

2023 LEGISLATIVE AGENDA



FOR BUSINESS.
FOR COLORADO.
FOR TOMORROW.


COLORADO CHAMBER
OF COMMERCE

Table of Contents

- 03** A MESSAGE FROM LOREN FURMAN
- 05** REGULATORY: LABOR & EMPLOYMENT
- 07** REGULATORY: ENERGY & ENVIRONMENT
- 09** BUILDING THE WORKFORCE OF THE FUTURE
- 11** ECONOMIC GROWTH & COMPETITIVENESS
- 13** BENCHMARKING COMPETITIVENESS
- 14** GET INVOLVED
- 15** POLICY EXPERTS



A MESSAGE FROM PRESIDENT & CEO LOREN FURMAN

With the 2023 legislative session quickly approaching, the Colorado business community faces both obstacles and opportunities in a critical period for the future of our state.

Record inflation, uncertainty, and a strained labor market continues to impose barriers to full economic recovery for businesses and their employees alike. Further amplifying these global challenges are Colorado's housing affordability and cost-of-living concerns, growing regulatory costs, and long-term workforce needs.

Under these circumstances, Colorado political leaders face tremendous responsibility in crafting the policies that will foster economic growth and keep Colorado competitive. It will require legislative restraint when it comes to policies that could negatively impact business. It will also require innovative and bipartisan solutions to thoughtfully address our long-term problems. And more than ever, we need lawmakers to ensure stability and regulatory certainty to allow business to thrive.

Over the last several years, the legislature has made progress in paving the way to economy recovery. For example, last session the Chamber worked closely with key leaders to pass a major replenishment of the unemployment insurance system to preserve jobs and prevent devastating new costs for businesses. But more needs to be done to elevate Colorado's economic climate in the years to come.



CONTINUED...

The Colorado Chamber has a long history of working across the aisle to get results for business, and over the last year, we've been hard at work developing a strategic plan that will help us chart a path forward for a more competitive Colorado. Implementation of that plan is underway with the launch of new Chamber programs and initiatives, the expansion of our team, and a thorough assessment of our tactical direction as an organization.

As part of this process, we commissioned our first annual survey of business leaders this year to better understand the issues impacting job creators across the state. We found that while Colorado businesses are experiencing many of the same challenges facing other states, one issue that unfortunately sets us apart is a deep concern about the state-level regulatory environment. Specifically, the costs associated with new environmental and employment regulations from recent years were identified as a top concern in our survey.

Using these findings combined with the insight and expertise of our team, we have shaped the following 2023 legislative agenda. This plan lays out both short-term and long-term priorities that will position Colorado to tackle our ever-evolving economic challenges now and into the future.

The 2023 Legislative Session begins on January 9 and ends on May 8. We look forward to our continued collaboration with key advocacy partners and lawmakers on unifying policy issues to move our state forward.

- Loren

REGULATORY: LABOR & EMPLOYMENT

The Colorado business community drives our state's economy, employing millions of Coloradans, providing the goods and services we all rely on, and investing in our local communities. The Chamber's priority is to foster economic growth and elevate Colorado's standing as a top state to do business. Based on our recent survey of 150 CEOs, Colorado's regulatory climate is the most pressing concern when it comes to barriers to business. It's critical that state leaders understand the burden and costs faced by the business community with each new, complex rule or requirement at the state-level.

DO NO HARM: NO NEW MANDATES AND REGULATORY BURDENS ON EMPLOYERS

Recent legislative sessions have brought major structural and regulatory reforms at the state-level that are still in their infancy – many haven't even taken effect yet. The business community needs time to adapt to these new laws on top of recovering from the global economic disruptions of the last few years. Predictability and regulatory certainty are critical to maintaining Colorado's economic competitiveness. The Colorado Chamber will oppose any significant new mandates and regulatory burdens on businesses.

51%

of businesses say Colorado's regulatory climate is one of their top two business concerns

ALLOW FOR PROPER IMPLEMENTATION OF STATE FAMILY AND MEDICAL LEAVE PROGRAM

The Colorado Chamber supports legislation that allows a reasonable amount of time for state agencies to implement the state-mandated Family and Medical Leave Program based on the ongoing regulatory process, and ensures adequate staffing is in place to effectively operate and manage the program.

SUPPORT IMPROVEMENTS TO THE EQUAL PAY ACT

The Equal Pay for Equal Work Act was passed by the state legislature in 2019, which requires all employers to include compensation information in online jobs postings for Colorado applicants. The combination of complex interpretations of the statute at the agency level and the increase in remote job postings from out-of-state employers has created logistical confusion for many employers trying to operate in good faith. In a post-pandemic hiring market, the Colorado Chamber supports strategic fixes to the act to improve clarity and implementation for Colorado's business while keeping the intent of the law intact.

