

CHAPTER 335

ELECTIONS

HOUSE BILL 16-1225

BY REPRESENTATIVE(S) Priola, Conti, Windholz;
also SENATOR(S) Tate, Hill, Jahn, Johnston, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, Woods.

AN ACT

CONCERNING A REQUIREMENT THAT SCHOOL DISTRICTS WITH A CERTAIN MINIMUM NUMBER OF ENROLLED PUPILS POST INFORMATION ONLINE THAT IS SUBMITTED BY DIRECTOR CANDIDATES PRIOR TO THE ELECTION.

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

SECTION 1. Legislative declaration. The general assembly hereby finds, determines, and declares that the position of school district director is an important and often powerful role, involving the direction of billions of public dollars, but that electors frequently receive very little information on director candidates. The general assembly further finds that modern technology has enabled instant and comprehensive access to many types of personal information on individuals in the private sphere, and that the public sector could easily and efficiently adapt those models for the public good. The general assembly therefore declares that it intends to increase transparency and knowledge in school district director elections by requiring larger school districts to post online certain minimum information currently provided by director candidates and by encouraging such school districts to develop additional ways to help create a fully informed electorate.

SECTION 2. In Colorado Revised Statutes, 22-31-107, **add** (2.5) as follows:

22-31-107. Candidates for school director - call - qualification - nomination - legislative intent. (2.5) (a) (I) PRIOR TO EACH ELECTION FOR SCHOOL DISTRICT DIRECTOR, A SCHOOL DISTRICT IN WHICH AT LEAST ONE THOUSAND PUPILS ARE ENROLLED SHALL POST, IN A PROMINENT AREA ON THE SCHOOL DISTRICT'S OFFICIAL WEBSITE:

(A) AN IMAGE OF THE WRITTEN NOTICE OF INTENTION SUBMITTED PURSUANT TO SUBSECTION (2) OF THIS SECTION BY EACH CANDIDATE FOR SCHOOL DISTRICT

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

DIRECTOR; AND

(B) EACH SCHOOL DISTRICT DIRECTOR CANDIDATE'S CONTACT INFORMATION, INCLUDING HIS OR HER NAME; RESIDENTIAL ADDRESS; MAILING ADDRESS, IF DIFFERENT THAN THE RESIDENTIAL ADDRESS; TELEPHONE NUMBER; E-MAIL ADDRESS, IF ANY; AND WEBSITE, IF ANY. IN ORDER TO POST THIS INFORMATION AS INEXPENSIVELY AND EFFICIENTLY AS POSSIBLE, THE SCHOOL DISTRICT MAY PROVIDE HYPERLINKS TO THE AREA OF THE SECRETARY OF STATE'S OFFICIAL WEBSITE, IF ANY, CONTAINING THIS INFORMATION.

(II) A SCHOOL DISTRICT SUBJECT TO THIS PARAGRAPH (a) SHALL MAKE THE REQUIRED POSTINGS AS SOON AS PRACTICABLE, BUT NO LATER THAN SIXTY DAYS PRIOR TO THE ELECTION. THE INFORMATION MUST BE ORGANIZED IN ALPHABETICAL ORDER BY CANDIDATE SURNAME.

(b) NOTHING IN THIS SUBSECTION (2.5) PRECLUDES ANY SCHOOL DISTRICT FROM POSTING ON ITS OFFICIAL WEBSITE, OR DEVELOPING OTHER METHODS TO PROVIDE, INFORMATION OR RESOURCES THAT INCREASE THE ELECTORATE'S OPPORTUNITIES TO LEARN MORE ABOUT SCHOOL DISTRICT DIRECTOR CANDIDATES.

(c) ANY INFORMATION POSTED ONLINE PURSUANT TO PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (2.5) SHALL BE ACCOMPLISHED, TO THE MAXIMUM EXTENT POSSIBLE, WITHIN EXISTING FISCAL RESOURCES.

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); 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 such period, 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 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to elections conducted on or after the applicable effective date of this act.

Approved: June 10, 2016