

## Walker, Jariah R

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**From:** Colorado Municipal League <kbommer@cml.org>  
**Sent:** Wednesday, April 19, 2023 10:30 AM  
**To:** Walker, Jariah R  
**Subject:** CML Action Alert: Update on SB23-213

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**Legislative Action**

***ALERT***

## **SB 213 passes Senate Local Government & Housing Committee**

- **Carve outs, new requirements do not change CML opposition**
- **More details in tomorrow's Executive Director Zoom Town Hall**

Last night, the Senate Local Government & Housing Committee took around 6 hours, including a 3-hour recess, to adopt a slew of new amendments to SB 213. This followed around 12 hours of testimony when the committee heard the bill back on April 6. None of the amendments change the opposition by CML, and members are urged to **contact their senator** to let them know that municipalities will continue to oppose the bill until preemptions, mandates, and state centralization of local land use authority are out of the bill.

The only amendment that would have allowed CML to change from "oppose" to "support" was defeated in committee after being offered by Sen. Barb Kirkmeyer, R-Brighton. The amendment **(L.010)** would

have kept several provisions and definitions of SB 213, and added some better language on water planning, displacement, and assistance to municipalities through DOLA. The amendment would have removed all of the preemptions and mandates that will otherwise have SB 213 destined to be tied up in the legal system as it stands.

The most significant development was the exemption of “rural resort job centers” from almost all the bill’s requirements, which caused Sen. Dylan Roberts (D-Avon) to support the bill.

The sponsor and committee recognize that the bill needs work – but still felt compelled to pass it with problems instead of sorting out all the impacts of amendments. For example, there is dangerous and ambiguous language that could expose municipalities to litigation or prevent the mitigation of development impacts, including parking. The legislation also maintains DOLA as a regulatory agency.

The preemptions and mandates still include:

- ADU mandates and minimum standards for over 50 urban municipalities
- Minimum multifamily density requirements and minimum standards for areas around rail stations and in broad swaths of many urban cities based on CDOT designations.
- Middle housing requirements (up to 4 units) and minimum standards for other areas of the city.
- Adding costly requirements to comp plans and requiring alignment with state objectives

The League is still gathering all the amendments that were adopted since many were done on the fly and not shared publicly. CML will provide a more detailed summary. In the meantime, both the **Denver Post** and **Colorado Public Radio** provided some details in their respective coverage.

The next stop for SB 213 is the **Senate Appropriations Committee** on Friday morning.

## **More details in tomorrow’s Executive Director Town Hall**

League staff will be busy today gathering more information and lobbying this bill (and many others) that still have a long way to go. However, there is still time to register for the Executive Director Zoom Town Hall set for tomorrow at 6 p.m. to hear the latest on SB 213.

This meeting will be for **CML members only**. Registration is required, and members **must use the email address associated with their Zoom account to join**. Please register with that email address.

Members are invited to pass the invitation on to key staff they would like included. CML staff will attempt to answer as many member questions as possible in the time allotted.

## **How to Register**

- Click [here](#) to register.
- You will be required to enter the following info:
  - First and last name
  - Email address (use the email associated with your Zoom account)
  - Phone (optional)
  - Job title
  - Municipality
- You will receive a confirmation of your registration at the email address you registered



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