TITLE 2

LEGISLATIVE

CONGRESSIONAL DISTRICTS

Art. 1. Congressional Districts, 2-1-100.5 to 2-1-109.

GENERAL ASSEMBLY

Art. 2. General Assembly, 2-2-301 to 2-2-2601.

LEGISLATIVE SERVICES

Art. 3. Legislative Services, 2-3-100.3 to 2-3-2103.

STATUTES - CONSTRUCTION AND REVISION

Art. 4. Construction of Statutes, 2-4-101 to 2-4-605.

Art. 5. Colorado Revised Statutes, 2-5-100.3 to 2-5-126.

MISCELLANEOUS

Art. 6. Economic Impact Statements (Repealed).

Art. 7. Legislative Oversight of Principal Departments, 2-7-101 to 2-7-205.

CONGRESSIONAL DISTRICTS

ARTICLE 1

Congressional Districts

2-1-100.5. Legislative declaration.

2-1-101. Congressional districts. (Repealed)

2-1-101.5. Definitions.

2-1-102. Neutral criteria for judicial determinations of congressional districts. (Repealed)

2-1-103. Citation for federal "Voting Rights Act of 1965" - legislative declaration.

2-1-104. Precinct boundaries.

2-1-105. Maps of legislative districts.

2-1-106. Attachments and detachments.

2-1-107. Changes in county and municipal boundaries.
2-1-108. Published plan and records.
2-1-109. Applicability.

2-1-100.5. Legislative declaration.

The general assembly hereby finds and declares that the state of Colorado shall be divided into districts pursuant to the official figures of the most recent decennial census of the United States. The general assembly further finds and declares that such figures are the most reliable data that the state has available and that the use of any other data or of any data adjustments may create a serious risk of inaccuracy and injustice in establishing congressional districts to represent the citizens of Colorado.

Source: L. 92: Entire section added, p. 593, § 1, effective March 24.

2-1-101. Congressional districts. (Repealed)

Source: L. 1891: p. 89, § 1. **R.S. 08:** § 125. **L. 13:** p. 517, § 1. **L. 21:** p. 170, § 1. **C.L.** § 43. **CSA:** C. 8, § 9. **CRS 53:** § 63-4-1. **C.R.S. 1963:** § 28-1-1. **L. 64, 1st Ex. Sess.:** p. 11, § 1. **L. 72:** p. 184, § 1. **L. 74:** (5) to (7) R&RE, p. 407, § 19, effective April 11. **L. 92:** (1) R&RE and (2), (5), (7), and (8) amended, pp. 593, 603, §§ 2, 3, effective March 24. **L. 2003:** (1) R&RE and (2), (5)(b), and (8) amended, pp. 1645, 1658, §§ 1, 2, effective May 9. **L. 2017:** Entire section repealed, (HB 17-1074), ch. 22, p. 68, § 1, effective August 9.

2-1-101.5. Definitions.

As used in this article 1, unless the context otherwise requires:

(1) "Congressional commission" means the independent congressional redistricting commission created pursuant to section 44 of article V of the state constitution.

(2) "Major political party" means one of the two largest political parties as determined by the number of registered electors with each political party according to voter registration data published by the secretary of state for the earliest day in January of the year in which members of the congressional commission are appointed.

(3) "Voting Rights Act of 1965" means the federal statute, codified at 52 U.S.C. sec. 10301 et seq., as referred to in the ballot measure adopted by voters in 2018 to add section 48.1 (1)(b) to article V of the state constitution.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

2-1-102. Neutral criteria for judicial determinations of congressional districts. (Repealed)

Source: L. 2004: Entire section added, p. 312, § 1, effective April 7. **L. 2010:** Entire section amended, (HB 10-1408), ch. 369, p. 1735, § 1, effective August 11. **L. 2017:** IP(1) amended, (HB 17-1074), ch. 22, p. 68, § 2, effective August 9. **L. 2020:** Entire section repealed, (SB 20-186), ch. 272, p. 1320, § 1, effective July 11.

2-1-103. Citation for federal "Voting Rights Act of 1965" - legislative declaration.

(1) The voters of Colorado considered and overwhelmingly approved legislatively referred measures at the 2018 general election to establish balanced commissions to set district lines for both the United States house of representatives and the Colorado general assembly.

(2) The voters were aware that among the protections provided by these referred measures was the incorporation of the protections provided by federal law including the "Voting Rights Act of 1965", as amended.

(3) Because of a misprint in the measures referring these constitutional amendments to the voters, the federal statute was correctly cited as "the federal 'Voting Rights Act of 1965'" but incorrectly cited as "52 U.S.C. sec. 50301, as amended" when the proper citation is "52 U.S.C. sec. 10301 et seq., as amended."

(4) The general assembly finds and declares that voter intent was clear and should not be frustrated by a clerical error in referring to a federal law that has long been applied by federal courts and the Colorado courts in the redistricting context and was intended to be applied based on the measures' context and legislative analyses provided to voter households in advance of the 2018 general election.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

2-1-104. Precinct boundaries.

(1) (a) Pursuant to the provisions of sections 1-5-101 and 1-5-102, the clerk and recorder of each county, subject to the approval of its board of county commissioners, shall redraw the general election precincts in such county to ensure that no general election precinct is contained within more than one state representative, state senatorial, or congressional district.

(b) Not more than one week after such approval of precinct boundaries and in accordance with sections 1-5-101 and 1-5-102, the board of county commissioners shall file with the secretary of state a copy of the county precinct boundary map showing thereon the revised and reestablished general election precinct boundaries and the boundaries of any legislative or congressional district, if said county is divided into two or more state representative, state senatorial, or congressional districts.

(2) The board of county commissioners shall notify the county chair of each of the two major political parties of any general election precinct boundaries revised and reestablished in accordance with the provisions of this section within five days after the establishment of precinct boundaries in accordance with the provisions of this section.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

2-1-105. Maps of legislative districts.

(1) At the time of submission of a final congressional plan to the Colorado supreme court for its review and determination in accordance with section 44.5 of article V of the state constitution, the congressional commission shall provide the supreme court with a copy of all maps showing the division of the state into legislative districts and necessary supportive evidence, pursuant to the supreme court rules adopted for such proceedings.

(2) As soon as possible after approval of a final plan by the Colorado supreme court, the congressional commission shall prepare and file with the secretary of state copies of census maps showing thereon each legislative district and a description of each district in terms of official census units. The congressional commission shall also file with the county clerk and recorder in each county the necessary maps and descriptions of each legislative district located within the boundaries of such county.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

2-1-106. Attachments and detachments.

(1) If any area of the state is omitted from the redistricting plan approved by the Colorado supreme court, inadvertently or by virtue of the complexities of the census materials used in the development of the plan, the secretary of state, upon discovery of such omission, shall determine to which congressional district the area should be assigned as follows:

(a) If the area is surrounded by a congressional district, the area must be assigned to said district; and

(b) If the area is contiguous to two or more congressional districts, the area must be assigned to the district that has the least population according to the latest national census.

(2) If any area of the state is included in two or more congressional districts in the redistricting plan approved by the Colorado supreme court, inadvertently or by virtue of the complexities of the census materials used in the development of the plan, the secretary of state, upon discovery of such inclusion, shall detach said area from the congressional district or districts having the largest population and shall designate such area as being assigned to the district having the least population; except that, if such area is wholly surrounded by a congressional district and inadvertently is also included in another district, the secretary of state shall assign such area to the district wholly surrounding such area, regardless of population.

(3) (a) If a county clerk and recorder discovers that a border between two congressional districts divides a residential parcel between the two districts and the clerk and recorder wishes to have the border moved, the clerk and recorder shall submit to the secretary of state documentation, satisfactory to the secretary of state, evidencing such division. If the secretary of state believes that the border should be moved, the secretary of state shall propose moving the border between the two districts to a visible feature normally relied upon by the United States census bureau such that the border:

(I) Does not split a residential parcel;

(II) Moves the remaining portion of the residential parcel into the least populated of the two districts; except that, if the border is a border between both congressional districts, the remaining portion of the residential parcel must be moved into the least populated of the two congressional districts;

(III) Would not result in a violation of section 44.3 (1)(a) of article V of the state constitution based upon the latest national census;

(IV) Minimizes the impact on the affected community for purposes of establishing polling locations; and

(V) Minimizes changes in distances from the redistricting plan approved by the Colorado supreme court.

(b) If the secretary of state proposes moving any border pursuant to this subsection (3), the secretary of state shall describe any potential changes in populations of affected congressional districts, based on the latest national census, to the Colorado supreme court. If the supreme court determines that the assignments made by the secretary of state satisfy the criteria established in subsection (3)(a) of this section, the supreme court may approve said assignments. If the supreme court determines that the assignment does not satisfy the criteria established in subsection (3)(a) of this section, the supreme court shall deny the proposed assignment.

(4) Following the assignment of any area pursuant to the provisions of subsection (1) or (2) of this section, the secretary of state shall certify the population of such assigned area and any changes in populations of affected congressional districts, based on the latest national census, to the Colorado supreme court. If the supreme court determines that the assignments made by the secretary of state would not result in a violation of the population requirements of section 44.3 (1)(a) of article V of the state constitution, the supreme court shall approve said assignments. If the supreme court determines that the assignments would result in a violation of the population requirements of section 44.3 (1)(a) of article V of the state constitution, the supreme court shall certify a revised reapportionment plan to the secretary of state.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

2-1-107. Changes in county and municipal boundaries.

Whenever the boundaries of a congressional district coincide with the boundaries of a county or municipality and said county or municipal boundaries are changed by annexation or detachment, the boundaries of the congressional district remain the same until such time as a new redistricting is made following a national census as provided in sections 44 to 44.6 of article V of the state constitution.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

2-1-108. Published plan and records.

(1) Upon submission of the congressional redistricting plan approved by the Colorado supreme court, the congressional commission shall provide copies of the published plan to the secretary of state.

(2) The secretary of state shall provide any candidate for legislative office or any Colorado citizen with a copy of a map showing the boundaries for any congressional district upon request. Individual district maps must be provided to any resident of a congressional district without charge. A nominal charge, not to exceed the actual cost, may be determined and collected pursuant to section 24-21-104 (3) for copies of congressional district maps for which an individual is not a resident.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

2-1-109. Applicability.

This article 1 applies to each congressional commission and to congressional districts created by said commission.

Source: L. 2020: Entire section added, (SB 20-186), ch. 272, p. 1321, § 2, effective July 11.

GENERAL ASSEMBLY

ARTICLE 2

General Assembly

PART 1
SENATORIAL DISTRICTS - APPORTIONMENT

2-2-101 to 2-2-108. (Repealed)

PART 2
REPRESENTATIVE DISTRICTS - APPORTIONMENT

2-2-201 to 2-2-208. (Repealed)

PART 3
ORGANIZATION - OPERATION

2-2-301. Call of houses to order.

2-2-302. Clerks to file certificates - roll - officers.

2-2-303. Committee on credentials - permanent organization.

2-2-303.5. Time for convening regular sessions - procedure for convening earlier.

2-2-304. Members not to be questioned.

2-2-305. Legislative employees - compensation.

2-2-306. Appointment - qualifications - duties.

2-2-307. Compensation of members - reimbursement of expenses - definitions - repeal.

2-2-308. Officers and employees - cessation of pay - when - exceptions.

2-2-309. Method of payment.

2-2-310. Senate and house journals published.

2-2-311. Disposition of journals.

2-2-312. Cost of publication.

2-2-313. Witnesses - attendance before assembly.

2-2-314. Violation - penalty.

2-2-315. Member may administer oath.

2-2-316. Legislative declaration - travel by members - during adjournment.

2-2-317. Expense, subsistence, and travel allowance - definition.

2-2-318. Members to be reimbursed for expenses.

2-2-319. Sections 2-2-316 to 2-2-319 provide no increase in compensation or mileage.

2-2-320. Legislative department contracts - approval.

2-2-321. Designation and assignment of space in capitol buildings group and on the grounds thereof.

2-2-322. Fiscal notes - definitions - repeal.

2-2-322.3. Greenhouse gas emissions reports - definitions - repeal. (Repealed)

2-2-322.5. Demographic notes - definitions.

2-2-323. Service of process on the general assembly - legislative declaration.

2-2-324. Committees of reference - program review. (Repealed)

2-2-325. Legislative appointees - boards and commissions - other governmental bodies.

2-2-326. Compensation and expenses for members appointed to and serving on state entities - definition - repeal.

2-2-327. Annual address to joint session by tribal governments.

2-2-328. Members of the general assembly prohibited from holding multiple elected offices.

2-2-329. Administrator of legislative safety - definitions - repeal.

PART 4
INTERFERENCE WITH THE LEGISLATIVE PROCESS

2-2-401. Legislative declaration.

2-2-402. Sergeants at arms.

2-2-403. Indemnification of members, officers, and employees of the general assembly.

2-2-404. Legislative rules.

2-2-405. Injunctions.

2-2-406. Contempt of either house.

PART 5
LEGISLATIVE DISTRICTS - IMPLEMENTATION OF COMMISSION PLAN

2-2-501. Number of members of general assembly - election from districts.

2-2-502. Definitions.

2-2-503. Designation of senatorial districts to elect in years ending in 2 and 4.

2-2-504. Holdover senators keep office - vacancies.

2-2-505. Maps of legislative districts.

2-2-505.5. Presidential election years. (Repealed)

2-2-506. Precinct boundaries.

2-2-507. Attachments and detachments.

2-2-508. Changes in county and municipal boundaries.

2-2-509. Published plan and records.

2-2-510. Commission meetings - open to public. (Repealed)

2-2-511. Applicability.

PART 6
LEGISLATIVE COMMISSION

2-2-601 to

2-2-602. (Repealed)

PART 7
ENACTMENT OF LAWS REGARDING SENTENCING OF CRIMINAL OFFENDERS

2-2-700.3. Definitions.

2-2-701. General assembly - bills regarding the sentencing of criminal offenders - legislative intent.

2-2-702. General assembly - bills regarding the sentencing of criminal offenders - required to be assigned to the appropriations committee of the house of introduction.

2-2-703. General assembly - bills which result in a net increase in periods of imprisonment in state correctional facilities -

funding must be provided in the bill. (Repealed)

PART 8
PLAIN LANGUAGE IN STATE LAWS

2-2-801. Plain language requirement in state laws.

2-2-802. People first language in state laws.

2-2-803. Inclusion of tribal governments - definition.

PART 9
CENSUS DATA FOR REDISTRICTING

2-2-901. Population data for redistricting.

2-2-902. Accurate census data - electronic record of prisoner home address - adjustment of census data - definitions.

PART 10
LEGISLATIVE INTERIM COMMITTEE ON HEALTH CARE SYSTEMS

2-2-1001. (Repealed)

PART 11
LEGISLATIVE INTERIM COMMITTEE ON STIMULATING ECONOMIC DEVELOPMENT THROUGH BUSINESS PERSONAL PROPERTY TAX EXEMPTIONS AND OTHER METHODS

2-2-1101. (Repealed)

PART 12
POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF BILLS

2-2-1201. Accountability clauses - post-enactment review of implementation of bills by legislative service agencies - definitions - repeal.

PART 13
YOUTH ADVISORY COUNCIL

2-2-1301. Short title.

2-2-1301.5. Definitions.

2-2-1302. Colorado youth advisory council - creation - purpose.

2-2-1303. Membership - selection - terms.

2-2-1304. Duties - meetings - community outreach - designation of organization to accept donations - authority to contract.

2-2-1305. Reporting requirements.

2-2-1305.5. Representative Hugh McKean and Senator Faith Winter Colorado youth advisory council review committee - created.

2-2-1306. Youth advisory council cash fund - created - gifts, grants, and donations.

2-2-1307. Repeal of part.

PART 14
ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE ACT

2-2-1401 to

2-2-1406. (Repealed)

PART 15
LEGISLATIVE TASK FORCE ON THE BUSINESS PERSONAL PROPERTY TAX

2-2-1501. (Repealed)

PART 16
LEGISLATIVE DEPARTMENT CASH FUND

2-2-1601. Legislative department cash fund - redistricting accounts - creation - legislative declaration - definitions - repeal.

PART 17
LOWER NORTH FORK WILDFIRE COMMISSION

2-2-1701 to

2-2-1704. (Repealed)

PART 18
STANDARDS AND ASSESSMENTS TASK FORCE

2-2-1801 to

2-2-1805. (Repealed)

PART 19
SCHOOL FINANCE STUDY

2-2-1901 to

2-2-1903. (Repealed)

PART 20
LEGISLATIVE INTERIM COMMITTEE ON SCHOOL FINANCE

2-2-2001 to

2-2-2004. (Repealed)

PART 21
ACCOUNTABILITY, ACCREDITATION, STUDENT PERFORMANCE, AND RESOURCE INEQUITY TASK FORCE

2-2-2101. Definitions.

2-2-2102. Accountability, accreditation, student performance, and resource inequity task force - appointments - meetings.

2-2-2103. Accountability, accreditation, student performance, and resource inequity task force - duties - report.

2-2-2104. Repeal of part.

PART 22
PROPERTY TAX TASK FORCE

2-2-2201. (Repealed)

PART 23
BLACK COLORADAN RACIAL EQUITY STUDY

2-2-2301. Legislative declaration.

2-2-2302. Definitions.

2-2-2303. Black Coloradan racial equity study - third-party entity qualifications - commission created - membership - staff

support - legislative intent.

2-2-2304. Commission - meetings - duties.

2-2-2305. Black Coloradan racial equity study - historical research.

2-2-2306. Black Coloradan racial equity study - economic analysis - contractor.

2-2-2307. Black Coloradan racial equity study - report - presentation to legislative committees.

2-2-2308. Gifts, grants, and donations - cash fund.

2-2-2309. Effective dates - repeal of part - notice to revisor of statutes.

PART 24
COLORIMETRIC FIELD DRUG TEST WORKING GROUP

2-2-2401. (Repealed)

PART 25
LEGISLATION INSIDE ADVISORY COUNCIL

2-2-2501. Short title.

2-2-2502. Definitions.

2-2-2503. Legislation inside advisory council - creation - purpose.

2-2-2504. Membership - selection - terms - repeal.

2-2-2505. Duties - meetings - community outreach - designation of organization to accept donations - authority to contract - legislative intent.

2-2-2506. Report.

2-2-2507. Legislation inside advisory council review committee - created - repeal.

PART 26
COMMISSION ON MEDICAID

2-2-2601. Commission on medicaid - creation - powers and duties - report - repeal.

PART 1

SENATORIAL DISTRICTS - APPORTIONMENT

2-2-101 to 2-2-108. (Repealed)

Source: L. 2017: Entire part repealed, (HB 17-1025), ch. 21, p. 67, § 1, effective August 9.

Editor's note: This part 1 was numbered as article 8 of chapter 63, C.R.S. 1963. For amendments to this part 1 prior to its repeal in 2017, consult the 2016 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

PART 2

REPRESENTATIVE DISTRICTS - APPORTIONMENT

2-2-201 to 2-2-208. (Repealed)

Source: L. 2017: Entire part repealed, (HB 17-1025), ch. 21, p. 67, § 1, effective August 9.

Editor's note: This part 2 was numbered as article 9 of chapter 63, C.R.S. 1963. For amendments to this part 2 prior to its repeal in 2017, consult the 2016 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

PART 3

ORGANIZATION - OPERATION

2-2-301. Call of houses to order.

At the time established as provided in section 2-2-303.5 for the meeting of the first regular session of the general assembly next after the general election, the holdover senators and senators-elect shall meet in the hall of the senate, and the members-elect of the house of representatives shall meet in the hall of the house of representatives. The president of the next preceding session of the senate, or in case of the president's absence the holdover senator or one of them having served the longest continuous time in the senate, shall call the senate to order. The speaker of the next preceding session of the house of representatives, or in the speaker's absence the person holding a certificate issued by the secretary of state as a member and having served the longest continuous time in the house of representatives, shall call the house of representatives to order.

Source: R.S. p. 419, § 1. **G.L.** § 1290. **L. 1883:** p. 201, § 1. **G.S.** § 1575. **L. 1893:** p. 282, § 1. **R.S. 08:** § 2895. **C.L.** § 2. **CSA:** C. 74, § 2. **L. 51:** p. 438, § 2. **CRS 53:** § 63-2-1. **C.R.S. 1963:** § 63-2-1. **L. 65:** p. 683, § 1. **L. 76:** Entire section amended, p. 296, § 7, effective May 20. **L. 94:** Entire section amended, p. 579, § 1, effective April 7.

Cross references: For when the general assembly meets, see § 7 of art. V, Colo. Const.; for the oath of office of members of the general assembly, see § 2 of art. V, Colo. Const.

2-2-302. Clerks to file certificates - roll - officers.

The clerk of each house shall file the certificates presented by the members, each for his own house, and make a roll of the members who thus appear to be elected, and the persons thus appearing to be elected members shall proceed to elect such other officers as may be required for the time being.

Source: G.L. § 1291. **G.S.** § 1576. **R.S. 08:** § 2896. **C.L.** § 3. **CSA:** C. 74, § 3. **CRS 53:** § 63-2-2. **C.R.S. 1963:** § 63-2-2.

2-2-303. Committee on credentials - permanent organization.

(1) When the houses are temporarily organized, the presiding officer in each house, with the consent of said house, shall appoint a committee of three members thereof to report upon the credentials of those claiming to be elected members of their respective houses. When the report is made, those reported as elected shall proceed to the permanent organization of their respective houses; except that a committee on credentials may recommend that a person be seated as a member of the general assembly pursuant to subsection (2) of this section pending the outcome of an election contest or special legislative election called pursuant to section 1-11-303, C.R.S. Each house will be the sole judge of the election returns and qualifications of its own members.

(2) (a) In the event that the election of any person as a member of the state senate or the state house of representatives at any general election held in November, 2000, or thereafter is contested pursuant to section 1-11-208, C.R.S., a committee on credentials may recommend to the state senate or the state house of representatives that the person who is certified by the secretary of state as the member elected in such state senate or state house of representatives district be seated or may recommend to the state senate or the state house of representatives that a contestor or contestee in such contest who was a candidate in such election and who is not

certified by the secretary of state be seated pending the outcome of the election contest or a special legislative election called pursuant to section 1-11-303, C.R.S., if:

(I) An accurate and verifiable vote count showing the person having the highest number of votes cast in the district for the contested state senate or the state house of representatives seat cannot be obtained from the election returns; and

(II) The inability to obtain an accurate and verifiable vote count may have directly affected the outcome of the election.

(b) Any person that a credentials committee recommends be seated pursuant to paragraph (a) of this subsection (2) shall have all the rights, powers, and duties of a duly elected member of the general assembly pending the outcome of an election contest or a special legislative election called pursuant to section 1-11-303, C.R.S.

(3) A committee on credentials that makes a recommendation pursuant to subsection (2) of this section may, in such committee's report under subsection (1) of this section, make recommendations to the house in which the contest was initiated on matters arising from such contest, including, but not limited to:

(a) That the election contest be resolved by the committee on credentials of such house;

(b) That such house call a special legislative election pursuant to section 1-11-303, C.R.S.;

(c) That the election contest be referred to a committee of reference in such house to make recommendations on the resolution of the contest or for the purpose of determining whether a special legislative election should be called pursuant to section 1-11-303, C.R.S.

Source: G.L. § 1292. **G.S.** § 1577. **R.S. 08:** § 2897. **C.L.** § 4. **CSA:** C. 74, § 4. **CRS 53:** § 63-2-3. **C.R.S. 1963:** § 63-2-3. **L. 65:** p. 684, § 2. **L. 99:** Entire section amended, p. 1383, § 1, effective June 4.

Cross references: For each house choosing its officers, see § 10 of art. V, Colo. Const.

ANNOTATION

This section and article V, section 10 of the state constitution, allowing general assembly to judge qualifications of members, does not limit authority of courts to determine election controversies when no candidate declared duly elected. State constitutional provisions and statutes permitting general assembly to judge election of members does not limit subject matter jurisdiction of district court to hear

controversies related to elections where no candidate is yet declared duly elected by secretary of state. Meyer v. Lamm, 846 P.2d 862 (Colo. 1993).

2-2-303.5. Time for convening regular sessions - procedure for convening earlier.

(1) The provisions of this section are enacted in furtherance of section 7 of article V of the state constitution, which provides that the general assembly shall meet in regular session at 10 a.m. no later than the second Wednesday of January of each year.

(2) Unless a different date is established in accordance with subsection (3) or (4) of this section, the general assembly shall meet in regular session at 10 a.m. on the second Wednesday of January of each year.

(3) The general assembly, acting by joint resolution, may designate the date of convening the next regular session of the general assembly. Any date designated pursuant to this subsection (3) shall be a date on or after January 1 but prior to the date specified in subsection (2) of this section.

(4) In the event the general assembly does not act during the regular session pursuant to subsection (3) of this section, the executive committee of the legislative council, after the regular session but no later than November 1, may designate the date of convening the next regular session of the general assembly. Any date designated pursuant to this subsection (4) shall be a date on or after January 1 but prior to the date specified in subsection (2) of this section.

Source: L. 94: Entire section added, p. 579, § 2, effective April 7.

2-2-304. Members not to be questioned.

No members of the general assembly will be questioned in any other place for any speech or word spoken in debate in either house or for conducting or performing any other legislative activity that relates to the drafting of bills and other legislative measures, including amendments to such bills or measures, and to the rendering of assistance or information to constituents on their personal and private matters that are not publicly known. In addition, no staff members of the general assembly will be questioned in any other place for conducting or performing any duties or functions directly related to such legislative activity when it is conducted or performed at the direction of members of the general assembly.

Source: G.L. § 1293. **G.S.** § 1578. **R.S. 08:** § 2898. **C.L.** § 5. **CSA:** C. 74, § 5. **CRS 53:** § 63-2-4. **C.R.S. 1963:** § 63-2-4. **L. 2009:** Entire section amended, (HB 09-1348), ch. 358, p. 1863, § 1, effective June 1.

2-2-305. Legislative employees - compensation.

The officers and employees of each house of the general assembly of the state of Colorado and their compensation shall be determined by joint resolution of both houses, and such officers and employees shall be appointed without regard to the state personnel system.

Source: L. 15: p. 254, § 1. **C.L.** § 6. **CSA:** C. 74, § 6. **L. 45:** p. 366, § 1. **L. 47:** p. 479, § 1. **L. 51:** p. 439, § 1. **CRS 53:** § 63-2-5. **C.R.S. 1963:** § 63-2-5.

Cross references: For compensation of officers and employees, see § 27 of art. V, Colo. Const.

ANNOTATION

When a law has been duly enacted by one general assembly, in conformity with a mandate of the constitution fixing the number and compensation of legislative employees, a subsequent general assembly may not legally ignore such law without modifying or repealing it. People ex rel. Clement v. Spruance, 8 Colo. 307, 6 P. 831 (1885) (decided under former law).

2-2-306. Appointment - qualifications - duties.

All such officers and employees, except as otherwise provided in this part 3, shall be selected by the house employing them, and they shall perform the duties usually performed by like officers and employees, and all other duties as may be required of them by the house employing them. All clerks provided for in this part 3 shall be assignable and all printing clerks shall be skilled and competent proofreaders.

Source: L. 15: p. 256, § 2. **C.L.** § 7. **CSA:** C. 74, § 7. **CRS 53:** § 63-2-6. **C.R.S. 1963:** § 63-2-6.

2-2-307. Compensation of members - reimbursement of expenses - definitions - repeal.

(1) (a) Repealed.

(b) (I) Except as otherwise provided in subsection (1)(b)(II) of this section, commencing on the first day of the legislative session beginning in January of 2019, and the first day of each legislative session beginning in January each two years thereafter, but before January 1, 2027, all members of the general assembly whose terms commence on such day and members appointed to fill vacancies for unexpired terms of those members shall receive as an annual base compensation for their services an amount equal to twenty-five percent of the total annual salary paid as of such day to the judges of the county court in Class B counties, as defined in section 13-6-201. This subsection (1)(b)(I) is repealed, effective July 1, 2028.

(II) For the period commencing on the first day of the legislative session beginning in January of 2021, and ending on the day before the first day of the legislative session beginning in January of 2022, all members of the general assembly whose terms commence on the first day of the legislative session beginning in January of 2021 shall receive as an annual base compensation for their services forty thousand two hundred forty-two dollars, which is the same amount as the annual base compensation for their services for members of the general assembly whose terms commenced on the first day of the legislative session beginning in January of 2019. This subsection (1)(b)(II) is repealed, effective July 1, 2028.

(III) On or after January 1, 2027, all members of the general assembly shall receive for their services an annual base compensation in the amount set by the commission.

(IV) The base compensation for all members of the general assembly is payable in twelve equal monthly amounts. The director of research of the legislative council appointed pursuant to section 2-3-304 (1) shall post the amount of the current annual base compensation payable to a member of the general assembly pursuant to this subsection (1)(b) on the website of the general assembly.

(1.5) Repealed.

(2) The compensation for the services of the members of the general assembly shall be adjusted as follows:

(a) Except as otherwise provided in subsection (2)(e) of this section, if any member of the general assembly is absent for any purpose from two-thirds or more of the sessions of the member's respective house, two-thirds of the compensation allowed under this section is forfeited.

(b) Except as otherwise provided in subsection (2)(e) of this section, if any member of the general assembly is absent for any purpose from one-third or more, but less than two-thirds, of the sessions of the member's respective house, one-third of the compensation allowed under this section is forfeited.

(c) The presiding officer of each house shall certify the number of days for which each member of each respective house shall be compensated and the amount due each member or owing from each member within ten days after adjournment sine die. Such certification shall be submitted to the state controller.

(d) For purposes of this subsection (2), "session" means any regular meeting of either house of the general assembly in its respective chamber to consider the passage of legislation and any meeting of all committees of either house. No other meetings shall be considered sessions.

(e) (I) The president of the senate or the speaker of the house of representatives may approve a member of their respective house for an absence for purposes of a long-term illness, parental leave in excess of the maximum period set forth in subsection (2)(e)(II) of this section, or another similar purpose, and a member receiving such approval shall not be required to forfeit compensation as set forth in subsections (2)(a) and (2)(b) of this section.

(II) Any member of the general assembly may be absent for purposes of parental leave for a maximum of twelve weeks, plus up to an additional four weeks for a serious health condition related to pregnancy complications or childbirth complications, during session and shall not forfeit compensation as set forth in subsections (2)(a) and (2)(b) of this section. However, nothing in this subsection (2)(e)(II) exempts a member of the general assembly from receiving any approval required by subsection (2)(e)(I) of this section or legislative rules for any period of absence for purposes of parental leave that is longer than the duration specified in this subsection (2)(e)(II).

(3) (a) When the general assembly is in recess for more than three days or is not in session, in addition to the base compensation specified in subsection (1) of this section, the following members of the general assembly shall be entitled to the further sum of ninety-nine dollars per day through December 31, 2026, and, on or after January 1, 2027, the amount set by the commission for necessary attendance at meetings or functions or to legislative matters as follows:

(I) Any member who attends a meeting of the legislative council, committees established by the legislative council, interim committees authorized by law or by joint resolution of the two houses, or the committee on legal services;

(I.5) The chair of an interim committee authorized by law or by joint resolution, or the chair's designee, who attends a meeting of the legislative council, or the executive committee of the legislative council, at the request of the legislative council or the executive committee;

(II) Any member of the joint budget committee or the legislative audit committee who attends a meeting of the joint budget committee or legislative audit committee, or, with the approval of the chairperson, who attends a state function or a function at a state institution or state agency at which matters concerning the joint budget committee or the legislative audit committee are considered;

(III) The president of the senate, the speaker of the house of representatives, the senate and house majority and minority leaders for attendance to matters pertaining to the general assembly, whether such matters are at the capitol or elsewhere. In addition, the persons who have been chosen after a general election to serve as president, speaker, and majority and minority leaders for the next legislative biennium shall be entitled to the same compensation as is provided for current leaders under this subparagraph (III), so long as such new leaders are members of the current general assembly.

(IV) (A) Except as provided in sub-subparagraph (B) of this subparagraph (IV), any member of a committee of reference designated pursuant to section 2-3-1201 who attends a meeting of the committee of reference or who attends a meeting of the joint budget committee when it is considering matters for which the member's committee of reference has oversight responsibility, or, with the approval of the chairperson, who attends a state function or a function at a state institution or state agency at which matters concerning the committee are considered. The executive committee of the legislative council may establish guidelines for the payment of per diem to members of a committee of reference who attend meetings of the joint budget committee as allowed by this subparagraph (IV).

(B) If a member of the current general assembly is appointed when the general assembly is in recess for more than three days or is not in session to serve on a committee of reference for the next regular session of the general assembly, such member shall thereafter only be entitled to compensation pursuant to this subparagraph (IV) as a member of a committee of reference upon which the member has been appointed to serve during the next regular session of the general assembly and shall not be entitled to compensation pursuant to this subparagraph (IV) as a member of a committee of reference upon which the member served during the most recently completed regular session of the general assembly but upon which the member is not appointed to serve during the next regular session of the general assembly.

(C) For purposes of this subparagraph (IV), "member" includes an appointee to a committee of reference designated by the appointing authority as provided by the applicable rules of the house of representatives and senate respectively prior to the convening of the general assembly at which such member is to serve, whether such appointee is a member of the then current general assembly or member-elect of the next general assembly, or both.

(V) With the prior approval of the executive committee of the legislative council, any member of a committee of reference who attends a meeting of the committee of reference when it is considering matters for which the committee of reference has oversight responsibility.

(b) Any member of the general assembly who is entitled to compensation pursuant to paragraph (a) of this subsection (3) shall also be entitled to reimbursement for all actual and necessary travel and subsistence expenses to be paid after such expenses are incurred. Mileage rates shall not exceed those authorized for the executive department.

(c) The requirements of subsections (2) and (4) of this section are applicable to all claims for compensation and reimbursement under this section.

(d) Repealed.

(e) Notwithstanding this section or any other provision of law, a member of the general assembly who is appointed to a statutorily created interim committee is not entitled to per diem and travel expenses for attendance at a meeting of the interim committee during the 2026 interim.

(4) (a) Prior to incurring any expenses for which reimbursement may be claimed, other than those incurred under subsection (3) of this section, a member of the house of representatives shall obtain the approval of the speaker of the house of representatives and a senator shall obtain the approval of the majority leader of the senate. Vouchers for the payment of such expenses of members of the house of representatives shall be approved by the speaker of the house of representatives, and vouchers for the payment of such expenses of senators shall be approved by the majority leader of the senate.

(b) The director of research of the legislative council shall approve payroll vouchers and vouchers for per diem payments incurred in connection with attendance by members of both houses at meetings of the statutory committees listed under article 3 of this title, a committee of any such agency, any interim committee authorized by law, by joint resolution, or by resolution of either house, or any committee of reference described in subparagraph (V) of paragraph (a) of subsection (3) of this section.

(c) Prior approval of expenses incurred by members of any legislative committee created by law in connection with the activities of any national or regional organization in which Colorado officially participates shall be obtained from the chairperson of the appropriate committee.

(5) (a) Members of the general assembly shall be entitled to reimbursement for all actual and necessary travel expenses incurred for vehicle travel while attending to legislative business, which expenses are not otherwise paid or reimbursed under any other provision of this part 3. Mileage rates shall not exceed those authorized for the executive department.

(b) With the approval of the executive committee of the legislative council, members of the general assembly shall be entitled to reimbursement for all actual and necessary expenses incurred due to extraordinary or unforeseen circumstances related to the legislative business of the member.

(c) The executive committee of the legislative council may establish guidelines regarding reimbursements and substantiation requirements for actual and necessary travel expenses incurred by members of the general assembly.

(6) As used in this section, unless the context otherwise requires, "commission" means the independent state elected official pay commission created in section 24-9-106 (2).

Source: L. 53: p. 293, § 3. **CRS 53:** § 63-2-7. **L. 55:** p. 423, § 1. **L. 58:** p. 237, § 3. **L. 62:** pp. 168, 169, §§ 1-3. **C.R.S. 1963:** § 63-2-7. **L. 64:** p. 476, § 1. **L. 65:** p. 684, § 3. **L. 67:** p. 600, §§ 1, 2. **L. 69:** p. 459, § 1. **L. 70:** p. 190, § 2. **L. 73:** p. 668, §§ 1, 2. **L. 75:** (5)(b) and (5)(c) amended, p. 196, § 1, effective June 20. **L. 76:** (1) and (2) repealed, p. 593, § 5, effective July 1; (6) amended and (8) to (11) added, p. 589, § 1, effective July 1. **L. 80:** (12) added, p. 578, § 7, effective July 1. **L. 81:** (9)(a) to (9)(c) amended, p. 327, § 1, effective June 5. **L. 82:** IP(9) amended, p. 618, § 2, effective April 2. **L. 84:** (9)(a) to (9)(c) and IP(12)(a) amended and (13) added, p. 280, § 1, effective May 9. **L. 89:** (4) to (6), (8), and (12) repealed and (9) amended, pp. 331, 330, §§ 3, 1, effective June 10. **L. 93:** Entire section R&RE, p. 566, § 1, effective April 30. **L. 96:** (3)(a) amended, p. 791, § 1, effective May 23. **L. 97:** (1) amended, p. 1176, § 1, effective May 28. **L. 98:** (1) amended and (1.5) added, p. 815, §§ 3, 4, effective August 5. **L. 99:** (3)(a)(IV) amended, p. 1437, § 1, effective March 15; (3)(a)(III) amended, p. 408, § 1, effective August 4. **L. 2000:** (3)(a)(I.5) added, p. 2049, § 1, effective April 19. **L. 2001:** (3)(a)(IV) amended, p. 1102, § 1, effective August 15. **L. 2006:** (5) amended, p. 1348, § 1, effective May 31. **L. 2007:** (3)(a)(V) added and (4)(b) and (5) amended, pp. 1314, 1315, §§ 2, 3, 4, effective May 25. **L. 2010:** (5)(c) added, (SB 10-119), ch. 103, p. 348, § 1, effective April 15. **L. 2015:** (1) amended, (SB 15-288), ch. 270, p. 1059, § 2, effective January 1, 2016. **L. 2016:** (1)(a) amended, (SB 16-189), ch. 210, p. 754, § 7, effective June 6. **L. 2020:** (1)(b) amended, (HB 20-1423), ch. 233, p. 1128, § 1, effective July 2. **L. 2022:** (2)(a) and (2)(b) amended and (2)(e) added, (SB 22-184), ch. 486, p. 3529, § 1, effective August 10. **L. 2024:** (1)(b) and IP(3)(a) amended and (6) added, (HB 24-1059), ch. 377, p. 2556, § 4, effective August 7. **L. 2025:** (3)(d) added, (SB 25-199), ch. 149, p. 569, § 11, effective April 30. **L. 2026:** (3)(e) added, (HB 26-1331), ch. 329, p. 1917, § 2, effective June 2; (3)(d) repealed, (SB 26-169), ch. 311, p. 1797, § 1, effective August 12.

Editor's note: (1) Subsection (1.5)(b)(II) provided for the repeal of subsection (1.5), effective January 15, 2001. (See L. 98, p. 815.)

(2) Subsection (1)(a)(II) provided for the repeal of subsection (1)(a), effective January 8, 2022. (See L. 2015, p.1059.)

Cross references: (1) For compensation of members of the general assembly, see § 6 of art. V, Colo. Const.; for mileage allowance for state officers, see § 24-9-104.

(2) For the legislative declaration in HB 24-1059, see section 1 of chapter 377, Session Laws of Colorado 2024.

ANNOTATION

Applied in In re Interrogatories by the Governor, 163 Colo. 113, 429 P.2d 304 (1967).

2-2-308. Officers and employees - cessation of pay - when - exceptions.

(1) The compensation of officers and employees of each house of the general assembly shall cease upon final adjournment of each session, but prior to final adjournment of a session, each house may designate by resolution such officers and employees as are necessary to complete the clerical work and records of the proceedings of such session and fix their terms of service. Also, prior to adjournment of a session to a day certain, the general assembly may terminate by joint resolution the compensation of its officers and employees during such period of adjournment, but each house may designate by resolution such officers and employees as are necessary to complete, to the extent possible during such period of adjournment, the clerical work and records of the proceedings of such session and fix their terms of service.

(2) The presiding officer of either house is hereby authorized to recall such officers or employees of his house as may be required to render clerical or other services to committees of his house or joint committees of both houses meeting between sessions of the general assembly.

Source: L. 15: p. 257, § 4. **C.L.** § 9. **CSA:** C. 74, § 9. **L. 53:** p. 332, § 1. **CRS 53:** § 63-2-8. **L. 55:** p. 423, § 2. **C.R.S. 1963:** § 63-2-8.

2-2-309. Method of payment.

(1) The presiding officer of each house shall certify at such times as may be necessary during each session and thereafter the number of days of service rendered by each officer and employee of his respective house and the amount payable for such service, and the state controller, upon receipt of such certification, shall issue vouchers and draw warrants for the compensation due each officer and employee, without certification from the state personnel director, and the state treasurer shall pay the same out of the moneys appropriated for the purpose.

(2) Upon receipt of the certification required by section 2-2-307 (2)(c), the controller shall issue vouchers and draw warrants for the compensation due each member. Such compensation shall be adjusted in accordance with the provisions of section 2-2-307 (2) and (4). In the event such certification evidences an overpayment to a member for compensation during the session, the controller shall cause a statement of deficiency to be issued for the recovery of such funds previously disbursed to the member. Any such statement of deficiency shall be enforceable as a

debt to the state of Colorado and may be enforced in the appropriate court by the attorney general.

(3) The controller, upon taking official notice of the existing membership of the general assembly, shall issue vouchers and draw warrants for the monthly and semimonthly per diem compensation and for the reimbursement of expenses and travel authorized by section 2-2-307.

Source: L. 15: p. 257, § 5. **C.L.** § 10. **CSA:** C. 74, § 10. **L. 53:** p. 332, § 2. **CRS 53:** § 63-2-9. **C.R.S. 1963:** § 63-2-9. **L. 88:** Entire section amended, p. 303, § 1, effective March 18. **L. 93:** Entire section amended, p. 568, § 2, effective April 30.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

A certificate of the presiding officer of either house of the general assembly as to the election and services of any officer or employee of such house is conclusive upon the state auditor. Lowell v. Bonney, 14 Colo. App. 230, 60 P. 830 (1900).

And he has no authority to go behind such certificate to inquire whether such officer was elected or whether he performed the services. Lowell v. Bonney, 14 Colo. App. 230, 60 P. 830 (1900).

Furthermore his duty to issue a warrant for the salary of such officer upon the presentation of such certificate is ministerial, and mandamus will lie to compel the issuance of the warrant. Lowell v. Bonney, 14 Colo. App. 230, 60 P. 830 (1900).

Also, in the application for mandamus to compel the state auditor to issue a warrant for services of an officer of the senate, it is not necessary to allege that the money is in the treasury against which the warrant can be drawn, but the warrant may be drawn in anticipation of the revenue. Lowell v. Bonney, 14 Colo. App. 230, 60 P. 830 (1900).

2-2-310. Senate and house journals published.

The speaker of the house of representatives and the president of the senate shall have copies of each of the journals of their respective houses published as soon as practicable after the adjournment of each session of the general assembly. The journals covering regular sessions and special sessions may be combined in a single volume for this purpose. The chief clerk of the house of representatives and the secretary of the senate shall, as soon as possible after adjournment of any session of the general assembly, deliver to the state archives the original

journals of their respective houses. They shall also deliver to the printer a complete and accurate copy of the same, indexed and ready for printing, and also a brief index of all bills, resolutions, and memorials introduced in each of their respective houses during the session. The speaker of the house of representatives and the president of the senate shall certify the correctness of the published copies of said journals, which certificates shall be included in and made a part of such publications. Said journals, when printed and certified, together with all former printed volumes of house and senate journals of preceding sessions of general assemblies of the state of Colorado, published by authority of the state of Colorado, shall be taken and held as prima facie evidence of the originals thereof.

Source: L. 1899: p. 240, § 1. **R.S. 08:** § 2907. **C.L.** § 14. **CSA:** C. 74, § 14. **L. 53:** p. 333, § 5. **CRS 53:** § 63-2-11. **L. 63:** p. 274, § 12. **C.R.S. 1963:** § 63-2-11. **L. 2001:** Entire section amended, p. 38, § 1, effective August 8.

Cross references: For bills being presented to the governor, see § 11 of art. IV, Colo. Const.; for reading and passage of bills, see § 22 of art. V, Colo. Const.; for the general provisions relating to and specifications for printing journals, see §§ 24-70-201 to 24-70-222.

