# Second Regular Session Seventy-fourth General Assembly STATE OF COLORADO

# **PREAMENDED**

This Unofficial Version Includes Committee Amendments Not Yet Adopted on Second Reading

LLS NO. 24-0325.01 Jed Franklin x5484

**HOUSE BILL 24-1073** 

### **HOUSE SPONSORSHIP**

Story and Parenti,

### SENATE SPONSORSHIP

Marchman and Gonzales,

#### **House Committees**

#### **Senate Committees**

Transportation, Housing & Local Government Appropriations

	A BILL FOR AN ACT
101	CONCERNING THE SCOPE OF THE INDEPENDENT ETHICS COMMISSION'S
102	JURISDICTION OVER ETHICS COMPLAINTS AGAINST LOCAL
103	GOVERNMENTS, AND, IN CONNECTION THEREWITH, EXPANDING
104	THE INDEPENDENT ETHICS COMMISSION'S JURISDICTION TO
105	INCLUDE SCHOOL DISTRICTS AND SPECIAL DISTRICTS.

## **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 <a href="http://leg.colorado.gov">http://leg.colorado.gov</a>.)

Under current law, the independent ethics commission created in article XXIX of the state constitution does not have jurisdiction over

officials or employees of special districts or school districts. The bill gives the independent ethics commission jurisdiction to hear complaints, issue findings, assess penalties, and issue advisory opinions on ethics issues concerning a special district official or employee or school district official or employee. Existing law establishes ethical standards for a special district official or employee or school district official or employee. The bill incorporates those standards under the independent ethics commission's jurisdiction and expands the standards to include those described in article XXIX of the state constitution.

1	Be it enacted by the General Assembly of the State of Colorado:
2	SECTION 1. In Colorado Revised Statutes, 24-18.5-101, add
3	(4.5) as follows:
4	24-18.5-101. Independent ethics commission - establishment
5	- membership - subpoena power - definitions. (4.5) (a) AS USED IN
6	This subsection $(4.5)$ , unless the context otherwise requires:
7	(I) "ANY OTHER STANDARDS OF CONDUCT AND REPORTING
8	REQUIREMENTS AS PROVIDED BY LAW" HAS THE SAME MEANING AS USED
9	IN SECTION 5 OF ARTICLE XXIX OF THE STATE CONSTITUTION.
10	(II) "SCHOOL DISTRICT" HAS THE SAME MEANING AS SET FORTH IN
11	SECTION 22-30-103 (13).
12	(III) "SCHOOL DISTRICT EMPLOYEE" MEANS A TEMPORARY OR
13	PERMANENT SUPERINTENDENT OF ANY SCHOOL DISTRICT OR A TEMPORARY
14	OR PERMANENT HEAD ADMINISTRATIVE OFFICER DESIGNATED BY A
15	SCHOOL BOARD TO EXECUTE ITS POLICY DECISIONS WHO IS APPOINTED OR
16	HIRED BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF
17	THE SCHOOL DISTRICT'S BOARD.
18	(IV) "SCHOOL DISTRICT OFFICIAL" MEANS A MEMBER OF A SCHOOL
19	DISTRICT'S BOARD.
20	(V) "Special district" means any quasi-municipal

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1	CORPORATION AND POLITICAL SUBDIVISION ORGANIZED OR ACTING
2	PURSUANT TO THE PROVISIONS OF TITLE 32 AND DOES NOT INCLUDE ANY
3	ENTITY ORGANIZED OR ACTING PURSUANT TO THE PROVISIONS OF ARTICLE
4	8 of title 29, article 20 of title 30, article 25 of title 31, or
5	ARTICLES 41 TO 50 OF TITLE 37.
6	(VI) "SPECIAL DISTRICT EMPLOYEE" MEANS A TEMPORARY OR
7	PERMANENT EMPLOYEE OF ANY SPECIAL DISTRICT WHO IS APPOINTED OR
8	HIRED BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF
9	THE SPECIAL DISTRICT'S BOARD.
10	(VII) "SPECIAL DISTRICT OFFICIAL" MEANS A MEMBER OF A
11	SPECIAL DISTRICT'S BOARD.
12	(b) SPECIAL DISTRICT OFFICIALS, SPECIAL DISTRICT EMPLOYEES,
13	SCHOOL DISTRICT OFFICIALS, AND SCHOOL DISTRICT EMPLOYEES ARE
14	SUBJECT TO THE PROVISIONS OF ARTICLE XXIX OF THE STATE
15	CONSTITUTION AND TO ANY OTHER STANDARDS OF CONDUCT AND
16	REPORTING REQUIREMENTS AS PROVIDED BY LAW.
17	(c) In addition to any of its other powers and duties as
18	PROVIDED BY LAW, THE COMMISSION MAY:
19	(I) HEAR COMPLAINTS, ISSUE FINDINGS, AND ASSESS PENALTIES ON
20	ETHICS ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE
21	CONSTITUTION AND OTHER STANDARDS OF CONDUCT AND REPORTING
22	REQUIREMENTS AS PROVIDED BY LAW INVOLVING SPECIAL DISTRICT
23	OFFICIALS, SPECIAL DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR
24	SCHOOL DISTRICT EMPLOYEES; AND
25	(II) ISSUE ADVISORY OPINIONS AND LETTER RULINGS ON ETHICS
26	ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE CONSTITUTION AND
27	OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS

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1	PROVIDED BY LAW INVOLVING SPECIAL DISTRICT OFFICIALS, SPECIAL
2	DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR SCHOOL DISTRICT
3	EMPLOYEES.
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; except
7	that, if a referendum petition is filed pursuant to section 1 (3) of article V
8	of the state constitution against this act or an item, section, or part of this
9	act within such period, then the act, item, section, or part will not take
10	effect unless approved by the people at the general election to be held in
11	November 2024 and, in such case, will take effect on the date of the
12	official declaration of the vote thereon by the governor.

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