

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 20-0904.01 Jane Ritter x4342

HOUSE BILL 20-1186

HOUSE SPONSORSHIP

Liston, Geitner, Sandridge

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TEACHERS' RIGHTS RELATED TO MEMBERSHIP IN**
102 **ORGANIZATIONS RELATED TO THEIR EMPLOYMENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law states that a school district cannot require, by inference or otherwise, a teacher to become a member of a group or organization as part of their employment contract or agreement. The bill clarifies that a teacher has the right to opt in or opt out of membership in a group or organization at any time.

The state board of education is required to promulgate rules that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

require the department of education to notify in writing or electronically teachers, at least 2 times per year, of their rights relating to opting in or out of membership in a group or organization related to their employment.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 22-61-102 as
3 follows:

4 **22-61-102. No automatic group membership - opt-in provision**
5 **- notification - rules.** (1) ~~No contract or other employment arrangement~~
6 ~~executed or made by and between any school district and teacher shall~~
7 ~~require by inference or otherwise that said teacher become a member of~~
8 ~~or belong to any group or organization.~~ A SCHOOL DISTRICT SHALL NOT
9 REQUIRE, THROUGH A CONTRACT OR OTHER EMPLOYMENT ARRANGEMENT
10 MADE BY AND BETWEEN THE SCHOOL DISTRICT AND A TEACHER, BY
11 INFERENCE OR OTHERWISE, THAT THE TEACHER BECOME A MEMBER OF
12 ANY GROUP OR ORGANIZATION. THE OPTION TO OPT IN OR OPT OUT OF
13 MEMBERSHIP IN A GROUP OR ORGANIZATION RELATED TO A TEACHER'S
14 EMPLOYMENT IS AVAILABLE TO A TEACHER AT ANY TIME.

15 (2) ON OR BEFORE NOVEMBER 30, 2020, THE STATE BOARD OF
16 EDUCATION SHALL PROMULGATE RULES THAT REQUIRE THE DEPARTMENT
17 OF EDUCATION TO NOTIFY IN WRITING OR ELECTRONICALLY ALL TEACHERS
18 IN THE STATE, AT LEAST TWO TIMES PER YEAR, OF A TEACHER'S RIGHTS
19 REGARDING MEMBERSHIP IN A GROUP OR ORGANIZATION RELATED TO THE
20 TEACHER'S EMPLOYMENT.

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2020 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.