



Rates the Colorado Legislature

THE TAXPAYER'S VOICE



The First Regular Session of the Seventy-fourth General Assembly adjourned on May 8, 2023 • Report Prepared by Colorado Union of Taxpayers

2023 CUT Ratings Colorado Union of Taxpayers Rates the 2023 Legislature

Colorado is in trouble. Extreme one-party governance is ruining Colorado. Crime is out of control. Many of our students cannot proficiently read, write, and do arithmetic. The tragedy of homelessness is growing even though millions of dollars are spent on the issue. Reliable, efficient, affordable, and abundant energy sources are under regulatory attack. Government induced inflation is hurting Coloradans at the grocery store and gas pump. Higher property taxes are squeezing homeowners. 681 pieces of legislation, most multiple pages long, were proposed this 2023 legislative session. This is irresponsible. There is no way that legislators read each bill, nor did they have time to ponder the long-term ramifications of the legislation they were voting on. Debate and voices were squelched by extreme party leadership. The Colorado Union of Taxpayers (CUT) analyzed and took position on 213 of the 681 bills proposed using the CUT Pledge as our guide. There were big themes this legislative session: property rights; the Constitutional Right for citizens to protect ourselves against bad actors; freedom of mobility; access to reliable, efficient, affordable, and efficient power; parental rights; housing; abortion; the Colorado Taxpayer's Bill of Rights (TABOR) and more. SB23-001 Authority of Public-private Collaboration Unit for Housing codifies cronyism between government and interested parties. SB23-016 Greenhouse Gas Emission Reduction Measures and SB23-285 Energy and Carbon Management Regulation in Colorado kneecaps the producers of reliable, efficient, affordable, and abundant power sources that are foundational to human flourishing. SB23-169 Increasing Minimum Age To Purchase Firearms is a direct affront to the U.S. Constitution. Even though an 18-year-old can join the military and protect our country, the same 18-year-old is restricted from purchasing a firearm to protect him or herself. SB23-200 Automated Vehicle Identification Systems might also be named the automated government revenue collection system. SB23-303 Reduce Property Taxes & Voter Approved Revenue Change, which will appear on Coloradan's ballot this November, is a first-class scam – vote for a small decrease to your property tax in the short term and the State will pay for it by robbing you of your TABOR refund! HB23-1003 School Mental Health Assessment is a direct assault on parental rights and a government run data gleaning project on our children. HB23-1095 Prohibited Provisions in Rental Agreements, HB23-1120 Evictions Protection For Residential Tenants, and HB23-1171 Just Cause Requirement Eviction Of Residential Tenant are direct assaults on private property rights. CUT is deeply concerned about the abundant use of the Safety Clause. The Safety Clause is to be used in very rare circumstances. It is added to legislation to prevent "We the People" from reviewing and voting on legislation. Additionally, the Gifts, Grants, and Donations wording that is inserted into many bills is dangerous because interested parties can crony up to politicians and bureaucrats to fund and augment their agendas using government force and taxpayers' money. CUT is an amazing all volunteer organization that works for you, the taxpayer of Colorado. Your membership and monetary support make this CUT Ratings Report possible. Join us in the fight to reclaim the Colorado that we love.

Key Bill Summaries
begin on page 2

Year to Year?

Overall, the Senate scored 29%, up from 25% last year.

Overall, the House scored 30%, up from 29% last year.

See the CUT Grid on pages 6, 7.



	Senate House	
Democrats	10%	14%
Republicans	67%	68%

Complete Listing and Scores Inside

Congratulations!

2023 Taxpayer Guardians*

No Senate nor House Champions

SENATE GUARDIAN

Mark Baisley 84%
Chaffee, Custer, Douglas, Fremont, Jefferson, Lake, Park, and Teller Counties

Kevin Van Winkle 83%
Douglas County

HOUSE GUARDIANS

Stephanie Luck 88%
Chaffee, Custer, Fremont, Pueblo, and Teller Counties

Ken DeGraaf 86%
El Paso County

Scott Bottoms 83%
El Paso County

*Highest score in each house. (Rounded)

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CALL TO ACTION: VOTE NO ON PROPOSITION HH

PROTECT THE TAXPAYERS' BILL OF RIGHTS AND YOUR TABOR REFUND

The Colorado Legislature, in the last hurried hours of the 2023 session, pushed through Proposition HH for voter approval in the Fall 2023 election. Now - YOU the voter will decide! If passed, Proposition HH would:

- Require local districts to reduce property tax rates (with some exceptions).
- Provide funds to local districts to “backfill” revenues lost from reduced rates, using money that would have been sent to taxpayers as TABOR Refunds. **Your TABOR Refunds will decrease yearly.**
- Create a new, increased cap on state revenue that can be collected and spent. This Cap increases an additional 1% each year, in addition to increases for inflation and population growth, and is *permanent*. **The higher the cap, the lower the funds available for TABOR Refunds.**
- Allow the State to retain and spend all taxes collected up to the Proposition HH Cap. This will grow from \$167 Million in the first year to **\$2.2 Billion** in the 10th year – money that would have been refunded to taxpayers as TABOR refunds and now becomes more government spending!
- Activate another law which would make all 2023 Tabor Refunds equal, instead of proportional to the amount actually paid in taxes. This is a bribe to low-income taxpayers to vote for HH.

Proposition HH TAKES YOUR TABOR REFUND to give you a minor, temporary decrease in your property tax. Proposition HH GROWS THE STATE GOVERNMENT by up to \$2.2B a year. The Legislature ignored the easier, previously used way to lower property taxes –lower the % of property value eligible to be taxed. Instead, the Legislature and Governor pushed HH which grows government and destroys TABOR! Defeating HH will force a more appropriate solution.

