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MEMORANDUM (2)(C)¹

TO: Statutory Revision Committee

FROM: Kip Kolkmeier, Office of Legislative Legal Services

DATE: August 11, 2017

SUBJECT: Public employment-related oaths and bonds

Summary

During consideration of Senate Bill 17-026 (State Engineer Statutes Cleanup), an issue arose concerning the exiting statutory requirement that the state engineer and his or her deputies take an oath of office and file a personal surety bond. The House sponsor of Senate Bill 17-026, Representative Arndt, requested that the Office of Legislative Legal Services (OLLS) research whether the oath and bond requirements for the office of state engineer were typical of other state officials. As a result of this preliminary research, Rep. Arndt requested OLLS to undertake a comprehensive review of public employment-related oaths and bonds to determine whether these provisions could be updated and harmonized in the Colorado Revised Statutes.

The research revealed that numerous statutory provisions require an oath of office and some type of personal bond related to state or local government service. There is, however, little consistency among these provisions and some requirements appear antiquated. The research results are contained in three attachments: **Addendum A** quotes each state constitutional and statutory section that refers to employment-related oaths or bonds; **Addendum B** cites and summarizes references to oaths and bonds in

¹ This legal memorandum was prepared by the Office of Legislative Legal Services (OLLS) in the course of its statutory duty to provide staff assistance to the Statutory Revision Committee (SRC). It does not represent an official legal position of the OLLS, SRC, General Assembly, or the state of Colorado, and is not binding on the members of the SRC. This memorandum is intended for use in the legislative process and as information to assist the SRC in the performance of its legislative duties.

constitutional provisions; and **Addendum C** cites and summarizes references to oaths and bonds in statutory sections.

Analysis

The Colorado Constitution establishes basic requirements for only a few specific oaths and bonds. Articles 12 and 13 of title 24, C.R.S., establish some standard oath and bond provisions. However, numerous individual statutory sections apply separate and often inconsistent oath and bond requirements. There are two main conclusions that can be drawn from the research:

1. Almost every state and local elected or appointed official must take some type of oath of office. However:
 - Most oaths do not state a specific text for the oath;
 - Where text is provided, it is inconsistent with other oath texts;
 - The methods of taking or documenting an oath of office are inconsistent;
 - The requirements or processes for filing an oath such that it becomes a matter of public record are inconsistent; and
 - The requirements for the date an oath must be taken are inconsistent.

2. Most public officials and employees who are required to take an oath of office are also required to provide some type of personal bond. However:
 - The description of the type of bond required is inconsistent;
 - The amount of such bonds is inconsistent;
 - The method of filing the bond is inconsistent, and there is no comprehensive process for making bonds a matter of public record;
 - The approach to determining who pays the cost of a bond is inconsistent, but, generally, bonds are paid for by the governing agency; and
 - While there is a general provision permitting agencies to purchase liability insurance covering acts by officials and employees,² insurance is not a substitute for a personal bond. A few provisions allow an

² § 24-14-102, C.R.S.

agency to purchase insurance in lieu of a personal bond, but this option is not generally available.

While some of these variations may be justified by the particular powers or duties of the affected officials and employees, many appear unjustified. However, setting statutory bond amounts may be a policy question beyond merely updating bond provisions, and perhaps beyond the Committee's charge.

Statutory Charge³

The Committee may wish to consider several possible legislative amendments regarding statutory oaths of office and personal bond requirements. Each of these changes would address the Committee's charge by removing an outdated provision, repealing redundant language, or eliminating inconsistent provisions.

1. The SRC could propose repealing three anachronistic provisions:

- Section 24-13-122, C.R.S., which states that only a “freeholder” in the county may serve as a surety for an official bond.⁴
- Section 30-10-607, C.R.S., which requires oaths from a “talesmen.”⁵
- Section 24-13-123, C.R.S., which requires a “Statement of Surety.”⁶

³ The Statutory Revision Committee is charged with “[making] an ongoing examination of the statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms” and recommending “legislation annually to effect such changes in the law as it deems necessary in order to modify or eliminate antiquated, redundant, or contradictory rules of law and to bring the law of this state into harmony with modern conditions.” § 2-3-902 (1), C.R.S. In addition, the Committee “shall propose legislation only to streamline, reduce, or repeal provisions of the Colorado Revised Statutes.” § 2-3-902 (3), C.R.S.

⁴ A “freeholder” is a person who owns real property in the county. A more typical requirement is that a surety company simply be “authorized to do business in the state” rather than be a property owner.

⁵ A “talesman” means a “a person added to a jury usually from among bystanders to make up a deficiency in the available number of jurors” and is a “Middle English term from Medieval Latin *tales de circumstantibus* such (persons) of the bystanders; from the wording of the writ summoning them.” Merriam-Webster Dictionary Online, “Talesman,” <https://www.merriam-webster.com/dictionary/talesman> (accessed July 18, 2017). In the Colorado Revised Statutes, talesman refers to a bystander added to a coroner's jury when an original juror is unavailable.

⁶ This appears to be the only reference in statute to the filing of a “statement of surety” where a surety must provide an affidavit of assets and liabilities.

2. The SRC could propose striking the many individual instances in which statutory oath of office provisions appear in statute and instead include in each act that currently contains an oath requirement a cross reference to a new single consistent oath text added to article 12 of title 24, C.R.S.

This approach would require the general assembly to adopt a single oath text, but most current oaths contain essentially the same basic elements. The most common requirements are:

- That an oath be executed, in writing, and signed;⁷
- That an oath be either sworn or affirmed;⁸
- That the oath is to uphold constitutional and statutory law;⁹
- That the oath-taker will perform his or her duties;¹⁰
- That the oath be administered by a person who has the power to administer oaths;¹¹ and
- That the oath be filed before entering office.¹²

⁷ Generally, there is a requirement to “subscribe” an oath, which means "to write (one's name) underneath; to sign (something, such as a document) with one's own hand in token of consent or obligation; to attest by signing." Merriam-Webster Dictionary Online, "subscribe," <https://www.merriam-webster.com/dictionary/subscribe> (accessed July 19, 2017).

⁸ Many oaths, but not all, permit either "swearing" or "affirming" the oath of office. There is historical significance to allowing an oath-taker to either swear or affirm the oath. Traditionally, "swearing" an oath suggested a religious element or obligation, while "affirming" did not. Section 8 of article XIV of Colorado's Constitution allows civil officers to take either an oath or affirmation, as does § 2 of article V with regard to members of the General Assembly. Oaths and affirmations have the same legal effect pursuant to § 24-12-102, C.R.S.

⁹ In some cases, the oath contains a specific commitment to support the constitution of the United States, the Colorado Constitution, the constitution of "this state," or the "organic law of the state." In a few cases, the oath requires a commitment to refrain from an action, such as engaging in a conflict of interest. In a handful of cases, the statute includes a verbatim text of the required oath unique to that office.

¹⁰ Most statutory provisions contain a reference to faithful performance in office. In some instances, the oath-taker has an obligation to perform duties "impartially" and without "fear or favor."

¹¹ A significant number of oath provisions are silent as to whether an oath must be administered by a third party. Several specifically state before whom an oath must be taken. Examples include taking an oath before "a judge of a state court," "some officer authorized to administer oaths," a municipal judge or clerk, a county clerk and recorder or county clerk of court, a "clerk of election," and "any qualified elector of the precinct." § 30-10-416, C.R.S., expressly authorizes county clerks and recorders to administer oaths of office, and § 30-10-418, C.R.S., permits the charging of a fee to administer an oath. Three provisions require the administration of an oath to be "memorialized" or "certified." This additional requirement to secure a signature or seal by a third party is not constitutionally required.

A single oath of office text would both eliminate inconsistent language in the various provisions and remove superfluous text from the statutes.¹³ A single modernized oath would also be gender-neutral.¹⁴

A text for a single statutory oath that meets all the above requirements is:

I, [name of the oath-taker], do swear or affirm that I will support the United States Constitution, the Colorado Constitution, and the laws of the state of Colorado, and that I will faithfully perform the duties of the [name of the office, title, or position] upon which I am about to enter.

Signed _____

Dated _____

Administered by _____

3. The SRC could propose changes to the personal bond provisions required by law.

The SRC could propose legislation to modernize statutory provisions regarding personal bonds, including one of the following three approaches:

- **Reduce the number of individuals required to provide a personal bond.** The SRC could propose legislation deleting some or all of the statutory personal bond requirements (except for the constitutionally required state treasurer bond), and replacing them with a uniform insurance purchase option. In addition to repealing some or all of the personal bond sections, article 14 of title 24 may need to be amended to clarify that insurance purchase is in lieu of a personal bond requirement.¹⁵

¹² Colo. Const. art. XII, § 9, requires executive department officials, judges, and district attorneys to file with the secretary of state and all other officers to file with the county clerk of the county where elected.

¹³ More than 50 separate statutory sections reference oaths of office and together consist of over 6,000 words. For comparison, a typical page of the Colorado Revised Statutes contains about 800 words. So this would be at least seven pages.

¹⁴ Statutory oaths currently include references to "his" office, "his or her" office, or to "their" office.

¹⁵ More than 60 separate statutory sections reference personal bonds and together consist of over 7,000 words. For comparison, a typical page of the Colorado Revised Statutes contains about 800 words. So this would be at least nine pages.

- **Continue to require personal bonds, but replace the various bond provisions with a single consistent bond provision.** The Committee could propose legislation deleting all or parts of the statutory bond sections and substituting a cross reference from each act to a new single bond requirement added to article 13 of title 24, C.R.S.
- **Continue to require personal bonds and their individual bond requirements, but remove redundant and superfluous language.** The Committee could propose legislation deleting only those parts of each statutory bond provision that are clearly inconsistent or superfluous. For example, nine different terms are currently used to describe bonds and their functional equivalents.¹⁶ Replacing the various terms with the word "bond" would not have any legal effect. All sections could also uniformly provide for the filing of bonds, the availability of bonds for public inspection, and any requirements for companies selling bonds.

Proposed Bill

OLLS will prepare any legislation as directed by the Statutory Revision Committee regarding oaths and bonds. A draft of this legislation would be provided to the SRC at the next committee meeting for discussion and revisions. A final draft could then be ready for introduction in January 2018.

¹⁶ The following terms are used to describe a personal bond: "bond," "surety," "surety company bond," "corporate surety bond," "corporate fidelity bond," "individual bond," "schedule bond," "blanket bond," "official bond," and "bond in the form prescribed by law."

Addendum A

Constitutional and statutory provisions regarding public employment-related oaths and bonds

Drafter's note: This document includes relevant portions of both the Colorado Constitution and Colorado Revised Statutes related to public employment-related oaths and bonds. For purposes of this document, "public employment-related oaths and bonds" are those specifically required to serve in an official government position, whether elected or appointed. The cited provisions are organized first as either constitutional or statutory, and then divided by office, jurisdiction, or subject matter.

This document does not include other types of oaths and bonds, such as those related to judicial proceedings, regulatory compliance, or procurement. For example, witnesses, jurors, and law enforcement personnel are required in certain circumstances to swear oaths or affirmations. Defendants and civil litigants must often post bonds. Licensees and regulated parties must often be bonded. This document quotes only the provisions with requirements to swear an oath or post a personal bond as a consequence of working in an elected or appointed position in state or local government.

