

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0717.01 Jery Payne x2157

SENATE BILL 22-076

SENATE SPONSORSHIP

Holbert,

HOUSE SPONSORSHIP

Mullica,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING COMPLAINTS RELATED TO A PERSON'S AUTHORIZATION
102 TO PRACTICE AN OCCUPATION FOR ACTS COMMITTED WHILE
103 THE PERSON IS SERVING IN AN OFFICIAL CAPACITY.

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 bill directs the agency that regulates an occupation to dismiss a complaint that is lodged against the holder of an occupational license, certification, or registration if the complaint is based on words said or actions taken as:

- An elected official of Colorado or a political subdivision of

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.

- Colorado; or
- A member of a board or commission of Colorado or a political subdivision of Colorado.

The subject of the complaint need not respond or provide evidence for the complaint to be dismissed.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-20-403, **add** (5)
3 as follows:

4 **12-20-403. Disciplinary procedures - investigations - hearings**
5 **- oaths - witness statements - subpoenas - appointment of**
6 **administrative law judge - driver's history - acting as an official.**

7 (5) (a) A REGULATOR SHALL DISMISS A COMPLAINT MADE AGAINST A
8 LICENSEE, CERTIFICANT, OR REGISTRANT IF THE BASIS FOR THE COMPLAINT
9 ARISES FROM WORDS SAID OR FROM ACTIONS COMMITTED WHILE THE
10 LICENSEE, CERTIFICANT, OR REGISTRANT WAS ENGAGED IN OFFICIAL
11 DUTIES AS:

12 (I) AN ELECTED OFFICIAL OF THE STATE OF COLORADO OR OF A
13 POLITICAL SUBDIVISION OF COLORADO; OR

14 (II) A MEMBER OF A BOARD OR COMMISSION ESTABLISHED BY THE
15 STATE OF COLORADO OR BY A POLITICAL SUBDIVISION OF COLORADO.

16 (b) FOR THE REGULATOR TO DISMISS A COMPLAINT IN
17 ACCORDANCE WITH THIS SUBSECTION (5), THE LICENSEE, CERTIFICANT, OR
18 REGISTRANT THAT IS THE SUBJECT OF THE COMPLAINT NEED NOT RESPOND
19 TO OR PROVIDE EVIDENCE CONCERNING THE COMPLAINT. THE DISMISSAL
20 IS AUTOMATIC.

21 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.