ANNOTATION

I. Journals Used as Evidence.

II. Journals Showing Failure to Follow Constitution.

I. JOURNALS USED AS EVIDENCE.

Courts will not take judicial notice of contents of legislative journals when not pleaded. People v. Bristol, 92 Colo. 325, 20 P.2d 309 (1933); Marean v. Stanley, 21 Colo. 43, 39 P. 1086 (1895); Peckham v. People, 32 Colo. 140, 75 P. 422 (1904); Anderson v. Grand Valley Irrigation Dist., 35 Colo. 525, 85 P. 313 (1906); Rio Grande Sampling Co. v. Catlin, 40 Colo. 450, 94 P. 323 (1907); People ex rel. Kiefer v. Ramer, 61 Colo. 422, 158 P. 146 (1916).

The reason for this is that the resort to legislative journals for proof as to observance of constitutional requirements in passage of bill involves finding of fact. People v. Bristol, 92 Colo. 325, 20 P.2d 309 (1933); Marean v. Stanley, 21 Colo. 43, 39 P. 1086 (1895) (decided under former law); Peckham v. People, 32 Colo. 140, 75 P. 422 (1904); Anderson v. Grand Valley Irrigation Dist., 35 Colo. 525, 85 P. 313 (1906); Rio Grande Sampling Co. v. Catlin, 40 Colo. 450, 94 P. 323 (1907); People ex rel. Kiefer v. Ramer, 61 Colo. 422, 158 P. 146 (1916).

And the party seeking to raise such question must, by pleading, present issue and evidence on which he relies. People v. Bristol, 92 Colo. 325, 20 P.2d 309 (1933);

Marean v. Stanley, 21 Colo. 43, 39 P. 1086 (1895) (decided under former law); Peckham v. People, 32 Colo. 140, 75 P. 422 (1904); Anderson v. Grand Valley Irrigation Dist., 35 Colo. 525, 85 P. 313 (1906); Rio Grande Sampling Co. v. Catlin, 40 Colo. 450, 94 P. 323 (1907); People ex rel. Kiefer v. Ramer, 61 Colo. 422, 158 P. 146 (1916).

Also, whatever the legislative body treats and accepts as its journal, is so, and is not to be aided, supplemented or contradicted by reference to loose papers and memoranda kept by the clerk, and which require parol testimony to explain and identify them. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

And the courts have no authority to receive such evidence and so amend the journal by importing into it something which was never there. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

But evidence aliunde the journal may be received to show that something, once part thereof, has been abstracted or lost. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

Also, the copy of the journals of either house of the general assembly, printed under authority of this section, is prima facie evidence of the action of the house. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

But such copy is liable to be overcome by the original journal. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

II. JOURNALS SHOWING FAILURE TO FOLLOW CONSTITUTION.

Where the constitution is silent as to whether a particular act or formality required in the passage of a bill shall be entered upon the journal, the matter is in the discretion of the house. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

However in such case the presumption arising from the enrolled bill lodged with the secretary of state, is not overcome by the silence of the journal. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

Otherwise, as to those matters which by the express command of the constitution are required to be recorded, such as the names of those voting on the final passage. People ex rel. Manville v. Leddy, 53 Colo. 109, 123 P. 824 (1912).

But whether the requirement respecting the entry of the vote on final passage is directory or mandatory, and whether a failure to comply with it, if shown by the legislative journals, prevents the act from becoming a law, are questions relating to the construction and application of the state constitution, upon which the decision of the supreme court of the state is controlling. Rio Grande Sampling Co. v. Catlin, 40 Colo. 450, 94 P. 323 (1907); Portland Gold Mining Co. v. Duke, 164 F. 180 (8th Cir. 1908); Portland Gold Mining Co. v. Duke, 191 F. 692 (8th Cir. 1911).

And it was held that this requirement was mandatory. Rio Grande Sampling Co. v. Catlin, 40 Colo. 450, 94 P. 323 (1907);

Portland Gold Mining Co. v. Duke, 164 F. 180 (8th Cir. 1908); Portland Gold Mining Co. v. Duke, 191 F. 692 (8th Cir. 1911).

A failure to comply with it, if shown by the legislative journals, is fatal. Rio Grande Sampling Co. v. Catlin, 40 Colo. 450, 94 P. 323 (1907); Portland Gold Mining Co. v. Duke, 164 F. 180 (8th Cir. 1908); Portland Gold Mining Co. v. Duke, 191 F. 692 (8th Cir. 1911).

And if therefrom it appears that the requirements of the constitution were not observed the attempted enactment is without effect. City of Denver v. Rubidge, 51 Colo. 224, 116 P. 1130 (1911).

Also where it appeared from the published journals that it was not complied with in respect to an act, an attempt made by a succeeding session of the general assembly to correct the error was ineffectual. Rio Grande Sampling Co. v. Catlin, 40 Colo. 450, 94 P. 323 (1907); Portland Gold Mining Co. v. Duke, 164 F. 180 (8th Cir. 1908); Portland Gold Mining Co. v. Duke, 191 F. 692 (8th Cir. 1911).

But where the complaint is that in one house the provisions of § 22 of art. V, Colo. Const., were not complied with, mere excerpts from the journal of that house, not assuming to state in what manner the bill passed on final reading will not suffice. City of Denver v. Rubidge, 51 Colo. 224, 116 P. 1130 (1911).

2-2-311. Disposition of journals.

(1) The secretary of the senate and the chief clerk of the house of representatives shall deliver one copy of each of the published journals to the supreme court library and twenty-two copies to the Colorado state library for delivery to twenty designated Colorado state documents depositories; except that, if the state library supplies microfiche copies of the published journals to the state documents depositories, only four copies of the published journals shall be delivered.

(2) The secretary of the senate and the chief clerk of the house of representatives shall send a joint written notice to each county clerk and recorder in the state that the published journals are available. If the county clerk and recorder of any county wishes to receive one copy of each of the published journals, he shall so notify the secretary of the senate and the chief clerk of the house of representatives, and a copy of each shall be delivered to him. If any county law library in the state requests a copy of each of the published journals from the secretary of the senate and chief clerk of the house of representatives, said copies shall be delivered to such library.

(3) The secretary of the senate and the chief clerk of the house of representatives shall retain sufficient copies of the published journals for other official uses and for those legislators who request them.

(4) The notification and response required in subsections (2) and (3) of this section shall be in a timely manner such that compliance with the legislative printing contract for senate and house journals can be met.

Source: L. 1899: p. 242, § 2. **R.S. 08:** § 2908. **C.L.** § 15. **CSA:** C. 74, § 15. **CRS 53:** § 63-2-12. **L. 63:** p. 275, § 13. **C.R.S. 1963:** § 63-2-12. **L. 71:** p. 627, § 1. **L. 81:** Entire section amended, p. 329, § 1, effective March 20.

2-2-312. Cost of publication.

The cost of the publication of said journals shall be paid out of any moneys available and appropriated for the payment of the incidental and contingent expenses of the general assembly.

Source: L. 1899: p. 242, § 3. **R.S. 08:** § 2909. **C.L.** § 16. **CSA:** C. 74, § 16. **CRS 53:** § 63-2-13. **C.R.S. 1963:** § 63-2-13. **L. 71:** p. 627, § 2.

2-2-313. Witnesses - attendance before assembly.

The general assembly, or either house thereof, by resolution or otherwise, as it deems best, may prescribe the conditions under which and the manner in which a witness may be summoned to attend, with or without documents in his possession or under his control, before any committee of said general assembly or of either house thereof.

Source: L. 13: p. 637, § 1. **C.L.** § 17. **CSA:** C. 74, § 17. **CRS 53:** § 63-2-14. **C.R.S. 1963:** § 63-2-14.

Cross references: For the authority of legislative council to compel attendance of witnesses and procedure therefor, see § 2-3-306; for the authority of the legislative audit committee to subpoena witnesses, see § 2-3-107; for fees and expenses of witnesses in civil cases, see §§ 13-33-102 and 13-33-103; for intimidation of legislative witnesses, see § 8-2.5-101.

2-2-314. Violation - penalty.

Any person who fails or refuses to obey any such summons so issued commits a class 2 misdemeanor.

Source: L. 13: p. 637, § 2. **C.L.** § 18. **CSA:** C. 74, § 18. **CRS 53:** § 63-2-15. **C.R.S. 1963:** § 63-2-15. **L. 2021:** Entire section amended, (SB 21-271), ch. 462, p. 3132, § 50, effective March 1, 2022.

2-2-315. Member may administer oath.

The chairman of any committee appointed by either house of the general assembly of this state or any chairman of any joint committee appointed by the two houses of the general assembly is authorized to administer oaths and affirmations to witnesses, touching any matter or thing which may be under the consideration or investigation of the committee.

Source: R.S. p. 482, § 4. **G.L.** § 1928. **G.S.** § 2474. **R.S. 08:** § 4672. **C.L.** § 19. **CSA:** C. 74, § 19. **CRS 53:** § 63-2-16. **C.R.S. 1963:** § 63-2-16. **L. 97:** Entire section amended, p. 1557, § 10, effective July 1.

2-2-316. Legislative declaration - travel by members - during adjournment.

Considering the greatly improved highways and airways of this state which permit greater mobility with less cost in money and time, considering the increasing length of legislative sessions, the increasing complexity and importance of the problems presented, and the benefits to be derived from frequent contact between legislator and constituents, and considering the desirability of preserving the concept of part-time citizen-legislators and, therefore, the need to allow them a reasonable opportunity to attend to their own personal, family, and business affairs even during sessions of the general assembly, it is hereby declared to be necessary, within the meaning of the state constitution and in the best interests of the general assembly and the state of Colorado, that members of the senate and house of representatives travel to their homes or other locations within their districts and back to the capitol during sessions of the general assembly when the house to which they belong is in adjournment for periods not exceeding seventy-two hours.

Source: L. 67: p. 955, § 1. **C.R.S. 1963:** § 63-2-28. **L. 75:** Entire section amended, p. 198, § 1, effective February 28. **L. 2008:** Entire section amended, p. 2322, § 3, effective February 7.

2-2-317. Expense, subsistence, and travel allowance - definition.

(1) (a) Except as provided in subsection (1)(b) of this section, each member of the general assembly is entitled to receive up to forty-five dollars per legislative day until June 30, 2025, for expenses incurred during the sessions of the general assembly. Such allowance shall be considered as salary pursuant to section 24-51-101 (42). Each member of the general assembly who is serving on July 1, 1997, and who is entitled to such allowance may elect to have all of such allowance that was paid to the member during the period from January 1, 1992, through May 31, 1994, be considered salary pursuant to section 24-51-101 (42), subject to the following conditions:

(I) Payment shall be received by the public employees' retirement association of the amount of member contributions from the member and employer contributions from the employer on the allowance that was paid during the period, with appropriate interest calculated by the association;

(II) The election shall be made no later than December 31, 1997; and

(III) Payment of the total amount required, through a lump sum or through installments, shall be received by the public employees' retirement association on or before December 31, 1998.

(b) (I) Repealed.

(II) In lieu of the expenses allowed in subsection (1)(a) of this section, if a member does not reside in the Denver metropolitan area, which area shall be designated in guidelines established by the executive committee of legislative council, the member is entitled to receive per legislative day for expenses incurred during the sessions of the general assembly up to an amount equal to the following:

(A) For fiscal years commencing prior to July 1, 2020, and on or after July 1, 2021, but before July 1, 2025, eighty-five percent of the federal per diem rate for the city and county of Denver, rounded up to the nearest whole dollar, as determined by the United States general services administration, or such succeeding entity, as of October 1 of the calendar year immediately preceding the fiscal year in which the per diem rate is to be used; and

(B) For the fiscal year commencing July 1, 2020, eighty-five percent of the federal per diem rate for the city and county of Denver, rounded up to the nearest whole dollar, as determined by the United States general services administration, or such succeeding entity, as of October 1, 2018.

(b.5) (I) For fiscal years commencing on or after July 1, 2025, each member of the general assembly is entitled to receive per legislative day for expenses incurred during the sessions of the general assembly up to an amount equal to the following:

(A) For a member who resides in the Denver metropolitan area, which area shall be designated in guidelines established by the executive committee of legislative council, twenty-five percent of the federal per diem rate for the city and county of Denver, rounded up to the nearest whole dollar, as determined by the United States general services administration, or such succeeding entity, as of October 1 of the calendar year immediately preceding the fiscal year in which the per diem rate is to be used; and

(B) For a member who does not reside in the Denver metropolitan area, which area shall be designated in guidelines established by the executive committee of legislative council, ninety percent of the federal per diem rate for the city and county of Denver, rounded up to the nearest whole dollar, as determined by the United States general services administration, or such succeeding entity, as of October 1 of the calendar year immediately preceding the fiscal year in which the per diem rate is to be used.

(II) The allowance provided in subsection (1)(b.5)(I) of this section is not salary, as defined in section 24-51-101 (42).

(c) (I) Repealed.

(II) The per diem lodging and expense allowances of the general assembly as fixed by subsections (1)(b)(II) and (1)(b.5) of this section shall apply to regular or special sessions of the general assembly subsequent to July 1, 2012.

(d) The general assembly may provide by joint resolution for the suspension on a temporary basis of the normal per diem lodging and expense allowance, or any portion thereof, during that period when the general assembly is in recess for more than three days.

(e) Nothing in this section shall preclude a member of the general assembly from declining to accept all or part of the per diem lodging and expense allowance authorized by this subsection (1).

(2) (a) Each member of the general assembly who is entitled to claim a per diem lodging and expense allowance pursuant to subsections (1)(a) and (1)(b.5)(I)(A) of this section is also entitled to receive travel expenses to the member's home and back to the capitol for each legislative day of actual attendance.

(b) Each member of the general assembly who is entitled to claim an expense per diem pursuant to subsections (1)(b) and (1)(b.5)(I)(B) of this section is also entitled to receive travel expenses to any location within the member's district and back to Denver once each week, pursuant to section 2-2-316.

(c) The executive committee of the legislative council may establish guidelines regarding reimbursements and substantiation requirements for actual and necessary travel expenses incurred by members of the general assembly.

(3) For purposes of this section, "legislative day" means any day during the legislative session, including legal holidays, primary election days, and Saturdays and Sundays.

Source: L. 67: p. 955, § 2. **C.R.S. 1963:** § 63-2-29. **L. 69:** p. 460, § 2. **L. 73:** p. 671, § 1. **L. 75:** (1) amended, p. 198, § 2, effective February 28. **L. 80:** Entire section amended, p. 440, § 1, effective May 2. **L. 81:** (4) added, p. 331, § 1, effective June 5. **L. 85:** (1) to (3) amended and (5) added, p. 274, § 1, effective June 6. **L. 89:** (1) to (3) amended and (5) repealed, p. 331, §§ 2, 3, effective June 10. **L. 93:** Entire section amended, p. 569, § 3, effective April 30. **L. 97:** (1)(a) amended, p. 779, § 18, effective July 1. **L. 2005:** (1)(b) amended, p. 327, § 1, effective April 20. **L. 2007:** (1)(b) and (1)(c) amended, p. 1314, § 1, effective May 25. **L. 2008:** (1)(b), (1)(c), and (2)(b) amended, pp. 2321, 2323, §§ 2, 4, effective February 7. **L. 2010:** (1)(b) and (1)(c) amended and (2)(c) added, (SB 10-119), ch. 103, pp. 348, 349, §§ 2, 3, effective April 15. **L. 2020:** (1)(b)(II) amended, (SB 20-220), ch. 202, p. 1003, § 1, effective June 30. **L. 2024:** IP(1)(a), IP(1)(b)(II), (1)(b)(II)(A), (1)(c)(II), (2)(a), and (2)(b) amended and (1)(b.5) added, (HB 24-1059), ch. 377, p. 2551, § 2, effective August 7.

Editor's note: Subsections (1)(b)(I)(B) and (1)(c)(I)(B) provided for the repeal of subsections (1)(b)(I) and (1)(c)(I), effective October 1, 2012. (See L. 2010, pp. 348, 349.)

Cross references: For the legislative declaration in HB 24-1059, see section 1 of chapter 377, Session Laws of Colorado 2024.

ANNOTATION

No provision in the constitution prevents lodging from being considered by the general assembly in determining what the compensation of each member shall include. In re Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

Therefore, it is within the province of the general assembly to compensate its members for expenses incurred for lodging. In re Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

But the constitution requires that expenses be actually incurred in order to be compensable. In re Interrogatories by

Governor, 163 Colo. 113, 429 P.2d 304 (1967).

And since the words "per day of actual occupancy" precede the word "lodging", we must construe the act to limit "lodging" to charges for occupancy of living quarters. In re Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

And the section authorizing travel expenses allows members of the general assembly to travel to their homes and back to Denver as often as once a week during adjournments for periods not exceeding 72 hours. In re Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

2-2-318. Members to be reimbursed for expenses.

Each member of the general assembly shall be reimbursed for expenses actually incurred pursuant to sections 2-2-316 and 2-2-317. In auditing any mileage claim of members of the general assembly, the controller is authorized to accept without further substantiating evidence the expense voucher duly signed by the member if the mileage in such claim does not exceed the authorized rate at which employees of the executive branch are reimbursed. In addition, he may accept without such further evidence the member's certification as to the number of days of actual attendance under section 2-2-317 (1) or, in lieu thereof, the member's certification as to the number of days of actual occupancy under section 2-2-317 (2).

Source: L. 67: p. 955, § 3. **C.R.S. 1963:** § 63-2-30. **L. 75:** Entire section amended, p. 199, § 3, effective February 28.

Cross references: For mileage allowance for state officers, see § 24-9-104 and § 6 of article V, Colo. Const.

ANNOTATION

The general assembly has the right and the power to declare what constitutes necessary traveling expenses for its members. In re Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

There is a presumption that legislators will follow their oath of office and act only in good faith and will therefore seek payment only for such proper amounts as have actually been incurred and will thus abide by the constitutional limitations. In re Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

And the auditing requirement of the constitution can be carried out by auditing the expense statements as filed. In re

Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

"Holdover" senators may receive the allowances provided for in this section for traveling to their homes and back to Denver as often as once a week during sessions of such general assembly when the senate is in adjournment for periods not exceeding 72 hours. In re Interrogatories by Colo. State Senate, 168 Colo. 558, 452 P.2d 391 (1969).

2-2-319. Sections 2-2-316 to 2-2-319 provide no increase in compensation or mileage.

The general assembly declares that the provisions of sections 2-2-316 to 2-2-319 relate not to compensation but to the necessity of certain traveling expenses and that the purpose is neither to increase compensation nor mileage.

Source: L. 67: p. 956, § 4. **C.R.S. 1963:** § 63-2-31.

ANNOTATION

Travel expenses for officials come within the definition of "compensation" as that word is used in Colo. Const., art. V. In re Interrogatories by Governor, 163 Colo. 113, 429 P.2d 304 (1967).

But when the allowance for lodging applies only to expenses actually incurred, such allowance cannot be deemed to be salary. In re Interrogatories by Colo. State Senate, 168 Colo. 558, 452 P.2d 391 (1969).

2-2-320. Legislative department contracts - approval.

(1) Any contract to which the house of representatives or the senate is a party shall be approved by the speaker of the house of representatives or the president of the senate, as the case may be. Whenever the house of representatives and the senate are parties to the same contract, both the speaker of the house of representatives and the president of the senate shall approve the contract. Any contract to which the legislative council, the office of legislative legal services, the joint budget committee, the office of the state auditor, or the commission on uniform state laws is a party shall be approved by the chair or vice-chair of the governing committee of such agency, as the case may be.

(2) (a) For legislative department contracts subject to section 29 of article V of the state constitution, the attorney general shall approve all such legislative department contracts as to form, and the controller shall approve such contracts in accordance with section 24-30-202, C.R.S.

(b) The director of the office of legislative legal services or the director's designee shall approve all legislative department contracts not subject to section 29 of article V of the state constitution. No approval by the controller or any assistant designated by the controller shall be required for the validity of any contract entered into and approved under this paragraph (b). The controller shall issue payment for expenditures for legislative department contracts approved in accordance with this paragraph (b) as set forth in section 24-30-202, C.R.S. Notwithstanding the legislative department's exemption from the fiscal rules pursuant to section 24-2-101, C.R.S., the office of legislative legal services shall consider the fiscal rules as guidelines for legislative department contracts approved under this paragraph (b) and may consult with the controller or attorney general, or both, when drafting legislative department contracts.

Source: L. 73: p. 672, § 1. **C.R.S. 1963:** § 63-2-32. **L. 81:** (2) amended, p. 1289, § 9, effective January 1, 1982. **L. 83:** (1) amended, p. 374, § 1, effective April 21. **L. 87:** (2) amended, p. 347, § 1, effective July 1; (2) amended, p. 982, § 2, effective July 1. **L. 88:** (1) amended, p. 310, § 17, effective May 23. **L. 94:** (1) amended, p. 1623, § 8, effective May 31. **L. 2010:** Entire section amended, (HB 10-1020), ch. 111, p. 369, § 1, effective April 15.

2-2-321. Designation and assignment of space in capitol buildings group and on the grounds thereof.

(1) (a) The general assembly, by joint resolution, shall designate and assign such space in the capitol building (except for space on the first floor, which shall be designated and assigned by the executive department for the use of elected officials) and on the grounds surrounding the capitol which is necessary for the use of the legislative department, including, but not limited to, parking space on the grounds and streets surrounding the capitol building, all areas of the subbasement of the capitol building, and access to all tunnels providing access to the subbasements of the capitol building, the legislative services building, the state office building at 1525 Sherman street, and the capitol building annex at 1375 Sherman street.

(b) Notwithstanding any law, rule, or provision of any tenant handbook for the capitol complex facilities to the contrary, the executive committee of the legislative council created in section 2-3-301 (1) may grant any member or employee of the general assembly access to any or all of the tunnels providing access to the subbasements of the capitol building, the legislative services building, the state office building at 1525 Sherman street, and the capitol building annex at 1375 Sherman street, unless, after consultation with the department of personnel and the Colorado state patrol, the executive committee determines that denial of access is necessary to address immediate concerns about building security and occupant protection.

(c) Notwithstanding any law or rule to the contrary, after the attorney general and the staff of the attorney general vacate the state office building at 1525 Sherman street, the department of

personnel shall designate parking space in the state parking lot at Lincoln street and east Colfax avenue to the general assembly based upon approximately the same proportion as the proportion of space in the state office building at 1525 Sherman street designated and assigned by the general assembly to the total amount of space in that state office building. The general assembly, by joint resolution, shall assign parking space allocated to the general assembly pursuant to this paragraph (c).

(2) (a) In addition, the general assembly shall designate and assign such space in the legislative services building at Fourteenth avenue and Sherman street, including, but not limited to, all areas of the subbasement of the legislative services building, on no more than two floors of the state office building at 1525 Sherman street after the attorney general and the staff of the attorney general vacate said state office building, and in the areas of the capitol building annex at 1375 Sherman street that are determined to be legislative space pursuant to section 24-82-101 (4)(a), and may provide for the furnishing and equipping thereof as may be necessary for the use of the legislative department.

(b) (I) If any of the space referred to in paragraph (a) of this subsection (2) is assigned to the senate or house of representatives, the executive committee of the legislative council created in section 2-3-301 (1) shall determine the allocation of the space between the two houses.

(II) Any space allocated to the senate shall be assigned by the president of the senate and the majority and minority leaders of the senate in an equitable manner among the major political parties with which members of the senate are affiliated.

(III) Any space allocated to the house of representatives shall be assigned by the speaker of the house of representatives and the majority and minority leaders of the house of representatives in an equitable manner among the major political parties with which members of the house of representatives are affiliated.

Source: L. 76: Entire section added, p. 292, § 1, effective April 30. **L. 77:** Entire section amended, p. 254, § 1, effective May 20. **L. 2012:** Entire section amended, (HB 12-1348), ch. 163, p. 571, § 1, effective August 8. **L. 2023:** (1)(a), (1)(b), and (2)(a) amended, (SB23-306) ch. 412, p. 2442, § 1, effective June 6.

Cross references: For security for the capitol buildings group, see § 24-82-105.

2-2-322. Fiscal notes - definitions - repeal.

(1) The general assembly shall provide by rule for legislative service agency review of the fiscal impact of legislative measures.

(1.5) Repealed.

(2) The general assembly shall provide by rule, as recommended by the executive committee of legislative council, for legislative service agency review of the fiscal impact of legislative measures which include the creation or increase of any fee collected by a state agency. The fiscal information on such measures shall include the average amount of such fee collected annually by such agency from each individual, family, or business, whichever is applicable, paying such fee and a projection of the average amount of such fee that will be collected from each individual, family, or business subsequent to the creation of or increase in such fee.

(2.5) If a legislative measure creates a new criminal offense, increases or decreases the crime classification of an existing criminal offense, or changes an element of an existing offense that creates a new factual basis for the offense, the fiscal note shall include the following:

(a) A description of the elements of the proposed new crime or a description of the new, amended, or additional elements of an existing crime;

(b) An analysis of whether the new crime, or changes to an existing crime, may be charged under current Colorado law;

(c) A comparison of the proposed crime classification to similar types of offenses;

(d) An analysis of the current and anticipated future prevalence of the behavior that the proposed new crime, or changes to an existing crime, intends to address; and

(e) A description of gender and minority data as it relates to the general Colorado population and available data on gender and minority offender and crime victims populations potentially affected by the proposed measure.

(3) (a) Each state department, agency, or institution shall cooperate with and provide information on the fiscal impact of a legislative measure in the manner requested by the staff of the legislative council for consideration by the staff in connection with the preparation of a fiscal note for the measure.

(b) The state department, agency, or institution shall substantiate the calculation of the fiscal impact of the legislative measure in its response to a request for information made pursuant to paragraph (a) of this subsection (3) by providing any documentation that clearly identifies any assumptions supporting that calculation and a narrative discussion of the justification for any increase or decrease in workload.

(c) The state department, agency, or institution shall meet the deadlines established by the staff of the legislative council for providing a response to a request for information made pursuant to paragraph (a) of this subsection (3) or shall specify the need for additional time to provide the response. If additional time is required to respond to the request for information, the staff of the legislative council shall set a reasonable time for providing the information.

(d) (I) The state department, agency, or institution shall not modify the amount of the fiscal impact that was originally calculated for a legislative measure after the staff of the legislative council has released and made public the fiscal note for such measure unless:

(A) The measure has been amended;

(B) There is newly discovered information that was previously unavailable that warrants modification of the original calculation and narrative submitted by the state department, agency, or institution; or

(C) Technical errors are discovered that warrant modification of the original calculation and narrative submitted by the state department, agency, or institution.

(II) Information supporting a modification to the fiscal impact shall be submitted in the manner requested by the staff of the legislative council by the head of the state department, agency, or institution.

(3.5) (a) For institutions of higher education that submit potential legislative fiscal impacts to the staff of the legislative council through the department of higher education, the department of higher education shall grant the submitting institution of higher education access to the official responses of the department of higher education and each submitting institution of higher education at the time that the fiscal impact information is submitted to the staff of the legislative council for consideration.

(b) As used in this subsection (3.5):

(I) "Department of higher education" means the department of higher education created in section 24-1-114.

(II) "Institution of higher education" means:

(A) A state institution of higher education, as defined in section 23-18-102 (10);

(B) A local district college, as defined in section 23-71-102 (1)(a);

(C) An area technical college, as defined in section 23-60-103 (1); and

(D) The Auraria higher education center created in article 70 of title 23.

(4) In addition to any other requirement under this section or in the legislative rules for legislative service agency review of the fiscal impact of legislative measures, the general

assembly shall also provide for legislative service agency review of the fiscal impact of legislative measures considered by committees of the general assembly meeting during the legislative interim. For each interim, the deadlines and guidelines adopted prior to each interim by the executive committee of the legislative council for requesting and finalizing interim committee bills must allow for sufficient time between the public release of the fiscal note for a particular measure by the staff of the legislative council and the final vote by the applicable legislative interim committee so that members of the committee are able to consider the fiscal note in voting on the measure. For each interim, the specific dates by which these requirements will be satisfied must be specified in the applicable set of deadlines and guidelines for that interim. Except as otherwise provided in this subsection (4), all other requirements governing legislative service agency review of the fiscal impact of legislative measures considered during regular legislative sessions that are specified in this section or in the legislative rules also govern the requirements of this subsection (4).

(5) (a) In preparing a fiscal note for any legislative proposal that may impose a new health benefit coverage mandate on health benefit plans or mandate a reduction or elimination of coverage under a health benefit plan and for which a report has been prepared by a contractor pursuant to section 10-16-155, the legislative service agency charged with preparing the fiscal note shall include a statement that a report has been prepared by the contractors for the legislative proposal pursuant to section 10-16-155 and submitted to the director of research of the legislative council by the division, including an indication of how the contractors' final report may be obtained in its entirety.

(b) This subsection (5) is repealed, effective November 1, 2027.

(6) (a) The fiscal note for any legislative measure that includes a proposed tax increase shall include, in addition to the other information required pursuant to this section, an estimate of the maximum dollar amount of the change in state and local government revenue for the first and, if phased in, final full fiscal year of the proposed tax increase.

(b) The ballot question submitted to the registered electors of the state in connection with a proposed tax increase in a legislative measure shall include the maximum dollar amount of the change in state and local government revenue for the first or, if phased in, final full fiscal year of the proposed tax increase as determined pursuant to subsection (6)(a) of this section.

Source: L. 88: Entire section added, p. 305, § 2, effective May 23. **L. 94:** Entire section amended, p. 1405, § 1, effective July 1. **L. 2009:** (3) added, (HB 09-1112), ch. 40, p. 155, § 1, effective August 5. **L. 2011:** (2.5) added, (HB 11-1239), ch. 74, p. 204, § 1, effective August 10. **L. 2013:** (2.5)(c) and (2.5)(d) amended and (2.5)(e) added, (SB 13-229), ch. 272, p. 1426, § 1, effective July 1. **L. 2015:** (4) added, (HB 15-1335), ch. 276, p. 1130, § 2, effective June 4. **L. 2019:** (1.5) added, (HB 19-1188), ch. 339, p. 3104, § 3, effective May 29. **L. 2022:** (5) added,

(SB 22-040), ch. 449, p. 3166, § 2, effective August 10. **L. 2025:** (6) added, (HB 25-1327), ch. 466, p. 2566, § 7, effective June 4. **L. 2026:** (3.5) added, (SB 26-078), ch. 144, p. 807, § 1, effective May 26.

Editor's note: Subsection (1.5)(b) provided for the repeal of subsection (1.5), effective September 1, 2025. (See L. 2019, p. 3104.)

Cross references: (1) For the legislative declaration in HB 15-1335, see section 1 of chapter 276, Session Laws of Colorado 2015.

(2) For the legislative declaration in HB 19-1188, see section 1 of chapter 339, Session Laws of Colorado 2019.

2-2-322.3. Greenhouse gas emissions reports - definitions - repeal. (Repealed)

Source: L. 2019: Entire section added, (HB 19-1188), ch. 339, p. 3102, § 2, effective May 29.

Editor's note: Subsection (5) provided for the repeal this section, effective September 1, 2025. (See L. 2019, p. 3102.)

2-2-322.5. Demographic notes - definitions.

(1) For purposes of this section:

(a) "Demographic note" means a note that uses available data to outline the potential effects of a legislative measure on disparities within the state, including a statement of whether the measure is likely to increase or decrease disparities to the extent the data is available.

(b) "Disparities" means the difference in economic, employment, health, education, or public safety outcomes between the state population as a whole and subgroups of the population defined by socioeconomic status, race, ethnicity, sex, gender identity, sexual orientation, disability, geography, or any other relevant characteristic for which data are available.

(2) (a) Commencing with the second regular session of the seventy-second general assembly and during each regular session thereafter, the staff of the legislative council shall prepare demographic notes on legislative bills as specified in subsection (2)(b) of this section.

(b) The speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, and the minority leader of the senate may each request the preparation of a demographic note on up to five legislative bills, or more at the discretion of the director of research of the legislative council.

(c) Prior to commencing work on a demographic note, the staff of the legislative council shall meet with the member of leadership requesting the demographic note and with the sponsor of the legislative bill to discuss whether a demographic note can practically be completed for that legislative bill. If not, the member of leadership may request a demographic note, within the limits specified in subsection (2)(b) of this section, on a different legislative bill that might be more conducive to a demographic note's analysis.

(d) No later than December 1, 2019, the director of research of the legislative council shall develop the procedures for requesting, completing, and updating the demographic notes and such procedures must be memorialized in a letter to the executive committee of the legislative council.

(3) (a) Each state department, agency, or institution shall cooperate with and provide information for a demographic note on a legislative bill in the manner requested by the staff of the legislative council.

(b) The state department, agency, or institution shall meet the deadlines established by the staff of the legislative council for providing a response to a request for information made pursuant to subsection (3)(a) of this section or shall specify the need for additional time to provide the response. If additional time is required to respond to the request for information, the staff of the legislative council shall set a reasonable time for providing the information.

(4) The director of research may seek, accept, and expend gifts, grants, or donations from private or public sources for the purpose of paying for training on demographic notes for the staff of the legislative council.

Source: L. 2019: Entire section added, (HB 19-1184), ch. 261, p. 2476, § 1, effective August 2.

2-2-323. Service of process on the general assembly - legislative declaration.

(1) The general assembly hereby declares that the provisions of the Colorado rules of civil procedure which govern the service of process on the state, on officers, agents, or employees of the state, and on departments and agencies of the state do not expressly address service on the general assembly; that such rules require delivery of a copy of any process to the attorney general, even though by statute the attorney general does not represent the general assembly; that confusion has existed about how the general assembly should be served; and that clarification of

the procedure for serving the general assembly would be beneficial for all parties who may become involved in future litigation.

(2) Service of process on the general assembly as an entity shall be upon the chief clerk of the house of representatives and the secretary of the senate. The provisions of the Colorado rules of civil procedure concerning service of process, including the contents of the summons, by whom process may be served, and the manner of proof of service, shall continue to apply to service of process on the general assembly.

(3) As quickly as possible after service of process on the general assembly, the chief clerk of the house of representatives shall notify the speaker of the house and the minority leader of the house, and the secretary of the senate shall notify the president of the senate and the minority leader of the senate, concerning such service.

Source: L. 94: Entire section added, p. 26, § 1, effective March 9.

2-2-324. Committees of reference - program review. (Repealed)

Source: L. 96: Entire section added, p. 1154, § 2, effective January 1, 1997. **L. 2003:** Entire section repealed, p. 1981, § 2, effective May 22.

2-2-325. Legislative appointees - boards and commissions - other governmental bodies.

Unless otherwise provided by law, appointments or reappointments of persons to a board, commission, committee, council, panel, or authority by the speaker of the house of representatives, the president of the senate, the majority leader of the house of representatives, the majority leader of the senate, the minority leader of the house of representatives, or the minority leader of the senate shall expire on the convening date of the first regular session of each general assembly, and all subsequent appointments or reappointments shall be made as soon as practicable after such convening date. The person making the original appointment or reappointment shall fill any vacancy by appointment for the remainder of an unexpired term. Members appointed or reappointed by the speaker, the president, the majority leader of the house of representatives, the majority leader of the senate, the minority leader of the house of representatives, or the minority leader of the senate shall serve at the pleasure of the appointing authority and shall continue in office until the member's successor is appointed.

Source: L. 2007: Entire section added, p. 174, § 1, effective March 22.

2-2-326. Compensation and expenses for members appointed to and serving on state entities - definition - repeal.

(1) Notwithstanding any law to the contrary:

(a) While appointed to any state entity and serving on any state entity during regular and special sessions of the general assembly, in addition to the base compensation specified in section 2-2-307 (1), current members of the general assembly are entitled to receive only the per diem lodging and expense allowances and the travel expenses authorized by section 2-2-317; and

(b) While appointed to and serving on any state entity when the general assembly is in recess for more than three days or is not in session, in addition to the base compensation specified in section 2-2-307 (1), current members of the general assembly are entitled to receive the amount specified in section 2-2-307 (3)(a) for necessary attendance at meetings of the state entity and reimbursement for all actual and necessary travel and subsistence expenses incurred in connection with attendance at meetings of the state entity. Mileage rates shall not exceed those authorized for the executive department. All compensation paid and reimbursements made pursuant to this paragraph (b) shall be paid from appropriations made to the legislative department.

(c) (I) Notwithstanding the provisions of this subsection (1), a member serving on a state entity during the 2026 interim is not entitled to receive the amount specified in section 2-2-307 (3)(a) for necessary attendance at meetings of the state entity and reimbursement for all actual and necessary travel and subsistence expenses incurred in connection with attendance at meetings of the state entity.

(II) This subsection (1)(c) is repealed, effective July 1, 2027.

(2) For purposes of this section, "state entity" means any board, commission, committee, task force, authority, enterprise, council, working group, review team, or other entity created or authorized by statute on which current members of the general assembly are statutorily required to be appointed to serve; except that "state entity" does not include the Colorado commission on uniform state laws created in section 2-3-601 (1) or the education commission of the states created pursuant to section 24-60-1201, C.R.S.

Source: L. 2014: Entire section added, (SB 14-153), ch. 390, p. 1959, § 1, effective June 6. **L. 2026:** (1)(c) added, (HB 26-1331), ch. 329, p. 1917, § 3, effective June 2.

2-2-327. Annual address to joint session by tribal governments.

Each year, the president of the senate and the speaker of the house of representatives shall invite the Ute Mountain Ute Tribe, through a representative designated by the Ute Mountain Ute Tribe tribal council, and the Southern Ute Indian Tribe, through a representative designated by the Southern Ute Indian Tribe tribal council, to give an address to a joint session of the general assembly. The president of the senate, the speaker of the house of representatives, and the representatives designated by the Ute Mountain Ute Tribe and Southern Ute Indian Tribe shall jointly determine the date and time of the address on an annual basis.

Source: L. 2022: Entire section added, (SB 22-105), ch. 82, p. 401, § 1, effective August 10.

2-2-328. Members of the general assembly prohibited from holding multiple elected offices.

(1) Commencing with the first regular session of the seventy-sixth general assembly, and during each regular session thereafter, except as provided in subsection (2) of this section, a member of the general assembly shall not hold any other elected office while serving as a member of the general assembly. This section applies to a member of the general assembly upon taking the oath of office of the general assembly as required by section 2 (2) of article V of the state constitution.

(2) The provisions of subsection (1) of this section do not apply if:

(a) The member of the general assembly holds a special district elected office;

(b) The member of the general assembly has less than one year remaining in their term in another elected office at the time the member takes the oath of office of the general assembly as required by section 2 (2) of article V of the state constitution;

(c) The member of the general assembly has less than one year remaining in their term in the general assembly at the time the member takes the oath of office of another elected office; or

(d) The member of the general assembly is a senator who is in the middle of their term at the beginning of the first regular session of the seventy-sixth general assembly.

Source: L. 2026: Entire section added (SB 26-059), ch. 80, p. 322, § 1, effective May 4.

2-2-329. Administrator of legislative safety - definitions - repeal.

(1) As used in this section, unless the context otherwise requires:

(a) "Covered individual" means a member of the general assembly, an employee of the general assembly, or any other individual designated as a "covered individual" by the executive committee of the legislative council.

(b) "State capitol buildings complex" has the meaning set forth in section 24-82-105 (1)(a).

(2) (a) The executive committee of the legislative council may, subject to available appropriations, appoint an administrator of legislative safety to serve as the primary point of contact for covered individuals on all matters relating to their personal safety and security and to coordinate security and protection for covered individuals with the Colorado state patrol. The administrator of legislative safety is paid a salary determined by the executive committee. The administrator of legislative safety shall be appointed without reference to affiliation and solely on the basis of their ability to perform the duties of the position. The administrator of legislative safety, with approval of the executive committee, may appoint additional personnel as necessary to perform the functions assigned to the administrator of legislative safety by the executive committee. The administrator of legislative safety, and any additional personnel appointed by the administrator of legislative safety, is an employee of the general assembly and is not subject to the state personnel system laws.

(b) The administrator of legislative safety is the primary recipient of complaints relating to criminal activity against or security threats or risks to a member of the general assembly and serves as the primary coordinator of all security and protection efforts for covered individuals in coordination with the Colorado state patrol. The administrator of legislative safety shall identify and assess the nature of security needs and risks in and around the state capitol buildings complex, for covered individuals in their districts, and for functions or events attended by covered individuals. In determining an appropriate response to any security need or risk, the administrator of legislative safety shall coordinate with the Colorado state patrol and may coordinate with local law enforcement and the sergeants at arms of each house of the general assembly appointed in accordance with section 2-2-402. The administrator of legislative safety shall develop recommended policies and procedures for the executive committee of the legislative council to consider in connection with criminal activity against or security threats or risks to covered individuals.

(c) The administrator of legislative safety performs their duties under the direction and supervision of the executive committee of the legislative council and retains the discretion to determine the need for security and protection services based on where protection and security services are requested, the estimated level of threat or risk to a covered individual, staffing requirements, and any policy direction established by the executive committee of the legislative council.

(3) (a) The administrator of legislative safety, and any personnel appointed by the administrator of legislative safety to assist in performing the administrator of legislative safety's duties pursuant to subsection (2)(a) of this section, is a peace officer whose authority includes enforcing all laws of the state and who may be certified by the P.O.S.T. board as specified in section 16-2.5-154.

(b) (I) The executive committee of the legislative council shall submit a sunrise application pursuant to section 16-2.5-201 by July 1, 2026, to determine if any change in peace officer status is necessary.

(II) This subsection (3)(b) is repealed, effective January 1, 2028.

(4) In addition to the duties specified in this section, the administrator of legislative safety shall:

(a) Upon request of the secretary of the senate or the chief clerk of the house of representatives, consult with the secretary of the senate or the chief clerk of the house of representatives regarding the appointment, supervision, and training of the sergeants at arms of their respective chamber pursuant to section 2-2-402;

(b) Coordinate the installation of home security systems for members of the general assembly, subject to available appropriation by the general assembly or the receipt of gifts, grants, or donations for that purpose;

(c) In coordination with the Colorado state patrol, assess and plan for security needs related to town halls, district events, and other official functions attended by covered individuals and direct the deployment of appropriate Colorado state patrol resources for such events; and

(d) In coordination with the Colorado state patrol, ensure that covered individuals are aware of the protection and security services that they may request from the administrator of legislative safety pursuant to this section and from the Colorado state patrol pursuant to section 24-33.5-216.5.

(5) The executive committee of the legislative council shall establish a process by which a covered individual may request protection from the administrator of legislative safety pursuant to this section. All such requests shall be directed through the administrator of legislative safety as the primary point of contact.

(6) This section does not impact the security that the Colorado state patrol provides pursuant to section 24-33.5-216.5. The Colorado state patrol remains the primary police agency for the state capitol buildings complex and the primary source of security for members of the general assembly.

Source: L. 2026: Entire section added, (HB 26-1422), ch. 331, p. 1927, § 1, effective June 2.

PART 4

INTERFERENCE WITH THE LEGISLATIVE PROCESS

Cross references: For legislative witnesses, see § 8-2.5-101.

2-2-401. Legislative declaration.

The general assembly finds and declares that in addition to the protections against interference with the legislative process afforded by the provisions of sections 18-4-401, 18-4-501, 18-8-102, 18-8-306, and 18-9-110, C.R.S., there is a need for legislation under which appropriate action may be taken to prevent the commission of acts prohibited under said sections.

Source: L. 73: p. 679, § 1. **C.R.S. 1963:** § 63-10-1.

2-2-402. Sergeants at arms.

(1) Each house of the general assembly may appoint sergeants at arms to ensure the orderly operation of each house and committees thereof. Such sergeants at arms shall perform the duties of the house employing them in consultation with the administrator of legislative safety pursuant to section 2-2-329 (4)(a), if deemed necessary by the chief clerk of the house of representatives or the secretary of the senate, as applicable, and shall be under the direction of one or more members or officers of such house as may be designated in the rules of each house.

(2) The sergeants at arms are hereby designated to be peace officers and shall have jurisdiction to act as such in the performance of their duties anywhere within the state.

(3) Each house may adopt rules regarding the organization, supervision, and operations of its security staff, prescribing the qualifications, training, and duties of its security officers and all other matters relating to the performance of their responsibilities.

Source: L. 73: p. 679, § 1. **C.R.S. 1963:** § 63-10-2. **L. 2026:** (1) and (2) amended, (HB 26-1422), ch. 331, p. 1929, § 2, effective June 2.

2-2-403. Indemnification of members, officers, and employees of the general assembly.

(1) The state shall save harmless and indemnify all members, officers, and employees of the general assembly, either house thereof, or committees of the general assembly or either house thereof from financial loss arising out of any claim, demand, suit, or judgment by reason of alleged negligence or other act by such member, officer, or employee, as long as such member, officer, or employee at the time damages were sustained was performing duties relating to the maintenance of order in connection with the operation of the general assembly, either house thereof, or any committee of the general assembly or either house thereof, or involving the security, health, or safety of any member, officer, or employee of the general assembly, either house or a committee thereof, or the general public, and as long as such damage did not result from the willful and wrongful act or gross negligence of such member, officer, or employee; except that such member, officer, or employee shall, within five days after the time he is served with any summons, complaint, process, notice, demand, or pleading, deliver the original or a copy thereof to the attorney general.