Colorado Constitutional Provisions

Article IV, section 8. Governor may require information from officers - message. The governor may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices, which information shall be given upon oath whenever so required; he may also require information in writing at any time, under oath, from all officers and managers of state institutions, upon any subject relating to the condition, management and expenses of their respective offices and institutions....

Article IV, section 13. Succession to the office of governor and lieutenant governor.

(1) In the case of the death, impeachment, conviction of a felony, or resignation of the governor, the office of governor shall be vacant and the lieutenant governor shall take the oath of office and shall become governor.

Article IV, section 16. Account and report of moneys. An account shall be kept by the officers of the executive department and of all public institutions of the state, of all moneys received by them severally from all sources, and for

every service performed, and of all moneys disbursed by them severally, and a semi-annual report thereof shall be made to the governor, under oath.

Article V, section 2. Election of members - oath - vacancies. (2) Each member of the general assembly, before he enters upon his official duties, shall take an oath or affirmation to support the constitution of the United States and of the state of Colorado and to faithfully perform the duties of his office according to the best of his ability. This oath or affirmation shall be administered in the chamber of the house to which the member has been elected.

Article X, section 12. Public funds - report of state treasurer. (2) The state treasurer shall keep adequate records of all moneys coming into his custody and shall at the end of each quarter of the fiscal year submit a written report to the governor, signed under oath, showing the condition of the state treasury, the amount of money in the several funds, and where such money is kept or deposited. Swearing falsely to any such report shall be deemed perjury.

Article X, section 12. Public funds - report of state treasurer. (1) The general assembly may provide by law for the safekeeping and management of the public funds in the custody of the state treasurer, but, notwithstanding any such provision, the state treasurer and his sureties shall be responsible therefor.

Article XII, section 8. Oath of civil officers. Every civil officer, except members of the general assembly and such inferior officers as may be by law exempted, shall, before he enters upon the duties of his office, take and subscribe an oath or affirmation to support the constitution of the United States and of the state of Colorado, and to faithfully perform the duties of the office upon which he shall be about to enter.

Article XII, section 9. Oaths - where filed. Officers of the executive department and judges of the supreme and district courts, and district attorneys, shall file their oaths of office with the secretary of state; every other officer shall file his oath of office with the county clerk of the county wherein he shall have been elected.

Article XII, section 10. Refusal to qualify - vacancy. If any person elected or appointed to any office shall refuse or neglect to qualify therein within the time prescribed by law, such office shall be deemed vacant.

Article XIII, section 1. House impeach - senate try - conviction - when when chief justice presides. ...All impeachments shall be tried by the senate, and when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence....

Article XIX, section 1. Constitutional convention - how called. ...Before proceeding, the members shall take an oath to support the constitution of the United States, and of the state of Colorado, and to faithfully discharge their duties as members of the convention....

Colorado Revised Statutes Provisions

General Oath and Bond Requirements

24-12-101. Form of oath. Whenever any person is required to take an oath before he enters upon the discharge of any office, position, or business or on any other lawful occasion, it is lawful for any person employed to administer the oath to administer it in the following form: The person swearing, with his hand uplifted, shall swear "by the everliving God".

24-12-102. Form of affirmation. Whenever any person is required to take or subscribe an oath, and in all cases where an oath is to be administered upon any lawful occasion, and such person has conscientious scruples against taking an oath, he shall be permitted to make his solemn affirmation or declaration in the following form: "You do solemnly, sincerely, and truly declare and affirm", which solemn affirmation or declaration is equally valid as if such person had taken an oath in the usual form; and every person guilty of falsely declaring shall incur and suffer the penalties inflicted on persons guilty of perjury in the first degree.

24-12-103. Oaths administered by whom. All courts in this state and each judge, justice, magistrate, referee, clerk, and any deputy clerk thereof, members and referees of the division of labor standards and statistics, members of the public utilities commission, and all notaries public have power to administer oaths and affirmations to witnesses and others concerning any matter, thing, process, or proceeding pending, commenced, or to be commenced before them respectively. The courts, judges, magistrates, referees, clerks, and deputy clerks within their respective districts or counties, and notaries public within any county of this state, have the power to administer all oaths of office and other oaths required to be taken by any person upon any lawful occasion and

to take affidavits and depositions concerning any matter or thing, process, or proceeding pending, commenced, or to be commenced in any court or on any occasion wherein such affidavit or deposition is authorized or by law required to be taken.

30-10-416. Clerk to administer oaths - take affidavit or deposition.

The county clerks and recorders of the several counties in the state of Colorado are authorized, within their respective counties, to administer all oaths of office, and other oaths required to be taken by any person upon any lawful occasion, and to take affidavits and depositions concerning any matter or thing, process, or proceeding pending or to be commenced in any court, or any occasion wherein such affidavit or deposition is authorized or required by law to be taken.

24-12-105. Appointees of officers of home rule cities and city and counties. In all home rule cities and city and counties, the charters of which provide that officers, boards, or commissions named therein shall perform the acts and duties required of county officers by the state constitution or by general law, any deputy, employee, or appointee of such officer, board, or commission may administer any oath or affirmation which, by the state constitution or general law, might be administered by the county officer whose duties are performed by such officer, board, or commission making such appointment or employing such deputy, so long as such deputy, employee, or appointee is employed in such capacity.

24-12-106. False swearing or affirming, perjury. All oaths and affirmations, affidavits, and depositions administered or taken shall subject any person who swears or affirms falsely and willfully, in the matter material to any issue or point in question, to the penalties inflicted by law on persons guilty of perjury in the first degree.

24-12-107. Oaths taken out of state. All oaths and affirmations required or authorized to be taken by any statute of this state, when the person required to make the same resides out of or is absent from this state, may be made before and administered by any notary public or clerk of any court of record of the state wherein such person may be, such notary or clerk certifying the same under his notarial seal or the seal of such court.

24-13-105. County board to examine bonds - new bond. It is the duty of the board of county commissioners of each county, at each regular term, on the first day of each term, to examine and inquire into the sufficiency of the official bond of the county treasurer, sheriff, coroner, county

assessor, county clerk and recorder, and county surveyor and all other official bonds given by any county officer, as required by law. If it appears that one or more of the sureties on the official bond of any such county officer have removed from the county, died, or become insolvent or of doubtful solvency, the board of county commissioners shall cause such officer to be summoned to appear before said board, on a day to be named in said summons, to show cause why he should not be required to give a new bond, with sufficient surety. If, at the appointed time, he fails to satisfy said board as to the sufficiency of the present surety, an order shall be entered of record by said board, requiring such officer to file in the office of the county clerk and recorder, within twenty days, a new bond, to be approved as required by law, unless the number and pecuniary ability of other sureties on the bond are such as to satisfy the board that the bond is sufficient, notwithstanding the fact that one or more of the sureties on said bond may have removed, died, or become insolvent or of doubtful solvency, in which case the bond in question, in the discretion of said board, may be held to be sufficient.

24-13-108. Failure to file new bond - vacancy. If any officer or person enumerated in section 24-13-105 fails to file a new bond within the prescribed time when so required by an order entered of record requiring the filing of such new bond, the officer in default shall be deemed to have vacated his office, and the same steps shall be taken to fill such vacancy thus created as are taken to fill a vacancy by the death or resignation of such officer.

24-13-113. Failure to file bond. It is the duty of such sheriff, coroner, county treasurer, county assessor, county clerk and recorder, or other officer, if he fails to give bond, to deliver over to his sureties forthwith all books, moneys, vouchers, papers, and every description of property whatever, pertaining to his office; and the sureties, at any time after failure to file bond, may maintain an action of replevin or other appropriate action to recover such property, money, or effects from their principal.

24-13-116. Approval of bonds - clerk of county board. The county treasurer, county assessor, county clerk and recorder, or any county officer shall file his official bond in the office of the county clerk and recorder, which bond shall be executed as required by law and shall be approved by the board of county commissioners in open session. If said board is not in session on the filing of such bond, then the county clerk and recorder shall judge of its sufficiency, subject to the final decision and approval of said board at its first meeting thereafter. If said board is not in session, the county clerk and recorder, in filing his bond, shall present the same to the chairman of the board of county commissioners or, in case of his absence or inability to act, to one of the other

members of said board, who shall judge of its sufficiency, subject to the decision and approval of said board at its first meeting thereafter.

24-13-117. Approval of bonds to be of record. It is the duty of the board of county commissioners to make an entry in the records of said board of its approval of all official bonds, and, when so approved by said board, the county clerk and recorder shall record the same in the records of said county for inspection by all persons.

24-13-122. Freeholders only acceptable as surety. No individual shall be accepted as a surety on any official bond of any county officer unless he is a freeholder of the county in which said officer may be elected or appointed to office.

24-13-125. Official bonds - expense of premiums. Any state, county, municipal, district, or court officer required by law to give a bond or other obligation as such officer may include, as part of the lawful expenses of executing and performing the duties of his office, such reasonable premium as may be charged by a company authorized under the laws of this state so to do for becoming his surety on such bond or obligation and such reasonable premium as may be charged by such company for becoming surety upon the bond of any deputy, clerk, or employee of such officer who is required by law or by such officer to give bond. Such premium shall not exceed one-half of one percent per annum on the amount or penalty of each bond or obligation.

24-13-126. Premiums, how paid. The expenses provided in section 24-13-125, in the case of state officers and their deputies, clerks, or employees, shall be paid from the state treasury, and the general assembly shall make the necessary appropriations therefor. In the case of all other officers and their deputies, clerks, or employees, such expenses shall be paid from any fund provided by such county, municipality, district, precinct, or court for the payment thereof or for the payment of the incidental or contingent expenses of any such officer, or the same shall be paid by such officer from any fund in his possession from which he is authorized to pay the expenses or salaries of his office.

24-14-102. Purchase of insurance authorized. The head of a department of the state of Colorado, with the approval of the governor or, in the case of the county or city and county, the chief executive officer or board of county commissioners, subject to appropriations being available therefor, is hereby authorized to procure insurance, through the department

of personnel as provided in the "Procurement Code", articles 101 to 112 of this title, for the purpose of insuring its officers, employees, and agents against any liability, other than a liability which may be insured against under the provisions of the "Workers' Compensation Act of Colorado", for injuries or damages resulting from their negligence or other tortious conduct during the course of their service or employment. Counties or cities and counties are authorized to insure their officers, employees, and agents against similar liabilities.

24-14-103. Approval of seller - premium cost. Any policy of insurance shall be obtained from an insurer authorized to transact business in this state and deemed by the department of personnel or the appropriate governing body of the governmental subdivision to be responsible and financially sound considering the extent of the coverage required. The premium for such insurance shall be a proper charge against the state or the appropriate governmental subdivision.

24-14-104. Amount of coverage - limitations. (1) The extent of the insurance coverage shall be limited as follows:

(a) For any bodily injury and property damage to one person in any single occurrence, the sum of one hundred fifty thousand dollars;

(b) For any bodily injury and property damage to two or more persons in any single occurrence, the sum of four hundred thousand dollars; except that, in such instance, no person may recover in excess of one hundred fifty thousand dollars.

State Elected or Appointed Officials

24-22-101. Oath - bond and sureties - conditions of bond. (1) On or before the second Tuesday in January after his election and before entering upon his duties, the state treasurer shall take and subscribe to the oath required by the state constitution and shall give a bond to the people of the state of Colorado in the sum of one million dollars, with not less than ten individual sureties or one or more surety companies authorized to do business in this state. The bond and each surety shall be approved by the governor and the attorney general and held in the custody of the secretary of state.

