

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0589.01 Owen Hatch x2698

SENATE BILL 25-065

SENATE SPONSORSHIP

Baisley,

HOUSE SPONSORSHIP

Richardson,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING CLARIFYING THAT A PUBLIC ENTITY DOES NOT HAVE TO
102 SATISFY ANY PORTION OF A CIVIL LIABILITY WHEN THE PEACE
103 OFFICER IS CONVICTED FOR CONDUCT RELATED TO THE CIVIL
104 CLAIM.

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>.)

The bill clarifies that a public entity is not required to pay any portion of the civil judgment or settlement if the peace officer's underlying conduct resulted in the peace officer's criminal conviction,

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

unless the public entity played a causal role in the violation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-21-131, **amend**
3 (4)(a) as follows:

4 **13-21-131. Civil action for deprivation of rights.**

5 (4) (a) Notwithstanding any other provision of law, a peace officer's
6 employer shall indemnify its peace officers for any liability incurred by
7 the peace officer and for any judgment or settlement entered against the
8 peace officer for claims arising pursuant to this section; except that, if the
9 peace officer's employer determines on a case-by-case basis that the
10 officer did not act upon a good faith and reasonable belief that the action
11 was lawful, then the peace officer is personally liable and shall not be
12 indemnified by the peace officer's employer for five percent of the
13 judgment or settlement or twenty-five thousand dollars, whichever is less.
14 Notwithstanding any provision of this section to the contrary, if the peace
15 officer's portion of the judgment is uncollectible from the peace officer,
16 the peace officer's employer or insurance shall satisfy the full amount of
17 the judgment or settlement. NOTWITHSTANDING ANY PROVISION OF THIS
18 SECTION TO THE CONTRARY, a public entity does not have to indemnify a
19 peace officer, AND DOES NOT HAVE TO SATISFY ANY PORTION OF THE
20 JUDGMENT OR SETTLEMENT, if the peace officer was convicted of a
21 criminal violation for the conduct from which the claim arises unless the
22 peace officer's employer was a causal factor in the violation, through its
23 action or inaction.

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2026 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.