(2) Upon such delivery the attorney general may assume control of the representation of such member, officer, or employee. Such member, officer, or employee shall cooperate fully with the attorney general's defense.

(3) This section shall not in any way impair, limit, or modify the rights or obligations of any insurer under any policy of insurance.

(4) The benefits of this section shall inure only to such members, officers, and employees and shall not enlarge or diminish the rights of any other party.

Source: L. 73: p. 679, § 1. **C.R.S. 1963:** § 63-10-3.

2-2-404. Legislative rules.

(1) The senate and the house of representatives shall each have the power to adopt rules or joint rules, or both, for the orderly conduct of their affairs and to preserve and protect the health, safety, and welfare of their members, officers, and employees in the performance of their official duties, as well as that of the general public in connection therewith, and to preserve and protect property and records under the jurisdiction of the general assembly or either house thereof, consistent with public convenience, the public's rights of freedom of expression and to peaceably assemble and petition government, and the established democratic concepts of the openness of the legislative process.

(1.5) Repealed.

(2) In lieu of or in addition to the adoption of such rules, the senate and the house of representatives may each, by rule, authorize its presiding officer to promulgate regulations for any or all such purposes.

(3) Rules or regulations may be adopted with respect to the following matters, among others, without limitation by reason of such specification:

(a) Regulating admission to the legislative chambers, galleries, lobbies, offices, and other areas of the buildings wherein they are located which provide access thereto;

(b) Limiting the size of groups of persons permitted within such areas, for reasons of health and safety and in case of fire or other emergency;

(c) Prohibiting or restricting the bringing of signs, banners, placards, or other display materials into any such areas, or possessing them therein, without proper authorization;

(d) Prohibiting or restricting the bringing of radio or television equipment, recording equipment, sound-making or amplifying equipment, and photographic equipment into any such areas, or possessing them therein, without proper authorization;

(e) Prohibiting or restricting the bringing of packages, bags, baggage, or briefcases into any such areas, or possessing them therein, without proper authorization;

(f) Establishing rules of conduct for visitors to the galleries;

(g) Authorizing the clearing of the public from the chambers, lobbies, and galleries or from any room in which a public legislative hearing or meeting is being conducted in the event of any disturbance therein which disrupts legislative proceedings or endangers any member, officer, or employee of the general assembly or the general public, or where reasonable grounds exist for believing that such a disturbance or danger may occur; except that duly accredited representatives of the news media not participating in any such disturbance shall be permitted to remain therein. The closing of such areas to the public shall continue only so long as necessary to avoid disruption of the legislative proceedings or to preserve and protect the safety of the members, officers, or employees of the general assembly or the general public.

(h) Authorizing the construction of safety barriers and other protective measures for the galleries and other areas under the jurisdiction of the general assembly and the acquisition of security equipment, all within the funds made available therefor;

(i) Protecting the records and property of the general assembly from unlawful damage or destruction;

(j) Any and all other matters which may be necessary or appropriate to the orderly conduct of the affairs of the general assembly and the protection of the health, safety, and welfare of the members, officers, and employees of the general assembly and the general public in connection therewith.

(4) In lieu of or in addition to the adoption of separate rules, the senate and the house of representatives may adopt joint rules applicable to both houses.

(5) In lieu of or in addition to the promulgation of separate regulations, the senate and the house of representatives may promulgate joint regulations applicable to both houses.

(6) All such rules of the senate and the house of representatives or either house and regulations of the senate and the house of representatives shall be filed in the offices of the clerks thereof, and a copy of such rules and regulations shall be made available to any person upon request, without charge.

(7) Such rules and regulations shall have the force and effect of law. Any person who willfully violates any such rule or regulation commits a petty offense.

Source: L. 73: p. 680, § 1. **C.R.S. 1963:** § 63-10-4. **L. 94:** (1.5) added, p. 1957, § 1, effective August 1. **L. 2006:** (1.5) repealed, p. 63, § 8, effective July 1. **L. 2021:** (7) amended, (SB 21-271), ch. 462, p. 3132, § 51, effective March 1, 2022.

2-2-405. Injunctions.

If the presiding officer of either the senate or the house of representatives has reasonable grounds for believing that any person is then committing an unlawful act, or is about to do so, which is interfering with or will interfere with any proceedings or other business of the general assembly, either house thereof, or any committee of the general assembly or either house thereof, he may seek injunctive relief in accordance with the Colorado rules of civil procedure.

Source: L. 73: p. 681, § 1. **C.R.S. 1963:** § 63-10-5.

2-2-406. Contempt of either house.

(1) The senate and the house of representatives may each punish by imprisonment not extending beyond the same session of the general assembly, as and for a contempt, disorderly conduct of its members, officers, employees, or others committed in the immediate view of the senate or the house of representatives and tending to interrupt its proceedings. Imprisonment for contempt shall be effected by a warrant in the name of the people of the state, signed by the presiding officer of the house in which the contempt occurred, directed to the sergeants at arms of such house or the state police and ordering the apprehension of the contemnor and the delivery of the contemnor to the sheriff of the county in which the alleged contempt occurred for

detention by the sheriff in accordance with the warrant, subject to bail as may be set by the district court of the county in which the alleged contempt occurred. A finding of contempt and imprisonment therefor does not constitute a bar to any other proceeding, civil or criminal, for the same act.

(2) Notice of the proposed contempt citation shall be published in a resolution of the house in which the contempt occurred approved first by a majority of a committee and then of the house itself. If the contempt is committed before the house itself rather than a committee thereof, a resolution of the house itself shall be sufficient. Persons actually named in the resolution shall be either personally served or otherwise be given notice in the same manner as is provided by law and the Colorado rules of civil procedure for acquisition of jurisdiction over the person in civil actions. The notice shall include:

(a) A statement of the terms or substance of the offense which caused the citation to be issued;

(b) A statement of the time and place of the hearing before the committee which first passed the contempt resolution or before the house in which the contempt occurred, as the case may be. The person to be cited shall be required to show cause why he should not be found in contempt. The time and place for hearing shall allow reasonable time to give the person to be cited notice of the charges against him and to prepare an appropriate defense concerning them.

(3) The contempt hearing shall give the person to be cited an opportunity for an oral presentation before the committee or before the house in which the contempt occurred, whichever is holding the hearing, for submission of written arguments, and for the right to counsel at the hearing.

(4) A person to be cited shall be found in contempt and shall be punished therefor only after a majority of the committee which initiated the contempt proceeding finds, after notice and a hearing which satisfies the provisions of subsections (2) and (3) of this section, that the person cited has been proven beyond a reasonable doubt to have committed a contempt as defined in this section. The committee shall state in a report to the full house the reasons for its finding. If the full house affirms by a majority vote the finding of the committee, the cited person shall be held in contempt.

(5) If the contempt citation is initiated by the house itself because of a contempt committed before the house, the person to be cited shall be punished for contempt if the house itself finds, by a majority vote, after notice and a hearing which satisfies the provisions of subsections (2) and (3) of this section, that the person cited has been proven beyond a reasonable doubt to have committed a contempt as defined in this section.

Source: L. 73: p. 682, § 1. **C.R.S. 1963:** § 63-10-6. **L. 2026:** (1) amended, (HB 26-1422), ch. 331, p. 1960, § 26, effective June 2.

PART 5

LEGISLATIVE DISTRICTS - IMPLEMENTATION OF COMMISSION PLAN

Editor's note: Sections 6 through 14 of chapter 286, Session Laws of Colorado 2000, provided for the organization of the 2000 reapportionment commission.

2-2-501. Number of members of general assembly - election from districts.

The senate of the general assembly shall consist of thirty-five members and the house of representatives thereof shall consist of sixty-five members, with one member of the senate to be elected from each senatorial district and one member of the house of representatives to be elected from each representative district, as established in this part 5.

Source: L. 81: Entire part added, p. 332, § 1, effective June 19.

ANNOTATION

Applied in In re Reapportionment of Colo. Gen. Ass'y, 647 P.2d 191 (Colo. 1982).

2-2-502. Definitions.

As used in this part 5:

(1) "Legislative commission" means the independent legislative redistricting commission, created pursuant to section 46 of article V of the state constitution.

(2) "Major political party" means one of the two largest political parties as determined by the number of registered electors with each political party according to voter registration data published by the secretary of state for the earliest day in January of the year in which members of the independent congressional redistricting commission are appointed.

(3) "Voting Rights Act of 1965" means the federal statute, codified at 52 U.S.C. sec. 10301 et seq., as referred to in the ballot measure adopted by voters in 2018 to add section 48.1 (1)(b) to article V of the state constitution.

Source: L. 81: Entire part added, p. 332, § 1, effective June 19. **L. 2000:** (1) amended, p. 1385, § 1, effective May 30. **L. 2010:** (1) amended, (HB 10-1210), ch. 352, p. 1634, § 1, effective August 11. **L. 2020:** Entire section amended, (SB 20-186), ch. 272, p. 1324, § 3, effective July 11.

2-2-503. Designation of senatorial districts to elect in years ending in 2 and 4.

As a part of its preliminary and final redistricting plans for state senatorial districts, the legislative commission shall designate those senatorial districts in which state senators are elected at the general election to be held in November of the next year ending in 2, and every four years thereafter, and those senatorial districts in which state senators are elected at the general election to be held in November of the next year ending in 4, and every four years thereafter. Such designation of senatorial districts must be filed with the secretary of state as a part of the approved redistricting plan required to be filed by section 48.3 (5) of article V of the state constitution.

Source: L. 81: Entire part added, p. 332, § 1, effective June 19. **L. 90:** Entire section amended, p. 323, § 1, effective June 9. **L. 2000:** Entire section amended, p. 1385, § 2, effective May 30. **L. 2010:** Entire section amended, (HB 10-1210), ch. 352, p. 1634, § 2, effective August 11. **L. 2020:** Entire section amended, (SB 20-186), ch. 272, p. 1325, § 3, effective July 11.

ANNOTATION

Reapportionment leaving district without resident senator until 1985 unconstitutional. Drawing boundaries of two senatorial districts so that one district encompasses the residences of two incumbent state senators while no state senator resides in the other, and setting the senatorial election for the first district for 1982 and for the other district for 1984, with the result that no senator will reside in the latter district until 1985, is a violation of constitutional guarantees of legislative representation. In re Reapportionment of Colo. Gen. Ass'y, 647 P.2d 191 (Colo. 1982).

Applied in Kallenberger v. Buchanan, 649 P.2d 314 (Colo. 1982).

2-2-504. Holdover senators keep office - vacancies.

(1) Nothing in this part 5 or in any redistricting plan removes any senator from his or her office for the term for which the senator was elected, and each such senator shall serve the term for which he or she was elected.

(2) If any senator elected at a general election in a year ending in 0 vacates his or her seat prior to the convening of the regular legislative session in the next year ending in 3, such vacancy must be filled from the district from which the senator was elected in accordance with section 1-12-203. If such vacancy occurs more than fifty-five days before the general election in the next year ending in 2, there must be an election at the general election in that year ending in 2 for the remainder of such senator's term from the senatorial district created by the legislative commission. Nomination of candidates at such election must be in accordance with article 4 of title 1.

(3) If any senator elected at a general election in a year ending in 0 vacates his or her seat on or after the convening of the regular legislative session in the next year ending in 3, such vacancy must be filled from the senatorial district created by the legislative commission in accordance with section 1-12-203.

Source: L. 81: Entire part added, p. 333, § 1, effective June 19. **L. 90:** Entire section amended, p. 323, § 2, effective June 9. **L. 2000:** Entire section amended, p. 1385, § 3, effective May 30. **L. 2010:** (2) and (3) amended, (HB 10-1210), ch. 352, p. 1634, § 3, effective August 11. **L. 2020:** Entire section amended, (SB 20-186), ch. 272, p. 1325, § 3, effective July 11.

ANNOTATION

Constitutionality not affected by intervening vacancy election. The constitutionality of holdover representation is not altered in any significant way by the occurrence of an intervening vacancy election. Kallenberger v. Buchanan, 649 P.2d 314 (Colo. 1982).

Applied in In re Reapportionment of Colo. Gen. Ass'y, 647 P.2d 191 (Colo. 1982).

2-2-505. Maps of legislative districts.

(1) (Deleted by amendment, L. 2020.)

(2) At the time of submission of a final redistricting plan to the Colorado supreme court for its review and determination in accordance with section 48.3 of article V of the state constitution, the legislative commission shall provide the supreme court with a copy of all maps showing the

division of the state into legislative districts and necessary supportive evidence, pursuant to the supreme court rules adopted for such proceedings.

(3) As soon as possible after approval of a final plan by the Colorado supreme court, the legislative commission shall prepare and file with the secretary of state copies of census maps showing thereon each legislative district and a description of each district in terms of official census units. The legislative commission shall also file with the county clerk and recorder in each county the necessary maps and descriptions of each legislative district located within the boundaries of such county.

Source: L. 81: Entire part added, p. 333, § 1, effective June 19. **L. 2020:** Entire section amended, (SB 20-186), ch. 272, p. 1325, § 3, effective July 11.

2-2-505.5. Presidential election years. (Repealed)

Source: L. 2010: Entire section added, (HB 10-1210), ch. 352, p. 1635, § 4, effective August 11. **L. 2020:** Entire section repealed, (SB 20-186), ch. 272, p. 1326, § 3, effective July 11.

2-2-506. Precinct boundaries.

(1) (a) Pursuant to the provisions of sections 1-5-101 and 1-5-102, the clerk and recorder of each county, subject to the approval of its board of county commissioners, shall redraw the general election precincts in such county to ensure that no general election precinct is contained within more than one state representative, state senatorial, or congressional district.

(b) and (c) (Deleted by amendment, L. 94, p. 1623, § 9, effective May 31, 1994.)

(d) Not more than one week after such approval of precinct boundaries and in accordance with sections 1-5-101 and 1-5-102, C.R.S., the board of county commissioners shall file with the secretary of state a copy of the county precinct boundary map showing thereon the revised and reestablished general election precinct boundaries and the boundaries of any legislative or congressional district, if said county is divided into two or more state representative, state senatorial, or congressional districts.

(2) The board of county commissioners shall notify the county chairman of each of the two major political parties of any general election precinct boundaries revised and reestablished in accordance with the provisions of this section within five days after the establishment of precinct boundaries in accordance with the provisions of this section.

Source: L. 81: Entire part added, p. 333, § 1, effective June 19. **L. 90:** (1) amended, p. 324, § 3, effective June 9. **L. 92:** Entire section amended, p. 590, § 1, effective April 10. **L. 94:** (1) amended, p. 1623, § 9, effective May 31. **L. 2020:** (1)(a) amended, (SB 20-186), ch. 272, p. 1326, § 3, effective July 11.

2-2-507. Attachments and detachments.

(1) If any area of the state is omitted from the redistricting plan approved by the Colorado supreme court, inadvertently or by virtue of the complexities of the census materials used in the development of the plan, the secretary of state, upon discovery of such omission, shall determine to which senatorial or representative district the area should be assigned as follows:

(a) If the area is surrounded by a representative or senatorial district, the area shall be assigned to said district; and

(b) If the area is contiguous to two or more representative or senatorial districts, the area shall be assigned to the district that has the least population according to the latest national census.

(2) If any area of the state is included in two or more senatorial or representative districts in the redistricting plan approved by the Colorado supreme court, inadvertently or by virtue of the complexities of the census materials used in the development of the plan, the secretary of state, upon discovery of such inclusion, shall detach said area from the senatorial or representative district or districts having the largest population and shall designate such area as being assigned to the district having the least population; except that, if such area is wholly surrounded by a senatorial or representative district and inadvertently is also included in another district, the secretary of state shall assign such area to the district wholly surrounding such area, regardless of population.

(2.5) (a) If a county clerk and recorder discovers that a border between two senatorial or representative districts divides a residential parcel between the two districts and the clerk and recorder wishes to have the border moved, the clerk and recorder shall submit to the secretary of state documentation, satisfactory to the secretary of state, evidencing such division. If the secretary of state believes that the border should be moved, the secretary of state shall propose moving the border between the two districts to a visible feature normally relied upon by the United States census bureau such that the border:

(I) Does not split a residential parcel;

(II) Moves the remaining portion of the residential parcel into the least populated of the two districts; except that, if the border is a border between both senatorial and representative districts,

the remaining portion of the residential parcel shall be moved into the least populated of the two representative districts;

(III) Would not result in a violation of section 48.1 (1)(a) of article V of the state constitution based upon the latest national census;

(IV) Minimizes the impact on the affected community for purposes of establishing polling locations; and

(V) Minimizes changes in distances from the redistricting plan approved by the Colorado supreme court.

(b) If the secretary of state proposes moving any border pursuant to this subsection (2.5), the secretary of state shall describe any potential changes in populations of affected senatorial or representative districts, based on the latest national census, to the Colorado supreme court. If the supreme court determines that the assignments made by the secretary of state satisfy the criteria established in subsection (2.5)(a) of this section, the supreme court may approve said assignments. If the supreme court determines that the assignment does not satisfy the criteria established in subsection (2.5)(a) of this section, the supreme court shall deny the proposed assignment.

(3) Following the assignment of any area pursuant to the provisions of subsection (1) or (2) of this section, the secretary of state shall certify the population of such assigned area and any changes in populations of affected senatorial or representative districts, based on the latest national census, to the Colorado supreme court. If the supreme court determines that the assignments made by the secretary of state would not result in a violation of the population requirements of section 48.1 of article V of the state constitution, the supreme court shall approve said assignments. If the supreme court determines that the assignments would result in a violation of the population requirements of section 48.1 of article V of the state constitution, the supreme court shall certify a revised reapportionment plan to the secretary of state.

Source: L. 81: Entire part added, p. 334, § 1, effective June 19. **L. 2002:** (2.5) added, p. 417, § 2, effective May 6. **L. 2013:** (2.5)(a)(IV) amended, (HB 13-1303), ch. 185, p. 750, § 128, effective May 10. **L. 2020:** IP(1), (2), (2.5)(a)(III), (2.5)(a)(V), (2.5)(b), and (3) amended, (SB 20-186), ch. 272, p. 1326, § 3, effective July 11.

Cross references: (1) For the legislative declaration contained in the 2002 act enacting subsection (2.5), see section 1 of chapter 142, Session Laws of Colorado 2002.

(2) In 2013, subsection (2.5)(a)(IV) was amended by the "Voter Access and Modernized Elections Act". For the short title and the legislative declaration, see sections 1 and 2 of chapter 185, Session Laws of Colorado 2013.

2-2-508. Changes in county and municipal boundaries.

Whenever the boundaries of a senatorial or representative district coincide with the boundaries of a county or municipality, and said county or municipal boundaries are changed by annexation or detachment, the boundaries of the senatorial or representative district shall remain the same until such time as a new redistricting is made following a national census as provided in sections 46 to 48.4 of article V of the state constitution.

Source: L. 81: Entire part added, p. 334, § 1, effective June 19. **L. 2020:** Entire section amended, (SB 20-186), ch. 272, p. 1328, § 3, effective July 11.

2-2-509. Published plan and records.

(1) Upon submission of the redistricting plan approved by the Colorado supreme court to the secretary of state, the legislative commission shall provide copies of the published plan to the secretary of state.

(2) The secretary of state shall provide any candidate for legislative office or any Colorado citizen with a copy of a map showing the boundaries for any legislative district upon request. Individual district maps must be provided to any resident of a legislative district without charge. A nominal charge, not to exceed the actual cost, may be determined and collected pursuant to section 24-21-104 (3) for copies of district maps for which an individual is not a resident.

Source: L. 81: Entire part added, p. 335, § 1, effective June 19. **L. 83:** (2) amended, p. 864, § 10, effective July 1. **L. 2020:** Entire section amended, (SB 20-186), ch. 272, p. 1328, § 3, effective July 11.

2-2-510. Commission meetings - open to public. (Repealed)

Source: L. 81: Entire part added, p. 335, § 1, effective June 19. **L. 2020:** Entire section repealed, (SB 20-186), ch. 272, p. 1328, § 3, effective July 11.

2-2-511. Applicability.

This part 5 applies to the legislative commission appointed in years ending in 1 and to state senatorial and state representative districts created by said commission.

Source: L. 81: Entire part added, p. 335, § 1, effective June 19. **L. 90:** Entire part amended, p. 324, § 4, effective June 9. **L. 2000:** Entire section amended, p. 1386, § 5, effective May 30. **L. 2010:** Entire section amended, (HB 10-1210), ch. 352, p. 1635, § 5, effective August 11. **L. 2020:** Entire section amended, (SB 20-186), ch. 272, p. 1328, § 3, effective July 11.

PART 6

LEGISLATIVE COMMISSION

2-2-601 to 2-2-602. (Repealed)

Source: L. 93: Entire part repealed, p. 2106, § 5, effective June 9.

Editor's note: This part 6 was added in 1988 and was not amended prior to its repeal in 1993. For the text of this part 6 prior to 1993, consult the Colorado statutory research explanatory note and the table itemizing the replacement volumes and supplements to the original volume of C.R.S. 1973 beginning on page vii in the front of this volume. The provisions concerning the former legislative commission, now called the executive committee, are now located in part 3 of article 3 of this title.

PART 7

ENACTMENT OF LAWS REGARDING SENTENCING OF CRIMINAL OFFENDERS

2-2-700.3. Definitions.

As used in this part 7, unless the context otherwise requires:

(1) "State correctional facilities" means any facility under the supervision of the department of corrections in which persons are or may be lawfully held in custody as a result of conviction

of a crime and any prison facility operated by a county, city and county, or private corporation located in this state or another state; except that "state correctional facilities" does not include any local jail, multijurisdictional jail, or community corrections center.

Source: L. 2025: Entire section added with relocations (SB 25-275), ch. 377, p. 2029, § 9, effective August 6.

Editor's note: This section is similar to former § 2-2-701 (4) as it existed prior to 2025.

2-2-701. General assembly - bills regarding the sentencing of criminal offenders - legislative intent.

(1) and (2) Repealed.

(3) On and after July 1, 1994, any bill which is introduced at any session of the general assembly which affects criminal sentencing and which may result in a net increase or a net decrease in periods of imprisonment in state correctional facilities shall be reviewed by the director of research of the legislative council for the purpose of providing information to the general assembly on the long-term fiscal impact which may result from the passage of the bill, including the increased capital construction costs, increased operating costs, and increased parole costs for the department of corrections for the first five fiscal years following the effective date of the bill. The division of criminal justice in the department of public safety in cooperation with the department of corrections shall annually provide incarceration and parole length of stay estimates to the director of research of the legislative council.

(4) Repealed.

Source: L. 91: Entire part added, p. 390, § 1, effective July 1. **L. 94:** (3) added, p. 1097, § 7, effective May 9; (1) and (2) repealed, p. 1714, § 1, effective July 1. **L. 2016:** (3) amended and (4) added, (SB 16-095), ch. 43, p. 104, § 1, effective August 10. **L. 2025:** (4) repealed, (SB 25-275), ch. 377, p. 2109, § 336, effective August 6.

Editor's note: Subsection (4) was relocated to § 2-2-700.3 in 2025.

2-2-702. General assembly - bills regarding the sentencing of criminal offenders - required to be assigned to the appropriations committee of the house of introduction.

On and after July 1, 1991, any bill which is introduced into either house of the general assembly which affects the sentencing of criminal offenders and which would result in a net increase in periods of imprisonment in state correctional facilities shall, as soon as such net increase is determined, in addition to the assignment or referral of such bill to any other legislative committee or committees, be assigned or referred to the appropriations committees of the house into which such bill is introduced.

Source: L. 91: Entire part added, p. 391, § 1, effective July 1.

2-2-703. General assembly - bills which result in a net increase in periods of imprisonment in state correctional facilities - funding must be provided in the bill. (Repealed)

Source: L. 91: Entire part added, p. 391, § 1, effective July 1. **L. 2016:** Entire section amended, (SB 16-095), ch. 43, p. 105, § 2, effective August 10. **L. 2022:** Entire section amended, (HB 22-1330), ch. 104, p. 485, § 1, effective April 15. **L. 2025:** Entire section repealed, (SB 25-210), ch. 112, p. 468, § 1, effective August 6.

PART 8

PLAIN LANGUAGE IN STATE LAWS

2-2-801. Plain language requirement in state laws.

Any person, including members of the general assembly and employees of each house of the general assembly, the office of legislative legal services, the legislative council staff, and the staff of the joint budget committee, shall ensure that, to the extent possible, all bills and amendments to bills prepared or proposed by such person are written in plain, nontechnical language and in a clear and coherent manner using words with common and everyday meaning which are understandable to the average reader. Enactment of a bill by the general assembly shall create a presumption that such bill conforms to this section.

Source: L. 93: Entire part added, p. 995, § 2, effective June 2.

2-2-802. People first language in state laws.

(1) On or after August 11, 2010, all new or amended statutes that refer to persons with disabilities must:

(a) Avoid language that:

(I) Implies that a person as a whole is disabled, such as the "mentally ill" or the "learning disabled"; or

(II) Equates persons with their condition, such as "epileptics", "autistics", or "quadriplegics";

(b) Replace disrespectful language by referring to persons with disabilities as persons first. Examples of people first language include, but are not limited to, the following: Persons with disabilities, persons with developmental and intellectual disabilities, persons with behavioral or mental health disorders, and persons with autism.

(c) Replace disrespectful, insensitive, or outdated terms such as "mental retardation" with people first language such as "people with developmental and intellectual disabilities".

(2) Violation of this section shall not be grounds to invalidate any new or amended statute; however, such statutes shall be amended to reflect the provisions of this section in any subsequent revision.

(3) Nothing in this section shall constitute a requirement to change the name of any department, agency, or program of the state or any political subdivision of the state.

(4) The revisor of statutes is authorized to change any disrespectful, insensitive, or outdated terms that appear in the Colorado Revised Statutes and to replace such terms with people first language in accordance with this section.

Source: L. 2010: Entire section added, (HB 10-1137), ch. 93, p. 319, § 1, effective August 11. **L. 2017:** IP(1), (1)(b), and (1)(c) amended, (SB 17-242), ch. 263, p. 1262, § 30, effective May 25.

Cross references: For the legislative declaration in SB 17-242, see section 1 of chapter 263, Session Laws of Colorado 2017.

2-2-803. Inclusion of tribal governments - definition.

(1) As used in this section, "local government entities" includes an authority, county, municipality, city and county, district, or other political subdivision of the state; any institution, department, agency, or authority of any of the foregoing; and any other entity, organization, or corporation formed by an intergovernmental agreement or other contract between or among any of the foregoing.

(2) On and after August 10, 2022, new or amended state statutes that enumerate or define local government entities that are eligible for or included in state grant or benefit programs must also designate tribal nations with jurisdiction in Colorado as eligible entities, if legal and appropriate given the nature and funding source of the program.

(3) A violation of this section is not grounds to invalidate a new or amended statute; however, the statute shall be amended to reflect the provisions of this section in any subsequent revision.

Source: L. 2022: Entire section added, (SB 22-104), ch. 218, p. 1431, § 1, effective August 10.

PART 9

CENSUS DATA FOR REDISTRICTING

2-2-901. Population data for redistricting.

For purposes of redrawing the boundaries of congressional, state senatorial, state representative, and county commissioner districts after each federal census, the independent legislative and congressional redistricting commissions established pursuant to sections 44 and 46 of article V of the state constitution and the county commissioner district redistricting commissions established pursuant to section 30-10-306.1 shall use total population data supplied by the United States census bureau that has been used to apportion the seats in the United States house of representatives among the states as adjusted by the legislative council staff and office of legislative legal services, or any successor offices, pursuant to section 2-2-902.

Source: L. 99: Entire part added, p. 559, § 1, effective May 7. **L. 2010:** (2) amended, (HB 10-1210), ch. 352, p. 1635, § 6, effective August 11. **L. 2020:** Entire section amended, (HB 20-1010), ch. 38, p. 124, § 3, effective March 20; entire section amended, (SB 20-186), ch. 272, p. 1328, § 14, effective July 11. **L. 2021:** Entire section amended, (HB 21-1047), ch. 70, p. 288, § 6, effective April 29.

Cross references: (1) For the short title ("Colorado Accurate Residence for Redistricting Act") in HB 20-1010, see section 1 of chapter 38, Session Laws of Colorado 2020.

(2) For the legislative declaration in HB 21-1047, see section 1 of chapter 70, Session Laws of Colorado 2021.

2-2-902. Accurate census data - electronic record of prisoner home address - adjustment of census data - definitions.

(1) As used in this section, unless the context otherwise requires:

(a) "Decennial census day" means April 1 of the year 2020 and every year ending in zero thereafter.

(b) "Department" means the department of corrections.

(c) "Necessary census data" means the federal decennial Pub.L. 94-171 data published for the state by the United States census bureau and adjusted by the general assembly's nonpartisan staff to reflect the changes pursuant to subsections (5) and (6) of this section.

(d) "Nonpartisan staff" means the staff of the legislative council and office of legislative legal services, or any successor offices.

(2) (a) Starting as soon as practicable after March 20, 2020, the department shall collect and maintain an electronic record of the legal residence, presumptively outside of the correctional facility, and other demographic data, for any person entering its custody. At a minimum, this record must contain the last-known complete street address prior to incarceration, the person's race, whether the person is of Hispanic origin, and whether the person is over eighteen years of age. To the degree possible, the department shall also allow the legal residence to be updated as appropriate.

(b) On or before May 1 of each year in which the federal decennial census is taken and in which the United States census bureau counts incarcerated persons as residents of correctional facilities, the department shall deliver to nonpartisan staff a report that includes, for each person incarcerated in a facility operated by or under contract with the department for whom the records of the department indicate a legal residence in this state:

(I) A unique identifier, not including the name of the person or the state offender identification number. The unique identifier must enable nonpartisan staff to address inquiries about specific address records to the department without making it possible for anyone outside of the department to identify the person to whom the address record pertains.

(II) The street address of the correctional facility in which such person was incarcerated on the decennial census day;

(III) The last-known address of such person prior to incarceration or other legal residence, if known;

(IV) The person's race, whether the person is of Hispanic origin, and whether the person is over eighteen years of age, if known; and

(V) Any additional information nonpartisan staff may request pursuant to law.

(c) The department shall provide the data specified in subsection (2)(b) of this section in an electronic format as specified by nonpartisan staff.

(d) The information required to be provided to nonpartisan staff pursuant to this subsection (2) must not include the name of any incarcerated person and must not allow for the identification of any such person except to the department. Notwithstanding the "Colorado Open Records Act", part 2 of article 72 of title 24, or any other provision of law, the information is confidential and nonpartisan staff or any other state agency or local government entity shall not disclose any information from the report except as redistricting data aggregated by census block for purposes specified in subsection (4) of this section.

(3) Nonpartisan staff shall request each agency that operates a federal facility in this state that incarcerates persons convicted of a criminal offense to provide it with a report including the information listed in subsection (2)(b) of this section.

(4) Pursuant to subsection (5) of this section, nonpartisan staff shall prepare redistricting population data to reflect incarcerated persons at their residential addresses in this state rather than their place of incarceration. This data prepared by nonpartisan staff is the necessary census data provided to and to be used by the independent legislative and congressional redistricting commissions established pursuant to sections 44 and 46 of article V of the state constitution and in the establishment of county commissioner districts pursuant to section 30-10-306. The data is the population basis of congressional districts, county commissioner districts, state house of representative districts, and state senate districts. Nonpartisan staff shall make this census data available to the independent legislative and congressional redistricting commissions and to members of the public and any county or local governmental entity of Colorado upon request.

(5) (a) For each person included in a report received pursuant to subsections (2)(b) and (3) of this section, nonpartisan staff shall determine the geographic units for which population counts are reported in the federal decennial census that contain the facility of incarceration and the legal residence in this state as listed in the report.

(b) For each person included in a report received pursuant to subsections (2)(b) and (3) of this section, if the legal residence is known and in this state, nonpartisan staff shall:

(I) Ensure that the person is not included in any population counts reported by nonpartisan staff for the geographic units that include the facility at which the person was incarcerated, unless that geographic unit also includes the person's legal residence; and

(II) Ensure that any population counts reported by nonpartisan staff reflect the person's residential address in this state as reported pursuant to subsections (2)(b) and (3) of this section.

(6) The data prepared by nonpartisan staff pursuant to this section must be completed and published no later than thirty days after the date that federal decennial Pub.L. 94-171 data for the state is delivered to the state.

(7) The data prepared by nonpartisan staff pursuant to this section shall not be used in the distribution of any state or federal aid.

Source: L. 2020: Entire section added, (HB 20-1010), ch. 38, p. 122, § 2, effective March 20. **L. 2021:** (4) amended, (HB 21-1047), ch. 70, p. 289, § 7, effective April 29.

Cross references: (1) For the short title ("Colorado Accurate Residence for Redistricting Act") in HB 20-1010, see section 1 of chapter 38, Session Laws of Colorado 2020.

(2) For the legislative declaration in HB 21-1047, see section 1 of chapter 70, Session Laws of Colorado 2021.

PART 10

LEGISLATIVE INTERIM COMMITTEE ON HEALTH CARE SYSTEMS

2-2-1001. (Repealed)

Editor's note: (1) Subsection (7) provided for the repeal of this part 10, effective January 1, 2003. (See L. 2002, p. 1306.)

(2) This part 10 was added in 2002 and was not amended prior to its repeal in 2003. For the text of this part 10 prior to 2003, consult the 2002 Colorado Revised Statutes.

PART 11

LEGISLATIVE INTERIM COMMITTEE ON STIMULATING ECONOMIC DEVELOPMENT THROUGH BUSINESS PERSONAL PROPERTY TAX EXEMPTIONS AND OTHER METHODS

2-2-1101. (Repealed)

Editor's note: (1) Subsection (7) provided for the repeal of this part 11, effective January 1, 2005. (See L. 2004, p. 1073.)

(2) This part 11 was added in 2004 and was not amended prior to its repeal in 2005. For the text of this part 11 prior to 2005, consult the 2004 Colorado Revised Statutes.

PART 12

POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF BILLS

2-2-1201. Accountability clauses - post-enactment review of implementation of bills by legislative service agencies - definitions - repeal.

(1) In accordance with the provisions of this section, legislative service agencies shall conduct a post-enactment review of the implementation of any bill enacted during any legislative session, regular or special, commencing on and after January 1, 2006, that becomes law and that contains an accountability clause and a legislative declaration setting forth the desired results or benefits to be achieved by the bill, as intended by the general assembly, that shall be used by legislative services agencies in conducting a post-enactment review in accordance with this section and such other information that is necessary for the legislative service agencies to conduct such a post-enactment review.

(2) (a) In conducting a post-enactment review as required by subsection (1) of this section, legislative service agencies shall determine to the greatest extent possible:

(I) Whether the bill has been implemented, in whole or in part;

(II) If the bill has been implemented in whole or in part, how the bill has been implemented, including whether the bill has been implemented in the most efficient and cost-effective manner;

(III) If the bill has been implemented in part, the reasons why the bill has not been implemented in whole;

(IV) The extent to which the desired results or benefits of the bill, as specified in the legislative declaration of the bill, are being achieved;

(V) Whether there have been any unintended consequences or problems caused by the implementation of the bill;

(VI) Whether the implementation of the bill has been impeded by any existing state or federal statutes, rules, procedures, or practices;

(VII) Whether any administrative or statutory changes are necessary to improve the implementation of the bill;

(VIII) Whether the actual costs of implementing the bill have been within the estimated costs, if any, set forth in the fiscal note for the bill;

(IX) Whether any increase in state funding is necessary to improve the implementation of the bill; and

(X) Any other pertinent observation made by the legislative service agencies that relate to the implementation of the bill.

(b) If the legislative service agencies cannot determine any of the items specified in paragraph (a) of this subsection (2), in whole or in part, due to a lack of sufficient information set forth in the legislative declaration of the bill for which a post-enactment review is being conducted or due to any other ambiguity arising from the language of the bill, the legislative service agencies shall include a statement to that effect in their written findings reported in accordance with subsection (3) of this section.

(3) The legislative service agencies shall complete any post-enactment review of the implementation of a bill required pursuant to this section no later than one hundred eighty days after the two-year or five-year anniversary, as applicable, of the enactment of the bill. The legislative service agencies shall report their written findings resulting from any post-enactment review of the implementation of a bill to the speaker of the house of representatives, the president of the senate, the minority leaders of the house of representatives and senate, and the prime sponsors of the bill if they are still serving in the general assembly at the time the report is filed. The report shall be filed no later than sixty days after a post-enactment review is completed by the legislative service agencies and shall be a public record for purposes of article 72 of title 24, C.R.S.

(4) (a) Nothing in this section shall be construed to require the inclusion of an accountability clause and a legislative declaration in any bill.

(b) For purposes of this section, an accountability clause and a legislative declaration may be:

(I) Included in any bill introduced in the house of representatives or the senate at the request of the prime sponsor of the bill; or

(II) Added to any bill by amendment offered by any member of the general assembly and adopted during the legislative process in accordance with law and legislative procedures.

(5) Notwithstanding any other provision of law, all officers, departments, agencies, and offices of the state, or of any political subdivision of the state, that is responsible for or involved in the implementation of any bill that is subject to a post-enactment review pursuant to the provisions of this section shall cooperate with and provide all information that may be requested by legislative service agencies for purposes of conducting a post-enactment review pursuant to this section.

(6) The general assembly may adopt rules to implement accountability clauses and the post-enactment review of bills containing an accountability clause and a legislative declaration by legislative service agencies in accordance with the provisions of this section.

(7) For purposes of this section, unless the context otherwise requires:

(a) "Accountability clause" means a noncodified provision of a bill that directs legislative staff agencies to conduct a review of the implementation of the bill either two or five years, as specified in the provision, after the enactment of the bill.

(b) "Legislative service agencies" means the office of legislative legal services, legislative council staff, and staff of the joint budget committee.

(8) Repealed.

Source: L. 2006: Entire part added, p. 224, § 1, effective August 7. **L. 2008:** (7)(b) amended, p. 385, § 1, effective July 1. **L. 2012:** (8) added, (HB 12-1345), ch. 188, p. 750, § 45, effective May 19. **L. 2015:** (8) repealed, (HB 15-1273), ch. 323, p. 1323, § 6, effective June 5.

Editor's note: Section 2 of chapter 126, Session Laws of Colorado 2008, provides that the act amending subsection (7)(b) applies to the post-enactment review of legislation required in accordance with the provisions of part 12 of article 2 of title 2 before, on, or after July 1, 2008.

Cross references: (1) For the provision directing legislative staff agencies to conduct a post-enactment review pursuant to this section scheduled in 2016, see section 46 of chapter 188, Session Laws of Colorado 2012. However, sections 21 and 46 of chapter 188 were repealed by sections 7 and 8 of chapter 323 (HB 15-1273), Session Laws of Colorado 2015.

(2) For the legislative declaration in HB 15-1273, see section 1 of chapter 323, Session Laws of Colorado 2015.

PART 13

YOUTH ADVISORY COUNCIL

2-2-1301. Short title.

This part 13 shall be known and may be cited as the "Youth Advisory Council Act".

Source: L. 2008: Entire part added, p. 1670, § 1, effective May 29. **L. 2009:** Entire section amended, (HB 09-1099), ch. 92, p. 354, § 1, effective August 5.

2-2-1301.5. Definitions.

As used in this part 13, unless the context otherwise requires:

(1) "Council" means the Colorado youth advisory council created in section 2-2-1302.

(2) "Designated organization" means the nonprofit or private organization designated by the legislative members of the council pursuant to section 2-2-1304 as the custodian of moneys donated to the council through the designated organization.

(3) "Fund" means the youth advisory council cash fund created pursuant to section 2-2-1306.

(4) "Review committee" means the Representative Hugh McKean and Senator Faith Winter Colorado youth advisory council review committee created in section 2-2-1305.5.

Source: L. 2009: Entire section added, (HB 09-1099), ch. 92, p. 354, § 2, effective August 5. **L. 2019:** (4) added, (HB 19-1024), ch. 373, p. 3393, § 1, effective May 30. **L. 2023:** (4) amended, (SB 23-076) ch. 325, p. 1955, § 3, effective June 2. **L. 2026:** (4) amended, (SB 26-143), ch. 134, p. 597, § 2, effective August 12.

2-2-1302. Colorado youth advisory council - creation - purpose.

(1) There is hereby created in the legislative branch the Colorado youth advisory council to examine, evaluate, and discuss the issues, interests, and needs affecting Colorado youth now and in the future and to formally advise and make recommendations to elected officials regarding those issues. The issues may include, but need not be limited to:

(a) Education and skill development;

(b) Employment and economic opportunities and educational opportunities, including increased accessibility to opportunities for youth in rural communities;

(c) Access to state and local government services;

(d) The environment;

(e) Behavioral and physical health, including suicide prevention;

(f) Safe environments for youth, including preventing bullying;

(g) Substance abuse;

(h) Poverty; and

(i) Increased youth participation in state and local government.

Source: L. 2008: Entire part added, p. 1670, § 1, effective May 29. **L. 2009:** Entire section amended, (HB 09-1099), ch. 92, p. 355, § 3, effective August 5. **L. 2013:** Entire section amended, (SB 13-148), ch. 390, p. 2264, § 1, effective June 5.

2-2-1303. Membership - selection - terms.

(1) The council consists of forty-four members as follows:

(a) Four nonvoting legislative members, two of whom shall be members of the house of representatives and two of whom shall be members of the senate; and

(b) Thirty-five voting members representing each senate district in the state, one voting member representing the Southern Ute Indian Tribe, one voting member representing the Ute Mountain Ute Tribe, and three nonvoting at-large members. The three at-large members must be selected to help ensure diversity on the council, with an express concern for adequate rural representation. Members described in this subsection (1)(b) must meet the following qualifications at the time of appointment:

(I) Be at least fourteen years of age but not older than nineteen years of age; and

(II) Be enrolled in and attending a tribal or Colorado junior high, middle, or high school, including an online or charter school or approved facility school as defined in section 22-2-402; be participating in a nonpublic, home-based educational program; be participating in a high school equivalency examination program; or have obtained a high school diploma through successful completion of a high school equivalency examination, as defined in section 22-33-102 (8.5).

(2) (a) Nonlegislative council members shall be appointed as follows:

(I) and (II) (Deleted by amendment, L. 2013.)

(III) (A) On or before August 31 of each year, the council members shall approve subsequent appointments to the council. A youth who meets the criteria set forth in subsection (1) of this section may apply to the council to be considered for participation in the council.

(B) The council shall utilize an application process to facilitate council appointments, including the content and availability of the application form, additional selection criteria, and an application review process.

(IV) Every effort shall be made to create a council that represents the diversity of the youth of the state.

(b) Legislative members of the council shall be appointed as follows:

(I) On or before December 15, 2014, and on or before December 15 every two years thereafter, the speaker and minority leader of the house of representatives shall each appoint one member from the house of representatives; and

(II) On or before December 15, 2014, and on or before December 15 every two years thereafter, the president and minority leader of the senate shall each appoint one member from the senate.

(3) Council members shall serve two-year terms and, if eligible, may be selected for a subsequent two-year term. In all cases, every effort shall be made to maintain or expand the diversity of the council.

(4) A vacancy on the council shall be filled through a vote of the members for the remainder of the unexpired term. Vacancies of nonlegislative members on the council shall be filled pursuant to the application process described in subsection (2)(a)(III) of this section for biennial appointments. Vacancies of legislative members shall be filled by the appointing authority. Vacancies of nonlegislative members on the council who are not designated as at-large members shall be filled by a youth coming from the same senate district as the departing nonlegislative member.

(4.5) The council shall adopt written bylaws setting forth a leadership structure for the council. The council may amend its bylaws as it determines it is necessary. The council may appoint members to serve in any leadership roles described in its bylaws.

(5) Subject to available appropriations, legislative members of the council shall be compensated for attendance at meetings of the council in the same manner as is provided in section 2-2-307 for legislative members attending meetings during the legislative interim. All expenditures incurred by the council shall be approved by the chair of the legislative council and paid for by vouchers and warrants drawn as provided by law from moneys allocated to the

legislative council for legislative committees from appropriations made by the general assembly or from the youth advisory council cash fund created in section 2-2-1306.

Source: L. 2008: Entire part added, p. 1671, § 1, effective May 29. **L. 2009:** (4) amended, (HB 09-1099), ch. 92, p. 355, § 4, effective August 5. **L. 2013:** Entire section amended, (SB 13-148), ch. 390, p. 2265, § 2, effective June 5. **L. 2014:** IP(1), IP(1)(b), and (1)(b)(II) amended, (SB 14-058), ch. 102, p. 377, § 1, effective April 7. **L. 2020:** IP(1)(b) and (1)(b)(II) amended, (HB 20-1021), ch. 1, p. 1, § 1, effective February 26. **L. 2022:** (2)(a)(III)(A) and (4) amended and (4.5) added, (SB 22-014), ch. 32, p. 179, § 1, effective March 17.