(2) The conditions of said bond shall be in substance that the state treasurer and all persons employed in the treasury department under his supervision shall faithfully discharge their respective duties and trusts and that the state treasurer shall be held responsible against all risks and losses whatsoever for all state moneys coming into his hands or received by the treasury department.

(3) If the bond is furnished by one or more surety companies, the entire premium therefor shall be paid by the state, and the general assembly shall appropriate the amount thereof.

(4) Whenever the governor, with the concurrence of the attorney general, deems the surety on said bond to be insufficient for the said sum of one million dollars, he may demand, and the state treasurer shall give, additional bond with sureties, at the cost of the state, to be approved by the governor and the attorney general.

24-2-104. Bonds. The head of each principal department or any subordinate officer or employee under the same who may be required to handle state funds shall give bond executed by a responsible surety company, authorized to do business within the state, in such sum as may be fixed by law or, in the absence of any such law, such as shall be fixed by the governor as he deems adequate to safeguard the state funds. All such bonds shall be conditioned upon the faithful performance by such head of department, officer, or employee of his duties and, when approved by the governor, shall be filed in the office of the secretary of state. The premiums on all such bonds shall be paid as an ordinary expense of the principal department or the division, section, or unit under the department to which such head of department, officers, or employees are appointed, and due appropriation therefor shall be made by the general assembly.

24-35-104. Bond of executive director. The executive director of the department of revenue, on or before entering upon the duties of his office, shall give bond to the state of Colorado in the sum of two hundred thousand dollars, conditioned upon the faithful discharge of the duties of his office. Said bond shall be signed by one or more surety companies authorized to transact business in the state of Colorado, and the entire premium therefor shall be paid in one lump sum from state funds, and the general assembly shall make the necessary appropriation therefor.

35-1-106. Powers and duties of commission. (1) In addition to all other powers and duties conferred upon the commission by this article 1, the commission has the following specific powers and duties:

(j) If not already required by law, to require and fix the bonds of such employees of the department as may be deemed necessary;

37-60-104. Personnel. (2) ...Before entering upon the discharge of his duties, each appointed member shall make, subscribe, and file with the secretary of state the oath prescribed by the constitution.

(S.B. 17-026 pending) **37-80-101. State engineer.** The governor shall appoint a state engineer, pursuant to section 13 of article XII of the state constitution. The state engineer shall have his office at the state capital, in suitable rooms to be provided for him with suitable furniture, postage, and such proper and necessary stationery, books, and instruments as are required to best enable him to discharge the duties of his office. The state engineer, before entering on the discharge of his duties, shall take and subscribe to an oath, before the judge of a state court of record, to faithfully perform the duties of his office and file said oath with the secretary of state, together with his official bond, in the penal sum of ten thousand dollars, said bond to be executed by a responsible surety company authorized to do business within the state, and conditioned upon the faithful discharge of the duties of his office and for delivering to his successor or other officer authorized by the governor to receive the same all moneys, books, instruments, and other property belonging to the state then in his possession or under his control, or with which he may be legally chargeable as such state engineer.

(S.B. 17-026 pending) **37-80-106. Appointment of deputies.** (1) The state engineer may appoint one or more deputies as he may deem proper for assisting him in the discharge of the duties of his office, or he may deputize any person to do a particular service, and he has the power to revoke such appointments when, in his judgment, there is no further need for the services of anyone so appointed or deputized. Such appointments and revocations thereof shall be in writing over the signature and official seal of the state engineer, the original of which shall be filed in the office of the secretary of state. All persons so appointed or deputized shall take and subscribe to an oath, before a judge of a court of record, to faithfully perform the duties of the office to which he is appointed or required to perform; and such oath shall be filed with his appointment in the office of the secretary of state. All such persons so appointed or deputized by the state engineer shall furnish an official bond with surety executed by a responsible surety company, authorized to do business within the state, in the penal sum of not less than one thousand dollars nor more than five thousand dollars. The cost of such bonds shall be paid by said deputies.

(2) In addition to the deputies provided for in this section, the state engineer may employ, pursuant to section 13 of article XII of the state constitution, such assistants in performing the duties of his office as he may deem necessary.

(S.B. 17-026 pending) **37-80-114. Deputy state engineer - powers.** (1) The state engineer shall appoint a deputy state engineer, subject to the provisions of section 13 of article XII of the state constitution relating to the state personnel system, whose duties shall be to assist the state engineer in the ad-

ministration of his office. The deputy state engineer has the power to act for the state engineer in all his official duties, including the administration of interstate river compacts, during the absence of the state engineer from his office or when so directed by the state engineer.

(2) The salary of the deputy state engineer shall be paid as the salaries of the officers of the executive department of the state are paid. He shall also receive reimbursement monthly for the actual necessary expenses incurred in the performance of his official duties, as shall be allotted by the state engineer from funds appropriated for such purpose. The controller is authorized to pay warrants for said salary and expenses upon vouchers approved by the state engineer.

(3) The deputy state engineer, before entering on the discharge of his duties, shall take and subscribe to an oath before the judge of a state court of record to faithfully perform the duties of his office and file said oath with the secretary of state, together with his official bond in the penal sum of ten thousand dollars. The bond shall be executed by a responsible surety company authorized to do business within the state and conditioned upon the faithful discharge of the duties of his office.

39-21-112. Duties and powers of executive director. (5) Subject to the provisions of this article and the state personnel system regulations, the executive director of the department of revenue is authorized to appoint and prescribe the duties and powers of such officers, accountants, experts, and other persons as may be necessary in the performance of his duty. He may delegate to any such person so appointed such power as he deems reasonable and proper for the effective administration of this article and shall bond, in a sufficient amount, any person handling money under this article.

(6) Members of the department of revenue shall each give bond to the state of Colorado in the sum of five thousand dollars conditioned upon the faithful performance of their duties under the provisions of this article.

43-1-106. Transportation commission - powers and duties - repeal. (5) All members of the commission, before entering upon the duties of their office, shall take the oath prescribed by the constitution of this state for state officers and file the same in the office of the secretary of state.

University Boards

23-20-103. Oath of regents. The members of the board of regents, before entering upon their duties, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the

constitution of the United States and of the state of Colorado, and that I will perform the duties of regent of the university of Colorado faithfully and to the best of my ability." Said oath or affirmation shall be filed in the office of the secretary of state.

23-20-109. Treasurer - duties - bond. The board of regents shall elect a treasurer of the university, who shall hold his or her office at the pleasure of the board...Before entering upon the duties of his or her office, he or she shall take and subscribe an oath that he or she will faithfully perform the duties of treasurer. He or she shall also give a bond in the penal sum of not less than twenty-five thousand dollars, conditioned for the faithful discharge of his or her duties as treasurer; that he or she will at all times keep and render a true account of all moneys and other valuables received by him or her as treasurer and of the disposition he or she has made of the same; and that he or she will at all times be ready to discharge himself or herself of the trust and to deliver up when required by said board all moneys, notes, bonds, and other valuables entrusted to him or her. The bond shall have two or more sureties and be approved as to its form and the sufficiency of its sureties by the board of regents, the attorney general, and the secretary of state, who shall endorse their approval on the same. The bond shall be filed in the office of the secretary of state.

23-30-105. Election of officers - terms. (1) The board of governors of the Colorado state university system shall elect from its membership a chair and a vice-chair and also from its membership or from outside its membership a secretary and a treasurer, all of which said officers shall hold the office to which they are chosen for a period of two years from the date of election and until their successors are duly elected and qualified. The secretary shall give bond in an amount deemed sufficient by the board and discharge all the duties of said office in accordance with section 23-30-107. The treasurer shall give bond in an amount deemed sufficient by the board and safely keep and account for all moneys received by the treasurer and pay the same out only on warrants of the board of governors of the Colorado state university system, signed by its chair and countersigned by its chief financial officer in accordance with section 23-30-108. The board of governors may waive the bond requirements set forth in this subsection (1) and in lieu thereof utilize all applicable governmental insurance coverage.

23-40-104. Board of trustees. (1) (b) (VIII) Each trustee shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of his or her office, which oath shall be placed and kept on file in the office of the secretary of state.

23-41-103. Oath of trustees. Every trustee appointed, before entering upon the duties of his office, shall take an oath to support the constitution of the United States and the constitution of this state and to faithfully perform the duties of his office to the best of his ability and understanding.

23-41-110. Treasurer's bond. The board of trustees shall require its treasurer to give such bond as it deems sufficient to protect said institution against loss of any funds which may come into his hands as such treasurer, conditioned for the safekeeping and faithful disbursement thereof. The treasurer of said board shall not pay out any of the funds which shall come into his hands as treasurer, except upon the order of the president of said board countersigned by the secretary thereof.

23-51-102. Board of trustees - creation - members - powers - duties.
(5) A vacancy of an appointed member of the board of trustees shall be filled by appointment by the governor for the unexpired term. A vacancy of either of the elected members of the board of trustees shall be filled by election for the unexpired term. Each member of the board of trustees shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of the office, which oath shall be placed and kept on file in the office of the secretary of state.

23-52-102. Board of trustees - creation - members - powers - duties.
(5) Any vacancy in the office of an appointed member of the board of trustees shall be filled by appointment by the governor for the unexpired term. Any vacancy in either of the elected offices on the board of trustees shall be filled by reelection for the unexpired term. Each trustee shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of the office, which oath shall be placed and kept on file in the office of the secretary of state.

23-53-102. Board of trustees - creation - members - powers - duties.
(5) A vacancy of an appointed member of the board of trustees shall be filled by appointment by the governor for the unexpired term. A vacancy of either of the elected members of the board of trustees shall be filled by election for the unexpired term. Each member of the board of trustees shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of the office, which oath shall be placed and kept on file in the office of the secretary of state.

23-54-102. Board of trustees - creation - members - powers - duties.
(5) Any vacancy in the office of an appointed member of the board of

trustees shall be filled by appointment by the governor for the unexpired term. Any vacancy in either of the elected offices on the board of trustees shall be filled by reelection for the unexpired term. Each trustee shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of the office, which oath shall be placed and kept on file in the office of the secretary of state.

23-56-102. Board of trustees - creation - members - powers - duties. (5) A vacancy of an appointed member of the board of trustees shall be filled by appointment by the governor for the unexpired term. A vacancy of either of the elected members of the board of trustees shall be filled by election for the unexpired term. Each member of the board of trustees shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of the office, which oath shall be placed and kept on file in the office of the secretary of state.

23-70-102. Auraria board - membership - terms - oaths - voting. (2) Each member of the Auraria board shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of his office, which oath shall be placed and kept on file in the office of the secretary of state.

Local Elected or Appointed County Officials

20-1-101. Bond and oath of district attorney and staff. (1) Every district attorney, before entering upon the duties of his office, shall take and subscribe an oath to support the constitution of the United States and the organic law of the state and that he will faithfully discharge the duties of his office. He shall also execute to the people of the state of Colorado a bond in the sum of five thousand dollars, with a good and sufficient individual, schedule, or blanket corporate surety bond, or other acceptable security, to be approved by the secretary of state, conditioned for the faithful discharge of the duties of his office, as the same are prescribed by law, and upon any breach of such bond, an action shall lie thereon for the benefit of any county fund or person injured thereby.