VOTE NO ON HH AND TELL YOUR FRIENDS

KEY BILL SUMMARIES

SB23-001 Authority of Public-private Collaboration Unit for Housing

This bill expands the authority of the state to enter into public-private partnerships for the purpose of increasing available subsidized (affordable) housing. PASSED. Senate 26/9/0. House 50/15/0. Sponsors: Sen. D. Roberts & R. Zenzinger/Reps. S. Bird & M. Lukens. Governor SIGNED. **CUT Votes NO.** It is in the generous nature of most Americans to want to help others who need assistance in providing housing for themselves. These generous citizens are free to contribute. But provision of life's needs is not the proper role of government. If housing is a public obligation, then what about food? Clothing? We reject the premise that housing is an obligation of other citizens. And we strenuously object to bill provisions authorizing the state to solicit and accept “Gifts, Grants, & Donations (GGDs).” Scheming politicians, with this provision, are encouraged to solicit cash donations from large donors to go into state coffers, where it can easily be converted into political spending. The “GGD” language should be an auto-alert for every fiscally responsible legislator and citizen alike. And finally, our legislature once again assumes the pomposity and arrogance to proclaim that their handiwork is so incredibly valuable, that it should not/ cannot be reviewed by ordinary citizens.....the onerous Safety Clause.

SB23-016 Greenhouse Gas Emission Reduction Measures

This bill has 18 bullet point elements for action on the topic of Greenhouse Gas (GHG) Reduction. PASSED. Senate 23/12/0; House 44/19/2. Sponsors: Sen. C. Hansen/Reps. K. McCormick & E. Sirota. Governor SIGNED. **CUT Votes NO.** This bill is a hot mess of misguided woke-ism. We'll leave aside for the moment the contentious issue of whether or not we really do have a 'Climate Crisis.' Evidence that we do abounds. Evidence that we do not is being hidden/ censored. CUT believes that this is not settled science, and therefore extreme measures predicated on the notion that the science is settled is simply lousy government. The bill requires insurance carriers to participate in the nonsensical “Climate Risk Disclosure Survey” and tell us the climate footprint of their customers. Incremental increases in goals for GHG Reduction from 65% reduction by 2035 to 100% reduction by 2050. Authorizes the state to regulate the insipid Class VI Injection Wells...which pump CO2 deep down into rock formations to hide the very gas that we need for existence. (Go figure). Tax credits for purchasing electric lawn equipment. Expands the powers of the Colorado Energy Office to support all renewable energy, but noticeably absent from the list of renewable energy is any mention of hydro-electric production. Colorado Electric Transmission Authority (CETA) authorized to increase their reserves from appropriations from 15% to 50%. HUH? Why

should we authorize any agency to simply hold on to our money with no intended purpose?? Taxpayers have not had anything done for them.... but there is plenty here that has been done TO them.

SB23-035 Middle-Income Housing Authority Act

This bill adds members to the Board of Directors of the Middle-Income Housing Authority and expands its power to enter into public-private partnerships in the provision of affordable rental housing. The affordable housing portion of projects is exempt from state and local taxes, including property tax. There is a small increase in state costs to fund new Board member participation and an unspecified state cost to backfill property tax funding to schools for projects. PASSED. Senate 24/11/0; House 49/14/2. Sponsors: Sens. Bridges & Moreno/Reps. Herod & Joseph). Governor SIGNED. **CUT votes NO.** This bill expands the government role in provision of what is essentially subsidized housing. The true cost to the taxpayer is not specified. Because these projects are tax exempt, the state government must backfill lost property taxes for schools, and local governments. There is no proof that the MIHA has succeeded to date, so why expand it?

SB23-061 Eliminate State Assessment in Social Studies

This Bill eliminates the statewide Social Studies Assessment in elementary and middle schools and reduces the annual \$1,025,521 expenditure. PASSED Senate 22/13/0: LAID OVER House. Sponsors: Sens. Marchman & Kolker/Reps. Kipp & Lukens. **CUT votes NO.** Wouldn't “The Ignorance is Bliss Act” have been a more descriptive title for this piece of obfuscation? Why should anyone have the means to know what, if anything, impressionable young children are being taught?

SB23-101 Candidate Ballot Access For Primary Elections

This Bill eliminates the option for a major or minor party political candidate to access a primary election ballot by being nominated through the political party assembly process. It changes the date to when a party candidate may circulate a petition and eliminates the prohibition against an unaffiliated voter signing a petition for a major political party candidate. LAID OVER INDEFINITELY. Sponsors: Sens. Kirkmeyer & Gardner/Rep. Bradfield. **CUT Votes No.** Proposed SB23-101 guts the Caucus and Assembly process for candidates to access the ballot. SB23-101 would limit the vote and voice of citizens by stipulating that the only process for a candidate to access the ballot would be via petitions. Petitions are expensive, therefore SB23-101 would create roadblocks for everyday citizens to run for office and make elections a rich man, rich woman, or interested party contest.

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SB23-168 Gun Violence Victims' Access To Judicial System

This Bill creates cause of action for a person or entity that suffered harm as a result of a firearms industry member's violation of something called "the firearm industry standards of responsible conduct." PASSED. Senate 21/14/0; House 39/22/4. Sponsors: Reps. Jaquez Lewis & Kolker/Sens. Mabrey & Parenti. Governor SIGNED. **CUT Votes NO.** The Founding Fathers of our Nation foresaw the danger of such underhanded attempts to subvert the people's right of private ownership of firearms. Firearms are the only manufactured product that is expressly protected by the US Constitution. Any attempt to enforce this law will violate the Second Amendment of the US Constitution and will be thwarted by the US Supreme Court.

SB23-169 Increasing Minimum Age To Purchase Firearms

This Bill increases the legal age to purchase a firearm to twenty-one years old. PASSED. House 40/24/1; Senate 20/14/1. Sponsors: Sens. Mullica & Danielson/Reps. Duran & Hamrick. Governor SIGNED. **CUT Votes NO.** At the age of 18, an adult is considered responsible enough to join the military, get married, vote and run for a political office, but the same adult is not responsible enough, in the eyes of the Colorado legislative majority, to possess a firearm. Being logical is obviously not part of the job description for the majority of Colorado legislators.

