



## **HB19-1295**

### **Transitioning the Public Trustee Role to County Treasurers**

**Consolidating the Public Trustee Function into the County Treasurer's Office Would Save Taxpayer Dollars, Increase Efficiency**

**Sponsors: Reps. Rich and Becker, Sens. Scott and Story**

Currently in 52 of the 64 counties in Colorado, the county treasurer serves as the public trustee – the person responsible for administering the state's foreclosure system and the filing and release of deeds of trust. In Denver and Broomfield, state statute allows the elected boards in those jurisdictions to decide how the public trustee office shall be handled. In the remaining ten largest counties (Adams, Arapahoe, Boulder, Douglas, El Paso, Jefferson, Larimer, Mesa, Pueblo and Weld), the public trustee is appointed by the Governor and serves independently, maintaining a separate office and staff, which is funded out of release and foreclosure fees.

Having a stand-alone office for a public trustee is expensive and in at least one jurisdiction the public trustee office has run out of money and had to be funded by the county to stay open.

HB19-1295 would phase-out the currently-appointed public trustees in the ten largest counties in July of 2020 and move the public trustee function into the county treasurer's office - just like the other 52 counties in the state. By consolidating these offices, the bill will save thousands of dollars and make the system more efficient and accountable to the citizens.

The bill requires the county treasurer to prepare a transition plan for how the work of the public trustee will be folded into his/her office in 2020, including any anticipated staffing and budgetary needs to carry out the public trustee function.

**Please Support HB19-1295**

**Contact:**

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**COLORADO**

**BOARD OF COUNTY COMMISSIONERS**

District 1 - John Justman 970-244-1605  
District 2 - Scott McInnis 970-244-1604  
District 3 - Rose Pugliese 970-244-1606

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P.O. Box 20,000 544 Rood Avenue Grand Junction, Colorado 81502-5010 mcboecc@mesacounty.us Fax (970) 244-1639

April 23, 2019

The Honorable Mike Foote, Chair  
State, Veterans, & Military Affairs Committee  
200 E. Colfax Ave.  
Denver, CO 80203

Re: Letter of Support for House Bill 19-1295 — County Treasurers to Serve as Public Trustees

Dear Chairman Foote and Members of the Committee:

The Board of Mesa County Commissioners and the Mesa County Treasurer submit this letter in strong support of HB19-1295, which transitions the functions of the public trustee into the county treasurer's office.

Mesa County is one of the 12 counties in Colorado where the county treasurer does not serve as the public trustee. It is time for us to join the other 52 counties for statewide consistency.

HB19-1295 would help rightsize local government, and save taxpayer dollars while increasing efficiencies by eliminating a stand-alone office for the public trustee. Foreclosure work should be administered by a county elected official who is accountable to the citizens in that community.

Many counties across Colorado continue to be monetarily affected by the recession, and HB19-1295 would help reduce costs by consolidating two offices into one, thereby reducing operating expenses.

Mesa County strongly urges you to support HB19-1295 to improve consistency across counties in Colorado while resourcefully using taxpayers' dollars to improve efficiencies and operations.

We truly appreciate the Governor working with us on this very important piece of legislation.

Thank you for the opportunity to comment.

Sincerely,

Rose Pugliese, Chair  
Board of Mesa County Commissioners

Sheila Reiner  
Mesa County Treasurer

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Pueblo, CO 81005  
[peggyhfoley@gmail.com](mailto:peggyhfoley@gmail.com)  
719-369-2089

April 23, 2019

Chairman Foote and Members of State Affairs Committee.

Re: Colorado's Appointed Public Trustee System

Dear Chairman Foote and Members of State Affairs Committee:

I read with interest the "call to action" letter that was in the July 11, 2018 edition of the Denver post. While I agree with Jim Martin, the Public Trustee of Boulder County, I also have seen the need for this outdated appointment system to change. Not so much for the monetary value but for other reasons.

