorado consumers.

Behavioral Health

2021 was a big year for behavioral health.

HB 1097 establishes the Behavioral Health Administration, a new state agency to lead, promote, and administer the state’s behavioral health priorities. The bill passed with overwhelming

bipartisan support. Colorado will have a Behavioral Health Administration by July of next year.

HB 1068 requires health insurers to cover annual mental health wellness exams without any out-of-pocket costs to patients, just as they cover annual physicals. It's the first bill of its kind in the country.

And **SB 137** reserves \$550 million of federal stimulus dollars for mental health and substance use disorder services.

Legislators also passed numerous bills to improve behavioral health crisis response. Among them are **HB 1085**, which creates a Medicaid benefit for secure transportation services for people experiencing a behavioral health crisis, and several suicide prevention measures (**HB 1119**, **SB 129**, **SB 154**).

Bills related to substance use include **HB 1317**, which regulates high-potency marijuana products, and **HB 1276**, which aims to prevent substance use disorders through a number of mechanisms, including expanding coverage for drugs and treatments that offer alternatives to opioid use.

Early Childhood

HB 1304 creates the Department of Early Childhood, a new state agency that will eventually host Colorado's universal pre-kindergarten program, among other initiatives. Gov. Polis campaigned on offering universal preschool, and the new department is a step toward realizing that goal.

Housing

Housing remained a top priority for Colorado policymakers this year. New laws include measures to enhance tenants' rights (**HB 1121**, **SB 173**), promote affordable housing (**HB 1117**, **HB 1271**), and offer rooms in underutilized hotels and motels to people experiencing homelessness (**SB 242**). Policymakers also set aside \$550 million of federal stimulus funds for housing supports (**HB 1329**) to help Coloradans experiencing housing instability or homelessness as a result of the pandemic. Most of that money will not be appropriated until 2022.

Equity-Oriented Policies Reflect an Increasingly Diverse Legislature

Colorado's legislature is more diverse than ever.

The state's Black and Latino Caucuses have never been larger, with 9 and 13 members, respectively. Women hold 46% of seats at the Capitol — the second-highest rate in the country, after Nevada. And many freshman legislators made state history when they took office in 2021, including Rep. Iman Jodeh, the first Muslim legislator in Colorado; Rep. Naquetta Ricks, the state's first African immigrant legislator; and Rep. David Ortiz, a U.S. Army veteran and the first Colorado legislator known to use a wheelchair.

Bills introduced and passed in this year's session reflect this growing diversity. The legislature advanced many measures designed to serve communities often underrepresented at the Capitol, including people of color, women, and immigrants.

Racial Equity

Legislators of color led the charge on bills to advance racial equity across many domains, including health.

SB 193 and **SB 194** aim to close racial disparities in perinatal health and birth outcomes. These bills make a number of changes to state law, including expanding Medicaid and Child Health Plan *Plus* coverage from 60 days to 12 months postpartum and establishing requirements for prisons and jails where pregnant people are incarcerated or detained.

SB 181 tasks CDPHE with writing a report on health disparities every two years and requires the Health Equity Commission to broaden its membership and develop an equity strategic plan for the state.

Several bills also address racial inequities in the criminal justice system, including **SB 271**, which implements misdemeanor and petty offense

sentencing reforms recommended by a Colorado Commission on Criminal and Juvenile Justice task force.

HB 1266 aids communities disproportionately impacted by environmental harms such as air pollution. The law includes several provisions originally included in **SB 200**, another environmental justice bill that was sidelined after facing a veto threat from the governor.

One bill, **HB 1318**, creates a grant program to increase access to the outdoors for underserved youth and their families. Another, **SB 182**, aimed to reduce interactions between law enforcement and students — particularly students of color, who are more likely to be harshly disciplined at school than their white counterparts. The bill was withdrawn by its sponsors after receiving swift pushback from law enforcement and other groups. This was one of the few notable defeats for Democratic bill sponsors this year.

Sexual and Reproductive Health

2021 was a historic year for sexual and reproductive health legislation, in large part because of efforts by many women in the legislature.

The two birth-equity bills referenced previously (**SB 193** and **SB 194**) enhance protections for pregnant people.

SB 16 requires health insurance plans to cover contraception and sexually transmitted infection (STI) counseling, prevention, and screening with no out-of-pocket costs to patients. The bill also allows providers to prescribe medications that prevent STIs to minors without parental consent.