SB23-184 Protections for Residential Tenants

This Bill limits a landlord's use of prospective tenant financial information in rental applications and limits security deposits charged by landlords to no more than twice the monthly rent. Under this law, landlords may not inquire about applicant income for applicants not using a housing subsidy except to determine whether annual income equals or exceeds 200 percent of annual rent. Violations of these provisions constitute an unfair housing practice, with remedies allowed by law and penalties up to \$2500 if the issue is not resolved in 7 days. PASSED. Senate 22/12/1; House 43/22/0. Sponsors: Sens. Winter & Exum/Reps. Froelich & Garcia. Governor SIGNED. **CUT votes NO.** This is government interference into a private transaction. A property owner should have a right to due diligence in protecting his investment by determining if rent payments can be made. The likely outcome of this law will be landlords increasing rents to cover for rental losses.

SB23-189 Increasing Access to Reproductive Health Care

This Bill made multiple changes to so-called reproductive healthcare coverage requirements, created a 'Family Planning Access Collaborative,' and made an appropriation, therefore. PASSED. Senate 22/13/0; House 41/19/5. Sponsors: Sens. Moreno & Cutter/Reps. Michaelson Jenet & Garcia. Governor SIGNED. **CUT votes NO.** In our Legislators' 'Brave New World,' wasn't it overkill to require all Health Plan providers to include abortion, HIV treatments, sterilizations, and additional backdoor access to contraceptives for minors, but at no cost to the recipients? As future unfunded obligations are to be covered via unknown Gifts, Grants, & Donations (GGDs) outside TABOR limitations, isn't this law a boon to well-connected private parties?

SB23-198 Clean Energy Plans

While primarily targeting Xcel Energy (and its customers), this Bill expands the applicability of previous Clean Energy Plans, requires verification & enforcement of new Plans, makes an initial appropriation of \$321,666, and adds full-time employees. PASSED. Senate 23/11/1; House 46/19/0. Sponsors: Sens. Winter & Cutter/Reps. Weissman & Lindstedt. Governor SIGNED. **CUT votes NO.** Seemingly undeterred by its failure to deliver the promised thousands of new high paying jobs in the spinning-straw-into-gold industry, the Legislature has decided to force Xcel Energy and other providers to submit plans which describe how they will achieve reducing so-called greenhouse gas emissions by 80% by 2030. Plans submitted after 1/1/24, seemingly, must reduce emissions by 46% immediately; and Plans deemed insufficient will be overridden by State bureaucrats and charged unknown and unspecified fees. Can the ratepayers afford to bear the costs of this chimera, whether it succeeds or fails?

SB23-200 Automated Vehicle Identification Systems

This bill establishes regulations by which the state, county, city or municipality may establish automated vehicle identification systems to collect civil penalties or fees. The bill requires 30- or 60-day notifications for violations

depending on residency, and that if there is an appeal, that it is heard in the county of violation. PASSED. Senate 26/9/0. House 41/24/0. (Sen. Faith Winter / Rep. Leslie Herod). Governor SIGNED. **CUT votes NO.** More cameras to track violations rather than living, rational humans to enforce the law. Traffic enforcement needs to be taken seriously, but this seems to be pure revenue enhancement for municipalities under the guise of public safety. This makes it more difficult for citizens to argue for themselves, as is their right.

SB23-213 Land Use

This Bill creates state land use requirements for the regulation of Accessory Dwelling Units, Middle Housing, Transit-Oriented Areas, Key Corridors, Manufactured and Modular Homes. It prohibits certain Planned Unit Development and contains resolutions prohibiting a local government from enforcing certain occupancy limits, modifying content requirements for county and municipal Master Plans, limiting content requirements for county and municipal Master Plans, prohibiting certain municipalities from imposing minimum square footage requirements for residential units, requiring entities to submit a completed validated water loss audit report, prohibiting a unit owners' association from prohibiting certain kinds of housing, requiring the Transportation Commission and Department of Transportation to modify the State Highway Access Code, establish criteria for certain grant programs, and approves expenditures from the Multimodal Transportation Options Fund to align with the State Strategic Growth Objectives. EFFECTIVELY TABLED. Senate Laid Over Daily; House 37/28/0. **CUT votes NO.** This monstrosity of a bill (154 pages with amendments) essentially centralizes control zoning and planning of our communities with the state. This is not the proper role of government and a direct assault on local control and private property rights. Our ear to the ground hears that this bill will be back but in different parts.

SB23-269 Colorado Preschool Program Provider Bonus Programs

This Bill creates a one-year program in the 'Colorado Department of Early Childhood' to provide 2 bonus payments to additional providers participating in the 'Universal Preschool Program' and makes a one-time \$2,500,000 appropriation, therefore. PASSED. Senate 28/3/4; House 50/14/1. Sponsors: Sens. Buckner & Rich /Reps. Lukens & Bradfield. Governor SIGNED. **CUT votes NO.** In addition to attempting to 'rope' more preschool children into a 'One-size fits All' government mold (and add more union employees to the State's payroll), the additional bonus will be awarded to those who will enroll infants and toddlers as well. Isn't this Bill reminiscent of a well-known early 20th Century leader who said: 'All within the State, Nothing outside the State, Nothing against the State.'

SB23-285 Energy and Carbon Management Regulation in Colorado

This Bill further regulates the Oil and Gas industry in Colorado, with greater emphasis and taxpayer dollars to "Carbon Management" and expands government authority into areas beyond oil and gas. PASSED. Senate 25/10/0. House 45/20/0. (Sen. Kevin Priola / Rep. Karen McCormick). Governor SIGNED. **CUT votes NO.** This legislature continues to attack and drive out the Oil and Gas industry from Colorado, an industry that provides reliable, efficient, affordable, and abundant power (not to mention jobs and taxes.) A perfect example of killing the goose that lays the golden eggs!

