

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

PREAMENDED

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

LLS NO. 20-0018.01 Nicole Myers x4326

HOUSE BILL 20-1153

HOUSE SPONSORSHIP

Esgar, Arndt, Becker, Benavidez, Bird, Buckner, Buentello, Caraveo, Coleman, Cutter, Duran, Exum, Froelich, Garnett, Gonzales-Gutierrez, Gray, Hansen, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Kraft-Tharp, Lontine, McCluskie, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Valdez D., Weissman, Young

SENATE SPONSORSHIP

Garcia and Pettersen, Bridges, Danielson, Donovan, Fenberg, Fields, Foote, Ginal, Gonzales, Lee, Moreno, Rodriguez, Story, Todd, Williams A., Winter, Zenzinger

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE RELATIONSHIP BETWEEN STATE EMPLOYEES AND**
102 **THE STATE AS THEIR EMPLOYER, AND, IN CONNECTION**
103 **THEREWITH, CREATING THE "COLORADO PARTNERSHIP FOR**
104 **QUALITY JOBS AND SERVICES ACT," AND MAKING AN**
105 **APPROPRIATION.**

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 creates the "Colorado Partnership for Quality Jobs and Services Act" to facilitate the creation of formal labor-management

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.

partnership agreements between state employees in the state personnel system and the executive branch of state government. The bill specifies that certain employees in the state personnel system, due to the nature and responsibilities of their jobs, are not able to participate in partnership agreements. State employees who are allowed to participate in partnership agreements are designated covered employees.

Partnership units: The bill specifies that there is one partnership unit in the state that consists of all covered employees. Any partnership units established pursuant to the existing Colorado executive order that authorizes partnership agreements (executive order) will be merged into the single partnership unit created in the bill. Covered employees in a partnership unit that was created by the executive order and that are represented by an employee organization that the partnership unit chose to exclusively represent it (certified employee organization), will continue to be represented by the existing certified employee organization.

Certified employee organizations: An employee organization that wants to represent an unrepresented partnership unit may file a petition with the division of labor standards and statistics (division) in the department of labor and employment requesting that it hold an election to determine whether covered employees want to be represented by an employee organization (representation election). An employee organization requesting a representation election is required to submit a petition to the division signed by at least 30% of the covered employees in the partnership unit. The division is required to certify as the certified employee organization, the employee organization that receives the majority of votes cast by the covered employees.

The bill specifies circumstances under which the division is not allowed to hold a representation election. The bill also specifies that a covered employee or an employee organization may initiate a process to decertify a certified employee organization for a partnership unit.

Rights of covered employees and certified employee organizations: A covered employee has the right to work with an employee organization and communicate with other covered employees to form a partnership agreement or to discuss other work-related issues. A covered employee has the right to refrain from any activities in connection with employee organizations and the partnership process. A covered employee may also opt not to have the state provide certain personal information to a certified employee organization.

Certified employee organizations have the right to reasonable access to covered employees at work, through e-mail, and through other forms of communication.

Duties of the certified employee organization: A certified employee organization is required to represent the interests of all covered employees, regardless of membership in the employee organization, in the negotiation of a partnership agreement. A certified employee organization

is not required to represent covered employees in certain personnel actions. In addition, a certified employee organization is prohibited from threatening, facilitating, supporting, or causing a strike, work stoppage, work slowdown, group sickout, or any other action that would disrupt the daily functioning of the state or any of its agencies or departments. An employee who engages in such activities may be subject to disciplinary action.

Executive and management rights: The bill specifies that nothing contained in the employee partnership process impairs the ability of the state to determine, carry out, and administer specified existing duties and rights of the state.

Duties of the state: The bill specifies that the state is required to:

- ! Make payroll deductions for membership dues and other payments that covered employees authorize to be made to the certified employee organization;
- ! Provide specified information about every covered employee to a certified employee organization on a monthly basis;
- ! Allow a certified employee organization to meet with a newly hired covered employee;
- ! Allow a certified employee organization to attend orientations for new covered employees;
- ! After the state and the certified employee organization reach a partnership agreement, submit a request to the general assembly for sufficient appropriations to implement terms of the partnership agreement requiring the expenditure of money; and
- ! Engage in good faith in all aspects of the partnership process.

The bill specifies that not engaging in such duties constitutes an unfair labor practice that can be subject to review by the division.

Partnership agreements: A certified employee organization and the state are required to discuss and cooperatively draft mutually agreed upon written partnership agreements, which are binding on the state, the certified employee organization, and covered employees. The parties are required to bargain over wages, hours, and terms and conditions of employment. All other subjects are permissive and may be addressed by mutual agreement.

A partnership agreement is required to provide a grievance procedure to resolve disputes over the interpretation, application, and enforcement of any provision of the partnership agreement. Meetings held to negotiate a partnership agreement and grievance and arbitration proceedings are not open meetings as defined in law. In addition, records prepared or exchanged prior to submission of a final partnership agreement are not subject to the "Colorado Open Records Act".

Dispute resolution: If disputes arise during the formation of a partnership agreement, the certified employee organization and the state are required to engage in the dispute resolution process established by the bill or in a mutually agreed upon alternate procedure. The bill specifies how mediators will be selected. If the parties do not reach an agreement on outstanding issues within 30 days of commencing mediation, the mediator is required to issue a recommendation on all of the outstanding issues. Either party may make the mediator's recommendation public.

Any controversy concerning unfair labor practices of the state or a certified employee organization may be submitted to the division for review.

Judicial review: The state or the certified employee organization may seek judicial review of decisions or orders on representation or decertification petitions, unfair labor practice charges, rules or regulations issued by the division, or an arbitrator's decision.

The bill makes the following changes to the state personnel system:

- ! Eliminates the account dedicated to each department in the state employee reserve fund and requires that the money in the fund be used to provide merit pay to employees in a manner consistent with current law;
- ! Repeals the limit on the number of senior executive service employees in the state; and
- ! When considering a disciplinary action against an employee in the state personnel system for engaging in or threatening violent behavior against another person while on duty, requires the appointing authority to give predominant weight to the safety of the other person over the interests of the employee. If the appointing authority finds that the employee has engaged in or threatened violent behavior, the appointing authority is authorized to take disciplinary action as deemed appropriate by the appointing authority.

In addition, the bill modifies the "Colorado Open Records Act" to specify that records created in compliance with the requirements of a partnership agreement and documents created in connection with the dispute resolution process for a partnership agreement are not public records.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that the "Colorado Partnership for Quality Jobs

1 and Services Act" is intended to create formal labor-management
2 partnerships between state employees and the executive branch of state
3 government.

4 (2) The general assembly further finds and declares that:

5 (a) It is crucial that state employees understand that they are
6 valued partners in the work of the state. To that end, state employees
7 should be able to enter into a dialogue, through a collective voice, about
8 wages, hours, and terms and conditions of employment.

9 (b) The state and its employees have a shared commitment to
10 delivering excellent services and customer satisfaction, and to serve all
11 Colorado residents with an exemplary degree of professionalism across
12 state government. This act is designed to ensure that state management
13 and state employees, through chosen representatives, jointly work to
14 promote cooperative relationships with the shared goal of providing the
15 best possible services to the taxpayers and residents of the state.

16 **SECTION 2.** In Colorado Revised Statutes, **add** part 11 to article
17 50 of title 24 as follows:

18 PART 11

19 COLORADO PARTNERSHIP FOR
20 QUALITY JOBS AND SERVICES ACT

21 **24-50-1101. Short title.** THE SHORT TITLE OF THIS PART 11 IS THE
22 "COLORADO PARTNERSHIP FOR QUALITY JOBS AND SERVICES ACT".

23 **24-50-1102. Definitions.** AS USED IN THIS PART 11, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "CERTIFIED EMPLOYEE ORGANIZATION" MEANS AN EMPLOYEE
26 ORGANIZATION THAT HAS BEEN CERTIFIED AS THE REPRESENTATIVE OF
27 COVERED EMPLOYEES IN A PARTNERSHIP UNIT PURSUANT TO SECTION

1 24-50-1106.

2 (2) "CONFIDENTIAL EMPLOYEE" MEANS A PERSON WHO IS
3 REQUIRED TO DEVELOP OR PRESENT MANAGEMENT POSITIONS WITH
4 RESPECT TO EMPLOYER-EMPLOYEE RELATIONS OR WHOSE DUTIES
5 NORMALLY REQUIRE ACCESS TO CONFIDENTIAL INFORMATION
6 CONTRIBUTING SIGNIFICANTLY TO THE DEVELOPMENT OF SUCH
7 MANAGEMENT POSITIONS.

8 (3) "COVERED EMPLOYEE" MEANS AN EMPLOYEE WHO IS
9 EMPLOYED IN THE PERSONNEL SYSTEM OF THE STATE ESTABLISHED IN
10 SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION, UNLESS THE
11 INDIVIDUAL FALLS INTO ANY OF THE FOLLOWING CATEGORIES:

12 (a) CONFIDENTIAL EMPLOYEES;

13 (b) MANAGERIAL EMPLOYEES;

14 (c) EXECUTIVE EMPLOYEES;

15 (d) THE DIRECTOR, THE DIRECTOR OF THE DIVISION OF LABOR
16 STANDARDS AND STATISTICS, THE GOVERNOR'S DESIGNEE, AND
17 EMPLOYEES WORKING WITH THE DIRECTOR TO IMPLEMENT THIS PART 11;

18 (e) ADMINISTRATIVE LAW JUDGES, HEARING OFFICERS, AND
19 ATTORNEYS WHOSE RESPONSIBILITIES INCLUDE PROVIDING LEGAL ADVICE;

20 (f) STATE TROOPERS;

21 (g) EMPLOYEES OF THE LEGISLATIVE BRANCH; OR

22 (h) TEMPORARY APPOINTEES AS DESCRIBED IN SECTION 24-50-114.

