

CHAPTER 276

**LABOR AND INDUSTRY**

**HOUSE BILL 97-1224**

BY REPRESENTATIVES Lawrence, Paschall, Sullivant, Bacon, Dean, Lamborn, and Reeser;  
also SENATORS Ament, Powers, and Schroeder.

**AN ACT**

CONCERNING THE ESTABLISHMENT OF THE "FREEDOM OF LEGISLATIVE AND JUDICIAL ACCESS ACT".

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

**SECTION 1.** Title 8, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 2.5  
Freedom of Legislative and Judicial Access Act**

**8-2.5-101. Unlawful to prevent legislative and judicial access to employees.**

(1) (a) IT IS UNLAWFUL FOR ANY PERSON TO ADOPT OR ENFORCE ANY RULE, REGULATION, OR POLICY FORBIDDING OR PREVENTING ANY OF ITS EMPLOYEES, FRANCHISEES, OR AGENTS OR ENTITIES UNDER ITS CONTROL OR OVERSIGHT FROM, OR TO TAKE ANY ACTION AGAINST ITS EMPLOYEES, FRANCHISEES, OR AGENTS OR ENTITIES UNDER ITS CONTROL OR OVERSIGHT SOLELY FOR, TESTIFYING BEFORE A COMMITTEE OF THE GENERAL ASSEMBLY OR A COURT OF LAW OR SPEAKING TO A MEMBER OF THE GENERAL ASSEMBLY AT THE REQUEST OR INVITATION OF SUCH COMMITTEE, COURT, OR MEMBER REGARDING ANY ACTION, POLICY, RULE, REGULATION, PRACTICE, OR PROCEDURE OF ANY PERSON OR REGARDING ANY GRIEVANCE RELATING THERETO. ANY PERSON VIOLATING ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS.

(b) THE PROHIBITION IN PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL NOT APPLY TO TESTIMONY BEFORE A COMMITTEE OF THE GENERAL ASSEMBLY OR A COURT OF LAW THAT DISCLOSES CONFIDENTIAL, PROPRIETARY, OR OTHERWISE PRIVILEGED INFORMATION OF ANY PERSON.

(2) (a) AN EMPLOYEE, A FRANCHISEE, OR AN AGENT OR AN ENTITY UNDER THE

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

CONTROL OF ANY PERSON MAY RECOVER DAMAGES, INCLUDING REASONABLE ATTORNEY FEES, FROM ANY PERSON FOR INJURIES SUFFERED THROUGH A VIOLATION OF THIS SECTION.

(b) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT AN EMPLOYEE, A FRANCHISEE, OR AN AGENT OR AN ENTITY UNDER THE CONTROL OF ANY PERSON FROM PURSUING ANY OTHER RIGHT OF ACTION PERMITTED PURSUANT TO LAW FOR INJURIES SUFFERED THROUGH A VIOLATION OF THIS SECTION.

(3) NOTHING IN THIS SECTION SHALL OBLIGATE ANY PERSON TO COMPENSATE AN EMPLOYEE OR AGENT FOR TIME SPENT TESTIFYING BEFORE A COMMITTEE OF THE GENERAL ASSEMBLY OR A COURT OF LAW OR SPEAKING TO A MEMBER OF THE GENERAL ASSEMBLY AT THE REQUEST OR INVITATION OF SUCH COMMITTEE, COURT, OR MEMBER REGARDING ANY ACTION, POLICY, RULE, REGULATION, PRACTICE, OR PROCEDURE OF ANY PERSON OR REGARDING ANY GRIEVANCE RELATING THERETO.

(4) FOR PURPOSES OF THIS SECTION, "PERSON" MEANS A CORPORATION, A LIMITED LIABILITY COMPANY, A PARTNERSHIP, AN ASSOCIATION, A FIRM, A STATE AGENCY AS DEFINED IN SECTION 24-50.5-102 (4), C.R.S., A COUNTY, A CITY AND COUNTY, A MUNICIPALITY, A FEDERAL AGENCY, AN INDIVIDUAL, OR ANY OFFICER OR AGENT THEREOF.

**SECTION 2. Effective date - applicability.** This act shall take effect upon passage and shall apply to violations committed on or after said date.

**SECTION 3. 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: June 4, 1997