

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 20-0754.01 Gregg Fraser x4325

HOUSE BILL 20-1029

HOUSE SPONSORSHIP

Pelton,

SENATE SPONSORSHIP

Hisey,

House Committees

Transportation & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF AN ELECTED COUNTY OFFICER TO**
102 **ELECT TO RECEIVE A LOWER SALARY THAN THE AMOUNT**
103 **PROVIDED FOR BY LAW.**

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>.)

The annual salary of an elected county officer (officer) is currently specified in statute. The bill expressly allows an officer to make an election to receive less than the amount specified in law. The officer may subsequently elect to increase or decrease his or her salary annually as long as it does not exceed the amount allowed in statute.

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.

HOUSE
Amended 2nd Reading
February 12, 2020

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

2 **SECTION 1.** In Colorado Revised Statutes, 30-2-102, **amend**
3 (3)(e); and **add** (3)(f) as follows:

4 **30-2-102. Categorization of counties for fixing salaries of**
5 **county officers - salary amounts - legislative declaration.**

6 (3) (e) EXCEPT AS PROVIDED IN SUBSECTION (3)(f) OF THIS SECTION, no
7 elected COUNTY officer shall have his OR HER compensation increased or
8 decreased during the term of office to which he OR SHE has been elected
9 or appointed. All actual and necessary expenses of an elected officer
10 incurred while engaged in business on behalf of the county may be
11 allowed by the board of county commissioners and paid out of the county
12 treasury.

13 (f) AN ELECTED COUNTY OFFICER IN A COUNTY CLASSIFIED FOR
14 SALARY PURPOSES UNDER SUBSECTION (1.5)(a)(III), (1.5)(a)(IV),
15 (1.5)(a)(V), OR (1.5)(a)(VI) OF THIS SECTION MAY ELECT IN HIS OR HER
16 SOLE DISCRETION TO RECEIVE AN AMOUNT OF SALARY THAT IS LOWER
17 THAN THE AMOUNT PROVIDED FOR IN THIS SECTION. ANY SUCH ELECTION
18 SHALL BE SET FORTH IN WRITING AND RECORDED WITH THE OFFICE OF THE
19 COUNTY CLERK AND RECORDER DURING THE MONTH OF NOVEMBER. ANY
20 ADDITIONAL MONEY AVAILABLE TO A COUNTY AS A RESULT OF AN
21 ELECTED COUNTY OFFICER MAKING AN ELECTION PURSUANT TO THIS
22 SUBSECTION (3)(f) SHALL REMAIN AVAILABLE FOR EXPENDITURE IN THE
23 COUNTY GENERAL FUND. AN ELECTED COUNTY OFFICER WHO ELECTS TO
24 RECEIVE A LOWER SALARY PURSUANT TO THIS SUBSECTION (3)(f) MAY
25 SUBSEQUENTLY ELECT TO RECEIVE A HIGHER SALARY SO LONG AS THE
26 AMOUNT OF THE HIGHER SALARY DOES NOT EXCEED THE AMOUNT

1 PROVIDED FOR IN THIS SECTION. IN NO EVENT SHALL AN ELECTED COUNTY
2 OFFICER MAKE MORE THAN ONE ELECTION PER YEAR PURSUANT TO THIS
3 SUBSECTION (3)(f).

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2020 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.