Additional legislation directs HCPF to create a reproductive health care program for undocumented people, who are ineligible for Medicaid (**SB 9**); raises the income eligibility threshold for Medicaid family planning services (**SB 25**); and relaxes restrictions on the types of facilities and providers that can be reimbursed for medically necessary abortions under Medicaid (**SB 142**).

SB 255 sets aside money for free menstrual products for students. And **SB 27** covers the cost of 26 million diapers for families in need. The “diaper bill” was sponsored by four Colorado legislators, all of whom are mothers of young children.

Supports and Protections for Immigrants

Legislators have also forged ahead with legislation serving Colorado’s immigrant communities.

A handful of bills modify existing programs and protections to include undocumented immigrants, who have previously been ineligible or excluded. With the passage of **HB 1054**, Colorado became the first state to extend access to public housing benefits to undocumented people. **SB 199** and **SB 77** remove barriers to undocumented people seeking public benefits, professional licenses, certificates, and contracts. And **SB 87**, known as the Agricultural Workers’ Bill of Rights, extends labor protections enjoyed by other occupations to farmworkers, including minimum wage laws, overtime pay, lunch breaks, and the right to organize or join labor unions.

Other bills protect undocumented people from being targeted or extorted based on their immigration status. **SB 131** prohibits state agencies from sharing personal identifying information with immigration enforcement authorities and limits the state’s ability to collect information about a person’s immigration status. **HB 1057** prohibits extorting people by threatening to report their immigration status to law enforcement.

Finally, a few bills set up new programs to support immigrants in Colorado. In addition to the reproductive health program established by **SB 9**, **HB 1194** creates an Immigration Legal Defense Fund to serve low-income clients in immigration court. And **HB 1150** creates the Office of New Americans, which will serve as a centralized point of contact for immigrants and refugees seeking support services in Colorado.



Polis Leaves His Mark on 2021

Between overseeing Colorado’s response to COVID-19 and juggling state and national politics, Gov. Polis has had his hands full during his third year in office.



Gov. Polis

Early in the year, with new federal support from the Biden administration, Polis focused on rolling out the vaccine and reopening the state. Both efforts are ongoing.

Many priority initiatives of the governor’s office that were sidelined by the pandemic in 2020 resurfaced this year and crossed the finish line. The governor successfully pushed for the passage of several high-profile bills, including measures to establish the Department of Early Childhood, the Prescription Drug Affordability Board, and the insurance reform effort known as the Colorado Option.

The Governor also vetoed four bills, including **HB 1092**, which would have allowed a candidate for lieutenant governor to run for other elected

positions at the same time, and **HB 1254**, a vehicle registration bill that Polis feared would have negative fiscal impacts under the Taxpayer’s Bill of Rights (TABOR).

As the pandemic wanes across Colorado, so too will the extraordinary powers granted to Polis through the state’s disaster emergency declaration, which Polis announced was ending on July 8. Over the pandemic’s 16 months and counting, the governor drafted nearly 400 executive orders — a pace that drew applause from those who welcomed state action and social distancing requirements, and criticism from proponents of limited government oversight.

In 2022, expect Polis to devote more time to his reelection campaign as his first term comes to an end. Meanwhile, conservatives will be faced with the task of identifying a strong Republican candidate who appeals to voters statewide — in a Colorado that’s increasingly blue. Election years tend to be fast and furious for Colorado politics, and 2022 will be no exception.

BUDGET

A Budgetary 180

The swift and unexpected budget shortfall of 2020 was followed by an unexpectedly strong economic rebound in 2021.

Last year, members of Colorado's Joint Budget Committee (JBC), who draft the budget, were forced to axe nearly a quarter of the entire spending plan due to the COVID-19 pandemic and resulting economic fallout. JBC staff feared the prognosis for 2021 as they knew that many one-time moves to balance the budget, like tapping state savings accounts, would not be available this year. But legislators were spared from making such difficult decisions this time around, as Colorado brought in more tax revenue than expected and it became clear that last year's budget cuts were more significant than was ultimately necessary.

Colorado's FY 2021-22 general fund budget, introduced as **SB 205** and several companion bills, is \$2.3 billion larger than the previous year, putting state spending back on track — almost as if the pandemic-induced recession had never happened.

Deciding how best to spend the cash windfall was a welcome challenge for the JBC. Legislators dedicated a whopping \$800 million to a state stimulus package dubbed the “Colorado Recovery Plan.” The money was doled out through nearly 30 bills focusing on education, employment, housing, and human services, with appropriations ranging from \$15,000 to \$65 million.

Some of the earliest allocations in the FY22 budget restored reductions to state departments and offices made in the previous year.

