

An Act

HOUSE BILL 18-1152

BY REPRESENTATIVE(S) Lawrence, Becker K., Catlin, Coleman, Covarrubias, Exum, Garnett, Gray, Hamner, Herod, Hooton, Kraft-Tharp, Lontine, McKean, McLachlan, Melton, Pettersen, Reyher, Roberts, Saine, Sias, Van Winkle, Williams D., Winkler, Winter, Young, Duran; also SENATOR(S) Cooke, Baumgardner, Fields, Gardner, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Moreno, Neville T., Priola, Smallwood.

CONCERNING MAKING CERTAIN RECORDS OF THE STATE JUDICIAL DEPARTMENT RELATING TO SEXUAL HARASSMENT INVESTIGATIONS SUBJECT TO THE COLORADO OPEN RECORDS ACT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Since 2017, Coloradans have become increasingly aware of workplace sexual harassment throughout the country;

(b) Coloradans expect that workplace sexual harassment claims will be investigated transparently, especially in the public sector; and

(c) Individuals who report workplace sexual harassment have a right to remain informed about the status of those reports, especially in the public sector.

(2) Therefore, in enacting House Bill 18-1152, the general assembly urges the Colorado judicial department to revise its rules governing access to records, rules governing attorney discipline, and other applicable rules to allow greater transparency of sexual harassment investigation proceedings to persons in interest while respecting legitimate confidentiality interests.

SECTION 2. In Colorado Revised Statutes, 24-72-204, **amend** (3)(a) introductory portion; and **add** (3)(a)(X)(D) as follows:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions - repeal. (3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, shall be available to the person in interest ~~under~~ PURSUANT TO this subsection (3):

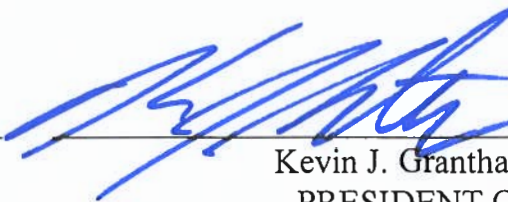
(X) (D) THIS SUBSECTION (3)(a)(X) APPLIES TO THE JUDICIAL DEPARTMENT OF STATE GOVERNMENT. THIS SUBSECTION (3)(a)(X)(D) IS REPEALED, EFFECTIVE MAY 1, 2021.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless


approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Kevin J. Grantham
PRESIDENT OF
THE SENATE

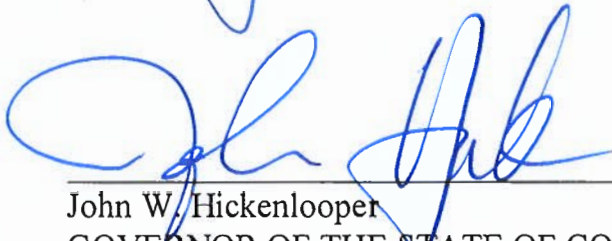


Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Effie Ameen
SECRETARY OF
THE SENATE

APPROVED May 29th 2018 10:48am



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO