

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0361.01 Jennifer Berman x3286

**SENATE BILL 24-026**

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**SENATE SPONSORSHIP**

**Roberts and Will**, Bridges, Hinrichsen, Pelton B., Pelton R.

**HOUSE SPONSORSHIP**

**McLachlan and Catlin**, Lynch, Martinez, McCormick

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**Senate Committees**

Agriculture & Natural Resources  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A REQUIREMENT THAT MEMBERS OF CERTAIN STATE**  
102                    **REGULATORY BODIES WHO ARE APPOINTED BY THE GOVERNOR**  
103                    **HOLD MEETINGS TO ELICIT PUBLIC ENGAGEMENT.**

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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/>.)*

**Water Resources and Agriculture Review Committee.** Prior to the consolidation of the division of wildlife and the division of parks and recreation and their respective commissions in Senate Bill 11-208, enacted in 2011, members of the wildlife commission were required to hold at least 2 public meetings per year in their respective geographic

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.*

districts.

The bill renews the public engagement requirement for the members of the parks and wildlife commission in the department of natural resources who are appointed by the governor and adds the same public engagement requirement for members of the state agricultural commission and the Colorado water conservation board who are appointed by the governor. The bill requires the public engagement meetings be held in person.

Commission and board members subject to the public engagement requirement are entitled to reimbursement for their reasonable costs in holding public meetings. Status updates on the commission and board members' compliance with the public engagement requirement must be reported to the chair of each member's respective commission or board and included in each member's respective executive department's annual "SMART Act" presentation to the general assembly.

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

2           **SECTION 1.** In Colorado Revised Statutes, 33-9-101, **amend** (8);  
3 and **add** (3)(g) as follows:

4           **33-9-101. Commission - creation - composition - terms -**  
5 **vacancies - removal - meetings - strategic plan - legislative**  
6 **declaration - public engagement - reports.** (3) (g) (I) EACH YEAR THAT  
7 A VOTING MEMBER OF THE COMMISSION SERVES ON THE COMMISSION, THE  
8 VOTING MEMBER SHALL PARTICIPATE IN AT LEAST TWO PUBLIC MEETINGS  
9 TO DIRECTLY ENGAGE PEOPLE IN THE GEOGRAPHIC AREA THAT THE  
10 MEMBER REPRESENTS; EXCEPT THAT EACH OF THE MEMBERS APPOINTED  
11 TO REPRESENT THE PUBLIC AT LARGE SHALL PARTICIPATE IN AT LEAST ONE  
12 MEETING PER YEAR WEST OF THE CONTINENTAL DIVIDE AND AT LEAST ONE  
13 MEETING PER YEAR EAST OF THE CONTINENTAL DIVIDE, UNLESS THE  
14 MEETING IS VIRTUAL.

15           (II) THE DIRECTOR SHALL:

16           (A) FOR EACH COMMISSION MEMBER SUBJECT TO THE PUBLIC  
17 MEETINGS REQUIREMENT SET FORTH IN SUBSECTION (3)(g)(I) OF THIS

1 SECTION, TRACK AND REPORT TO THE CHAIR OF THE COMMISSION ON THE  
2 STATUS OF THE MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER YEAR AT  
3 A TIME DETERMINED BY THE CHAIR; AND

4 (B) PROVIDE THE DATA TRACKED UNDER SUBSECTION (3)(g)(II)(A)  
5 OF THIS SECTION TO THE EXECUTIVE DIRECTOR FOR INCLUSION IN THE  
6 DEPARTMENT'S ANNUAL "SMART ACT" PRESENTATION TO THE GENERAL  
7 ASSEMBLY PURSUANT TO SECTION 2-7-203.

8 (III) THE GOVERNOR MAY DETERMINE THAT A VOTING MEMBER'S  
9 FAILURE TO PARTICIPATE IN PUBLIC MEETINGS PURSUANT TO THIS  
10 SUBSECTION (3)(g) QUALIFIES AS CAUSE FOR REMOVAL PURSUANT TO  
11 SUBSECTION (5) OF THIS SECTION.

12 (8) For each day actually engaged in the duties of the commission,  
13 the commission members are entitled to receive a per diem amount of  
14 fifty dollars, together with all actual and necessary travel expenses to be  
15 paid after the expenses are incurred. Mileage rates are as provided in  
16 section 24-9-104. ~~C.R.S.~~ VOTING COMMISSION MEMBERS ARE ENTITLED  
17 TO BE REIMBURSED FOR REASONABLE COSTS INCURRED IN PARTICIPATING  
18 IN PUBLIC MEETINGS PURSUANT TO SUBSECTION (3)(g) OF THIS SECTION.