JBC members also put \$1.7 billion into state savings accounts — the largest amount ever. Legislators plan to put additional savings away over the next two fiscal years.

In terms of health dollars, money is earmarked for wrap-around services for children with behavioral health needs, medication treatment in jails, dental care for older adults, and family medicine residencies, among other initiatives.

Notable new or increased spending across health programs includes:

- **\$707.5 million** for Medicaid caseload increases and long-term services and supports
- **\$157.7 million** to increase Medicaid provider premiums by 2.5%
- **\$87 million** for the Supplemental Nutrition Assistance Program (SNAP)
- **\$15.5 million** to move 667 Coloradans off the waitlist for the Adult Comprehensive Waiver, a program for people with intellectual and developmental disabilities
- **\$10.7 million** to address disparities experienced by Medicaid patients and to make health equity grants through CDPHE
- **\$6.5 million** to increase rural health providers' access to health data, analytics, and technical support
- **\$1.8 million** to establish an e-consult platform where physicians refer complex cases to specialists

Many state spending decisions over the past two sessions have been made during a period of significant federal government stimulus and support. Legislators have three more years to spend money from the federal American Rescue Plan Act (ARPA) and to plan for a future without the promise of so much aid from the federal government.

It's clear that the post-pandemic economic recovery won't be felt equally. Since January 2020, high-wage employment — positions paying more than \$60,000 annually — is up 14.9%, while low-wage employment — positions paying less than \$27,000 annually — is down 5.7%. Higher

rates of unemployment among lower-income Coloradans continue to exacerbate existing inequalities.

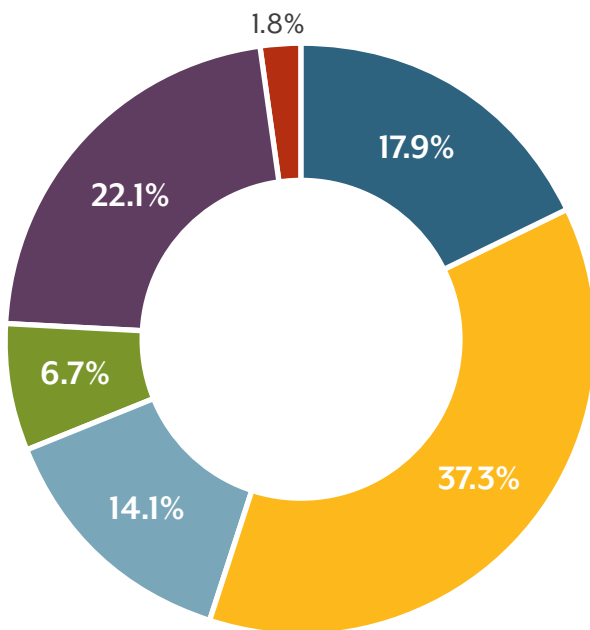
A historic pair of tax reform bills, **HB 1311** and **HB 1312**, attempt to level the economic playing field by eliminating nearly \$400 million in tax breaks for corporations and the wealthiest households in the state. The revenue will go in large part

toward programs that support low-income families and small businesses, including the Earned Income Tax Credit and the Child Tax Credit.

As the state continues its slow crawl out of the pandemic, the JBC – and the entire General Assembly – must continue to consider how Colorado’s fiscal policy will impact those most in need of support.

FY 2021-22 Total Funds

Total: \$35.9 billion



K-12 Education:

\$6.4 billion

Health Care Policy & Financing:

\$13.4 billion

Higher Education:

\$5.0 billion

Human Services:

\$2.4 billion

Other:

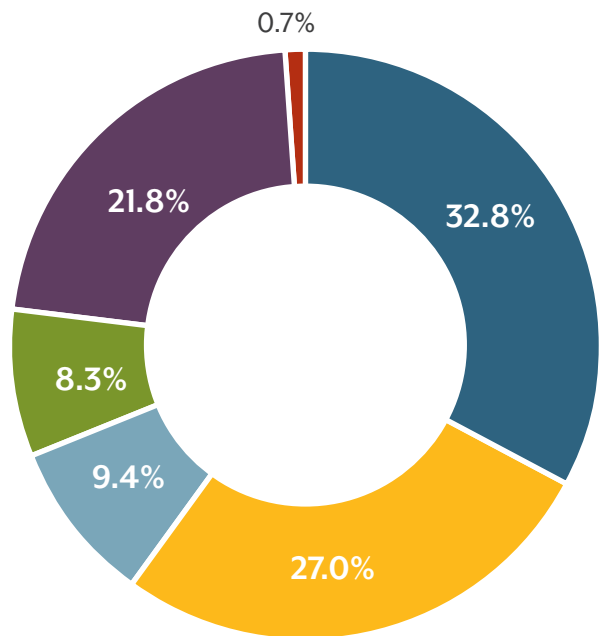
\$7.9 billion

Public Health and Environment:

