

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**REENGROSSED**

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

LLS NO. 14-1053.01 Bob Lackner x4350

**HOUSE BILL 14-1390**

---

**HOUSE SPONSORSHIP**

**Duran and Gardner,**

**SENATE SPONSORSHIP**

**Brophy and Zenzinger,**

---

**House Committees**  
Judiciary

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING THE LEGAL STANDING OF A MEMBER OF THE PUBLIC IN**  
102 **CHALLENGING A VIOLATION OF THE OPEN MEETINGS**  
103 **REQUIREMENTS.**

---

**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://www.leg.state.co.us/billsummaries>.)*

The bill clarifies the open meetings law (OML) to explicitly state that any person denied or threatened with denial of any of the rights that are conferred on the public by the OML has suffered an injury in fact, and therefore, has standing to challenge the violation of the OML.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
3rd Reading Unamended  
April 28, 2014

HOUSE  
2nd Reading Unamended  
April 25, 2014

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-6-402, **amend** (9)  
3 as follows:

4           **24-6-402. Meetings - open to public - definitions.** (9) (a) ANY  
5 PERSON DENIED OR THREATENED WITH DENIAL OF ANY OF THE RIGHTS  
6 THAT ARE CONFERRED ON THE PUBLIC BY THIS PART 4 HAS SUFFERED AN  
7 INJURY IN FACT, AND THEREFORE, HAS STANDING TO CHALLENGE THE  
8 VIOLATION OF THIS PART 4.

9           (b) The courts of record of this state shall have jurisdiction to  
10 issue injunctions to enforce the purposes of this section upon application  
11 by any citizen of this state. In any action in which the court finds a  
12 violation of this section, the court shall award the citizen prevailing in  
13 such action costs and reasonable attorney fees. In the event the court does  
14 not find a violation of this section, it shall award costs and reasonable  
15 attorney fees to the prevailing party if the court finds that the action was  
16 frivolous, vexatious, or groundless.

17           **SECTION 2. Applicability.** This act applies to meetings held on  
18 or after the effective date of this act.

19           **SECTION 3. Safety clause.** The general assembly hereby finds,  
20 determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, and safety.