

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 18-0802.01 Michael Dohr x4347

HOUSE BILL 18-1152

HOUSE SPONSORSHIP

Lawrence,

SENATE SPONSORSHIP

Cooke,

House Committees

State, Veterans, & Military Affairs

Senate Committees

State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING MAKING CERTAIN RECORDS OF THE STATE JUDICIAL**
102 **DEPARTMENT RELATING TO SEXUAL HARASSMENT**
103 **INVESTIGATIONS SUBJECT TO THE COLORADO OPEN RECORDS**
104 **ACT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law exempts the judicial department from the Colorado open records act (CORA). The bill makes the administrative and budget records of the judicial department subject to CORA.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
April 26, 2018

SENATE
2nd Reading Unamended
April 25, 2018

HOUSE
3rd Reading Unamended
April 11, 2018

HOUSE
Amended 2nd Reading
April 10, 2018

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

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

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

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

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

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

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

19 **24-72-204. Allowance or denial of inspection - grounds -**
20 **procedure - appeal - definitions - repeal.** (3) (a) The custodian shall
21 deny the right of inspection of the following records, unless otherwise
22 provided by law; except that any of the following records, other than
23 letters of reference concerning employment, licensing, or issuance of
24 permits, shall be available to the person in interest ~~under~~ PURSUANT TO
25 this subsection (3):

26 (X) (D) THIS SUBSECTION (3)(a)(X) APPLIES TO THE JUDICIAL

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

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2018 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.