23 (4) "DECERTIFICATION ELECTION" MEANS AN ELECTION
24 CONDUCTED BY THE DIVISION WHEN THE PARTNERSHIP UNIT IS ALREADY
25 REPRESENTED BY A CERTIFIED EMPLOYEE ORGANIZATION, TO DETERMINE
26 BY A MAJORITY OF THE VOTES CAST WHETHER THE COVERED EMPLOYEES
27 WANT TO BE REPRESENTED BY A DIFFERENT EMPLOYEE ORGANIZATION OR

1 BY NO EMPLOYEE ORGANIZATION AT ALL.

2 (5) "DIRECTOR" MEANS THE STATE PERSONNEL DIRECTOR
3 ESTABLISHED IN SECTION 14 OF ARTICLE XII OF THE STATE CONSTITUTION,
4 OR HIS OR HER DESIGNEE.

5 (6) "DIVISION" MEANS THE DIVISION OF LABOR STANDARDS AND
6 STATISTICS WITHIN THE DEPARTMENT OF LABOR AND EMPLOYMENT.

7 (7) "EMPLOYEE ORGANIZATION" MEANS A NONPROFIT
8 ORGANIZATION THAT ENGAGES WITH THE STATE AS AN EMPLOYER
9 CONCERNING WAGES, HOURS, AND TERMS AND CONDITIONS OF
10 EMPLOYMENT AND THAT REPRESENTS OR SEEKS TO REPRESENT COVERED
11 EMPLOYEES IN A PARTNERSHIP UNIT AS DESCRIBED IN SECTION 24-50-1105.

12 (8) "EXECUTIVE EMPLOYEE" MEANS AN EMPLOYEE:

13 (a) WHOSE PRIMARY DUTY IS MANAGEMENT OF THE ENTITY IN
14 WHICH THE EMPLOYEE IS EMPLOYED OR OF A CUSTOMARILY RECOGNIZED
15 DEPARTMENT OR SUBDIVISION THEREOF;

16 (b) WHO CUSTOMARILY AND REGULARLY DIRECTS THE WORK OF
17 TWO OR MORE OTHER EMPLOYEES; AND

18 (c) WHO HAS THE AUTHORITY TO HIRE OR FIRE OTHER EMPLOYEES
19 OR WHOSE SUGGESTIONS AND RECOMMENDATIONS AS TO THE HIRING,
20 FIRING, ADVANCEMENT, PROMOTION, OR ANY OTHER CHANGE OF STATUS
21 OF OTHER EMPLOYEES ARE GIVEN PARTICULAR WEIGHT.

22 (9) "GOVERNOR'S DESIGNEE" MEANS THE PERSON OR PERSONS THE
23 GOVERNOR DESIGNATES, IN WRITING, AS THE INDIVIDUAL OR INDIVIDUALS
24 WHO WILL REPRESENT THE STATE IN THE EXERCISE OF THE STATE'S
25 RESPONSIBILITIES UNDER THIS PART 11.

26 (10) "MANAGERIAL EMPLOYEE" MEANS ANY EMPLOYEE HAVING
27 SIGNIFICANT RESPONSIBILITIES FOR FORMULATING AGENCY OR

1 DEPARTMENTAL POLICIES AND PROGRAMS OR ADMINISTERING AN AGENCY
2 OR DEPARTMENT.

3 (11) "NEW EMPLOYEE ORIENTATION" MEANS THE ONBOARDING
4 PROCESS OF A NEWLY HIRED COVERED EMPLOYEE, WHETHER IN PERSON,
5 ONLINE, OR THROUGH OTHER MEANS OR MEDIUMS, IN WHICH COVERED
6 EMPLOYEES ARE ADVISED OF THEIR EMPLOYMENT STATUS, RIGHTS,
7 BENEFITS, DUTIES AND RESPONSIBILITIES, OR ANY OTHER
8 EMPLOYMENT-RELATED MATTERS.

9 (12) "PARTNERSHIP AGREEMENT" MEANS AN AGREEMENT
10 ESTABLISHED PURSUANT TO SECTION 24-50-1112 BETWEEN THE STATE
11 AND A CERTIFIED EMPLOYEE ORGANIZATION.

12 (13) "PARTNERSHIP AGREEMENT GRIEVANCE" MEANS A DISPUTE
13 CONCERNING THE INTERPRETATION, APPLICATION, OR ENFORCEMENT OF
14 ANY PROVISION OF A PARTNERSHIP AGREEMENT.

15 (14) "PETITION" MEANS A DOCUMENT SIGNED BY A COVERED
16 EMPLOYEE IN WHICH THE COVERED EMPLOYEE EXPRESSES THE DESIRE TO
17 BE REPRESENTED BY AN EMPLOYEE ORGANIZATION. A "PETITION"
18 INCLUDES INDIVIDUAL PETITIONS OR PETITION CARDS WITH A SINGLE
19 COVERED EMPLOYEE'S SIGNATURE, OR MEMBERSHIP FORMS OR CARDS
20 SHOWING THAT A COVERED EMPLOYEE HAS JOINED AN EMPLOYEE
21 ORGANIZATION.

22 (15) "REPRESENTATION ELECTION" MEANS AN ELECTION
23 CONDUCTED BY THE DIVISION WHEN THE PARTNERSHIP UNIT IS NOT
24 REPRESENTED BY A CERTIFIED EMPLOYEE ORGANIZATION, TO DETERMINE
25 BY A MAJORITY OF THE VOTES CAST WHETHER THE COVERED EMPLOYEES
26 WISH TO BE REPRESENTED BY AN EMPLOYEE ORGANIZATION.

27 (16) "STATE" MEANS THE STATE OF COLORADO, INCLUDING ITS

1 AGENCIES, DIVISIONS, AND DEPARTMENTS.

2 **24-50-1103. Duties and responsibilities of the division - rules.**

3 (1) THE DIVISION SHALL ENFORCE THIS PART 11 AND SHALL PROMULGATE
4 RULES AND CONDUCT RULE-MAKING HEARINGS IN ACCORDANCE WITH
5 ARTICLE 4 OF THIS TITLE 24 AS MAY BE NECESSARY FOR THE
6 ENFORCEMENT OF THIS PART 11. THE DIVISION SHALL PROMULGATE SUCH
7 RULES WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF
8 THIS PART 11.

9 (2) THE DIVISION HAS THE AUTHORITY TO ADJUDICATE UNFAIR
10 LABOR PRACTICE CHARGES AND ISSUE DECISIONS PURSUANT TO ARTICLE
11 3 OF TITLE 8.

12 (3) THE DIVISION HAS THE AUTHORITY TO CONDUCT ELECTIONS
13 PURSUANT TO SECTION 24-50-1106.

14 **24-50-1104. Duties and responsibilities of the director - rules.**

15 THE DIRECTOR SHALL PROMULGATE RULES IN CONNECTION WITH ANY
16 RESPONSIBILITY DESIGNATED TO THE DIRECTOR UNDER THIS PART 11 AND
17 CONDUCT RULE-MAKING HEARINGS IN ACCORDANCE WITH ARTICLE 4 OF
18 THIS TITLE 24.

19 **24-50-1105. Partnership units.** (1) THERE IS A SINGLE
20 PARTNERSHIP UNIT COMPOSED OF ALL COVERED EMPLOYEES.

21 (2) COVERED EMPLOYEES WHO ARE REPRESENTED BY A CERTIFIED
22 EMPLOYEE ORGANIZATION PURSUANT TO EXECUTIVE ORDER D 028 07 ON
23 THE EFFECTIVE DATE OF THIS PART 11 SHALL CONTINUE TO BE
24 REPRESENTED BY THE EXISTING CERTIFIED EMPLOYEE ORGANIZATION. ALL
25 PARTNERSHIP UNITS OF COVERED EMPLOYEES ESTABLISHED PURSUANT TO
26 EXECUTIVE ORDER D 028 07 SHALL BE MERGED INTO THE STATEWIDE
27 PARTNERSHIP UNIT.

1 (3) ANY FUTURE REPRESENTATION OR DECERTIFICATION
2 ELECTIONS SHALL BE AT THE LEVEL OF THE SINGLE STATEWIDE UNIT.

3 (4) MATTERS SET FORTH IN SECTION 24-50-1112 (3)(a) SHALL BE
4 BARGAINED AT THE STATEWIDE LEVEL.

5 (5) MATTERS SET FORTH IN SECTION 24-50-1112 (3)(b) SHALL BE
6 BARGAINED AT THE AGENCY OR DEPARTMENT LEVEL BUT, UPON MUTUAL
7 AGREEMENT, MAY BE BARGAINED AT THE STATEWIDE LEVEL.

8 **24-50-1106. Covered employees' choice of certified employee**
9 **organization - rules.** (1) THE DIVISION SHALL RECOGNIZE AS VALID THE
10 CERTIFIED STATUS OF THE EMPLOYEE ORGANIZATION PREVIOUSLY
11 CERTIFIED PURSUANT TO EXECUTIVE ORDER D 028 07 AND SHALL
12 CONSIDER SUCH ORGANIZATION THE CERTIFIED EMPLOYEE ORGANIZATION
13 FOR ALL PURPOSES UNDER THIS PART 11 UNLESS DECERTIFIED.