SB23-303 Reduce Property Taxes & Voter Approved Revenue Change

This bill refers a ballot measure ("Proposition HH") to the Fall 2023 ballot designed to lower property taxes for the next 10 years by imposing a local government property tax revenue limit and reducing certain property assessment rates, among other changes. Local governments are reimbursed for lost tax revenues by use of funds that otherwise would be refunded to taxpayers as Tabor Refunds. This bill permanently increases the State's cap of tax revenues that it can keep without returning it to the taxpayers. PASSED Senate 23/12/0; House 39/7/0 with 19 absent. Sponsors: Sens. Fenberg & Hansen/Reps. DeGruy Kennedy & Weissman. Governor SIGNED. **CUT votes NO.** This proposed amendment UNDERMINES The Taxpayer Bill of Rights (TABOR). It takes YOUR TABOR REFUND to finance a small property tax reduction. The proportion of Tabor Refund redirected increases each year so that the voter doesn't perceive the true impact at

KEY BILL SUMMARIES...CONTINUED ON PAGE 8

Senate Scores: Friend or Foe?

Highest to Lowest - Who is representing the best interests of taxpayers? Here's what Members of Colorado's Senate earned on CUT's 2022 Ratings Scorecard:

Senate Republicans	Total Votes	CUT Score %	District	Hometown
Baisley, Mark	175	84%	4	Roxborough Park
Van Winkle, Kevin	175	83%	30	Highlands Ranch
Lundeen, Paul	171	74%	9	Colorado Springs
Smallwood, Jim	176	71%	2	Sedalia
Pelton, Rod	173	70%	35	Cheyenne Wells
Pelton, Byron	172	67%	1	Sterling
Gardner, Bob	171	66%	12	Colorado Springs
Liston, Larry	175	64%	10	Colorado Springs
Kirkmeyer, Barbara	172	62%	23	Brighton
Rich, Janice	173	62%	7	Grand Junction
Will, Perry	173	54%	5	New Castle
Simpson, Cleave	176	50%	6	Alamosa

Average				
67.25%				
Senate Democrats	Total Votes	CUT Score %	District	Hometown
Fields, Rhonda	172	13%	28	Aurora
Ginal, Joann	172	13%	14	Fort Collins
Priola, Kevin	175	12%	13	Aurora
Buckner, Janet	172	11%	29	Aurora
Kolker, Chris	175	11%	16	Centennial
Mullica, Kyle	176	11%	24	Northglenn
Roberts, Dylan	172	11%	8	Eagle
Zenzinger, Rachel	171	11%	19	Arvada
Bridges, Jeff	172	10%	26	Greenwood Village
Danielson, Jessie	172	10%	22	Wheat Ridge
Gonzales, Julie	175	10%	34	Denver
Hansen, Chris	171	10%	31	Denver
Hinrichsen, Nick	173	10%	3	Pueblo
Rodriguez, Robert	171	10%	32	Denver
Coleman, James	175	9%	33	Denver
Exum, Tony	172	9%	11	Colorado Springs
Marchman, Janice	172	9%	15	Loveland
Moreno, Dominick	170	9%	21	Commerce City
Cutter, Lisa	171	8%	20	Evergreen
Fenberg, Stephen	170	8%	18	Boulder
Jaquez Lewis, Sonya	173	8%	17	Lafayette
Sullivan, tom	175	8%	27	Centennial
Winter, Faith	174	8%	25	Thornton

Average

9.96%

Overall Senate Score 29%

Governor's score 5%

Coloradans are hurting. High crime manifests itself with Colorado topping the nation in car thefts. The education system is failing many of our children who cannot proficiently read, write, or do arithmetic by the third grade. Government induced inflation is limiting the choices of individuals on how to live their lives. Governor Polis and his appointed bureaucrats continue the regulatory kneecapping of our oil and gas industry. Reliable, efficient, affordable, and abundant power, provided by naturally occurring hydrocarbons, is foundational to human flourishing and we question the anti-human political agenda of Polis' draconian policies. Politicians, Bureaucrats, and Interested Parties (PBIs) will not solve the homelessness issue in Colorado because it has become an industrial complex money trough for them. Polis opines that he is a Libertarian, however the chaos created by his policies and his bureaucracies is anything but libertarian.

House Scores: Friend or Foe?

Highest to Lowest - Who is representing the best interests of taxpayers? Here's what Members of Colorado's House earned on CUT's 2022 Ratings Scorecard:

House Republicans	Total Votes	CUT Score %	District	Hometown
Luck, Stephanie	177	88%	60	Penrose
DeGraaf, Ken	180	86%	22	Colorado Springs
Bottoms, Scott	177	83%	15	Colorado Springs
Bradley, Brandi	175	76%	39	Larkspur
Wilson, Don	178	74%	20	Monument
Winter, Ty	182	72%	47	Penrose

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House Republicans	Total Votes	CUT Score %	District	Hometown
Armagost, Ryan	179	70%	64	Berthoud
Evans, Gabe	179	70%	48	Hudson
Soper, Matt	176	69%	54	Delta
Holtorf, Richard	177	68%	63	Fort Morgan
Weinberg, Ron	183	68%	51	Loveland
Hartsook, Anthony	184	65%	44	Parker
Frizell, Lisa	184	64%	45	Castle Rock
Bockenfeld, Rod	173	62%	56	Henderson
Bradfield, Mary	178	60%	21	Colorado Springs
Pugliese, Rose	175	59%	14	Colorado Springs
Catlin, Marc	177	58%	58	Montrose
Lynch, Mike	172	57%	65	Wellington
Taggart, Rick	185	42%	55	Grand Junction

