

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 20-0754.01 Gregg Fraser x4325

HOUSE BILL 20-1029

HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF AN ELECTED COUNTY OFFICER TO**
102 **ELECT TO RECEIVE A LOWER SALARY THAN THE AMOUNT**
103 **PROVIDED FOR BY LAW.**

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 annual salary of an elected county officer (officer) is currently specified in statute. The bill expressly allows an officer to make an election to receive less than the amount specified in law. The officer may subsequently elect to increase or decrease his or her salary annually as long as it does not exceed the amount allowed in statute.

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.*

SENATE
Amended 2nd Reading
March 10, 2020

HOUSE
3rd Reading Unamended
February 13, 2020

HOUSE
Amended 2nd Reading
February 12, 2020

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

2 **SECTION 1.** In Colorado Revised Statutes, 30-2-102, **amend**
3 (3)(e); and **add** (3)(f) as follows:

4 **30-2-102. Categorization of counties for fixing salaries of**
5 **county officers - salary amounts - legislative declaration.**

6 (3) (e) EXCEPT AS PROVIDED IN SUBSECTION (3)(f) OF THIS SECTION, no
7 elected COUNTY officer shall have his OR HER compensation increased or
8 decreased during the term of office to which he OR SHE has been elected
9 or appointed. All actual and necessary expenses of an elected officer
10 incurred while engaged in business on behalf of the county may be
11 allowed by the board of county commissioners and paid out of the county
12 treasury.

13 (f) AN ELECTED COUNTY OFFICER IN A COUNTY CLASSIFIED FOR
14 SALARY PURPOSES UNDER SUBSECTION (1.5)(a)(III), (1.5)(a)(IV),
15 (1.5)(a)(V), OR (1.5)(a)(VI) OF THIS SECTION MAY ELECT IN HIS OR HER
16 SOLE DISCRETION TO RECEIVE AN AMOUNT OF SALARY THAT IS LOWER
17 THAN THE AMOUNT PROVIDED FOR IN THIS SECTION. THE AMOUNT OF THE
18 LOWER SALARY RECEIVED BY AN OFFICER SHALL BE THE AMOUNT OF THE
19 SALARY PROVIDED FOR THE SAME OFFICER IN THE NEXT-LOWEST
20 CATEGORY AND SUBCATEGORY AS SET FORTH IN THIS SECTION. ANY SUCH
21 ELECTION SHALL BE SET FORTH IN WRITING AND RECORDED WITH THE
22 OFFICE OF THE COUNTY CLERK AND RECORDER DURING THE MONTH OF
23 NOVEMBER. ANY ADDITIONAL MONEY AVAILABLE TO A COUNTY AS A
24 RESULT OF AN ELECTED COUNTY OFFICER MAKING AN ELECTION PURSUANT
25 TO THIS SUBSECTION (3)(f) SHALL REMAIN AVAILABLE FOR EXPENDITURE
26 IN THE COUNTY GENERAL FUND. AN ELECTED COUNTY OFFICER WHO

1 ELECTS TO RECEIVE A LOWER SALARY PURSUANT TO THIS SUBSECTION
2 (3)(f) MAY SUBSEQUENTLY ELECT TO RECEIVE A HIGHER SALARY SO LONG
3 AS THE AMOUNT OF THE HIGHER SALARY DOES NOT EXCEED THE AMOUNT
4 PROVIDED FOR IN THIS SECTION. IN NO EVENT SHALL AN ELECTED COUNTY
5 OFFICER MAKE MORE THAN ONE ELECTION PER YEAR PURSUANT TO THIS
6 SUBSECTION (3)(f).

7 **SECTION 2. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2020 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.