

CHAPTER 35

GOVERNMENT - STATE

SENATE BILL 02-144

BY SENATOR(S) Tupa, Pascoe, and Windels;
also REPRESENTATIVE(S) King, Bacon, Groff, Lawrence, and Spence.

AN ACT

CONCERNING AN EXEMPTION FROM PUBLIC ACCESS REQUIREMENTS FOR PROPOSALS TO HONOR INDIVIDUALS SUBMITTED TO INSTITUTIONS OF HIGHER EDUCATION.

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

SECTION 1. 24-6-402 (3) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

24-6-402. Meetings - open to public. (3) (a) The members of a state public body subject to this part 4, upon the announcement by the state public body to the public of the topic for discussion in the executive session, including specific citation to the provision of this subsection (3) authorizing the body to meet in an executive session and identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized, and the affirmative vote of two-thirds of the entire membership of the body after such announcement, may hold an executive session only at a regular or special meeting and for the sole purpose of considering any of the matters enumerated in paragraph (b) of this subsection (3) or the following matters; except that no adoption of any proposed policy, position, resolution, rule, regulation, or formal action, except the review, approval, and amendment of the minutes of an executive session recorded pursuant to subparagraph (I) of paragraph (d.5) of subsection (2) of this section, shall occur at any executive session that is not open to the public:

(VIII) WITH RESPECT TO THE GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION AND ANY COMMITTEE THEREOF, CONSIDERATION OF NOMINATIONS FOR THE AWARDING OF HONORARY DEGREES, MEDALS, AND OTHER HONORARY AWARDS BY THE INSTITUTION AND CONSIDERATION OF PROPOSALS FOR THE NAMING OF A BUILDING OR A PORTION OF A BUILDING FOR A PERSON OR PERSONS.

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 2. 24-72-204 (3) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal.

(3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, shall be available to the person in interest under this subsection (3):

(XV) NOMINATIONS SUBMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION FOR THE AWARDING OF HONORARY DEGREES, MEDALS, AND OTHER HONORARY AWARDS BY THE INSTITUTION, PROPOSALS SUBMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION FOR THE NAMING OF A BUILDING OR A PORTION OF A BUILDING FOR A PERSON OR PERSONS, AND RECORDS SUBMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION IN SUPPORT OF SUCH NOMINATIONS AND PROPOSALS.

SECTION 3. 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 22, 2002