2-2-1304. Duties - meetings - community outreach - designation of organization to accept donations - authority to contract.

(1) The council shall have the following duties and responsibilities:

(a) To work with any existing and appropriate local and state youth groups to identify the concerns and needs of youth in Colorado and to advise and make oral and written recommendations to members of the general assembly on proposed or pending legislation;

(b) To work with any existing and appropriate local and state youth groups to collect, analyze, and provide information on issues related to youth to the legislative committees, commissions, task forces, and state agencies and departments as appropriate;

(c) To consult with any existing local-level youth advisory councils for input and potential solutions on issues related to youth;

(d) To set priorities and establish any committees that may be necessary to achieve the goals of the council;

(e) To present to the state board of health twice a year on issues including the youth opioid epidemic and other health issues; and

(f) To consult with the prevention services division within the department of public health and environment during the stakeholder process for rule-making regarding opioid antagonists.

(2) (a) Repealed.

(b) The council shall meet at least four times each year, with two meetings occurring during the regular legislative session and two meetings occurring after the regular legislative session has concluded. Council members may attend and participate in council meetings remotely, but at least two of the council's meetings each year must be held in person, with all attending members at the same physical location. Additional meetings may be held at the discretion of council leadership, subject to available money.

(c) All meetings of the council shall be open to the public.

(d) The council has the authority to develop rules and procedures to govern its activities.

(3) The council shall utilize news outlets and publications, public awareness campaigns, and a website to develop and maintain regular communication concerning its activities with the youth of Colorado, the state of Colorado, and interested parties.

(4) (a) On or before September 1, 2013, and every third September 1 thereafter through September 1, 2019, the council shall, in conjunction with the director of the legislative council, use a request for proposal process to contract with and designate one or more nonprofit organizations to provide staffing and operational assistance and to serve as the custodian of money donated to the council through the designated organization. The contractor selected following the 2019 request for proposal process shall, pursuant to one or more contracts, provide such staffing, operational, and custodian services through June 30, 2023. Thereafter, the council shall, in conjunction with the director of the legislative council, on or before April 30, 2023, and, except as otherwise provided in this subsection (4)(a), on or before every second April 15 thereafter, use a request for proposal process to contract with and designate one or more nonprofit organizations to provide such staffing, operational, and custodian services. The term of each contract entered into for a term commencing on or after July 1, 2023, is two state fiscal years; except that any such contract may be extended for one additional two-year term. If a contract is extended, the request for proposal for the next contract must be issued on or before the April 15 immediately preceding the expiration of the extension term. The designated organization shall not be the custodian of any money appropriated by the state and credited to the fund created in section 2-2-1306. The designated organization is authorized to expend any money it receives as is necessary for the operation of the council and may solicit and accept monetary and in-kind gifts, grants, and donations used to further the council's duties and responsibilities. Any money donated or awarded to the designated organization for the benefit of the council is not subject to appropriation by the general assembly. Any money obtained by the council or the designated organization and not in the fund that is unexpended and unencumbered at the time the council is dissolved shall be distributed according to appropriate federal and state laws governing nonprofit organizations. If a different nonprofit or private organization is subsequently designated as the custodian of donated money in accordance with this paragraph (a), any money that is unexpended and unencumbered at the time of the change in designation shall be promptly transferred by the previously designated organization to the newly designated organization.

(b) The designated organization, on behalf of the council, may provide or accept in-kind staff support from nonprofit agencies or private organizations, including itself, or may contract with outside entities for the purpose of providing staff support to assist the council in conducting its duties and responsibilities. Any staff support personnel provided by the designated organization

or a nonprofit agency or private organization, either donated or engaged through a contract, shall not be considered employees of the council or the state.

(5) The council is authorized to contract with the designated organization or other nonprofit or private entities for the implementation of this part 13. Any contract entered into by the council must be signed by the chair of the review committee and the chair of the legislative council.

(6) (a) Repealed.

(b) On or before April 20, 2023, and on or before April 1 of each year thereafter, the council shall select five members to serve as nonvoting members of the review committee during the subsequent legislative interim.

(c) The council shall notify the director of research of the legislative council of the appointments made pursuant to this subsection (6).

Source: L. 2008: Entire part added, p. 1672, § 1, effective May 29. **L. 2009:** (4) and (5) added, (HB 09-1099), ch. 92, p. 355, § 5, effective August 5. **L. 2013:** (2)(a) repealed and (4)(a) R&RE, (SB 13-148), ch. 390, pp. 2266, 2267, §§ 3, 4, effective June 5. **L. 2019:** (6) added, (HB 19-1024), ch. 373, p. 3393, § 2, effective May 30. **L. 2020:** (6)(b) amended, (SB 20-214), ch. 200, p. 979, § 2, effective June 30. **L. 2022:** (2)(b), (2)(d), and (5) amended, (SB 22-014), ch. 32, p. 180, § 2, effective March 17. **L. 2023:** (4)(a) and (6)(b) amended, (SB 23-076) ch. 325, p. 1954, § 1, effective June 2. **L. 2025:** (1)(e) and (1)(f) added, (SB 25-164), ch. 168, p. 680, § 1, effective August 6.

Editor's note: Subsection (6)(a)(II) provided for the repeal of subsection (6)(a), effective June 30, 2020. (See L. 2019, p. 3393.)

2-2-1305. Reporting requirements.

The council shall report to the review committee during each interim that the review committee meets. The report must include, at a minimum, a summary of the council's recommendations concerning key issues for youth, including any proposals for legislation the council would like the review committee to consider, and a summary of the council's work during the prior year.

Source: L. 2008: Entire part added, p. 1673, § 1, effective May 29. **L. 2013:** Entire section amended, (SB 13-148), ch. 390, p. 2267, § 5, effective June 5. **L. 2022:** Entire section amended, (SB 22-014), ch. 32, p. 180, § 3, effective March 17.

2-2-1305.5. Representative Hugh McKean and Senator Faith Winter Colorado youth advisory council review committee - created.

(1) There is created in the legislative branch the Representative Hugh McKean and Senator Faith Winter Colorado youth advisory council review committee to review the council's work. The committee is comprised of ten members, as described in subsection (2) of this section.

(2) (a) The review committee includes five voting members, as follows:

(I) The four legislative members of the council, as described in section 2-2-1303 (1)(a); and

(II) One member of the legislative council, created in section 2-3-301, appointed pursuant to subsection (3) of this section.

(b) The review committee includes as nonvoting members five members of the council, appointed pursuant to section 2-2-1304 (6).

(3) (a) Repealed.

(b) On or before April 20, 2023, and on or before April 1 of each year thereafter, the chair of the legislative council shall appoint the member serving pursuant to subsection (2)(a)(II) of this section to serve during the subsequent legislative interim.

(4) In odd-numbered years, the speaker of the house of representatives shall appoint the chair of the review committee and the president of the senate shall appoint the vice-chair. In even-numbered years, the president of the senate shall appoint the chair and the speaker of the house of representatives shall appoint the vice-chair. The appointing authorities shall make the appointments on or before April 20, 2023, and on or before April 1 of each year thereafter.

(5) (a) The review committee may meet up to three times during each interim but may not travel unless authorized by the executive committee of the legislative council. A majority of voting members constitutes a quorum.

(b) Repealed.

(6) Repealed.

(7) Voting members of the review committee are entitled to compensation pursuant to section 2-2-307. Subject to available funds, nonvoting members may receive reimbursement for expenses from the fund created in section 2-2-1306.

(8) The legislative council staff and the staff of the office of legislative legal services shall assist the review committee in carrying out its duties pursuant to this section.

Source: L. 2019: Entire section added, (HB 19-1024), ch. 373, p. 3394, § 3, effective May 30. **L. 2020:** (3)(b), (5), and (6) amended, (SB 20-214), ch. 200, p. 980, § 3, effective June 30. **L. 2022:** (4) amended, (SB 22-014), ch. 32, p. 180, § 4, effective March 17. **L. 2023:** (1), (3)(b), and (4) amended (SB 23-076) ch. 325, p. 1955, §§ 2, 4, effective June 2. **L. 2025:** (1) amended and (6)(a) repealed, (SB 25-199), ch. 149, p. 565, § 2, effective April 30. **L. 2026:** (1) amended (SB 26-143), ch. 134, p. 597, § 1, effective August 12.

Editor's note: (1) Subsection (3)(a)(II) provided for the repeal of subsection (3)(a), effective June 30, 2020. (See L. 2019, p. 3394.)

(2) Subsections (5)(b)(II) and (6)(b)(II) provided for the repeal of subsections (5)(b) and (6)(b), respectively, effective July 1, 2021. (See L. 2020, p. 980.)

2-2-1306. Youth advisory council cash fund - created - gifts, grants, and donations.

There is created in the state treasury the youth advisory council cash fund to provide for the direct and indirect costs associated with the implementation of this part 13, including but not limited to lodging, meeting fees, mileage and transportation costs, meals, meeting supplies, copy costs, computer-related costs, any services for which the council contracts, and expenses incurred by nonvoting members of the review committee. The fund shall consist of any money appropriated by the general assembly to the fund and may also include gifts, grants, and donations obtained directly by the council pursuant to this section. The council is authorized to seek and accept gifts, grants, or donations from private or public sources for the purposes of this part 13. All private and public money received by the council through gifts, grants, or donations shall be transmitted to the state treasurer, who shall credit the same to the fund. The money in the fund shall be continuously appropriated for the direct and indirect costs associated with the implementation of this part 13. Any money in the fund not expended for the purposes of this part 13 may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of money in the fund shall be credited to the fund. Any unexpended and unencumbered money remaining in the fund at the end of a fiscal year remains in the fund and shall not be credited or transferred to the general fund or another fund.

Source: L. 2008: Entire part added, p. 1673, § 1, effective May 29. **L. 2009:** Entire section amended, (HB 09-1099), ch. 92, p. 356, § 6, effective August 5. **L. 2019:** Entire section amended, (HB 19-1024), ch. 373, p. 3395, § 4, effective May 30.

2-2-1307. Repeal of part.

This part 13 is repealed, effective September 1, 2028. Prior to the repeal of this part 13, the council must be reviewed as provided for in section 2-3-1203.

Source: L. 2008: Entire part added, p. 1674, § 1, effective May 29. **L. 2013:** Entire section amended, (SB 13-148), ch. 390, p. 2268, § 7, effective June 5. **L. 2018:** Entire section amended, (HB 18-1186), ch. 175, p. 1208, § 1, effective June 30. **L. 2023:** Entire section amended, (SB 23-076) ch. 325, p. 1956, § 5, effective June 2.

PART 14

ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE ACT

2-2-1401 to 2-2-1406. (Repealed)

Editor's note: (1) This part 14 was added in 2009. For amendments to this part 14 prior to its repeal in 2014, consult the 2013 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

(2) Section 2-2-1406 provided for the repeal of this part 14, effective July 1, 2014. (See L. 2009, p. 2067.)

PART 15

LEGISLATIVE TASK FORCE ON THE BUSINESS PERSONAL PROPERTY TAX

2-2-1501. Legislative task force on the business personal property tax - creation - duties - repeal. (Repealed)

Source: L. 2009: Entire part added, (SB 09-085), ch. 431, p. 2394, § 1, effective June 4.

Editor's note: Subsection (6) provided for the repeal of this section, effective July 1, 2010. (See L. 2009, p. 2394.)

PART 16

LEGISLATIVE DEPARTMENT CASH FUND

Editor's note: This part 16 was numbered as part 14 in House Bill 09-1348 but has been renumbered on revision for ease of location.

2-2-1601. Legislative department cash fund - redistricting accounts - creation - legislative declaration - definitions - repeal.

(1) The general assembly finds and declares that:

(a) The legislative department cash fund is a reserve for the legislative department that is primarily funded through reversions of unexpended appropriations to the legislative department;

(b) Among other things, the executive committee uses the money in the fund to:

(I) Renovate and maintain the house of representatives and senate chambers, the old state library, the old supreme court, committee rooms in the state capitol and legislative services building, the state capitol annex building, and offices for legislators and staff from the house, senate, and legislative service agencies;

(II) Pay for legislative security and safety expenses, including training;

(III) Make the state capitol more accessible, such as a project to install a vertical lift ramp in the house of representatives so that all legislators are able to be on the dias and take the gavel;

(IV) Pay for redistricting expenses;

(V) Pay for the legislative department's critical information technology life-cycle costs, including software, hardware, and infrastructure; and

(VI) Allow the legislative department to pay for unforeseen expenses during emergencies, such as a global health pandemic;

(c) By creating a fund limit, the general assembly intends to ensure that the legislative department has sufficient money to allow the department to annually pay for ongoing and unexpected expenses, but not more; and

(d) The executive committee should continue to prioritize the available money in the fund for information technology and capital needs.

(2) As used in this section, unless the context otherwise requires:

(a) "Congressional account" means the congressional redistricting account created in the legislative department cash fund in subsection (3)(c) of this section.

(b) "Fund" means the legislative department cash fund created in subsection (3)(a) of this section.

(c) "Fund limit" means:

(I) For the state fiscal year commencing on July 1, 2025, eight million dollars; and

(II) For each state fiscal year thereafter, the fund limit for the prior state fiscal year, proportionally adjusted by the percentage change in the total appropriation to the legislative department made in the legislative appropriation bill for the state fiscal year.

(d) "Legislative account" means the legislative redistricting account created in the legislative department cash fund in subsection (3)(c) of this section.

(e) "Legislative service agency" means the office of legislative legal services, legislative council staff, office of the state auditor, or staff of the joint budget committee.

(3) (a) The legislative department cash fund is created in the state treasury. The fund consists of:

(I) Money that the general assembly, the house of representatives, the senate, or any legislative service agency accepts as gifts, grants, or donations; collects; or otherwise receives from private and public sources, but excludes money specified in subsection (3)(b) of this section;

(II) Money that reverts to the fund in accordance with subsection (4)(a) of this section;

(III) Money received by the office of legislative legal services or a legislative custodian for fees charged for the research and retrieval of public records in accordance with the "Colorado Open Records Act", part 2 of article 72 of title 24; and

(IV) Any other money that the general assembly may appropriate or transfer to the fund.

(b) Money collected or received from the following sources is not credited to the fund:

(I) Money generated from the sale of bill boxes, legislative directories, and publications and other services provided by the print shop;

(II) Money received from various departments for audits and studies;

(III) Money received as payment of costs and fees pursuant to section 2-5-118 (2) or (2.5); and

(IV) Money generated from the sale of publications and memorabilia relating to the state capitol building pursuant to section 24-82-108 (3)(f)(I).

(c) The congressional redistricting account and the legislative redistricting account are created in the fund. The congressional and legislative accounts consist of any money appropriated or transferred to the accounts and any money received by the independent congressional redistricting commission, created pursuant to section 44 of article V of the state constitution; the independent legislative redistricting commission, created pursuant to section 46 of article V of the state constitution; or the legislative council related to redistricting.

(4) (a) Notwithstanding any law to the contrary, money appropriated from the general fund to the legislative department for a state fiscal year that is unexpended or unencumbered as of the close of the state fiscal year shall not revert to the general fund and the state treasurer shall transfer the money to the fund; except that the amount that reverts to the fund in a state fiscal year shall not cause the balance in the fund to exceed the fund limit.

(b) If, at the end of a state fiscal year, after transferring any reversions to the fund in accordance with subsection (4)(a) of this section and after crediting the interest and income derived from the deposit and investment of money in the fund to the general fund in accordance with subsection (5) of this section, the balance in the fund exceeds the fund limit, then the state treasurer shall transfer the excess from the fund to the general fund.

(c) The state treasurer shall transfer any unexpended money remaining in the congressional and legislative accounts as of June 30 of any year ending in 2 to the fund; except that, if any amount of the transfer would cause the balance in the fund to exceed the fund limit, then the state treasurer shall transfer that amount to the general fund.

(d) Money in the congressional and legislative accounts and gifts, grants, and donations are excluded from the balance in the fund for purposes of the calculations in this subsection (4).

(5) For state fiscal years commencing on or after July 1, 2025, in accordance with section 24-36-114 (1), the state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund, including the congressional and legislative accounts, to the general fund.

(6) (a) Except as set forth in subsection (6)(b) of this section, state money in the fund is continuously appropriated to the executive committee of the legislative council to pay for expenses of the legislative department of the state of Colorado.

(b) Money in the congressional account is continuously appropriated to the independent congressional redistricting commission and to the legislative council staff to pay for the expense of redistricting the congressional districts in the state. Money in the legislative account is

continuously appropriated to the independent legislative redistricting commission and to the legislative council staff to pay for the expense of redistricting the state legislative districts in the state.

(c) The house of representatives, the senate, and legislative service agencies shall expend money consistent with any terms and conditions imposed as a condition of receiving such money as gifts, grants, or donations.

(7) The house of representatives, the senate, and any legislative service agency may seek, accept, and expend gifts, grants, or donations from private or public sources for any purpose authorized by law.

(8) (a) On June 30, 2026, the state treasurer shall transfer twelve million six hundred seventy-four thousand seven hundred sixty-six dollars from the fund to the general fund.

(b) This subsection (8) is repealed, effective July 1, 2027.

Source: L. 2009: Entire part added, (HB 09-1348), ch. 358, p. 1865, § 4, effective June 1. **L. 2010:** (2) amended and (2.5) added, (HB 10-1210), ch. 352, p. 1635, § 7, effective August 11. **L. 2012:** (2.6) added, (HB 12-1301), ch. 283, p. 1640, § 3, effective March 8. **L. 2013:** (1) amended, (HB 13-1039), ch. 130, p. 433, § 1, effective April 19. **L. 2020:** (2.6) amended, (HB 20-1345), ch. 307, p. 1562, § 3, effective June 23; (4) added, (HB 20-1398), ch. 176, p. 807, § 2, effective June 29; (2) and (2.5) amended, (SB 20-186), ch. 272, p. 1328, § 15, effective July 11. **L. 2025:** (2.7) added, (SB 25-264), ch. 129, p. 498, § 1, effective April 25; (1)(c) amended and (1)(d) added, (SB 25-317), ch. 385, p. 2139, § 2, effective June 3. **L. 2026:** Entire section R&RE, (HB 26-1332), ch. 273, p. 1539, § 1, effective June 1.

Editor's note: Subsection (2.5)(b)(II) provided for the repeal of subsection (2.5)(b), effective July 1, 2022. (See L. 2020, p. 1328.)

Cross references: For the legislative declaration in SB 25-317, see section 1 of chapter 385, Session Laws of Colorado 2025.

PART 17

LOWER NORTH FORK WILDFIRE COMMISSION

2-2-1701 to 2-2-1704. (Repealed)

Editor's note: (1) This part 17 was added in 2012. For amendments to this part 17 prior to its repeal in 2014, consult the 2013 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

(2) Section 2-2-1704 provided for the repeal of this part 17, effective July 1, 2014. (See L. 2012, p. 1143.)

PART 18

STANDARDS AND ASSESSMENTS TASK FORCE

2-2-1801 to 2-2-1805. (Repealed)

Editor's note: (1) This part was added in 2014. For amendments to this part prior to its repeal in 2015, consult the 2014 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

(2) Section 2-2-1805 provided for the repeal of this part, effective July 1, 2015. (See L. 2014, p. 1700.)

PART 19

SCHOOL FINANCE STUDY

2-2-1901 to 2-2-1903. (Repealed)

Editor's note: Section 2-2-1903 provided for the repeal of this part 19, effective July 1, 2020. (See L. 2019, p. 1903.)

PART 20

LEGISLATIVE INTERIM COMMITTEE ON SCHOOL FINANCE

2-2-2001 to 2-2-2004. (Repealed)

Editor's note: (1) Section 2-2-2004 provided for the repeal of this part 20, effective July 1, 2023. (See L. 2021, p. 2490.)

(2) This part 20 was added in 2021 and was not amended prior to its repeal in 2023. For the text of this part 20 prior to its repeal in 2023, consult the 2022 Colorado Revised Statutes.

PART 21

ACCOUNTABILITY, ACCREDITATION, STUDENT PERFORMANCE, AND RESOURCE INEQUITY TASK FORCE

2-2-2101. Definitions.

As used in this part 21, unless the context otherwise requires:

(1) "Department" means the department of education created and existing pursuant to section 24-1-115.

(2) "Rural school district" means a school district in Colorado that the department determines is rural based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area, and the total student enrollment of the school district is six thousand five hundred or fewer students.

(3) "State board" means the state board of education created and existing pursuant to section 1 of article IX of the state constitution.

(4) "Statewide education accountability and accreditation system" means the system for accrediting schools and school districts described in article 11 of title 22 and as implemented by rules adopted by the state board.

(5) "Task force" means the accountability, accreditation, student performance, and resource inequity task force created in section 2-2-2102.

(6) "Urban school district" means a school district that the department does not consider a rural or small rural school district.

Source: L. 2023: Entire section added, (HB 23-1241), ch. 256, p. 1454, § 1, effective May 24.

2-2-2102. Accountability, accreditation, student performance, and resource inequity task force - appointments - meetings.

(1) There is created the accountability, accreditation, student performance, and resource inequity task force to study academic opportunities, inequities, promising practices in schools, and improvements to the accountability and accreditation system.

(2) The task force members must be appointed on or before July 1, 2023. Following the appointment of the task force members pursuant to this subsection (2), the speaker of the house of representatives shall appoint the chairperson, and the president of the senate shall appoint the vice-chairperson. The task force consists of twenty-five members, and task force members are appointed as follows:

(a) The speaker of the house of representatives shall appoint the following members:

(I) One school district superintendent who has expertise with the education accountability system;

(II) One school district superintendent who has experience as a school district superintendent in Colorado public schools;

(III) One representative of a statewide parent organization that focuses on education policy;

(IV) One representative of a statewide organization of teachers; and

(V) One representative of a statewide organization specializing in equity and inclusion;

(b) The president of the senate shall appoint the following members:

(I) One representative who serves as a member of the state board;

(II) One representative of a school district board of education;

(III) One representative of a statewide organization that focuses on education policy;

(IV) One representative who is an elementary school teacher with experience teaching in Colorado public schools; and

(V) One school district superintendent who has experience as a school district superintendent in Colorado public schools who represents an urban school district;

(c) The house of representatives minority leader shall appoint the following members:

(I) One representative of a school district board of education from a rural school district;

(II) One teacher who teaches middle school with experience teaching in Colorado public schools;

(III) One school district superintendent who has experience as a school district superintendent in Colorado public schools; and

(IV) One school district employee who oversees the local administration of the statewide education accountability and accreditation system;

(d) The senate minority leader shall appoint the following members:

(I) One representative of the governing board of the state charter school institute created pursuant to part 5 of article 30.5 of title 22;

(II) One teacher who teaches in a rural school district; and

(III) Repealed.

(IV) One school district employee of an urban school district who oversees the local administration of the statewide education accountability and accreditation system;

(e) The governor shall appoint the following members:

(I) One representative from the governor's office;

(II) One representative of a statewide organization that represents charter schools;

(III) One representative of a regional or statewide organization that focuses on education and workforce development;

(IV) One representative who is an expert in English language acquisition and bilingual education;

(V) One school district employee of a rural school district with experience overseeing the statewide education accountability and accreditation system;

(VI) One representative of a regional or statewide organization that represents educators, including those with experience in special education; and

(VII) One representative with experience as a charter school network leader, formed pursuant to section 22-30.5-104.7.

(f) The department shall appoint one representative from the department who focuses on the statewide education accountability and accreditation system.

(3) (a) No later than August 15, 2023, the department shall enter into a contract with a facilitator to guide the work of the task force. The department shall select a neutral facilitator who is not affiliated with a statewide organization described in subsection (2) of this section. For

the duration of the task force, the department may enter into contracts as necessary for the task force to consider the issues described in section 2-2-2103.

(b) The department shall enter into a contract with a third party to draft the interim report described in section 2-2-2103 (3) and the final report described in section 2-2-2103 (4).

(4) (a) The chairperson and vice-chairperson shall convene the first meeting of the task force no later than September 1, 2023. The task force shall meet at least four times in 2023 and at least six times in 2024 to complete the duties specified in section 2-2-2103. The task force shall establish procedures to allow members of the task force to participate in the meetings remotely.

(b) The task force members shall serve without compensation but must receive reimbursement for reasonable travel expenses to attend task force meetings.

(c) If a vacancy occurs on the task force for any reason, the original appointing authority shall appoint a person who meets the requirements of the vacant position to fill the vacancy as soon as possible after the vacancy occurs.

(5) The department shall provide information and staff support to the task force upon the request of the task force chairperson to the extent necessary for the task force to complete the duties described in section 2-2-2103. The department shall compile, analyze, and provide to the task force the data necessary for the task force to consider the issues identified in section 2-2-2103.

Source: L. 2023: Entire section added, (HB 23-1241), ch. 256, p. 1455, § 1, effective May 24. **L. 2026:** IP(2) and (2)(d)(II) amended and (2)(d)(III) repealed, (HB 26-1356), ch. 191, p. 1109, § 2, effective July 1.

2-2-2103. Accountability, accreditation, student performance, and resource inequity task force - duties - report.

(1) (a) In completing the study required in this part 21, the task force, at a minimum, shall consider:

(I) Academic opportunities or inequities that may impact academic achievement gaps;

(II) Improvements to the accountability and accreditation system to expand and incentivize academic opportunities and address inequities;

(III) Promising practices in schools and school districts; and

(IV) Recommendations for legislation or rules, as necessary.

(b) To support the considerations of the task force set forth in subsection (1)(a) of this section, the task force may review:

(I) The results of the statewide education accountability systems audit report described in section 2-3-127, as said section existed prior to its repeal;

(II) and (III) Repealed.

(IV) The annual report and evaluation from the high school innovative learning pilot program created in article 35.6 of title 22;

(V) The results of the school transformation grant program created in section 22-13-103;

(VI) The interim and final reports from the secondary, postsecondary, and work-based learning integration task force created in part 2 of article 35.3 of title 22 prior to its repeal in 2024;

(VII) Promising practices from other states as identified by task force members; and

(VIII) Leading indicators or instructional practices that could be added to the accountability measures.

(2) The task force shall consult with parent organizations, student organizations, and additional stakeholders as needed to address questions necessary to finalize its findings and recommendations.

(3) On or before March 1, 2024, the task force shall submit an interim report, including its initial findings and recommendations on issues identified in subsection (1) of this section, to the education committees of the house of representatives and the senate, or their successor committees; the governor; the state board; the commissioner of education; and the department.

(4) On or before November 15, 2024, the task force shall submit a final report, including its findings and recommendations on issues identified in subsection (1) of this section, to the education committees of the house of representatives and the senate, or their successor committees; the governor; the state board; the commissioner of education; and the department.

(5) Any money the general assembly appropriates to the department for the implementation of this part 21 is available to the department through December 31, 2024.

Source: L. 2023: Entire section added, (HB 23-1241), ch. 256, p. 1458, § 1, effective May 24. **L. 2024:** (1)(b)(I) amended, (HB 24-1450), ch. 490, p. 3403, § 2, effective August 7. **L. 2026:** (1)(b)(II) and (1)(b)(III) repealed, (HB 26-1356), ch. 191, p. 1110, § 3, effective July 1; (1)(b)(VI) amended, (SB 26-169), ch. 311, p. 1797, § 2, effective August 12.

2-2-2104. Repeal of part.

This part 21 is repealed, effective December 31, 2026.

Source: L. 2023: Entire section added, (HB 23-1241), ch. 256, p. 1459, § 1, effective May 24.

PART 22

PROPERTY TAX TASK FORCE

2-2-2201. Commission on property tax - creation - powers and duties - report - repeal. (Repealed)

Source: L. 2023, 1st Ex. Sess.: Entire part added, (HB 23B-1003), ch. 7, p. 31, § 2, effective November 28. **L. 2024, 2nd Ex. Sess.:** (5)(d) and (6)(d) added and (8) amended, (HB 24B-1001), ch. 1, p. 1, § 1, effective October 1 (see editor's note).

Editor's note: (1) Section 19 of chapter 1 (HB 24B-1001), Session Laws of Colorado 2024, Second Extraordinary Session, provides that the act changing this section takes effect only if SB 24-233 takes effect and takes effect upon the effective date of SB 24-233. SB 24-233 took effect on October 1, 2024, due to an amendment to the effective date of SB 24-233 by section 18 of chapter 1 (HB 24B-1001), Session Laws of Colorado 2024, Second Extraordinary Session.

(2) Subsection (8) provided for the repeal of this section, effective July 1, 2025. (See L. 2024, 2nd Ex. Sess., p. 1.)

PART 23

BLACK COLORADAN RACIAL EQUITY STUDY

2-2-2301. Legislative declaration.

(1) (a) The general assembly finds, determines, and declares that:

(I) The legacy of slavery, racial discrimination, and systemic racism has harmed Black Coloradans and continues to harm Black Coloradans in material ways. Black individuals and communities, whose unpaid labor formed the basis for wealth and power in this country, are owed the opportunity and resources to build wealth and power for themselves. Like many

western states, Colorado is widely perceived as historically abstinent from participating in slavery. However, slavery was only fully abolished in the Colorado constitution in 2018.

(II) Colorado demonstrates a track record of racial discrimination, resulting directly in racial disparities. The Ku Klux Klan wielded great influence and power in Denver and in state politics in the 1920s. Major Colorado towns such as Denver, Grand Junction, Pueblo, and Canon City were hotbeds of Klan activity. The Klan in Colorado peaked in 1925. By this time, it had infiltrated all levels of the state government. The Klan controlled many members of the legislature, held a state supreme court judgeship and seven Denver district court benches, and had controlling majorities in some town councils. Some of the most notable klansmen at the time included the mayor and police chief of Denver and the governor of Colorado.

(III) The impact of those in power transpires into policies, systems, and practices adopted at the state level. Those policies, systems, and practices are built upon over decades and further ingrain inequities that have a disparate impact on Black Coloradans.

(IV) In 2020, the home ownership gap between Black and white Coloradans was thirty-one percent. Just twenty-five percent of adult Black Coloradans have earned a postsecondary degree or credential, while ninety-one and four-tenths percent of tier one jobs identified in the Colorado workforce development council's 2022 talent pipeline report and seventy and four-tenths percent of tier two jobs require a postsecondary credential. In Colorado, Black individuals constitute five percent of the population but seventeen percent of those in jail and eighteen percent of those in prison. At thirteen and seven-tenths percent unemployment, Black workers in Colorado faced higher unemployment rates than other racial groups surveyed between May 2021 and April 2022. Black Coloradans experience a wide array of negative health outcomes at rates that are disproportionate to white Coloradans in the following areas: Food insecurity, infant mortality, childhood asthma, diabetes, and HIV and AIDS. The average Black Coloradan has a life expectancy nearly three years fewer than the average white Coloradan.

(V) Disparities in both K-12 education and postsecondary training, including higher education and workforce training; home ownership; health disparities and access to health care; and a systemically unjust criminal justice system, combined with police brutality, have contributed to a reality in which half of Black families in Colorado are considered low-income. A lack of access to economic mobility and financial prosperity has impacted Black Coloradans for generations. Black Coloradans' lost earnings and assets detract from Colorado's labor force and tax base, as well as the growth of Colorado's economy.

(VI) Racial equity studies are tools used to qualify and quantify past discrimination and recommend certain corrective measures as may be warranted by the study's findings.

(b) Therefore, the general assembly declares that an independent study must be conducted and a steering committee be created in the state historical society to determine the extent to which Black Coloradans have experienced and continue to experience racial discrimination

directly linked to harmful practices, systems, and policies of the state and to quantify the economic impacts of any discrimination discovered during the study.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2472, § 1, effective August 7.

2-2-2302. Definitions.

As used in this part 23, unless the context otherwise requires:

(1) "Commission" means the Black Coloradan racial equity study commission created in section 2-2-2303.

(2) "Economic analysis" means the economic analysis conducted by a third-party entity pursuant to section 2-2-2306.

(3) "Fund" means the Black Coloradan racial equity study cash fund created in section 2-2-2308.

(4) "Historically impacted Black Coloradans" or "Black Coloradans" means African American persons, including individuals who have origins in any of the Black racial groups, who have resided or who are residing in Colorado.

(5) "Historical research" means the historical research conducted by the state historical society pursuant to section 2-2-2305.

(6) "State historical society" or "society" means the state historical society established in section 24-80-201 and commonly known as history Colorado.

(7) "Study" means the study to determine any potential historical and ongoing effects of slavery and subsequent systemic racism on Black Coloradans conducted pursuant to this part 23.

(8) "Third-party entity" means an entity that satisfies the qualifications set forth in section 2-2-2303 (2) and that has entered into an agreement with the commission or with the society to conduct all or part of the historical research.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2474, § 1, effective August 7.

2-2-2303. Black Coloradan racial equity study - third-party entity qualifications - commission created - membership - staff support - legislative intent.

(1) (a) There is established in the legislative department the Black Coloradan racial equity study commission to conduct a study to determine, and make recommendations related to, any potential historical and ongoing effects of slavery and subsequent systemic racism on Black Coloradans that may be attributed to practices, systems, and policies of the state. The commission is only required to conduct a study if, pursuant to section 2-2-2309, sections 2-2-2304, 2-2-2305, 2-2-2306, and 2-2-2307 become effective. The goals of the study are to:

(I) Determine the extent to which Black Coloradans have experienced and continue to experience racial discrimination directly linked to harmful practices, systems, and policies of the state that have existed historically or that continue to exist;

(II) Quantify the economic impact on Black Coloradans, including impacts on individuals and families, of any discrimination discovered during the study, to the extent that the study establishes that disparities attributable to past or present discrimination exist; and

(III) Identify measures that are consistent with the constitution to address the effects of discrimination that may be attributed to practices, systems, and policies of the state.

(b) The study includes historical research conducted by the society pursuant to section 2-2-2305 and an economic analysis conducted pursuant to section 2-2-2306.

(c) (I) It is the intent of the general assembly that the study be funded entirely by gifts, grants, and donations; that gifts, grants, and donations will be received throughout the course of the study; and that no additional general fund money be appropriated for the implementation of the study.

(II) The study is contingent on money being available to carry out the study. If money is not available for the commission, state historical society, or any other entity to carry out its duties required pursuant to this part 23, the commission, society, or entity is not required to carry out the duties. A contract with a third-party entity must provide that the contract is contingent on funds being available for that purpose.

(2) (a) A third-party entity that enters into an agreement with the commission or society to conduct economic analysis or research pursuant to this part 23 must have:

(I) Experience working with Black communities;

(II) An understanding of Black history and culture, with demonstrated experience working on issues related to Black history, social equity, civil rights, and economic mobility; and

(III) An understanding of the impact of trauma and how it passes through generations.

(b) The third-party entity may be from outside Colorado.

(3) (a) The commission consists of the following members:

(I) The following members, appointed by the governor:

(A) One person who has expertise in quantifying the economic impacts on historically impacted Black Coloradans;

(B) One community representative with a track record of public service with historically impacted Black Coloradans;

(C) One person who has legal expertise in constitutional law and racial justice; and

(D) One person who is a historian with expertise in the history of Black Coloradans;

(II) The following members, appointed by the speaker of the house of representatives:

(A) One person who has expertise in quantifying the economic impacts on historically impacted Black Coloradans;

(B) One person who has expertise in researching the history and impact of slavery and systemic racism on Black Coloradans;

(C) One community representative with a track record of public service with historically impacted Black Coloradans; and

(D) Two members of the house of representatives; and

(III) The following members, appointed by the president of the senate:

(A) One person who has legal expertise in constitutional law and racial justice;

(B) One person who has expertise in researching the history and impact of slavery on Black Coloradans;

(C) One community representative with a track record of public service with historically impacted Black Coloradans; and

(D) Two members of the senate.

(b) The president of the senate shall appoint one of the members of the commission who is a senator as the chair of the commission. The speaker of the house of representatives shall appoint one of the members of the commission who is a member of the house of representatives as the vice-chair of the commission.

(c) The appointing authorities shall appoint members of the commission as soon as possible after August 7, 2024, but no later than September 1, 2024. The term of appointment is for the duration of the commission's existence. If a vacancy arises on the commission, the appointing authority shall appoint a replacement to fill the vacancy as soon as possible.

(d) Nonlegislative members of the commission serve without compensation but are entitled to reimbursement for actual and necessary expenses incurred in the discharge of the members' duties.

(e) The legislative council staff shall assist the commission in carrying out its duties; except that legislative council staff shall not:

(I) Conduct research for the commission or draft the report required pursuant to section 2-2-2307;

(II) Organize or otherwise facilitate a community engagement session described in section 2-2-2305 (2); and

(III) Travel for the purpose of assisting the commission, unless authorized by the executive committee of the legislative council.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2474, § 1, effective August 7.

2-2-2304. Commission - meetings - duties.

(1) (a) The chair of the commission shall convene the first meeting of the commission no later than forty-two days after September 5, 2024.

(b) The commission shall not meet more than six times in a calendar year and shall not meet during the legislative session; except that:

(I) Meetings within the first three months after September 5, 2024, do not count toward the six-meeting limit; and

(II) The commission may meet once during a legislative session following receipt of a quarterly update from the society pursuant to section 2-2-2305 (4).

(c) Members of the commission may participate remotely in committee meetings.

(d) The commission may not travel unless authorized by the executive committee of the legislative council; except that members of the commission may travel to participate in a community engagement session described in section 2-2-2305 (2).

(2) The commission shall:

(a) Collaborate with the society about the study's scope of research in the subject areas described in section 2-2-2305 (1);

(b) If the society enters into an agreement with a third-party entity to conduct all or part of the historical research, assist with the development of a rubric for selecting the entity;

(c) Collaborate with the society about determining the timing and geographic reach for each community engagement session described in section 2-2-2305 (2) to maximize attendance at the session, consult with the society about whether to hold additional community engagement sessions, and help the society maximize attendance at the community engagement sessions;

(d) Provide feedback to the society following the receipt of updates about the historical research;

(e) Enter into an agreement with one or more third-party entities to conduct an economic analysis, as described in section 2-2-2306; and

(f) Draft and submit the report required pursuant to section 2-2-2307.

(3) After the commission submits the report to the general assembly and governor pursuant to section 2-2-2307 (1), the commission shall work with any parties necessary, including members of the general assembly, to implement the recommendations in the report.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2477, § 1, effective August 7 (see editor's note).

Editor's note: Section 2-2-2309 provides that this section is effective if the commission receives seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of this part 23 and the director of research of the legislative council notifies the revisor of statutes in writing of the date on which the condition specified has occurred by emailing the notice to revisorofstatutes.ga@coleg.gov. This § 2-2-2304 takes effect upon the date identified in the notice that the commission has received seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of § 2-2-2309 or, if the notice does not specify that date, upon the date of the notice to the revisor of statutes. The revisor of statutes was notified on September 6, 2024, that the condition specified occurred on September 5, 2024. For more information, see SB 24-053 (L. 2024, p. 2481).

2-2-2305. Black Coloradan racial equity study - historical research.

(1) (a) As part of the study, the state historical society shall conduct historical research to determine any potential historical and ongoing effects of slavery and subsequent systemic racism on Black Coloradans that may be attributed to practices, systems, and policies of the state. The historical research must focus on and include all of the following, as each may be attributable to state governmental entities, policies, systems, and practices:

(I) Research on potential historical and ongoing effects of slavery and subsequent systemic racism on Black Coloradans in the following subject areas: Access to asset and wealth building, including residential and commercial loans, capital investments, and grants for businesses; tax policy; K-12 education; postsecondary education, including higher education and workforce training programs; home ownership and access to housing as an owner or tenant; health disparities and access to health care; policing and police brutality; incarceration for crimes; and overall treatment of Black Coloradans and trends in the criminal justice system. The society shall focus its research in the subject areas based on guidance from the commission about specific topics for study within the subject areas.

(II) Research into the extent state governmental entities' policies, systems, and practices may have contributed to any harm caused to historically impacted Black Coloradans.

(b) In conducting the historical research, the society may consider and incorporate other research and studies that are relevant to the subject areas described in this subsection (1).

(2) (a) The society shall conduct at least two community engagement sessions in different geographic locations in the state for the public to offer input based on lived experience with state governmental entities, policies, systems, and practices that have resulted in systemic racism and discrimination against historically impacted Black Coloradans and their impact on individuals, families, and the community as a whole. Each community engagement session must be held at a time and in a place that the commission determines is sufficient to maximize attendance. The society shall allow members of the public to participate and provide comments in person, remotely, and in writing.

(b) The society may conduct additional community engagement sessions or engage with the community through interviews and other methods determined by the society.

(3) The society may enter into an agreement with one or more third-party entities to conduct all or part of the historical research.

(4) Beginning three months after September 5, 2024, the society shall provide the commission with quarterly updates about the status of the study. The society shall consider the commission's feedback on the updates.

(5) No later than two years and six months after September 5, 2024, the society shall submit a report to the commission with the results of its historical research conducted pursuant to this section and any recommendations of the society.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2478, § 1, effective August 7 (see editor's note).

Editor's note: Section 2-2-2309 provides that this section is effective if the commission receives seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of this part 23 and the director of research of the legislative council notifies the revisor of statutes in writing of the date on which the condition specified has occurred by emailing the notice to revisorofstatutes.ga@coleg.gov. This § 2-2-2305 takes effect upon the date identified in the notice that the commission has received seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of § 2-2-2309 or, if the notice does not specify that date, upon the date of the notice to the revisor of statutes. The revisor of statutes was notified on September 6, 2024, that the condition specified occurred on September 5, 2024. For more information, see SB 24-053 (L. 2024, p. 2481).

2-2-2306. Black Coloradan racial equity study - economic analysis - contractor.

(1) The commission shall enter into an agreement with one or more third-party entities to conduct an economic analysis of the financial impact of systemic racism on historically impacted Black Coloradans utilizing the findings of the historical research and, if feasible, an estimation of the financial impact on Colorado's economy resulting from state governmental entities, policies, systems, and practices in Colorado.

(2) (a) The third-party entity shall begin conducting its economic analysis after the society has completed its research and no later than the date that the commission receives the historical research report from the society pursuant to section 2-2-2305 (5).

(b) No later than six months after beginning to conduct its economic analysis, the third-party entity shall deliver the results of its analysis to the commission.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2479, § 1, effective August 7 (see editor's note).

Editor's note: Section 2-2-2309 provides that this section is effective if the commission receives seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of this part 23 and the director of research of the legislative council notifies the revisor of statutes in writing of the date on which the condition specified has occurred by emailing the notice to revisorofstatutes.ga@coleg.gov. This § 2-2-2306 takes effect upon the date identified in the notice that the commission has received seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of § 2-2-2309 or, if the notice does not specify that date, upon the date of the notice to the revisor of statutes. The revisor of statutes was notified on

September 6, 2024, that the condition specified occurred on September 5, 2024. For more information, see SB 24-053 (L. 2024, p. 2481).

2-2-2307. Black Coloradan racial equity study - report - presentation to legislative committees.

(1) No later than three years after September 5, 2024, the commission shall submit a report to the general assembly and the governor about the study. The commission shall provide the report to the state board of education, the Colorado commission on higher education, the Colorado attorney general, and the health equity commission created in section 25-4-2206, and make the report available on a publicly accessible web page of the general assembly's website. The report must include:

(a) A description of the study's goals;

(b) The results of the historical research and economic analysis;

(c) Recommendations that are consistent with the constitution to address any past harm potentially caused by governmental entities, policies, systems, and practices that are discovered through the study;

(d) Recommendations about how outcomes of the historical research and economic assessments of past harm potentially caused to Black Coloradans by the practices, systems, and policies of the state can be incorporated into the state history standards for K-12 students; and

(e) Recommendations about how to increase public awareness about research and economic assessments of past harm potentially caused to historically impacted Black Coloradans by governmental entities, policies, systems, and practices.

(2) The commission shall present the report described in this section to the house of representatives state, civic, military, and veterans affairs committee and the senate state, veterans, and military affairs committee, or their successor committees, during the next regular legislative session that begins after the report is submitted to the general assembly and governor or, if the general assembly is in regular session when the report is submitted and upon request of the chair of the committee, during that ongoing regular legislative session.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2479, § 1, effective August 7 (see editor's note).

Editor's note: Section 2-2-2309 provides that this section is effective if the commission receives seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of this part 23 and the director of research of the legislative council notifies the revisor of statutes in writing of the date on which the condition specified has occurred by emailing the notice to revisorofstatutes.ga@coleg.gov. This § 2-2-2307 takes effect upon the date identified in the notice that the commission has received seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of § 2-2-2309 or, if the notice does not specify that date, upon the date of the notice to the revisor of statutes. The revisor of statutes was notified on September 6, 2024, that the condition specified occurred on September 5, 2024. For more information, see SB 24-053 (L. 2024, p. 2481).

2-2-2308. Gifts, grants, and donations - cash fund.

(1) The commission may seek, accept, and expend gifts, grants, or donations from private or public sources for the purposes of this section. The commission shall transmit all money received through gifts, grants, or donations to the state treasurer, who shall credit the money to the Black Coloradan racial equity study cash fund created in this section.

