

“The 2023 Colorado General Assembly considered a range of state government and immigration bills related to detention facilities, government records, legislative committees, workplace standards, and public buildings.”

Immigration

The General Assembly passed legislation to continuing services provided to immigrants in the state, including *HB23-1283*, which transfers the administration of the Colorado Refugee Services Program from the Department of Human Services to the Department of Labor and Employment.

Legislators also passed *HB23-1100*, which restricts the ability of the state and local governments to enter into certain agreements involving immigration detention facilities. Restrictions include:

- entering into an agreement to detain individuals in an immigration detention facility operated by a private entity;
- paying a private entity for the operation of an immigration facility; and
- receiving payment related to the detention of individuals in an immigration detention facility from a private entity.

Government Records

The legislature discussed bills concerning access to government records, including the social media accounts administered by elected officials and changes to the Colorado Open Records Act (CORA).

HB23-1306 allows an elected official in the state to restrict or bar an individual from using private social media that is being administered by the elected official for any reason, in the elected official's discretion.

SB23-286 makes several changes to CORA including requirements related to the transmission of records, the right to deny inspection for certain information concerning elected officials, the creation of an electronic mail policy reporting system, and the establishment of fee restrictions.

Additionally, the General Assembly considered legislation that would have made changes to the Open Meetings Law. *HB23-1259* would have allowed local public bodies to cure executive session announcement violations under the Open Meetings Law by taking corrective action at the next meeting or within 14 days of receiving notice from a person who intends to challenge the violation. The bill was vetoed by the Governor.

Legislative Committees

Legislative committees consider legislation, provide oversight of executive branch agencies, and conduct studies on issues of importance to the state. During the 2023



legislative session, the General Assembly created a new year-round committee. *SB23-010* changes the Water Resources and Agriculture Review Committee from an interim committee to a year-round committee that must meet at least four times per year. The bill also removes the limit on the number of field trips the committee may take each year.

Workplace Standards

The General Assembly passed legislation concerning workplace standards, including *SB23-053*, which prohibits state and local government agencies from requiring current and prospective employees to sign a non-disclosure agreement (NDA) as a condition of employment, unless the NDA is necessary to protect privacy interests of the employee or to keep matters confidential as required by law. This bill also prohibits retaliatory action against an employee for failing to sign an NDA.

SB23-105 makes several changes to state law related to pay equity and the requirements on employers when hiring. Changes include requirements for the director of the Department of Labor and Employment to investigate complaints regarding violations of pay equity laws. In addition, the bill extends the maximum period for which a person pursuing a wage discrimination complaint may receive back pay to six years.

SB23-111 establishes certain rights for public employees and associated enforcement procedures. This includes the public employees' right to discuss or express views on workplace issues and forming or joining, or refraining from participating in, an employee organization.

To review the direct care industry, the industry of workers who provide home-based or community-based direct care to individuals who require assistance in accomplishing activities of daily living, the legislature created the Direct Care Workforce Stabilization Board with the passage of *SB23-261*. The board will make recommendations for direct care working standards. Additionally, the bill places disclosure requirements on direct care employers and prohibits certain retaliatory actions.

Public Buildings

HB23-1057 requires that any new construction or restroom renovation of a qualifying public building that is owned, operated, or controlled by the state, a county, or a municipality must have certain amenities including:

- each floor where a restroom is publically available must contain a single-stall restroom or a non-gendered multi-stall restroom, and single-stall restrooms must not be gender-specific;
- each floor that contains a public restroom, must provide at least one baby diaper changing station that is accessible to the public; and
- each restroom with a baby diaper changing station and each non-gendered restroom must be labelled with non-gendered pictogram signage.

