

CHAPTER 28

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 16-1013

BY REPRESENTATIVE(S) Garnett, Fields, Hamner, Kraft-Tharp, Lontine, Mitsch Bush, Roupe, Tyler, Winter;
also SENATOR(S) Marble, Baumgardner, Crowder, Grantham, Heath, Holbert, Jahn, Lambert, Lundberg, Merrifield, Neville T.,
Scott, Woods.

AN ACT**CONCERNING AUTHORIZING SCHOOL DISTRICTS TO PURCHASE CRIME INSURANCE COVERAGE IN LIEU OF SURETY BONDS.**

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

SECTION 1. In Colorado Revised Statutes, 22-32-104, **amend** (4) (b) and (4) (c); and **add** (4) (d) as follows:

22-32-104. Organization of board of education. (4) (b) EXCEPT AS PROVIDED IN PARAGRAPH (d) OF THIS SUBSECTION (4), no person shall enter upon the office of secretary or treasurer, or assistant secretary or assistant treasurer if there ~~be~~ ARE such offices, until he OR SHE has given a surety bond, in form satisfactory to the board, in the amount of five thousand dollars, conditioned upon the faithful performance of his OR HER duties as required by law and prescribed by the bylaws of the board of education. In addition, EXCEPT AS PROVIDED IN PARAGRAPH (d) OF THIS SUBSECTION (4), the treasurer, and the assistant treasurer if there be such office, shall give bond in such further amount, in such form, and for such purposes as the board may require.

(c) The board may also appoint and authorize any other person to act as custodian of moneys belonging to the district. EXCEPT AS PROVIDED IN PARAGRAPH (d) OF THIS SUBSECTION (4), such person shall give surety bonds, in such amount and form and for such purposes as the board may require.

(d) IN LIEU OF THE BONDS REQUIRED BY PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (4), A SCHOOL DISTRICT MAY PURCHASE CRIME INSURANCE COVERAGE ON BEHALF OF THE OFFICERS AND EMPLOYEES TO PROTECT THE SCHOOL DISTRICT FROM ANY MALFEASANCE ON THE PART OF THE OFFICER WHILE IN OFFICE OR

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

EMPLOYEES.

SECTION 2. In Colorado Revised Statutes, 22-32-109, **amend** (1) (h) as follows:

22-32-109. Board of education - specific duties. (1) In addition to any other duty required to be performed by law, each board of education shall have and perform the following specific duties:

(h) To require each employee who is likely to have in his OR HER temporary custody at any one time an amount of school district moneys in excess of fifty dollars to be bonded in an amount at least sufficient to cover the amount of school district moneys which is likely to be in his OR HER temporary custody at any time, or to be bonded in such greater amount as the board may determine. A blanket form of surety bond may be utilized to cover more than one such employee. The district shall pay the costs for any such bonds. IN LIEU OF THE BONDS REQUIRED BY THIS PARAGRAPH (h), THE DISTRICT MAY PURCHASE CRIME INSURANCE COVERAGE TO PROTECT THE DISTRICT FROM ANY MALFEASANCE ON THE PART OF SUCH EMPLOYEE.

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

Approved: March 18, 2016