

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0802.01 Michael Dohr x4347

**HOUSE BILL 18-1152**

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**HOUSE SPONSORSHIP**

**Lawrence,**

**SENATE SPONSORSHIP**

**Cooke,**

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**House Committees**

State, Veterans, & Military Affairs

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MAKING CERTAIN RECORDS OF THE STATE JUDICIAL**  
102 **DEPARTMENT RELATING TO SEXUAL HARASSMENT**  
103 **INVESTIGATIONS SUBJECT TO THE COLORADO OPEN RECORDS**  
104 **ACT.**

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**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>.)*

Current law exempts the judicial department from the Colorado open records act (CORA). The bill makes the administrative and budget records of the judicial department subject to CORA.

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

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Since 2017, Coloradans have become increasingly aware of  
5 workplace sexual harassment throughout the country;

6 (b) Coloradans expect that workplace sexual harassment claims  
7 will be investigated transparently, especially in the public sector; and

8 (c) Individuals who report workplace sexual harassment have a  
9 right to remain informed about the status of those reports, especially in  
10 the public sector.

11 (2) Therefore, in enacting House Bill 18-1152, the general  
12 assembly urges the Colorado judicial department to revise its rules  
13 governing access to records, rules governing attorney discipline, and other  
14 applicable rules to allow greater transparency of sexual harassment  
15 investigation proceedings to persons in interest while respecting  
16 legitimate confidentiality interests.

17 **SECTION 2.** In Colorado Revised Statutes, 24-72-204, **amend**  
18 (3)(a) introductory portion; and **add** (3)(a)(X)(D) as follows:

19 **24-72-204. Allowance or denial of inspection - grounds -**  
20 **procedure - appeal - definitions - repeal.** (3) (a) The custodian shall  
21 deny the right of inspection of the following records, unless otherwise  
22 provided by law; except that any of the following records, other than  
23 letters of reference concerning employment, licensing, or issuance of  
24 permits, shall be available to the person in interest ~~under~~ PURSUANT TO  
25 this subsection (3):

26 (X) (D) THIS SUBSECTION (3)(a)(X) APPLIES TO THE JUDICIAL

1 DEPARTMENT OF STATE GOVERNMENT. THIS SUBSECTION (3)(a)(X)(D) IS  
2 REPEALED, EFFECTIVE MAY 1, 2021.

3           **SECTION 3. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly (August  
6 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
7 referendum petition is filed pursuant to section 1 (3) of article V of the  
8 state constitution against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part will not take effect  
10 unless approved by the people at the general election to be held in  
11 November 2018 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.