ENSURE THE SOLVENCY OF COLORADO'S UNEMPLOYMENT INSURANCE FUND TO PREVENT PREMIUM HIKES

Due to forced layoffs from the government shutdowns in 2020, Colorado's Unemployment Insurance Trust Fund became insolvent, putting employers on the hook for a massive deficit to make the fund whole again. The Colorado Chamber secured an important first step in providing relief for Colorado businesses in the 2022 legislative session with a \$600 million infusion into the fund. The Chamber supports the continuation of this effort to maintain the integrity of the unemployment system and prevent premium hikes on businesses.



REGULATORY: LABOR & EMPLOYMENT

ENSURE CLARITY AND ALIGNMENT OF STATE AND FEDERAL PAID LEAVE REGULATIONS

When new state regulations conflict with existing federal regulations, employers are faced with additional costs to interpret and understand overlapping requirements. Changes to state-level paid time off policies in recent years have created complexity for employers operating in Colorado. Specifically, clarity is needed on the interaction between paid sick leave benefits and family leave benefits to avoid the unintentional duplication of leave.

CREATION OF AN INDEPENDENT REGULATORY REVIEW PROCESS AND TIME-OUT PERIOD

In recent years, many major policy changes impacting employers have occurred at the regulatory level as state agencies have been tasked with implementing broad and complex new laws. The Colorado Chamber supports identifying a process for the independent review of new state agency regulations to assess legislative intent, statutory authority of the agency, economic and fiscal impact, clarity, and other factors. The Chamber also supports legislation allowing for a “time-out” period after a rule or regulation has been adopted to allow businesses time to comply with the requirements and to determine whether the rule or regulation has met the purpose of the law.

OPPOSE LEGISLATION CREATING NEEDLESS NEW PRIVATE RIGHTS OF ACTION AGAINST BUSINESS

It has unfortunately become common in recent years for new legislative proposals impacting businesses to include private rights-of-action encouraging a litigious relationship between employers and employees. Many of these proposals attempt to override state administrative processes already in place to handle complaints and resolve disputes without legal action. The Colorado Chamber will oppose any legislation that incentivizes the abuse of the civil suits by plaintiffs’ attorneys against the business community.

38%

of businesses say Colorado’s Labor and Employment regulations are their top business concerns

SUPPORT IMPROVEMENTS TO WORKPLACE HARASSMENT LAWS

The Colorado Chamber supports refining the state’s workplace harassment laws to provide additional clarity while preventing unreasonable claims. The Chamber is committed to continued negotiations with lawmakers to find a balanced solution that offers more protection to employees without creating a broad, untested new legal standard.



REGULATORY: ENERGY & ENVIRONMENT

Businesses across the state are highly invested in a clean environment and healthy economy for their communities and the future of Colorado. The Colorado Chamber believes that the best environmental policy comes from collaboration between the business community, lawmakers and state agencies – working together, we can protect our environment without sacrificing economic growth. But Colorado job creators continue to face an increasingly costly environmental regulatory climate, making us less competitive with other states and hindering our economy. The following initiatives will help level the playing field by making Colorado’s environmental and energy cost structures more competitive.

ENSURE NEW AND EXISTING ENVIRONMENTAL REGULATIONS ARE COST EFFECTIVE AND SCIENCE-BASED

The business community can be a collaborative partner in addressing environmental sustainability with responsible, reasonable policies and regulations that are predictable and avoid a one-size-fits-all approach for businesses. The Chamber believes that environmental policies should be based on sound peer-reviewed science balanced with an economic evaluation of the cost to businesses and consumers to assess the benefits or appropriateness of new regulations.

SUPPORT EMPLOYEE AUTONOMY IN COMMUTING TO WORK

Last session, the Colorado Chamber helped pass a tax credit encouraging businesses to incentivize employees to use alternative methods of transportation when commuting to work – like public transit, carpooling, or electric vehicle use. This was in stark contrast to other recent legislative and regulatory efforts that took a mandate-based approach, requiring employers to reduce the number of employees using their own vehicles to get to work. The Colorado Chamber will continue to support employee choice and autonomy in how they get to work, recognizing the unique needs and circumstances of individual families and communities.

