

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0754.01 Gregg Fraser x4325

HOUSE BILL 20-1029

HOUSE SPONSORSHIP

Pelton,

SENATE SPONSORSHIP

(None),

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.

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 MAY ELECT IN HIS OR HER SOLE
14 DISCRETION TO RECEIVE AN AMOUNT OF SALARY THAT IS LOWER THAN THE
15 AMOUNT PROVIDED FOR IN THIS SECTION. ANY SUCH ELECTION SHALL BE
16 SET FORTH IN WRITING AND FILED WITH OFFICE OF THE COUNTY CLERK AND
17 RECORDER. AN ELECTED COUNTY OFFICER WHO ELECTS TO RECEIVE A
18 LOWER SALARY PURSUANT TO THIS SUBSECTION (3)(f) MAY
19 SUBSEQUENTLY ELECT TO RECEIVE A HIGHER SALARY SO LONG AS THE
20 AMOUNT OF THE HIGHER SALARY DOES NOT EXCEED THE AMOUNT
21 PROVIDED FOR IN THIS SECTION. IN NO EVENT SHALL AN ELECTED COUNTY
22 OFFICER MAKE MORE THAN ONE ELECTION PER YEAR PURSUANT TO THIS
23 SUBSECTION (3)(f).

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August

1 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2020 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.