

CHAPTER 380

GOVERNMENT - STATE

HOUSE BILL 14-1390

BY REPRESENTATIVE(S) Duran and Gardner, Buckner, Fields, Kagan, Kraft-Tharp, Lawrence, Lee, McLachlan, Mitsch Bush, Schafer, Williams;
also SENATOR(S) Brophy and Zenzinger, Jahn, Kefalas, Steadman.

AN ACT**CONCERNING THE LEGAL STANDING OF A MEMBER OF THE PUBLIC IN CHALLENGING A VIOLATION OF THE OPEN MEETINGS REQUIREMENTS.**

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

SECTION 1. In Colorado Revised Statutes, 24-6-402, **amend** (9) as follows:

24-6-402. Meetings - open to public - definitions. (9) (a) ANY PERSON DENIED OR THREATENED WITH DENIAL OF ANY OF THE RIGHTS THAT ARE CONFERRED ON THE PUBLIC BY THIS PART 4 HAS SUFFERED AN INJURY IN FACT, AND THEREFORE, HAS STANDING TO CHALLENGE THE VIOLATION OF THIS PART 4.

(b) The courts of record of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state. In any action in which the court finds a violation of this section, the court shall award the citizen prevailing in such action costs and reasonable attorney fees. In the event the court does not find a violation of this section, it shall award costs and reasonable attorney fees to the prevailing party if the court finds that the action was frivolous, vexatious, or groundless.

SECTION 2. Applicability. This act applies to meetings held on or after the effective date of this act.

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 6, 2014

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