Average **67.95%**

House Democrats	Total Votes	CUT Score %	District	Hometown
Marshall, Bob	184	20%	43	Highlands Ranch
Mauro, Trisha	176	20%	46	Pueblo
Ricks, Naquetta	178	19%	40	Aurora
English, Regina	176	18%	17	Colorado Springs
Epps, Elizabeth	179	18%	6	Denver
Herod, Leslie	173	18%	8	Denver
Vigil, Stephenie	179	18%	16	Colorado Springs
Bird, Shannon	173	17%	29	Northglenn
Michaelson Jenet, Dafna	178	16%	32	Commerce City
Ortiz, David	175	16%	38	Littleton
Snyder, Marc	184	16%	18	Colorado Springs
Weissman, Mike	179	16%	36	Aurora
Woodrow, Steven	178	16%	2	Denver
deGruy Kennedy, Chris	183	15%	30	Lakewood
Garcia, Lorena	176	15%	35	Westminster
Jodeh, Iman	175	15%	41	Aurora
McLachlan, Barbara	177	15%	59	Durango
Valdez, Alex	176	15%	5	Denver
Lieder, Sheila	175	14%	28	Littleton
Lindsey, Mandy	176	14%	42	Aurora
Mabrey, Javier	178	14%	1	Denver
Martinez, Matthew	177	14%	62	Alamosa
Sharbini, Said	179	14%	31	Thornton
Titone, Brianna	175	14%	27	Golden
Velasco, Elizabeth	180	14%	57	Glenwood Springs
Bacon, Jennifer	178	13%	7	Denver
Boesenecker, Andrew	180	13%	53	Ft. Collins
Froelich, Meg	179	13%	3	Greenwood Village
Lukens, Meghan	177	13%	26	Eagle
Parenti, Jennifer	177	13%	19	Longmont
Sirota, Emily	173	13%	9	Denver
Willford, Jenny	180	13%	34	Northglenn
Amabile, Judy	177	12%	49	Estes Park
Daugherty, Lindsey	186	12%	24	Arvada
Dickson, Rudy	179	12%	37	Centennial
Duran, Monica	172	12%	23	Wheat Ridge
Gonzales-Gutierrez, Serena	174	12%	4	Denver
Joseph, Junie	183	12%	10	Boulder
Kipp, Cathy	185	12%	52	Fort Collins
Lindstedt, William	185	12%	33	Broomfield
McCluskie, Julie	172	12%	13	Boulder
McCormick, Karen	175	12%	11	Hygiene
Story, Tammy	177	12%	25	Evergreen
Young, Mary	178	12%	50	Greeley
Brown, Kyle	176	11%	12	Louisville
Hamrick, Eliza	178	11%	61	Centennial

Average **14.3%**

Overall House Score 30%

CUT RATES COLORADO'S 2022 LEGISLATURE

LEGEND: "+" Reflects a CUT Positive Vote "-." Reflects a Vote Against CUT Philosophy. "E"/Excused "A"/Absent "-.-" Not Voted On "V"/Vacant

Table with columns for Party, District, Senator Name, Hometown, and 100 columns for SB and HB votes (YES/NO). Includes a 'Total' row at the bottom of the main table.

Summary table with columns: Party, Governor, and counts for YES/NO for SB and HB across all districts.

Table for HOUSE OF REPRESENTATIVES with columns: Party, District, Representative Name, Hometown, and 24 columns for SB and HB votes (YES/NO).

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the time of the election. Also, the total cap on State tax funds retained is permanently increased, further decreasing the probability of any refund. The Governor and State Legislature had a year to address the known problem of greatly increased property taxes (which it could have done by a simple reduction in the assessment percentage), but didn't act until the last week of the Legislature to disguise the real intent to divert TABOR refunds and increase its spending cap. The full financial impact over the 10 years of the bill is not disclosed on the ballot but it is estimated that up to \$16.5 billion of TABOR Refunds will be lost over that time period. This proposition is a first-class scam – vote for a small decrease to your property tax and the State will pay for it by robbing you of your TABOR refund!

HB23-1003 School Mental Health Assessment

This Bill requires the 'Behavioral Health Administration' to administer a Mental Health Screening Program available to public schools screening Grades 6-12, and makes an appropriation, therefore. It will require 3 full-time state employees & \$2,852,751 in its second year. PASSED. Senate 23/12/0; House 46/19/0. Sponsors: Rep. Michaelson Jenet/Sen. Cutter). Governor SIGNED. **CUT votes NO.** While parents must be given written notice thereof and can choose to opt-out, their 13-year-olds (and older) can opt-in without any parental knowledge. What if their child express opinions contrary to those of the State? What parents would entrust their children to the wiles of a remotely selected 'screener' about which they know nothing? Might the data gleaned follow the children for the rest of their lives? Mightn't this program potentially lead to child grooming or abuse, at great expense to all? May God protect the children.

HB23-1055 Prohibit Wireless Networking Voting Systems

This Bill prohibits the use of voting systems that are capable of establishing wireless connections for any election within the state taking place on or after January 1, 2024. POSTPONED INDEFINITELY. Sponsor: Rep. Bockenfeld. **CUT Votes Yes.** Free, fair, honest, and transparent elections are the bedrock of our American Idea. We are concerned that this bill was postponed indefinitely and question why every legislator was not supporting and co-sponsoring this bill.

HB23-1063 Reduction Of State Income Tax Rate

This Bill reduces both the individual and the corporate state income tax rates from 4.40% to 3.5%, for income tax years commencing on and after January 1, 2024. FAILED. House Committee 3/8. Sponsor: Rep Bottoms. **CUT Votes YES.** Tax reduction is the best stimulus for economic development. Unfortunately, the Colorado legislative majority is all talk and no action when it comes to improving the state's economy.

HB23-1095 Prohibited Provisions in Rental Agreements

This Bill prohibits written rental agreements from including 4 waived items and 4 provisions which had previously protected the integrity of the property and financial integrity of landlords. PASSED. Senate 19/16/0; House: 39/23/3. Sponsors: Reps. Woodrow & Lindsay/Sens. Hinrichsen & Winter. Governor SIGNED. **CUT votes NO.** This Bill might easily be titled 'The 2023 Stick It to The Landlords Act'. The Legislature has no business inserting itself in agreements between private parties, which may negatively impact one of them. With the restrictions therein, properties might easily become targets of abuse or fall into decay.

