

CHAPTER 24

GOVERNMENT - STATE

HOUSE BILL 94-1135

BY REPRESENTATIVES Wright and Gordon;
also SENATOR Blickensderfer.

AN ACT

CONCERNING CHANGES IN TERMINOLOGY REGARDING ADMINISTRATIVE LAW JUDGES IN THE "STATE PERSONNEL SYSTEM ACT".

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

SECTION 1. 24-50-103 (7), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-50-103. State personnel board. (7) The board may employ ~~hearing officers~~ ADMINISTRATIVE LAW JUDGES who shall be lawyers with at least five years' experience and shall employ such personnel as may be necessary for the performance of its duties, including an administrator who shall serve as secretary to the board with such duties as the board may assign. Funds for these purposes shall be appropriated by the general assembly.

SECTION 2. 24-50-125.4 (3) and (4), Colorado Revised Statutes, 1988 Repl. Vol., are amended to read:

24-50-125.4. Appeal procedures. (3) The board or a ~~hearing officer~~ AN ADMINISTRATIVE LAW JUDGE for the board shall issue ~~its~~ A written decision within forty-five calendar days after the conclusion of the hearing and the submission of briefs. Any party may appeal the decision of the board to the court of appeals within forty-five days in accordance with section 24-4-106 (11).

(4) If a ~~hearing officer~~ AN ADMINISTRATIVE LAW JUDGE conducts a hearing on behalf of the board, any party who seeks to modify the initial decision must file an appeal with the board within thirty days of the initial decision pursuant to section 24-4-105 (14). Within sixty days after the record is designated in accordance with

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

section 24-4-105 (15) (a), the board shall certify the record. The board shall conduct its review in accordance with section 24-4-105 (15) (b) and issue its final decision within ninety days after the record has been certified.

SECTION 3. 24-50-131, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-50-131. Subpoena powers. The board, its ~~hearing officers~~ ADMINISTRATIVE LAW JUDGES, and the state personnel director, in the performance of their duties under this article, shall have the power of subpoena over persons and records, and such powers shall be enforceable by the courts.

SECTION 4. 24-50-139, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-50-139. Administrative law judges - duties - qualifications. The board may authorize ~~hearing officers~~ ADMINISTRATIVE LAW JUDGES to conduct hearings on any matter within the jurisdiction of the board upon such conditions and terms as the board may determine and subject to the provisions of section 24-50-103 (7) and article 4 of this title.

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 15, 1994