

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 22-0638.01 Yelana Love x2295

SENATE BILL 22-097

SENATE SPONSORSHIP

Pettersen and Rodriguez, Buckner, Danielson, Fenberg, Jaquez Lewis, Kolker, Lee, Moreno, Story, Winter

HOUSE SPONSORSHIP

Herod and Sullivan,

Senate Committees

Business, Labor, & Technology
Appropriations

House Committees

Public & Behavioral Health & Human Services
Appropriations

A BILL FOR AN ACT

101 CONCERNING THE EXPANSION OF PROTECTIONS FOR WORKERS WHO
102 RAISE WORKPLACE HEALTH AND SAFETY CONCERNS, AND, IN
103 CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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>.)

Current law provides whistleblower protections for workers who raise a reasonable concern about health or safety related to a public health emergency. The bill expands the protection to all health and safety concerns regardless of whether there is a declared public health emergency.

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
May 2, 2022

SENATE
3rd Reading Unamended
March 29, 2022

SENATE
Amended 2nd Reading
March 28, 2022

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-14.4-102, **amend**
3 (1) and (2)(a) as follows:

4 **8-14.4-102. Prohibition against discrimination based on claims**
5 **related to health and safety.** (1) A principal shall not discriminate, take
6 adverse action, or retaliate against any worker based on the worker, in
7 good faith, raising any reasonable concern about workplace violations of
8 government health or safety rules, or about an otherwise significant
9 workplace threat to health or safety, ~~related to a public health emergency~~
10 to the principal, the principal's agent, other workers, a government
11 agency, or the public if the principal controls the workplace conditions
12 giving rise to the threat or violation.

13 (2) (a) A principal shall not require or attempt to require a worker
14 to sign a contract or other agreement that would limit or prevent the
15 worker from disclosing information about workplace health and safety
16 practices or hazards ~~related to a public health emergency~~ or to otherwise
17 abide by a workplace policy that would limit or prevent such disclosures.

18 **SECTION 2. Appropriation.** (1) For the 2022-23 state fiscal
19 year, \$417,629 is appropriated to the department of labor and
20 employment. This appropriation is from the general fund. To implement
21 this act, the department may use this appropriation as follows:

22 (a) \$386,579 for use by the division of labor standards and
23 statistics for program costs related to labor standards, which amount is
24 based on an assumption that the subdivision will require an additional 4.3
25 FTE; and

26 (b) \$31,050 for the purchase of legal services.

1 (2) For the 2022-23 state fiscal year, \$228,499 is appropriated to
2 the department of personnel. This appropriation is from the general fund.
3 To implement this act, the department may use this appropriation as
4 follows:

5 (a) \$125,000 for use by the division of human resources for
6 liability claims; and

7 (b) \$103,499 for the purchase of legal services.

8 (3) For the 2022-23 state fiscal year, \$134,549 is appropriated to
9 the department of law. This appropriation is from reappropriated funds
10 received from the department of labor and employment under subsection
11 (1)(b) of this section and from the department of personnel under
12 subsection (2)(b) of this section and is based on an assumption that the
13 department of law will require an additional 0.8 FTE. To implement this
14 act, the department of law may use this appropriation to provide legal
15 services for the department of labor and employment and the department
16 of personnel.

17 **SECTION 3. Applicability.** This act applies to conduct occurring
18 on or after the effective date of this act.

19 **SECTION 4. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.