(2) The commission may accept donations of in-kind services for the purposes of this section, including for technical assistance.

(3) (a) The Black Coloradan racial equity study cash fund is created in the state treasury. The fund consists of gifts, grants, and donations credited to the fund pursuant to subsection (1) of this section and any other money that the general assembly may appropriate or transfer to the fund. The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(b) Money in the fund is continuously appropriated as follows:

(I) To the legislative council for the commission to carry out this part 23; and

(II) To the society for conducting historical research pursuant to section 2-2-2305.

(c) (I) If by June 30, 2025, the money in the fund has never reached or exceeded seven hundred eighty-five thousand dollars, the state treasurer shall return from the fund to the grantor or donor the amount of the grantor's or donor's gifts, grants, or donations.

(II) If sections 2-2-2304, 2-2-2305, 2-2-2306, and 2-2-2307 take effect pursuant to section 2-2-2309 (1), on the day prior to the repeal of the fund four years later pursuant to section 2-2-2309 (2), the state treasurer shall return from the fund to each grantor or donor the money remaining in the fund in an amount that is proportional to the grantor's or donor's share of the total amount of gifts, grants, or donations deposited to the fund.

(III) If any money remains in the fund after the state treasurer returns money to donors or grantors pursuant to subsection (3)(c)(I) or (3)(c)(II) of this section, as applicable, the state treasurer shall, prior to the repeal of the fund, transfer all unexpended and unencumbered money in the fund to the general fund.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2480, § 1, effective August 7.

2-2-2309. Effective dates - repeal of part - notice to revisor of statutes.

(1) Sections 2-2-2304, 2-2-2305, 2-2-2306, and 2-2-2307 will take effect if the commission receives seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of this part 23. The director of research of the legislative council shall notify the revisor of statutes in writing of the date on which the condition specified in this subsection (1) has occurred by emailing the notice to revisorofstatutes.ga@coleg.gov. Sections 2-2-2304, 2-2-2305, 2-2-2306, and 2-2-2307 take effect upon the date identified in the notice that the commission has received seven hundred eighty-five thousand dollars of gifts, grants, or donations for the purposes of this section or, if the notice does not specify that date, upon the date of the notice to the revisor of statutes.

(2) This part 23 is repealed, effective July 1, 2025; except that, if the revisor of statutes receives notice pursuant to this section, then this part 23 is repealed, effective four years after sections 2-2-2304, 2-2-2305, 2-2-2306, and 2-2-2307 take effect.

Source: L. 2024: Entire part added, (SB 24-053), ch. 368, p. 2481, § 1, effective August 7.

Editor's note: On September 6, 2024, the revisor of statutes received notice that the commission received the donation referred to in subsection (1) on September 5, 2024. As a result, pursuant to subsection (2), this part 23 is repealed, effective September 5, 2028.

PART 24

COLORIMETRIC FIELD DRUG TEST WORKING GROUP

Cross references: For the legislative declaration in HB 25-1183, see section 1 of chapter 349, Session Laws of Colorado 2025.

2-2-2401. Colorimetric field drug test working group - creation - members - duties - report - repeal. (Repealed)

Source: L. 2025: Entire part added, (HB 25-1183), ch. 349, p. 1881, § 2, effective June 2.

Editor's note: Subsection (7) provided for the repeal of this section, effective July 1, 2026. (See L. 2025, p. 1881.)

PART 25

LEGISLATION INSIDE ADVISORY COUNCIL

2-2-2501. Short title.

The short title of this part 25 is the "Legislation Inside Advisory Council Act".

Source: L. 2025: Entire part added, (SB 25-155), ch. 217, p. 995, § 1, effective May 20.

2-2-2502. Definitions.

As used in this part 25, unless the context otherwise requires:

(1) "Correctional facility" has the same meaning as set forth in section 17-1-102 (1.7).

(2) "Council" means the legislation inside advisory council created in section 2-2-2503.

(3) "Designated organization" means the nonprofit organization designated pursuant to section 2-2-2505.

(4) "Private contract prison" has the same meaning as set forth in section 17-1-102 (7.3).

(5) "Review committee" means the legislation inside advisory council review committee created in section 2-2-2507.

Source: L. 2025: Entire part added, (SB 25-155), ch. 217, p. 995, § 1, effective May 20.

2-2-2503. Legislation inside advisory council - creation - purpose.

(1) There is created in the legislative branch the legislation inside advisory council.

(2) The intent of the legislation inside advisory council is to provide people who are incarcerated with the opportunity to identify, examine, and discuss the issues, interests, and needs that directly affect them and to have a recognized opinion on legislation and policies that affect their lives, their families' lives, their communities, and the public. Therefore, the purpose of the council is to identify, examine, and discuss the issues, interests, and needs affecting people who are incarcerated and to formally advise and make recommendations to the general assembly regarding those issues, interests, and needs.

Source: L. 2025: Entire part added, (SB 25-155), ch. 217, p. 996, § 1, effective May 20.

2-2-2504. Membership - selection - terms - repeal.

(1) The council consists of the following members:

(a) Four nonvoting legislative members, two of whom are members of the senate and two of whom are members of the house of representatives;

(b) Forty voting nonlegislative members, all of whom must be incarcerated in a correctional facility or private contract prison at the time of their appointment and for the duration of their term. The nonlegislative membership described in this subsection (1)(b) must:

(I) Include people who are incarcerated in men's correctional facilities or private contract prisons and people who are incarcerated in women's correctional facilities or private contract prisons;

(II) Include people who are incarcerated in different levels of security at correctional facilities or private contract prisons; and

(III) To the extent practicable, reflect the demographic diversity of the state; and

(c) The executive director of the department of corrections, or the executive director's designee.

(2) (a) Legislative members of the council are appointed as follows:

(I) On or before December 31, 2025, and on or before December 31 every two years thereafter, the president and minority leader of the senate shall each appoint one member from the senate; and

(II) On or before December 31, 2025, and on or before December 31 every two years thereafter, the speaker and minority leader of the house of representatives shall each appoint one member from the house of representatives.

(b) Nonlegislative members of the council are appointed as follows:

(I) (A) On or before September 15, 2025, the designated organization shall collaborate with the department of corrections to adopt an application process for interested and eligible people to apply for appointment to the council, including the content and availability of the application form, selection criteria, and an application review process.

(B) On or before October 1, 2025, a person who meets the eligibility criteria set forth in this section may apply to the designated organization for appointment to the council. On or before December 31, 2025, the designated organization shall appoint nonlegislative members to the council.

(C) This subsection (2)(b)(I) is repealed, effective July 1, 2027.

(II) (A) On or before April 1, 2026, the council shall collaborate with the department of corrections to adopt a policy concerning council terms, including term duration; term limits, if any; and removal proceedings. By October 1, 2026, the council shall appoint council membership pursuant to the policy. The council may amend the policy.

(B) The council shall collaborate with the department of corrections to adopt an application process for interested and eligible people to apply for appointment to the council, including the content and availability of the application form, selection criteria, and an application review process.

(C) The council shall collaborate with the department of corrections to develop a policy and process for sharing information necessary for the purposes of this part 25.

(III) (A) Subject to available appropriations, legislative members of the council must be compensated for council meeting attendance in the same manner as provided in section 2-2-307 for legislative members attending meetings during the legislative interim. All expenditures incurred by the council must be approved by the chair of the executive committee of the legislative council and paid for by vouchers and warrants drawn as provided by law from money allocated to the legislative council for legislative committees from appropriations made by the general assembly.

(B) Nonlegislative members serve without compensation but may be reimbursed for expenses directly relating to their service on the council.

(3) (a) If a vacancy of a legislative member occurs, the appointing authority of the vacated seat shall promptly appoint a new member to complete the term.

(b) The council shall adopt, and may amend, a vacancy policy. If a vacancy of a nonlegislative member occurs, the seat must be appointed pursuant to the vacancy policy.

(4) The council shall adopt, and may amend, written bylaws setting forth a leadership structure. The council shall appoint members to serve in any leadership roles as described in its bylaws.

Source: L. 2025: Entire part added, (SB 25-155), ch. 217, p. 996, § 1, effective May 20.

2-2-2505. Duties - meetings - community outreach - designation of organization to accept donations - authority to contract - legislative intent.

(1) The council shall:

(a) Identify, examine, and discuss the issues, interests, and needs affecting people who are incarcerated; and

(b) Make recommendations for legislation or alternative policy solutions regarding those issues, interests, and needs.

(2) (a) On or before September 1, 2025, the director of the legislative council shall use a request for proposal process to contract with and designate a nonprofit organization to provide staffing, administrative, and operational assistance and to serve as the custodian of money donated to the council through the designated organization, subject to the approval of the chair of the executive committee of the legislative council. The designated organization selected following the 2025 request for proposal process shall, pursuant to one or more contracts, provide the staffing, administrative, operational, and custodian services through June 30, 2030. Thereafter, the director of the legislative council shall, on or before April 15, 2030, and on or before every second April 15 thereafter, use a request for proposal process to contract with and designate a nonprofit organization to provide staffing, administrative, operational, and custodian services, subject to the approval of the chair of the executive committee of the legislative council. The term of each contract entered into for a term commencing on or after July 1, 2030, is two state fiscal years; except that a contract may be extended for one additional two-year term. If a contract is extended, the request for proposal for the next contract must be issued on or before the April 15 immediately preceding the expiration of the extension term. The designated organization is authorized to expend any money it receives as is necessary to provide staffing, administrative, operational, and custodian services for the council. The designated organization and the council may solicit and accept monetary and in-kind gifts, grants, and donations used to further the council's duties and responsibilities. Any money donated or awarded to the designated organization for the benefit of the council is not subject to appropriation by the general assembly. Any money obtained by the council or the designated organization, that is unexpended and

unencumbered at the time the council is dissolved, must be distributed according to appropriate federal and state laws governing nonprofit organizations. If a different nonprofit or private organization is subsequently designated as the custodian of donated money, any money that is unexpended and unencumbered at the time of the change in designation must be promptly transferred by the previously designated organization to the newly designated organization.

(b) The director of the legislative council shall consult with the executive director of the department of corrections during the request for proposal process pursuant to subsection (2)(a) of this section to ensure that designated organization applicants satisfy department of corrections' requirements, including requirements for third parties that work with people who are incarcerated.

(c) The designated organization, on behalf of the council, may provide or accept in-kind staff support from nonprofit agencies or private organizations, including itself, or may contract with outside entities for the purpose of providing staff support to assist the council in conducting its duties and responsibilities. Any staff support personnel provided by the designated organization or a nonprofit agency or private organization, either donated or engaged through a contract, are not considered employees of the council or the state.

(3) (a) The council must meet at least three times per month. Meetings may be held through the use of audio-visual communication technology.

(b) A legislative member shall attend at least one meeting per quarter.

(4) The council may develop rules and procedures to govern its activities.

(5) The designated organization, on behalf of the council, shall utilize news outlets and publications, public awareness campaigns, and a website to develop and maintain regular communication concerning its activities with the incarcerated population of the state, the state, and interested parties.

(6) The designated organization, on behalf of the council, may collaborate with any person or entity that the council deems appropriate to assist the council in performing its duties. A state or local entity that is requested to provide assistance to the council in performing the council's duties shall assist the council to the extent the assistance provided by the state or local entity is consistent with the state's or local entity's duties and law.

(7) The designated organization, on behalf of the council, is authorized to contract with another nonprofit for the implementation of this part 25. Any contract entered into by the council must be signed by the chair of the review committee and the chair of the executive committee of the legislative council.

(8) Within existing resources, the department of corrections shall provide the council or designated organization any necessary staff support, meeting space, and audio-visual communication technology resources.

(9) It is the intent of the general assembly that no general fund money be appropriated for a contract with the designated organization for the performance of its duties pursuant to this part 25. The designated organization is solely responsible for the costs of providing the contracted services and performing its duties pursuant to this part 25. The designated organization may accept monetary or in-kind gifts, grants, and donations to defray the costs of providing the contracted services and performing its duties pursuant to this part 25.

(10) The duties required in this part 25 are contingent on awarding a contract and designating a nonprofit organization pursuant to subsection (2) of this section. If a contract is not awarded and a nonprofit organization is not designated to provide staffing and facilitate the performance of the council's duties required pursuant to this part 25, then none of the provisions of this part 25 are required to occur and the review committee shall not meet.

Source: L. 2025: Entire part added, (SB 25-155), ch. 217, p. 998, § 1, effective May 20.

2-2-2506. Report.

(1) Beginning January 2027, and each January thereafter, the council shall report, at a minimum, the information described in subsection (2) of this section to the judiciary committees of the senate and the house of representatives, of their successor committees, as part of the department of corrections "SMART Act" presentation required pursuant to part 2 of article 7 of this title 2.

(2) In its report, the council shall, at a minimum, describe the:

(a) Issues, interests, and needs affecting people who are incarcerated that were identified, examined, and discussed by the council in the preceding year;

(b) Council's recommendations for legislation or alternative policy solutions regarding those issues, interests, and needs; and

(c) Results from the implementation of legislation or alternative policy solutions developed pursuant to this part 25.

(3) In addition to reporting to the general assembly, the council shall submit its report to the executive director of the department of corrections and any other person or entity that the council deems necessary as an interested party.

(4) Notwithstanding the requirement in section 24-1-136 (11)(a)(I), the requirement to submit the report required in this section continues indefinitely.

Source: L. 2025: Entire part added, (SB 25-155), ch. 217, p. 1000, § 1, effective May 20.

2-2-2507. Legislation inside advisory council review committee - created - repeal.

(1) There is created in the legislative branch the legislation inside advisory council review committee to review the council's work and to recommend legislation regarding issues affecting people who are incarcerated.

(2) (a) The review committee includes the following voting members:

(I) The four legislative members of the council; and

(II) One member of the legislative council, created in section 2-3-301, appointed by the chair of the legislative council on or before April 1, 2026, and on or before April 1 each year thereafter.

(b) The review committee includes five nonvoting members of the council, appointed by the council.

(3) In odd-numbered years, the president of the senate shall appoint the chair and the speaker of the house of representatives shall appoint the vice-chair of the review committee. In even-numbered years, the speaker shall appoint the chair and the president shall appoint the vice-chair of the review committee. The president and the speaker shall make the appointments on or before April 1, 2026, and on or before April 1 of each year thereafter.

(4) (a) The review committee shall not meet more than three times during each interim. A majority of voting members constitutes a quorum.

(b) (I) Notwithstanding subsection (4)(a) of this section, the review committee shall not meet during the 2026 interim.

(II) This subsection (4)(b) is repealed, effective July 1, 2027.

(5) The review committee may not travel unless authorized by the executive committee of the legislative council.

(6) (a) The review committee may recommend up to a total of three bills during each interim. Legislation recommended by the review committee is treated as legislation recommended by an interim committee for purposes of applicable deadlines, bill introduction limits, and any other requirements imposed by the joint rules of the general assembly.

(b) (I) Notwithstanding subsection (6)(a) of this section, the review committee shall not recommend legislation during the 2026 interim.

(II) This subsection (6)(b) is repealed, effective July 1, 2027.

(7) Voting members of the review committee are entitled to compensation pursuant to section 2-2-307. Subject to available funds, nonvoting members of the review committee may receive reimbursement for expenses.

(8) The legislative council staff and the staff of the office of legislative legal services shall assist the review committee in carrying out its duties pursuant to this section.

Source: L. 2025: Entire part added, (SB 25-155), ch. 217, p. 1000, § 1, effective May 20. **L. 2026:** (4) and (6) amended, (HB 26-1331), ch. 329, p. 1917, § 4, effective June 2.

PART 26

COMMISSION ON MEDICAID

2-2-2601. Commission on medicaid - creation - powers and duties - report - repeal.

(1) Notwithstanding section 2-3-303.3, there is created in the legislative department the commission on medicaid, referred to in this section as the "commission", for the purpose of making recommendations regarding implementing federal medicaid policy changes in 2026, 2027, and 2028 and appropriately supporting Coloradans impacted by those policy changes.

(2) (a) The commission consists of ten legislators as follows:

(I) The members of the joint budget committee on the effective date of this section;

(II) The chair of the house of representatives health and human services committee on the effective date of this section;

(III) The chair of the senate health and human services committee on the effective date of this section;

(IV) A member of the house of representatives health and human services committee, appointed by the minority leader of the house of representatives; and

(V) A member of the senate health and human services committee, appointed by the minority leader of the senate.

(b) The commission shall select a chair and vice-chair from among its members.

(c) (I) If a vacancy on the commission occurs, the appropriate appointing authority shall appoint a qualified replacement member of the general assembly to fill the vacant position no later than ten business days after the date the vacancy is deemed to exist.

(II) For the purposes of filling a vacancy of a commission member described in subsection (2)(a)(I) of this section, the qualified replacement need not be a member of the joint budget committee and the appropriate appointing authority is:

(A) The speaker of the house of representatives, if the departing member was a member of the majority party of the house of representatives;

(B) The president of the senate, if the departing member was a member of the majority party of the senate;

(C) The minority leader of the house of representatives, if the departing member was a member of the minority party of the house of representatives; and

(D) The minority leader of the senate, if the departing member was a member of the minority party of the senate.

(III) For the purposes of filling a vacancy of a commission member described in subsection (2)(a)(II) of this section, the qualified replacement need not be the chair of the house of representatives health and human services committee, but must be a member of the committee, and the appropriate appointing authority is the speaker of the house of representatives.

(IV) For the purposes of filling a vacancy of a commission member described in subsection (2)(a)(III) of this section, the qualified replacement need not be the chair of the senate health and human services committee, but must be a member of the committee, and the appropriate appointing authority is the president of the senate.

(3) Notwithstanding section 2-2-307 (3)(e), members of the commission are entitled to per diem and travel expenses for their attendance at commission meetings during the 2026 interim.

(4) (a) As soon as feasible after the effective date of this subsection (4), the director of research for the legislative council shall issue a request for proposals for a technical advisor. The technical advisor must have experience in health-care policy, have an understanding of how Colorado's department of health care policy and financing works, have no conflicts of interest, have experience facilitating meetings and providing technical support to working groups, and have the ability to write a report. The commission shall select a technical advisor and enter into a contract with the technical advisor to assist in writing the recommendations of the commission and providing assistance to the commission.

(b) The legislative council staff shall assist the commission in carrying out its duties required in this section.

(5) (a) The commission shall invite representatives from the department of health care policy and financing, the behavioral health administration, the Colorado department of human services, the governor's office, and other state agencies, as determined by the commission, to present to or collaborate with the commission.

(b) The commission may invite community-based medicaid stakeholders, including managed care entities, or nationally recognized medicaid experts to present to the commission and provide feedback on commission recommendations.

(c) The commission may request data from the department of health care policy and financing or other state agencies. The department of health care policy and financing or other state agencies shall, within existing resources, provide the commission with the data requested.

(6) The commission shall meet beginning as soon as practicable after May 13, 2026. The commission chair, in consultation with the technical advisor, shall determine the commission's meeting frequency and duration, but the commission shall meet at least six times and no more than twelve times before December 11, 2026.

(7) (a) The purpose of the commission is to identify, consider, and evaluate legislative and executive branch action options to implement a sustainable medicaid program. The commission shall identify, consider, and evaluate recommendations for policy change.

(b) The commission shall utilize existing Colorado and national studies, reports, analyses, and audits to:

(I) Establish a shared understanding of the federal policy changes coming through the implementation of H.R. 1, 119th Congress (2025-2026), Pub. L. 119-21, and related federal policies; identify additional workload for the department of health care policy and financing associated with federal changes; and identify preparations to support Coloradans impacted by required changes coming in 2026, 2027, and 2028;

(II) Explore how Colorado's administrative structures of health care have changed over the past ten years, establish a shared understanding of how these administrative structures are working together today, and identify points of friction and opportunities for efficiencies;

(III) Analyze medicaid eligibility and enrollment, benefits, administration of benefits and delivery systems, provider contracting, payment rates and methodology, challenges regarding medicaid administration statewide, and program quality for efficacy and value; and

(IV) Explore medicaid financing and evaluate how Colorado can optimize federal funding to support health-care delivery.

(c) The commission shall:

(I) Solicit and consider input from medicaid members, disability members, disability advocates, health-care providers, and community-based organizations, including through public meetings or written comment; and

(II) Evaluate the impact of the commission's proposed recommendations on member access to care, quality of care, and health equity, including impacts on individuals with disabilities, individuals in rural areas, and other vulnerable populations.

(8) (a) No later than December 11, 2026, the commission shall submit a report to the general assembly and the governor documenting the process of the commission and any recommendations for both short-term and long-term legislative changes, executive action, and other policy changes.

(b) The final report must include a description of stakeholders that provided input to the commission.

(9) This section is repealed, effective June 30, 2027.

Source: L. 2026: Entire part added, (SB 26-187), ch. 221, p. 1297, § 2, effective May 29 (see editor's note).

Editor's note: Section 4 of chapter 221 (SB 26-187), Session Laws of Colorado 2026, provides that subsection (3) takes effect only if HB 26-1331 becomes law and takes effect either on the effective date of SB 26-187 or HB 26-1331, whichever is later. SB 26-187 became law and took effect May 29, 2026, and HB 26-1331 became law and took effect June 2, 2026.

Cross references: For the legislative declaration in SB 26-187, see section 1 of chapter 221, Session Laws of Colorado 2026.

LEGISLATIVE SERVICES

ARTICLE 3

Legislative Services

PART 1
LEGISLATIVE AUDIT COMMITTEE - STATE AUDITOR

2-3-100.3. Definitions.

2-3-101. Legislative audit committee - membership - meetings - powers and duties.

2-3-102. State auditor - qualifications and appointment - term of office.

2-3-103. Duties of state auditor - definition.

2-3-103.5. Deputies.

2-3-103.7. Disclosure of reports before filing.

2-3-104. Salary and staff of state auditor.

2-3-104.5. Legal representation of the state auditor.

2-3-105. Transfer of employees. (Repealed)

2-3-106. Bond. (Repealed)

2-3-107. Authority to subpoena witnesses - access to records.

2-3-108. Special audits.

2-3-109. Emergency reports.

2-3-110. Reimbursement of state auditor for certain audits - disclosure.

2-3-110.5. Fraud hotline - investigations - confidentiality - access to records - definitions.

2-3-111. Office of state auditor - conduct audit of juvenile justice system - repeal. (Repealed)

2-3-112. Prevention programs - programmatic review. (Repealed)

2-3-113. Programs that receive tobacco settlement money - program review - definitions.

2-3-114. State records management - duties of state auditor - definitions.

2-3-115. Use of state education fund money for school capital construction - audits - reports.

2-3-116. Performance audit of foster care program - repeal. (Repealed)

2-3-117. Pilot efficiency reviews - school districts - report - repeal. (Repealed)

2-3-118. Performance audit of statewide database of permittees - repeal. (Repealed)

2-3-119. Audit of healthcare affordability and sustainability hospital provider fee - cost shift.

2-3-120. Periodic performance audits of Colorado new energy improvement district and new energy improvement program - reports.

2-3-121. Performance audits of public highway authorities.

2-3-122. Risk-based performance audit of department of transportation - repeal. (Repealed)

2-3-123. Audits of the distribution of money in the state historical fund used for the preservation and restoration of the cities of Central, Black Hawk, and Cripple Creek. (Repealed)

2-3-124. Audits of reports of recidivism and educational outcomes by

the division of youth services.

2-3-125. Periodic performance audits of Colorado civil rights division and commission - reports.

2-3-126. Performance audits of Colorado electric transmission authority.

2-3-127. Audit of statewide education accountability systems - report - legislative declaration - definitions - repeal. (Repealed)

2-3-128. Oil and gas - performance audit - report - definitions - repeal. (Repealed)

2-3-129. Audit of license fees paid to health-care cash funds.

2-3-130. Audit - department of corrections - budget practices - third-party auditor.

2-3-131. Performance audit - air pollution control division - report.

2-3-132. Performance audit - division of unemployment insurance.

PART 2
JOINT BUDGET COMMITTEE

2-3-200.3. Definitions.

2-3-201. Joint budget committee established.

2-3-202. Organization and meetings.

2-3-203. Powers and duties of the joint budget committee.

2-3-204. Staff director, assistants, and consultants.

2-3-205. Expenses - vouchers.

2-3-206. Recommendations and findings.

2-3-207. Implementation of a zero-base budgeting program. (Repealed)

2-3-208. Budget requests - base budget submissions - amendments - supplemental appropriation requests - deadlines - definitions.

2-3-209. Long-range financial plan - definitions.

2-3-210. Evidence-based decision-making - budget requests - legislative declaration.

2-3-211. Potential budgetary impact - litigation - executive session.

PART 3
LEGISLATIVE COUNCIL

2-3-300.3. Definitions.

2-3-301. Legislative council created - executive committee created.

2-3-302. Organization - meetings.

2-3-303. Functions - report - definitions - repeal.

2-3-303.3. Interim committees - repeal.

2-3-304. Director of research - assistants.

2-3-304.5. Tax policy changes - dynamic model - pilot program - advisory committee.

2-3-305. Requests of the governor.

2-3-306. Authority to subpoena witnesses.

2-3-307. Minutes of council.

2-3-308. Recommendations and findings.

2-3-309. Reimbursement of members for expenses.

2-3-310. Centralized legislative accounting service.

2-3-311. Interstate cooperation.

2-3-312. Opportunities to include tribal governments - reports - definition - repeal. (Repealed)

2-3-313. Legislative council staff - study correctional release options for aging and seriously ill offenders.

PART 4
COMMISSION ON INTERSTATE COOPERATION

2-3-401 to 2-3-406. (Repealed)

PART 5
COMMITTEE ON LEGAL SERVICES - OFFICE OF LEGISLATIVE LEGAL SERVICES

2-3-500.3. Definitions.

2-3-501. Legal services in legislative department - committee on legal services - office of legislative legal services.

2-3-502. Committee on legal services - membership - duties.

2-3-503. Director - staff - revisor.

2-3-504. Duties of office.

2-3-505. Requests for drafting bills and amendments - confidential nature thereof - lobbying for bills.

2-3-506. Use of supreme court library.

2-3-507. Office space in or near capitol - office hours - appropriations.

2-3-508. Terminology - references.

2-3-509. Transfer of employees. (Repealed)

2-3-510. Study regarding an organizational recodification of title 12 of the Colorado Revised Statutes - legislative declaration - repeal. (Repealed)

2-3-511. Legislative human resources division - creation - duties - records - definitions.

PART 6
COLORADO COMMISSION ON UNIFORM STATE LAWS

2-3-600.3. Definitions.

2-3-601. Commission on uniform state laws - creation.

2-3-602. Compensation - expenses.

2-3-603. Meetings - organization.

2-3-603.5. Status of commissioners.

2-3-604. Duties of commissioners.

PART 7
COMMITTEE ON LEGAL SERVICES - REVISOR OF STATUTES

2-3-700.3. Definitions.

2-3-701. Function of committee - statute revision.

2-3-702. Revisor of statutes - duties.

2-3-702.5. Directive to the revisor of statutes - changes in arrangement - repeal. (Repealed)

2-3-703. Revision - editorial work.

2-3-704. Revisor to aid in bill drafting. (Repealed)

2-3-705. Distribution of statutes.

2-3-706. Successor to committee on statute revision. (Repealed)

PART 8
COLORADO STATE OFFICIALS' COMPENSATION COMMISSION

2-3-801 to

2-3-807. (Repealed)

PART 9
STATUTORY REVISION COMMITTEE

2-3-900.3. Definitions.

2-3-901. Statutory revision committee - creation.

2-3-902. Duties of committee.

PART 10
COMMITTEE ON LEGAL SERVICES - LEGAL COUNSEL FOR LEGISLATIVE BRANCH

2-3-1001. Legal counsel retained.

2-3-1002. Legislative expenses cash fund - creation.

PART 11
COLORADO ENERGY COORDINATING COUNCIL

2-3-1101 to

2-3-1108. (Repealed)

PART 12
SUNRISE AND SUNSET REVIEW

2-3-1201. Sunrise and sunset review - designation of committees of reference to conduct review.

2-3-1202. Staff assistance.

2-3-1203. Sunset review of advisory committees - legislative

declaration - definition - repeal.

2-3-1204. Departments having authority to create advisory committees - duties - repeal. (Repealed)

PART 13
CAPITAL DEVELOPMENT

2-3-1301. Definitions.

2-3-1302. Capital development committee established.

2-3-1303. Rules of procedure.

2-3-1304. Powers and duties of capital development committee.

2-3-1304.3. Additional powers and duties of capital development committee - approval and oversight of fund-raising for restoration of the capitol dome - legislative declaration - capitol dome restoration trust fund - repeal. (Repealed)

2-3-1304.5. Reports from departments, institutions, and agencies in connection with capital construction requests - repeal. (Repealed)

2-3-1304.6. Capital construction and long-range planning by state agencies and state institutions of higher education - policy.

2-3-1305. Recommendations and findings.

2-3-1305.5. Continuation projects - future appropriations. (Repealed)

2-3-1306. Staff assistance.

2-3-1307. Highway and bridge projects - exempt.

2-3-1308. Repeal of part. (Repealed)

PART 14
ECONOMIC DEVELOPMENT OVERSIGHT

2-3-1401. Oversight of economic development activities of state - business affairs and labor committee and business, labor, and technology committee - reports from governor to joint budget committee on economic development programs.

PART 15
LEGISLATIVE EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY COMMITTEE

2-3-1501 to

2-3-1503. (Repealed)

PART 16
WILDFIRE MATTERS REVIEW COMMITTEE

2-3-1601 to

2-3-1602. (Repealed)

PART 17
JOINT TECHNOLOGY COMMITTEE

2-3-1701. Definitions.

2-3-1702. Joint technology committee established.

2-3-1703. Organization, procedures, and meetings.

2-3-1704. Powers and duties of the joint technology committee.

2-3-1705. Staff assistance.

2-3-1706. Repeal of part. (Repealed)

2-3-1707. Artificial intelligence impact task force - creation - membership - duties - compensation - staff support - report - definitions - repeal.

PART 18
RECEIPT OF INFORMATION FROM THE EXECUTIVE BRANCH DURING A DECLARED DISASTER EMERGENCY

2-3-1801. Legislative committees to receive information from the executive branch during a declared disaster emergency - definition.

PART 19
COLORADO JAIL STANDARDS COMMITTEE

2-3-1901. Legislative oversight committee for Colorado jail standards - creation - duties - repeal.

2-3-1901.5. Jail standards compliance.

2-3-1902. Colorado jail standards commission - creation - membership. (Repealed)

2-3-1903. Commission - duties - report. (Repealed)

2-3-1904. Repeal of part. (Repealed)

PART 20
LANGUAGE ACCESS ADVISORY BOARD

2-3-2001 to

2-3-2004. (Repealed)

PART 21
AMERICAN INDIAN AFFAIRS INTERIM COMMITTEE

2-3-2101. Legislative declaration.

2-3-2102. Definitions.

2-3-2103. American Indian affairs interim committee - creation - duties - membership - reporting - repeal.

PART 1

LEGISLATIVE AUDIT COMMITTEE - STATE AUDITOR

2-3-100.3. Definitions.

As used in this part 1, unless the context otherwise requires:

(1) "Committee" means the legislative audit committee created in section 2-3-101 (1).

Source: L. 2025: Entire section added, (SB 25-275), ch. 377, p. 2029, § 10, effective August 6.

2-3-101. Legislative audit committee - membership - meetings - powers and duties.

(1) There is hereby created a legislative audit committee. The committee consists of four senators, two from each major political party, to be appointed by the president and the minority leader of the senate, respectively, with the approval of a majority of the members elected to the senate and four representatives, two from each major political party, to be appointed by the speaker and the minority leader of the house of representatives, respectively, with the approval of a majority of the members elected to the house of representatives. Appointments to the committee shall be made no later than sixty days after the convening of the first regular session of the general assembly held in each odd-numbered year. An appointing authority may make an appointment to temporarily replace a current member of the committee appointed by that appointing authority; except that a temporary appointment does not require approval of a majority of the members elected to the applicable body. Membership on the committee terminates with the appointment of a member's successor or upon the termination of a member's term of office in the general assembly, whichever occurs first, and any member may be appointed to succeed himself or herself on the committee. Vacancies in the committee's membership shall be filled in the same manner as original appointments; except that the approval of the members elected to the general assembly is not necessary if any such appointment is made when the general assembly is not in session.

(2) The committee shall select its chairman and vice-chairman from among its membership, and it shall prescribe its own rules of procedure. The committee may appoint subcommittees from the membership of the general assembly and other persons to assist the committee in carrying out its functions. The committee may meet as often as may be necessary to perform its functions, but it shall meet at least once in each quarter of the calendar year.

(3) It is the function of the committee:

(a) To examine persons applying for the position of state auditor as to qualifications and ability but without regard to political affiliation and, after consultation with the executive committee, to place the names of the most qualified candidates in nomination before the general assembly for the position of state auditor;

(b) To review the activities and reports of the state auditor relating to postaudits of the financial transactions and accounts of all departments, institutions, and agencies of the state government and of other public agencies and to submit its recommendations thereon to the

general assembly, the governor, and other interested officials at such times as the committee considers necessary;

(c) To keep minutes of its meetings which shall be available to all members of the general assembly upon request and to allow any member of the general assembly to attend any of the meetings of the committee and to present his views on any subject which the committee may be considering;

(d) To conduct such other activities as may be required by law or by joint resolution of the general assembly;

(e) Upon receipt of the investigation report as provided in section 24-50.5-106, C.R.S., to direct the state auditor to conduct a preliminary investigation to determine the need for a fiscal audit, performance audit, or management study of the matter set forth in such report. Upon receipt of the preliminary report from the state auditor, the committee may direct an immediate special audit or management study of the matter or may provide that such study shall be done in accordance with the scheduled audit of the agency cited in such report. Upon completion of any special audit or management study pursuant to this paragraph (e), the committee shall submit its findings to the governor and the members of the general assembly.

(f) To review enterprise designations of auxiliary facilities or groups of auxiliary facilities which are submitted to the office of the state auditor pursuant to the provisions of section 23-5-101.5, C.R.S., to ensure that such designations conform to the requirements of section 23-5-101.5, C.R.S., and to the provisions of section 20 of article X of the state constitution, to determine which, if any designations, shall be allowed to expire pursuant to section 23-5-101.5, C.R.S., and to recommend to the general assembly such legislation regarding such designations as may be necessary;

(g) To review any enterprise designation of the student loan division that is submitted to the office of the state auditor pursuant to the provisions of section 23-3.1-103.5, C.R.S., to ensure that the designation conforms to the requirements of section 23-3.1-103.5, C.R.S., and to the provisions of section 20 of article X of the state constitution, to determine whether the designation shall be allowed to expire pursuant to section 23-3.1-103.5, C.R.S., and to recommend to the general assembly such legislation regarding the designation as may be necessary; and

(h) To review the activities and reports of the state auditor related to performance audits he or she is required to conduct or cause to be conducted pursuant to section 2-3-103 (9).

(4) Members of the committee shall be reimbursed for necessary expenses in connection with the performance of their duties and shall be paid the same per diem as other members of interim committees in attendance at meetings.

Source: L. 65: p. 152, § 1. **C.R.S. 1963:** § 3-21-1. **L. 79:** (3)(c) and (3)(d) amended and (3)(e) added, p. 967, § 2, effective June 15. **L. 81:** (3)(b) amended, p. 339, § 1, effective April 30. **L. 88:** (3)(a) amended, p. 305, § 3, effective May 23. **L. 93:** (3)(d) and (3)(e) amended and (3)(f) added, p. 1826, § 9, effective June 6; (3)(a) amended, p. 2107, § 6, effective June 9. **L. 94:** (3)(e) and (3)(f) amended and (3)(g) added, p. 99, § 1, effective March 18. **L. 2010:** (3)(h) added, (HB 10-1119), ch. 340, p. 1572, § 4, effective August 11. **L. 2016:** (1) amended, (SB 16-156), ch. 282, p. 1154, § 1, effective June 10. **L. 2025:** (1) amended, (SB 25-275), ch. 377, p. 2029, § 11, effective August 6.

Cross references: (1) For necessary expenses and per diem allowances to committee members, see § 2-2-307.

(2) In 2010, subsection (3)(h) was added by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act". For the short title, see section 1 of chapter 340, Session Laws of Colorado 2010.

2-3-102. State auditor - qualifications and appointment - term of office.

The state auditor must be a certified public accountant licensed to practice in this state. The state auditor shall be appointed without regard to political affiliation by a majority vote of the members elected to and serving in each house of the general assembly to serve for a term of five years and until a successor is appointed and qualified with the first such term beginning on July 1, 1966. If a vacancy occurs in the position of state auditor, the committee may designate a temporary state auditor who shall exercise and perform all of the powers and duties that are by law to be exercised and performed by the state auditor until a replacement is appointed by the general assembly.

Source: L. 65: p. 153, § 2. **C.R.S. 1963:** § 3-21-2. **L. 77:** Entire section amended, p. 255, § 1, effective May 18. **L. 2017:** Entire section amended, (SB 17-294), ch. 264, p. 1382, § 1, effective May 25.

Cross references: For the appointment of the state auditor, see § 49 of art. V, Colo. Const.

2-3-103. Duties of state auditor - definition.

(1) (a) It is the duty of the state auditor to conduct or cause to be conducted postaudits of all financial transactions and accounts kept by or for all departments, institutions, and agencies of the state government, including educational institutions, and the judicial and legislative branches, to conduct performance postaudits thereof, and to perform similar or related duties with respect to such political subdivisions of the state as may be required by law. Postaudits of all financial transactions and accounts may be conducted on a biennial basis.

(b) The state auditor shall have the authority to conduct or cause to be conducted postaudits of all financial transactions and accounts kept by or for any special purpose authority as defined in section 24-77-102 (15), C.R.S., or any state entity designated as an enterprise as defined in section 20 (2)(d) of article X of the state constitution, including performance postaudits thereof, except for:

(I) Any special purpose authority or state entity whose governing body includes the state auditor as an ex officio member;

(II) Any hospital that is subject to audit under the "Colorado Medical Assistance Act", articles 4 to 6 of title 25.5, C.R.S., or medicare, Title XVIII of the federal "Social Security Act", as amended; or

(III) Any special purpose authority or state entity where the authority's or entity's actions are subject to a performance audit, or such similar audit, by the federal government. Upon completion of such a federal performance audit, a copy of the audit shall be shared with the state auditor.

(1.5) (a) In addition to any other duties granted by law, the state auditor may assess, confirm, and report on the security practices of all of the information technology systems maintained or administered by all departments, institutions, and agencies of state government, including educational institutions and the judicial and legislative branches. The state auditor may perform similar or related duties with respect to political subdivisions of the state where the state auditor has been granted authority to perform financial or performance audits with respect to such political subdivisions. In order to perform such duties, the state auditor may conduct penetration or similar testing of computer networks or information systems of the state or a political subdivision, as applicable, assess network or information system vulnerability, or conduct similar or related procedures to promote best practices with respect to the confidentiality, integrity, and availability of information systems technology as the state auditor deems necessary in his or her discretion. In conducting such testing, the state auditor may contract with auditors or information technology security specialists, or both, who possess the necessary specialized knowledge and experience to perform the required work. The authority of the state auditor pursuant to the requirements of this subsection (1.5) are coextensive with the state auditor's authority under this part 1.

(b) Any testing or assessment of security practices and procedures concerning information technology in accordance with paragraph (a) of this subsection (1.5) shall be conducted or caused to be conducted by the state auditor:

(I) After consultation and in coordination with, but not requiring the approval of, the chief information officer appointed pursuant to section 24-37.5-103, C.R.S., or any person performing comparable duties for either a state agency that is not under the jurisdiction of the office of information technology created in section 24-37.5-103, C.R.S., or a political subdivision of the state;

(II) In accordance with industry standards prescribed by the national institute of standards and technology or any successor agency; and

(III) After the state auditor and any other person with whom the state auditor is required to consult in accordance with the requirements of subparagraph (I) of this paragraph (b) have agreed in writing to rules governing the manner in which the testing or assessment is to be conducted, including a mitigation plan for handling significant system outages or disruptions in the event they occur.

(2) The state auditor shall prepare for the committee reports and recommendations on the postaudits conducted, and, under the direction of the committee, shall prepare an annual report to contain, among other things, copies of or the substance of audit reports on the various departments, institutions, and agencies as well as a summary of recommendations made in regard thereto. All reports must be open to public inspection except for that portion of any report containing recommendations, comments, and any narrative statements which is released only upon the approval of a majority vote of the committee.

(3) The state auditor shall keep a complete and accurate set of records on the fiscal transactions of the state auditor's office, and shall also keep a complete file of copies of all audit reports, including work papers, and copies of examinations, investigations, and any other reports or materials issued by the state auditor, the state auditor's staff, or by the committee. The work papers of the office of the state auditor shall be open to public inspection only upon approval of a majority of the members of the committee. Only the specific work papers that the committee votes to approve for disclosure shall be open to public inspection. Work papers that have not been specifically approved for disclosure by a majority vote of the committee shall remain confidential. Under no circumstances shall the work papers be open to public inspection prior to the completed report being filed with the committee.

(4) All expenses incurred by the office of the state auditor, including salaries and expenses of employees, shall be paid upon vouchers signed by the chairman of the committee and drawn on funds appropriated for legislative expenses and allocated to the office of the state auditor; except that any payroll voucher or any other voucher which does not exceed one thousand dollars may be signed by the state auditor or by the state auditor's authorized designee.

(5) It is the duty of the state auditor to annually evaluate the investments of the public school fund and report to the committee any loss of principal of such fund that, in the state auditor's judgment, exists.

(6) Repealed.

(7) Upon a determination by the state auditor that the provisions of section 20-1-112, C.R.S., have not been met, the state auditor shall cause to be conducted a postaudit of any noncomplying office of district attorney. The expenses of such a postaudit shall be borne by the office of district attorney.

(8) The state auditor shall review or cause to be reviewed all enterprise designations submitted to the office of the state auditor pursuant to the provisions of sections 23-3.1-103.5 and 23-5-101.5, C.R.S., to ensure that such designations conform to the requirements of section 23-3.1-103.5 or 23-5-101.5, C.R.S., whichever is applicable, and to the provisions of section 20 of article X of the state constitution. In addition, the state auditor shall recommend to the legislative audit committee those designations, if any, which, in the opinion of the state auditor, should be allowed to expire and shall otherwise assist the legislative audit committee in reviewing the enterprise designations submitted to the office of the state auditor.

(9) It is the duty of the state auditor to conduct or cause to be conducted performance audits as specified in section 2-7-204 (5).

(9.5) It is the duty of the state auditor to notify the appropriate joint committee of reference as determined pursuant to section 2-7-203 when a department has not completed recommendations made by the state auditor within the time provided.

(9.7) It is the duty of the state auditor to establish and administer the fraud hotline as specified in section 2-3-110.5.

(10) As used in this section, unless the context otherwise requires:

(a) "Information technology" shall have the same meaning as specified in section 24-37.5-102 (12).

Source: L. 65: p. 154, § 3. **C.R.S. 1963:** § 3-21-3. **L. 69:** p. 94, § 1. **L. 73:** p. 670, § 1. **L. 77:** Entire section amended, p. 1056, § 5, effective May 18. **L. 81:** (1) and (3) amended, p. 340, § 1, effective March 27. **L. 83:** (6) added, p. 375, § 1, effective June 1. **L. 86:** (1) amended, p. 401, § 1, effective March 20; (6) repealed, p. 937, § 3, effective July 1. **L. 89:** (7) added, p. 945, § 1, effective April 4; (2) amended, p. 332, § 1, effective April 7. **L. 93:** (3) amended, p. 14, § 1, effective March 2; (8) added, p. 1826, § 10, effective June 6. **L. 94:** (8) amended, p. 100, § 2, effective March 18. **L. 2010:** (9) added, (HB 10-1119), ch. 340, p. 1572, § 5, effective August 11. **L. 2011:** (1) amended, (SB 11-115), ch. 114, p. 359, § 1, effective April 13; (1.5) and (10) added,

(SB 11-082), ch. 109, p. 338, § 1, effective August 10. **L. 2013:** (9) amended and (9.5) added, (HB 13-1299), ch. 382, p. 2242, § 2, effective June 5. **L. 2017:** (1.5)(a), (2), (4), and (5) amended, (SB 17-294), ch. 264, p. 1382, § 2, effective May 25; (9.7) added, (HB 17-1223), ch. 243, p. 1004, § 2, effective August 9. **L. 2021:** (10)(a) amended, (HB 21-1236), ch. 211, p. 1115, § 15, effective September 7.

Cross references: In 2010, subsection (9) was added by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act". For the short title, see section 1 of chapter 340, Session Laws of Colorado 2010.

2-3-103.5. Deputies.