19 **SECTION 2.** In Colorado Revised Statutes, 35-1-105, **add** (3.5)  
20 as follows:

21 **35-1-105. State agricultural commission - creation -**  
22 **composition - public engagement - reports.** (3.5) (a) EACH YEAR THAT  
23 A MEMBER SERVES ON THE COMMISSION, THE MEMBER SHALL PARTICIPATE  
24 IN AT LEAST TWO PUBLIC MEETINGS IN THE MEMBER'S DISTRICT; EXCEPT  
25 THAT EACH OF THE FIVE MEMBERS APPOINTED FROM THE STATE AT LARGE  
26 SHALL PARTICIPATE IN AT LEAST ONE MEETING PER YEAR WEST OF THE  
27 CONTINENTAL DIVIDE AND AT LEAST ONE MEETING PER YEAR EAST OF THE

1 CONTINENTAL DIVIDE, UNLESS THE MEETING IS VIRTUAL.

2 (b) MEMBERS ARE ENTITLED TO BE REIMBURSED FOR REASONABLE  
3 COSTS INCURRED IN PARTICIPATING IN PUBLIC MEETINGS PURSUANT TO  
4 SUBSECTION (3.5)(a) OF THIS SECTION.

5 (c) THE COMMISSIONER SHALL:

6 (I) TRACK AND REPORT TO THE CHAIR OF THE COMMISSION THE  
7 STATUS OF EACH VOTING MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER  
8 YEAR AT A TIME DETERMINED BY THE CHAIR; AND

9 (II) INCLUDE THE DATA TRACKED UNDER SUBSECTION (3.5)(c)(I)  
10 OF THIS SECTION IN THE DEPARTMENT'S ANNUAL "SMART ACT"  
11 PRESENTATION TO THE GENERAL ASSEMBLY PURSUANT TO SECTION  
12 2-7-203.

13 (d) THE GOVERNOR MAY DETERMINE THAT A COMMISSION  
14 MEMBER'S FAILURE TO PARTICIPATE IN PUBLIC MEETINGS PURSUANT TO  
15 THIS SUBSECTION (3.5) QUALIFIES AS CAUSE FOR REMOVAL FROM THE  
16 COMMISSION.

17 **SECTION 3.** In Colorado Revised Statutes, 37-60-104, **add** (5)  
18 as follows:

19 **37-60-104. Composition of the board - public engagement -**  
20 **reports.** (5) (a) EACH YEAR THAT A BOARD MEMBER APPOINTED  
21 PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION SERVES ON THE BOARD,  
22 THE MEMBER SHALL PARTICIPATE IN AT LEAST TWO PUBLIC MEETINGS IN  
23 THE GEOGRAPHIC AREA THAT THE MEMBER REPRESENTS, UNLESS THE  
24 MEETING IS VIRTUAL.

25 (b) MEMBERS ARE ENTITLED TO BE REIMBURSED FOR REASONABLE  
26 COSTS INCURRED IN PARTICIPATING IN PUBLIC MEETINGS PURSUANT TO  
27 SUBSECTION (5)(a) OF THIS SECTION AS NECESSARY EXPENSES ACTUALLY

1 INCURRED IN THE PERFORMANCE OF OFFICIAL DUTIES IN ACCORDANCE  
2 WITH SECTION 37-60-111.

3 (c) THE DIRECTOR OF THE BOARD SHALL:

4 (I) FOR EACH BOARD MEMBER SUBJECT TO THE PUBLIC MEETINGS  
5 REQUIREMENT SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION, TRACK  
6 AND REPORT TO THE CHAIR OF THE BOARD THE STATUS OF THE BOARD  
7 MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER YEAR AT A TIME  
8 DETERMINED BY THE CHAIR; AND

9 (II) PROVIDE THE DATA TRACKED UNDER SUBSECTION (5)(c)(I) OF  
10 THIS SECTION TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
11 NATURAL RESOURCES FOR INCLUSION IN THE DEPARTMENT'S ANNUAL  
12 "SMART ACT" PRESENTATION TO THE GENERAL ASSEMBLY PURSUANT TO  
13 SECTION 2-7-203.

14 (d) THE GOVERNOR MAY DETERMINE THAT A BOARD MEMBER'S  
15 FAILURE TO PARTICIPATE IN PUBLIC MEETINGS PURSUANT TO THIS  
16 SUBSECTION (5) QUALIFIES AS CAUSE FOR REMOVAL FROM THE BOARD.

17 **SECTION 4. Act subject to petition - effective date.** This act  
18 takes effect January 1, 2025; except that, if a referendum petition is filed  
19 pursuant to section 1 (3) of article V of the state constitution against this  
20 act or an item, section, or part of this act within the ninety-day period  
21 after final adjournment of the general assembly, then the act, item,  
22 section, or part will not take effect unless approved by the people at the  
23 general election to be held in November 2024 and, in such case, will take  
24 effect January 1, 2025, or on the date of the official declaration of the  
25 vote thereon by the governor, whichever is later.