

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-0528.01 Brita Darling x2241

SENATE BILL 17-041

SENATE SPONSORSHIP

Priola, Holbert

HOUSE SPONSORSHIP

Hooton and Willett, Thurlow, Pabon, Herod

Senate Committees  
Education

House Committees  
Education

A BILL FOR AN ACT

101 CONCERNING EMPLOYMENT CONTRACTS FOR \_\_\_\_\_ POSITIONS AT  
102 INSTITUTIONS OF HIGHER EDUCATION THAT ARE FUNDED BY  
103 REVENUE GENERATED FROM AUXILIARY ACTIVITIES.

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, institutions of higher education are limited in the number and length of term employment contracts or contract extensions that the institution can award. In addition, institutions are prohibited from providing postemployment compensation or benefits to a government-supported employee after the individual's employment has

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  
2nd Reading Unamended  
March 9, 2017

SENATE  
3rd Reading Unamended  
February 9, 2017

SENATE  
Amended 2nd Reading  
February 6, 2017

ended, except in limited situations and in limited amounts. Further, under current law, the terms of government-supported employment contracts are generally available for public inspection.

For state institutions of higher education, the bill exempts the institution's employee positions that are funded by revenues generated through auxiliary activities, as defined in the bill, from the provisions of current law.

---

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-19-108, **amend**  
3 (1) introductory portion, (1)(c), and (1)(d); and **add** (1)(e) as follows:

4           **24-19-108. Exceptions - definition.** (1) The provisions of this  
5 ~~article~~ ARTICLE 19 shall not apply to the following:

6           (c) Any employee employed by a unit of local government whose  
7 governing body is directly elected by the electors of such local  
8 government; ~~or~~

9           (d) Any certified employee who is separated from state service  
10 due to lack of work, lack of funds, or reorganization and who receives  
11 postemployment compensation or other benefits authorized by a layoff  
12 plan established by the state personnel director pursuant to section  
13 24-50-124 (1)(d)(I); OR

14           (e) ANY EMPLOYEE EMPLOYED AT A STATE INSTITUTION OF HIGHER  
15 EDUCATION WHOSE POSITION IS FUNDED BY REVENUES GENERATED  
16 THROUGH AUXILIARY ACTIVITIES. FOR PURPOSES OF THIS SUBSECTION  
17 (1)(e), "AUXILIARY ACTIVITIES" MEANS INSTITUTIONAL ACTIVITIES  
18 MANAGED AND ACCOUNTED FOR AS SELF-SUPPORTING ACTIVITIES.

19           **SECTION 2. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly (August  
22 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2018 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.