14 (2) (a) IN THE EVENT THERE IS NO CERTIFIED EMPLOYEE
15 ORGANIZATION, ANY EMPLOYEE ORGANIZATION MAY FILE A PETITION WITH
16 THE DIVISION REQUESTING THAT IT HOLD A REPRESENTATION ELECTION TO
17 ALLOW COVERED EMPLOYEES IN AN UNREPRESENTED PARTNERSHIP UNIT
18 TO ELECT AN EMPLOYEE ORGANIZATION TO SERVE AS THE CERTIFIED
19 EMPLOYEE ORGANIZATION. AN EMPLOYEE ORGANIZATION REQUESTING
20 THAT THE DIVISION HOLD AN ELECTION SHALL SUBMIT A PETITION TO THE
21 DIVISION, SIGNED BY AT LEAST THIRTY PERCENT OF THE COVERED
22 EMPLOYEES IN A PARTNERSHIP UNIT.

23 (b) THE DIVISION SHALL CERTIFY AS THE CERTIFIED EMPLOYEE
24 ORGANIZATION THE EMPLOYEE ORGANIZATION THAT RECEIVES THE
25 MAJORITY OF VOTES CAST BY THE COVERED EMPLOYEES.

26 (c) THE DIVISION SHALL NOT HOLD A REPRESENTATION ELECTION:

27 (I) WITHIN THE TWENTY-FOUR-MONTH PERIOD IMMEDIATELY

1 FOLLOWING THE EFFECTIVE DATE OF THIS PART 11; OR

2 (II) IF AN ELECTION OR RUNOFF ELECTION HAS BEEN CONDUCTED
3 WITHIN THE TWELVE-MONTH PERIOD IMMEDIATELY PRECEDING THE
4 PROPOSED ELECTION.

5 (3) (a) A COVERED EMPLOYEE OR AN EMPLOYEE ORGANIZATION
6 MAY INITIATE A DECERTIFICATION ELECTION OF A CERTIFIED EMPLOYEE
7 ORGANIZATION BY SUBMITTING A PETITION SIGNED BY AT LEAST THIRTY
8 PERCENT OF THE COVERED EMPLOYEES REQUESTING A DECERTIFICATION
9 ELECTION.

10 (b) WHEN THERE IS A PARTNERSHIP AGREEMENT IN EFFECT, A
11 COVERED EMPLOYEE OR EMPLOYEE ORGANIZATION MUST SUBMIT A
12 REQUEST FOR A DECERTIFICATION ELECTION TO THE DIVISION NO EARLIER
13 THAN ONE HUNDRED TWENTY CALENDAR DAYS AND NO LATER THAN
14 NINETY CALENDAR DAYS BEFORE THE EXPIRATION OF THE PARTNERSHIP
15 AGREEMENT, OR AFTER THE EXPIRATION OF THE FOURTH YEAR OF A
16 PARTNERSHIP AGREEMENT WITH A TERM OF MORE THAN FOUR YEARS. IF
17 ONE YEAR AFTER EXPIRATION OF A PARTNERSHIP AGREEMENT, A NEW
18 PARTNERSHIP AGREEMENT IS NOT RATIFIED, THEN A NEW DECERTIFICATION
19 ELECTION WINDOW OPENS BUT THEN CLOSES AT RATIFICATION.

20 (c) WHEN AN EMPLOYEE ORGANIZATION HAS BEEN CERTIFIED BUT
21 NO PARTNERSHIP AGREEMENT IS IN EFFECT, THE DIVISION SHALL NOT
22 ACCEPT A REQUEST FOR A DECERTIFICATION ELECTION EARLIER THAN TWO
23 YEARS FROM THE DATE OF THE CERTIFICATION OR THE EFFECTIVE DATE OF
24 THIS PART 11, WHICHEVER IS LATER.

25 (4) A CERTIFIED EMPLOYEE ORGANIZATION OR THE STATE MAY
26 FILE A PETITION WITH THE DIRECTOR TO RESOLVE DISPUTES ABOUT
27 WHETHER CERTAIN EMPLOYEES ARE APPROPRIATELY CLASSIFIED AS

1 COVERED EMPLOYEES. APPEALS OF THE DIRECTOR'S DECISION MAY BE
2 BROUGHT TO THE DIVISION FOR ADJUDICATION.

3 **24-50-1107. Rights of covered employees.** (1) COVERED
4 EMPLOYEES SHALL HAVE THE RIGHT TO SELF-ORGANIZATION; TO FORM,
5 JOIN, OR ASSIST AN EMPLOYEE ORGANIZATION; TO ENGAGE IN THE
6 PARTNERSHIP PROCESS AND THE FORMATION OF A PARTNERSHIP
7 AGREEMENT COLLECTIVELY THROUGH REPRESENTATIVES OF THEIR OWN
8 CHOOSING; TO ENGAGE IN OTHER CONCERTED ACTIVITIES FOR THE
9 PURPOSE OF THE PARTNERSHIP PROCESS OR OTHER MUTUAL AID OR
10 PROTECTION; AND SHALL ALSO HAVE THE RIGHT TO REFRAIN FROM ANY OR
11 ALL SUCH ACTIVITIES, WITHOUT INTERFERENCE, RESTRAINT, OR COERCION
12 BY THE STATE OR EMPLOYEE ORGANIZATION.

13 (2) COVERED EMPLOYEES HAVE THE RIGHT TO COMMUNICATE
14 WITH ONE ANOTHER AND WITH EMPLOYEE ORGANIZATION
15 REPRESENTATIVES CONCERNING ORGANIZATION, REPRESENTATION,
16 WORKPLACE ISSUES, THE PARTNERSHIP PROCESS, AND THE BUSINESS AND
17 PROGRAMS OF CERTIFIED EMPLOYEE ORGANIZATIONS BY MEANS OF E-MAIL
18 SYSTEMS, TEXTS, OTHER ELECTRONIC COMMUNICATIONS, TELEPHONE,
19 PAPER DOCUMENTS, AND OTHER MEANS OF COMMUNICATION SUBJECT TO
20 REASONABLE REGULATION.

21 (3) (a) WITHIN SIXTY DAYS OF THE EFFECTIVE DATE OF THIS PART
22 11, THE STATE SHALL COMPLETE A ONE-TIME NOTIFICATION PROCESS TO
23 INFORM EACH COVERED EMPLOYEE OF THE OPTION TO DIRECT THE STATE
24 NOT TO PROVIDE A CERTIFIED EMPLOYEE ORGANIZATION THE COVERED
25 EMPLOYEE'S HOME ADDRESS, HOME AND PERSONAL CELLULAR PHONE
26 NUMBERS, AND PERSONAL E-MAIL ADDRESS.

27 (b) THE STATE SHALL INFORM NEW EMPLOYEES, WITHIN THIRTY

1 DAYS OF THEIR START DATE, OF THE OPTION TO OPT OUT PURSUANT TO
2 SUBSECTION (3)(a) OF THIS SECTION.

3 (c) AT ANY TIME, A COVERED EMPLOYEE MAY DIRECT THE STATE
4 TO NOT PROVIDE THE EMPLOYEE'S HOME ADDRESS, HOME AND PERSONAL
5 CELLULAR PHONE NUMBERS, AND PERSONAL E-MAIL ADDRESS. A COVERED
6 EMPLOYEE MAY RESCIND SUCH REQUEST AT ANY TIME.

7 (d) ANY COMMUNICATION BY THE STATE PURSUANT TO THIS
8 SUBSECTION (3) SHALL BE SUBJECT TO THE REQUIREMENTS OF SECTION
9 24-50-1111 (7)(a) AND SHALL BE NEUTRAL WITH RESPECT TO THE
10 EMPLOYEE'S EXERCISE OF THIS OPTION.

11 (4) THE INTERFERENCE WITH THE RIGHTS AS STATED IN THIS
12 SECTION BY THE STATE OR CERTIFIED EMPLOYEE ORGANIZATION
13 CONSTITUTES AN UNFAIR LABOR PRACTICE SUBJECT TO REVIEW PURSUANT
14 TO SECTION 24-50-1113 (3).

15 **24-50-1108. Rights of certified employee organizations.** THE
16 CERTIFIED EMPLOYEE ORGANIZATION SHALL HAVE REASONABLE ACCESS
17 TO COVERED EMPLOYEES AT WORK, THROUGH ELECTRONIC
18 COMMUNICATION AND OTHER MEANS. REASONABLE ACCESS SHALL BE
19 DETERMINED THROUGH THE PARTNERSHIP AGREEMENT PROCESS
20 PURSUANT TO SECTION 24-50-1112. THE CERTIFIED EMPLOYEE
21 ORGANIZATION IS THE ONLY EMPLOYEE ORGANIZATION THAT HAS THE
22 RIGHT TO SUCH ACCESS EXCEPT TO THE EXTENT ACCESS IS PROVIDED TO
23 THE GENERAL PUBLIC.

24 **24-50-1109. Duties of the certified employee organization.**

25 (1) IN PERFORMING ITS DUTIES UNDER THIS PART 11, THE CERTIFIED
26 EMPLOYEE ORGANIZATION SHALL REPRESENT THE INTERESTS OF ALL
27 COVERED EMPLOYEES WITHOUT DISCRIMINATION OR REGARD TO

1 MEMBERSHIP IN THE CERTIFIED EMPLOYEE ORGANIZATION, AND SHALL
2 NEGOTIATE PARTNERSHIP AGREEMENTS THAT APPLY EQUALLY TO ALL
3 COVERED EMPLOYEES REGARDLESS OF MEMBERSHIP STATUS IN THE
4 CERTIFIED EMPLOYEE ORGANIZATION. THIS DOES NOT LIMIT THE STATE
5 AND THE CERTIFIED EMPLOYEE ORGANIZATION FROM HAVING A
6 PARTNERSHIP AGREEMENT THAT ALSO COVERS DEPARTMENT OR AGENCY
7 SPECIFIC ISSUES.

