

CHAPTER 403

GOVERNMENT - COUNTY

SENATE BILL 24-013

BY SENATOR(S) Gardner and Hinrichsen, Bridges, Buckner, Cutter, Fields, Gonzales, Hansen, Kirkmeyer, Liston, Lundeen, Michaelson Jenet, Priola, Rich, Simpson, Will, Winter F., Zenzinger;
 also REPRESENTATIVE(S) McLachlan and Catlin, Amabile, Bird, Boesenecker, Bradley, Brown, Clifford, Daugherty, Duran, Jodeh, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Lynch, Marshall, Martinez, Mauro, McCormick, Pugliese, Snyder, Story, Taggart, Titone, Velasco, Wilson, Winter T., McCluskie.

AN ACT

CONCERNING THE COMPENSATION OF ATTORNEYS WORKING IN THE OFFICE OF A DISTRICT ATTORNEY.

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

SECTION 1. In Colorado Revised Statutes, **amend** 20-1-203 as follows:

20-1-203. Compensation of deputy, chief deputy, and assistant district attorneys. (1) Compensation for all deputy, chief deputy, AND part-time deputy assistant, and ~~part-time assistant~~ district attorneys shall be fixed by the district attorney with the approval of the board of county commissioners or boards of county commissioners of multicounty districts or the city council of a city and county affected, and each county comprising ~~such~~ THE judicial district shall pay such deputies' AND chief deputies, assistants, and ~~part-time assistants~~ DEPUTIES' salaries in the proportion which the population of such county bears to the whole population of such judicial district.

(1.5) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, AND SECTION 20-1-306 (2), THE DISTRICT ATTORNEY, WITH THE APPROVAL OF THE BOARD OR BOARDS OF COUNTY COMMISSIONERS OF THE COUNTY OR COUNTIES COMPRISING THE JUDICIAL DISTRICT OR THE CITY COUNCIL OF A CITY AND COUNTY AFFECTED, SHALL SET THE COMPENSATION OF ALL ASSISTANT AND PART-TIME ASSISTANT DISTRICT ATTORNEYS, AND EACH COUNTY COMPRISING THE JUDICIAL DISTRICT SHALL PAY THE SALARIES IN PROPORTION TO THE POPULATION OF THE COUNTY TO THE WHOLE POPULATION OF THE JUDICIAL DISTRICT.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(2)(a) EFFECTIVE JULY 1, 2026, AND FOR EACH YEAR THEREAFTER, AN ASSISTANT DISTRICT ATTORNEY IN EVERY JUDICIAL DISTRICT MUST RECEIVE COMPENSATION FOR THEIR SERVICES IN AN ANNUAL AMOUNT THAT IS NOT LESS THAN THE COMPENSATION EARNED BY A FULL-TIME COUNTY COURT JUDGE WITHIN THIS STATE.

(b) A DISTRICT ATTORNEY MAY SET COMPENSATION FOR AN ASSISTANT OR PART-TIME ASSISTANT DISTRICT ATTORNEY IN EXCESS OF THE MINIMUM COMPENSATION SET FORTH IN SUBSECTION (2)(a) OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 20-1-205, **amend** (3) as follows:

20-1-205. Assistant district attorneys - repeal. (3) (a) The salaries authorized by subsection (1) of this section shall be paid monthly and shall be paid by the counties comprising such judicial district out of the ordinary revenues of such counties. Every county shall pay in proportion as the population of such county bears to the whole population of such judicial district, according to the latest federal census.

(b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 3. In Colorado Revised Statutes, 20-1-301, **repeal** (1)(c); and **add** (1)(a)(VI) as follows:

20-1-301. Compensation of district attorneys. (1) (a) (VI) EFFECTIVE JULY 1, 2026, AND EVERY JULY 1 THEREAFTER, THE DISTRICT ATTORNEY IN EVERY JUDICIAL DISTRICT MUST RECEIVE COMPENSATION FOR THEIR SERVICES IN AN ANNUAL AMOUNT THAT IS NOT LESS THAN THE COMPENSATION EARNED BY A FULL-TIME DISTRICT COURT JUDGE WITHIN THE STATE OF COLORADO AT THE TIME THE FOUR-YEAR DISTRICT ATTORNEY TERM BEGINS.

~~(c) During the regular legislative session commencing January 2012, and every fourth legislative session thereafter, the judiciary committees of the house of representatives and the senate, or any successor committees, shall review the compensation of elected district attorneys and make recommendations, if appropriate, to the general assembly regarding the compensation of elected district attorneys.~~

SECTION 4. In Colorado Revised Statutes, **amend** 20-1-306 as follows:

20-1-306. Compensation paid from state and county funds. (1) The salaries COMPENSATION of district attorneys ~~of the several~~ IN EVERY judicial districts DISTRICT of the state as set forth in section 20-1-301 (1)(a) ~~shall~~ MUST be paid in twelve equal monthly installments of which the state shall contribute eighty percent OF THE MINIMUM AMOUNT REQUIRED BY SECTION 20-1-301 (1)(a) annually and THE COUNTY OR the counties ~~making up each~~ COMPRISING THE JUDICIAL district SHALL CONTRIBUTE the balance, WITH each county's payment to be in the same proportion as provided in section 20-1-302.

(2) EFFECTIVE JULY 1, 2026, THE SALARIES OF ASSISTANT DISTRICT ATTORNEYS IN EVERY JUDICIAL DISTRICT OF THE STATE AS SET FORTH IN SECTION 20-1-203 MUST BE PAID IN TWELVE EQUAL MONTHLY INSTALLMENTS OF WHICH THE STATE SHALL

CONTRIBUTE FIFTY PERCENT OF THE MINIMUM AMOUNT REQUIRED BY SECTION 20-1-203 (2) ANNUALLY AND THE COUNTY OR COUNTIES COMPRISING THE JUDICIAL DISTRICT SHALL CONTRIBUTE THE BALANCE, WITH EACH COUNTY'S PAYMENT TO BE IN THE SAME PROPORTION AS PROVIDED IN SECTION 20-1-302.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2024