31%

of businesses say Colorado’s environmental regulations are their top regulatory concern

ALLOW BUSINESS TO INNOVATE AND LEAD ON ENVIRONMENTAL SUSTAINABILITY

Through collaboration between government and industry, we’ve made significant progress in reducing air emissions in recent years – from the Greenhouse Gas Reduction Roadmap to the Clean Power Plan. Colorado electric utilities have also crafted and implemented resource plans to meet ambitious benchmarks moving forward. When it comes to innovative technological solutions to mitigate emissions, businesses are the ones that develop, finance, and build the infrastructure needed to improve our environment. Lawmakers should support further collaborative efforts that address responsible production and provide the flexibility and tools businesses need to succeed.



REGULATORY: ENERGY & ENVIRONMENT

SUPPORT CHOICE IN ENERGY CONSUMPTION AND APPLIANCES

Energy consumers should have the ability to choose the home appliances and energy infrastructure that works for them. Natural gas forms a strong complement with electricity to create a resilient energy mix that keeps energy affordable and reliable, driving the innovation needed to meet our state's climate goals. The Colorado Chamber opposes efforts to eliminate natural gas as an option in new and existing energy infrastructure for residential consumers and businesses.

OPPOSE EFFORTS TO LIMIT OR END OIL AND GAS PRODUCTION IN THE STATE

Legislative efforts that would de facto shut down all or most oil and gas production in Colorado would kill jobs and have detrimental impacts on our economy. The Chamber opposes new regulations, rules and requirements that would make it too costly or burdensome for oil and gas producers to continue operations in Colorado.

AVOID COMPLEX, COSTLY NEW PERMITTING SCHEMES ON MANUFACTURING AND INDUSTRIAL OPERATIONS

The Colorado Chamber opposes the creation of new environmental permitting schemes creating impossible barriers for new and existing facilities. State agencies should not impose unreasonable and untested new health or environmental standards on facilities that are not backed by science.

ALIGN STATE AND FEDERAL ENVIRONMENTAL REGULATIONS

New environmental rules and regulations should align with federal environmental standards to provide clarity and consistency to operators. The Colorado Chamber opposes bills giving state agencies the power to adopt regulations on business that are more stringent than federal regulations, placing Colorado at a competitive disadvantage with neighboring states.

BUILDING THE WORKFORCE OF THE FUTURE

Workforce and labor issues were a pressing concern for business leaders in Colorado in the Chamber's recent survey. The Colorado Chamber is committed to finding short- and long-term solutions to bolstering our talent pipeline so Colorado remains an attractive place to live and do business for years to come. We must ensure that students across the state are educated to their greatest potential, and all of Colorado's businesses have the talented and innovative homegrown workforce they need to thrive.

SUPPORT POLICIES TO INCREASE WORKFORCE HOUSING IN COLORADO

The Colorado Chamber supports policies that increase the supply of workforce housing stock and removes bureaucratic barriers to the development of new housing. Access to numerous housing options will grow a talented and diverse collective of workers which is key to Colorado's economic prosperity.

INCREASE FUNDING FOR CAREER DEVELOPMENT INCENTIVE PROGRAM

Passed by the state legislature in 2018, this program provides financial incentives to high schools to encourage students to complete qualified industry credential programs, workplace training programs and advanced coursework. The qualifying programs are industry-recognized and align with high-demand jobs to provide the skills that businesses are looking for in the workforce. Increasing support for this program will better prepare students with the skills needed for in-demand, high-paying careers.

52%

of manufacturing companies say that the Colorado workforce is unsatisfactory

BETTER PREPARE STUDENTS FOR THE WORKFORCE

Bolstering the state's talent pipeline starts with students. We have a skills gap in Colorado – we need to put our students on a path to success and fill in-demand jobs across the state. More than half of Colorado manufacturers say that the Colorado workforce is unsatisfactory – this is due in part to students being pushed toward traditional four-year degrees and lacking access to coursework in industrial or technical education. We must give educational institutions the tools to better educate students and parents on all career options, including entering technical careers.



59%

of businesses say employee recruitment is one of their top two business concerns



BUILDING THE WORKFORCE OF THE FUTURE

EXPAND APPRENTICESHIP PROGRAMS

Apprenticeship programs provide real, hands-on training for employees while meeting the workforce needs of Colorado employers, especially in manufacturing. Colorado lawmakers should continue to expand these programs and encourage employers to utilize the apprenticeship model.

SUPPORT ALTERNATIVE, NON-DEGREE PATHWAYS TO CREDENTIALS

Non-degree credentials provided by community colleges and private providers are in high demand by Colorado employers. They also offer a faster way for students to get the skills they need to enter the workforce. The legislature should explore ways to support these programs and incentivize employers to provide more opportunities for students.

