

CHAPTER 145

GOVERNMENT - STATE

SENATE BILL 24-026

BY SENATOR(S) Roberts and Will, Bridges, Hinrichsen, Pelton B., Pelton R., Baisley, Buckner, Coleman, Cutter, Exum, Gardner, Ginal, Kirkmeyer, Kolker, Liston, Lundeen, Marchman, Michaelson Jenet, Mullica, Priola, Rich, Simpson, Smallwood, Sullivan, Winter F.;

also REPRESENTATIVE(S) McLachlan and Catlin, Lynch, Martinez, McCormick, Amabile, Armagost, Bacon, Boesenecker, Bradley, Brown, Daugherty, DeGraaf, Duran, Epps, Frizell, Froelich, Garcia, Hamrick, Hartsook, Jodeh, Kipp, Lieder, Lindsay, Lukens, Marvin, Mauro, Pugliese, Soper, Story, Titone, Velasco, Weinberg, Willford, Winter T., Woodrow, Young, McCluskie.

AN ACT

CONCERNING A REQUIREMENT THAT MEMBERS OF CERTAIN STATE REGULATORY BODIES WHO ARE APPOINTED BY THE GOVERNOR HOLD MEETINGS TO ELICIT PUBLIC ENGAGEMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 33-9-101, **amend** (8); and **add** (3)(g) as follows:

33-9-101. Commission - creation - composition - terms - vacancies - removal - meetings - strategic plan - legislative declaration - public engagement - reports. (3) (g) (I) EACH YEAR THAT A VOTING MEMBER OF THE COMMISSION SERVES ON THE COMMISSION, THE VOTING MEMBER SHALL PARTICIPATE IN AT LEAST TWO PUBLIC MEETINGS TO DIRECTLY ENGAGE PEOPLE IN THE GEOGRAPHIC AREA THAT THE MEMBER REPRESENTS; EXCEPT THAT EACH OF THE MEMBERS APPOINTED TO REPRESENT THE PUBLIC AT LARGE SHALL PARTICIPATE IN AT LEAST ONE MEETING PER YEAR WEST OF THE CONTINENTAL DIVIDE AND AT LEAST ONE MEETING PER YEAR EAST OF THE CONTINENTAL DIVIDE, UNLESS THE MEETING IS VIRTUAL.

(II) THE DIRECTOR SHALL:

(A) FOR EACH COMMISSION MEMBER SUBJECT TO THE PUBLIC MEETINGS REQUIREMENT SET FORTH IN SUBSECTION (3)(g)(I) OF THIS SECTION, TRACK AND REPORT TO THE CHAIR OF THE COMMISSION ON THE STATUS OF THE MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER YEAR AT A TIME DETERMINED BY THE CHAIR; AND

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(B) PROVIDE THE DATA TRACKED UNDER SUBSECTION (3)(g)(II)(A) OF THIS SECTION TO THE EXECUTIVE DIRECTOR FOR INCLUSION IN THE DEPARTMENT'S ANNUAL "SMART ACT" PRESENTATION TO THE GENERAL ASSEMBLY PURSUANT TO SECTION 2-7-203.

(III) THE GOVERNOR MAY DETERMINE THAT A VOTING MEMBER'S FAILURE TO PARTICIPATE IN PUBLIC MEETINGS PURSUANT TO THIS SUBSECTION (3)(g) QUALIFIES AS CAUSE FOR REMOVAL PURSUANT TO SUBSECTION (5) OF THIS SECTION.

(8) For each day actually engaged in the duties of the commission, the commission members are entitled to receive a per diem amount of fifty dollars, together with all actual and necessary travel expenses to be paid after the expenses are incurred. Mileage rates are as provided in section 24-9-104. ~~C.R.S.~~ VOTING COMMISSION MEMBERS ARE ENTITLED TO BE REIMBURSED FOR REASONABLE COSTS INCURRED IN PARTICIPATING IN PUBLIC MEETINGS PURSUANT TO SUBSECTION (3)(g) OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 35-1-105, **add** (3.5) as follows:

35-1-105. State agricultural commission - creation - composition - public engagement - reports. (3.5) (a) EACH YEAR THAT A MEMBER SERVES ON THE COMMISSION, THE MEMBER SHALL PARTICIPATE IN AT LEAST TWO PUBLIC MEETINGS IN THE MEMBER'S DISTRICT; EXCEPT THAT EACH OF THE FIVE MEMBERS APPOINTED FROM THE STATE AT LARGE SHALL PARTICIPATE IN AT LEAST ONE MEETING PER YEAR WEST OF THE CONTINENTAL DIVIDE AND AT LEAST ONE MEETING PER YEAR EAST OF THE CONTINENTAL DIVIDE, UNLESS THE MEETING IS VIRTUAL.

