



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1201

FINAL FISCAL NOTE

Drafting Number:	LLS 19-0874	Date:	July 17, 2019
Prime Sponsors:	Rep. Kipp; Wilson Sen. Coram; Story	Bill Status:	Signed into Law
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Bill Topic: BOARD OF EDUCATION EXECUTIVE SESSION NEGOTIATIONS STRATEGY

Summary of Fiscal Impact: **No fiscal impact.** This bill clarifies that a school district board of education may use an executive session to discuss negotiation strategies related to collective bargaining.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

The bill clarifies that a school district board of education may hold an executive session for the purpose of developing strategies related to negotiations of a collective bargaining agreement or employment contract.

Background

Colorado open meetings law. Any meeting at which a state or local governmental body discusses public business or takes formal action must be open to the public. If a governmental body is meeting to discuss issues such as personnel matters, security details, or real estate transactions, a closed meeting, known as an executive session, may be called. Governmental bodies may also go into executive session to determine positions on matters subject to negotiations, to develop negotiation strategy, and to instruct negotiators. A vote of two-thirds of the members present is required to enter executive session, and the topics to be discussed must be disclosed. Any final action on matters discussed in executive session must be taken in public.

Proposition 104. Proposition 104, a ballot measure approved by voters in 2014, requires that school boards or their representatives negotiate collective bargaining agreements in meetings that are open to the public. Proposition 104 only applies to school districts and does not impact how other public bodies negotiate collective bargaining agreements.

Assessment of No Fiscal Impact

This bill clarifies that school district boards of education may enter an executive session to develop negotiation strategies relating to collective bargaining agreements. Holding executive sessions or discussing negotiation strategies does not directly impact the revenue, expenditures, or workload of any school district. For this reason, the bill is assessed as having no fiscal impact.

Effective Date

The bill was signed into law by the Governor on April 12, 2019, and takes effect September 1, 2019, assuming no referendum petition is filed.

State and Local Government Contacts

School Districts