

CHAPTER 42

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**GOVERNMENT - LOCAL**

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**HOUSE BILL 96-1029**

BY REPRESENTATIVES Musgrave, Jerke, Lamborn, Martin, Nichol, Paschall, Pfiffner, Prinzler, Reeser, and Tupa;  
also SENATORS Mutzebaugh, Schaffer, and Tebedo.

**AN ACT**

**CONCERNING THE PUBLIC AVAILABILITY OF INFORMATION RELATING TO THE OPERATION OF ENTITIES THAT ARE FINANCIALLY SUPPORTED BY POLITICAL SUBDIVISIONS OF THE STATE.**

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

**SECTION 1.** Article 1 of title 29, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PART to read:

**PART 9  
LOCAL GOVERNMENT-FINANCED ENTITY**

**29-1-901. Definitions.** AS USED IN THIS PART 9, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "LOCAL GOVERNMENT-FINANCED ENTITY" MEANS ANY ORGANIZATION, GROUP, OR ENTITY OTHER THAN A POLITICAL SUBDIVISION THAT:

(a) IS COMPOSED OF MEMBERS THAT ARE POLITICAL SUBDIVISIONS OR WHO ARE OFFICIALS OR EMPLOYEES OF POLITICAL SUBDIVISIONS; AND

(b) DERIVES ANY OF ITS ANNUAL OPERATING BUDGET FROM DUES, CONTRIBUTIONS, OR OTHER PAYMENTS RECEIVED FROM POLITICAL SUBDIVISIONS.

(2) "POLITICAL SUBDIVISION" MEANS A COUNTY, CITY AND COUNTY, CITY, TOWN, SERVICE AUTHORITY, SCHOOL DISTRICT, LOCAL IMPROVEMENT DISTRICT, LAW ENFORCEMENT AUTHORITY, WATER, SANITATION, FIRE PROTECTION, METROPOLITAN, IRRIGATION, DRAINAGE, OR OTHER SPECIAL DISTRICT, OR ANY OTHER KIND OF MUNICIPAL, QUASI-MUNICIPAL, OR PUBLIC CORPORATION ORGANIZED PURSUANT TO

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

LAW.

**29-1-902. Local government-financed entity - records - public inspection.**

(1) A LOCAL GOVERNMENT-FINANCED ENTITY SHALL MAKE THE FOLLOWING INFORMATION AVAILABLE FOR PUBLIC INSPECTION AND COPYING DURING REGULAR BUSINESS HOURS:

(a) A LIST OF THE MEMBERS OF THE ENTITY;

(b) THE ANNUAL OPERATING BUDGET OF THE ENTITY THAT IS GOVERNMENT FINANCED;

(c) THE COMPENSATION PAID TO OFFICERS AND EMPLOYEES OF AND TO ANY OTHER PERSON PERFORMING SERVICES FOR THE ENTITY, INCLUDING EXPENSE ALLOWANCES AND BENEFITS;

(d) THE NAME OF ANY PERSON LOBBYING, AS DEFINED IN SECTION 24-6-301 (3.5), C.R.S., ON BEHALF OF THE ENTITY AND THE TOTAL AMOUNT EXPENDED BY THE ENTITY FOR LOBBYING OVER THE PREVIOUS TWELVE MONTHS;

(e) THE MOST RECENT DISCLOSURE STATEMENT FILED BY THE ENTITY OR BY ANY PERSON LOBBYING ON BEHALF OF THE ENTITY PURSUANT TO SECTION 24-6-302, C.R.S.

**SECTION 2.** 24-72-202 (2) and (6), Colorado Revised Statutes, 1988 Repl. Vol., are amended, and the said 24-72-202 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

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

(1.7) "LOCAL GOVERNMENT-FINANCED ENTITY" SHALL HAVE THE SAME MEANING AS PROVIDED IN SECTION 29-1-901 (1), C.R.S.

(2) "Official custodian" means and includes any officer or employee of the state, ~~or~~ OF any agency, institution, or political subdivision ~~thereof~~ OF THE STATE, OR OF ANY LOCAL GOVERNMENT-FINANCED ENTITY who is responsible for the maintenance, care, and keeping of public records, regardless of whether ~~such~~ THE records are in his OR HER actual personal custody and control.

(6) "Public records" means and includes all writings made, maintained, or kept by the state, ~~or~~ any agency, institution, or political subdivision ~~thereof~~ OF THE STATE, OR THAT ARE DESCRIBED IN SECTION 29-1-902, C.R.S., AND HELD BY ANY LOCAL GOVERNMENT-FINANCED ENTITY for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. It does not include criminal justice records ~~which~~ THAT are subject to the provisions of part 3 of this article.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 8, 1996