8 (2) THE CERTIFIED EMPLOYEE ORGANIZATION IS NOT REQUIRED TO
9 REPRESENT COVERED EMPLOYEES IN PERSONNEL ACTIONS PURSUANT TO
10 SECTION 13 (8) OF ARTICLE XII OF THE STATE CONSTITUTION AND
11 SECTIONS 24-50-123, 24-50-124, 24-50-125, AND 24-50-125.3 BEFORE THE
12 STATE PERSONNEL BOARD OR IN ANY OTHER PROCEEDING NOT CREATED BY
13 A PARTNERSHIP AGREEMENT NEGOTIATED PURSUANT TO THIS PART 11.

14 (3) (a) A CERTIFIED EMPLOYEE ORGANIZATION SHALL NOT
15 THREATEN, FACILITATE, SUPPORT, OR CAUSE A STATE EMPLOYEE:

16 (I) STRIKE;

17 (II) WORK STOPPAGE;

18 (III) WORK SLOWDOWN;

19 (IV) GROUP SICK OUT; OR

20 (V) ACTION THAT DISRUPTS, ON A WIDESPREAD BASIS, THE
21 DAY-TO-DAY FUNCTIONING OF THE STATE OR ANY OF ITS AGENCIES OR
22 DEPARTMENTS.

23 (b) ANY CONTROVERSY CONCERNING AN ACTIVITY PROHIBITED BY
24 SUBSECTION (3)(a) OF THIS SECTION MAY BE SUBMITTED TO THE DIVISION
25 PURSUANT TO SECTION 24-50-1113. UPON FINDING THAT THE CERTIFIED
26 EMPLOYEE ORGANIZATION HAS VIOLATED SUBSECTION (3)(a) OF THIS
27 SECTION, THE DIVISION SHALL AWARD ANY APPROPRIATE RELIEF,

1 INCLUDING BUT NOT LIMITED TO SANCTIONS, FINES, OR DECERTIFICATION.
2 IF DECERTIFIED BY THE DIVISION, AN EMPLOYEE ORGANIZATION MAY
3 INCLUDING BUT NOT LIMITED TO SANCTIONS, FINES, OR DECERTIFICATION.
4 IF DECERTIFIED BY THE DIVISION, AN EMPLOYEE ORGANIZATION MAY
5 BEGIN THE CERTIFICATION PROCESS IN SECTION 24-50-1106(2) AFTER ONE
6 YEAR FROM THE DATE OF DECERTIFICATION.

7 (c) NOTHING IN THIS SUBSECTION (3) PROHIBITS THE CERTIFIED
8 EMPLOYEE ORGANIZATION FROM ENGAGING IN OTHER CONCERTED
9 ACTIVITIES FOR THE PURPOSE OF THE PARTNERSHIP PROCESS OF OTHER
10 MUTUAL AID OR PROTECTION, WITHOUT INTERFERENCE, RESTRAINT, OR
11 COERCION BY THE STATE.

12 (4) IT SHALL CONSTITUTE AN UNFAIR LABOR PRACTICE SUBJECT TO
13 REVIEW PURSUANT TO SECTION 24-50-1113 (3) FOR THE CERTIFIED
14 EMPLOYEE ORGANIZATION TO ENGAGE IN THE ACTIVITIES PROHIBITED BY
15 THIS SECTION, OR TO FAIL TO DISCHARGE ITS DUTIES UNDER THIS SECTION.

16 (5) COVERED EMPLOYEES WHO ARE FOUND TO HAVE ENGAGED IN
17 PROHIBITED CONDUCT DESCRIBED IN THIS SECTION MAY BE SUBJECT TO
18 DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION.

19 **24-50-1110. Executive and management rights.** (1) NOTHING
20 IN THIS PART 11 IMPAIRS THE ABILITY OF THE STATE TO:

21 (a) EXERCISE ANY RIGHT OR RESPONSIBILITY RESERVED TO AN
22 APPOINTING AUTHORITY, THE DIRECTOR, OR THE STATE PERSONNEL BOARD
23 PURSUANT TO THE STATE PERSONNEL SYSTEM AS DESCRIBED IN SECTION
24 13 OF ARTICLE XII OF THE STATE CONSTITUTION AND PART 1 OF THIS
25 ARTICLE 50 AND RULES OR PROCEDURES PROMULGATED BY THE STATE
26 PERSONNEL BOARD OR THE DIRECTOR PURSUANT TO SECTION 24-50-101
27 (3)(c);

1 (b) DETERMINE AND CARRY OUT ANY MISSION, INITIATIVE, TASK
2 FORCE, AGENDA, POLICY, OR PROGRAM OF ANY DEPARTMENT, DIVISION,
3 OFFICE, OR OTHER SUBDIVISION OF THE STATE;

4 (c) ESTABLISH AND OVERSEE BUDGET, FINANCES, AND
5 ACCOUNTING;

6 (d) DETERMINE UTILIZATION OF TECHNOLOGY;

7 (e) NEGOTIATE WITH, PROCURE, AND ADMINISTER CONTRACTS
8 THAT THE STATE HAS LAWFUL AUTHORITY TO ENTER;

9 (f) MAKE, AMEND AND ENFORCE, OR REVOKE REASONABLE
10 PERSONAL CONDUCT RULES; OR

11 (g) TAKE SUCH ACTIONS AS MAY BE NECESSARY TO CARRY OUT
12 ANY GOVERNMENT FUNCTION DURING AN EMERGENCY.

13 (2) NOTHING IN THIS PART 11 OR IN ANY PARTNERSHIP AGREEMENT
14 MAY RESTRICT OR USURP ANY RESPONSIBILITY OF OR POWER GRANTED TO
15 THE GOVERNOR, THE DIRECTOR, OR STATE PERSONNEL BOARD BY THE
16 STATE CONSTITUTION OR THE COLORADO REVISED STATUTES.

17 (3) NOTHING IN THIS PART 11 SHALL PREVENT THE STATE FROM
18 CONVENING, OR ENGAGING IN DISCUSSIONS WITH ANY STATE EMPLOYEE OR
19 GROUP OF STATE EMPLOYEES TO ACCOMPLISH ANY OF THE MATTERS
20 LISTED IN THIS SECTION.

21 **24-50-1111. Duties of the state.** (1) THE STATE SHALL MAKE
22 PAYROLL DEDUCTIONS FOR MEMBERSHIP DUES AND OTHER PAYMENTS
23 THAT COVERED EMPLOYEES AUTHORIZE TO BE MADE TO THE CERTIFIED
24 EMPLOYEE ORGANIZATION AND RELATED ENTITIES. THE CERTIFIED
25 EMPLOYEE ORGANIZATION AND RELATED ENTITIES SHALL BE THE ONLY
26 EMPLOYEE ORGANIZATION FOR WHICH THE STATE SHALL MAKE PAYROLL
27 DEDUCTIONS FROM COVERED EMPLOYEES.

1 (2) THE STATE SHALL HONOR THE TERMS OF COVERED EMPLOYEES'
2 AUTHORIZATIONS FOR PAYROLL DEDUCTIONS MADE IN ANY FORM THAT
3 SATISFIES THE REQUIREMENTS OF THE "UNIFORM ELECTRONIC
4 TRANSACTIONS ACT", ARTICLE 71.3 OF THIS TITLE 24, INCLUDING
5 WITHOUT LIMITATION ELECTRONIC AUTHORIZATIONS, INCLUDING VOICE
6 AUTHORIZATIONS, THAT MEET THE REQUIREMENTS OF AN ELECTRONIC
7 SIGNATURE AS DEFINED IN SECTION 24-71.3-102 (8). COVERED
8 EMPLOYEES' REQUESTS TO CANCEL OR CHANGE AUTHORIZATIONS FOR
9 PAYROLL DEDUCTIONS SHALL BE DIRECTED TO THE CERTIFIED EMPLOYEE
10 ORGANIZATION RATHER THAN TO THE STATE. THE CERTIFIED EMPLOYEE
11 ORGANIZATION SHALL BE RESPONSIBLE FOR PROCESSING THESE REQUESTS
12 IN ACCORDANCE WITH THE TERMS OF THE AUTHORIZATION. AN
13 AUTHORIZATION FOR A PAYROLL DEDUCTION MAY NOT BE IRREVOCABLE
14 FOR A PERIOD OF MORE THAN ONE YEAR. A CERTIFIED EMPLOYEE
15 ORGANIZATION THAT CERTIFIES THAT IT HAS AND WILL MAINTAIN
16 INDIVIDUAL COVERED EMPLOYEE AUTHORIZATIONS IS NOT REQUIRED TO
17 PROVIDE A COPY OF AN INDIVIDUAL AUTHORIZATION TO THE STATE UNLESS
18 A DISPUTE ARISES ABOUT THE EXISTENCE OR TERMS OF THAT
19 AUTHORIZATION. THE CERTIFIED EMPLOYEE ORGANIZATION SHALL
20 INDEMNIFY THE STATE FOR ANY CLAIMS MADE BY THE COVERED
21 EMPLOYEE FOR DEDUCTIONS MADE IN RELIANCE ON THAT INFORMATION.

22 (3) (a) EACH MONTH THE DEPARTMENT OF PERSONNEL SHALL,
23 UNLESS PROHIBITED BY LAW, PROVIDE TO A CERTIFIED EMPLOYEE
24 ORGANIZATION THE FOLLOWING INFORMATION FOR EACH COVERED
25 EMPLOYEE:

26 (I) NAME, EMPLOYEE IDENTIFICATION NUMBER, DEPARTMENT, JOB
27 CLASS, JOB TITLE, WORK TELEPHONE NUMBER, WORK E-MAIL ADDRESS,

1 WORK LOCATION, SALARY, AND DATE OF HIRE, AS CONTAINED IN THE
2 STATEWIDE SYSTEM OF RECORD; AND

3 (II) HOME ADDRESS, HOME AND PERSONAL CELLULAR PHONE
4 NUMBERS, AND PERSONAL E-MAIL ADDRESS UNLESS DIRECTED BY THE
5 COVERED EMPLOYEE NOT TO PROVIDE THE SAME PURSUANT TO SECTION
6 24-50-1107 (3).

7 (b) IF THE INFORMATION IS NOT CONTAINED IN THE STATEWIDE
8 SYSTEM OF RECORD, THE DEPARTMENT OF PERSONNEL SHALL PROVIDE THE
9 EMPLOYEE ORGANIZATION NOTICE AND WILL HAVE NO OBLIGATION TO
10 PROVIDE THE INFORMATION UNTIL IT IS CONTAINED IN THE STATEWIDE
11 SYSTEM OF RECORD.

12 (c) A CERTIFIED EMPLOYEE ORGANIZATION SHALL TREAT THE
13 INFORMATION IT RECEIVES UNDER THIS SUBSECTION (3) AS CONFIDENTIAL
14 AND MAY NOT RELEASE THE INFORMATION TO ANY THIRD PARTY EXCEPT
15 FOR THE PURPOSE OF CARRYING OUT THE CERTIFIED EMPLOYEE
16 ORGANIZATION'S DUTIES UNDER THIS TITLE 24 AND COMMUNICATING WITH
17 COVERED EMPLOYEES.

18 (d) RECORDS CREATED IN COMPLYING WITH THIS SUBSECTION (3)
19 AND CONTAINING A COVERED EMPLOYEE'S PERSONAL HOME ADDRESS,
20 HOME AND PERSONAL CELLULAR PHONE NUMBER, AND PERSONAL E-MAIL
21 ADDRESS SHALL BE EXEMPT FROM THE "COLORADO OPEN RECORDS ACT",
22 PART 2 OF ARTICLE 72 OF THIS TITLE 24.

23 (4) WITHIN THIRTY DAYS OF A COVERED EMPLOYEE BEING HIRED,
24 THE STATE SHALL ALLOW THE CERTIFIED EMPLOYEE ORGANIZATION TO
25 MEET WITH THAT COVERED EMPLOYEE DURING WORK TIME AS
26 DETERMINED BY SUBSECTION (5)(c) OF THIS SECTION.

27 (5) (a) THE STATE MUST PROVIDE THE CERTIFIED EMPLOYEE

1 ORGANIZATION ACCESS TO ITS NEW EMPLOYEE ORIENTATIONS ON PAID
2 TIME FOR NEWLY HIRED COVERED EMPLOYEES.

3 (b) THE STATE MUST PROVIDE THE CERTIFIED EMPLOYEE
4 ORGANIZATION AT LEAST TEN DAYS NOTICE IN ADVANCE OF A NEW
5 EMPLOYEE ORIENTATION; EXCEPT THAT A SHORTER NOTICE MAY BE
6 PROVIDED WHERE THERE IS AN URGENT NEED CRITICAL TO THE STATE'S
7 OPERATIONS THAT WAS NOT REASONABLY FORESEEABLE.

8 (c) THE STATE AND THE CERTIFIED EMPLOYEE ORGANIZATION
9 SHALL DETERMINE THE STRUCTURE, TIME, AND MANNER OF THE EMPLOYEE
10 ORGANIZATION'S ACCESS THROUGH THE PARTNERSHIP AGREEMENT
11 PROCESS SET FORTH IN SECTION 24-50-1112.

12 (6) AFTER THE STATE AND THE CERTIFIED EMPLOYEE
13 ORGANIZATION REACH A PARTNERSHIP AGREEMENT, THE INITIAL OR
14 SUPPLEMENTAL BUDGET REQUEST FROM THE GOVERNOR TO THE GENERAL
15 ASSEMBLY SHALL INCLUDE SUFFICIENT APPROPRIATIONS TO IMPLEMENT
16 THE TERMS OF THE AGREEMENT REQUIRING THE EXPENDITURE OF MONEY.
17 THE PROVISIONS OF A PARTNERSHIP AGREEMENT THAT REQUIRE THE
18 EXPENDITURE OF MONEY SHALL BE CONTINGENT UPON THE AVAILABILITY
19 OF MONEY AND THE SPECIFIC APPROPRIATION OF MONEY BY THE GENERAL
20 ASSEMBLY. IF THE GENERAL ASSEMBLY REJECTS ANY PART OF THE
21 REQUEST, OR WHILE ACCEPTING THE REQUEST TAKES ANY ACTION WHICH
22 WOULD RESULT IN A MODIFICATION OF THE TERMS OF THE COST ITEM
23 SUBMITTED TO IT, EITHER PARTY MAY REOPEN NEGOTIATIONS
24 CONCERNING ECONOMIC ISSUES.

25 (7) THE STATE AND ITS DESIGNEES AND AGENTS, INCLUDING THE
26 GOVERNOR'S DESIGNEE, THE EXECUTIVE DIRECTORS OF STATE AGENCIES,
27 AND OTHER STATE OFFICIALS CHARGED WITH ADMINISTERING

1 PARTNERSHIP AGREEMENTS, SHALL ENGAGE IN GOOD FAITH IN ALL
2 ASPECTS OF THE PARTNERSHIP PROCESS. THE STATE AND ITS DESIGNEES
3 AND AGENTS SHALL NOT:

4 (a) TAKE ANY ACTION OR MAKE ANY STATEMENT IN FAVOR OF OR
5 IN OPPOSITION TO A COVERED EMPLOYEE'S DECISION TO PARTICIPATE IN,
6 SELECT, OR JOIN AN EMPLOYEE ORGANIZATION, OR TO REFRAIN FROM
7 THESE ACTIVITIES; EXCEPT THAT THE STATE MAY RESPOND TO QUESTIONS
8 FROM A COVERED EMPLOYEE PERTAINING TO THE COVERED EMPLOYEE'S
9 EMPLOYMENT OR ANY MATTER DESCRIBED IN THIS PART 11, PROVIDED
10 THAT SUCH RESPONSE IS NEUTRAL TOWARD PARTICIPATION, SELECTION,
11 AND MEMBERSHIP IN AN EMPLOYEE ORGANIZATION;

12 (b) EXPEND PUBLIC MONEY OR RESOURCES FOR A NEGATIVE
13 CAMPAIGN AGAINST AN EMPLOYEE ORGANIZATION OR PROVIDE
14 ASSISTANCE TO ANY INDIVIDUAL OR GROUP TO ENGAGE IN SUCH A
15 CAMPAIGN. IT IS NOT A VIOLATION OF THIS SECTION FOR THE STATE TO
16 RESPOND TO ANY REQUESTS PURSUANT TO THE "COLORADO OPEN
17 RECORDS ACT", PART 2 OF ARTICLE 72 OF THIS TITLE 24, OR TO EXERCISE
18 ANY OTHER OBLIGATION REQUIRED BY LAW.

19 (c) INTERFERE WITH, RESTRAIN, OR COERCE COVERED EMPLOYEES
20 FROM EXERCISING THE RIGHTS GRANTED BY THIS PART 11; EXCEPT THAT
21 THIS SUBSECTION (7)(c) DOES NOT IMPAIR THE RIGHT OF A CERTIFIED
22 EMPLOYEE ORGANIZATION TO PRESCRIBE ITS OWN RULES WITH RESPECT TO
23 RECRUITING AND MAINTAINING ITS MEMBERSHIP SUBJECT TO SECTION
24 24-50-1109 (3)(a);

25 (d) DISCHARGE OR DISCRIMINATE AGAINST ANY COVERED
26 EMPLOYEE BECAUSE THE EMPLOYEE FILED AN AFFIDAVIT, OR GAVE ANY
27 INFORMATION OR TESTIMONY UNDER THIS PART 11, OR BECAUSE THE

1 EMPLOYEE FORMED, JOINED, OR CHOSE TO BE REPRESENTED BY ANY
2 EMPLOYEE ORGANIZATION, OR REFRAINED FROM ANY SUCH ACTIVITIES;

3 (e) REFUSE TO PARTICIPATE IN THE PARTNERSHIP PROCESS SET
4 FORTH IN SECTION 24-50-1112, ONCE A CERTIFIED EMPLOYEE
5 ORGANIZATION IS CERTIFIED; OR

6 (f) REFUSE TO PARTICIPATE IN THE PARTNERSHIP DISPUTE
7 RESOLUTION PROCESS.

8 (8) IT SHALL CONSTITUTE AN UNFAIR LABOR PRACTICE SUBJECT TO
9 REVIEW PURSUANT TO SECTION 24-50-1113 (3) FOR THE STATE TO ENGAGE
10 IN THE ACTIVITIES PROHIBITED UNDER THIS SECTION, OR TO FAIL TO
11 DISCHARGE ITS DUTIES UNDER THIS SECTION. THE GOVERNOR SHALL NOT
12 BE SUBJECT TO AN UNFAIR LABOR PRACTICE CHARGE.

13 **24-50-1112. Partnership agreements.** (1) WITHIN THIRTY DAYS
14 AFTER THE EFFECTIVE DATE OF THIS PART 11, IF AN EMPLOYEE
15 ORGANIZATION IS ALREADY CERTIFIED, OR WITHIN SIXTY DAYS AFTER AN
16 EMPLOYEE ORGANIZATION HAS BEEN CERTIFIED PURSUANT TO A
17 REPRESENTATION ELECTION, OR NO LATER THAN APRIL 15 OF THE YEAR
18 PRECEDING THE EXPIRATION OF A PARTNERSHIP AGREEMENT, THE STATE
19 SHALL BEGIN MEETINGS TO DISCUSS AND COOPERATIVELY DRAFT A
20 MUTUALLY AGREED UPON WRITTEN PARTNERSHIP AGREEMENT TO BE
21 BINDING ON THE STATE, THE CERTIFIED EMPLOYEE ORGANIZATION, AND
22 COVERED EMPLOYEES WHEN RATIFIED BY THE CERTIFIED EMPLOYEE
23 ORGANIZATION AND APPROVED BY THE GOVERNOR. SUBJECT TO SECTION
24 24-50-1110, BOTH THE CERTIFIED EMPLOYEE ORGANIZATION AND THE
25 STATE SHALL BARGAIN IN GOOD FAITH TO REACH AGREEMENT ON WAGES,
26 HOURS, AND TERMS AND CONDITIONS OF EMPLOYMENT FOR ALL COVERED
27 EMPLOYEES. NEITHER THE CERTIFIED EMPLOYEE ORGANIZATION NOR THE

1 STATE SHALL BE REQUIRED TO AGREE TO A PROPOSAL OR TO MAKE A
2 CONCESSION. DISPUTES SHALL BE RESOLVED PURSUANT TO SECTION
3 24-50-1113.

4 (2) THE PARTIES SHALL BARGAIN OVER WAGES, HOURS, AND TERMS
5 AND CONDITIONS OF EMPLOYMENT. ALL OTHER SUBJECTS ARE PERMISSIVE
6 AND MAY BE ADDRESSED DURING BARGAINING UPON MUTUAL AGREEMENT
7 OF THE PARTIES. A PARTNERSHIP AGREEMENT MAY NOT INCLUDE A
8 REQUIREMENT OR AGREEMENT THAT THE EXECUTIVE BRANCH OR ANY
9 DEPARTMENT NEGOTIATE WITH RESPECT TO THE STATUTORY FUNCTION OF
10 ANY DEPARTMENT OR AGENCY OR MATTERS RELATED TO THE PUBLIC
11 EMPLOYEES' RETIREMENT ASSOCIATION.

12 (3) (a) ECONOMIC ISSUES, MATTERS IMPACTING ALL COVERED
13 EMPLOYEES, MATTERS THAT NECESSITATE STATEWIDE UNIFORMITY
14 PURSUANT TO THE STATE CONSTITUTION, THE COLORADO REVISED
15 STATUTES, OR ADMINISTRATIVE RULE, SHALL BE NEGOTIATED BETWEEN
16 THE CERTIFIED EMPLOYEE ORGANIZATION AND THE GOVERNOR'S
17 DESIGNEE. THE GOVERNOR'S DESIGNEE MAY CONSULT WITH THE
18 EXECUTIVE DIRECTOR CHARGED WITH ADMINISTERING THE ISSUES SUBJECT
19 TO STATEWIDE BARGAINING.

20 (b) MATTERS IMPACTING COVERED EMPLOYEES IN A SINGLE
21 DEPARTMENT OR AGENCY OR SUBDIVISION THEREOF SHALL BE
22 NEGOTIATED BY THE CERTIFIED EMPLOYEE ORGANIZATION AND THE
23 EXECUTIVE DIRECTOR OF THE DEPARTMENT OR AGENCY OR THE
24 EXECUTIVE DIRECTOR'S DESIGNEE. ANY AGREEMENTS MADE AT THE
25 DEPARTMENT OR AGENCY LEVEL SHALL BE INCORPORATED INTO THE
26 PARTNERSHIP AGREEMENT. THE CERTIFIED EMPLOYEE ORGANIZATION AND
27 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR AGENCY MAY CHOOSE

1 TO BRING DEPARTMENT OR AGENCY MATTERS TO STATEWIDE BARGAINING
2 UPON MUTUAL AGREEMENT.

3 (4) A PARTNERSHIP AGREEMENT SHALL PROVIDE FOR A
4 PARTNERSHIP AGREEMENT GRIEVANCE PROCEDURE CULMINATING IN FINAL
5 AND BINDING ARBITRATION TO RESOLVE DISPUTES OVER THE
6 INTERPRETATION, APPLICATION, AND ENFORCEMENT OF ANY PROVISION OF
7 THE PARTNERSHIP AGREEMENT.

8 (5) A PARTNERSHIP AGREEMENT THAT IS EXECUTED BY THE STATE
9 AND THE CERTIFIED EMPLOYEE ORGANIZATION IS ENFORCEABLE AND
10 BINDING ON THE STATE, THE CERTIFIED EMPLOYEE ORGANIZATION, AND
11 COVERED EMPLOYEES COVERED BY THE AGREEMENT. IN THE EVENT OF
12 CONFLICT BETWEEN THE PROVISIONS OF A PARTNERSHIP AGREEMENT AND
13 STATE LAWS OR RULES IN EFFECT AS OF THE INITIAL PARTNERSHIP
14 AGREEMENT, STATE LAWS AND RULES CONTROL.

15 (6) MEETINGS AND DISCUSSIONS HELD PURSUANT TO THIS SECTION
16 AND THE PARTNERSHIP AGREEMENT GRIEVANCE AND ARBITRATION
17 PROCESS SPECIFIED IN SUBSECTION (4) OF THIS SECTION AND THE DISPUTE
18 RESOLUTION PROCESS SPECIFIED IN SECTION 24-50-1113 ARE NOT
19 MEETINGS AS DEFINED IN SECTION 24-6-402.

20 (7) EXCEPT FOR A PARTNERSHIP AGREEMENT SUBMITTED FOR
21 RATIFICATION, ALL DOCUMENTS, PROPOSALS, AND DRAFT AND TENTATIVE
22 AGREEMENTS DRAFTED OR EXCHANGED PURSUANT TO THE PROCESS
23 ESTABLISHED IN THIS SECTION ARE PRIVILEGED AND NOT SUBJECT TO
24 DISCLOSURE PURSUANT TO THE "COLORADO OPEN RECORDS ACT", PART
25 2 OF ARTICLE 72 OF THIS TITLE 24. NOTHING IN THIS SECTION SHALL BE
26 CONSTRUED TO PREVENT A CERTIFIED EMPLOYEE ORGANIZATION OR THE
27 STATE FROM PRESENTING SUCH MATERIALS IN ANY PARTNERSHIP

1 AGREEMENT GRIEVANCE OR ARBITRATION PROCESS PURSUANT TO
2 SUBSECTION (4) OF THIS SECTION OR THE DISPUTE RESOLUTION PROCESS
3 SPECIFIED IN SECTION 24-50-1113.

4 **24-50-1113. Dispute resolution.** (1) IF DISPUTES ARISE DURING
5 THE FORMATION OF A PARTNERSHIP AGREEMENT, THE CERTIFIED
6 EMPLOYEE ORGANIZATION AND THE STATE, TO ENCOURAGE A TRUE
7 COOPERATIVE PARTNERSHIP, SHALL ENGAGE IN THE DISPUTE RESOLUTION
8 PROCESS ESTABLISHED IN THIS SECTION OR AN ALTERNATIVE PROCEDURE
9 ESTABLISHED BY MUTUAL AGREEMENT. ALL DEADLINES MAY BE
10 EXTENDED PURSUANT TO MUTUAL AGREEMENT OF THE PARTIES.

11 (2)(a) IF THE CERTIFIED EMPLOYEE ORGANIZATION AND THE STATE
12 CANNOT REACH AGREEMENT WITHIN NINETY CALENDAR DAYS AFTER
13 COMMENCING MEETINGS TO DRAFT A PARTNERSHIP AGREEMENT, EITHER
14 PARTY MAY REQUEST THAT THE MATTERS ON WHICH THE PARTIES CANNOT
15 REACH AGREEMENT BE SENT TO MEDIATION WITH A MUTUALLY AGREED
16 UPON MEDIATOR. THE MEDIATOR SHALL BE SELECTED FROM A LIST OF FIVE
17 CANDIDATES PROVIDED BY A RESPECTED, NATIONAL, NOT-FOR-PROFIT
18 ENTITY THAT PROVIDES ALTERNATIVE DISPUTE RESOLUTION SERVICES.

19 (b) IF THE PARTIES DO NOT REACH AN AGREEMENT ON
20 OUTSTANDING ISSUES WITHIN THIRTY CALENDAR DAYS AFTER
21 COMMENCING MEDIATION, THE MEDIATOR SHALL ISSUE A
22 RECOMMENDATION ON ALL OF THE OUTSTANDING ISSUES. THE MEDIATOR
23 SHALL ISSUE THE RECOMMENDATION WITHIN FIFTEEN CALENDAR DAYS OF
24 THE END OF THE THIRTY-DAY MEDIATION PERIOD. THE MEDIATOR'S
25 RECOMMENDATION SHALL BE SHARED WITH BOTH PARTIES AND EITHER
26 PARTY MAY SHARE IT WITH OTHERS OR MAKE IT PUBLIC.

27 (c) IF, AFTER MEDIATION, THE PARTIES DO NOT REACH AGREEMENT

1 ON ALL ISSUES, THEY MAY ENTER INTO A PARTNERSHIP AGREEMENT ON
2 THE ISSUES ON WHICH THEY HAVE REACHED AGREEMENT.

3 (d) THE COST OF THE MEDIATOR PURSUANT TO THIS SECTION SHALL
4 BE SHARED EQUALLY BY THE CERTIFIED EMPLOYEE ORGANIZATION AND
5 THE STATE.

6 (e) WITH THE EXCEPTION OF THE RECOMMENDATION OF THE
7 MEDIATOR, ALL DOCUMENTS, PROPOSALS, AND DRAFT AND TENTATIVE
8 AGREEMENTS, DRAFTED OR EXCHANGED PURSUANT TO THE PROCESS
9 ESTABLISHED IN THIS SECTION, ARE PRIVILEGED AND NOT SUBJECT TO
10 DISCLOSURE PURSUANT TO THE "COLORADO OPEN RECORDS ACT", PART
11 2 OF ARTICLE 72 OF THIS TITLE 24.

12 (3) ANY CONTROVERSY CONCERNING UNFAIR LABOR PRACTICES OF
13 THE STATE OR CERTIFIED EMPLOYEE ORGANIZATION MAY BE SUBMITTED
14 TO THE DIVISION BY THE STATE, CERTIFIED EMPLOYEE ORGANIZATION, OR
15 AFFECTED EMPLOYEE IN A MANNER AND WITH THE EFFECT PROVIDED IN
16 ARTICLE 3 OF TITLE 8 AND RULES PROMULGATED THEREUNDER; EXCEPT
17 THAT NOTHING IN THIS PART 11 PREVENTS THE PURSUIT OF EQUITABLE OR
18 LEGAL RELIEF IN COURTS OF COMPETENT JURISDICTION. A CLAIMANT IS
19 NOT REQUIRED TO EXHAUST ADMINISTRATIVE REMEDIES.

20 **24-50-1114. Maintenance of the partnership relationship.** AN
21 EXISTING PARTNERSHIP AGREEMENT SHALL CONTINUE IN FULL FORCE AND
22 EFFECT UNTIL IT IS REPLACED BY A SUBSEQUENT PARTNERSHIP
23 AGREEMENT.

24 **24-50-1115. Judicial review.** (1) THE CERTIFIED EMPLOYEE
25 ORGANIZATION OR THE STATE MAY SEEK JUDICIAL REVIEW OF DECISIONS
26 OR ORDERS ON REPRESENTATION OR DECERTIFICATION PETITIONS UNDER
27 SECTION 24-50-1106; UNFAIR LABOR PRACTICE CHARGES UNDER SECTION

1 24-50-1113 (3); OR RULES OR REGULATIONS ISSUED BY THE DIVISION
2 UNDER THIS PART 11, IN THE MANNER AND WITH THE EFFECT PROVIDED IN
3 THE "STATE ADMINISTRATIVE PROCEDURES ACT", ARTICLE 4 OF THIS
4 TITLE 24, AND RULES PROMULGATED THEREUNDER.

5 (2) (a) THE CERTIFIED EMPLOYEE ORGANIZATION OR THE STATE
6 MAY SEEK JUDICIAL REVIEW OF AN ARBITRATOR'S DECISION ON A
7 PARTNERSHIP AGREEMENT GRIEVANCE PURSUANT TO SECTION 24-50-1112
8 (4) IN A DISTRICT COURT IN THE CITY AND COUNTY OF DENVER.

9 (b) THE ARBITRATOR'S DECISION SHALL BE ENFORCED AND THE
10 PARTIES SHALL COMPLY WITH THE DECISION AND AWARD UNLESS THE
11 DISTRICT COURT CONCLUDES THAT:

12 (I) THE DECISION AND AWARD WAS PROCURED BY CORRUPTION,
13 FRAUD, OR UNDUE MEANS;

14 (II) THE ARBITRATOR EXCEEDED HIS OR HER AUTHORITY;

15 (III) THE DECISION AND AWARD DID NOT DRAW ITS ESSENCE FROM
16 THE PARTNERSHIP AGREEMENT; OR

17 (IV) THE DECISION AND AWARD VIOLATED PUBLIC POLICY, THAT
18 THE ARBITRATOR ENGAGED IN MANIFEST DISREGARD OF THE LAW, OR THAT
19 THE ARBITRATION DENIED THE PARTIES A FUNDAMENTALLY FAIR HEARING.

20 **24-50-1116. Construction of other laws.** IF ANY PROVISION OF
21 THIS PART 11 IS INCONSISTENT WITH THE PROVISIONS OF ANY OTHER
22 PREVIOUSLY ENACTED LAW OR RULE, THE PROVISIONS OF THIS PART 11
23 CONTROL; EXCEPT THAT THE PROVISIONS OF THIS PART 11 DO NOT
24 CONTROL OVER ARTICLE 51 OF THIS TITLE 24. NOTHING IN THIS PART 11
25 DEPRIVES THE DIRECTOR OR STATE PERSONNEL BOARD OF ANY
26 CONSTITUTIONALLY REQUIRED AUTHORITY.

27 **SECTION 3.** In Colorado Revised Statutes, 24-50-104, **amend**

1 (1)(j)(II)(A), (1)(j)(III)(A), (1)(j)(IV), and (5)(c); and **repeal** (1)(j)(VI) as
2 follows:

3 **24-50-104. Job evaluation and compensation - state employee**
4 **reserve fund - created - definitions - repeal. (1) Total compensation**
5 **philosophy. (j) (II) (A)** The state employee reserve fund is hereby
6 created in the state treasury, ~~Within the fund there is an account dedicated~~
7 ~~to each department. A department's account~~ WHICH consists of moneys
8 MONEY transferred pursuant to ~~subparagraph (IV) of this paragraph (j)~~
9 ~~and any transfers directed by the governor pursuant to subparagraph (VI)~~
10 ~~of this paragraph (j). Moneys within a department's account are~~
11 ~~continuously appropriated to such department~~ SUBSECTION (1)(j)(IV) OF
12 THIS SECTION. MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED for
13 the purpose of providing merit pay to certified employees as provided in
14 this subsection (1). ~~A department may not expend any moneys from its~~
15 ~~account without the approval of the director of the office of state planning~~
16 ~~and budgeting.~~ NO MONEY FROM THE FUND SHALL BE EXPENDED WITHOUT
17 THE APPROVAL OF THE DIRECTOR OF THE OFFICE OF STATE PLANNING AND
18 BUDGETING.

19 (III) (A) Any money in the fund not expended as provided in
20 subsection (1)(j)(II) of this section may be invested by the state treasurer
21 as provided by law. All interest and income derived from the investment
22 and deposit of money in ~~a department's account~~ THE FUND shall be
23 credited to the ~~same account~~ FUND. Except as set forth in subsection
24 (1)(j)(III)(B) of this section, any unexpended and unencumbered money
25 remaining in the fund at the end of a fiscal year shall remain in the fund
26 and shall not be credited or transferred to the general fund or another
27 fund.

1 (IV) On the date the state controller publishes the comprehensive
2 annual financial report of the state, the state controller and state treasurer
3 shall transfer an amount of ~~moneys~~ MONEY equal to a reversion amount
4 from the general fund or a qualifying cash fund to the state employee
5 reserve fund. ~~to be allocated to the eligible department's account.~~

6 (VI) ~~In order to provide moneys to a department that is unable to~~
7 ~~generate substantial reversion amounts because of the manner in which~~
8 ~~moneys are appropriated to the department or other factors, the governor~~
9 ~~may direct the state treasurer to reallocate moneys among department~~
10 ~~accounts in the fund. The total amount reallocated pursuant to this~~
11 ~~subparagraph (VI) during a state fiscal year shall not exceed two million~~
12 ~~dollars. No other reallocation of moneys among accounts is permitted.~~

13 (5) **Pay plans.** (c) ~~The senior executive service is limited to one~~
14 ~~hundred twenty-five positions.~~ The state personnel director shall establish
15 criteria for inclusion in the senior executive service and shall review each
16 nominated position before it is placed in the pay plan for the senior
17 executive service. The head of the department or agency or state auditor
18 for employees of the state auditor's office shall make appointments to the
19 senior executive service based on competitive selection and is responsible
20 for the management of the employees in such plan. Any person in the
21 senior executive service has no right to any position within the state.

22 **SECTION 4.** In Colorado Revised Statutes, 24-50-125, **add** (1.5)
23 as follows:

24 **24-50-125. Disciplinary proceedings - appeals - hearings -**
25 **procedure - definitions.** (1.5) (a) IN CONSIDERING ANY DISCIPLINARY
26 ACTION PURSUANT TO THIS SECTION AGAINST AN EMPLOYEE WHO IS
27 CERTIFIED TO ANY CLASS OR POSITION IN THE STATE PERSONNEL SYSTEM

1 FOR ENGAGING IN VIOLENT BEHAVIOR OR A THREAT OF VIOLENT BEHAVIOR
2 AGAINST ANOTHER PERSON WHILE ON DUTY, THE APPOINTING AUTHORITY
3 SHALL GIVE PREDOMINANT WEIGHT TO THE SAFETY OF THE OTHER PERSON
4 OVER THE INTERESTS OF THE EMPLOYEE. FOR PURPOSES OF THIS
5 SUBSECTION (1.5), "VIOLENT BEHAVIOR" MEANS ANY ACT OR THREAT OF
6 PHYSICAL, VERBAL, OR PSYCHOLOGICAL AGGRESSION OR THE
7 DESTRUCTION OR ABUSE OF PROPERTY BY ANY INDIVIDUAL. A THREAT
8 MAY INCLUDE A VEILED, CONDITIONAL, OR DIRECT THREAT IN VERBAL,
9 WRITTEN, ELECTRONIC, OR GESTURAL FORM, RESULTING IN INTIMIDATION,
10 HARASSMENT, HARM, OR ENDANGERMENT TO THE SAFETY OF ANOTHER
11 PERSON OR PROPERTY.

12 (b) IF THE APPOINTING AUTHORITY FINDS THAT THE EMPLOYEE HAS
13 ENGAGED IN VIOLENT BEHAVIOR OR A THREAT OF VIOLENT BEHAVIOR
14 AGAINST ANOTHER PERSON, THE APPOINTING AUTHORITY MAY TAKE SUCH
15 DISCIPLINARY ACTION AS THE APPOINTING AUTHORITY DEEMS
16 APPROPRIATE, UP TO AND INCLUDING TERMINATION, TAKING INTO
17 CONSIDERATION THE HARM OR RISK OF HARM TO THE PERSON CREATED BY
18 THE EMPLOYEE'S ACTIONS. NOTHING IN THIS SUBSECTION (1.5)(b) AFFECTS
19 THE CONSTITUTIONAL OR STATUTORY DUE PROCESS RIGHTS AFFORDED TO
20 AN EMPLOYEE WHO IS CERTIFIED TO ANY CLASS OR POSITION IN THE STATE
21 PERSONNEL SYSTEM.

22 (c) THIS SUBSECTION (1.5) APPLIES REGARDLESS OF WHETHER THE
23 EMPLOYEE HAS BEEN CHARGED WITH OR CONVICTED OF A CRIME.

24 **SECTION 5.** In Colorado Revised Statutes, 24-72-202, **add**
25 (6)(b)(XIV) as follows:

26 **24-72-202. Definitions.** As used in this part 2, unless the context
27 otherwise requires:

1 (6) (b) "Public records" does not include:

2 (XIV) PURSUANT TO THE "COLORADO PARTNERSHIP FOR QUALITY
3 JOBS AND SERVICES ACT", PART 11 OF ARTICLE 50 OF THIS TITLE 24,
4 RECORDS CREATED IN COMPLIANCE WITH THE REQUIREMENTS OF A STATE
5 EMPLOYEE PARTNERSHIP AGREEMENT AS SPECIFIED IN SECTION
6 24-50-1111 (3)(d) AND DOCUMENTS CREATED IN CONNECTION WITH THE
7 DISPUTE RESOLUTION PROCESS FOR AN EMPLOYEE PARTNERSHIP
8 AGREEMENT AS SPECIFIED IN SECTION 24-50-1113 (2)(e).

9 **SECTION 6.** In Colorado Revised Statutes, 24-101-401, **repeal**
10 (2)(b) as follows:

11 **24-101-401. Public access to procurement information -**
12 **repeal.** (2) (b) ~~(f) Each agreement entered into by a governmental body~~
13 ~~with a certified employee organization for state employees under~~
14 ~~executive order D 028 07, or any similar successor executive order with~~
15 ~~respect to the existence of a certified employee organization for state~~
16 ~~employees, shall specify that the agreement is open to public inspection~~
17 ~~as provided in sections 24-72-203 and 24-72-204.~~

18 ~~(H) If executive order D 028 07, or any similar successor~~
19 ~~executive order with respect to the existence of a certified employee~~
20 ~~organization for state employees, is rescinded or altered by the governor~~
21 ~~in any way to create a situation where a certified employee organization~~
22 ~~for state employees no longer represents state employees, the governor~~
23 ~~shall provide written notice of this fact to the revisor of statutes.~~

24 ~~(HH) This paragraph (b) is repealed, effective upon the receipt by~~
25 ~~the revisor of statutes of the written notice under subparagraph (H) of this~~
26 ~~paragraph (b).~~

27 **SECTION 7. Appropriation.** (1) For the 2020-21 state fiscal

1 year, \$860,078 is appropriated to the department of personnel. This
2 appropriation is from the general fund. To implement this act, the
3 department may use this appropriation as follows:

4 (a) \$438,568 for use by the division of human resources for
5 personal services related to labor relations services, which amount is
6 based on an assumption that the division will require an additional 4.5
7 FTE;

8 (b) \$37,750 for use by the division of human resources for
9 operating expenses related to labor relations services; and

10 (c) \$383,760 for the purchase of legal services.

11 (2) For the 2020-21 state fiscal year, \$500,648 is appropriated to
12 the department of labor and employment. This appropriation is from the
13 general fund. To implement this act, the department may use this
14 appropriation as follows:

15 (a) \$477,622 for use by the division of labor standards and
16 statistics for program costs related to labor standards, which amount is
17 based on an assumption that the program will require an additional 5.0
18 FTE;

19 (b) \$23,026 for the purchase of legal services.

20 (3) For the 2020-21 state fiscal year, \$112,931 is appropriated to
21 the office of the governor. This appropriation is from the general fund. To
22 implement this act, the office may use this appropriation as follows:

23 (a) \$101,994 for use by the governor's office for administration of
24 the governor's office and residence, which amount is based on an
25 assumption that the office will require an additional 0.9 FTE;

26 (b) \$10,937 for the purchase of legal services.

27 (4) For the 2020-21 state fiscal year, \$118,646 is appropriated to

1 the department of corrections. This appropriation is from the general
2 fund. To implement this act, the department may use this appropriation
3 for the purchase of legal services.

4 (5) For the 2020-21 state fiscal year, \$96,132 is appropriated to
5 the department of human services. This appropriation is from the general
6 fund. To implement this act, the department may use this appropriation
7 for the purchase of legal services.

8 (6) For the 2020-21 state fiscal year, \$52,980 is appropriated to
9 the department of transportation. This appropriation is from the state
10 highway fund created in section 43-1-219, C.R.S. To implement this act,
11 the department may use this appropriation for the purchase of legal
12 services.

13 (7) For the 2020-21 state fiscal year, \$26,479 is appropriated to
14 the department of revenue. This appropriation is from the general fund.
15 To implement this act, the department may use this appropriation for the
16 purchase of legal services.

17 (8) For the 2020-21 state fiscal year, \$25,904 is appropriated to
18 the department of natural resources. This appropriation is from the
19 general fund. To implement this act, the department may use this
20 appropriation for the purchase of legal services.

21 (9) For the 2020-21 state fiscal year, \$18,996 is appropriated to
22 the department of public safety. This appropriation is from the general
23 fund. To implement this act, the department may use this appropriation
24 for the purchase of legal services.

25 (10) For the 2020-21 state fiscal year, \$383,760 is appropriated to
26 the department of law. This appropriation is from reappropriated funds
27 received from the department of personnel under subsection (1)(c) of this

1 section and is based on an assumption that the department of law will
2 require an additional 2.0 FTE. To implement this act, the department of
3 law may use this appropriation to provide legal services for the
4 department of personnel.

5 (11) For the 2020-21 state fiscal year, \$23,026 is appropriated to
6 the department of law. This appropriation is from reappropriated funds
7 received from the department of labor and employment under subsection
8 (2)(b) of this section and is based on an assumption that the department
9 of law will require an additional 0.1 FTE. To implement this act, the
10 department of law may use this appropriation to provide legal services for
11 the department of labor and employment.

12 (12) For the 2020-21 state fiscal year, \$10,937 is appropriated to
13 the department of law. This appropriation is from reappropriated funds
14 received from the office of the governor under subsection (3)(b) of this
15 section and is based on an assumption that the department of law will
16 require an additional 0.1 FTE. To implement this act, the department of
17 law may use this appropriation to provide legal services for the office of
18 the governor.

19 (13) For the 2020-21 state fiscal year, \$118,646 is appropriated to
20 the department of law. This appropriation is from reappropriated funds
21 received from the department of corrections under subsection (4) of this
22 section and is based on an assumption that the department of law will
23 require an additional 0.6 FTE. To implement this act, the department of
24 law may use this appropriation to provide legal services for the
25 department of corrections.

26 (14) For the 2020-21 state fiscal year, \$96,132 is appropriated to
27 the department of law. This appropriation is from reappropriated funds

1 received from the department of human services under subsection (5) of
2 this section and is based on an assumption that the department of law will
3 require an additional 0.5 FTE. To implement this act, the department of
4 law may use this appropriation to provide legal services for the
5 department of human services.

6 (14) For the 2020-21 state fiscal year, \$52,980 is appropriated to
7 the department of law. This appropriation is from reappropriated funds
8 received from the department of transportation under subsection (6) of
9 this section and is based on an assumption that the department of law will
10 require an additional 0.3 FTE. To implement this act, the department of
11 law may use this appropriation to provide legal services for the
12 department of transportation.

13 (15) For the 2020-21 state fiscal year, \$26,479 is appropriated to
14 the department of law. This appropriation is from reappropriated funds
15 received from the department of revenue under subsection (7) of this
16 section and is based on an assumption that the department of law will
17 require an additional 0.1 FTE. To implement this act, the department of
18 law may use this appropriation to provide legal services for the
19 department of revenue.

20 (16) For the 2020-21 state fiscal year, \$25,904 is appropriated to
21 the department of law. This appropriation is from reappropriated funds
22 received from the department of natural resources under subsection (8) of
23 this section and is based on an assumption that the department of law will
24 require an additional 0.1 FTE. To implement this act, the department of
25 law may use this appropriation to provide legal services for the
26 department of natural resources.

27 (17) For the 2020-21 state fiscal year, \$18,996 is appropriated to

1 the department of law. This appropriation is from reappropriated funds
2 received from the department of public safety under subsection (9) of this
3 section and is based on an assumption that the department of law will
4 require an additional 0.1 FTE. To implement this act, the department of
5 law may use this appropriation to provide legal services for the
6 department of public safety.

7 **SECTION 8. Effective date.** This act takes effect July 1, 2020.

8 **SECTION 9. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.