The state auditor, with the approval of the committee, may appoint one or more deputy state auditors, not to exceed three in number, pursuant to section 2-3-104. In the case of the temporary absence or incapacity of the state auditor, the committee may designate a deputy to exercise and perform all or any portion of the powers and duties of the state auditor which are by law exercised and performed by the state auditor, and, unless and until such designation is made by the committee, the state auditor may so designate such deputy.

Source: L. 77: Entire section added, p. 255, § 2, effective May 18.

2-3-103.7. Disclosure of reports before filing.

(1) Any state employee or other individual acting in an oversight role as a member of a committee, board, or commission, or any employee or other individual acting in an oversight role with respect to any audit conducted pursuant to sections 2-3-120, 10-22-105 (4)(c), and 25.5-6-1708 (1), who willfully and knowingly discloses the contents of any report prepared by or at the direction of the state auditor's office prior to the release of such report by a majority vote of the committee as provided in section 2-3-103 (2) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars.

(2) This section shall not apply to necessary communication of employees of the state auditor's office or employees of any person contracting to provide services for the state auditor's office with those persons necessary to complete the audit report or with other state agencies involved with comparable reports.

Source: L. 79: Entire section added, p. 296, § 1, effective July 1. **L. 89:** (1) amended, p. 332, § 2, effective April 7. **L. 2019:** (1) amended, (HB 19-1136), ch. 26, p. 86, § 1, effective August 2. **L. 2021:** (1) amended, (HB 21-1294), ch. 414, p. 2764, § 2, effective July 2; (1) amended, (HB 21-1249), ch. 178, p. 970, § 2, effective September 7; (1) amended, (HB 21-1187), ch. 83, p. 323, § 2, effective July 1, 2024. **L. 2024:** (1) amended, (HB 24-1450), ch. 490, p. 3403, § 3, effective August 7.

Editor's note: (1) Amendments to subsection (1) by HB 21-1249 and HB 21-1294 were harmonized.

(2) Amendments to subsection (1) by HB 21-1249, HB 21-1294, and HB 21-1187 were harmonized, effective July 1, 2024.

2-3-104. Salary and staff of state auditor.

The state auditor shall be paid a salary to be determined by the executive committee, as provided in section 2-3-303 (3). The state auditor, with the approval of the committee, may appoint such additional professional, technical, clerical, or other employees or contract for such services necessary to perform the functions assigned to the state auditor. No more than three members of the staff of the state auditor shall be exempt from the state personnel system.

Source: L. 65: p. 154, § 4. **C.R.S. 1963:** § 3-21-4. **L. 88:** Entire section amended, p. 305, § 4, effective May 23. **L. 93:** Entire section amended, p. 2107, § 7, effective June 9. **L. 94:** Entire section amended, p. 1624, § 10, effective May 31.

2-3-104.5. Legal representation of the state auditor.

The duty of providing legal representation or otherwise rendering legal services to the state auditor in connection with the auditor's performance of his or her functions and duties under this part 1 is shared between the office of legislative legal services created in section 2-3-501 and the attorney general. The attorney general is limited to providing legal advice and representation to the auditor in connection with litigation matters, issues related to financial or performance postaudits conducted by the state auditor, and issues related to the administration of the fraud hotline created in section 2-3-110.5.

Source: L. 2020: Entire section added, (SB 20-063), ch. 12, p. 56, § 12, effective September 14.

2-3-105. Transfer of employees. (Repealed)

Source: L. 65: p. 154, § 5. **C.R.S. 1963:** § 3-21-5. **L. 81:** Entire section repealed, p. 342, § 9, effective March 27.

2-3-106. Bond. (Repealed)

Source: L. 65: p. 155, § 6. **C.R.S. 1963:** § 3-21-6. **L. 81:** Entire section repealed, p. 342, § 9, effective March 27.

2-3-107. Authority to subpoena witnesses - access to records.

(1) For the purposes of this part 1 the committee has the power to subpoena witnesses, take testimony under oath, and to assemble records and documents, by subpoena duces tecum or otherwise, with the same power and authority as courts of record and may apply to courts of record for the enforcement of these powers. The sheriff of any county shall serve any subpoena on written order of the committee in the same manner as process is served in civil actions. Witnesses subpoenaed to appear before the committee shall receive the same fees and expenses as witnesses in civil cases.

(2) (a) (I) Notwithstanding any provision of law to the contrary, the state auditor or the state auditor's designated representative is authorized to have access at all times, except as provided by sections 39-1-116, 39-4-103, and 39-5-120, to all of the books, accounts, reports, vouchers, or other records or information in any department, institution, or agency, including but not limited to records or information required to be kept confidential or exempt from public disclosure upon subpoena, search warrant, discovery proceedings, or otherwise. The authority of the state auditor or the state auditor's designated representative to access at all times the books, accounts, reports, vouchers, or other records or information in accordance with this subsection (2)(a) also extends to any fiscal or performance audit the state auditor or the state auditor's designated representative conducts of:

(A) The Colorado new energy improvement district and the new energy improvement program in connection with section 2-3-120;

(B) Repealed.

(C) The health benefit exchange created in section 10-22-104 in accordance with section 10-22-105 (4)(c);

(D) Community-centered boards, as defined in section 25.5-6-1702 (5);

(E) Case management agencies in accordance with section 25.5-6-1708 (1); and

(F) The statewide implementation of the statewide system of standards and assessments and the statewide education accountability system in accordance with section 2-3-127, as said section existed prior to its repeal; except that, for purposes of said audit, the state auditor or his or her designated representative shall not have access to the financial records, including books, accounts, and vouchers, of a public school, school district, or board of cooperative services or of the state charter school institute.

(II) The authority of the state auditor or his or her designated representative to access at all times the books, accounts, reports, vouchers, or other records or information provided under subsection (2)(a)(I)(B) of this section terminates on the date the final audit report is released by the legislative audit committee.

(III) When accessing confidential health records, the state auditor shall determine the necessity of accessing personal identifying health information for the purpose of achieving the audit objectives.

(b) Nothing in this subsection (2) shall be construed as authorizing or permitting the publication of information prohibited by law. Notwithstanding the approval of the committee to release work papers of the office of the state auditor pursuant to section 2-3-103 (3), no information required to be kept confidential pursuant to any other law shall be released in connection with an audit. The results of any audit or evaluation of information technology systems undertaken pursuant to section 2-3-103 (1.5) that are precluded from disclosure under section 24-6-402 (3)(a)(IV), C.R.S., shall not be released in connection with any such audit or evaluation. In addition to the penalty established in section 2-3-103.7, any person who unlawfully releases confidential information shall be subject to any criminal or civil penalty under any applicable law for the unlawful release of the information.

(c) Any officer or employee who fails or refuses to permit such access or examination for audit or who interferes in any way with such examination commits a class 2 misdemeanor.

(d) The disclosure of information or materials, as defined in section 2-3-110.5 (1), to the state auditor, the committee or any successor committee, or the governor after the committee's approval to send the results of an investigation to the governor pursuant to section 2-3-110.5 (3)(c)(III) does not waive an otherwise valid claim of privilege, confidentiality, or other protection held by the entity making the disclosure, including claims of attorney-client privilege,

attorney work product confidentiality, common interest privilege, deliberative process privilege, and any exemptions from public disclosure under state or federal agency rule.

(3) In verifying any of the audits made, the state auditor has the right to ascertain the amounts on deposit in any bank or other depository belonging to any department, institution, or agency required to be audited and has the right to audit said account on the books of any such bank or depository. No bank or other depository is liable for making available to the state auditor any of the information required under this subsection (3).

Source: L. 65: p. 155, § 7. **C.R.S. 1963:** § 3-21-7. **L. 2006:** (2) amended, p. 1195, § 1, effective May 25. **L. 2011:** (2)(b) amended, (SB 11-082), ch. 109, p. 339, § 2, effective August 10. **L. 2017:** (3) amended, (SB 17-294), ch. 264, p. 1383, § 3, effective May 25. **L. 2019:** (2)(a) amended, (HB 19-1136), ch. 26, p. 86, § 2, effective August 2. **L. 2021:** IP(2)(a)(I), (2)(a)(I)(C), and (2)(a)(I)(D) amended and (2)(a)(I)(F) added, (HB 21-1294), ch. 414, p. 2764, § 3, effective July 2; (2)(a)(I)(B) repealed, (HB 21-1249), ch. 178, p. 970, § 3, effective September 7; (2)(c) amended, (SB 21-271), ch. 462, p. 3132, § 52, effective March 1, 2022; IP(2)(a)(I) and (2)(a)(I)(D) amended and (2)(a)(I)(E) added, (HB 21-1187), ch. 83, p. 323, § 3, effective July 1, 2024. **L. 2024:** (2)(a)(I)(F) amended, (HB 24-1450), ch. 490, p. 3403, § 4, effective August 7. **L. 2026:** (2)(d) added, (SB 26-084), ch.64, p. 259, § 1, effective August 12.

Editor's note: Amendments to subsections IP(2)(a)(I) and (2)(a)(I)(D) by HB 21-1187 and HB 21-1294 were harmonized, effective July 1, 2024.

Cross references: For fees and expenses of witnesses in civil cases, see §§ 13-33-102 and 13-33-103; for the authority of legislative council to compel attendance of witnesses and procedure therefor, see § 2-3-306; for the authority of the general assembly to compel attendance of witnesses, see § 2-2-313.

2-3-108. Special audits.

Any member of the general assembly or the governor may request the committee to direct a special audit of any department, institution, or agency, and, upon the vote of the majority of the committee approving such request, the state auditor shall make or cause to be made such audit.

Source: L. 65: p. 156, § 8. **C.R.S. 1963:** § 3-21-8.

2-3-109. Emergency reports.

(1) If the state auditor finds in the course of an audit evidence of improper practices of financial administration or inadequacy of fiscal records, the state auditor shall report the same immediately to the committee. With the approval of the committee, the state auditor shall also report the same to the governor and the head of any department, institution, or agency affected thereby.

(2) If the state auditor in the course of an audit finds evidence of apparently illegal transactions or misuse or embezzlement of public funds or property, the state auditor shall immediately report such transactions to the committee; moreover, with the approval of the committee, the state auditor may file a written copy of the report with the governor but shall give notice thereof to the district attorney of the district wherein such transactions are reported to have taken place.

(3) If the state auditor in the course of an audit finds evidence of apparently false claims related to public funds or property, the state auditor shall immediately report such transactions to the committee and shall file a written copy of the report with the attorney general.

Source: L. 65: p. 156, § 9. **C.R.S. 1963:** § 3-21-9. **L. 81:** Entire section amended, p. 340, § 2, effective March 27. **L. 2017:** Entire section amended, (SB 17-294), ch. 264, p. 1383, § 4, effective May 25. **L. 2022:** (3) added, (HB 22-1119), ch. 394, p. 2797, § 3, effective August 10.

2-3-110. Reimbursement of state auditor for certain audits - disclosure.

(1) When the state auditor is required by law or the state constitution to audit or cause to be audited a state department, institution, or agency or other governmental or organizational entity for self-supporting or nonappropriated activities, including but not limited to enterprises as defined in section 20 (2)(d) of article X of the state constitution, associated students' accounts, auxiliary enterprise funds, nonprofit corporations, trust funds, contracts with the federal government, federal grants-in-aid, or federal assistance programs, moneys from the state general fund shall not be used to pay for the cost of the audit, and the state auditor shall be reimbursed for the audit services by the entity for which the audit is in whole or in part performed.

(2) The reimbursement amount from such entity shall be a pro rata share of the total state auditor's cost, based upon a time-spent factor, if the total audit of the entity includes the audit of state-appropriated funds. If state-appropriated funds are not involved in such audits, the reimbursement shall be not less than the average hourly cost of the operations of the state auditor's office nor more than the average rate attainable from certified public accounting firms

performing similar services for this state. Reimbursement charges may be negotiated with the state auditor's office within the above limitations.

(3) The state auditor shall disclose the amount of fully reimbursed audit services in the annual financial statements of the legislative department.

Source: L. 71: p. 111, § 1. **C.R.S. 1963:** § 3-21-11. **L. 2005:** (1) amended and (3) added, p. 1516, § 2, effective May 5.

Cross references: For the state auditor's duties, see § 49 of art. V, Colo. Const.

2-3-110.5. Fraud hotline - investigations - confidentiality - access to records - definitions.

(1) As used in this section, unless the context otherwise requires:

(a) "Committee" means the legislative audit committee created in section 2-3-101 (1).

(b) "Contracted individual" means an individual currently or formerly acting under a contract, purchase order, or other similar agreement for the procurement of goods and services with a state agency; except that "contracted individual" does not include individuals or entities that provide services or receive benefits under Title XIX or Title XXI of the federal "Social Security Act".

(c) "Employee" means an individual currently or formerly employed by a state agency; except that "employee" does not include individuals or entities that provide services or receive benefits under Title XIX or Title XXI of the federal "Social Security Act".

(d) "Fraud" means occupational fraud or the use of one's occupation for personal enrichment through the deliberate misuse or misapplication of the employing organization's resources or assets. The definition of fraud specified in this subsection (1)(d) is used exclusively for purposes of the fraud hotline to be administered by the state auditor in accordance with this section and shall not be construed to apply to any other section of the Colorado Revised Statutes.

(e) "Fraud hotline" or "hotline" means the system created and maintained by the state auditor pursuant to subsection (2)(a) of this section.

(f) "Hotline call" means a report of information to the fraud hotline regardless of whether such report is made by telephone, fax, email, or another internet-based format.

(f.5) "Information or materials" includes, but is not limited to, any writing prepared or maintained by a state agency or verbal response provided by a state agency representative to any question or inquiry posed by the state auditor or the state auditor's designee that is related to the scope of an investigation.

(g) "Investigation" means an investigation of a report to the fraud hotline of an allegation of fraud committed by an employee or a contracted individual. "Investigation" does not constitute a criminal investigation.

(h) "State agency" or "agency" means all departments, institutions, and agencies of state government, including the office of the governor, institutions of higher education, and the legislative and judicial departments of the state.

(i) "State auditor" means the state auditor or his or her designee.

(2) (a) The state auditor shall establish and administer a telephone number, fax number, email address, mailing address, or internet-based form whereby any individual may report an allegation of fraud committed by an employee or a contracted individual.

(b) (I) The state auditor may request that an individual submitting an allegation to the fraud hotline provide his or her name and contact information, but no person who submits an allegation to the hotline is required to provide his or her name and contact information. In addition, in accordance with federal laws and regulations, nothing in this section permits an employee of a financial institution to disclose personally identifiable or confidential information when making a report to the hotline.

(II) The state auditor shall not disclose publicly, or when making a referral to another state agency in accordance with subsection (3)(b) of this section, the identity of any individual who contacts the fraud hotline unless the individual grants the state auditor express permission to make such disclosure. The restrictions imposed by this subsection (2)(b)(II) shall not apply when the state auditor makes a disclosure to a law enforcement agency, a district attorney, or the attorney general, in connection with a criminal investigation, or to the department of health care policy and financing or the attorney general in accordance with subsection (3)(a)(II) of this section.

(c) The state auditor is responsible for administering the hotline, including the screening of hotline calls and, in accordance with subsection (3)(b) of this section, consulting and coordinating with state agencies to refer allegations of fraud by an employee or a contracted individual that are reported to the hotline.

(d) The state auditor shall staff the hotline with one or more individuals who possess professional knowledge and expertise in the areas of fraud prevention and detection, fraud examination, forensic accounting, or another related field. The state auditor may also contract with any private entity to assist in the execution of his or her powers and duties under this

section. The state auditor shall consult and use accepted professional guidelines and best practices, such as those established by other state audit organizations or the association of certified fraud examiners, when developing internal operating policies and procedures for carrying out activities of his or her office in connection with the hotline.

(e) The state auditor shall publicize the existence and purpose of the hotline on the official website of the office of the state auditor and through other means as determined by the state auditor.

(f) (I) The state auditor shall prepare and maintain workpapers for the purpose of documenting the activities of his or her office in connection with hotline calls and investigations.

(II) All workpapers prepared or maintained by the state auditor in connection with hotline calls must be held as strictly confidential by the state auditor and not for public release. The restrictions imposed by this subsection (2)(f)(II) shall not prevent communication by and among the state auditor, a state agency, the governor, the committee, a law enforcement agency, a district attorney, or the attorney general in accordance with the requirements of this section. Notwithstanding any other provision of law, all workpapers prepared or maintained by the state auditor in connection with hotline calls shall not constitute public records for purposes of the "Colorado Open Records Act", part 2 of article 72 of title 24.

(3) (a) (I) Upon receiving a hotline call, the state auditor shall conduct an initial screening of the call to determine whether the matter being reported constitutes an allegation of fraud committed by an employee or a contracted individual.

(II) The state auditor shall forward all hotline calls alleging fraud by a medicaid recipient to the department of health care policy and financing, all calls alleging fraud by a medicaid provider or contractor to the medicaid fraud control unit of the office of the attorney general, and all calls alleging fraud in violation of the "Colorado False Claims Act", part 12 of article 31 of title 24, to the attorney general unless the allegation relates to a state employee in the performance of the employee's duties.

(b) If the state auditor determines through the initial screening that a hotline call constitutes an allegation of fraud committed by an employee or a contracted individual, the state auditor shall consult and coordinate with management or management's designee of the affected state agency or, in the case of alleged fraud involving a gubernatorial appointee, the governor's office for the purpose of referring the hotline call and any related workpapers to the affected agency. Upon receiving a referred hotline call from the state auditor, the state agency is responsible for determining and taking appropriate action to respond to the referred hotline call and reporting back to the state auditor in accordance with subsection (4) of this section. In determining appropriate action, the state agency may request either the assistance of the state auditor to participate in an investigation or request that the state auditor conduct the entire investigation.

(c) When, at the request of a state agency, the state auditor either participates in or conducts an investigation of a hotline call pursuant to subsection (3)(b) of this section, the following additional requirements apply:

(I) The state auditor has access at all times to all of the books, accounts, reports, vouchers, or other records or information maintained by the agency that are directly related to the scope of the investigation.

(II) The state auditor shall report the results of the investigation to the head of the affected agency or, in the case of alleged fraud involving a gubernatorial appointee, to the governor's office. The state auditor shall also provide any workpapers prepared or maintained by the state auditor during the investigation.

(III) If the investigation finds evidence that the amount of the alleged fraud exceeds one hundred thousand dollars, the state auditor shall also report the results of the investigation to the committee and, with the approval of the committee, to the governor.

(IV) If the investigation finds evidence of apparently illegal transactions or misuse or embezzlement of public funds or property, the state auditor shall immediately report the matter to a law enforcement agency, a district attorney, or the attorney general, as appropriate. The state auditor shall also provide any workpapers prepared or maintained by the state auditor during the investigation.

(4) When a state agency is referred a hotline call by the state auditor pursuant to subsection (3)(b) of this section and has not requested that the state auditor either participate in or conduct the entire investigation, the state agency shall report back to the state auditor within ninety days on the disposition of the referral, including action the agency has taken to respond to the fraud allegation and the results of any subsequent investigation by the agency. If the state agency has not reached a disposition of the referred hotline call within ninety days, the agency shall report to the state auditor the current status of the referral as of the ninety-day deadline. This reporting requirement continues every ninety days thereafter until the agency has reached a disposition of the referred hotline call.

(5) Commencing with state fiscal year 2018-19, the state auditor shall prepare an annual report to the committee summarizing, in the aggregate, activity relating to the fraud hotline during the preceding state fiscal year, such as the number, type, nature, and disposition of reports made to the hotline. The annual report shall not contain detailed information, confidential or otherwise, about any specific reports made to the hotline or that would enable the identification of either any specific individual involved in a matter reported to the hotline or any subsequent investigation. The annual report must be accessible to the public and posted on the official website of the office of the state auditor.

(6) The disclosure of information or materials to the state auditor, the committee or any successor committee, or the governor after the committee's approval to send the results of the

investigation to the governor pursuant to subsection (3)(c)(III) of this section does not waive an otherwise valid claim of privilege, confidentiality, or other protection held by the entity making the disclosure, including claims of attorney-client privilege, attorney work product confidentiality, common interest privilege, deliberative process privilege, and any exemptions from public disclosure under state or federal agency rule.

Source: L. 2017: Entire section added, (HB 17-1223), ch. 243, p. 1000, § 1, effective August 9. **L. 2022:** (3)(a)(II) amended, (HB 22-1119), ch. 394, p. 2797, § 4, effective August 10. **L. 2026:** (1)(f.5) and (6) added, (SB 26-084), ch. 64, p. 259, § 2, effective August 12.

2-3-111. Office of state auditor - conduct audit of juvenile justice system - repeal. (Repealed)

Source: L. 91: Entire section added, p. 202, § 1, effective July 1.

Editor's note: Subsection (5) provided for the repeal of this section, effective January 1, 1993. (See L. 91, p. 202.)

2-3-112. Prevention programs - programmatic review. (Repealed)

Source: L. 96: Entire section added, p. 1157, § 1, effective January 1,1997. **L. 2000:** Entire section repealed, p. 585, § 7, effective May 18.

2-3-113. Programs that receive tobacco settlement money - program review - definitions.

(1) As used in this section:

(a) "Health sciences facility" has the meaning set forth in section 26.5-3-503. For purposes of this section, "health sciences facility" includes any contractor or subcontractor engaged by the health sciences facility to assist in the implementation and monitoring of the nurse home visitor program established pursuant to part 5 of article 3 of title 26.5.

(b) "Master settlement agreement" means the master settlement agreement, the smokeless tobacco master settlement agreement, and the consent decree approved and entered by the court in the case denominated *State of Colorado, ex rel. Gale A. Norton, Attorney General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.; Brown &Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T. Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and Tobacco Institute, Inc.,* Case No. 97 CV 3432, in the district court for the city and county of Denver.

(c) "Tobacco settlement program" means any program that receives appropriations from moneys received by the state pursuant to the master settlement agreement.

(2) Beginning January 1, 2002, it is the duty of the state auditor to conduct or cause to be conducted program reviews and evaluations of the performance of each tobacco settlement program to determine whether the program is effectively and efficiently meeting its stated goals. The program reviews and evaluations shall subject all tobacco settlement programs to audit, whether operated directly by a state agency or by a private entity or by a local government agency.

(3) The state auditor may contract with one or more public or private entities to conduct the program reviews and evaluations and prepare the annual executive summary reports required in subsection (5) of this section.

(4) The joint budget committee staff, the legislative council staff, the office of legislative legal services, the department of public health and environment, and the health sciences facility shall work with the state auditor's office in conducting the program reviews and evaluations of tobacco settlement programs.

(5) Beginning December 15, 2002, the state auditor's office shall first submit to the legislative audit committee and then to the governor, the attorney general, the department of public health and environment, the joint budget committee, and the health and human services committees of the senate and the house of representatives, or any successor committees, reports on the program reviews and evaluations of tobacco settlement programs performed pursuant to subsection (2) of this section. In addition, the state auditor's office shall submit to the health and human services committees of the senate and the house of representatives, or any successor committees, and to the department of public health and environment an annual executive summary of the program reviews and evaluations.

(6) The legislative audit committee shall design a schedule for reviewing tobacco settlement programs to ensure that each program is reviewed and evaluated as deemed necessary by the committee after consultation with the state auditor.

(7) Repealed.

Source: L. 2000: Entire section added, p. 593, § 3, effective May 18. **L. 2003:** (7) amended, p. 1665, § 1, effective July 1. **L. 2006:** (5) and (7) amended, p. 1032, § 1, effective May 25; (6) amended, p. 315, § 1, effective August 7. **L. 2010:** (7)(c) added, (HB 10-1323), ch. 35, p. 132, § 7, effective March 22; (1) and (4) amended, (SB 10-073), ch. 386, p. 1806, § 1, effective June 30. **L. 2012:** IP(7)(a) and (7)(b) amended and (7)(a.5) added, (HB12-1249), ch. 72, p. 247, § 1, effective March 24. **L. 2013:** (1)(a) amended, (HB 13-1117), ch. 169, p. 588, § 17, effective July 1. **L. 2016:** (2) amended and (7) repealed, (HB 16-1408), ch. 153, pp. 461, 472, §§ 2, 26, effective July 1. **L. 2022:** (1)(a) amended, (HB 22-1295), ch. 123, p. 825, § 18, effective July 1.

Cross references: For the legislative declaration in the 2013 act amending subsection (1)(a), see section 1 of chapter 169, Session Laws of Colorado 2013.

2-3-114. State records management - duties of state auditor - definitions.

(1) For purposes of this section, unless the context otherwise requires:

(a) "Agency" means every department, institution, and agency of state government, including educational institutions and the judicial and legislative branches.

(b) "Records" shall have the same meaning as set forth in section 24-80-101 (1), C.R.S., and shall include a "record" as defined in section 24-71.3-102 (13), C.R.S.

(2) The state auditor shall conduct records management audits of every agency on a periodic basis as determined by the state auditor. Such records management audits shall be conducted separately or in connection with an agency audit conducted pursuant to section 2-3-103.

(3) The executive director of the department of personnel or the director's designee shall, in consultation with the state archivist, provide the state auditor with guidelines by September 1, 2001, for determining whether an agency is:

(a) Managing its records in compliance with the administrative and technical procedures for records maintenance and management established pursuant to section 24-80-102 (3), C.R.S.; and

(b) Improving the general accessibility of the records in the agency's custody.

Source: L. 2001: Entire section added, p. 75, § 1, effective August 8. **L. 2005:** (1)(b) amended, p. 760, § 8, effective June 1.

2-3-115. Use of state education fund money for school capital construction - audits - reports.

(1) For the 2001-02 school district budget year and each school district budget year thereafter, for the purpose of determining the amount of state education fund money expended by each school district in the state for capital construction and identifying the schools and projects on which school districts expended the money, the state auditor may, at the state auditor's discretion, examine the records of each school district in the state that received state education fund money for the budget year directly from the department of education for capital construction aid to qualified charter schools, as defined in section 22-54-124 (1)(f.6), in accordance with section 22-54-124 (4).

(2) Repealed.

Source: L. 2001: Entire section added, p. 349, § 12, effective April 16. **L. 2002:** (1)(a) amended, p. 1766, § 32, effective June 7. **L. 2003:** (1)(a) amended, p. 2139, § 40, effective May 22. **L. 2006:** (1)(a) amended, p. 594, § 1, effective August 7. **L. 2007:** (1)(b), (2)(c), and (2)(e) amended, p. 630, § 5, effective April 26. **L. 2008:** (1)(b), (2)(c), and (2)(e) amended, p. 1064, § 7, effective July 1. **L. 2021:** (2) repealed, (SB 21-198), ch. 135, p. 555, § 1, effective September 7. **L. 2026:** (1) amended, (HB 26-1191), ch. 48, p. 213, § 1, effective August 12.

Editor's note: This section was originally numbered as 2-3-114 in Senate Bill 01-129 but has been renumbered on revision for ease of location.

2-3-116. Performance audit of foster care program - repeal. (Repealed)

Source: L. 2001: Entire section added, p. 752, § 1, effective June 1.

Editor's note: Subsection (3) provided for the repeal of this section, effective December 1, 2002. (See L. 2001, p. 752.)

2-3-117. Pilot efficiency reviews - school districts - report - repeal. (Repealed)

Source: L. 2004: Entire section added, p. 1968, § 1, effective June 4.

Editor's note: Subsection (5)(d) provided for the repeal of this section, effective January 1, 2005, if the school district pilot efficiency review fund did not contain any moneys as of January 1, 2005, and the state auditor notified in writing the revisor of statutes that the fund did not contain any moneys. The revisor of statutes was notified January 14, 2005, by the state auditor that the fund did not contain any moneys. (See L. 2004, p. 1968.)

2-3-118. Performance audit of statewide database of permittees - repeal. (Repealed)

Source: L. 2007: Entire section added, p. 778, § 3, effective May 14.

Editor's note: Subsection (3) provided for the repeal of this section, effective July 1, 2011. (See L. 2007, p. 778.)

2-3-119. Audit of healthcare affordability and sustainability hospital provider fee - cost shift.

At the discretion of the legislative audit committee, the state auditor shall conduct or cause to be conducted a performance and fiscal audit of the healthcare affordability and sustainability hospital provider fee established pursuant to section 25.5-4-402.4.

Source: L. 2009: Entire section added, (HB 09-1293), ch. 152, p. 652, § 10, effective July 1. **L. 2017:** Entire section amended, (SB 17-267), ch. 267, p. 1438, § 2, effective July 1. **L. 2025:** Entire section amended, (SB 25-270), ch. 151, p. 604, § 9, effective May 1.

Cross references: For the legislative declaration in SB 17-267, see section 1 of chapter 267, Session Laws of Colorado 2017.

2-3-120. Periodic performance audits of Colorado new energy improvement district and new energy improvement program - reports.

No later than June 30, 2014, and no later than June 30 of every fifth year thereafter, the state auditor shall conduct or cause to be conducted a performance audit of the Colorado new energy

improvement district created in section 32-20-104 (1), C.R.S., and the new energy improvement program established by the district pursuant to section 32-20-105 (3), C.R.S. The state auditor shall prepare a report and recommendations on each audit conducted and shall present the report and recommendations to the committee.

Source: L. 2010: Entire section added, (HB 10-1328), ch. 426, p. 2220, § 2, effective June 11.

2-3-121. Performance audits of public highway authorities.

At the discretion of the legislative audit committee, the state auditor shall conduct or cause to be conducted a performance audit of any public highway authority created and operating pursuant to part 5 of article 4 of title 43. The state auditor shall prepare a report and recommendations on each audit conducted and shall present the report and recommendations to the committee. The state auditor shall pay the costs of any audit conducted pursuant to this section.

Source: L. 2011: Entire section added, (HB 11-1118), ch. 84, p. 228, § 1, effective March 31. **L. 2017:** Entire section amended, (HB 17-1005), ch. 8, p. 23, § 1, effective August 9.

2-3-122. Risk-based performance audit of department of transportation - repeal. (Repealed)

Source: L. 2016: Entire section added, (SB 16-122), ch. 91, p. 255, § 1, effective April 14.

Editor's note: Subsection (2) provided for the repeal of this section, effective July 1, 2018. (See L. 2016, p. 255.)

2-3-123. Audits of the distribution of money in the state historical fund used for the preservation and restoration of the cities of Central, Black Hawk, and Cripple Creek. (Repealed)

Source: L. 2016: Entire section added, (SB 16-073), ch. 261, p. 1073, § 1, effective August 10. **L. 2018:** IP(1) and (1)(b) amended, (SB 18-034), ch. 14, p. 237, § 5, effective October 1. **L. 2021:** Entire section repealed, (HB 21-1249), ch. 178, p. 969, § 1, effective September 7.

2-3-124. Audits of reports of recidivism and educational outcomes by the division of youth services.

(1) On or before January 1, 2019, and on or before January 1, 2024, the state auditor shall audit the reports of recidivism rates and educational outcomes for youth committed to the division of youth services in the state department of human services, prepared pursuant to section 19-2.5-1501 (4). Each such audit must examine the division's reports during the preceding five years for accuracy and quality. After January 1, 2024, the state auditor, at the auditor's discretion, may conduct additional audits of the division of youth services reports of recidivism rates and educational outcomes for youth committed to the division.

(2) The judicial department shall provide data to the state auditor as permissible by law for the purposes of this section.

Source: L. 2017: Entire section added, (HB 17-1329), ch. 381, p. 1967, § 9, effective June 6. **L. 2018:** Entire section amended, (HB 18-1010), ch. 25, p. 282, § 2, effective March 7. **L. 2021:** (1) amended, (SB 21-059), ch. 136, p. 708, § 4, effective October 1. **L. 2022:** (1) amended, (SB 22-212), ch. 421, p. 2964, § 7, effective August 10.

2-3-125. Periodic performance audits of Colorado civil rights division and commission - reports.

By December 15, 2019, and by December 15, 2024, the state auditor shall complete or cause to be conducted and completed a performance audit of the Colorado civil rights division created in section 24-34-302 and the Colorado civil rights commission created in section 24-34-303. The state auditor shall prepare a report and recommendations on each audit conducted and shall present the report and recommendations to the committee.

Source: L. 2018: Entire section added, (HB 18-1256), ch. 229, p. 1442, § 3, effective July 1.

2-3-126. Performance audits of Colorado electric transmission authority.

At the discretion of the legislative audit committee, the state auditor shall conduct or cause to be conducted a performance audit of the Colorado electric transmission authority created in article 42 of title 40. The state auditor shall prepare a report and recommendations on each audit conducted and shall present the report and recommendations to the committee. The state auditor shall pay the costs of any audit conducted pursuant to this section.

Source: L. 2021: Entire section added, (SB 21-072), ch. 329, p. 2127, § 5, effective June 24.

2-3-127. Audit of statewide education accountability systems - report - legislative declaration - definitions - repeal. (Repealed)

Source: L. 2021: Entire section added, (HB 21-1294), ch. 414, p. 2758, § 1, effective July 2.

Editor's note: Subsection (5) provided for the repeal of this section, effective July 1, 2023. (See L. 2021, p. 2758.)

2-3-128. Oil and gas - performance audit - report - definitions - repeal. (Repealed)

Source: L. 2022: Entire section added, (HB 22-1361), ch. 472, p. 3449, § 2, effective July 1. **L. 2023:** (1)(a) amended, (SB 23-285), ch. 235, p. 1251, § 20, effective July 1. **L. 2024:** (1)(d) amended, (HB 24-1346), ch. 216, p. 1342, § 13, effective May 21.

Editor's note: Subsection (5) provided for the repeal of this section, effective July 1, 2026. (See L. 2022, p. 3449.)

2-3-129. Audit of license fees paid to health-care cash funds.

The state auditor shall complete or cause to be conducted and completed an audit of the license fees payable into the health facilities general licensure cash fund pursuant to section 25-3-105, the assisted living residence cash fund pursuant to section 25-27-107, and the home care agency cash fund pursuant to section 25-27.5-104. The purpose of the audit is to determine if the license

facility fees are being used in the most efficient manner for the administration and enforcement requirements for health-care facilities. The state auditor shall implement this section using existing appropriations to the office of the state auditor.

Source: L. 2024: Entire section added, (HB 24-1417), ch. 136, p. 506, § 1, effective July 1.

2-3-130. Audit - department of corrections - budget practices - third-party auditor.

As soon as practicable, but no later than October 1, 2024, the state auditor shall engage a third-party consultant to conduct an evaluation of the department of corrections, created in section 24-1-128.5. In partnership with the department of corrections, the evaluation must examine the department of corrections' budget practices, including personnel-related costs, contract staff spending, operational costs driven by caseload, user fees levied, and the cash funds associated with the department of corrections. The third-party consultant shall make recommendations to the department of corrections throughout the evaluation and update the joint budget committee and legislative audit committee with preliminary findings and recommendations by March 1, 2025. The third-party consultant shall report its final findings and recommendations to the department, the joint budget committee, and the legislative audit committee by June 30, 2025.

Source: L. 2024: Entire section added, (HB 24-1462), ch. 357, p. 2435, § 1, effective June 3.

2-3-131. Performance audit - air pollution control division - report.

(1) During the 2026 and 2031 calendar years, the state auditor shall conduct or cause to be conducted a performance audit of the air pollution control division in the department of public health and environment to determine whether the air pollution control division is effectively and efficiently performing and fulfilling the division's statutory obligations. Upon completion of a performance audit, the state auditor shall submit a written report about the performance audit to the legislative audit committee.

(2) In conducting the performance audit required by subsection (1) of this section, the state auditor shall:

(a) Determine whether the air pollution control division complies with statute and its statutory purpose;

(b) Assess the impact of the air pollution control division's processes on the ability of stakeholders to access program benefits;

(c) Determine whether the air pollution control division's funding and staffing levels are sufficient for it to efficiently and effectively fulfill its statutory duties and responsibilities related to program administration and enforcement, including assessing how funding or staffing changes made at the state level might impact local governments;

(d) Determine whether the air pollution control division requested and was appropriated additional resources from the general assembly and whether that decision impacted program implementation and the timing of implementation; and

(e) Not include a review of a rule not yet finalized but may consider changes being proposed to a current rule.

Source: L. 2025: Entire section added, (SB 25-306), ch. 430, p. 2482, § 1, effective August 6.

2-3-132. Performance audit - division of unemployment insurance.

(1) During the 2027 and 2032 calendar years, the state auditor shall conduct or cause to be conducted a performance audit of the division of unemployment insurance created in section 8-71-101 to determine whether the division of unemployment insurance is effectively and efficiently performing and fulfilling the division's statutory obligations. Upon completion of a performance audit, the state auditor shall submit a written report about the performance audit to the legislative audit committee.

(2) In conducting the performance audit required by subsection (1) of this section, the state auditor shall:

(a) Determine whether the division of unemployment insurance complies with statute and its statutory purpose;

(b) Assess the impact of the division of unemployment insurance processes on the ability of stakeholders to access program benefits and identify any division processes that may be unnecessary, unreasonable, or cause delays;

(c) Determine whether the division of unemployment insurance funding and staffing levels are sufficient for it to efficiently and effectively fulfill its statutory duties and responsibilities related to program administration and enforcement;

(d) Determine whether the division of unemployment insurance requested and was appropriated additional resources from the general assembly and whether that decision impacted program implementation and the timing of implementation; and

(e) Not include a review of a rule not yet finalized but may consider changes being proposed to a current rule.

Source: L. 2025: Entire section added, (SB 25-306), ch. 430, p. 2482, § 1, effective August 6.

PART 2

JOINT BUDGET COMMITTEE

2-3-200.3. Definitions.

As used in this part 2, unless the context otherwise requires:

(1) "Best available research evidence" means the weight of the research evidence from the most rigorous and relevant studies available regarding a program or practice, which studies are identified using a systematic process.

(2) "Outcomes" means measures of what a program or practice is meant to improve for its target population.

(3) "Program or practice" means a program, intervention, approach, or practice that has explicitly defined and replicable elements and that is hypothesized to improve specific outcomes for a defined target population.

(4) "State agency" means any department, commission, council, board, bureau, committee, institution of higher education, agency, or other governmental unit of the executive, legislative, or judicial branch of state government.

Source: L. 2025: Entire section added with relocations, (SB 25-275), ch. 377, p. 2030, § 12, effective August 6.

Editor's note: This section is similar to former § 2-3-210 (2) as it existed prior to 2025.

2-3-201. Joint budget committee established.

(1) There is hereby established a joint committee of the senate and house of representatives officially known as the joint budget committee, and to consist of the chairman of the house appropriations committee plus one majority party member and one minority party member thereof, and the chairman of the senate appropriations committee plus one majority party member and one minority party member thereof. Members of the committee shall be chosen in

each house in the same manner as members of other standing committees are chosen. The committee shall function during the legislative sessions and during the interim between sessions.

(2) In order to expedite the work of the committee, appointees may be designated by the respective majority and minority parties prior to the convening of the general assembly at which such committee is to serve, whether such appointees are members of the then current general assembly or members-elect of the next general assembly, or both; and such appointees have all the powers and duties and are entitled to the same compensation and expense allowance as members duly appointed under the provisions of subsection (1) of this section.

(3) The committee shall elect a chairman and a vice-chairman, one from the senate membership of the committee and one from the house membership of the committee. The chairman so elected shall serve as chairman for the first regular session of the general assembly at which the committee is to serve, and as vice-chairman for the second regular session; the vice-chairman so elected shall serve as chairman for the second regular session of said general assembly.

Source: L. 59: p. 464, § 1. **CRS 53:** § 63-2-18. **C.R.S. 1963:** § 63-2-17. **L. 65:** p. 685, § 4. **L. 67:** p. 541, § 1. **L. 69:** p. 462, § 1.

Cross references: For compensation and expenses for committee members, see § 2-2-307 (3).

2-3-202. Organization and meetings.

The committee may prescribe its own rules of procedure and may appoint subcommittees from the membership of the general assembly, and shall meet as often as is necessary to perform its functions.

Source: L. 59: p. 464, § 2. **CRS 53:** § 63-2-19. **C.R.S. 1963:** § 63-2-18.

2-3-203. Powers and duties of the joint budget committee.

(1) The committee has the following power and duties:

(a) To study the management, operations, programs, and fiscal needs of the agencies and institutions of Colorado state government;

(b) Repealed.

(b.1) (I) (A) Effective July 1, 2004, to hold hearings as required and to review the executive budget and the budget requests of each state agency and institution, including capital construction, capital renewal, or controlled maintenance budget requests as prioritized, pursuant to rule 45 of the joint rules of the senate and house of representatives, by the capital development committee, and information technology budget requests as prioritized, pursuant to rule 45 of the joint rules of the senate and the house of representatives, by the joint technology committee, and to make appropriation recommendations to the appropriations committees, or any successor committees, of each house.

(B) If the joint budget committee's recommendations to the appropriations committees in the general appropriations bill alter the determinations of priority established by the capital development committee, prior to making the recommendations, the joint budget committee shall notify the capital development committee and allow for a joint meeting of the two committees.

(C) If the joint budget committee's recommendations to the appropriations committees of the senate and house of representatives in the annual general appropriation bill alter the determinations of priority established by the joint technology committee, prior to making the recommendations, the joint budget committee shall notify the joint technology committee and allow for a joint meeting of the two committees.

(II) Repealed.

(b.2) Effective July 1, 2013, to hold hearings as required to review the performance plans and performance evaluations of departments as specified in section 2-7-204 (6). Based on its review of these performance plans and performance evaluations and its consideration of each department's legal responsibilities and strategic goals and objectives, the joint budget committee may prioritize departments' requests for new funding that are expressly intended to enhance productivity, improve efficiency, reduce costs, and eliminate waste in the processes and operations that deliver goods and services to taxpayers and customers of state government.

(c) To make estimates of revenue from existing and proposed taxes and to make its staff facilities available, upon request, to the finance committee of either house for the development and analysis of proposed revenue measures;

(d) To study and from time to time review the state's fund structure, financial condition, fiscal organization, and its budgeting, accounting, reporting, personnel, and purchasing procedures;

(e) to (g) Repealed.

(2) If a principal department of the executive branch of state government as specified in section 24-1-110, C.R.S., submits a plan approved by the office of state planning and budgeting to improve budgetary efficiency or administrative flexibility by recommending line item

consolidation in the annual general appropriation act, the committee shall consider such plan for recommendation to the general assembly.

(3) After passage of the annual general appropriation act, in preparing any letter to the governor with requests for information, the committee shall prioritize such requests in the letter.

(4) The joint budget committee shall consider, as one of many factors, the evidence designation as provided in section 2-3-210 (3)(a) when determining the appropriate level of funding for a program or practice.

Source: L. 59: p. 465, § 3. **CRS 53:** § 63-2-20. **C.R.S. 1963:** § 63-2-19. **L. 69:** p. 462, § 2. **L. 85:** (1)(b) amended and (1)(b.1) added, p. 285, § 2, effective May 23. **L. 89:** (1)(b)(II) and (1)(b.1) amended, p. 336, § 4, effective March 15. **L. 94:** (1)(b.1) amended, p. 628, § 2, effective April 14; (1)(e) added, p. 1094, § 3, effective May 9; (1)(f) added, p. 1836, § 2, effective June 1; (1)(e) amended, p. 2614, § 19, effective July 1. **L. 95:** (1)(e) amended, p. 1275, § 10, effective June 5. **L. 98:** (1)(b.1) amended, p. 816, § 5, effective August 5. **L. 2000:** (1)(f) repealed, p. 22, § 2, effective August 2. **L. 2001:** (1)(e) repealed, p. 309, § 1, effective August 8. **L. 2006:** (1)(b.1)(I) amended, p. 231, § 1, effective March 31. **L. 2009:** (1)(b.1)(I)(B) amended, (HB 09-1169), ch. 45, p. 168, § 2, effective March 20. **L. 2010:** (2) and (3) added, (HB 10-1119), ch. 340, p. 1564, § 2, effective August 11. **L. 2013:** (1)(b.2) added, (HB 13-1299), ch. 382, p. 2242, § 3, effective June 5. **L. 2014:** (1)(b.1)(I)(A) amended and (1)(b.1)(I)(C) added, (HB 14-1395), ch. 309, pp. 1306, 1309, §§ 3, 8, effective May 31; (1)(b.1)(I) and (1)(b.1)(I)(A) amended, (HB 14-1387), ch. 378, pp. 1822, 1854, §§ 21, 68, effective June 6; (1)(g) added, (SB 14-110), ch. 105, p. 390, § 3, effective August 6. **L. 2019:** (1)(b.1)(I)(C) amended, (SB 19-241), ch. 390, p. 3462, § 1, effective August 2; (1)(g) repealed, (HB 19-1214), ch. 349, p. 3238, § 1, effective August 2. **L. 2021:** (4) added, (SB 21-284), ch. 445, p. 2939, § 2, effective September 7. **L. 2024:** (4) amended, (HB 24-1428), ch. 89, p. 289, § 1, effective August 7.

Editor's note: (1) Subsection (1)(b)(II) provided for the repeal of subsection (1)(b), effective July 1, 1994. (See L. 89, p. 336.)

