

**Second 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. 18-1234.01 Kip Kolkmeier x4510

SENATE BILL 18-242

SENATE SPONSORSHIP

Marble,

HOUSE SPONSORSHIP

Leonard and Humphrey,

Senate Committees

State, Veterans, & Military Affairs

House Committees

State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING THE SWEARING OF A PUBLIC OFFICIAL OATH OF OFFICE.**

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>.)

The bill requires a person swearing an oath of office for a public office or position to do so by swearing by the everliving God. The bill also requires the person swearing the oath of office to do so with an uplifted hand.

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

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.

HOUSE
2nd Reading Unamended
May 8, 2018

SENATE
3rd Reading Unamended
April 24, 2018

SENATE
2nd Reading Unamended
April 23, 2018

1 **SECTION 1.** In Colorado Revised Statutes, 24-12-101, **amend**
2 **as amended by House Bill 18-1138** (1) as follows:

3 **24-12-101. Form of oath or affirmation for public office -**
4 **requirements for oath or affirmation.** (1) When a person is required to
5 take an oath or affirmation before the person enters upon the discharge of
6 a public office or position, the form of the oath or affirmation is as
7 follows:

8 I [name], do [select swear BY THE EVERLIVING GOD or
9 affirm] that I will support the constitution of the United
10 States, the constitution of the state of Colorado, and the
11 laws of the state of Colorado, and will faithfully perform
12 the duties of the office of [name of office or position] upon
13 which I am about to enter to the best of my ability.

14 ~~It is lawful for a person electing~~ IF CHOOSING to swear an oath, to "~~swear~~
15 ~~by the everliving God~~" if that THE person ~~so chooses~~ SWEARING SHALL DO
16 SO WITH AN UPLIFTED HAND.

17 **SECTION 2. Act subject to petition - effective date.** (1) This
18 act takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2018 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.

27 (2) This act takes effect only if House Bill 18-1138 becomes law

1 and takes effect either upon the effective date of this act or House Bill
2 18-1138, whichever is later.