HB23-1120 Evictions Protection For Residential Tenants

This Bill requires a landlord and residential tenant to participate in mandatory mediation prior to commencing an eviction action if the residential tenant receives supplemental security income, federal social security disability insurance, or cash assistance through the Colorado works program (collectively, "cash assistance"). PASSED. Senate 20/14/1; House 45/18/2. Sponsors: Reps. Joseph & Ortiz/Sens. Fields & Winter. Governed SIGNED. **CUT votes NO.** This will make rental housing more expensive and fewer units will be available for rent. The free market can resolve all these "issues" without government interference.

HB23-1166 Repeal Retail Delivery Fee

Current law provides for a "Fee" to be imposed on goods delivered by motor vehicle to any destination within the boundaries of Colorado. This 'fee' is \$0.27 per delivery and removes \$88 Million/year from the wallets of

taxpayers. This bill would have removed this odious 'fee'. FAILED. Bill died in the House Committee on Transportation, Housing, & Local Government on a party line vote of 9-4. Sponsors: Rep. Pugliese/Sen. Will). **CUT Votes YES.** From their Book of Favorite Tricks, the legislature once again pulled out the "Let's call this tax a 'fee'" ploy. An additional \$88 million in the hands of taxpayers was just more than they could bear. Adding salt to the wound, a portion of the collected money goes to subsidize electric vehicles which are already escaping their fair share of road maintenance expense.

HB23-1171 Just Cause Requirement Eviction Of Residential Tenant

This Bill prohibits a landlord from evicting a residential tenant unless the landlord has just cause for eviction. PASSED House 38/26/1 LOST Senate Committee. Sponsors: Reps. Gonzalez-Gutierrez & Mabrey; Sens. Gonzales & Hinrichsen. **CUT votes NO.** Interference in private contracts is a governmental "taking" of property. This bill is antithetical to the American Idea that government is to protect individual's property not "take" via government edict.

HB23-1184 Low Income Property Tax Exemptions

This Bill expands the property tax exemption for certain low-income property acquired by nonprofit housing providers and creates a property tax exemption for property held by community land trust or nonprofit affordable homeownership developers for charitable purposes. PASSED. Senate 26/9/0; House 51/9/5. Sponsors: Reps. Frizell & Lindstedt/Sen. Roberts. Governor SIGNED. **CUT votes NO.** This bill expands the property tax burden on existing property taxpayers by subsidizing "charitable" housing provided by non-profits, Community Land Trusts, and affordable homeownership developers. Non-profit does not mean that the entity does not make money. Non-profit means that they do not pay taxes. Many times, the top management of these entities are paid handsomely. We do not see governmental entities lowering taxes, so the taxes that are not paid by these entities will be piled on top of the already high property tax bills that Coloradans are facing. The individuals living in these projects will require education, police, fire, etc. services while not contributing to the taxes paid to support these services. It is not the proper role of government to pick winners and losers by picking the pockets of some to give to another all the while Politicians, Bureaucrats, and Interested Parties (PBIs) take a cut as the money goes. by.

HB23-1190 Affordable Housing Right of First Refusal

This Bill creates a right of first refusal of a local government to match an offer for the sale of a residential or mixed-use multifamily property, thereby opening the possibility of forcing out a private seller for sale of private property. PASSED. House 41/20/4; Senate 19/16/0, (Rep. Andrew Boesenecker/ Sen. Faith Winter). Governor VETOED. **CUT votes NO.** This is a land grab treading on the rights of private sale of property. There are a myriad of ways the government can encourage building in Colorado to solve the housing shortage and thus high prices to residents of Colorado, including deregulation and lowering of taxes. This is not one of them. This Bill is nothing more than the false front of doing something about the high prices of living in Colorado.

HB23-1230 Prohibit Assault Weapons In Colorado

The Bill prohibits a person from manufacturing, importing, purchasing, selling, offering to sell, or transferring ownership of a self-loading carbine. The bill further prohibits a person from possessing a so-called rapid-fire trigger activator. POSTPONED INDEFINITELY. House Committee 8/5. Sponsors: Reps. Epps, Bacon/ Sens. Fields, Gonzales. **CUT Votes NO.** The term "Assault Weapon" (Sturmgewehr) was coined by the Nazi propaganda in 1944. It has no technical definition, and its use manifests a person's ignorance on the subject of firearms. This Bill is yet another vicious assault on Coloradans Second Amendment rights.

HB23-1245 Campaign Practices for Municipal Election

This Bill imposes limits on campaign contributions in municipal elections. \$400.00 per individual, BUT \$4,000 for Small Donor Committees. PASSED. House 43/20/2; Senate 21/14/0 Sponsors: Reps. Parenti & Willford/Sen. Priola & Rodriguez. Governor SIGNED. **CUT Votes NO.** Bill would be more

Colorado Union of Taxpayers Rates the 2023 Legislature

accurately titled "Allowable Hypocrisy in Campaign Finance." Campaign contribution limits are an affront to free speech and should be abolished in all quarters. But here we are, with limits set. And in this case, there is an odious stench of election rigging in the air. Individual donors are limited to \$400 per candidate per election. However, Small Donor Committees are limited to \$4,000. It is noteworthy that organized labor has myriad SDCs and will be able to aggregate from the same people multiple donations and rain down cash on favored candidates like a waterfall after spring runoff. The same folks who bemoan the influence of special interests and big money are now licking their chops as they sit down to write some checks.

