

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0325.01 Jed Franklin x5484

HOUSE BILL 24-1073

HOUSE SPONSORSHIP

Story and Parenti,

SENATE SPONSORSHIP

Marchman and Gonzales,

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

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

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.

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 special district official or employee or school district official or employee. Existing law establishes ethical standards for a special district official or employee or school district official or employee. The bill incorporates those standards under the independent ethics commission's jurisdiction and expands the standards to include those described in article XXIX of the state constitution.

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