\$659 million

FY 2021-22 General Funds

Total: \$13.1 billion



K-12 Education:

\$4.3 billion

Health Care Policy & Financing:

\$3.5 billion

Higher Education:

\$1.2 billion

Human Services:

\$1.0 billion

Other:

\$2.8 billion

Public Health and Environment:

\$89 million

Source: FY 2021-22 Long Bill Narrative, reflects budget as originally introduced

Allocating ARPA Funds

The passage of ARPA was a major boon to the state. Under the stimulus bill, the federal government sent billions of dollars to Colorado to assist with pandemic response and relief efforts. The legislature will not spend most of the money until next year, though these discussions figured prominently in conversations in the final weeks of the 2021 session.

All told, the state will receive roughly \$27 billion from Washington, with most of it going to direct payments to individuals and businesses. The legislature has \$3.8 billion to work with, and city and county governments will split another \$2 billion. The stimulus bill also funded unemployment benefits, aid to airlines and restaurants, and other pandemic relief and recovery efforts.

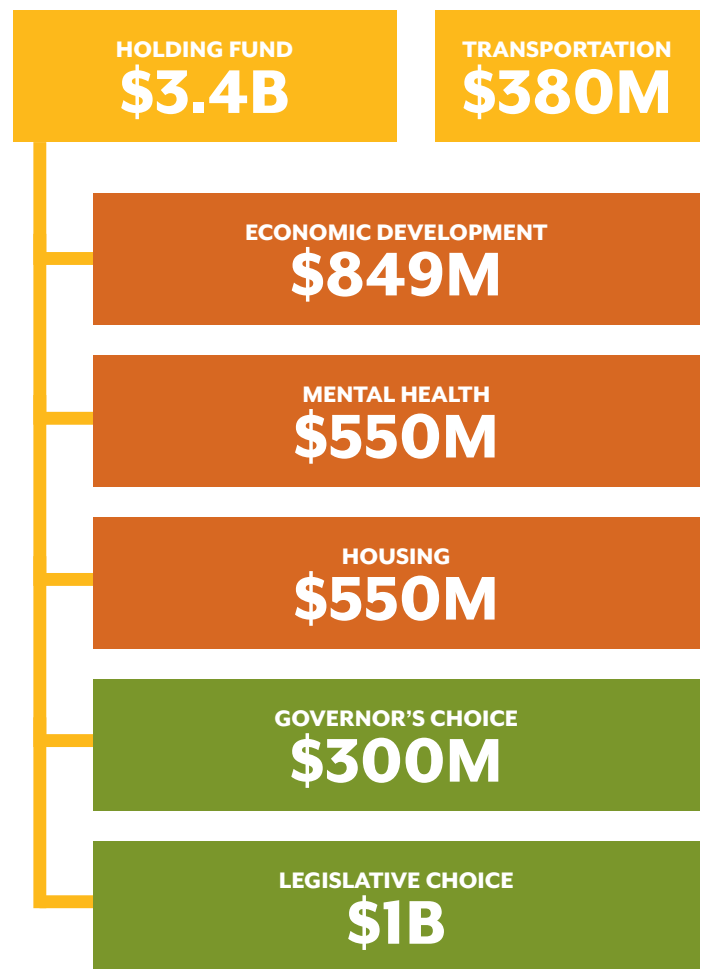
ARPA dollars have some strings attached. They can be used to address public health needs and the negative economic impacts of the pandemic; provide premium pay to essential workers; backfill revenue loss; and invest in water, sewer, and broadband infrastructure.

State officials cannot simply hold on to this money, either; all funds must be allocated by 2024 and spent by 2026. This timeline eased the urgency of spending decisions toward the end of the session, as legislators and the executive branch felt they had time to make allocation decisions and did not need to rush to direct funds in the final weeks or during a summer special session.

Colorado legislators quickly created the American Rescue Plan of 2021 Cash Fund through **SB 288**, putting \$3.4 billion into the account and spending \$380 million on current transportation needs as part of a landmark bill passed this year (**SB 260**). Then legislators began moving funds out of the SB 288 account for the following purposes:

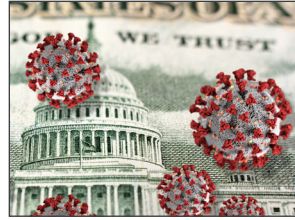
- **SB 289** moves \$1 billion from the American Rescue Plan Cash Fund into the Revenue Loss Restoration Cash Fund to help balance

Figure 1. Breakdown of \$3.8 Billion in State-Level ARPA Funds



budgets into FY24. The legislature has wide discretion over this pot of money.