SUPPORT IMPROVEMENTS TO STATE WORKFORCE DEVELOPMENT PROGRAMS

The Chamber will work with state agencies on improvements to the state workforce development centers and programs to effectively connect job seekers with employers who need a talented workforce.



of Colorado businesses believe that the university system needs to do a better job of incentivizing students to study in fields with a greater workforce need.

ECONOMIC GROWTH & COMPETITIVENESS

The Colorado Chamber is working to promote a future-focused vision of fostering a prosperous and inclusive economic climate. We want to be a top state where business leaders choose to invest, innovate, and create jobs and opportunities. To accomplish this, we need to ensure our transportation infrastructure reliable and efficient. Our workforce needs access to quality, affordable health care. And our tax climate needs to be competitive for businesses and workers. We believe that growth-focused policies will ensure Colorado is an attractive place to do business now and in the years to come.

OPPOSE TAX HIKES THAT INCREASE THE COST OF DOING BUSINESS IN COLORADO

A competitive state tax climate is necessary for promoting economic growth and a strong economy. The Colorado Chamber will oppose increases in tax rates and burdensome tax regulations that make the state's business climate less competitive.

52% of businesses say Colorado's economy is on the wrong track

PRESERVE CURRENT COMPUTER SOFTWARE TAX EXCLUSION FOR BUSINESSES

The state's existing tax policy on computer software has lured many companies and IT centers to come to Colorado and should be preserved. Current policies provide clarity and efficiency in defining how software is taxed and has reduced many lawsuits with the state's Department of Revenue since the current definition of what is taxable tangible personal property is now very clear.

PRESERVE INDUSTRIAL ENERGY USE TAX EXEMPTION

Colorado tax law allows for an industrial energy use sales tax exemption, which has been in place for decades. The long-standing exemption ensures businesses are not double taxed for the energy they use to manufacture products, and similar tax exemptions exist in over 40 states. From the largest global manufacturers to rural farms and ranches, Colorado businesses depend on this exemption to keep their costs competitive with those in other states. The Colorado Chamber opposes any efforts to eliminate or make it more difficult to take this exemption.

50% of businesses believe Colorado's business personal property tax rate is too high

SUPPORT THE REDUCTION AND EVENTUAL PHASE-OUT OF THE BUSINESS PERSONAL PROPERTY TAX

The Colorado Chamber supports the reduction and eventual elimination, over time, of the onerous local business personal property tax, which discourages capital-intensive businesses and makes Colorado less competitive to attract and retain these companies compared to other states.

ECONOMIC GROWTH & COMPETITIVENESS

PRIORITIZE HIGHWAYS, BRIDGES AND ROADS IN TRANSPORTATION FUNDING

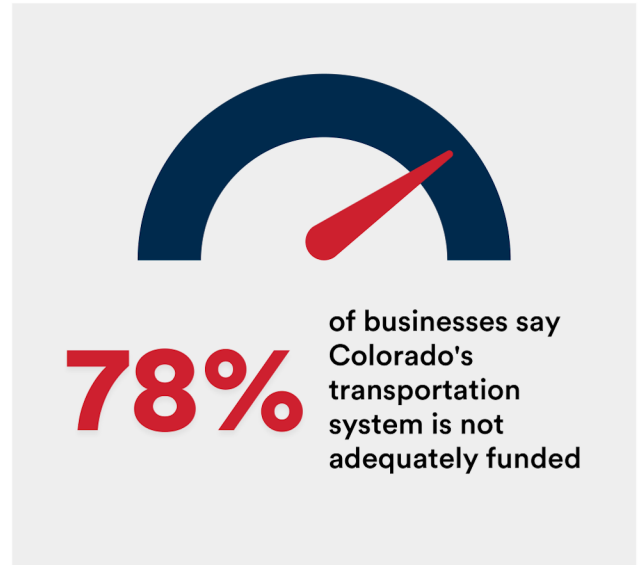
Colorado's transportation industry keeps our state running smoothly, supporting our inter- and intrastate economy and the millions of Coloradans who rely on its services every day. The Colorado Chamber's recent survey found that highways, bridges, streets, and roads were by far the top infrastructure concern among businesses. New and existing funds for transportation should be used efficiently and should prioritize these types of projects.

88%

of businesses list highways, bridges and roads as a top infrastructure concern

IMPROVE THE SAFETY OF LOCAL COLORADO COMMUNITIES

When public safety suffers, so do local businesses. Customers and employees need to feel safe in our communities across the state. The Colorado Chamber supports increased resources and collaboration to strengthen our ability to address high urban crime rates, provide increased mental health support, and encourage safe streets.



