

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 20-0971.01 Conrad Imel x2313

HOUSE BILL 20-1301

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A BILL FOR AN ACT

101 **CONCERNING ELECTRONIC ATTENDANCE IN MEETINGS OF SCHOOL**
102 **DISTRICT BOARDS OF EDUCATION.**

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>.)

Under existing law, a school district board of education (board) may adopt a policy that allows board members to participate in board meetings electronically, but a quorum of board members is required to be physically present in one location to convene a meeting. The bill requires that board members attending electronically be included in the number of members present necessary to convene a meeting.

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.*

HOUSE
3rd Reading Unamended
March 4, 2020

HOUSE
2nd Reading Unamended
March 3, 2020

The bill expresses the general assembly's intent that a board's policy authorizing electronic participation include a procedure for ensuring that electronically participating members have real-time access to materials presented at the meeting.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-32-108, **amend**
3 (7)(b) introductory portion, (7)(b)(I), (7)(b)(IV), and (7)(b)(V); and **add**
4 (7)(b)(VI) as follows:

5 **22-32-108. Meetings of the board of education - legislative**
6 **intent.** (7) (b) It is the intent of the general assembly that a board that
7 adopts a policy authorized in ~~paragraph (a) of this subsection (7)~~
8 SUBSECTION (7)(a) OF THIS SECTION to allow board members to attend and
9 participate electronically in regular or special board meetings ~~will ensure~~
10 ENSURES that the policy:

11 (I) Requires a quorum of the board, ~~to be~~ INCLUDING MEMBERS
12 physically present ~~in one location~~ AND MEMBERS ATTENDING
13 ELECTRONICALLY, to convene a meeting;

14 (IV) Requires the board to have technology in place that ~~will~~
15 ~~ensure~~ ENSURES that members of the public can hear the comments made
16 by a board member who attends the meeting electronically and that the
17 board member can hear comments made by the public; ~~and~~

18 (V) Clearly describes the methods by which a board member may
19 attend a meeting electronically, which methods may include attendance
20 via telephone, video conferencing, or other electronic means; AND

21 (VI) REQUIRES THE BOARD TO HAVE A PROCEDURE IN PLACE TO
22 ENSURE THAT A BOARD MEMBER WHO ATTENDS THE MEETING
23 ELECTRONICALLY HAS REAL-TIME ACCESS TO ANY MATERIALS THAT ARE

1 PRESENTED AND AVAILABLE TO MEMBERS WHO ARE PHYSICALLY PRESENT
2 AT THE MEETING.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2020 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.