



Legislative Council Staff

Research Note

Version: Final

Date: 6/7/2017

Bill Number

House Bill 17-1293

Sponsors

Representative Melton
Senator Todd

Short Title

Local Government Officials On
Nonprofit Boards

Research Analyst

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Status

This research note reflects the final version of the bill, which becomes effective August 9, 2017, assuming no referendum petition is filed.

Background

A nonprofit's board of directors is responsible for creating policies and procedures that support the organization's mission, vision, and values. A board also allocates resources as well as provides strategic direction and fiduciary oversight to an organization. Board members generally represent a range of expertise and professions, and they may have other roles in the community, including holding public office.

State law currently addresses conflicts of interest and the fiduciary duties related to local government officials who have personal or private interests in matters before the government body, but their role on nonprofit boards is not addressed.

House Action

House Local Government Committee (April 12, 2017). At the hearing, representatives from the Arapahoe County Board of County Commissioners, the Colorado Nonprofit Association, and the Associated Governments of Northwest Colorado spoke in support of the bill. The committee adopted amendment L.001, and referred the bill, as amended, to the House Committee of the Whole. Amendment L.001 clarified requirements regarding economic conflicts of interest.

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House second reading (April 17, 2017). The House adopted the Local Government Committee report and passed the bill on second reading with no additional amendments.

House third reading (April 18, 2017). The House passed the bill on third reading with no amendments.

House consideration of Senate amendments (May 9, 2017). The House concurred with Senate amendments and repassed the bill.

Senate Action

Senate Local Government Committee (May 2, 2017). At the hearing, representatives from the Arapahoe County Board of County Commissioners, Colorado Counties, Inc., the Associated Governments of Northwest Colorado, and the Colorado Nonprofit Association spoke in support of the bill. The committee adopted amendment L.002 and referred the bill, as amended, to the Senate Committee of the Whole with a recommendation that it be placed on the consent calendar. Amendment L.002 addresses situations where an official's immediate family member receives services from a nonprofit entity.

Senate second reading (May 4, 2017). The Senate adopted the Senate Local Government committee report and passed the bill on second reading, consent calendar, with no additional amendments.

Senate third reading (May 5, 2017). The Senate passed the bill on third reading, consent calendar, with no additional amendments.