PROMOTE FLEXIBILITY, OPPOSE NEW MANDATES ON HEALTH INSURANCE POLICIES

The Colorado Chamber opposes measures that create new mandates on health insurance policies or require specific coverage that will increase premium costs across the state. While many of these proposals are well-intended, each new mandate contributes to the cumulative burden on state health insurance policies, chipping away at the goal of making health care more affordable for Coloradans.



BENCHMARKING COMPETITIVENESS

Where Colorado Stands Compared to Other Highly Competitive States

(For Rankings, 1 = Best, 50 = Worst)

	TEXAS	FLORIDA	TENNESSEE	ARIZONA	NORTH CAROLINA	COLORADO
¹ Best States for Business	1	2	3	4	5	13
² Cost of Doing Business Ranking	12	30	8	35	26	36
³ Business Tax Climate Ranking	13	4	14	19	10	21
⁴ Infrastructure Ranking	14	13	8	6	17	16
⁵ Cost of Living Ranking	14	25	5	29	24	36
⁶ Median House Price	\$243,600	\$294,900	\$231,600	\$349,300	\$242,300	\$488,600
⁷ Most Affordable Housing Markets (by income)	19	37	24	39	23	46
⁸ Annual Mean Wage	\$54,230	\$51,950	\$49,330	\$55,170	\$53,100	\$62,900
⁹ Legal Climate Ranking	38	46	34	17	16	21

1 CEO Magazine 2022 Best States for Business

2 CNBC America's Top States for Business 2022

3 Tax Foundation 2023 State Business Tax Index

4 CNBC America's Top States For Business 2022

5 U.S. News 2020 Affordability Ranking

6 Rocket Homes Median Home Prices By State for 2022

7 Homebuyer.com, 2022

8 U.S. Bureau of Labor Statistics, 2021

9 U.S. Chamber Institute for Legal Reform, 2019

MAKE YOUR VOICE HEARD



The Colorado Chamber is the statewide advocacy leader in unifying the business community and making effective change. With the legislative and regulatory environments constantly evolving, there are many issue- and industry-specific efforts that the Chamber engages in to ensure the voice of business is heard.

As part of our advocacy efforts, the Colorado Chamber has developed five standing policy councils that formulate legislative positions and priorities for their respective policy areas every legislative session. In addition, the Chamber also convenes issue-specific coalitions to strategize on proposals or bills that merit special attention or mobilization from businesses.

POLICY COUNCILS

Policy councils are at the core of the Colorado Chamber's work, offering a unique opportunity for Chamber members to add their expertise and judgment to our policymaking and influence legislation and regulations that impact business. Council meetings provide an open and frank dialogue between our members, key legislators and state agency leaders.

As a council member, you'll receive up to the minute notices of current issues of interest to that council and invitations to council meetings, meet with relevant government officials, be invited to help craft legislation, weigh in on proposed legislation, offer insight to the Colorado Chamber advocacy team on areas in which you have expertise, and testify on legislation. Below are our standing policy councils:

TAX COUNCIL

ENERGY & ENVIRONMENT COUNCIL

GOVERNMENT AFFAIRS COUNCIL

HEALTH CARE COUNCIL

LABOR AND EMPLOYMENT COUNCIL

COALITIONS

These strategy groups dive deep into a specific issue, proposal, bill, or program that has a direct impact on employers across Colorado. Members who join a coalition are immersed in the latest updates and have the opportunity to participate in strategy sessions, get involved through testimony or public comments, collaborate on messaging, mobilize grassroots support, and more.

Because coalitions are very issue-specific, these groups change and adapt based on the legislative or regulatory issues of the day. Our current coalitions for 2023 thus far are as follows:

DATA PRIVACY COALITION

FAMILY & MEDICAL LEAVE INSURANCE COALITION

PAY EQUITY COALITION

WORKPLACE HARASSMENT COALITION

ENVIRONMENTAL SUSTAINABILITY & CLIMATE ACTION TASK FORCE

ALTERNATIVE TRANSPORTATION OPTIONS COALITION

AIR TOXICS COALITION

GEMM (GREENHOUSE GAS & ENERGY MANAGEMENT FOR MANUFACTURING) COALITION

To get involved in a policy council or coalition, please contact [Laura Moss](mailto:lmoss@cochamber.com) at lmoss@cochamber.com.



MEET THE COLORADO CHAMBER'S GOVERNMENT AFFAIRS & POLICY EXPERTS



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BEVERLY RAZON
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Council



LANDON GATES
Contract Lobbyist



**ROBERTA
ROBINETTE**
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Affairs Council



RYAN WOODS
Chair, Tax Council



JOHN JACUS
Chair, Energy &
Environment Council
Colorado Chamber Board
Chair



**STACEY
CAMPBELL**
Chair, Labor &
Employment Council





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