

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0506.01 Jed Franklin x5484

HOUSE BILL 23-1065

HOUSE SPONSORSHIP

Story and Parenti,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE SCOPE OF THE INDEPENDENT ETHICS COMMISSION'S**
102 **JURISDICTION OVER ETHICS COMPLAINTS AGAINST LOCAL**
103 **GOVERNMENT OFFICIALS AND EMPLOYEES.**

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, 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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

issues concerning a local government official or local government employee. "Local government" is defined to include a county, municipality, special district, or school district. Existing ethical standards apply to a local government official and a local government employee. The bill applies those standards to a local government official or local government employee through the independent ethics commission.

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 (1)(c), (1)(d), (1)(e), and (4.5) as follows:

4 **24-18.5-101. Independent ethics commission - establishment**
5 **- membership - subpoena power - definitions.** (1) As used in this
6 article, unless the context otherwise requires:

7 (c) "LOCAL GOVERNMENT" MEANS A COUNTY, MUNICIPALITY,
8 SPECIAL DISTRICT, OR SCHOOL DISTRICT.

9 (d) "LOCAL GOVERNMENT EMPLOYEE" MEANS ANY TEMPORARY
10 OR PERMANENT EMPLOYEE OF ANY LOCAL GOVERNMENT, EXCEPT A LOCAL
11 GOVERNMENT OFFICIAL OR AN INDIVIDUAL WHO IS WORKING FOR THE
12 LOCAL GOVERNMENT AS AN INDEPENDENT CONTRACTOR.

13 (e) "LOCAL GOVERNMENT OFFICIAL" MEANS AN ELECTED OR
14 APPOINTED OFFICIAL OF A LOCAL GOVERNMENT BUT DOES NOT INCLUDE A
15 LOCAL GOVERNMENT EMPLOYEE.

16 (4.5) (a) "OTHER STANDARDS OF CONDUCT AND REPORTING
17 REQUIREMENTS AS PROVIDED BY LAW", AS THAT PHRASE IS USED IN
18 ARTICLE XXIX OF THE STATE CONSTITUTION AND THIS ARTICLE 18.5,
19 MEANS THE RULES OF CONDUCT AND ETHICAL PRINCIPLES APPLICABLE TO
20 LOCAL GOVERNMENT OFFICIALS AND LOCAL GOVERNMENT EMPLOYEES,
21 PURSUANT TO PART 1 OF ARTICLE 18 OF THIS TITLE 24.

22 (b) IN ADDITION TO ANY OF ITS OTHER POWERS AND DUTIES AS

1 PROVIDED BY LAW, THE COMMISSION MAY:

2 (I) HEAR COMPLAINTS, ISSUE FINDINGS, AND ASSESS PENALTIES ON
3 ETHICS ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE
4 CONSTITUTION AND OTHER STANDARDS OF CONDUCT AND REPORTING
5 REQUIREMENTS AS PROVIDED BY LAW INVOLVING LOCAL GOVERNMENT
6 OFFICIALS OR LOCAL GOVERNMENT EMPLOYEES; AND

7 (II) ISSUE ADVISORY OPINIONS AND LETTER RULINGS ON ETHICS
8 ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE CONSTITUTION AND
9 OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS
10 PROVIDED BY LAW INVOLVING LOCAL GOVERNMENT OFFICIALS OR LOCAL
11 GOVERNMENT EMPLOYEES.

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.