

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0624.01 Jed Franklin x5484

HOUSE BILL 25-1079

HOUSE SPONSORSHIP

Story,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SCOPE OF THE INDEPENDENT ETHICS COMMISSION'S
102 JURISDICTION OVER ETHICS COMPLAINTS AGAINST LOCAL
103 GOVERNMENTS, AND, IN CONNECTION THEREWITH, EXPANDING
104 THE INDEPENDENT ETHICS COMMISSION'S JURISDICTION TO
105 INCLUDE SCHOOL DISTRICTS AND SPECIAL DISTRICTS.

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 current law, the independent ethics commission created in article XXIX of the state constitution does not have jurisdiction over

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.

officials or employees of special districts or school districts. The bill gives the independent ethics commission jurisdiction to hear complaints, issue findings, assess penalties, and issue advisory opinions on ethics issues concerning a special district official or employee or school district official or employee. However:

- "Officials" include only members of a school district or special district board;
- "School district employee" includes only the superintendent or head administrative officer designated by a school board to execute its policy decisions who is appointed or hired by, directly reports to, and is subject to the direction of the school district board; and
- "Special district employee" includes only an employee of a special district who is appointed or hired by, directly reports to, and is subject to the direction of the special district's board.

Existing law establishes ethical standards for a special district official or employee or school district official or employee. The bill incorporates those standards under the independent ethics commission's jurisdiction and expands the standards to include those described in article XXIX of the state constitution.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-18.5-101, **add**
3 (4.5) as follows:

4 **24-18.5-101. Independent ethics commission - establishment**
5 **- membership - subpoena power - definitions.** (4.5) (a) AS USED IN
6 THIS SUBSECTION (4.5), UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (I) "ANY OTHER STANDARDS OF CONDUCT AND REPORTING
8 REQUIREMENTS AS PROVIDED BY LAW" HAS THE SAME MEANING AS SET
9 FORTH IN SECTION 5 OF ARTICLE XXIX OF THE STATE CONSTITUTION.

10 (II) "SCHOOL DISTRICT" HAS THE SAME MEANING AS SET FORTH IN
11 SECTION 22-30-103 (13).

12 (III) "SCHOOL DISTRICT EMPLOYEE" MEANS A TEMPORARY OR
13 PERMANENT SUPERINTENDENT OF A SCHOOL DISTRICT OR A TEMPORARY OR

1 PERMANENT HEAD ADMINISTRATIVE OFFICER DESIGNATED BY A SCHOOL
2 BOARD TO EXECUTE ITS POLICY DECISIONS WHO IS APPOINTED OR HIRED
3 BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF THE
4 SCHOOL DISTRICT'S BOARD.

5 (IV) "SCHOOL DISTRICT OFFICIAL" MEANS A MEMBER OF A SCHOOL
6 DISTRICT'S BOARD.

7 (V) "SPECIAL DISTRICT" MEANS A QUASI-MUNICIPAL CORPORATION
8 AND POLITICAL SUBDIVISION ORGANIZED OR ACTING PURSUANT TO THE
9 PROVISIONS OF TITLE 32 AND DOES NOT INCLUDE ANY ENTITY ORGANIZED
10 OR ACTING PURSUANT TO THE PROVISIONS OF ARTICLE 8 OF TITLE 29,
11 ARTICLE 20 OF TITLE 30, ARTICLE 25 OF TITLE 31, OR ARTICLES 41 TO 50
12 OF TITLE 37.

13 (VI) "SPECIAL DISTRICT EMPLOYEE" MEANS A TEMPORARY OR
14 PERMANENT EMPLOYEE OF A SPECIAL DISTRICT WHO IS APPOINTED OR
15 HIRED BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF
16 THE SPECIAL DISTRICT'S BOARD.

17 (VII) "SPECIAL DISTRICT OFFICIAL" MEANS A MEMBER OF A
18 SPECIAL DISTRICT'S BOARD.

19 (b) SPECIAL DISTRICT OFFICIALS, SPECIAL DISTRICT EMPLOYEES,
20 SCHOOL DISTRICT OFFICIALS, AND SCHOOL DISTRICT EMPLOYEES ARE
21 SUBJECT TO THE PROVISIONS OF ARTICLE XXIX OF THE STATE
22 CONSTITUTION AND TO ANY OTHER STANDARDS OF CONDUCT AND
23 REPORTING REQUIREMENTS AS PROVIDED BY LAW.

24 (c) IN ADDITION TO ANY OF ITS OTHER POWERS AND DUTIES AS
25 PROVIDED BY LAW, THE COMMISSION MAY:

26 (I) HEAR COMPLAINTS, ISSUE FINDINGS, AND ASSESS PENALTIES ON
27 ETHICS ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE

1 CONSTITUTION AND OTHER STANDARDS OF CONDUCT AND REPORTING
2 REQUIREMENTS AS PROVIDED BY LAW INVOLVING SPECIAL DISTRICT
3 OFFICIALS, SPECIAL DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR
4 SCHOOL DISTRICT EMPLOYEES; AND

5 (II) ISSUE ADVISORY OPINIONS AND LETTER RULINGS ON ETHICS
6 ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE CONSTITUTION AND
7 OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS
8 PROVIDED BY LAW INVOLVING SPECIAL DISTRICT OFFICIALS, SPECIAL
9 DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR SCHOOL DISTRICT
10 EMPLOYEES.

11 **SECTION 2. Act subject to petition - effective date -**
12 **applicability.** (1) This act takes effect July 1, 2027; except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within the ninety-day period after final adjournment of the general
16 assembly, then the act, item, section, or part will not take effect unless
17 approved by the people at the general election to be held in November
18 2026 and, in such case, will take effect on July 1, 2027.

19 (2) This act applies to a special district employee and a school
20 district employee who is or becomes employed by a special district or
21 school district, as applicable, and to a special district official and a school
22 district official who is or becomes a member of a special district's board
23 or a school district's board, as applicable, on or after the effective date of
24 this act.