



## **City of Aurora State Legislative Priorities**

### **Housing**

Address obstacles in Proposition 123 to allow municipalities flexibility in affordable housing unit development requirements.

In lieu of a municipality having to issue the entirety of the baseline amount of affordable housing units as directed by DOLA, if a participating municipality achieves 80% of the units required by the state Department of Local Affairs in a year, then the municipality will be eligible to remain in the program the following year. Prop 123 funding will be going to different organizations in the community, such as non-profits, community land trusts, and private entities. This distribution makes it challenging for municipalities to track units created under Prop 123 funding as municipalities cannot control the development time frame of others or the funding they dedicate. Each municipality and county has unique development needs and restrictions that impact the permitting timeframe. Combined with the other challenges it can be difficult to accomplish unit requirements. The City supports flexible housing goals to promote success.

Reform construction litigation practices to allow for expanded housing development.

Colorado's housing shortage continues to contribute to the increasing cost of living throughout the state. Current construction defect litigation practices disincentivize builders from bringing more high-density multifamily units to market for sale. The City will support reforming construction defect lawsuits and encourage new development.

The City opposes state preemption of local authority and encourages state officials and state agencies to work in collaboration with local governments to address housing needs.

There is not a one-size-fits-all approach to housing and the City encourages expanding partnership opportunities with the state to meet the needs of our community.

### **Homelessness**

Encourage ongoing funding for the City's Navigation Center to address housing and homeless needs.

The City's Navigation Center will provide behavioral and mental health, substance use disorder services and treatment, medical care, transitional housing, emergency shelter, recovery-oriented services and care, and other supportive services. The city will be pursuing funding for supportive services at the Navigation Center as it becomes available and asks for support in our applications for these resources.

### **Tax and Licensing**

Address inequity in the distribution of cigarette stamp tax revenue to municipalities.

The City is seeking a legislative fix for HB19-1033 to remove the provision that "any municipality or county that raises taxes on cigarettes will forfeit their share back from the state". The Department of Revenue contends that the removal of the sales tax exemption requires that



the cigarette taxes be redistributed to other local governments. Multiple local governments have removed their exemptions resulting in an inequitable distribution of revenues away from where the products are consumed. The requested fix has no financial impact on the state and prioritizes fairness of distribution by clarifying that removing the sales tax exemption on cigarettes (as the state has done) is not a disqualifying factor to receiving a portion of the state share back program. Aurora has exempted groceries from sales tax and applying sales tax to cigarettes is a way to bridge the gap.

## **Infrastructure**

### Funding for transportation infrastructure improvements to accommodate increased density.

Public transit is a crucial piece of infrastructure for our transit-reliant communities. The city supports increased state transportation and transit funding that includes an equitable portion of new revenue to cities and other local governments. The City supports efforts that boost public transportation options and availability for our community.

The City specifically seeks funding to widen Highway 30/Gun Club Road. Fees established by the passage of SB 21-260 are being collected now and will fund projects within CDOT's 10-year plan which includes widening Highway 30/Gun Club Road and delivering multimodal improvements including proper bike and pedestrian facilities and assessing and delivering transit services that are tailored for this area. The city supports this funding to complete this project.

### Legislation that promotes efficient permitting processes, planning, and development of water storage.

Aurora ensures water infrastructure is well maintained and efficiently managed to serve Aurora's current and future population. The City supports legislation that promotes efficient permitting processes; assists in the planning and development of storage; and/or continues the Colorado Water Conservation Board's and Colorado Water Resources & Power Development Authority's financial programs.

## **Public Safety**

### Criminalize the possession of weapons by previous offenders (POWPO) and increase penalties for defaced firearms.

SB21-271 "Misdemeanor Reform" made substantial changes to the felony charge of "Possession of a Weapon by a Previous Offender." Before SB271 became law, police and prosecutors could charge convicted felons for the possession of a firearm. SB271 changed the law so that only felons previously convicted of "Victims Rights Act" offenses could be charged with illegally possessing firearms. The 2021 law significantly hampered the ability to proactively fight crime by preventing convicted felons from possessing guns.

Under current law, previously convicted felony drug dealers and car thieves can possess weapons, and POWPO offenses are currently a class 5 felony, a lower-level felony offense.



Enhanced penalties for the possession of a weapon while being unable to pass a background check are needed. The City seeks amendments for C.R.S. 18-12-108 to include the distribution of controlled substances and aggravated motor vehicle theft to the list of POWPO convictions and increase the level of offense to a class 4 felony.

Increase the juvenile bed cap for the state, or allow state-wide flexible bed spaces to address capacity issues at juvenile detention centers.

Juvenile detention centers are consistently at or near capacity due to the state-mandated limitation on bed space from SB21-71. As the state population has increased, centers no longer have the space to intake youth committing violent crimes and are deemed a danger to others per judicial ruling.

Statewide detention beds for juveniles have been reduced repeatedly since 2003, resulting in a now untenable situation. Reports from the Colorado Department of Human Services indicate that juvenile crime has increased over the last few years putting increasing strain on youth detention complexes. Often, the safest outcome for youth is to remain in custody to protect the public but also to ensure they do not return to a bad environment where they may commit another crime or be in danger themselves. The City supports removing the bed cap entirely or increasing the bed cap. We also encourage the exploration of allowing state-wide flexible bed spaces to address capacity issues.

Identify ways to partner with Colorado state and state agencies to ensure vehicle registration compliance.

Expired and missing tags are ubiquitous on CO roadways and are a frequent complaint from Aurora citizens. As vehicle registration is regulated at the state and county level, the City is concerned that vehicle registration compliance is not being fairly applied across the state. As this is a matter of City and statewide concern, the City prioritizes exploring ways to partner with county and state agencies for effective and efficient solutions.

## **Municipal Courts**

Development and buildout of a state database and development of a task force to allow for information sharing between municipal and state courts.

The coordination and the sharing of data between state and municipal courts is crucial but under the current system municipal court staff must directly contact individual courts to request copies of relevant files or cases. This results in municipal resources being devoted to a tedious process that can be streamlined with a shared statewide system. The City supports the efforts of the Court Data Sharing Task Force to identify and suggest ways to allow for information sharing between municipal and state courts.