

CHAPTER 40

GOVERNMENT - COUNTY

HOUSE BILL 93-1249

BY REPRESENTATIVES Williams and Chlouber;
also SENATORS Hopper, Tebedo, and Wham.

AN ACT

CONCERNING COUNTY GOVERNMENT ADMINISTRATION, AND, IN CONNECTION THEREWITH, AUTHORIZING THE JUDGES FOR THE FIRST JUDICIAL DISTRICT ASSIGNED TO GILPIN COUNTY AND CERTAIN OTHER COUNTY OFFICERS TO MAINTAIN THEIR OFFICES AT A LOCATION WITHIN THE COUNTY OTHER THAN THE COUNTY SEAT AND UPGRADING THE COUNTY CATEGORIZATIONS OF DOUGLAS, GILPIN, MONTEZUMA, AND TELLER COUNTIES.

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

SECTION 1. 13-5-102, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

13-5-102. First district. (3) (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE DISTRICT AND COUNTY JUDGES REGULARLY ASSIGNED TO GILPIN COUNTY MAY SIT AND MAINTAIN THEIR OFFICIAL CHAMBERS AT A SINGLE LOCATION ANYWHERE WITHIN SUCH COUNTY, AND ANY RELATED OFFICE MAY ALSO BE MAINTAINED AT SUCH LOCATION.

(b) AS USED IN THIS SUBSECTION (3), "RELATED OFFICE" INCLUDES BUT NEED NOT BE LIMITED TO THE OFFICES OF THE SHERIFF, COUNTY CLERK AND RECORDER, COUNTY TREASURER, CLERK OF DISTRICT COURT, AND CLERK OF COUNTY COURT.

SECTION 2. 30-10-101 (1), Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

30-10-101. Offices - inspection of records - failure to comply - penalty. (1) (a) Every sheriff, county clerk and recorder, county treasurer, and clerk of the district and county courts shall keep his OR HER respective office at the county seat of the county and in the office provided by the county, if any such has been provided, or, if there is none provided, then at such place as the board of county commissioners

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

shall direct. Subject to the provisions of part 2 of article 72 of title 24, C.R.S., and any judicially recognized right of privacy, all books and papers required to be in such offices shall be open to the examination of any person, but no person, except parties in interest, or their attorneys, shall have the right to examine pleadings or other papers filed in any cause pending in such court.

(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (1), THE SHERIFF, COUNTY CLERK AND RECORDER, COUNTY TREASURER, AND CLERK OF THE DISTRICT AND COUNTY COURTS MAY MAINTAIN HIS OR HER OFFICE AT A LOCATION OTHER THAN THE COUNTY SEAT WHEN AUTHORIZED TO DO SO PURSUANT TO PART 1 OF ARTICLE 5 OF TITLE 13, C.R.S.

SECTION 3. 30-10-405, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

30-10-405. Office at county seat - seal - records. (1) The county clerk AND RECORDER shall keep his OR HER office at the county seat. ~~He~~ THE COUNTY CLERK AND RECORDER shall attend the sessions of the board of county commissioners either in person or by deputy, keep the county seal, records, and papers of the board of county commissioners, and keep a record of the proceedings of the board in a book, as required by law, under the direction of the board of county commissioners.

(2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, THE COUNTY CLERK AND RECORDER MAY MAINTAIN HIS OR HER OFFICE AT A LOCATION OTHER THAN THE COUNTY SEAT WHEN AUTHORIZED TO DO SO PURSUANT TO PART 1 OF ARTICLE 5 OF TITLE 13, C.R.S.

SECTION 4. Effective date. This act shall take effect July 1, 1993.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 30, 1993