(2) As the district attorney may direct, the assistant and deputy district attorneys and other employees appointed pursuant to this title may be required to file with the secretary of state the bond required by law to be filed by district attorneys.

20-1-201. Deputies - chief deputies - staff. (3) Before such deputy district attorneys, chief deputy district attorneys, or special deputy district attorneys enter upon the duties of their office, they shall file with the secretary of state the oath of office required by law to be filed by district attorneys and may be required, as the district attorney shall direct, to file a like bond as that required to be filed by district attorneys.

20-1-205. Assistant district attorneys. (2) Every such assistant district attorney, before entering upon the duties of office, shall file with the secretary of state the oath of office required by law to be filed by district attorneys and shall hold office at the pleasure of the district attorney by whom he is appointed. Such assistant district attorney, before entering upon the duties of office, may be required, as the district attorney may direct, to file like bond as that required to be filed by district attorneys.

24-13-123. Statement of surety - contents. Boards of county commissioners, in their respective counties, at any time, whether before or after the approval of the official bond of any county officer, may require any one or more of the sureties on said bond, within six days after the service upon him of a notice in writing to that effect, to make out, subscribe, and deposit in the office of the county clerk and recorder of such county a statement in writing, verified by his affidavit, containing a list of all property owned by said surety in the state of Colorado, its character, in what county situate, its estimated value, and encumbrances thereon, if any, and also the aggregate amount of indebtedness then owing by him or by any other person for the payment of which he was then liable as surety; and any such surety making a false oath or affirmation in such case is guilty of perjury in the second degree and is liable to indictment and prosecution therefor.

30-10-105. When office becomes vacant. (1) (e) The incumbent's refusal or neglect to take his oath of office, to give or renew his official bond, or to deposit such oath and bond within the time prescribed by law;

30-10-110. Bonds or insurance of officers - oaths. (1) Except as provided in subsection (2) of this section, every county officer named in section 30-10-101, before entering upon the duties of office, on or before the day of the commencement of the term for which the officer was elected, shall execute and deposit an official bond, as prescribed by law. Any such officer shall also take and subscribe the oath of office prescribed by law, before some officer authorized to administer oaths, and deposit the same with the official bond to be filed and preserved therewith.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage on behalf of the county officer and county employees to protect the people of the county from any malfeasance on the part of the officer while in office or employees.

30-10-301. Oath of commissioners. Each person elected as commissioner, on receiving a certificate of his election, shall take an oath to support the constitution of the United States and of the state of Colorado, and to perform the duties of his office to the best of his ability, which oath, being endorsed upon said certificate, under the hand and seal of the person administering it, shall be sufficient for said person to act as such commissioner.

30-10-311. Bonds or insurance of county commissioners. (1) Except as provided in subsection (2) of this section, each county commissioner of the several counties of this state is required to execute a bond, payable to the people of the state of Colorado, conditioned that the commissioner will faithfully and honestly discharge the duties of the office of county commissioner so long as the commissioner continues in office, and that the commissioner will not, either directly or indirectly, misappropriate, or permit to be misappropriated, any of the funds or property of said county while in office; that the commissioner will not, while in office, be interested or concerned in any manner, directly or indirectly, in any sale, purchase, bargain, or contract whereby any sum of money or thing in action becomes due to such commissioner from such county, or from any person from such county; and that the commissioner will at all times transact the business of such county economically, and to the best of the commissioner's ability, for the best interest of such county.

30-10-401. County clerk - term - bond - insurance. (1) A county clerk shall be elected in each county of this state for the term of four years and, except as provided in subsection (2) of this section, before entering upon the duties of the office, shall execute to the people of the state of Colorado, and file with the county clerk then in office, a bond with two or more sufficient sureties in the sum of not less than five thousand dollars, to be affixed and approved by the board of county commissioners according to law, with conditions in substance as follows: "Whereas, The above bounden was elected to the office of the county clerk of, on the day of, Now, therefore, if the said shall faithfully perform all the duties of the office, and shall pay over all moneys that may come into the hands of the clerk as required by law, and shall deliver to the clerk's successor in office all the books, records, papers, and other things belonging to said office, then the above obligation to be void, otherwise to remain in full force." The bond, after being recorded, shall be at once deposited with the county treasurer for safekeeping.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage in an amount not less than ten thousand dollars on behalf of the county clerk to protect the people of the county from any malfeasance on the part of the clerk while in office.

30-10-403. Deputy clerk - duties. Every county clerk shall appoint a deputy, in writing, under the county clerk's hand, and shall file such appointment in the office of the county clerk; and such deputy, in case of the absence or disability of the county clerk, or in case of a vacancy in the office thereof, shall perform all the duties of the county clerk during such absence or until such vacancy is filled. Every county clerk may appoint other deputies and, if the county clerk has executed a bond pursuant to section 30-10-401 (1), the county clerk's sureties shall be responsible under the bond for the acts of all such deputies.

30-10-501. Sheriff - election - bond - insurance. (1) A sheriff shall be elected in each county for the term of four years and, except as provided in subsection (2) of this section, before entering upon the duties of office, shall execute to the people of the state of Colorado a bond, with at least three sufficient sureties, in the sum of not less than five thousand nor more than twenty thousand dollars, which the board of county commissioners, or, if it is not in session, the county clerk and recorder, subject to the approval of such board at its next session thereafter, shall specify and approve. When approved, the bond shall be filed in the office of the county clerk and recorder, and no person shall be received as surety who is not worth at least two thousand dollars over and above the surety's just debts.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage in an amount not less than ten thousand dollars on behalf of the sheriff to protect the people of the county from any malfeasance on the part of the sheriff while in office.

30-10-601. Coroner - election - bond - insurance - authority. (1) (a) Repealed.

(b) A coroner shall be elected in each county for the term of four years, who, except as provided in subsection (1.5) of this section, before entering upon the duties of office, shall give bond to the people of the state of Colorado of not less than twenty-five thousand dollars, with sufficient sureties, to be approved by the board of county commissioners or, if the board is not in session, by the county clerk and recorder, subject to the approval of such board, the condition of which bond shall be in substance the same as that given by the sheriff. Such bond shall be filed with the county clerk and recorder of the proper county.

(1.5) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage in an amount not less than twenty-five thousand dollars on behalf of the coroner to protect the people of the county from any malfeasance on the part of the coroner while in office.

30-10-602. Deputy coroner - duties - oath - bond - insurance. (1) The coroner of each county is authorized to appoint a deputy...A deputy coroner shall hold office during and subject to the pleasure of the coroner. Except as provided in subsection (2) of this section, each deputy coroner, before entering the duties of office, shall file with the county clerk and recorder of the county the bond and oath of office required by law to be filed by the coroner.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage on behalf of the deputy coroner to protect the people of the county from any malfeasance on the part of the deputy coroner while in office.

30-10-607. Talesmen - oath. If any juror fails to appear, the coroner shall immediately summon the proper number from the bystanders, and proceed to impanel them, and administer the following oath in substance: "You do solemnly swear, or affirm, that you will diligently inquire, and true presentment make, when, how, and by what means the person about whom this inquest is being held came to his death, according to your knowledge and the evidence given you, so help you God."

30-10-701. Election - term - bond - insurance. (1) A county treasurer shall be elected in each county for the term of four years and, except as provided in subsection (2) of this section, before entering upon the discharge of duties, shall execute to the people of the state of Colorado a surety bond to be approved by the board of county commissioners and filed in the office of the county clerk and recorder. Prior to the treasurer being sworn into office, the board of county commissioners shall set the amount of the surety bond by written resolution duly adopted by a majority vote of the board, which shall be entered in its minutes.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage on behalf of the treasurer to protect the people of the county from any malfeasance on the part of the treasurer while in office.

30-10-703. Form of bond. If a treasurer executes a bond pursuant to section 30-10-701 (1), the condition of the bond shall be in substance as follows: Whereas,, was elected to the office of County Treasurer of the County of on the day of; Now, therefore, the condition of

this obligation is such, that if the said and the treasurer's deputy and all persons employed in the treasurer's office shall faithfully and promptly perform the duties of said office, and if the said and the treasurer's deputies shall pay or invest according to law, all moneys that shall come to the hands of the treasurer, and shall render a just and true account thereof whenever required by said board of county commissioners, or by any provision of law, and shall deliver over to a successor in office, or to any other person authorized by law to receive the same, all moneys, securities, books, papers, and other things appertaining thereto or belonging to the treasurer's office, the above obligation to be void, otherwise to be in full force and effect; except that the surety shall in no event be liable for any loss caused by the failure or insolvency of the depository in which the county treasurer or the treasurer's deputies deposit any such public funds, or for any loss arising out of the investment of any such funds.

30-10-801. Assessor - election - bond - insurance - term - oath. (1) A county assessor shall be elected in each county at a general election and, except as provided in subsection (2) of this section, shall give bond to the people of the state of Colorado with two or more sufficient sureties, in a sum of not less than six thousand dollars for the performance of the assessor's duties according to law and to the satisfaction of the board of county commissioners, and subscribe an oath or affirmation for the faithful performance of the assessor's duties as such assessor, and who shall be a qualified elector of said county and shall hold office for four years and until a successor is elected and qualified.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage in an amount not less than ten thousand dollars on behalf of the assessor to protect the people of the county from any malfeasance on the part of the assessor while in office.

30-10-802. Assessment district - deputy in each - oath - bond. (1) When the board of county commissioners of any county is of the opinion that the assessor is unable to perform the duties of office within the time prescribed by law, the board shall divide such county into assessment districts and shall require the assessor to appoint a deputy in each district, who shall be a qualified elector of the district and who shall be sworn and, except as provided in subsection (2) of this section, give bond to the principal.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage on behalf of a deputy assessor to protect the people of the county from any malfeasance on the part of the deputy assessor while in office.

30-10-901. Surveyor - election - bond - insurance. (1) A county surveyor shall be elected for a term of four years, shall be a professional land surveyor as provided in part 2 of article 25 of title 12, C.R.S., and, except as provided in subsection (2) of this section, shall file an official bond in the office of the county clerk and recorder, to be approved by the board of county commissioners, in the sum of one thousand dollars, conditioned for the faithful discharge of duties.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage in an amount not less than ten thousand dollars on behalf of the surveyor to protect the people of the county from any malfeasance on the part of the surveyor while in office.

30-11-119. New bond for officers, when. When the board of county commissioners of any county in this state deems the bond given by the sheriff or other officer of the county insufficient, or when in its opinion the sureties on said bond are insolvent or permanently removed from the county, or when it for any other reason considers said bond insufficient for the public security, it is lawful for the board to require of said sheriff or other officer a new bond, with such sureties and so conditioned as required by law in the first instance.

30-11-120. Failure to file bond - office vacant. In case any sheriff or other officer refuses or neglects, for a period longer than thirty days after receiving notice, to give a new bond as required, it is lawful for the board of county commissioners to declare the office vacant and appoint some other person to fill the vacancy, who shall hold the office until a successor is elected or appointed.

Municipal Officials

25-3-303. Organization of trustees. (1) The members of the board of public hospital trustees within ten days after their appointment shall qualify by taking the oath of office...

(a) Unless otherwise authorized under the provisions of paragraph (b) of this subsection (1), they shall elect one of their number as president, one as vice-president, and one as secretary. No bond shall be required of them...An itemized statement of all such expenses and money paid out shall be made under oath by such trustee and filed with the secretary and allowed only by the affirmative vote of all the trustees present at a meeting of the board.

