

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

**ENGROSSED**

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

LLS NO. 23-0506.01 Jed Franklin x5484

**HOUSE BILL 23-1065**

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**HOUSE SPONSORSHIP**

**Story and Parenti,**

**SENATE SPONSORSHIP**

**Marchman,**

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**House Committees**

Transportation, Housing & Local Government  
Appropriations

**Senate Committees**

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**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, AND IN CONNECTION**  
104 **THEREWITH, EXPANDING THE INDEPENDENT ETHICS**  
105 **COMMISSION'S JURISDICTION TO INCLUDE SCHOOL DISTRICTS**  
106 **AND SPECIAL DISTRICTS, AND MAKING AN APPROPRIATION.**

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**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

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.*

HOUSE  
Amended 2nd Reading  
April 28, 2023

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 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.

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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 EMPLOYEE OF ANY SCHOOL DISTRICT WHO IS APPOINTED OR  
14 HIRED BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF  
15 THE SCHOOL DISTRICT'S BOARD.

16           (IV) "SCHOOL DISTRICT OFFICIAL" MEANS A MEMBER OF A SCHOOL  
17 DISTRICT'S BOARD.

18           (V) "SPECIAL DISTRICT" MEANS ANY QUASI-MUNICIPAL  
19 CORPORATION AND POLITICAL SUBDIVISION ORGANIZED OR ACTING  
20 PURSUANT TO THE PROVISIONS OF TITLE 32 AND DOES NOT INCLUDE ANY

1 ENTITY ORGANIZED OR ACTING PURSUANT TO THE PROVISIONS OF ARTICLE  
2 8 OF TITLE 29, ARTICLE 20 OF TITLE 30, ARTICLE 25 OF TITLE 31, OR  
3 ARTICLES 41 TO 50 OF TITLE 37.

4 (VI) "SPECIAL DISTRICT EMPLOYEE" MEANS A TEMPORARY OR  
5 PERMANENT EMPLOYEE OF ANY SPECIAL DISTRICT WHO IS APPOINTED OR  
6 HIRED BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF  
7 THE SPECIAL DISTRICT'S BOARD.

8 (VII) "SPECIAL DISTRICT OFFICIAL" MEANS A MEMBER OF A  
9 SPECIAL DISTRICT'S BOARD.

10 (b) SPECIAL DISTRICT OFFICIALS, SPECIAL DISTRICT EMPLOYEES,  
11 SCHOOL DISTRICT OFFICIALS, AND SCHOOL DISTRICT EMPLOYEES ARE  
12 SUBJECT TO THE PROVISIONS OF ARTICLE XXIX OF THE STATE  
13 CONSTITUTION AND TO ANY OTHER STANDARDS OF CONDUCT AND  
14 REPORTING REQUIREMENTS AS PROVIDED BY LAW.

15 (c) IN ADDITION TO ANY OF ITS OTHER POWERS AND DUTIES AS  
16 PROVIDED BY LAW, THE COMMISSION MAY:

17 (I) HEAR COMPLAINTS, ISSUE FINDINGS, AND ASSESS PENALTIES ON  
18 ETHICS ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE  
19 CONSTITUTION AND OTHER STANDARDS OF CONDUCT AND REPORTING  
20 REQUIREMENTS AS PROVIDED BY LAW INVOLVING SPECIAL DISTRICT  
21 OFFICIALS, SPECIAL DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR  
22 SCHOOL DISTRICT EMPLOYEES; AND

23 (II) ISSUE ADVISORY OPINIONS AND LETTER RULINGS ON ETHICS  
24 ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE CONSTITUTION AND  
25 OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS  
26 PROVIDED BY LAW INVOLVING SPECIAL DISTRICT OFFICIALS, SPECIAL  
27 DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR SCHOOL DISTRICT

1 EMPLOYEES.

2 **SECTION 2. Appropriation.** (1) For the 2023-24 state fiscal  
3 year, \$87,740 is appropriated to the judicial department for use by the  
4 independent ethics commission. This appropriation is from the general  
5 fund and is based on an assumption that the commission will require an  
6 additional 0.4 FTE. To implement this act, the commission may use this  
7 appropriation for program costs.

8 (2) For the 2023-24 state fiscal year, \$45,468 is appropriated to  
9 the department of law. This appropriation is from reappropriated funds  
10 received from the judicial department under subsection (1) of this section  
11 and is based on an assumption that the department of law will require an  
12 additional 0.2 FTE. To implement this act, the department of law may use  
13 this appropriation to provide legal services for the judicial department.

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