

RULES OF THE COMMITTEE ON LEGAL SERVICES

RULE 1. MEETINGS

The Committee shall meet within the first twenty legislative days of each regular legislative session of the General Assembly and as scheduled by the Chair of the Committee throughout the remainder of the legislative session. During the legislative interim, the Committee shall meet as often as necessary to transact the business of the Committee. The Chair shall set the date and hour for the meetings. The Committee shall hold all meetings at the State Capitol in Denver, Colorado, unless otherwise specified in the motion of adjournment of the previous meeting or by the Chair.

RULE 2. ELECTION OF OFFICERS - DUTIES

The Committee shall elect a Chair and a Vice-Chair from its membership at the first meeting held during each regular legislative session. The Chair shall preside at all meetings of the Committee and shall perform the duties set forth in these rules. In the absence of the Chair or in case of the Chair's inability to act, the Vice-Chair shall preside and perform the required duties.

The Chair and Vice-Chair must not be members of the same political party and, whenever possible, one must be a member of the Senate and the other of the House of Representatives.

If a vacancy arises in the office of Chair or Vice-Chair, the Committee shall elect a replacement from its membership in accordance with the requirements of this Rule 2.

RULE 3. MEETINGS OPEN TO PUBLIC - RULES OF ORDER

Except when meeting in executive session, all meetings of the Committee are open to the public. The Committee shall conduct all of its proceedings in accordance with the provisions of section 24-6-402, C.R.S., that pertain to state public bodies.

A second is not required for a motion presented to the Committee.

RULES 4. QUORUM

A majority of the membership of the Committee constitutes a quorum. For the Committee to take an action other than adjourning to the next business day or to a later time on the same day, the affirmative vote of a majority of a quorum or of a majority of the Committee members present, whichever is greater, is required.

RULE 5. ORDER OF BUSINESS

The Chair shall determine the order of business for each Committee meeting, which order must be stated in the meeting agenda.

RULE 6. ANNUAL BUDGET PRESENTATION

The Director of the Office of Legislative Legal Services shall prepare and submit to the Committee, at or before the Committee meeting held in March each year, proposed budgets

for the upcoming fiscal year for the Office of Legislative Legal Services and the ~~Office of Legislative Workplace Relations~~ HUMAN RESOURCES DIVISION. After the Committee approves the budgets, the budgets shall be presented to the Executive Committee of the Legislative Council for inclusion in the Legislative Department appropriations bill for the upcoming fiscal year.

RULE 7. ROLL CALL - WHEN REQUESTED

The Committee shall take and record the results of roll call votes on motions concerning whether to extend administrative rules and on other motions to which one or more Committee members have voiced objection. The record must include the names of those voting on motions and how they voted and must be available for public inspection.

RULE 8. ACTION - HOW TAKEN

The sentiment of the Committee may be expressed in the form of a resolution duly adopted, by adoption of a motion, or by letter issued by the Chair as approved by the Committee.

Unless a Committee member objects, a poll of the members of the Committee on the question of whether to retain legal counsel, or on a question concerning a time-sensitive matter as identified by the Chair and Vice-Chair, may be conducted by in-person, electronic, or digital communication. The approval of the question by a majority of the members of the Committee has the same effect as adoption of a resolution or motion. If the Committee approves a question by poll, other than a question concerning retention of legal counsel, the Committee shall ratify approval of the question by motion at the next Committee meeting held after the poll is taken.

RULE 9. LEGISLATIVE REVIEW OF ADMINISTRATIVE RULES

At each meeting of the Committee, whenever staff have found administrative rules that require the attention and consideration of the Committee pursuant to section 24-4-103 (8)(d), C.R.S., the Committee shall consider staff comments and may receive testimony, oral or in writing, from the promulgating agency, from the Office of the Attorney General, and from interested members of the public.

If the Committee determines that a rule, or a portion of a rule, exceeds the lawful authority of the promulgating agency or conflicts with statute, the Committee may recommend that the rule not be extended beyond the expiration date for the rule specified in section 24-4-103 (8)(c), C.R.S., or, if the rule has already been extended, that the rule be repealed. The staff shall include the recommendations of the Committee in a bill that the Committee annually introduces as described in section 24-4-103 (8)(d), C.R.S.

RULE 10. RETAINING LEGAL COUNSEL

Under section 2-3-1001, C.R.S., the Committee may retain an attorney who is licensed to practice law in the State of Colorado to represent or otherwise provide legal

services, under such terms and conditions as the Committee may set, for the General Assembly, the House of Representatives, the Senate, a legislative committee, a legislator, or an agency or employee of the Legislative Department. The entity for which or the individual for whom the attorney is retained is the client, and the Committee stands in the position of third-party payor. As such, the attorney shall consult directly with the client concerning strategy and representation in the matter for which the attorney is retained and, upon request, shall report to the Committee concerning the progress of the matter, including the disposition of the matter and the amount of any settlement, which amount is subject to the Committee's approval if it is to be paid from money appropriated from the legislative expenses cash fund. The attorney's fees and expenses are paid from money appropriated to the Committee ~~for such purposes~~.

If an action is filed that names the General Assembly, the House of Representatives, the Senate, a legislative committee, a legislator, or an agency or employee of the Legislative Department as defendant, the Committee may authorize the Director of the Office of Legislative Legal Services, or the Director's designee, to enter an appearance on behalf of the defendant and to file a motion for extension of time within which to file a responsive pleading, pending action by the Committee to select an attorney to provide representation.

RULE 11. RECONSIDERATION.

After the Committee has decided a question in a meeting, a member who voted on the prevailing side may move to reconsider. If the Committee refuses to reconsider, or upon reconsideration affirms its initial decision, a subsequent motion to reconsider the question is not in order except by unanimous consent; otherwise, a motion to reconsider requires the affirmative vote of a majority of the Committee members. A Committee member may move to reconsider at the meeting at which the Committee made the decision or at the next meeting of the Committee.

When there has been a tie vote on a question the Committee has decided, for purposes of making a motion to reconsider, a member who voted "no" is deemed to have voted on the prevailing side.

RULE 12. ADOPTION, AMENDMENT, AND APPLICATION OF RULES

At the first meeting held after a general election, the Committee shall review and readopt these rules. At any time, the Committee may adopt additional rules or amend or repeal one or more of the existing rules.

If the Committee is meeting as the committee of reference on the bill that the Committee annually introduces pursuant to section 24-4-103 (8)(d), C.R.S., the Committee shall follow the committee rules of the chamber that holds the bill, and these rules of the Committee on Legal Services do not apply.

Readopted by the Committee on Legal Services on January 22, ~~2025~~ 2026