(b) If approved by resolution of the board of county commissioners, the board may organize and operate by electing one of their number as president,

one as vice-president, and one as secretary-treasurer. The trustees may appoint an assistant secretary-treasurer from outside the membership of the board of trustees. No bond shall be required of the trustees, except of the secretary-treasurer and assistant secretary-treasurer who shall each file with the board of trustees, at the expense of the hospital, a corporate fidelity bond in an amount not less than ten thousand dollars, conditioned on the faithful performance of the duties of his office...An itemized statement of all such expenses and money paid out shall be made under oath by such trustee and filed with the secretary-treasurer and allowed only by the affirmative vote of all the trustees present at a meeting of the board.

31-4-304. Appointment of officers - compensation. The board of trustees shall appoint a clerk, treasurer, and town attorney, or shall provide by ordinance for the election of such officers, and may appoint such other officers, including a town administrator, as it deems necessary for the good government of the corporation, and it shall prescribe by ordinance their duties when the same are not defined by law and the compensation or fees they are entitled to receive for their services. The board of trustees may require of them an oath of office and a bond, with surety, for the faithful discharge of their duties. The election of officers shall be at the regular election, and no appointment of any officer shall continue beyond thirty days after compliance with section 31-4-401 by the members of the succeeding board of trustees.

31-4-401. Oath of officers - bonds - waiver - declaring office vacant.
(1) All officers elected or appointed in any municipality shall take an oath or affirmation, administered by the municipal judge, clerk, or other person who is designated by the governing body or who is authorized by law to administer oaths, to support the constitution of the United States and the state constitution.

(2) The governing body of any city or town may require, from the treasurer and such other officers as it determines proper, a bond, with proper penalty and surety, for the care and disposition of municipal funds in their hands and the faithful discharge of the duties of their offices. Such governing body has the power to declare vacant the office of any person appointed or elected to any office who fails to take the oath of office or give bond when required within ten days after he has been notified of his appointment or election, and it shall proceed to appoint his successor as in other cases of vacancy.

31-25-815. Employees - duties - compensation. (1) The board shall employ and fix the compensation, subject to the approval of the governing body, of the following, who shall serve at the pleasure of the board:

(a) A director, who shall be a person of good moral character and possessed of a reputation for integrity, responsibility, and business ability...Before entering upon the duties of his office, the director shall take and subscribe to the oath of office and furnish a bond as required by the board....

Special District Officials

23-15-105. Organizational meeting - chairman - executive director - surety bond - conflict of interest. (4) Before the issuance of any bonds under this article, the executive director and associate executive director shall each execute a surety bond in the penal sum of one hundred thousand dollars, and each member of the board shall execute a surety bond in the penal sum of fifty thousand dollars, or, in lieu thereof, the chairman of the board shall execute a blanket bond covering each member, the executive director, the associate executive director, and the employees or other officers of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety authorized to transact business in this state as surety. The cost of each such bond shall be paid by the authority.

25-25-105. Organization meeting - chair - executive director - surety bond - conflict of interest. (4) (a) Before the issuance of any bonds under this article, the executive director, associate executive director, and any other officer designated by the board shall each execute a surety bond in the penal sum of one hundred thousand dollars, and each member of the board shall execute a surety bond in the penal sum of fifty thousand dollars.

(b) In lieu of the surety bonds required by paragraph (a) of this subsection (4), the chair of the board may execute a blanket bond covering each member, the executive director, the associate executive director, and the employees or other officers of the authority.

(c) Each surety bond shall be conditioned upon the faithful performance of the duties of the office or offices covered and shall be executed by a surety authorized to transact business in this state as surety. The cost of each such bond shall be paid by the authority.

32-1-603. Procedure after consolidation election. (2) The organizational board, within six months after the date of the consolidation election, shall:

(c) Determine the amount of bond for each director of the consolidated district, which amount shall not be less than one thousand dollars per director and may be an individual, schedule or blanket bond at the expense of the consolidated district, and fix the amount of the treasurer's bond in an amount not less than five thousand dollars, which bonds are conditioned upon the faithful performance of their duties.

(3) After making such determinations, the organizational board shall promptly file in the court having jurisdiction as provided in section 32-1-602 (2) (c) a petition stating the name of the consolidated district, the name and address of each member of the first board of the consolidated district, the term of each member thereof, the amount of the surety bonds fixed in accordance with this section, and a description of the director districts, if any, of the consolidated district. Such petition shall also have attached to it photocopies or duplicates of the bonds duly certified by the insurance or surety company issuing the bonds, the originals of which bonds shall be retained in the files of the consolidated district.

32-1-901. Oath and bond of directors. (1) Each director, within thirty days after his or her election or appointment to fill a vacancy, except for good cause shown, shall appear before an officer authorized to administer oaths and take an oath that he or she will faithfully perform the duties of his or her office as required by law and will support the constitution of the United States, the constitution of the state of Colorado, and the laws made pursuant thereto. When an election is cancelled in whole or in part pursuant to section 1-13.5-513, C.R.S., each director who was declared elected shall take the oath required by this subsection (1) within thirty days after the date of the regular election, except for good cause shown. The oath may be administered by the county clerk and recorder, by the clerk of the court, by any person authorized to administer oaths in this state, or by the chairman of the board and shall be filed with the clerk of the court and with the division.

(2) At the time of filing said oath, there shall also be filed for each director an individual, schedule, or blanket surety bond at the expense of the special district, in an amount determined by the board of not less than one thousand dollars each, conditioned upon the faithful performance of his duties as director.

(3) If any director fails to take the oath or furnish the requisite bond within the period allowed, except for good cause shown, his office shall be deemed vacant, and the vacancy thus created shall be filled in the same manner as other vacancies in the office of director.

35-70-105. Hearing on petition - election. (5) (e) (II) The candidates, according to the number of supervisors to be elected, receiving the most votes cast shall be elected. The supervisors elected shall take office upon the taking of an oath and, if required by the state or local board, the filing of a bond in the same manner as specified in section 32-1-901, C.R.S. Failure to take the oath or furnish a bond, if required, except for good cause shown, shall create a vacancy in the office, and the vacancy shall be filled by the next candidate receiving the highest number of votes in the case of a new district or by the remaining supervisors as specified in section 35-70-107 (4).

35-75-105. Organization meeting - chairman - personnel - surety bond - conflict of interest. (4) Before the issuance of any bonds under this article, the executive officer and associate executive officer shall each execute a surety bond in the sum of one hundred thousand dollars, and each member of the board shall execute a surety bond in the sum of fifty thousand dollars or, in lieu thereof, the chairman of the board shall execute a blanket bond covering each member of the board, the executive officer, the associate executive officer, and the employees of the authority, each surety bond to be conditioned upon the faithful performance of the duties of the office covered, to be executed by a surety authorized to transact business in this state as surety. The cost of each such bond shall be paid by the authority.

37-3-102. Oath - organization. Each director, before entering upon his or her official duties, shall take and subscribe to an oath, before an officer authorized to administer oaths, that the director will honestly, faithfully, and impartially perform the duties of his or her office and that he or she will not be interested directly or indirectly in any contract let by said district, which oath shall be filed in the office of the clerk of said court in the original case. Upon taking the oath, the board of directors shall choose one of its number as chairman of the board and president of the district and shall elect some suitable person secretary of the board and of the district who may or may not be a member of the board. Such board shall adopt a seal and shall keep in a visual text format that may be transmitted electronically a record of all of its proceedings, minutes of all meetings, certificates, contracts, bonds given by employees, and corporate acts, which shall be open to the inspection of all owners of property in the district as well as to all other interested parties.

37-21-106. Directors to qualify. Within ten days after receiving a certificate of election as provided in section 37-21-124, each of said directors shall take and subscribe the official oath and file the same together with his official bond in the office of the county clerk and recorder of the county where the or-

ganization of the district was effected and thereupon assume the duties of his office.

37-31-115. Canvass of vote - certificate of election. Within seven days after said election, the board shall meet at the office of the drainage district for the purpose of canvassing the vote cast at said election, and shall issue a certificate of election to the candidate receiving the highest number of votes for said office, and shall file a statement of the result of said election in the clerk and recorder's office of Mesa county, Colorado. Within ten days after receiving a certificate of election, the director certified to be elected shall take and subscribe the official oath and file the same, together with his official bond, in the office of the county clerk and recorder of Mesa county, Colorado, and thereupon assume the duties of his office.

37-41-106. Directors - election - term. (2) Within ten days after receiving their certificates of election provided for in section 37-41-112 (2), said officers shall take and subscribe the official oath and file the same in the office of the county clerk and recorder wherein the organization was effected and on January 1 following shall assume the duties of their respective offices. Each member of the board of directors shall execute an official bond in the sum of three thousand dollars, which bond shall be approved by the county judge of the county wherein such organization was effected, and shall be recorded in the office of the county clerk and recorder thereof. Such official bond may be signed by a surety company authorized to do business in the state of Colorado, in which case the district shall be liable for and shall pay premium on said bond. All official bonds shall be in form prescribed by law for official bonds for county officials; except that the obligee named in said bonds shall be to the district and shall be filed with the county clerk and recorder at the same time as the filing of the oath provided for in this section.

37-44-124. County treasurer ex officio district treasurer. (1) The county treasurer of the county in which is located the office of any internal improvement district shall be and is hereby constituted ex officio district treasurer of said district, and said county treasurer shall be liable upon his official bond and to indictment and criminal prosecution for malfeasance, misfeasance, or failure to perform any duty prescribed in this article as county treasurer or district treasurer, as is provided by law in other cases as county treasurer. Said county treasurer shall collect, receive, and receipt for all moneys belonging to said district. It is the duty of the county treasurer

of each county in which any internal improvement district is located, in whole or in part, to collect and receipt for all assessments levied in the same manner and at the same time and on the same receipt as is required in the collection of taxes upon real estate for county purposes. The county treasurer of each county comprising a portion only of such internal improvement district, excepting the county treasurer of the county in which the office of said district is located, on the first Monday of every month shall remit to the district treasurer all moneys theretofore collected or received by him on account of said district. Every county treasurer shall keep a bond fund account and a general fund account. The bond fund account shall consist of all moneys received on account of interest and principal of bonds issued by said district, and said accounts for interest and principal shall be kept separate. The general fund shall consist of all other moneys received by the collection of assessments or otherwise.

37-44-126. Election of officers - oath - bond. (2) Within ten days after receiving their certificates of election provided for in section 37-44-135, said officers shall take and subscribe the official oath and file the same in the office of the county clerk and recorder wherein the organization was effected and, January 1 following, shall assume the duties of their respective offices. Each member of the board of directors shall execute an official bond in the sum of five thousand dollars, which bond shall be approved by the judge of the district court of the county wherein such organization was effected and shall be filed in the office of the county clerk and recorder thereof. All official bonds shall be in the form prescribed by law for official bonds for county commissioners; except that the obligee named in said bonds shall be the internal improvement district and shall be filed with the county clerk and recorder at the same time as the filing of the oath.

37-44-130. Administration of oath. Any judge or clerk of election may administer and certify oaths required to be administered during the progress of an election. Before opening the polls each judge and clerk shall take and subscribe an oath to faithfully perform the duties imposed upon him by law. Any qualified elector of the precinct may administer and certify said oath.