(2) Subsection (1)(b.1)(II)(B) provided for the repeal of subsection (1)(b.1)(II), effective July 1, 2004. (See L. 98, p. 816.)

(3) Amendments to subsection (1)(b.1)(I) by HB 14-1387 and HB 14-1395 were harmonized.

Cross references: (1) In 2010, subsections (2) and (3) were added by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act". For the short title, see section 1 of chapter 340, Session Laws of Colorado 2010.

(2) For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014. For the legislative declaration in SB 14-110, see section 1 of chapter 105, Session Laws of Colorado 2014.

2-3-204. Staff director, assistants, and consultants.

(1) The committee shall interview persons applying for the position of staff director as to qualifications and ability and shall make recommendations thereon to the executive committee, which shall appoint the staff director as provided in section 2-3-303 (3). The staff director shall be responsible to the committee for the collection and assembling of all data and the preparation of reports and recommendations. The staff director shall also be responsible for preparing for consideration by the committee analyses of all requests for funds. With the approval of the committee, the staff director may appoint such additional professional, technical, clerical, or other employees necessary to perform the functions assigned to the committee. The staff director and such additional personnel shall be appointed without reference to affiliation and solely on the basis of ability to perform the duties of the position. They shall be employees of the general assembly and shall not be subject to the state personnel system laws. The committee shall establish appropriate qualifications and compensation for all positions. With the consent of the committee, the chairperson may contract for professional services by private consultants as needed.

(2) Repealed.

(3) The staff director shall appoint additional staff as necessary to review and evaluate the evidence designation and justification required by section 2-3-210 (3).

Source: L. 59: p. 465, § 4. **CRS 53:** § 63-2-21. **C.R.S. 1963:** § 63-2-20. **L. 88:** Entire section amended, p. 306, § 5, effective May 23. **L. 93:** Entire section amended, p. 2107, § 8, effective June 9. **L. 94:** Entire section amended, p. 1624, § 11, effective May 31. **L. 96:** Entire section amended, p. 1155, § 3, effective January 1, 1997. **L. 99:** (1) amended, p. 163, § 20, effective August 4. **L. 2000:** (2) repealed, p. 585, § 10, effective May 18. **L. 2021:** (3) added, (SB 21-284), ch. 445, p. 2939, § 3, effective September 7. **L. 2022:** (3) amended, (SB 22-212), ch. 421, p. 2965, § 8, effective August 10. **L. 2024:** (3) amended, (HB 24-1428), ch. 89, p. 289, § 2, effective August 7.

2-3-205. Expenses - vouchers.

All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon vouchers signed by the chairman, or, in his absence or unavailability, the vice-

chairman, or by the staff director upon instruction by the chairman in each instance, and drawn on funds appropriated generally for legislative expenses and allocated to the committee.

Source: L. 59: p. 465, § 5. **CRS 53:** § 63-2-21. **L. 69:** p. 462, § 3. **L. 73:** p. 670, § 2.

2-3-206. Recommendations and findings.

The committee may issue a written report setting forth its recommendations, findings, and comments as to each appropriation recommendation which it submits to the house and senate appropriations committees. Other reports may be issued from time to time by the committee as it deems appropriate or as requested by the general assembly.

Source: L. 59: p. 465, § 6. **CRS 53:** § 63-2-23. **C.R.S. 1963:** § 63-2-22. **L. 69:** p. 462, § 4.

2-3-207. Implementation of a zero-base budgeting program. (Repealed)

Source: L. 77: Entire section added, p. 257, § 1, effective June 19. **L. 79:** (2), (3)(b), (3)(d), and (3)(g) amended and (3)(b.5) added, p. 297, § 1, effective July 3. **L. 83:** (5) amended, p. 969, § 18, effective July 1, 1984. **L. 2010:** Entire section repealed, (HB 10-1119), ch. 340, p. 1575, § 12, effective August 11.

Cross references: In 2010, this section was repealed by the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act". For the short title, see section 1 of chapter 340, Session Laws of Colorado 2010.

2-3-208. Budget requests - base budget submissions - amendments - supplemental appropriation requests - deadlines - definitions.

(1) As used in this section, unless the context otherwise requires:

(a) "Base budget" means the total amount appropriated in the annual general appropriation act and other legislation enacted in the prior state fiscal year plus:

(I) Out-year costs or savings from legislation adopted in prior years that were not included in the appropriations for the preceding state fiscal year; and

(II) Budget adjustments from prior years that were not included in the appropriations for the preceding state fiscal year.

(b) "Budget request amendment" means any change to a budget request for the upcoming state fiscal year that a state agency submits to the joint budget committee.

(c) "State agency" means any department, commission, council, board, bureau, committee, institution of higher education, agency, or other governmental unit of the executive, legislative, or judicial branch of state government that receives an appropriation or is otherwise included in the annual general appropriation act.

(1.5) On or before September 1, 2026, and on or before each September 1 thereafter, a state agency shall submit its base budget for the upcoming state fiscal year to the joint budget committee and the office of state planning and budgeting in a format agreed upon by the state agencies and the office of state planning and budgeting in coordination with joint budget committee staff.

(2) (a) A state agency shall submit its budget request for the upcoming state fiscal year to the joint budget committee by November 1. Except as set forth in paragraph (b) of this subsection (2), the state agency shall submit any budget request amendments to the joint budget committee by January 15.

(b) (I) A state agency shall submit a budget request amendment that is related to a request for a supplemental appropriation to the joint budget committee by January 2; except that the January 2 deadline does not apply to a budget request amendment that is related to a request for a supplemental appropriation identified in subparagraph (I) of paragraph (b) of subsection (3) of this section.

(II) A state agency may submit a budget request amendment to the joint budget committee after its applicable deadline if the budget request amendment is based upon circumstances unknown to, and not reasonably foreseeable by, the state agency prior to the deadline.

(c) Any deadline in this subsection (2) is the date immediately preceding the state fiscal year that is the subject of the budget request or budget request amendment.

(3) (a) Except as set forth in paragraph (b) of this subsection (3), a state agency shall submit a request for a supplemental appropriation for the current state fiscal year to the joint budget committee by January 2.

(b) (I) The department of education shall submit a request for a supplemental appropriation pursuant to section 22-54-106 (4)(b) to the joint budget committee on or before January 15. The division of youth services in the department of human services shall submit a request for a supplemental appropriation related to changes in caseload to the joint budget committee on or before January 15. The department of corrections shall submit a request for a supplemental

appropriation related to changes in caseload to the joint budget committee on or before January 10.

(II) A state agency may submit a request for a supplemental appropriation to the joint budget committee after its applicable deadline if the supplemental appropriation is based upon circumstances unknown to, and not reasonably foreseeable by, the state agency prior to the deadline.

(c) Any deadline in this subsection (3) is the date during the state fiscal year that the request for a supplemental appropriation is made.

(4) The office of state planning and budgeting may submit a request identified in this section to the joint budget committee on behalf of a state agency, and in such case, the corresponding deadline for the request applies to the office.

(5) A state agency or the office of state planning and budgeting acting on behalf of a state agency shall meet the deadlines and requirements set forth in section 24-37-304 (1)(c.3) and (1)(c.5) for a capital construction, capital renewal, controlled maintenance, or information technology budget request or budget request amendment, including a budget request amendment that is related to a request for a supplemental appropriation, prior to the submission of any such budget request to the joint budget committee pursuant to this section.

(6) For purposes of this section, the office of administrative services for independent agencies in the judicial department, created in section 13-100-103, is a state agency. Included agencies, as defined in section 13-100-102, are not state agencies for purposes of base budget submissions or budget request submissions.

Source: L. 2013: Entire section added, (HB 13-1179), ch. 123, p. 415, § 1, effective August 7. **L. 2017:** (3)(b)(I) amended, (HB 17-1329), ch. 381, p. 1968, § 12, effective June 6. **L. 2018:** (5) added, (HB 18-1371), ch. 312, p. 1875, § 2, effective August 8. **L. 2024:** (6) added, (SB 24-217), ch. 308, p. 2083, § 2, effective May 31; (3)(b)(I) amended, (HB 24-1385), ch. 90, p. 294, § 1, effective August 7. **L. 2026:** (1) and (6) amended and (1.5) added, (HB 26-1408), ch. 287, p. 1581, § 1, effective June 1.

2-3-209. Long-range financial plan - definitions.

(1) As used in this section, "state agency" means a state agency that submits a budget request to the joint budget committee in accordance with section 2-3-208, whether the request is submitted directly by the state agency or by the office of state planning and budgeting on behalf of the state agency.

(2) Each state agency shall develop a long-range financial plan on or before November 1, 2019, and update the plan on or before November 1 of each of the next four years thereafter. The purpose of the long-range financial plan is to:

(a) Require the state agency to anticipate and strategically plan for future contingencies that may impact the state agency's ability to meet its performance goals;

(b) Assist the state agency as it prepares its annual budget request;

(c) Provide additional information to the general assembly so that it can appropriate money in light of possible future changes; and

(d) Provide notice to the public about the potential growth or decline of state government in the future.

(3) The department of state, the department of treasury, the department of law, and the judicial branch shall each publish the required components of the long-range financial plan for their respective state agencies. The office of state planning and budgeting shall publish the required components of the long-range financial plan in its annual budget instructions for all other state agencies. A long-range financial plan submitted pursuant to this subsection (3) may include the following components:

(a) A statement of the state agency's mission;

(b) A description of the major functions of the state agency;

(c) A description of the state agency's performance goals;

(d) A performance evaluation of the state agency's major programs, including an identification of programs that may not be meeting the program objectives or performance goals, and a recommendation on strategies to improve performance;

(e) A description of anticipated trends, conditions, or events that could impact the ability of the state agency to meet its goals and objectives; and

(f) A description of any programs currently funded in whole or in part with federal funds or gifts, grants, or donations that the department anticipates will decrease in the future and, therefore, may require state money as a backfill.

(4) Each state agency shall submit a copy of its long-range financial plan to the joint budget committee along with its budget request that is submitted in accordance with section 2-3-208; except that, if the office of state planning and budgeting submits a budget request on behalf of a state agency, the office may also submit the state agency's long-range financial plan.

(5) Notwithstanding section 24-1-136 (11)(a)(I), the requirement to update and submit the long-range financial plan continues as set forth in subsection (2) of this section. A long-range financial plan remains in effect until it is updated for the next state fiscal year. To the extent

possible, the state agency shall utilize information that is included in the state agency's annual performance report prepared in accordance with section 2-7-205.

(6) Each state agency shall post its long-range financial plans on its official website at the same time it is submitted to the joint budget committee.

Source: L. 2018: Entire section added, (HB 18-1430), ch. 356, p. 2117, § 2, effective August 8.

Cross references: For the legislative declaration in HB 18-1430, see section 1 of chapter 356, Session Laws of Colorado 2018.

2-3-210. Evidence-based decision-making - budget requests - legislative declaration.

(1) The general assembly hereby finds and declares that:

(a) The use of the best available research evidence in the analysis of programs and practices implemented and delivered by state agencies is an effective means through which funding decisions concerning the improvement, expansion, discontinuation, or redirection of funds can be achieved;

(b) The integration of the best available research evidence regarding the effectiveness of programs, practices, or incremental changes to programs and practices within the budget process will provide members of the general assembly information that can be used in the prioritization of requests for funding for new or existing programs and practices in the state; and

(c) Evidence-based decision-making is the intersection of the best available research evidence, decision-makers' expertise, constituent needs, and implementation context. Evidence-based decision-making recognizes that research evidence alone is not the only contributing factor to policy and budget decisions.

(2) Repealed.

(3) (a) If a state agency or the office of state planning and budgeting includes information on the best available research evidence regarding the effectiveness of a program or practice in a budget request, request for a supplemental appropriation, or budget request amendment submitted in accordance with section 2-3-208, the state agency or office shall describe the program or practice using one of the following evidence designations:

(I) "Evidence-informed" means that the best available research evidence supports the effectiveness of the program or practice, as demonstrated by at least one quality evaluation that shows improvement over time;

(II) "Harmful" means that the best available research evidence shows the program or practice is associated with harm, as demonstrated by at least one quality evaluation that shows harm over time;

(III) "Insufficient evidence" means that the best available research evidence is not yet robust enough to achieve the harmful, evidence-informed, promising, or proven evidence designations outlined in this subsection (3)(a);

(IV) "Promising" means that the best available research evidence supports the effectiveness of the program or practice, as demonstrated by at least one quality evaluation with a strong comparison group; or

(V) "Proven" means that the best available research evidence supports the effectiveness of a program or practice, as demonstrated by at least one quality randomized controlled trial or at least two quality evaluations with strong comparison groups.

(a.5) (I) If a budget request, request for a supplemental appropriation, or budget request amendment does not meet the definition of a program or practice, the state agency or the office of state planning and budgeting may include with its request that an evidence designation is not applicable.

(II) If the best available research evidence regarding a program or practice in a budget request, request for a supplemental appropriation, or budget request amendment does not include an evaluation measuring relevant outcomes that meets the methodological requirements for an evidence designation set forth in subsection (3)(a) of this section, the state agency or the office of state planning and budgeting may include that the request is ineligible for an evidence designation.

(b) If subsection (3)(a) of this section applies, the state agency or the office of state planning and budgeting shall also provide the following information to justify its selected evidence designation:

(I) A summary of the best available research evidence about the program or practice;

(II) Any plans to evaluate the program or practice to build evidence regarding its effectiveness; and

(III) Information concerning how the best available research evidence is connected to the budget request, request for a supplemental appropriation, or budget request amendment.

(c) If subsections (3)(a) and (3)(b) of this section apply, joint budget committee staff, as part of the responsibilities described in section 2-3-204, shall review the information provided

pursuant to subsection (3)(b) of this section and other relevant evidence, as necessary. Joint budget committee staff shall include an evidence designation pursuant to subsection (3)(a) of this section or state that such designation is not applicable or that the request is ineligible pursuant to subsection (3)(a.5) of this section as part of any recommendation it makes regarding a budget request, request for a supplemental appropriation, or budget request amendment.

(4) and (5) Repealed.

(6) State agencies shall participate in the evidence-based decision-making process, including investing in building evidence, as applicable, to work toward the harmful, evidence-informed, promising, and proven evidence designations outlined in this section.

Source: L. 2021: Entire section added, (SB 21-284), ch. 445, p. 2937, § 1, effective September 7. **L. 2024:** (1), IP(2), (2)(a), (2)(c), (2)(d), and (3) amended, (2)(b), (2)(f), (4), and (5) repealed, and (6) added, (HB 24-1428), ch. 89, p. 289, § 3, effective August 7. **L. 2025:** (2) repealed and (3)(a.5)(I) amended, (SB 25-275), ch. 377, pp. 2109, 2030, §§ 336, 13, effective August 6.

Editor's note: Subsection (2) was relocated to § 2-3-200.3 in 2025.

2-3-211. Potential budgetary impact - litigation - executive session.

(1) The attorney general, or the attorney general's designee, may notify the joint budget committee that an executive session is requested to discuss potential budgetary impacts of current litigation.

(2) The joint budget committee may meet with the attorney general, or the attorney general's designee, in an executive session to discuss potential budgetary impacts of current litigation. The provisions of section 24-6-402 apply to the executive session, but the committee is not required to identify a case to be discussed in the announcement for the executive session.

(3) In preparing information in accordance with subsection (1) or (2) of this section, the department of law may consult with legislative council staff and the office of legislative legal services.

(4) A document prepared pursuant to this section is not a public record for purposes of the "Colorado Open Records Act", part 2 of article 72 of title 24.

Source: L. 2026: Entire section added, (HB 26-1426), ch. 334, p. 1981, § 1, effective August 12.

PART 3

LEGISLATIVE COUNCIL

2-3-300.3. Definitions.

As used in this part 3, unless the context otherwise requires:

(1) "Council" means the legislative council created in section 2-3-301 (1).

Source: L. 2025: Entire section added, (SB 25-275), ch. 377, p. 2030, § 14, effective August 6.

2-3-301. Legislative council created - executive committee created.

(1) There is hereby created a legislative council, which consists of an executive committee, six senators with majority party members appointed by the president of the senate and minority party members appointed by the minority leader of the senate, with the approval of a majority vote of the members elected to the senate, and six representatives with majority party members appointed by the speaker of the house of representatives and minority party members appointed by the minority leader of the house of representatives, with the approval of a majority vote of the members elected to the house of representatives. Except as otherwise provided in subsection (1.5) of this section, the executive committee consists of the president of the senate, the majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, the majority leader of the house of representatives, and the minority leader of the house of representatives, all of whom are ex officio members of the council. The speaker of the house of representatives and the president of the senate shall alternately serve as the chair and vice-chair of the executive committee and serve for one-year terms. All ex officio members of the council have and may exercise all the powers, privileges, and duties of other members.

(1.5) (a) In order to expedite the work of the executive committee, for each period commencing after a general election and ending following the convening of the next general assembly when a new executive committee is formed pursuant to subsection (1) of this section, a temporary executive committee comprised of the legislators selected by their respective party caucuses as the speaker of the house of representatives, the president of the senate, and the majority and minority leaders of the senate and the house of representatives for the next general assembly shall be formed.

(b) Except as otherwise provided in paragraph (c) of this subsection (1.5), the temporary executive committee shall assume all of the duties and powers of the executive committee previously formed in accordance with subsection (1) of this section.

(c) The executive committee previously formed pursuant to subsection (1) of this section shall retain all powers and duties related to any special session of the general assembly called prior to the convening of the next general assembly and all legislative management functions pertaining to matters arising prior to the convening of the next general assembly.

(d) Each member of the temporary executive committee shall have the same powers and duties with respect to the business of the temporary executive committee as all other members of the temporary executive committee, whether the member is a member of the then current general assembly, a member-elect of the next general assembly, or both.

(2) Appointments or reappointments of all members of the council shall be made no later than ten days after the convening of the first regular session of each general assembly. An appointing authority may make an appointment to temporarily replace a current member of the committee appointed by that appointing authority; except that a temporary appointment does not require approval of a majority of the members elected to the applicable body. Membership on the council terminates with the appointment of a member's successor or upon the termination of a member's term of office in the general assembly, whichever first occurs. A member may be appointed to succeed himself or herself.

(2.5) An ex officio member of the council may make an appointment to temporarily replace himself or herself at a meeting of the council. A member temporarily appointed under this subsection (2.5) shall not replace the ex officio member at a meeting of the executive committee.

(3) The party representation on the council shall be in proportion generally to the relative number of members of the two major political parties in each house of the general assembly, but in no event shall a minority party be represented by less than one council member from the senate and two council members from the house of representatives.

(4) Vacancies in the membership of the council shall be filled in the same manner as original appointments are made.

(5) The legislative council may be a committee of reference for bills and joint resolutions that allocate any additional legislative staff resources.

Source: L. 53: p. 335, § 1. **CRS 53:** § 63-5-1. **C.R.S. 1963:** § 63-4-1. **L. 69:** p. 461, § 3. **L. 93:** Entire section amended, p. 2102, § 1, effective June 9. **L. 99:** (1) amended, p. 408, § 2, effective August 4. **L. 2001:** (1) amended and (1.5) added, p. 1216, § 1, effective August 8. **L. 2003:** (1.5)(c) amended, p. 1982, § 3, effective May 22. **L. 2013:** (5) added, (HB 13-1299), ch. 382, p. 2242, § 4, effective June 5. **L. 2016:** (1) and (2) amended, (SB 16-156), ch. 282, p. 1155,

§ 2, effective June 10. **L. 2019:** (2.5) added, (HB 19-1173), ch. 92, p. 339, § 1, effective August 2. **L. 2025:** (1) amended, (SB 25-275), ch. 377, p. 2031, § 15, effective August 6.

ANNOTATION

Law reviews. For article, "Legislative Bill Drafting", see 26 Rocky Mt. L. Rev. 368 (1954). For article, "Colorado's Legislative Council", see 26 Rocky Mt. L. Rev. 415 (1954).

2-3-302. Organization - meetings.

(1) The chair and vice-chair of the executive committee shall serve as the chair and vice-chair of the council; and the council shall prescribe its own rules of procedure, and may appoint subcommittees from the membership of the general assembly and other persons to assist in carrying out its functions.

(2) The council shall meet as often as may be necessary to perform its functions, but it shall not meet less frequently than once in each quarter of the calendar year.

(3) Nine members shall constitute a quorum, and a majority thereof, or of the number of members present if more than a quorum, shall have authority to act on any matter within the jurisdiction of the council.

Source: L. 53: p. 336, § 2. **CRS 53:** § 63-5-2. **C.R.S. 1963:** § 63-4-2. **L. 93:** Entire section amended, p. 2103, § 2, effective June 9. **L. 99:** (1) amended, p. 409, § 3, effective August 4. **L. 2016:** (1) amended, (SB 16-156), ch. 282, p. 1155, § 3, effective June 10.

2-3-303. Functions - report - definitions - repeal.

(1) In addition to any other powers and duties set forth in law, the council has the following powers and duties:

(a) To collect information concerning the government and general welfare of the state;

(b) To examine the effects of constitutional provisions and statutes and recommend desirable alterations;

(c) To consider important issues of public policy and questions of statewide interest;

(d) To prepare for presentation to the members and various sessions of the general assembly such reports, bills, or otherwise, as the welfare of the state may require;

(e) To expend moneys or authorize the expenditure of moneys to accomplish the functions contained in this section out of moneys appropriated to the council by the general assembly;

(f) To approve bills recommended by interim legislative council committees or other committees created by statute or resolution which operate during the interim;

(g) To review the ballot information booklet prepared by the director of research at a public hearing in accordance with section 1-40-124.5;

(h) To approve agreements between the director of research of the legislative council and nonpartisan organizations to place nonpartisan legislative policy fellows in the legislative council staff to conduct policy-related research; prepare policy, fiscal, economic, or technological analyses; support legislators and committees; and complete other assignments or projects as directed by the director of research. The council shall not approve any agreement between the director of research of the legislative council and a nonpartisan organization that is registered as a lobbyist with the secretary of state to place a nonpartisan legislative policy fellow in the legislative council staff. An agreement entered into by the director of research and approved by the council pursuant to this subsection (1)(h) must ensure that the director of research retains supervisory authority over fellows placed within the legislative council staff, including over the terms and conditions of the fellowship. An agreement must also specify that any work product produced by a fellow during the fellowship remains the property of the general assembly during and after the conclusion of the fellowship.

(2) In addition to any other powers and duties set forth in law, the executive committee of the legislative council has the following powers and duties:

(a) To consider, recommend, and establish policies relating to legislative management and legislative procedures, including but not limited to deadlines for the legislative session, guidelines on the format of bills, allocation of space in the capitol for legislative purposes, and lobbying practices;

(b) To consider and approve the budget requests from the legislative service agency directors for the legislative service agencies;

(c) To prepare and introduce the legislative appropriation bill each year;

(d) To establish policies about the retention of records by the legislative service agencies of the general assembly, including the retention of records relating to legislative review of rules and regulations promulgated by executive branch agencies pursuant to section 24-4-103, C.R.S.;

(e) Repealed.

(f) To coordinate the televising via cable television and webcast of proceedings of the house of representatives and the senate with the Colorado channel authority created in article 49.9 of title 24, C.R.S.;

(g) (I) To consider, recommend, and establish policies allowing legislative committees to take remote testimony from government officials and employees as well as other members of the public.

(II) and (III) (Deleted by amendment, L. 2022.)

(IV) Nothing in this subsection (2)(g) supersedes the power of the house of representatives or the senate to adopt rules or joint rules, or both, for the orderly conduct of their affairs.

(V) (Deleted by amendment, L. 2022.)

(h) (I) The power to allow members of the general assembly to participate electronically in legislative proceedings and to recommend, develop, and establish policies regarding electronic participation if so allowed; except that, if allowed, electronic participation must only be allowed for:

(A) Committee meetings occurring during the legislative interim or other meetings of a committee comprised of members from both chambers convened at any time during the year. This subsection (2)(h)(I)(A) does not apply to a joint meeting of one or more house committees of reference and one or more senate committees of reference; or

(B) Legislative proceedings, including floor proceedings, committee meetings or hearings, and other legislative business occurring during a disaster emergency declared by the governor in accordance with section 24-33.5-704 that is caused by a public health emergency infecting or exposing a great number of people to disease, agents, toxins, or other such threats.

(II) A member participating electronically in a committee meeting occurring during the legislative interim pursuant to subsection (2)(h)(I)(A) of this section is deemed to be in attendance of that committee for the purpose of receiving compensation to which the member is entitled under section 2-2-307 (3). Notwithstanding section 2-2-307 (3)(b), members participating electronically in interim committee meetings are not entitled to reimbursement for any expenses incurred in connection with such electronic participation.

(III) A member participating electronically in a legislative proceeding pursuant to subsection (2)(h)(I)(B) of this section is not entitled to reimbursement for any expenses incurred in connection with such electronic participation; except that, if the member cannot participate electronically from the member's home due to a technological limitation or incapacity at that location, the member may receive reimbursement for actual and necessary expenses incurred to travel to an alternate location in order to participate electronically. A request for reimbursement under this subsection (2)(h)(III) is subject to the guidelines for reimbursement and substantiation requirements established by the executive committee of the legislative council in accordance with section 2-2-317 (2)(c), and the amount of reimbursement must not exceed the amount the member would customarily receive for travel expenses under section 2-2-317 (2)(a) or (2)(b).

(IV) Nothing in this subsection (2)(h) supersedes the power of the senate or the house of representatives to adopt rules or joint rules, or both, for the orderly conduct of its affairs.

(3) (a) In addition to the powers and duties specified in subsection (2) of this section, the executive committee of the legislative council shall annually approve a salary pay range to be used in setting the salaries of the legislative service agency directors.

(b) The legislative audit committee, the joint budget committee, the legislative council, and the committee on legal services shall each submit an annual report to the executive committee evaluating the performance of the legislative service agency director under such committee's supervision.

(c) Upon review of the reports received pursuant to paragraph (b) of this subsection (3), the executive committee shall evaluate the performance of legislative service agency directors and determine the salaries to be paid thereto.

(d) The executive committee shall appoint legislative service agency directors, other than the state auditor, after receiving recommendations thereon from the respective committees.

(e) The executive committee shall consult with the legislative audit committee concerning the appointment of a state auditor before the legislative audit committee places the names of candidates before the general assembly in accordance with section 2-3-101 (3)(a).

(f) The executive committee shall annually approve salary pay ranges to be used in determining the salaries of the staffs of legislative service agencies. Legislative service agency directors shall determine the salaries to be paid to their respective staffs in accordance with such pay ranges; except that employees of the office of the state auditor who are within the state personnel system shall be paid in accordance with article 50 of title 24, C.R.S. Each legislative service agency director shall file a report annually with the executive committee setting forth the salaries paid to their respective staffs.

(g) Any senator or representative or any legislative committee may provide the executive committee or any legislative service agency director with information or recommendations concerning pay ranges or performance evaluations for legislative service agency directors or the staffs of legislative service agencies.

(h) As used in this subsection (3), unless the context otherwise requires:

(I) "Legislative service agencies" means the office of the state auditor, the joint budget committee staff, the legislative council staff, and the office of legislative legal services.

(II) "Legislative service agency director" means the state auditor, the staff director of the joint budget committee, the director of research of the legislative council, and the director of the office of legislative legal services.

(i) (I) (A) On or after March 12, 2024, but before December 31, 2024, on or after January 1, 2025, but before December 31, 2025, and on or after January 1, 2026, but before December 31, 2026, the executive committee shall consider the application of section 24-6-402 to the general assembly at a meeting of the executive committee. The executive committee shall allow the opportunity to receive public comment in connection with the meeting.

(B) This subsection (3)(i)(I) is repealed, effective July 1, 2027.

(II) On or after January 1, 2027, upon request by a member of the executive committee, the executive committee shall consider the application of section 24-6-402 to the general assembly at a meeting of the executive committee. The executive committee shall allow the opportunity to receive public comment in connection with the meeting.

(4) The executive committee has the power and responsibility to:

(a) Perform legislative management functions when the general assembly is not in session; and

(b) Set the date for convening the next regular session of the general assembly as provided in section 2-2-303.5 (4).

Source: L. 53: p. 336, § 3. **CRS 53:** § 63-5-3. **C.R.S. 1963:** § 63-4-3. **L. 93:** Entire section amended, p. 2103, § 3, effective June 9. **L. 94:** (4) amended, p. 580, § 3, effective April 7; (2)(e) added, p. 1836, § 3, effective June 1; (1)(g) amended, p. 1689, § 4, effective January 19, 1995. **L. 2000:** (2)(e) repealed, p. 22, § 3, effective August 2. **L. 2009:** (2)(f) added, (HB 09-1307), ch. 283, p. 1291, § 3, effective August 5. **L. 2014:** IP(2) amended and (2)(g) added, (HB 14-1303), ch. 289, p. 1183, § 1, effective August 6. **L. 2017:** (2)(h) added, (HB 17-1113), ch. 218, p. 849, § 2, effective May 24. **L. 2021:** (2)(h) amended, (HB 21-1003), ch. 2, p. 4, § 1, effective January 20. **L. 2022:** (2)(g) amended, (HB 22-1413), ch. 425, p. 3014, § 1, effective June 7. **L. 2024:** (3)(i) added, (SB 24-157), ch. 23, p. 66, § 3, effective March 12. **L. 2025:** IP(1) amended and (1)(h) added, (SB 25-309), ch. 300, p. 1531, § 1, effective August 6. **L. 2026:** (2)(h)(I)(A) and (2)(h)(II) amended, (HB 26-1068), ch. 16, p. 78, § 1, effective March 26.

Cross references: For the legislative declaration in HB 17-1113, see section 1 of chapter 218, Session Laws of Colorado 2017.

2-3-303.3. Interim committees - repeal.

(1) Commencing on and after June 5, 2013, interim committees may not be requested by a legislative member by bill or resolution. No later than a day certain of a regular legislative

session as established in the joint rules of the senate and house of representatives, a legislative member may submit a request in writing to the legislative council created in section 2-3-301 (1) regarding an issue that he or she wishes to study during the next interim between sessions. At minimum, the request must specify:

(a) The scope of the policy issues to be studied;

(b) The number of meetings that would be necessary to study the issues;

(c) The suggested number and composition of legislative members on the interim committee;

(d) Whether other nonlegislative members should have a role in the interim committee;

(e) Whether a task force would be necessary to assist the interim committee in studying the scope of issues and, if so, the members and composition of such a task force; and

(f) (I) An estimate of the maximum number of bills the interim committee will need in order to address the issues studied by the interim committee.

(II) Any interim committee bills are exempt from the five-bill limitation specified in rule 24 of the joint rules of the senate and the house of representatives.

(2) No later than a day certain of a regular legislative session as established in the joint rules of the senate and house of representatives, the director of research of the legislative council shall determine the number of interim committee meetings that may be held within the legislative budget and shall provide that information to the executive committee of the legislative council.

(3) (a) No later than a day certain of a regular legislative session as established in the joint rules of the senate and house of representatives, the legislative council shall meet to review and prioritize requests made by legislative members pursuant to subsection (1) of this section. Such review and prioritization must take into account the information provided by the director of research of the legislative council as specified in subsection (2) of this section. The legislative council shall also determine if any of the prioritized interim committees may create a task force. If a task force is approved, such task force shall include no more than two legislative members, one from the majority party and one from the minority party of the interim committee. Legislative members on a task force are only entitled to receive necessary travel costs and are not entitled to per diem pursuant to section 2-2-307. For purposes of carrying out the task force's duties, the legislative council may accept and expend money, gifts, grants, donations, services, and in-kind donations from any public or private entity for any direct or indirect costs associated with the duties of the task force; except that the legislative council may not accept money, gifts, grants, donations, services, or in-kind donations if acceptance is subject to conditions that are inconsistent with state law or requires a predetermined conclusion or result from the task force. The legislative council shall request that the entity offering the money, gift, grant, donation, services, or in-kind donation submit a letter prior to the offer specifying the amount of money, gift, grant, or donation offered, or the estimated value of the services or in-kind donation offered,

the period for which the money, gift, grant, donation, services, or in-kind donation is available, and the specific purposes for which the money, gift, grant, donation, services, or in-kind donation is to be used.

(b) The president of the senate, the speaker of the house of representatives, and the minority and majority leaders of both houses shall appoint the legislative members to any prioritized interim committees or approved task forces.

(c) After the general assembly has adjourned, if an issue is brought to the attention of the executive committee of the legislative council and the executive committee determines that the issue is the result of changed circumstances or new circumstances and is appropriate material for an interim committee that is meeting during that interim between legislative sessions, the executive committee of the legislative council may add the interim committee by adopting a resolution. The resolution must include the items specified in the legislative member's written request for an interim study.

(d) to (f) Repealed.

(g) (I) Notwithstanding any provision of this section, the legislative council shall not prioritize any interim committees or approve any task forces for the 2026 interim. Nothing in this subsection (3)(g) prohibits the executive committee of the legislative council, whether before or after the general assembly has adjourned, from approving an interim committee by resolution for the 2026 interim in the manner specified in subsection (3)(c) of this section.

(II) This subsection (3)(g) is repealed, effective July 1, 2027.

(h) (I) During the 2026 interim, an interim committee shall not request more than five bills to be drafted and shall not recommend more than three bills for introduction in the 2027 regular session.

(II) This subsection (3)(h) is repealed, effective July 1, 2027.

(4) Notwithstanding any provision to the contrary, an interim committee shall only meet during the interim.

Source: L. 93: Entire section added, p. 2105, § 4, effective June 9. **L. 2000:** Entire section amended, p. 115, § 1, effective March 15. **L. 2010:** Entire section amended, (SB 10-213), ch. 375, p. 1760, § 1, effective June 7. **L. 2013:** Entire section R&RE, (HB 13-1299), ch. 382, p. 2242, § 5, effective June 5. **L. 2014:** IP(1), (2), and (3)(a) amended, (SB 14-153), ch. 390, p. 1966, § 30, effective June 6. **L. 2020:** (3)(d) added, (SB 20-214), ch. 200, p. 979, § 1, effective June 30. **L. 2025:** (3)(e) and (3)(f) added, (SB 25-199), ch. 149, p. 565, § 1, effective April 30. **L. 2026:** (3)(g), (3)(h), and (4) added, (HB 26-1331), ch. 329, p. 1916, § 1, effective June 2.

Editor's note: (1) Subsection (3)(d)(II) provided for the repeal of subsection (3)(d), effective July 1, 2021. (See L. 2020, p. 979.)

(2) Subsections (3)(e)(II) and (3)(f)(II) provided for the repeal of subsections (3)(e) and (3)(f), respectively, effective July 1, 2026. (See L. 2025, p. 565.)

2-3-304. Director of research - assistants.

(1) The council shall interview persons applying for the position of director of research as to qualifications and ability and shall make recommendations thereon to the executive committee, which shall appoint the director of research as provided in section 2-3-303 (3)(d). The director of research shall be responsible to the council for the collection and assembling of all data and for the preparation of reports, recommendations, and bills. Documents prepared or assembled by the director or employees of the director shall be considered work product, as defined in section 24-72-202 (6.5), C.R.S. The director shall, subject to the general policies of the council, have administrative direction over the activities of the council. The director shall be paid a salary determined by the executive committee in accordance with section 2-3-303 (3)(a). The director shall be an employee of the general assembly and shall not be subject to the state personnel system laws. The director shall be appointed without reference to affiliation and solely on the basis of such director's ability to perform the duties of the position.

(2) The director of research, with approval of the council, may appoint such additional professional, technical, clerical, or other employees necessary to perform the functions assigned to the director of research by the council.

(3) Effective January 1, 1983, the director of research shall contract, pursuant to section 39-1-104 (16), C.R.S., for the property tax study to be conducted as required in said subsection (16).

(4) Effective July 1, 1994, the director of research shall be responsible for the forecasting of adult and juvenile offender populations within the criminal justice system for the general assembly. The division of criminal justice of the department of public safety shall provide information to the director concerning population projections, research data, modeling information, and any other related data requested by the director. The executive directors of the departments of corrections and human services and the state court administrator shall provide information to the director concerning population projections, research data, and the projected long-range needs of the institutions under the control of the executive directors and any other related data requested by the director.

(5) Effective July 1, 1994, the director of research shall be responsible for reviewing any bill which is introduced by the general assembly which affects criminal sentencing and which may result in a net increase or a net decrease in periods of imprisonment in state correctional facilities for the purpose of providing information to the general assembly on the long-term fiscal impact

which may result from the passage of the bill, including the increased capital construction costs and increased operating costs for the first five fiscal years following passage.

(6) Repealed.

(7) Pursuant to the process set forth in part 2 of article 70 of title 24, C.R.S., and notwithstanding the provisions of section 24-70-217, C.R.S., if authorized by the executive committee of the legislative council, the director of research, in conjunction with the legislative council print shop, may submit proposals for printing of the first class, as described in section 24-70-203 (1)(a), C.R.S.

(8) Repealed.

Source: L. 53: p. 336, § 4. **CRS 53:** § 63-5-4. **C.R.S. 1963:** § 63-4-4. **L. 81:** Entire section amended, p. 1398, § 9, effective January 1, 1983. **L. 88:** Entire section amended, p. 306, § 6, effective May 23. **L. 93:** Entire section amended, p. 2108, § 9, effective June 9. **L. 94:** Entire section amended, p. 1096, § 6, effective May 9; entire section amended, p. 1625, § 12, effective May 31; (4) amended, p. 2614, § 20, effective July 1. **L. 96:** (6) added, p. 1155, § 4, effective January 1, 1997. **L. 99:** (1) amended, p. 163, § 21, effective August 4. **L. 2000:** (6) repealed, p. 585, § 11, effective May 18. **L. 2008:** (7) added, p. 900, § 1, effective May 20. **L. 2009:** (1) amended, (HB 09-1348), ch. 358, p. 1863, § 2, effective June 1. **L. 2019:** (8) added, (SB 19-248), ch. 269, p. 2518, § 1, effective May 23.

Editor's note: (1) Amendments to this section by Senate Bill 94-206, House Bill 94-1029, and House Bill 94-1340 were harmonized.

(2) Subsection (8)(f) provided for the repeal of subsection (8), effective June 30, 2020. (See L. 2019, p. 2518.)

2-3-304.5. Tax policy changes - dynamic model - pilot program - advisory committee.

(1) The director of research shall establish a pilot program for the purpose of developing or procuring a dynamic model to analyze the economic impact of bills introduced by the general assembly that can be used as soon as possible.

(2) The director of research shall investigate all opportunities for developing or procuring a dynamic model, including private, nonprofit, and academic alternatives. Any dynamic model selected by the director shall consider the direct and indirect or secondary economic effects related to the bill, including an estimate of the probable behavioral responses of taxpayers,

businesses, and other persons to the proposed tax policy change. It is not necessary that the model be kept at the director's office.

(3) Repealed.

(4) (a) Prior to the first regular session that the dynamic model can be used, the director of research shall notify the executive committee of the legislative council that the dynamic model is ready to be used to analyze bills during the upcoming regular session. If the model is ready, the executive committee shall select no more than ten bills to be analyzed using the dynamic model. Only bills that make a tax policy change are eligible to be analyzed. The analysis of the economic impact using a dynamic model shall be in addition to any fiscal note that is prepared pursuant to the rules of the general assembly.

(b) After the first regular session in which the dynamic model is used, the director of research shall prepare a report evaluating how the dynamic model worked during the session and making recommendations for the use of the dynamic model in future sessions of the general assembly, including the feasibility of expanding the scope of the type of bills for which the dynamic model may be used. The report shall be prepared no later than January 1 of the year following the session in which the dynamic model was used.

(5) (a) It is the intent of the general assembly that for the fiscal year commencing on July 1, 2006, no general fund moneys be appropriated for the purpose of implementing this section.

(b) The director of research is authorized to accept gifts, grants, or donations from private or public sources for the purposes of this section. All private and public funds received through gifts, grants, or donations shall be transmitted to the state treasurer, who shall credit the same to the dynamic modeling cash fund, which fund is hereby created and referred to in this subsection (5) as the "fund". The moneys in the fund shall be subject to appropriation by the general assembly for the direct and indirect costs associated with the implementation of this section. Any moneys in the fund not expended for the purpose of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.

(c) Except as otherwise provided in subsection (3) of this section, the director of research shall not undertake the pilot program unless the balance in the fund is one hundred twenty thousand dollars. If the balance of the fund is at least one hundred twenty thousand dollars, then the director of research shall contract with an independent contractor to help implement the provisions of this section.

Source: L. 2005: Entire section added, p. 703, § 1, effective June 1. **L. 2006:** (1), (4), (5)(a), and (5)(c) amended, p. 1617, § 1, effective August 7.

Editor's note: Subsection (3)(d) provided for the repeal of subsection (3), effective July 1, 2008. (See L. 2005, p. 703.)

2-3-305. Requests of the governor.

The governor may present, at any meeting of the council, in person or in writing, requests, recommendations, reports, and explanations of the policies of the administration, or any other matters pertaining to the government of the state or its policies.

Source: L. 53: p. 337, § 5. **CRS 53:** § 63-5-5. **C.R.S. 1963:** § 63-4-5.

2-3-306. Authority to subpoena witnesses.

The council has the power to subpoena witnesses, to take testimony under oath, and to assemble records and documents, by subpoena duces tecum or otherwise, with the same power and authority as courts of record, and may apply to courts of record for the enforcement of these powers. The sheriff of any county shall serve any subpoena on written order of the council in the same manner as process is served in civil actions. Witnesses subpoenaed to appear before the council shall receive the same fees and expenses as witnesses in civil cases.

Source: L. 53: p. 337, § 6. **CRS 53:** § 63-5-6. **C.R.S. 1963:** § 63-4-6.

Cross references: For fees and expenses allowed in civil actions, see §§ 13-33-102 and 13-33-103; for the authority of the general assembly to compel attendance of witnesses, see § 2-2-313; for the authority of the legislative audit committee to subpoena witnesses, see § 2-3-107.

2-3-307. Minutes of council.

The council shall keep minutes of its meetings which shall be available to all members of the general assembly upon request. Any member of the general assembly has the right to attend any

of the meetings of the council and may present his views on any subject which the council may be considering.

Source: L. 53: p. 337, § 7. **CRS 53:** § 63-5-7. **C.R.S. 1963:** § 63-4-7.

2-3-308. Recommendations and findings.

The recommendations and findings of the council shall be made available in electronic or hard copy format to each member of the general assembly, to the governor, and to the state library, prior to the next regular session of the general assembly, or at such other times as the council deems necessary, or as requested by the general assembly.

Source: L. 53: p. 337, § 8. **CRS 53:** § 63-5-8. **C.R.S. 1963:** § 63-4-8. **C.R.S. 1963:** § 63-4-8. **L. 2000:** Entire section amended, p. 115, § 2, effective March 15.

2-3-309. Reimbursement of members for expenses.

Members of the council shall be reimbursed for necessary expenses in connection with the performance of their duties.

Source: L. 53: p. 338, § 9. **CRS 53:** § 63-5-9. **C.R.S. 1963:** § 63-4-9.

Cross references: For compensation and expenses for members on the council, see § 2-2-307.

2-3-310. Centralized legislative accounting service.

(1) The legislative council shall establish and maintain a centralized legislative accounting service under the supervision of the director of research of the council, which service shall maintain all accounting records, process all vouchers, and prepare all related documents for the legislative department of state government, including all offices and agencies thereof. The council may authorize any and all of such offices and agencies to maintain subsidiary accounting records and to prepare vouchers, but such records and vouchers shall conform to the system of accounting established by said accounting service, and each such office and agency shall make

such reports to said service as may be necessary for it to maintain current and complete records for the legislative department.

(2) The provisions of this section shall not apply to the procurement and budgetary functions of offices and agencies in the legislative department.

Source: L. 68: p. 53, § 1. **C.R.S. 1963:** § 63-4-10.

2-3-311. Interstate cooperation.

(1) The legislative council shall:

(a) Carry forward the participation of this state as a member of the council of state governments;

(b) Encourage and assist state officials and employees to cooperate with officials and employees of other states, the federal government, and local governments.

(2) (a) The council of state governments and the national conference of state legislatures are declared to be joint governmental agencies of this state and of other states which cooperate through them. The general assembly is authorized to subscribe to membership in such organizations and to pay membership fees therein from appropriations made to the legislative department of state government.

(b) The energy council is declared to be a joint governmental agency of this state and other states which cooperate through it. The general assembly is authorized to pay membership fees therein from appropriations made to the legislative department of state government.

(c) The American legislative exchange council is declared to be a joint governmental agency of this state and of other states which cooperate through it. Members of the general assembly are authorized to subscribe to membership in such organization. Membership fees shall be paid by the individual members; except that when members of the general assembly are selected by the president of the senate or the speaker of the house of representatives to represent the interests of Colorado at American legislative exchange council functions, the delegation selected shall reflect equally the percentage of members from each party of the general assembly, and the actual and necessary expenses of such members for travel, board, and lodging related to such attendance may be paid from appropriations made to the legislative department of state government.