HB23-1254 Habitability of Residential Premises

This Bill expands conditions covered under the warranty of habitability for residential premises to include damage due to an environmental public health event. Additionally, this bill allows a tenant to more easily terminate a lease based on habitability concerns. PASSED. House 46/18/1; Senate 23/12/0. Sponsors: Rep. Brown/Sen. Cutter. Governor SIGNED. **CUT votes NO.** Further putting the taxpayers of Colorado under the thumb of unelected and unaccountable bureaucrats to determine "habitability of residential premises." Who makes the rules? If we learned anything from the government handling of COVID it is that rampant power under unelected officials is rife for mismanagement and abuse. If there are issues between tenant and landlord, let it be handled privately or by the courts.

HB23-1302 Housing Accessibility

This bill modifies the accessible housing standards and specifications required for ANY permanent building or facility used as housing. Any building that was under construction or undergoing alterations must comply by July 1, 2023. New residential construction projects or alterations must include a specified percentage of dwelling units that are ADA compliant. Lawsuits for being non-compliant can be brought against the property owner, the construction company, and the city that issues the building permit. POSTPONED INDEFINITELY by the House Transportation, Housing & Local Government Committee. House Committee 13/0. Sponsors: Reps. Ortiz & Lieder. **CUT votes NO.** This is another example of how government rules and regulations drive up the cost of housing. This proposed bill not only increases design and construction costs, it increases the probability and cost of lawsuits. The National Home Builders Association attributes at least 25% of the cost to build a new home to government rules and regulations. If this legislature was serious about wanting to increase the amount of reasonably priced housing, it would seek to decrease the amount of regulation, not increase it.

HB23-1311 Identical Temporary TABOR Refund

This bill is conditional on the passage of Proposition HH in the Fall 2023 election. For one fiscal year, 2023-24, it changes the TABOR refund calculation from the six-tiered system based on income to an equal distribution amount to all taxpayers. This results in a higher refund for taxpayers earning under \$100,000 and a lower refund for taxpayers earning over \$100,000. PASSED House 44/17/4; Senate 23/12/0. Sponsors: Sens. Kennedy & Weissman/ Reps. Hansen & Hinrichsen). Governor SIGNED. **CUT votes NO.** This is a BRIBE to entice lower income taxpayers to vote for Proposition HH which will eventually eliminate the Taxpayer Bill of Rights Refund and allow an increase in State Government spending. The most often used refund mechanism, the six tiered "sales tax refund" system, gives refunds in proportion to the amount a taxpayer paid – those paying higher taxes received a higher refund. The equal refund is simply a way to buy votes by promising low-income taxpayers a one-time bonus.

COLORADO UNION OF TAXPAYERS RECOGNIZES OUR STATE LEGISLATORS

2023 Taxpayer Guardians



**Senator
Mark Baisley**
(Chaffee, Custer, Douglas,
Fremont, Jefferson, Lake, Park,
and Teller Counties)



**Senator
Kevin Van Winkle**
(Douglas County)



**Representative
Stephanie Luck** (Chaffee,
Custer, Fremont, Pueblo &
Teller Counties)



**Representative
Ken DeGraff**
(El Paso County)



**Representative
Scott Bottoms**
(El Paso County)

THE
TAXPAYER'S
VOICE



Legislative Phone Numbers

Call Your Colorado Legislators

Representatives

Democrats: (303) 866-2904

Republicans: (303) 866-2904

Senators

Democrats: (303) 866-2316

Republicans: (303) 866-2316



CANDIDATE / ELECTED REPRESENTATIVE PLEDGE

I _____, candidate/Representative for _____

hereby pledge to the Citizens of Colorado:

Tabor to honor and uphold the spirit as well as the letter of TABOR.

New Taxes to oppose any new net tax increase.

Spending Limit to limit government spending to growth of Colorado population and inflation.

Tax Surplus to support the refund of surplus taxes to the citizens of Colorado proportional to their contributions.

Prioritize Spending to support prioritizing the budget by shifting spending from lower valued programs to the higher priorities, and not fund spending with new net taxes.

Education to support educational alternatives such as vouchers to create competition and improve student results at a lower cost.

Privatize to support privatization of government departments and functions to make them more efficient and less expensive.

Property Rights to defend private property rights from "takings" by government or by regulation.

Payroll Deductions to oppose unauthorized payroll deductions that are used for political purposes.

Petition Rights to support the citizen's right to petition with rules as non-restrictive as possible.

Signature: _____ Date: _____

Sponsored by: Colorado Union of Taxpayers, PO Box 1976, Lyons, CO 80540, REV 2023

Raise Your Voice! Not Your Taxes. Join CUT Today.

Since 1976 CUT's awareness efforts have saved Colorado taxpayers hundreds of millions of dollars. Yet we have much to do. Please help by supporting CUT today. CUT is saving you money by reducing your taxes.

- Yes, I want to support CUT. *\$25 Annual Dues/6 years \$125*
- I want to do more! Here is my additional donation of \$_____
- "Taxes are too high already and I want to protect against further tax growth. Here is my contribution of \$_____". Please keep me informed.

Make checks payable to CUT, Mail to P. O. Box 1976 Lyons, CO 80540 OR Pay via PayPal or Anedot, Go to coloradotaxpayer.org

Name(s) _____

Address _____ Zip _____

Phone(s) (h) _____ (w) _____ (f) _____

Email _____

How This Rating Is Done

Again, this year CUT used the program BillTrack50 which enabled us to include all the bills for which we gave Representatives CUT positions. Each week of the session CUT positions were sent to all 100 legislators and the governor on bills that fell within the CUT Pledge and CUT mission. We took positions on 213 of the 681 bills proposed during the 2023 legislative session. Legislators were rated on their votes for the bills selected for this ratings report. The Senate and House scorecards indicate what percentage they voted with CUT. In this Rating Report you will find write-ups for 29 bills. The CUT Board selected the 29 bills which were most egregious to taxpayers, by increasing taxes and fees, coddling special interests, and/or increasing the growth of government in citizens' lives. The centerfold shows how each legislator voted on these 29 bills.

The CUT Board of Directors ruled to be identified as a Taxpayer Champion, the legislator must score 90% or better. Legislators scoring 80% or more are identified as Taxpayer Guardians.