(b) MEMBERS ARE ENTITLED TO BE REIMBURSED FOR REASONABLE COSTS INCURRED IN PARTICIPATING IN PUBLIC MEETINGS PURSUANT TO SUBSECTION (3.5)(a) OF THIS SECTION.

(c) THE COMMISSIONER SHALL:

(I) TRACK AND REPORT TO THE CHAIR OF THE COMMISSION THE STATUS OF EACH VOTING MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER YEAR AT A TIME DETERMINED BY THE CHAIR; AND

(II) INCLUDE THE DATA TRACKED UNDER SUBSECTION (3.5)(c)(I) OF THIS SECTION IN THE DEPARTMENT'S ANNUAL "SMART ACT" PRESENTATION TO THE GENERAL ASSEMBLY PURSUANT TO SECTION 2-7-203.

(d) THE GOVERNOR MAY DETERMINE THAT A COMMISSION MEMBER'S FAILURE TO PARTICIPATE IN PUBLIC MEETINGS PURSUANT TO THIS SUBSECTION (3.5) QUALIFIES AS CAUSE FOR REMOVAL FROM THE COMMISSION.

SECTION 3. In Colorado Revised Statutes, 37-60-104, **add** (5) as follows:

37-60-104. Composition of the board - public engagement - reports. (5) (a) EACH YEAR THAT A BOARD MEMBER APPOINTED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION SERVES ON THE BOARD, THE MEMBER SHALL PARTICIPATE IN

AT LEAST TWO PUBLIC MEETINGS IN THE GEOGRAPHIC AREA THAT THE MEMBER REPRESENTS, UNLESS THE MEETING IS VIRTUAL.

(b) MEMBERS ARE ENTITLED TO BE REIMBURSED FOR REASONABLE COSTS INCURRED IN PARTICIPATING IN PUBLIC MEETINGS PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION AS NECESSARY EXPENSES ACTUALLY INCURRED IN THE PERFORMANCE OF OFFICIAL DUTIES IN ACCORDANCE WITH SECTION 37-60-111.

(c) THE DIRECTOR OF THE BOARD SHALL:

(I) FOR EACH BOARD MEMBER SUBJECT TO THE PUBLIC MEETINGS REQUIREMENT SET FORTH IN SUBSECTION (5)(a) OF THIS SECTION, TRACK AND REPORT TO THE CHAIR OF THE BOARD THE STATUS OF THE BOARD MEMBER'S PUBLIC MEETINGS AT LEAST ONCE PER YEAR AT A TIME DETERMINED BY THE CHAIR; AND

(II) PROVIDE THE DATA TRACKED UNDER SUBSECTION (5)(c)(I) OF THIS SECTION TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES FOR INCLUSION IN THE DEPARTMENT'S ANNUAL "SMART ACT" PRESENTATION TO THE GENERAL ASSEMBLY PURSUANT TO SECTION 2-7-203.

(d) THE GOVERNOR MAY DETERMINE THAT A BOARD MEMBER'S FAILURE TO PARTICIPATE IN PUBLIC MEETINGS PURSUANT TO THIS SUBSECTION (5) QUALIFIES AS CAUSE FOR REMOVAL FROM THE BOARD.

SECTION 4. Appropriation. (1) For the 2024-25 state fiscal year, \$10,504 is appropriated to the department of natural resources for use by the division of parks and wildlife. This appropriation consists of \$6,828 from the wildlife cash fund created in section 33-1-112 (1)(a), C.R.S., and \$3,676 from the parks and outdoor recreation cash fund created in section 33-10-111 (1), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) \$6,828 from the wildlife cash fund for wildlife operations; and

(b) \$3,676 from the parks and outdoor recreation cash fund for state park operations.

SECTION 5. Act subject to petition - effective date. This act takes effect January 1, 2025; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect January 1, 2025, or on the date of the official declaration of the vote thereon by the governor, whichever is later.

Approved: May 1, 2024