

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 17-0528.01 Brita Darling x2241

SENATE BILL 17-041

SENATE SPONSORSHIP

Priola, Holbert

HOUSE SPONSORSHIP

Hooton and Willett, Thurlow, Pabon, Herod

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING EMPLOYMENT CONTRACTS FOR _____ POSITIONS AT**
102 **INSTITUTIONS OF HIGHER EDUCATION THAT ARE FUNDED BY**
103 **REVENUE GENERATED FROM AUXILIARY ACTIVITIES.**

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>.)

Under current law, institutions of higher education are limited in the number and length of term employment contracts or contract extensions that the institution can award. In addition, institutions are prohibited from providing postemployment compensation or benefits to a government-supported employee after the individual's employment has

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

SENATE
Amended 2nd Reading
February 6, 2017

ended, except in limited situations and in limited amounts. Further, under current law, the terms of government-supported employment contracts are generally available for public inspection.

For state institutions of higher education, the bill exempts the institution's employee positions that are funded by revenues generated through auxiliary activities, as defined in the bill, from the provisions of current law.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-19-108, **amend**
3 (1) introductory portion, (1)(c), and (1)(d); and **add** (1)(e) as follows:

4 **24-19-108. Exceptions - definition.** (1) The provisions of this
5 ~~article~~ ARTICLE 19 shall not apply to the following:

6 (c) Any employee employed by a unit of local government whose
7 governing body is directly elected by the electors of such local
8 government; ~~or~~

9 (d) Any certified employee who is separated from state service
10 due to lack of work, lack of funds, or reorganization and who receives
11 postemployment compensation or other benefits authorized by a layoff
12 plan established by the state personnel director pursuant to section
13 24-50-124 (1)(d)(I); OR

14 (e) ANY EMPLOYEE EMPLOYED AT A STATE INSTITUTION OF HIGHER
15 EDUCATION WHOSE POSITION IS FUNDED BY REVENUES GENERATED
16 THROUGH AUXILIARY ACTIVITIES. FOR PURPOSES OF THIS SUBSECTION
17 (1)(e), "AUXILIARY ACTIVITIES" MEANS INSTITUTIONAL ACTIVITIES
18 MANAGED AND ACCOUNTED FOR AS SELF-SUPPORTING ACTIVITIES.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2018 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.