While and after serving as the Public Trustee for Pueblo County for eight (8) years under Governor Bill Owen's administration – I came to the conclusion that the partisan practice of appointing the large county Public Trustee's needed to be changed. I also felt it should be part of county government, such as the county administrator.

I have tried on several occasions to get representatives, Governor Hickenlooper and others to listen to the arguments for a change – however- everyone sees the need but does nothing about it. It appears that the political appointments are few of the powers that the Governor actually has and no one wants to fight that battle of getting it taken away. The functions of the office have nothing to do with politics – it's how the appointed public trustee gets the appointment. The functions of the office are strictly an administrative function regarding the facilitation of the release and the foreclosure of deeds of trusts.

From personal experience and from the experience that the Jim Martin, form Boulder County, as shared – my hope is someone will really take Jim and I seriously and address this issue.

With the current system the way it is, there is no local accountability and no accountability to the property owners that the system serves. The appointed Public Trustees serve autonomously and are accountable only to the Governor -although the county commissioners oversee their budgets. We have seen the abuse of this system, not only during my tenure a Public Trustee but most recently under Governor Hickenlooper's tenure when the majority of the appointed Public Trustees were asked to resign for questionable practices.

In 2007, 2012 and most recently in 2018, I went on a letter writing campaign to make the public and legislatures aware of the need for a change in this outdated and antiquated system. I was politely listened to and agreed with but mostly ignored. How exciting to now see HB19-1295 actually have a chance to pass! This will give more local accountability to the citizens and county in which the Public Trustee serves. The employees would have benefits under the county umbrella and a more secure working environment.

I am asking for your support for HB19-1295 and feel this change has been a long time coming.

David Migoya did a series of articles about the Public Trustee system in or around July 2012 that you might be interested in reading.

Thank you for your consideration in this matter.

Peggy H. Foley  
Former Public Trustee – Pueblo County

**Brief Bio:**

Ms. Foley served as the Public Trustee for Pueblo County for two terms under Governor Bill Owens. During her tenure, Foley served on the Attorney General's Foreclosure Task Force, the President of the Colorado Public Trustee Association (CPTA) and on the Legislative Committee for CPTA. She was the first female Public Trustee for Pueblo County.

**JEFFERSON**  
COUNTY COLORADO  
Board of County Commissioners

Board of County Commissioners  
Libby Szabo, District 1  
Casey Tighe, District No. 2  
Lesley Dahlkemper, District No. 3

April 23, 2019

The Honorable Mike Foote, Chair  
Senate State Affairs Committee  
200 E. Colfax Ave.  
Denver, CO 80203

Re: Letter of Support: HB19-1295 — County Treasurers to Serve as Public Trustees.

Dear Chairman Foote and Members of the Committee:

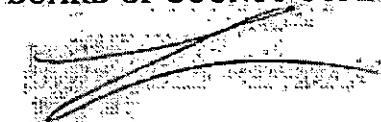
We, along with the Jefferson County Treasurer, submit this letter in strong support of HB19-1295, which transitions the functions of the public trustee into the county treasurer's office. Jefferson County is one of the 12 counties in Colorado where the county treasurer does not serve as the public trustee. It is time for us to join the other 52 counties for statewide consistency.

HB19-1295 would save taxpayer dollars while increasing efficiencies by eliminating a stand-alone office for the public trustee. HB19-1295 would help reduce costs by consolidating two offices into one, thereby reducing operating expenses.

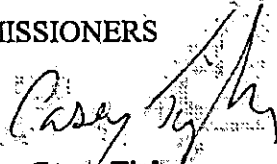
Jefferson County strongly urges you to support HB19-1295 to improve consistency across counties in Colorado while resourcefully using taxpayers' dollars to improve efficiencies and operations.

We truly appreciate the Governor working with us on this very important piece of legislation. Thank you for the opportunity to comment.

Sincerely,  
BOARD OF COUNTY COMMISSIONERS



Libby Szabo



Casey Tighe



Lesley Dahlkemper

JEFFERSON COUNTY TREASURER



Jerry DiTullio

BCC/dlc