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CUT has published ratings of the Colorado Legislature since 1977 — 47 years of ratings! Join us and help make a difference. A complimentary copy of the CUT Ratings can be obtained by mailing a self-addressed, stamped envelope to the CUT address above. Send us the names and addresses of up to five other individuals whom you believe would like to receive CUT Ratings. We'll do the rest.

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2023 CUT Ratings from the Colorado Union of Taxpayers



Kim Monson
President, Colorado
Union of Taxpayers

From CUT President Kim Monson

Which is big and which is small? That is the question! As government becomes bigger, each individual (no matter the descriptor), becomes smaller. Laws passed by the 2023 Colorado Legislature and signed by the governor grew government significantly at the expense of everyday, hard-working Coloradans. Most Coloradans just want to live our lives; do our jobs; grow our businesses; take care of ourselves and our families; and spend time with friends. We'd like to keep more of our money too!

Politicians, Bureaucrats, and Interested Parties (PBIs) from both sides of the aisle work together through legislation, ordinances, rules, regulations, overreaching taxes, etc. to fund their special interest agendas which are antithetical to the proper role of government.

681 pieces of legislation, most multiple pages long, were introduced by Colorado senators and representatives in 2023. This is irresponsible because there is no

way that Colorado representatives and senators have read and analyzed these bills. What this means is that laws are being proposed, voted on, and signed by the governor that representatives have not read and do not understand. This is antithetical to good governance.

It is important that each of us understand that there is no "free" stuff. PBIs use "free" stuff to garner votes but PBIs must take "steal" from one individual to "give" free stuff to someone else. While I understand the attractive narrative of "free" stuff, it's important to understand that if PBIs will use government power to take away someone else's stuff; speech; thoughts; money; etc. then ultimately, PBIs will use government power to take your stuff too. This is antithetical to a government of the People, by the People, and for the People."

The Colorado Union of Taxpayers (all volunteers) is standing for your economic freedom. We are extremely frustrated with the overreach of this 2023 Colorado legislature and governor. We work for smaller government and, fewer and lower taxes so that you have more money in your pocket; to keep PBIs constrained; and to protect your Constitutional Taxpayer's Bill of Rights (TABOR).

The Colorado Union of Taxpayers (CUT) analyzed and took positions on 213 of the 681 bills proposed using the CUT Pledge as our guide. There were big themes this legislative session: property rights; the Constitutional Right for citizens to protect ourselves against bad actors; freedom of mobility; access to reliable, efficient, affordable, and efficient power; parental rights; housing; abortion; the Colorado Taxpayer's Bill of Rights (TABOR); and more.

Our Colorado Taxpayer's Bill of Rights (TABOR) was passed by the people of Colorado in 1992 as an amendment to the Colorado Constitution. TABOR is basically about good manners. TABOR asks three things: 1) if PBIs want to raise our taxes, they just have to ask us and we vote on it, 2) if PBIs want to incur debt that we have to pay off, they just have to ask us and we vote on it, and 3) if PBIs collect and want to keep more of our money above a very generous formula of population plus inflation, they just have to ask us and we vote on it.

Ballot questions, that we vote on, can make it onto your ballot three different ways. They can be referred by the legislature (referred measure), by petition with citizen signatures (initiative), or referendum. Which brings us to Colorado SB23-303 now known as Prop HH. Prop HH is a measure referred to our 2023 ballot via legislation passed by the 2023 legislature and signed by the governor. Prop HH is a "band-aid" fix regarding increasing property taxes in exchange for Coloradans giving up our TABOR tax refunds. Instead of a property tax "band-aid" it is time for a serious conversation regarding property tax reform and tax simplification.

Colorado homeowners are facing significant property tax increases because of recent increased property value assessments. Colorado renters are facing higher rents because of increased property assessment values for landlords. Prop HH purports to give relief to increased property taxes. However, Prop HH asks us to relinquish our TABOR refunds into the future. While we may vote to relinquish OUR TABOR refunds, it is unvirtuous to relinquish our children's TABOR refunds because they have no voice in the matter. Prop HH should be defeated on this point alone. What we really must work on is property tax reform and simplification. Without serious property tax reform, I'm concerned that individuals will be taxed out of their homes and apartments because of unaffordable property taxes.

Lastly, the Colorado budget approved by the 2023 legislature and signed by the governor is \$38.5 billion. Article X, Section 16 of our State Constitution requires the Colorado legislature pass a balanced budget annually. However, this 2023 budget is not balanced. We are dismayed and concerned that the 2023 Colorado legislature and governor would not adhere to our Colorado Constitution. Additionally, we question where did the money go? Our roads and bridges are in disrepair. We drive over and through potholes in our roads and highways that are dangerous. Public education is letting our kids down. Recently a DPS school board candidate noted that only 5% of black and brown 3rd graders are proficient in reading. This is unconscionable. And crime is rampant. Colorado recently had the distinction of being number 1 in car thefts. Where did the money go? Obviously not to repair our roads, teach our kids, or fight crime.

The Colorado 2023 Legislative session did not represent "We the People." It was driven by ideologies that do not recognize thoughtful debate on the issues. At the end of the session, radical, activist, Democrats used procedural rules to shut down voices and debate. Representatives of the people left the House chamber after extreme Democrats deployed an obscure rule to abruptly shut down debate on SB23-303 which will be on Coloradan's 2023 ballot as Prop HH.

The taxpayers of Colorado deserve better. We deserve a legislature that reads, debates, and understands all legislation proposed and passed. We deserve a legislature that thinks about the consequences of each piece of legislation proposed and passed. The taxpayers of Colorado deserve elected representatives who represent us, not special interest ideologue agendas. The taxpayers of Colorado deserve elected representatives who keep government in its proper role so that each individual is free to pursue their hopes, dreams, and happiness.

Yours for liberty and human flourishing!

Kim Monson