

CHAPTER 84

GOVERNMENT - STATE

SENATE BILL 00-009

BY SENATORS Owen, Anderson, Andrews, Chlouber, Evans, and Lamborn;
also REPRESENTATIVES Larson, Clapp, Decker, T. Williams, Hefley, May, McElhany, Paschall, Plant, Scott, Stengel, Veiga,
and Young.

AN ACT

CONCERNING THE CONDUCT OF ADMINISTRATIVE LAW JUDGES IN THE DIVISION OF ADMINISTRATIVE HEARINGS IN THE DEPARTMENT OF PERSONNEL, AND, IN CONNECTION THEREWITH, REQUIRING THAT SUCH ADMINISTRATIVE LAW JUDGES COMPLY WITH THE COLORADO CODE OF JUDICIAL CONDUCT.

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

SECTION 1. 24-30-1003 (4), Colorado Revised Statutes, is amended to read:

24-30-1003. Administrative law judges - appointment - qualifications - standards of conduct. (4) (a) Administrative law judges appointed pursuant to this section shall be subject to the standards of conduct set forth in the COLORADO code of judicial conduct. ~~for administrative law judges of the state central panels adopted by the division of administrative hearings of the department of personnel.~~ The performance review plan for each administrative law judge shall include this COLORADO code of judicial conduct. ~~for administrative law judges.~~

(b) A complaint alleging a violation of the COLORADO code of judicial conduct ~~for administrative law judges of the state central panels, adopted by the division of administrative hearings of the department of personnel,~~ shall be referred to the executive director of the department of personnel who shall investigate the complaint and determine if the administrative law judge violated any canons of the code. Such administrative law judge shall be subject to the disciplinary procedures set forth in rules adopted by the state personnel board.

(c) If the decision is unsatisfactory to any party, an appeal may be made to the board of ethics for the executive branch of state government in the office of the governor.

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

(d) If the administrative law judge is found by the executive director or the board of ethics to have acted in violation of the canons of the COLORADO code of judicial conduct, ~~for administrative law judges of the state central panels~~, then the decision shall be made a part of the personnel file of the administrative law judge against whom the complaint was filed.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 31, 2000