37-45-115. Organization of the board of directors. (1) Before entering upon his official duties each director shall take and subscribe to an oath before an officer authorized to administer oaths that he will support the constitutions of the United States and of the state of Colorado and will honestly, faithfully, and impartially perform the duties of his office and that he will not be interested directly or indirectly in any contract let by said district, which oath shall be filed in the office of the clerk of said court in the original case.

37-45-117. Employment of agents. The secretary shall be custodian of the records of the district and of its corporate seal, and shall assist the board in such particulars as it may direct in the performance of its duties. The secretary shall attest, under the corporate seal of the district, all certified copies of the official records and files of the district that may be required of him by this article, or by any person ordering the same and paying the reasonable cost of transcription, and any portion of the record so certified and attested shall prima facie import verity. The secretary shall serve as treasurer of the district, unless a treasurer is otherwise provided for by the board. The board may also employ a chief engineer who may be an individual, partnership, or corporation; an attorney, and such other engineers, attorneys, and other agents and assistants as may be necessary; and may provide for their compensation which, with all other necessary expenditures, shall be taken as a part of the cost or maintenance of the improvement. The chief engineer shall be superintendent of all the works and improvements, and shall make a full report to the board each year, or oftener if required by the board, and may make such suggestions and recommendations to the board as he may deem proper. The secretary and treasurer and such other agents or employees of the district as the court may direct, shall furnish corporate surety bonds, at the expense of the district, in amount and form fixed and approved by the court, conditioned upon the faithful performance of their respective duties.

37-46-106. Vacancies - secretary and treasurer. The office of director shall become vacant when any member ceases to reside in the county from which he was appointed. In the event a vacancy occurs in said office by reason of death, resignation, removal, or otherwise, it shall be filled by the board of county commissioners of the county from which said member originally came. Before entering upon the discharge of his duties, each director shall take an oath to support and defend the constitutions of the United States and of the state of Colorado and to impartially, without fear or favor, discharge the duties of a director of said district. The board of directors of said district shall appoint a secretary and a treasurer. The same individual may at the election of the board hold both of said offices. The board shall likewise hire such other employees, including engineers and attorneys, as may be required to properly transact the business of the district, and said board is authorized to provide for the compensation of the secretary and treasurer and other appointees. The treasurer shall be required by the board to give bond with corporate surety in such amount as the board may fix and which it deems sufficient to protect the funds in the hands of the treasurer or under his control. Such bond is subject to the approval of the board.

37-47-106. Vacancy in office of director. ...Before entering upon the discharge of his duties, each director shall take an oath to support and defend the constitutions of the United States and of the state of Colorado and to impartially, without fear or favor, discharge the duties of a director of said district...The treasurer shall be required by the board to give bond with corporate surety in such amount as the board may fix and which it deems sufficient to protect the funds in the hands of the treasurer or under his control. Such bond is subject to the approval of the board.

37-48-103. Board of directors. (2) The office of a director shall become vacant when any director ceases to reside in the county from which he was appointed or when declared vacant by a majority vote of all of the members of the board when any director has failed to attend two consecutive regular meetings without having been excused from attendance by the president. In the event a vacancy occurs in said office by reason of death, resignation, removal, or otherwise, it shall be filled for the remainder of the unexpired term by the board of county commissioners of the county from which said director originally came. Before entering upon the discharge of his duties, each director shall take an oath to support and defend the constitutions of the United States and of the state of Colorado and to impartially, without fear or favor, discharge the duties of a director of said district.

37-48-104. Employees. The board of directors of said district shall appoint a secretary and a treasurer. The same individual at the election of the board may hold both offices. The board shall likewise hire such other employees, including engineers and attorneys, as may be required to properly transact the business of the district, and said board is authorized to provide for the compensation of the secretary and treasurer and other appointees. The treasurer shall be required by the board to give bond with corporate surety in such amount as the board may fix and which it deems sufficient to protect the funds in the hands of the treasurer or under his control. Such bond is subject to the approval of the board.

37-50-104. Board of directors. (2) The office of a director shall become vacant when the director ceases to reside in the county or ground water management district from which he or she was appointed, or in the case of the director appointed by the Colorado ground water commission when the director ceases to reside in the district or is no longer a member of the Colorado ground water commission, or when declared vacant by a majority vote of all of the members of the board when a director has failed to attend two consecutive regular meetings without having been excused from attendance by the presi-

dent. If a vacancy occurs in the office by reason of death, resignation, removal, or otherwise, it shall be filled for the remainder of the unexpired term by the board of county commissioners of the county, or the ground water management district from which the director was originally appointed. Before entering upon the discharge of his or her duties, each director shall take an oath to support and defend the constitutions of the United States and of this state and to impartially, without fear or favor, discharge the duties of a director of the district.

37-50-106. Employees. The board shall appoint a secretary and a treasurer. The same individual may, at the election of the board, hold both offices. The board shall likewise hire such other employees, including engineers and attorneys, as may be required to properly transact the business of the district, and is authorized to provide for the compensation of the secretary and treasurer and other appointees. The treasurer shall be required by the board to give bond with a corporate surety in such amount as the board may fix and that it deems sufficient to protect the funds in the hands of the treasurer or under the treasurer's control. Such bond is subject to the approval of the board.

37-90-126. Management district - directors - qualifications - oath - bond - vacancies. The members of the board of directors shall meet the qualifications established in section 37-90-121 (1)(b). Each member of the board shall take an oath of office, shall give bond in the sum of five thousand dollars conditioned that he or she shall faithfully perform the duties of director and of such further office to which he or she may be elected in such district, and shall account for all funds or property coming into his or her hands as such director or other officer. Such bonds shall run to the district, shall be signed by a surety approved by the ground water commission, and shall be filed and recorded in the office of the state engineer. When such bond is so filed and approved, such person so elected shall take and hold office until his or her successor is elected and qualified. When a vacancy occurs on the board, such vacancy shall be filled by the remaining members of the board.

37-92-204. Water clerks - duties. (3) Subject to the approval of the water judge, the water clerk in each division shall employ such assistants and deputies as may be necessary for him to carry out his duties. The water clerk, assistants, and deputies shall execute such oath of office and such bond as may be prescribed by the supreme court.

37-95-104. Establishment of authority - board of directors - removal - organization - compensation - dissolution. (4) Each member may be removed from office by the governor for cause, after a public hearing, and may be suspended by the governor pending the completion of such hearing. Each member, before entering upon his duties, shall take and subscribe an oath to perform the duties of his office faithfully, impartially, and justly to the best of his ability. A record of all such oaths shall be filed in the office of the secretary of state.

38-36-113. Examiner of titles - compensation - oath - bond. The judges of the district court in and for the judicial districts for which they are elected or appointed shall appoint a competent attorney in each county within their district as examiner of titles and legal adviser of the registrar. The examiner of titles in each county shall be paid in each case by the applicant such compensation as the judge of the district court determines. Every examiner of titles shall, before entering upon the duties of his office, take and subscribe an oath of office to faithfully and impartially perform the duties of his office, and shall also give a bond in such amount and with such sureties as shall be approved by the judge of the district court, payable in like manner and with like conditions as required of the registrar. A copy of the bond shall be entered upon the records of said court and the original shall be filed with the registrar.

38-37-102. Appointment - bond - office. (1) The governor shall appoint a public trustee in and for each of the counties of the second class...Every person so appointed public trustee in counties of the second class shall, before entering upon the duties of such office, execute a surety bond issued by a company authorized to issue such bonds in the state of Colorado, in the sum of twenty-five thousand dollars, conditioned that the person so appointed as public trustee will well and faithfully execute the duties of such office; and such public trustee shall promptly account for and pay over to such persons as are entitled thereto all moneys and other valuables that come into such person's hands as public trustee.

(2) The county treasurer shall be the public trustee in each of the counties other than those of the first and second classes, and each such county treasurer as public trustee shall execute a surety bond issued by a company authorized to issue such bonds in the state of Colorado in the sum of ten thousand dollars, to be approved by the county commissioners of the county, conditioned that such person will well and faithfully perform the duties of public trustee and properly account for and pay over to such persons as are entitled thereto all moneys and other valuables that come into such person's hands as public trustee...

(4) In lieu of the bond required by subsections (1) and (2) of this section, a county may purchase crime insurance coverage on behalf of the public trustee

to protect the people of the county from any malfeasance on the part of the public trustee and his or her employees.

38-44-105. Oath - assistants. The commissioners so appointed shall subscribe and file with the clerk, within ten days from the date of their appointment, an oath for the faithful and impartial discharge of their duties and shall have power to appoint all necessary assistants.

Addendum B

Constitution of the State of Colorado - Provisions Referencing Employment Oaths or Bonds

Constitutional Provision	Office	Oath	Bond	Requirements	Additional Information
Article IV, §. 8	Governor may require information under oath	X		The Governor may require written information from all officers of the executive department given under oath.	
Article IV, §13	Succession to office of Governor and Lt. Gov.	X		Requirement to take the oath of office in all cases of succession.	
Article IV, §16	Account of moneys	X		Officers of the executive department shall report quarterly in writing and under oath the location and amounts of funds.	
Article V, §2	Legislators	X		"...shall take an oath or affirmation to support the constitution of the United States and of the state of Colorado and to faithfully perform the duties of his office according to the best of his ability."	Oath administered in the chamber to which the member was elected.
Article X, §12 (2)	State Treasurer	X		State Treasurer shall report quarterly in writing and under oath the location and amounts of funds.	

Constitutional Provision	Office	Oath	Bond	Requirements	Additional Information
Article X, §12 (1)	State Treasurer		X	"The general assembly may provide by law for the safekeeping and management of the public funds in the custody of the state treasurer, but, notwithstanding any such provision, the state treasurer and his sureties shall be responsible therefor."	
Article XII, §8	Civil Officers	X		Shall "take and subscribe an oath or affirmation to support the constitution of the United States and of the state of Colorado, and to faithfully perform the duties of the office upon which he shall be about to enter."	Colorado Supreme Court ruled in <i>Hedstrom v. Motor Vehicle Division</i> , 622 P.2d 173, 176 (Colo.1983), that this section only applies to Governor, Lieutenant Governor, Secretary of State, State Treasurer, and Attorney General.
Article XII, § 9	Filing of oaths	X		"Officers of the executive department and judges of the supreme court and district courts, and district attorneys, shall file their oaths of office with the secretary of state; every other officer shall file his oath of office with the county clerk of the county wherein he shall have been elected."	
Article XII, § 10	Failure to qualify for office			Elected or appointed officer refuses or neglects to qualify for office results in office vacancy.	A failure to timely file oath or bond does not create a permanent vacancy. <i>People v. Scott</i> , 116 P.3d 1231 (Colo. App. 2004).
Article XIII, § 1	Senators sitting for the purpose of impeachment	X		"All impeachments shall be tried by the senate, and when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to the law and evidence."	

Constitutional Provision	Office	Oath	Bond	Requirements	Additional Information
Article XIX, §1	Constitutional Convention members	X		"...shall take an oath to support the constitution of the United States, and of the state of Colorado, and to faithfully discharge their duties as members of the convention."	

Addendum C
Colorado Revised Statutes
Provisions Referencing Employment Oaths or Bonds

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
I. General Provisions							
24-12-101	Form of oath	X		"Whenever any person is required to take an oath before he enters upon the discharge of any office, position, or business or on any other lawful occasion, it is lawful for any person employed to administer the oath to administer it in the following form: The person swearing, with his hand uplifted, shall swear 'by the everliving God'."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-12-102	Affirmation in lieu of oath	X		"Whenever any person is required to take or subscribe an oath, and in all cases where an oath is to be administered upon any lawful occasion, and such person has conscientious scruples against taking an oath, he shall be permitted to make his solemn affirmation or declaration in the following form: 'You do solemnly, sincerely, and truly declare and affirm', which solemn affirmation or declaration is equally valid as if such person had taken an oath in the usual form; and every person guilty of falsely declaring shall incur and suffer the penalties inflicted on persons guilty of perjury in the first degree."			
24-12-103	Who may administer an oath	X		"...the courts, judges, magistrates, referees, clerks, and deputy clerks within their respective districts or counties, and notaries public within any county of this state, have the power to administer all oaths of office...."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-12-105	Local government appointees oaths and affirmations	X		"In all home rule cities and city and counties, the charters of which provide that officers, boards, or commissions named therein shall perform the acts and duties required of county officers by the state constitution or by general law, any deputy, employee, or appointee of such officer, board, or commission may administer any oath or affirmation which, by the state constitution or general law, might be administered by the county officer whose duties are performed by such officer, board, or commission making such appointment or employing such deputy, so long as such deputy, employee, or appointee is employed in such capacity."			
24-12-106	False swearing or affirming	X		"All oaths and affirmations...administered or taken shall subject any person who swears or affirms falsely and willfully, in the matter material to any issue or point in question, to the penalties inflicted by law on persons guilty of perjury in the first degree."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-12-107	Out of state oaths	X		"All oaths and affirmations required or authorized to be taken by any statute of this state, when the person required to make the same resides out of or is absent from this state, may be made before and administered by any notary public or clerk of any court of record of the state wherein such person may be, such notary or clerk certifying the same under his notarial seal or the seal of such court."			
24-13-105	Duty to file and examine bonds		X	"It is the duty of the board of county commissioners of each county, at each regular term, on the first day of each term, to examine and inquire into the sufficiency of the official bond of the county treasurer, sheriff, coroner, county assessor, county clerk and recorder, and county surveyor and all other official bonds given by any county officer, as required by law."			
24-13-108	Failure to file new bond, vacancy		X	"If any officer or person enumerated in section 24-13-105 fails to file a new bond within the prescribed time when so required by an order entered of record requiring the filing of such new bond, the officer in default shall be deemed to have vacated his office...."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-13-113	Failure to file bond		X	"It is the duty of such sheriff, coroner, county treasurer, county assessor, county clerk and recorder, or other officer, if he fails to give bond, to deliver over to his sureties forthwith all books, moneys, vouchers, papers, and every description of property whatever, pertaining to his office; and the sureties, at any time after failure to file bond, may maintain an action of replevin or other appropriate action to recover such property, money, or effects from their principal."			
24-13-116	Approval of bonds		X	"The county treasurer, county assessor, county clerk and recorder, or any county officer shall file his official bond in the office of the county clerk and recorder, which bond shall be executed as required by law and shall be approved by the board of county commissioners in open session."			
24-13-117	Approval of bonds to be of record		X	"It is the duty of the board of county commissioners to make an entry in the records of said board of its approval of all official bonds, and, when so approved by said board, the county clerk and recorder shall record the same in the records of said county for inspection by all persons."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-13-125	Expense of bond premiums		X	<p>"Any state, county, municipal, district, or court officer required by law to give a bond or other obligation as such officer may include, as part of the lawful expenses of executing and performing the duties of his office, such reasonable premium as may be charged by a company authorized under the laws of this state so to do for becoming his surety on such bond or obligation and such reasonable premium as may be charged by such company for becoming surety upon the bond of any deputy, clerk, or employee of such officer who is required by law or by such officer to give bond. Such premium shall not exceed one-half of one percent per annum on the amount or penalty of each bond or obligation."</p>			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-13-126	How pay bond premiums		X	"The expenses provided in section 24-13-125, in the case of state officers and their deputies, clerks, or employees, shall be paid from the state treasury, and the general assembly shall make the necessary appropriations therefor. In the case of all other officers and their deputies, clerks, or employees, such expenses shall be paid from any fund provided by such county, municipality, district, precinct, or court for the payment thereof or for the payment of the incidental or contingent expenses of any such officer, or the same shall be paid by such officer from any fund in his possession from which he is authorized to pay the expenses or salaries of his office."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-14-102	Purchase of insurance		X	<p>"The head of a department of the state of Colorado, with the approval of the governor or, in the case of the county or city and county, the chief executive officer or board of county commissioners, subject to appropriations being available therefor, is hereby authorized to procure insurance, through the department of personnel as provided in the 'Procurement Code', articles 101 to 112 of this title, for the purpose of insuring its officers, employees, and agents against any liability, other than a liability which may be insured against under the provisions of the 'Workers' Compensation Act of Colorado', for injuries or damages resulting from their negligence or other tortious conduct during the course of their service or employment. Counties or cities and counties are authorized to insure their officers, employees, and agents against similar liabilities."</p>			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-14-103	Approval and premium cost		X	"Any policy of insurance shall be obtained from an insurer authorized to transact business in this state and deemed by the department of personnel or the appropriate governing body of the governmental subdivision to be responsible and financially sound considering the extent of the coverage required. The premium for such insurance shall be a proper charge against the state or the appropriate governmental subdivision."			
24-14-104	Insurance coverage limitations		X	"(1) The extent of the insurance coverage shall be limited as follows: (a) For any bodily injury and property damage to one person in any single occurrence, the sum of one hundred fifty thousand dollars; (b) For any bodily injury and property damage to two or more persons in any single occurrence, the sum of four hundred thousand dollars; except that, in such instance, no person may recover in excess of one hundred fifty thousand dollars."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
II. Specific Provisions							
20-1-101 (1)	District Attorney	X		Oath to U.S. Const. and organic law of state.	Implied		
20-1-101 (1)	District Attorney		X	\$5,000 bond.	SOS approves form of bond.		
20-1-101 (2)	Deputy District Attorney		X	Same as District Attorney.	X		Only if required by District Attorney.
20-1-101 (2)	Assistant District Attorney		X	Same as District Attorney.	X		Only if required by District Attorney
20-1-201 (3)	Deputy District Attorney	X		Same as District Attorney.	X		
20-1-205 (2)	Assistant District Attorney	X		Same as District Attorney.	X		
23-15-105 (4)	Colorado Educational and Cultural Facilities Authority		X	Exec. Director, Assoc. Exec. Director and others designated by the board \$100,000. Each Board member \$50,000. In lieu of individual bonds, Chairman may get blanket bond for all.			Bonds paid for by Authority.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
23-20-103	Board of Regents University of Colorado	X		"I do solemnly swear (or affirm) that I will support the constitution of the United States and of the state of Colorado, and that I will perform the duties of regent of the university of Colorado faithfully and to the best of my ability."	X		
23-20-109	Board of Regents University of Colorado Treasurer	X	X	"...shall take and subscribe an oath that he or she will faithfully perform the duties of treasurer." Bond of at least \$25,000, from two or more sureties.	X		Bond approved by Board of regents, Attorney General and Secretary of State and "shall endorse their approval on the same."
23-30-105	Board of Governors of the Colorado State University System Secretary and Treasurer		X	Each shall "give bond in an amount deemed sufficient by the board."			Bond requirements may be waived by the board and "governmental insurance coverage" may be substituted.
23-40-104 (1)(b)(VIII)	Board of Trustees University of Northern Colorado	X		"...shall take and subscribe to the oath of office prescribed by the constitution of this state."	X		
23-41-103	School of Mines Trustee	X		"...shall take an oath to support the constitution of the United States and the constitution of this state and to faithfully perform the duties of his office to the best of his ability and understanding."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
23-41-110	School of Mines Treasurer		X	Give such bond as the board deems sufficient.			
23-51-102 (5)	Adams State University Trustee	X		"...shall take and subscribe to the oath of office prescribed by the constitution of this state."	X		
23-52-102 (5)	Fort Lewis College Trustee	X		"...shall take and subscribe to the oath of office prescribed by the constitution of this state."	X		
23-53-102 (5)	Colorado Mesa University Trustee	X		"...shall take and subscribe to the oath of office prescribed by the constitution of this state."	X		
23-54-102 (5)	Metropolitan State University of Denver Trustee	X		"...shall take and subscribe to the oath of office prescribed by the constitution of this state."	X		
23-56-102 (5)	Western State Colorado University Trustee	X		"...shall take and subscribe to the oath of office prescribed by the constitution of this state."	X		
23-70-102 (2)	Auraria Higher Education Center	X		"...shall take and subscribe to the oath of office prescribed by the constitution of this state."	X		

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-2-104	Principal Department Officers required to handle state funds		X	"...shall give bond executed by a responsible surety company, authorized to do business within the state, in such sum as may be fixed by law or, in the absence of any such law, such as shall be fixed by the governor as he deems adequate to safeguard state funds."	X Bonds must be approved by the Governor.		
24-13-122	Freeholder required as surety		X	"...No individual shall be accepted as a surety on any official bond of any county officer unless he is a freeholder of the county in which said officer may be elected or appointed to office."			
24-13-123	Board of County Commissioners		X	Must provide affidavit of assets and liabilities within six days of notice.		X County Clerk and Recorder	Oath regarding bond.
24-22-101	State Treasurer	X	X	"...shall take and subscribe to the oath required by the state constitution and shall give bond to the people of Colorado in the sum of one million dollars, with not less than ten individual sureties or one or more surety companies authorized to do business in this state."	X The bond and each surety must be approved by the Governor and Attorney General.		Premiums for bonds paid by the state and general assembly shall appropriate funds. When Governor with concurrence of Attorney General deems surety insufficient, may demand additional bond.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
24-35-104	Dept. of Revenue Executive Director		X	\$200,000 bond signed by one or more surety companies.			Premiums for bonds paid by the state and general assembly shall appropriate funds.
25-25-105 (4)	Colorado Health Facilities Authority		X	Exec. Director, Assoc. Exec. Director and others designated by the board \$100,000. Each Board member \$50,000. In lieu of individual bonds, Chair may get blanket bond for all.			Bonds paid for by Authority.
25-3-303 (1)	Public Hospital Secretary and Treasurer		X	Corporate fidelity bond of not less than \$10,000.		X Filed with Board	Bond paid for by hospital.
30-10-105 (1)(e)	All county offices	X	X	Office becomes vacant upon refusal or neglect to file oath or bond.			
30-10-110 (1)	Sheriff, County Clerk and Recorder, County Treasurer, Clerk of Court	X		"...take and subscribe the oath of office prescribed by law."			"Oath before some officer authorized to administer oaths." Pursuant to 30-10-416 county clerks and recorders may administer oaths of office, and pursuant to 30-10-418 may charge fee for administering oath.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
30-10-110 (1)	Sheriff, County Clerk and Recorder, County Treasurer, Clerk of Court		X	No statutory amount.			Pursuant to 30-10-110 (2), the county may purchase crime insurance in lieu of bond.
30-10-301	County Commissioners	X		To support the U.S. and Colorado Constitutions, and perform duties to best of ability.			Oath memorialized on a certificate under "the hand and seal of the person administering it."
30-10-311 (1)	County Commissioners		X	No statutory amount.			Pursuant to 30-10-311 (2), the county may purchase crime insurance in lieu of bond.
30-10-401 (1)	County Clerk		X	"Whereas, The above bounden....was elected to the office of county clerk of...., on theday of...., Now, therefore, if the said....shall faithfully perform all duties of the office, and shall pay over all moneys that may come into the hands....etc." A bond with two or more sureties in sum of at least \$5,000.		X County Clerk and Recorder	Deposited with County Treasurer. Pursuant to 30-10-401 (2) county may purchase crime insurance in amount of at least \$10,000 in lieu of bond. Statute includes form of bond/oath.
30-10-403	Deputy County Clerk		X	If county clerk filed bond, deputies covered under that bond.		X County Clerk and Recorder	

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
30-10-416	County Clerk and Recorder may administer oaths	X		"The county clerks and recorders of the several counties in the state of Colorado are authorized, within their respective counties, to administer all oaths of office, ..."			
30-10-501	County Sheriff		X	Bond with at least three sureties the sum of not less than \$5,000 or more than \$20,000.		X County Clerk and Recorder	Pursuant to 30-10-501 (2) county may purchase crime insurance in amount of at least \$10,000 in lieu of bond. 30-10-502, form of bond/oath. Pursuant to 30-10-505, malfeasance of undersheriff is breach of sheriff's bond.
30-10-601 (1)(b)	County Coroner		X	Bond of not less than \$25,000.		X County Clerk and Recorder	Pursuant to 30-10-601 (1.5), county may purchase crime insurance of not less than \$25,000 in lieu of bond.
30-10-602	Deputy County Coroner	X	X	Bond and oath of office are same as required for coroner.		X County Clerk and Recorder	Pursuant to 30-10-602 (2), county may purchase crime insurance in lieu of bond.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
30-10-607	Talesman	X		Replacement inquest juror summoned from "bystanders." "You do solemnly swear, or affirm, that you will diligently inquire, and true presentment make, when, how, and by what means the person about whom this inquest is being held came to his death, according to your knowledge and the evidence given you, so help you God."			Pursuant to 30-10-606 (3) calling of six jurors for inquiry.
30-10-701 (1)	County Treasurer		X	County board sets amount of bond.		X County Clerk and Recorder	Pursuant to 30-10-701 (2), county may purchase crime insurance in lieu of bond.
30-10-703	County Treasurer		X	Statutory form of bond.			
30-10-801 (1)	County Assessor	X	X	Two or more sureties of at least \$6,000 and swear an oath "for the faithful performance of the assessor's duties."			Pursuant to 30-10-801 (2), county may purchase crime insurance of not less than \$10,000 in lieu of bond.
30-10-802 (1)	Deputy county assessors	X	X	No statutory bond amount, and oath requirement consists of "who shall be sworn."			Pursuant to 30-10-802 (2), county may purchase crime insurance of not less than \$10,000 in lieu of bond.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
30-10-901(1)	County Surveyor		X	\$1,000 bond.		X County Clerk and Recorder	Pursuant to 30-10-901 (2), county may purchase crime insurance of not less than \$10,000 in lieu of bond.
30-11-119	Sheriff or other officer of the county		X	Board of commissioners deem bond insufficient can order a new bond.			
30-11-120	Sheriff or other officer		X	30 days after notice of insufficiency, if refuses or neglects to give bond, office declared vacant.			
31-25-815 (1)(a)	Local Development Authority director	X	X	"...director shall take and subscribe to the oath of office and furnish a bond as required by the board."			
31-4-304	Appointed municipal clerk, treasurer, and town attorney	X	X	Trustees "may require of them an oath of office and a bond, with surety, for the faithful discharge of their duties."			
31-4-401 (1)	All elected or appointed municipal officers	X		"...to support the constitution of the United States and the state constitution."			Administered by municipal judge, clerk or other person designated or authorized by law to administer oaths.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
31-4-401 (2)	City or town treasurer, or other officers		X	May require bond, no statutory amount.			Power to declare office vacant after notice plus 10 days if oath or bond not completed.
32-1-603 (2)(c)	Special District Directors and Treasurer, following consolidation		X	Bond shall be not less than \$1,000 per director, and not less than \$5,000 for treasurer. Bond may be "individual, schedule or blanket."		X Copies of bonds filed with court	Bonds paid for by district.
32-1-901 (1)	Elected or appointed Special District Director	X		"...will faithfully perform duties of his or her office as required by law and will support the constitution of the United States, the constitution of the state of Colorado, and the laws made pursuant thereto."		X Clerk of the Court	Appear within 30 days of election or appointment before county clerk and recorder, clerk of court, person authorized to administer oaths, or chairman of the board.
32-1-901 (2)	Elected or appointed Special District Director		X	\$1,000 "individual, schedule, or blanket bond."			Pursuant to 32-1-901 (3), failure to file oath or bond, office shall be deemed vacant.
35-1-106 (1)(j)	State Agricultural Commission employees		X	May require and fix bonds of employees of the department.			
35-70-105 (5)(e)(II)	Conservation District Supervisor	X	X	Shall take oath, if required by state or local board, also file a bond.		X Clerk of the Court	Failure to take oath or bond results in office vacancy.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
35-75-105 (4)	Colorado Agricultural Development Authority		X	Exec. Director, Assoc. Exec. Director and others designated by the board \$100,000. Each Board member \$50,000. In lieu of individual bonds, Chairman may get blanket bond for all.			Bonds paid for by Authority.
37-21-106	Drainage District Director	X	X	Within 10 days of election, take oath and file with "official bond". No statutory bond amount.		X County Clerk and Recorder	
37-3-102	Conservancy District Director	X	X	"...shall take and subscribe to an oath,...will honestly, faithfully, and impartially perform the duties of his or her office and that he or she will not be interested directly or indirectly in any contract." Board shall keep "in a visual text format" all "bonds given by employees."		X Clerk of the Court	Administered by officer authorized to administer oaths.
37-31-115	Mesa County Drainage District Director	X	X	Within 10 days of election, take oath and file with "official bond". No statutory bond amount.		X Mesa County Clerk and Recorder	
37-41-106 (2)	Irrigation District Director	X	X	Within 10 days of election, take oath and file a \$3,000 bond "in the form prescribed by law for official bonds of county officials" and approved by county judge.		X County Clerk and Recorder	Board pays the cost of the bond.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
37-44-124 (1)	Internal Improvement District Treasurer		X	County Treasurer serves as district treasurer and "shall be liable upon his official bond and to indictment and criminal prosecution for malfeasance, misfeasance, or failure to perform any duty."			
37-44-126 (2)	Internal Improvement District Director	X	X	Within 10 days of election, take oath and file a \$5,000 bond "in the form prescribed by law for official bonds of county commissioners" and approved by county judge.		X County Clerk and Recorder	Pursuant to 37-44-130, any judge, or clerk of election "may administer and certify" oaths.
37-44-130	Election Judge and Clerk	X		Before opening polls "shall take and subscribe an oath to faithfully perform duties imposed upon him by law."			Oath administered and certified by "any qualified elector of the precinct."
37-45-115 (1)	Water Conservancy District Director	X		"...shall take and subscribe to an oath, ... will support the constitutions of the United States and the state of Colorado and will honestly, faithfully, and impartially perform the duties of his office and that he will not be interested directly or indirectly in any contract."		X Clerk of the Court	Administered by officer authorized to administer oaths.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
37-45-117	Water Conservancy District Secretary, Treasurer, and such other agents and employees as the court may direct		X	"...shall furnish corporate surety bonds" in amount and form fixed and approved by the court.			
37-46-106	Colorado River Water Conservation District Director and Treasurer	X	X	"...shall take oath to support and defend the constitutions of the United States and the state of Colorado and to impartially, without fear or favor, discharge the duties of a director." Treasurer shall "give bond with corporate surety" in amount fixed and approved by Board.			
37-47-106	Southwestern Water Conservation District Director and Treasurer	X	X	"...shall take oath to support and defend the constitutions of the United States and the state of Colorado and to impartially, without fear or favor, discharge the duties of a director." Treasurer shall "give bond with corporate surety" in amount fixed and approved by Board.			
37-48-103 (2)	Rio Grande Water Conservation District Director	X		"shall take oath to support and defend the constitutions of the United States and the state of Colorado and to impartially, without fear or favor, discharge the duties of a director."			

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
37-48-104	Rio Grande Water Conservation District Treasurer		X	Treasurer shall "give bond with corporate surety" in amount fixed and approved by Board.			
37-50-104 (2)	Republican River Water Conservation District Director	X		"...shall take oath to support and defend the constitutions of the United States and of this state and to impartially, without fear or favor, discharge the duties of a director."			
37-50-106	Republican River Water Conservation District Treasurer		X	Treasurer shall "give bond with corporate surety" in amount fixed and approved by Board.			
37-60-104 (2)	Colorado Water Conservation Board members	X		"...shall make, subscribe, and file...the oath prescribed by the constitution."	X		
37-80-101	State Engineer	X	X	"...shall take and subscribe an oath, before a judge of a state court of record, to faithfully perform the duties of his office" \$10,000 bond	X Both oath and bond filed with SOS.		S.B. 17-026 repeals.

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
37-80-106 (1)	State Engineer deputies	X	X	"...shall take and subscribe to an oath, before a judge of a court of record, to faithfully perform the duties of the office to which he is appointed or required to perform." Bond of no less than \$1,000 or more than \$5,000.	X Only oath filed with SOS.		Deputy personally pays cost of the bond. S.B. 17-026 repeals.
37-80-114 (3)	Deputy State Engineer	X	X	"...shall take and subscribe to an oath before the judge of a state court of record to faithfully perform the duties of his office." \$10,000 bond	X Both oath and bond filed with SOS.		S.B. 17-026 repeals.
37-90-126	Ground Water Management District Director	X	X	"...shall take an oath of office, [and] shall give a bond in the sum of" \$5,000.	X Bond filed with State Engineer.		
37-92-204 (3)	Water Clerks	X	X	"...shall execute such oath of office and such bond as may be prescribed by the supreme court."			
37-95-104 (4)	Colorado Water Resources and Power Development Authority Board member	X		"...shall take and subscribe an oath to perform the duties of his office faithfully, impartially, and justly to the best of his ability."	X Filed with SOS		

Statutory Citation	Office	Oath	Bond	Requirements	Filed with SOS	Filed with County	Additional Information
38-36-113	Examiner of titles	X	X	"...take and subscribe an oath to faithfully and impartially perform the duties of his office, and shall also give a bond" as approved by judge of district court.		X Copy entered upon records of the court and original filed with the registrar	
38-37-102 (1) and (2)	Public Trustee		X	\$25,000 surety bond in (Counties 2nd class), \$10,000 (Counties other than 1st and 2nd).			Pursuant to 38-37-102 (4) county may purchase crime insurance in lieu of bond.
38-44-105	Commissioners-county surveyor	X		"...oath for faithful and impartial discharge of duties."		X Clerk of the Court	
39-21-112 (5) and (6)	Dept. of Revenue		X	Executive Director "shall bond, in a sufficient amount, any person handling money under this article." "Members of the department of revenue shall each give bond to the state of Colorado in the sum of" \$5,000.			
43-1-106 (5)	Transportation Commissioners	X		"...shall take oath ... for state officers."	X		