- **SB 291** transfers \$849 million into an Economic Recovery and Relief Fund, with \$40 million immediately put toward business grants. A task force will recommend how the state spends the remaining \$809 million to further stimulate Colorado's economy.
- **SB 137** assigns \$100 million for mental health and substance use programs; an additional \$450 million will be available to use in 2022. An interim task force will make recommendations to the legislature on how to use the money.
- **HB 1329** allocates \$100 million for affordable housing, and an interim task force will recommend how to spend an additional \$450 million in 2022.
- **HB 1264** creates the Stimulus Investments in Reskilling, Upskilling, and Next-skilling Workers Program, with \$25 million to be spent this fiscal year.



In July 2021, CHI published a Financial Map to track the path of federal relief funds. Find it at colo.health/ARPAmap

- **SB 290** spends \$15 million on services for older Coloradans through Area Agencies on Aging.
- **SB 292** puts \$15 million toward services for victims of domestic violence, sexual assault, or similar situations.

The governor's office will also have about \$300 million to direct to top priorities.

Policymakers gathered feedback and ideas on how to spend ARPA dollars during the Build Back Stronger listening tour in March and April. The governor's office has committed to convening with stakeholders before the next legislative session to find the best uses for remaining funds to address pressing issues and local needs. Expect this conversation to continue to be a headline for the 2022 session.



Catch '22: Next Year's Election

Nearly all of the state's top public offices will be on the 2022 election ballot. That includes the governor, attorney general, secretary of state, and treasurer. U.S. Sen. Michael Bennet, Colorado's entire delegation in the U.S. House of Representatives, one-third of state senate seats, and every state House seat will be up for election, too.

Because the state's population has grown significantly over the past decade, Colorado will add one seat to its congressional delegation. Two

independent commissions have been tasked with redrawing Colorado's congressional and legislative districts. Commission staff have proposed that the new 8th Congressional District occupy Denver's northern suburbs, following northbound I-25 into Weld County. Although possible candidates from the metro area and Weld County are already jockeying for the seat, the map could still change significantly. The commissions will hold public forums across the state and finalize the new district lines later this year.

Three for '21

Questions to Consider the Rest of the Year

Colorado is living through an unusual political moment. The COVID-19 pandemic shook up everyday life and brought economic whiplash with a crash followed by a quick — but incomplete — recovery. Democrats hold more power in Colorado than any time since the New Deal era of the 1930s, and they are more willing to advance a progressive agenda than their predecessors from the past decade. And an unprecedented sum of federal money is available for immediate spending by the legislature and local governments. These trends will dominate the remainder of the year and set the stage for 2022, an election year in Colorado.

The Pandemic: Is It Really Over?

More than 70% of eligible Coloradans have received their COVID-19 vaccines, but the pace is slowing and a stark political divide has developed, with people in counties that voted for former President Donald Trump getting vaccinated at a much lower rate than in counties that went for Joe Biden. Contagious variants of COVID-19 are spreading and threatening to induce another wave of infections in the fall. Lockdowns and mask mandates have ended, so how will the state and local health agencies respond if the virus surges again? The answer could have a bigger impact on the political climate than anything that happened in the legislative session.



Progressive Change: Are Voters on Board?

Democrats used their majorities to pass a very progressive set of bills.

Fifteen years ago, when Democrats won their first majorities in the legislature in half a century, they stuck to the center — even passing a crackdown on immigrants without documentation. That's a stark contrast to this year, when Democrats extended an array of benefits for people without documentation, including family planning services, public housing assistance, and legal aid. (See page 10.) Not long ago, these bills would have powered a conservative backlash. In 2021, they passed easily despite Republican opposition.

Democrats governed this year as if they were representing a progressive electorate. Maybe they're right.

Billions of Choices: Can the One-Time ARPA Money Bring Lasting Change?

The legislature has set up three special task forces to recommend ways to spend \$2 billion in stimulus money on behavioral health, affordable housing, and economic development. These will be historic investments in areas that Colorado has not funded well in the past. But the true test of leadership will be whether state policymakers can deploy the money strategically in partnership with local governments, which also have large sums to spend, and make lasting change for the benefit of Coloradans, especially those who need help the most.



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