

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 15-1074

BY REPRESENTATIVE(S) Vigil, Brown, Esgar, Fields, Humphrey, Klingenschmitt, Mitsch Bush, Moreno, Rosenthal, Saine, Duran, Pabon, Hullinghorst;
also SENATOR(S) Crowder.

CONCERNING THE LIABILITY OF AN INDIVIDUAL MEMBER OF A BOARD OF COUNTY COMMISSIONERS IN A LEGAL PROCEEDING IN WHICH THE BOARD IS FOUND LIABLE.

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

SECTION 1. In Colorado Revised Statutes, 1-45-117, **amend** (4) as follows:

1-45-117. State and political subdivisions - limitations on contributions. (4) (a) Any violation of this section shall be subject to the provisions of sections 9 (2) and 10 (1) of article XXVIII of the state constitution or any appropriate order or relief, including an order directing the person making a contribution or expenditure in violation of this section to reimburse the fund of the state or political subdivision, as applicable, from which such moneys were diverted for the amount of the contribution or expenditure, injunctive relief, or a restraining order to enjoin the continuance of the violation.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) IF A BOARD OF COUNTY COMMISSIONERS IS FOUND TO HAVE MADE A CONTRIBUTION OR EXPENDITURE IN VIOLATION OF THIS SECTION, AN INDIVIDUAL MEMBER OF THE BOARD WHO VOTED IN FAVOR OF OR OTHERWISE AUTHORIZED THE CONTRIBUTION OR EXPENDITURE MAY BE ORDERED TO REIMBURSE AN AMOUNT PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (4) AS LONG AS THE AMOUNT DOES NOT EXCEED THE AMOUNT ORDERED TO BE REIMBURSED BY ANY OTHER INDIVIDUAL OF THE BOARD WHO VOTED IN FAVOR OR OTHERWISE AUTHORIZED THE CONTRIBUTION OR EXPENDITURE.

SECTION 2. 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 (August 5, 2015, if adjournment sine die is on May 6, 2015); 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 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO