

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0569.03 Pierce Lively x2059

HOUSE BILL 25-1246

HOUSE SPONSORSHIP

Marshall,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PROHIBITION OF CERTAIN PARTISAN POLITICAL**
102 **ACTIVITIES BY PUBLICLY EMPLOYED CERTIFIED PEACE OFFICERS**
103 **WHILE IN UNIFORM OR USING GOVERNMENT RESOURCES.**

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 designates a category of peace officers as covered peace officers. A covered peace officer is an individual who is both:

- A public official or employed by a political subdivision of the state; and
- Required to be certified by the P.O.S.T. board.

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

The bill prohibits a covered peace officer from:

- Using or authorizing the use of public resources for the purpose of campaigning for or against the nomination or election of a candidate; and
- Engaging in partisan political activity while wearing a uniform required by a political subdivision of the state.

The bill includes a penalty for violating these prohibitions of up to \$1,000 and potential dismissal from employment as a covered peace officer.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 30-10-531 as
3 follows:

4 **30-10-531. Limitations on partisan political activities -**
5 **exemptions - enforcement - legislative declaration - definitions.**

6 (1) (a) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS AND
7 DECLARES THAT:

8 (I) LAW ENFORCEMENT MUST BE CONDUCTED IN AN IMPARTIAL
9 AND APOLITICAL MANNER; AND

10 (II) EVEN THE APPEARANCE OF PARTISAN POLITICAL ACTIVITY IN
11 THE CONDUCT OF LAW ENFORCEMENT UNDERMINES THE TRUST AND
12 CONFIDENCE IN LAW ENFORCEMENT NECESSARY FOR LAW ENFORCEMENT
13 OFFICERS TO PERFORM THEIR DUTIES.

14 (b) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY
15 THAT PEACE OFFICERS SHALL NOT ENGAGE IN PARTISAN POLITICAL
16 ACTIVITY WHILE IN UNIFORM OR USING GOVERNMENT RESOURCES.

17 (2) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
18 OTHERWISE REQUIRES:

19 (a) "COVERED PEACE OFFICER" MEANS ANY PERSON WHO IS BOTH:

20 (I) A PUBLIC OFFICIAL OR EMPLOYED BY A POLITICAL SUBDIVISION
21 OF THE STATE; AND

1 (II) REQUIRED TO BE CERTIFIED BY THE P.O.S.T. BOARD PURSUANT
2 TO SECTION 16-2.5-102.

3 (b) "PARTISAN POLITICAL ACTIVITY" MEANS AN ACTION THAT
4 SUPPORTS OR OPPOSES A POLITICAL PARTY OR CANDIDATE FOR PUBLIC
5 OFFICE.

6 (3) **Limitation on partisan political activities.** IT IS UNLAWFUL
7 FOR A COVERED PEACE OFFICER TO EITHER:

8 (a) USE OR AUTHORIZE THE USE OF PUBLIC RESOURCES FOR THE
9 PURPOSE OF CAMPAIGNING FOR OR AGAINST THE NOMINATION OR
10 ELECTION OF A CANDIDATE; OR

11 (b) ENGAGE IN PARTISAN POLITICAL ACTIVITY WHILE WEARING A
12 UNIFORM REQUIRED BY A POLITICAL SUBDIVISION OF THE STATE.

13 (4) **Exemptions.** NOTHING IN THIS SECTION PROHIBITS A COVERED
14 PEACE OFFICER FROM:

15 (a) MAKING A GOVERNMENT FACILITY AVAILABLE TO A PERSON
16 FOR CAMPAIGN PURPOSES IF THE IDENTITY OF THE CANDIDATE OR THE
17 SUPPORT FOR OR OPPOSITION TO THE CANDIDATE IS NOT A FACTOR IN
18 MAKING THE GOVERNMENT FACILITY AVAILABLE OR IN DETERMINING THE
19 COST OR CONDITION OF THE USE OF THE GOVERNMENT FACILITY;

20 (b) RESPONDING TO SPECIFIC INQUIRIES BY THE PRESS OR THE
21 PUBLIC AS TO THE COVERED PEACE OFFICER'S OPINION OR FROM PROVIDING
22 INFORMATION IN RESPONSE TO A REQUEST FOR INFORMATION; OR

23 (c) ENGAGING IN ANY POLITICAL ACTIVITY WHILE NOT WEARING
24 A UNIFORM REQUIRED BY A POLITICAL SUBDIVISION OF THE STATE.

25 (5) **Enforcement.** (a) A VIOLATION OF THIS SECTION IS A CIVIL
26 INFRACTION AND, UPON CONVICTION, A COVERED PEACE OFFICER IS
27 SUBJECT TO A FINE NOT TO EXCEED ONE THOUSAND DOLLARS PER

1 VIOLATION AND MAY BE DISMISSED FROM EMPLOYMENT AS A COVERED
2 PEACE OFFICER.

3 (b) (I) ANY PERSON MAY FILE AN AFFIDAVIT WITH THE DISTRICT
4 ATTORNEY STATING THE NAME OF ANY COVERED PEACE OFFICER WHO HAS
5 VIOLATED THIS SECTION AND STATING THE FACTS THAT CONSTITUTE THE
6 ALLEGED OFFENSE. UPON THE FILING OF SUCH AN AFFIDAVIT, THE DISTRICT
7 ATTORNEY SHALL PROMPTLY INVESTIGATE AND, IF REASONABLE GROUNDS
8 FOR FINDING A VIOLATION APPEAR, THE DISTRICT ATTORNEY SHALL
9 PROSECUTE THE VIOLATOR.

10 (II) THE ATTORNEY GENERAL HAS EQUAL POWER WITH THE
11 DISTRICT ATTORNEY TO FILE AND PROSECUTE COMPLAINTS AGAINST ANY
12 COVERED PEACE OFFICER FOR VIOLATING THIS SECTION.

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2026 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.