(d) Members of the general assembly are authorized to accept the payment of or reimbursement for actual and necessary expenses for travel, board, and lodging from any organization declared to be a joint governmental agency of this state under this subsection (2) if:

(I) (A) The expenses are related to the member's attendance at a convention or meeting of the joint governmental agency at which the member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the state of Colorado or for some other legitimate state purpose;

(B) The travel, board, and lodging arrangements are appropriate for purposes of the member's attendance at the convention or meeting;

(C) The duration of the member's stay is no longer than is reasonably necessary for the member to accomplish the purpose of his or her attendance at the convention or meeting; except that nothing in this sub-subparagraph (C) shall prohibit a member from extending the duration of his or her stay longer than is reasonably necessary at the member's own expense;

(D) The member is not currently and will not subsequent to the convention or meeting be in a position to take any official action that will benefit the joint governmental agency; and

(E) The attendance at conventions or meetings of the joint governmental agency has been approved by the executive committee of the legislative council or by the leadership of the house of the general assembly to which the member belongs; or

(II) The general assembly pays regular monthly, annual, or other periodic dues to the joint governmental agency that are invoiced expressly to cover travel, board, and lodging expenses for the attendance of members at conventions or meetings of the joint governmental agency.

(3) The Colorado commission on interstate cooperation is abolished on July 1, 1977. All of the books, records, reports, equipment, property, accounts, liabilities, and funds of the Colorado commission on interstate cooperation are transferred to the legislative council on July 1, 1977.

(4) (a) Any organization declared to be a joint governmental agency of this state under subsection (2) of this section that maintains its headquarters in the state of Colorado may, from time to time, issue bonds for the purpose of acquiring, constructing, improving, and equipping buildings and facilities owned or to be owned by such organization. Such bonds shall be issued pursuant to resolution of the executive committee or governing board of the organization and shall be payable solely out of all or a specified portion of the revenues as designated by the executive committee or governing board. Such bonds may be further secured by a pledge of the buildings and facilities financed with the proceeds of the bonds.

(b) Bonds may be executed and delivered by the organization at such times, may be in such form and denominations and include such terms and maturities, may be subject to optional or mandatory redemption prior to maturity with or without a premium, may be in fully registered form registrable as to principal or interest or both, may bear such conversion privileges, may be payable in such installments and at such times not exceeding forty years from the date thereof, may be payable at such place or places whether within or outside the state, may bear interest at such rate or rates per annum, which may be fixed or variable according to index, procedure, or

formula or as determined by the organization or its agents, without regard to any interest rate limitation appearing in any other law of this state, may be subject to purchase at the option of the holder or the organization, may be evidenced in such manner, may be executed by such officers of the organization, including the use of one or more facsimile signatures so long as at least one manual signature appears on the bonds, which may be either of an officer of the organization or of an agent authenticating the same, may be in the form of coupon bonds that have attached interest coupons bearing a manual or facsimile signature of an officer of the organization, and may contain such provisions not inconsistent with the foregoing, all as provided in the resolution of the organization under which the bonds are authorized to be issued or as provided in a trust indenture between the organization and any commercial bank or trust company having full trust powers.

(c) The bonds may be sold at public or private sale at such price or prices, in such manner, and at such times as determined by the executive committee or governing board of the organization, and such executive committee or governing board may pay all fees, expenses, and commissions that it deems necessary or advantageous in connection with the sale of the bonds. The power to fix the date of the sale of the bonds, to receive bids or proposals, to award and sell bonds to fix interest rates, and to take all other action necessary to sell and deliver the bonds may be delegated to an officer or agent of the organization. Any outstanding bonds may be refunded by the organization pursuant to resolution of the executive committee or governing board of the organization. All bonds and any interest coupons applicable thereto are declared to be negotiable instruments.

(d) The resolution or trust indenture authorizing the issuance of bonds may pledge all or a portion of the revenues of the organization, may contain such provisions for protecting and enforcing the rights and remedies of holders of any of the bonds as the organization deems appropriate, may set forth the rights and remedies of the holders of any of the bonds, and may contain provisions that the organization deems appropriate for the security of the holders of the bonds, including, but not limited to, provisions for letters of credit, insurance, standby credit agreements, or other forms of credit insuring timely payment of the bonds, including the redemption price or the purchase price.

(e) Any pledge of revenues or property made by the organization or by any person or governmental unit with which the organization contracts shall be valid and binding from the time the pledge is made. The revenues or property so pledged shall immediately be subject to the lien of such pledge without any physical delivery or further act and the lien of such pledge shall be valid and binding against all parties having claims of any kind in tort, contract, or otherwise against the pledging party, irrespective of whether such claiming party has notice of such lien. The instrument by which the pledge is created need not be recorded or filed.

(f) Neither the members of the executive committee or governing board of the organization, employees of the organization, nor any person executing the bonds shall be liable personally on the bonds or subject to any personal liability or accountability by reason of the issuance thereof.

(g) The organization may purchase its bonds out of any available funds and may hold, pledge, cancel, or resell such bonds subject to and in accordance with agreements with the holders thereof.

(h) Any bonds issued by the organization and the transfer of and income from any bonds issued by the organization shall be exempt from all taxation and assessments in the state.

(i) Bonds issued under this article shall be deemed issued on behalf of the organization but shall not be deemed to constitute a multiple-fiscal year direct or indirect district debt or other financial obligation whatsoever of the state for purposes of section 20 of article X of the state constitution or a debt, liability, obligation, or pledge of the full faith and credit of the state or any political subdivision thereof other than the organization, but shall be payable solely from the revenue or property of the organization pledged for such payment. Each bond issued on behalf of the organization under this subsection (4) shall contain on its face a statement to the effect that neither the state nor any political subdivision thereof other than the organization shall be obligated to pay the same or the interest thereon and that neither the full faith and credit nor the taxing power of this state nor any political subdivision thereof other than the organization is pledged to the payment of the principal or interest on such bond.

(j) Nothing in this subsection (4) shall be construed to obligate the general assembly to subscribe to membership or pay membership fees to any organization declared to be a joint governmental agency of the state pursuant to subsection (2) of this section.

Source: L. 77: Entire section added, p. 259, § 1, effective July 1. **L. 79:** (2) amended, p. 1661, § 125, effective July 19. **L. 87:** (2) amended, p. 350, § 1, effective July 10. **L. 89:** (2)(b)(II) amended, p. 334, § 1, effective April 8; (2)(b) RC&RE, p. 1644, § 9, effective June 5. **L. 91:** (2)(c) added, p. 699, § 1, effective May 1. **L. 94:** (2)(b) RC&RE, p. 652, § 1, effective April 15. **L. 2000:** (4) added, p. 1672, § 1, effective June 1. **L. 2010:** (2)(d) added, (SB 10-099), ch. 184, p. 660, § 2, effective August 11.

Editor's note: (1) Subsection (2)(b)(II), contained in House Bill 89-1246, provided for the extension of the repeal of subsection (2)(b) from March 15, 1989, to March 15, 1991; however, the governor did not sign the act until April 8, 1989, resulting in the repeal of subsection (2)(b) prior to March 15, 1991. House Bill 89-1250 further amended House Bill 89-1246 to reflect the original intent of House Bill 89-1246 by recreating and reenacting subsection (2)(b) and

reestablishing the repeal date of March 15, 1991. House Bill 89-1250 was signed by the governor on June 5, 1989.

(2) Subsection (2)(b)(II) provided for the repeal of subsection (2)(b), effective March 15, 1991. (See L. 1989, p. 1644.)

Cross references: For the legislative declaration in the 2010 act adding subsection (2)(d), see section 1 of chapter 184, Session Laws of Colorado 2010.

2-3-312. Opportunities to include tribal governments - reports - definition - repeal. (Repealed)

Source: L. 2022: Entire section added, (SB 22-104), ch. 218, p. 1432, § 2, effective August 10.

Editor's note: Subsection (3) provided for the repeal of this section, effective June 30, 2023. (See L. 2022, p. 1432.)

2-3-313. Legislative council staff - study correctional release options for aging and seriously ill offenders.

(1) Legislative council staff shall conduct a study of options for releasing aging and seriously ill offenders from secure custody to appropriate care or placing offenders in alternative programs that can better provide the offender's needed medical care.

(2) The study must include, but is not limited to:

(a) A review of the compassionate release or special needs parole laws of other states, including a review of the federal compassionate release laws;

(b) A description of placement programs in use in other states that have been shown to be effective in addressing the transition and placement of the aging and seriously ill offender population, including a description of the funding sources used to support the programs, which must include medicaid, medicare, social security, and any other governmental resources;

(c) Identifying alternative facilities that are available in Colorado to receive aging and seriously ill offenders, including nursing homes and other community-based residential or nonresidential programs;

(d) A description of the ability of current or future community corrections providers to develop placements and programs to serve the aging and seriously ill offender population, including whether the existing community corrections programs have the ability to serve persons with disabilities in residential or nonresidential programs;

(e) A description of the ability of the department to access medicaid or other health-care funds for placements outside of the department, the extent of the funding, and how the funding could be increased by the placement of aging and seriously ill offenders in the community;

(f) Identifying any statutory or other legal regulations that create barriers to the implementation of community-based programs for the placement and transition of aging and special needs offenders; and

(g) Evaluating the feasibility of opening or retrofitting one or more locations to be operated by the department of corrections as an elder-care facility for aging and ill inmates.

(3) Legislative council staff shall prepare a report summarizing the results of the study required by this section before December 15, 2025, and shall submit the report to the department, the joint budget committee, the legislative audit committee, and the house of representatives judiciary committee and the senate judiciary committee, or their successor committees.

Source: L. 2025: Entire section added, (SB 25-190), ch. 286, p. 1479, § 4, effective August 6.

PART 4

COMMISSION ON INTERSTATE COOPERATION

2-3-401 to 2-3-406. (Repealed)

Source: L. 77: Entire part repealed, p. 259, § 2, effective July 1.

Editor's note: This part 4 was numbered as article 1 of chapter 74, C.R.S. 1963. For amendments to this part 4 prior to its repeal in 1977, consult the Colorado statutory research explanatory note and the table itemizing the replacement volumes and supplements to the original volume of C.R.S. 1973 beginning on page vii in the front of this volume.

PART 5

COMMITTEE ON LEGAL SERVICES - OFFICE OF LEGISLATIVE LEGAL SERVICES

Editor's note: This part 5 was numbered as article 1 of chapter 135, C.R.S. 1963. The substantive provisions of this part 5 were repealed and reenacted in 1968, resulting in the addition, relocation, and elimination of sections as well as subject matter. For amendments to this part 5 prior to 1968, consult the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

2-3-500.3. Definitions.

As used in this part 5, unless the context otherwise requires:

(1) "Committee" means the committee on legal services created in section 2-3-501.

(2) "Office" means the office of legislative legal services created in section 2-3-501.

Source: L. 2025: Entire section added, (SB 25-275), ch. 377, p. 2031, § 16, effective August 6.

2-3-501. Legal services in legislative department - committee on legal services - office of legislative legal services.

In order to better provide for the legal services for the general assembly, including the drafting of legislation and the revision and publication of the laws of this state, and to provide for the best technical advice and information to be available to the general assembly, agencies of state government, and the people of this state, and to provide for the professional preparation, drafting, revision, and publication of laws, there is hereby created in the legislative department a committee on legal services and an office of legislative legal services.

Source: L. 68: R&RE, p. 140, § 178. **L. 69:** p. 464, § 1. **C.R.S. 1963:** § 63-3-1. **L. 88:** Entire section amended, p. 307, § 7, effective May 23. **L. 2025:** Entire section amended, (SB 25-275), ch. 377, p. 2031, § 17, effective August 6.

ANNOTATION

Law reviews. For article, "Legislative Bill Drafting", see 23 Rocky Mt. L. Rev. 127 (1950). For article, "Can American State Legislatures Keep Pace?", see 26 Rocky Mt. L. Rev. 468 (1954).

2-3-502. Committee on legal services - membership - duties.

(1) Except as provided in part 3 of this article, the committee shall supervise and direct the operations of the office of legislative legal services.

(2) The committee may designate one or more subcommittees from among its membership to perform any duties of the committee with respect to the supervision and direction of the office of legislative legal services.

(3) The membership of the committee consists of ten members of the general assembly. The ten legislative members of the committee are as follows: The respective chairs of the house and senate committees on judiciary or their respective designees; four members from the house of representatives, two from each major political party, one of whom shall be an attorney-at-law, if there is an attorney-at-law in each party, appointed by the speaker and the minority leader of the house of representatives, respectively, with the approval of a majority of the members elected to the house of representatives; and four members from the senate, two from each major political party, one of whom shall be an attorney-at-law, if there is an attorney-at-law in each party, appointed by the president and the minority leader of the senate, respectively, with the approval of a majority of the members elected to the senate.

(4) The eight appointive members of the committee shall be appointed no later than ten days after the convening of the first regular session of each general assembly. An appointing authority may make an appointment to temporarily replace a current member of the committee appointed by that appointing authority. In addition, the president of the senate may make an appointment to temporarily replace the chair of the senate committee on judiciary or the chair's respective designee currently serving on the committee and the speaker of the house of the representatives may make an appointment to temporarily replace the chair of the house committee on judiciary or the chair's designee currently serving on the committee; except that a temporary appointment made pursuant to this subsection (4) does not require approval of a majority of the members elected to the applicable body. Membership on the committee of each such appointive member terminates upon the appointment of his or her successor or upon termination of a member's term of office in the general assembly, whichever first occurs. The membership of a judiciary committee chair terminates upon the termination of his or her term of office in the designated position. Any member may be appointed to succeed himself or herself on the committee. Vacancies in the committee's membership shall be filled in the same manner as original appointments; except that the approval of the members elected to the general assembly is not necessary if any such appointment is made when the general assembly is not in session.

(5) The committee shall select from among its members a committee chair and vice-chair, and it shall prescribe its own rules of procedure. The committee may meet as often as necessary, but it shall meet at least twice in each calendar year.

(6) Members of the committee shall be reimbursed for necessary expenses incurred in the performance of their duties and shall be paid the same per diem compensation as provided by law for members of interim legislative committees for each day of attendance.

(7) If any law or other document of this state refers to the legislative drafting committee or to the committee on statute revision, said law or other document shall be deemed to refer to the committee on legal services.

(8) Notwithstanding any provision of section 24-6-402 to the contrary, the committee may take action on the question of retaining legal counsel pursuant to section 2-3-1001 by a poll of the committee members without holding a meeting, unless a committee member objects to polling on the question. The director of the office of legislative legal services or the director's designees may conduct the poll by in-person, electronic, or digital communication with committee members. Approval of the question by a majority of the committee members in response to the poll has the same effect as if the question were approved by a majority vote of the committee members taken in a committee meeting. If the committee approves a question by poll, the committee shall post on the committee website a notice of vote to retain counsel that at a minimum specifies the name of the legal counsel to be retained, the legal matter for which the legal counsel will provide representation, and the committee, agency, or individual that the legal counsel will represent. The notice of vote to retain counsel shall be posted within three business days after the poll is completed.

Source: L. 68: R&RE, p. 140, § 178. **L. 69:** p. 464, § 1. **C.R.S. 1963:** § 63-3-2. **L. 71:** p. 628, § 1. **L. 73:** p. 674, § 1. **L. 79:** (3) amended, p. 299, § 1, effective July 13. **L. 81:** (6) amended, p. 2022, § 2, effective July 14. **L. 85:** (3) and (4) amended, p. 276, § 1, effective June 13. **L. 88:** (1) and (2) amended, p. 307, § 8, effective May 23. **L. 93:** (1) amended, p. 2108, § 10, effective June 9. **L. 94:** (1) amended, p. 1625, § 13, effective May 31. **L. 2016:** (3) and (4) amended, (SB 16-156), ch. 282, p. 1155, § 4, effective June 10. **L. 2022:** (5) amended and (8) added, (SB 22-062), ch. 17, p. 130, § 1, effective August 10.

Cross references: For compensation for members of interim legislative committees, see § 2-2-307 (3).

2-3-503. Director - staff - revisor.

(1) The committee shall interview persons applying for the position of staff director as to qualifications and ability and shall make recommendations thereon to the executive committee, which shall appoint the director as provided in section 2-3-303 (3). The director of the office of legislative legal services shall be an attorney-at-law. The director shall be responsible to the committee for the provision of staff assistance in the performance of the committee's duties and functions. The director, with the approval of the committee, may appoint such attorneys-at-law and technical and clerical personnel as may be necessary for the efficient operation of the office. The director and all employees of the office shall be appointed without regard to affiliation and solely on the basis of their ability to perform their duties. They shall be employees of the general assembly and shall not be subject to the state personnel system laws. The director shall be paid a salary determined by the executive committee in accordance with section 2-3-303 (3).

(2) The director shall be, ex officio, the revisor of statutes; except that the director, in his discretion, may appoint an employee of the office to be the revisor of statutes and to exercise the powers and perform the duties and functions assigned to the revisor by part 7 of this article or by any other law.

Source: L. 68: R&RE, p. 140, § 178. **C.R.S. 1963:** § 63-3-3. **L. 88:** Entire section R&RE, p. 307, § 9, effective May 23. **L. 93:** (1) amended, p. 2108, § 11, effective June 9. **L. 94:** (1) amended, p. 1625, § 14, effective May 31. **L. 99:** (1) amended, p. 163, § 22, effective August 4.

2-3-504. Duties of office.

(1) The office shall:

(a) Upon the request of any member of the general assembly or the governor, draft or aid in drafting legislative bills, resolutions, memorials, amendments thereto, conference reports, and such other legislative documents and papers as may be required in the legislative process;

(b) Prepare a digest of laws enacted by the general assembly, approved or vetoed by the governor, immediately upon the adjournment of any regular or special session;

(c) In the interim between sessions of the general assembly, prepare drafts of proposed legislation for legislative interim committees appointed by the legislative council or otherwise;

(d) Prepare, at the request of any legislative committee, summaries of existing laws affected by proposed legislation, compilations of laws in other states relating to the subject matter of such legislation, and statements on the operation and effect of such laws;

(e) Keep on file records concerning legislative bills and the proceedings of the general assembly with respect to such bills; subject indexes of bills introduced at each session of the general assembly; files on each bill prepared for members of the general assembly and the governor; and such documents, pamphlets, or other literature relating to proposed or pending legislation, without undue duplication of material contained in the office of the legislative council or in the supreme court library. All such records and documents shall be made available in the office at reasonable times to the public for reference purposes, unless said records are classed as confidential under this part 5.

(f) Cooperate with legislative drafting offices or corresponding services of other states, and with other legislative drafting service agencies, either public or private;

(g) Aid and assist in the enrolling and engrossing of bills and such other services as the general assembly may require.

Source: L. 68: R&RE, p. 141, § 178. **C.R.S. 1963:** § 63-3-4. **L. 88:** (1)(g) added, p. 308, § 10, effective May 23.

2-3-505. Requests for drafting bills and amendments - confidential nature thereof - lobbying for bills.

(1) All requests made to the office for the drafting of bills or amendments thereto shall be submitted, either in writing or orally, by the legislator or by the governor or the governor's representative making the request, with a general statement respecting the policies and purposes which the person making the request desires the bill or amendment to accomplish. The office shall draft each bill or amendment to conform to the purposes so stated or to supplementary instructions of the person making the original request.

(2) (a) Prior to the introduction of a bill or amendment in the general assembly, no employee of the office shall reveal to any person outside the office the contents or nature of such bill or amendment, except with the consent of the person making the request. Nothing in this section shall prohibit the disclosure to the staff of any legislative service agency of such information concerning bills or amendments prior to introduction as is necessary to expedite the preparation of fiscal notes, as provided by the rules of the general assembly, but such staff shall not reveal the contents or nature of such bills or amendments to any other person without the consent of the person making the request.

(b) All documents prepared or assembled in response to a request for a bill or amendment, other than the introduced version of a bill or amendment that was in fact introduced, shall be considered work product, as defined in section 24-72-202 (6.5), C.R.S.

(c) (I) The final version of all documents prepared or assembled by the office for a member of the general assembly but not in response to a request for a bill or amendment and not containing legal analysis or expressing a legal opinion or conclusion shall not be considered work product as defined in section 24-72-202 (6.5), C.R.S. Except as otherwise provided in paragraph (e) of this subsection (2), the final version of such documents shall be a public record. These documents include, but are not limited to:

(A) Comparisons of existing law with the provisions of any bill or amendment, comparisons of any bills or amendments with other bills or amendments, comparisons of different versions of bills or amendments, and comparisons of the laws of this state with laws of other jurisdictions;

(B) Compilations of existing public information, statistics, or data;

(C) Compilations or explanations of general areas or bodies of law, legislative history, or legislative policy.

(II) Prior to delivery of the final version of such a document to the member who requested it, no employee of the office shall reveal to any person outside the office the contents or nature of the document, except with the consent of the member making the request.

(d) If a member of the general assembly requests a legal opinion or document from the office that is the same as or substantially similar to a legal opinion or document previously requested by another member, the office may produce an identical or substantially similar legal opinion or document for the second member. The office shall not disclose the identity of any member who made a previous request.

(e) A member may request that the final version of a document that would otherwise become a public record in accordance with paragraph (c) of this subsection (2) remain work product.

(3) No employee of the office shall lobby, personally or in any other manner, directly or indirectly, for or against any pending legislation before the general assembly.

Source: L. 68: R&RE, p. 141, § 178. **C.R.S. 1963:** § 63-3-5. **L. 88:** Entire section amended, p. 308, § 11, effective May 23. **L. 96:** Entire section amended, p. 1479, § 2, effective June 1. **L. 97:** (2) amended, p. 1103, § 1, effective August 6.

2-3-506. Use of supreme court library.

The librarian of the supreme court library shall facilitate the work of the office by permitting the liberal withdrawal of materials and data therefrom, subject to such reasonable rules as may be necessary for the proper operation of the library.

Source: L. 68: R&RE, p. 141, § 178. **C.R.S. 1963:** § 63-3-6.

2-3-507. Office space in or near capitol - office hours - appropriations.

(1) The office shall be provided with suitable office space in the state capitol complex that is within one-quarter mile of the capitol building, so situated as to be convenient for the members of the general assembly. Throughout the year, the office shall be kept open during the hours prevailing in other legislative staff offices in or near the state capitol, and at such other times in order to efficiently serve the general assembly.

(2) Adequate appropriations shall be made to carry out the purposes of this part 5, to be included in the appropriation to the legislative department. The controller is authorized and directed to draw warrants monthly in payment of the salaries of personnel, and in payment of expenditures of the office, on vouchers signed by the chair of the committee or, in the absence of the chair, by the vice-chair; except that any payroll voucher or any other voucher that does not exceed five thousand dollars may be signed by the staff director or, with prior written approval of the chair of the committee, by the staff director's authorized designee.

Source: L. 68: R&RE, p. 141, § 178. **C.R.S. 1963:** § 63-3-7. **L. 93:** (2) amended, p. 348, § 1, effective April 12. **L. 2016:** (2) amended, (SB 16-031), ch. 23, p. 55, § 1, effective March 18. **L. 2023:** (1) amended, (SB 23-306), ch. 412, p. 2443, § 2, effective June 6.

2-3-508. Terminology - references.

The office of legislative legal services shall be the successor in every way of the legislative drafting office and the office of revisor of statutes, and every contract, agreement, or other document entered into by the legislative drafting office or the office of revisor of statutes prior to May 23, 1988, is deemed to have been entered into by the office of legislative legal services. The director and the employees of the legislative drafting office and the office of revisor of statutes shall become employees of the office of legislative legal services on May 23, 1988. The director and such employees shall retain all accrued rights to retirement and other benefits under the laws of the state, and their service shall be deemed to have been continuous. If any law of this state refers to the legislative drafting office or the office of revisor of statutes, said law shall be construed as referring to the office of legislative legal services.

Source: L. 68: R&RE, p. 142, § 178. **C.R.S. 1963:** § 63-3-8. **L. 88:** Entire section R&RE, p. 308, § 12, effective May 23.

2-3-509. Transfer of employees. (Repealed)

Source: L. 68: p. 142, § 180. **C.R.S. 1963:** § 63-3-9. **L. 88:** Entire section repealed, p. 313, § 24, effective May 23.

2-3-510. Study regarding an organizational recodification of title 12 of the Colorado Revised Statutes - legislative declaration - repeal. (Repealed)

Source: L. 2016: Entire section added, (SB 16-163), ch. 283, p. 1157, § 1, effective June 10. **L. 2018:** (2)(b) and (4) amended, (SB 18-031), ch. 285, p. 1772, § 1, effective August 8.

Editor's note: Subsection (4) provided for the repeal of this section, effective September 1, 2019. (See L. 2018, p. 1772.)

2-3-511. Legislative human resources division - creation - duties - records - definitions.

(1) The legislative human resources division is created in the office of legislative legal services. The head of the division is the director of the legislative human resources division. The director of the office of legislative legal services shall appoint the director of the legislative human resources division and, in accordance with section 2-3-503 (1), may appoint such additional staff as may be necessary for the efficient operation of the division.

(2) The legislative human resources division shall provide human resource services to the general assembly, its members and employees, the legislative staff agencies, and, to the extent they are covered by any policies administered by the division, third parties, including the investigation of complaints under the workplace expectations policy or under the workplace harassment policy.

(2.5) In accordance with section 24-34-408 (2), the legislative human resources division is the designated repository of all written or oral complaints of discriminatory or unfair employment practices for each employer in the legislative department. The division shall preserve any written or oral complaints of discrimination or unfair employment practices as

specified in section 24-34-408 (2), and such records shall be treated as specified in section 24-34-408 (2) for purposes of the "Colorado Open Records Act", part 2 of article 72 of title 24.

(3) (a) Except as otherwise provided in subsection (3)(b) or (3.5) of this section, records created and maintained by the legislative human resources division that are related to a workplace harassment complaint or investigation under the workplace harassment policy, a complaint under the workplace expectations policy, or an inquiry or request concerning workplace harassment or conduct, whether or not the complaint, investigation, inquiry, or request leads to a formal or informal complaint or resolution process, are not public records as defined in section 24-72-202 (6) and shall not be made available for public inspection.

(b) Notwithstanding section 24-72-204 (3)(a)(X):

(I) The director of the legislative human resources division shall publish and make available to the public an annual statistical report showing the total number of complaints received under the workplace harassment policy and the workplace expectations policy and their resolution. The director shall ensure that the report does not contain information that would disclose the identity of a complainant, respondent, or witness.

(II) Records of the expenditure of public money on complaints, investigations, or other functions of the legislative human resources division are public records subject to inspection in accordance with part 2 of article 72 of title 24, except to the extent that they contain information that would disclose the details of, or the identity of an individual involved in, a complaint, investigation, inquiry, or request concerning workplace harassment or conduct.

(3.5) (a) Records created and maintained by the legislative human resources division that are related to a sexual harassment complaint or investigation or an inquiry or request concerning sexual harassment are public records as defined in section 24-72-202 (6) and shall be made available for public inspection in accordance with section 24-72-204 (9) if:

(I) The complaint, investigation, inquiry, or request is regarding a member of the general assembly;

(II) The complaint, investigation, inquiry, or request leads to a formal or informal complaint or resolution process; and

(III) The complaint or resolution process concludes that the member of the general assembly is culpable for any act of sexual harassment.

(b) (I) Regardless of whether a request for records is made pursuant to the "Colorado Open Records Act", part 2 of article 72 of title 24, and except as provided in subsection (3.5)(b)(II) of this section, if, after an investigation in accordance with the workplace harassment policy, a workplace harassment committee of the senate or house of representatives determines that the facts found in the investigation establish that it is more likely than not that a member of the general assembly violated the policy, the director of the legislative human resources division

shall make available to the public the executive summary of the report of the investigation and the name of the member. The director shall ensure that the executive summary does not contain information that would disclose the identity of the complainant or any witness.

(II) A workplace harassment committee of the senate or house of representatives may decide by a two-thirds vote not to release the executive summary as required by subsection (3.5)(b)(I) of this section. The committee shall meet in executive session to determine whether to release the executive summary or any portion of the executive summary and shall take into consideration the severity of the conduct alleged, any patterns of harassing behavior by the member, and the public's interest in being informed of the conduct of elected officials. Notwithstanding this subsection (3.5)(b)(II), if a request for records is made pursuant to the "Colorado Open Records Act", part 2 of article 72 of title 24, for an executive summary of an investigation of an act of sexual harassment for which a member of the general assembly is found culpable, the executive summary is a public record as defined in section 24-72-202 (6) and shall be made available for inspection in accordance with section 24-72-204 (9), even if the committee voted not to release the executive summary.

(4) The legislative human resources division shall be provided with suitable office space in the state capitol or in a nearby building. The office space must be situated so as to provide confidentiality and convenient access for individuals seeking human resource services from the division.

(5) As used in this section, unless the context otherwise requires:

(a) "Workplace expectations policy" means the workplace expectations policy adopted by the executive committee of the legislative council pursuant to the joint rules.

(b) "Workplace harassment policy" means the workplace harassment policy adopted by the executive committee of the legislative council pursuant to the joint rules.

Source: L. 2019: Entire section added, (SB 19-244), ch. 243, p. 2375, § 1, effective May 20. **L. 2024:** (2.5) and (3.5) added and (3) amended, (SB 24-160), ch. 445, p. 3113, § 1, effective August 7. **L. 2025:** Entire section amended, (HB 25-1333), ch. 409, p. 2325, § 1, effective August 6.

PART 6

COLORADO COMMISSION ON UNIFORM STATE LAWS

2-3-600.3. Definitions.

As used in this part 6, unless the context otherwise requires:

(1) "Commission" means the Colorado commission on uniform state laws created in section 2-3-601 (1).

Source: L. 2025: Entire section added, (SB 25-275), ch. 377, p. 2032, § 19, effective August 6.

2-3-601. Commission on uniform state laws - creation.

(1) There is hereby created the Colorado commission on uniform state laws, which shall consist of six members appointed for terms of two years each and until their successors are appointed and, in addition thereto, any citizen of this state who is elected a life member of the National Conference of Commissioners on Uniform State Laws.

(2) The six members shall be appointed or reappointed by joint resolution of the general assembly no later than ten days after the convening of the first regular session of the general assembly held in each odd-numbered year. At least two commissioners shall be appointed from the general assembly and at least two commissioners from the public at large. Appointments to fill vacancies shall be made by the committee on legal services for the unexpired term of the vacant office.

(3) The six members of the commission shall be attorneys admitted to practice law in the state of Colorado.

(4) The terms of the two members of the commission appointed after July 18, 1975, shall be effective August 11, 1975; thereafter, the appointment of members to succeeding terms shall be in conformance with subsection (2) of this section.

Source: L. 68: p. 143, § 182. **C.R.S. 1963:** § 63-7-1. **L. 75:** Entire section amended, p. 200, § 1, effective July 18. **L. 81:** (1) amended, p. 2022, § 1, effective July 14. **L. 2025:** (1) amended, (SB 25-275), ch. 377, p. 2032, § 20, effective August 6.

ANNOTATION

Law reviews. For article, "Uniform State Laws", see 26 Rocky Mt. L. Rev. 450 (1954).

2-3-602. Compensation - expenses.

The members of the commission shall receive a per diem of twenty dollars for each day actually spent in the transaction of official business of the commission in the state of Colorado. In addition thereto, each member shall be reimbursed for expenses incurred in the performance of official duties.

Source: L. 68: p. 143, § 182. **C.R.S. 1963:** § 63-7-2.

2-3-603. Meetings - organization.

The commissioners shall meet at least once a year and shall organize by the election of a chairman who shall hold office for a term of one year and until his successor is elected. The director of the office of legislative legal services shall be ex officio the secretary of the commission, or the director may designate an employee of the office to act as secretary of the commission. The office shall provide assistance to the commissioners who are members of the general assembly in their efforts to enact legislation concerning subjects upon which uniformity may be deemed desirable.

Source: L. 68: p. 143, § 182. **C.R.S. 1963:** § 63-7-3. **L. 88:** Entire section amended, p. 308, § 13, effective May 23.

2-3-603.5. Status of commissioners.

(1) Any citizen elected a life member of the national conference of commissioners on uniform state laws pursuant to section 2-3-601 (1) and the person serving as ex officio secretary of the commission in accordance with section 2-3-603 shall have the same status as members of the commission appointed pursuant to section 2-3-601 (1) for purposes of participating in the national conference of commissioners on uniform state laws, including, but not limited to:

(a) Having the same voting rights at meetings of said national conference; and

(b) Having the same eligibility to be elected to any office of said national conference.

Source: L. 2008: Entire section added, p. 31, § 1, effective March 13.

2-3-604. Duties of commissioners.

Each commissioner shall attend the meeting of the national conference of commissioners on uniform state laws and, both in and out of such national conference, shall do all in his power to promote uniformity in state laws where uniformity may be deemed desirable and practicable. The commission shall prepare and transmit a report and its recommendations to the general assembly on or before January 1 of each year concerning subjects of legislation upon which uniformity among the states may be deemed desirable and concerning the proceedings and recommendations of the most recent meeting of the national conference of commissioners on uniform state laws.

Source: L. 68: p. 143, § 182. **C.R.S. 1963:** § 63-7-4.

PART 7

COMMITTEE ON LEGAL SERVICES - REVISOR OF STATUTES

2-3-700.3. Definitions.

As used in this part 7, unless the context otherwise requires:

(1) "Committee" means the committee on legal services created in section 2-3-501.

Source: L. 2025: Entire section added, (SB 25-275), ch. 377, p. 2032, § 18, effective August 6.

2-3-701. Function of committee - statute revision.

(1) With respect to statute revision, it is the function of the committee on legal services:

(a) Repealed.

(b) To supervise and direct the activities of the revisor; and to exercise the powers and to perform the duties and functions prescribed in articles 4 and 5 of this title, concerning the preparation and publication of the statutes of this state and other materials, and as prescribed in part 2 of article 70 of title 24, C.R.S., concerning the preparation and publication of the session laws of this state.

Source: L. 69: p. 465, § 2. **C.R.S. 1963:** § 63-3-11. **L. 88:** (1)(a) repealed, p. 313, § 24, effective May 23.

ANNOTATION

Law reviews. For article, "Colorado Statutes: Past, Present and Future", see 33 Rocky Mt. L. Rev. 36 (1960).

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

The committee is a legislative instrumentality created by this part of article 3 of title 2 for a service to the general assembly. In re Interrogatories of House of Representatives, 127 Colo. 160, 254 P.2d 853 (1953).

And its work in collecting, compiling, editing, and preparing the statutes as directed, is without effect standing alone. In re Interrogatories of House of Representatives, 127 Colo. 160, 254 P.2d 853 (1953).

In a sense, its province is clearly intended to be that of compiling and arranging the details for the general assembly. In re Interrogatories of House of Representatives, 127 Colo. 160, 254 P.2d 853 (1953).

And the action of the general assembly, as taken in its consideration, adoption, and approval of the work of the committee is final, definite and conclusive. In re Interrogatories of House of Representatives, 127 Colo. 160, 254 P.2d 853 (1953).

All authority delegated to the committee is subject to the final approval or withdrawal by the general assembly. In re Interrogatories of House of Representatives, 127 Colo. 160, 254 P.2d 853 (1953).

2-3-702. Revisor of statutes - duties.

The revisor shall compile, edit, arrange, and prepare for publication the declaration of independence, the constitutions of the United States and the state of Colorado, the act admitting Colorado into the union, and all laws of the state of Colorado of a general and permanent nature, together with a complete index thereto and comparative tables of such statutes with prior compilations. The statutory laws shall be arranged into appropriate and convenient volumes, titles, chapters, articles, and sections, so collated and in such form as the committee directs. At the end of each section, reference shall be made to the statutory history of such section. Annotations of decisions of the supreme court of the United States, the supreme court of the state of Colorado, and such other state and federal courts as are appropriate, construing, applying, or interpreting each section, or relating to the subject matter thereof, and such other matter as the committee deems advisable or advantageous shall also be prepared for publication with such statutory laws.

Source: L. 69: p. 465, § 2. **C.R.S. 1963:** § 63-3-12.

2-3-702.5. Directive to the revisor of statutes - changes in arrangement - repeal. (Repealed)

Source: L. 2016: Entire section added, (HB 16-1192), ch. 83, p. 212, § 1, effective April 14.

Editor's note: Subsection (2) provided for the repeal of this section, effective July 1, 2018. (See L. 2016, p. 212.)

2-3-703. Revision - editorial work.

In the course of collating, compiling, editing, arranging, and preparing such statutes, the revisor, with the approval of the committee, shall adopt a uniform system of punctuation, capitalization, numbering, and wording; eliminate all obsolete and redundant words; correct obvious errors and inconsistencies; eliminate duplications and laws repealed directly or by implication; correct defective section structure in arrangement of the subject matter of existing statutes; and clarify existing laws and such other similar matter as the committee directs. The foregoing duties shall be performed in such form and manner as to preserve the intent, effect, and meaning of any and every such statute revised.

Source: L. 69: p. 466, § 2. **C.R.S. 1963:** § 63-3-13.

Cross references: For preparation of Colorado Revised Statutes, see § 2-5-103; for legislative construction not based on editorial matters, see § 2-5-113 (4).

ANNOTATION

There is no substantive significance to the revisor's bifurcation of a section into two separate subsections. People v. North Ave. Furn. & Appliance, Inc., 645 P.2d 1291 (Colo. 1982).

Applied in People v. Owens, 670 P.2d 1233 (Colo. 1983).

2-3-704. Revisor to aid in bill drafting. (Repealed)

Source: L. 69: p. 466, § 2. **C.R.S. 1963:** § 63-3-14. **L. 88:** Entire section repealed, p. 313, § 24, effective May 23.

2-3-705. Distribution of statutes.

The distribution of the statutes of this state shall be in such numbers and to such offices and persons as the general assembly directs at the time of approval for publication of such statutes; but the committee shall be able to distribute such additional statutes of this state to such offices and persons as it may from time to time deem necessary.

Source: L. 69: p. 466, § 2. **C.R.S. 1963:** § 63-3-15.

2-3-706. Successor to committee on statute revision. (Repealed)

Source: L. 69: p. 466, § 2. **C.R.S. 1963:** § 63-3-16. **L. 88:** Entire section repealed, p. 313, § 24, effective May 23.

PART 8

COLORADO STATE OFFICIALS' COMPENSATION COMMISSION

2-3-801 to 2-3-807. (Repealed)

Editor's note: (1) This part 8 was added in 1975. For amendments to this part 8 prior to its repeal in 2016, consult the 2015 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

(2) Section 2-3-807 provided for the repeal of this part 8, effective January 1, 2016. (See L. 2015, p. 1062.)

PART 9

STATUTORY REVISION COMMITTEE

Editor's note: This part 9 was added in 1977. It was repealed in 1985 and was subsequently recreated and reenacted in 2016, resulting in the addition, relocation, or elimination of sections as well as subject matter. For amendments to this part 9 prior to 1985, consult the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

2-3-900.3. Definitions.

As used in this part 9, unless the context otherwise requires:

(1) "Committee" means the statutory revision committee created in section 2-3-901 (1).

Source: L. 2025: Entire section added, (SB 25-275), ch. 377, p. 2032, § 21, effective August 6.

2-3-901. Statutory revision committee - creation.

(1) There is hereby created in the legislative department the statutory revision committee. The committee consists of ten members, appointed as follows:

(a) The speaker and minority leader of the house of representatives shall each appoint two members from the house of representatives;

(b) The president and minority leader of the senate shall each appoint two members from the senate; and

(c) Two nonvoting nonlegislative members, appointed by the committee on legal services, who are attorneys-at-law admitted to practice in Colorado. The members appointed under this paragraph (c) shall not be affiliated with the same political party.

(2) The legislative members of the committee must be appointed no later than ten days after the convening of the first regular session of each general assembly and the nonlegislative members appointed under subsection (1)(c) of this section must be appointed at the first meeting of the committee on legal services following the organization of that committee pursuant to section 2-3-502 (4) in the first regular session of each general assembly. Membership on the committee of each such appointive member terminates upon the appointment of his or her successor or upon termination of his or her office in the general assembly, whichever occurs first. In the case of the members appointed under subsection (1)(c) of this section, appointments are

for two-year terms, which terms commence the date on which the committee on legal services makes the appointments.

(3) A vacancy in the office of a member must be immediately filled by the original appointing authority.

(4) Any member of the committee may serve for succeeding terms on the committee.

(5) The committee shall select from among its members a chairperson and a vice-chairperson. The chairperson and vice-chairperson shall not be affiliated with the same political party. The chair serves as chair for the first regular session of the general assembly through the legislative interim immediately following, and as vice-chair when the second regular session commences; the vice-chair serves as chair from the commencement of the second regular session through the legislative interim immediately following.

(6) The committee may meet as often as necessary, but it shall meet at least twice in each calendar year. The committee may meet during the legislative sessions and during the interim between sessions.

(7) Legislative members of the committee shall be reimbursed for necessary expenses incurred in the performance of their duties and paid the same per diem compensation as provided by law for members of interim legislative committees for each day of attendance.

(8) The office of legislative legal services shall provide staff assistance to the committee.

(9) Repealed.

Source: L. 2016: Entire part RC&RE, (HB 16-1077), ch. 326, p. 1323, § 1, effective June 10. **L. 2024:** (2) and (5) amended, (HB 24-1450), ch. 490, p. 3404, § 5, effective August 7. **L. 2025:** IP(1) amended, (SB 25-275), ch. 377, p. 2032, § 22, effective August 6.

Editor's note: Subsection (9)(c) provided for the repeal of subsection (9), effective January 1, 2018. (See L. 2016, p. 1323.)

2-3-902. Duties of committee.

(1) The committee shall:

(a) Make an ongoing examination of the statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed

reforms; except that the committee shall not consider any matter that is currently pending or appealable before any court;

(b) Receive, solicit, and consider proposed changes in the law recommended by the American law institute, any bar association, or other learned bodies;

(c) Receive, solicit, and consider suggestions from justices, judges, legislators, and other public officials, lawyers, and the public generally as to defects and anachronisms in the law;

(d) Recommend, upon an affirmative vote by at least five legislative members of the committee, and in accordance with subsection (3) of this section, legislation annually to effect such changes in the law as it deems necessary in order to modify or eliminate antiquated, redundant, or contradictory rules of law and to bring the law of this state into harmony with modern conditions; and

(e) Report its findings and recommendations on or before July 1 of each year to the legislature and, if it deems advisable, attach to its report copies of any proposed bills intended to carry out any of its recommendations.

(2) Any legislation proposed by the committee and sponsored by a committee member under paragraph (d) of subsection (1) of this section is exempt from the five-bill limitation specified in rule 24 of the joint rules of the senate and the house of representatives.

(3) The committee shall propose legislation only to streamline, reduce, or repeal provisions of the Colorado Revised Statutes. The committee shall endeavor to recommend legislation that cumulatively has, in each legislative session, no net increase in the number of laws or pages of laws in the Colorado Revised Statutes.

Source: L. 2016: Entire part RC&RE, (HB 16-1077), ch. 326, p. 1325, § 1, effective June 10. **L. 2020:** (1)(e) amended, (SB 20-034), ch. 4, p. 6, § 1, effective March 5.

PART 10

COMMITTEE ON LEGAL SERVICES - LEGAL COUNSEL FOR LEGISLATIVE BRANCH

2-3-1001. Legal counsel retained.

The committee on legal services may retain legal counsel to represent or otherwise render legal services for the general assembly, or either house thereof or any committee thereof, or any member or agency of the legislative branch of government, in all actions and proceedings in connection with the performance of the powers, duties, and functions thereof, and shall pay the

compensation and expenses of such legal counsel and any necessary expense of such actions and proceedings from appropriations made by law to the committee. The committee may retain legal counsel to represent or otherwise render legal services for the state auditor in any situation in which the state auditor is not represented by the attorney general in accordance with section 2-3-104.5.

Source: L. 77: Entire part added, p. 263, § 1, effective June 2. **L. 2020:** Entire section amended, (SB 20-063), ch. 12, p. 56, § 13, effective September 14.

2-3-1002. Legislative expenses cash fund - creation.

(1) (a) There is hereby created in the state treasury the legislative expenses cash fund. The fund shall be comprised of such moneys transferred to the fund in accordance with subsection (2) of this section and any other moneys appropriated to the fund. All interest earned on the investment of moneys in the fund shall be credited to the fund.

(b) Moneys in the legislative expenses cash fund are continuously appropriated to:

(I) The committee on legal services to pay the compensation and expenses of any legal counsel retained by the committee pursuant to section 2-3-1001 and to pay any necessary expense of such actions and proceedings for which such legal counsel is retained; and

(II) The executive committee of the legislative council to pay for qualified expenses of the legislative department of the state of Colorado if, after consulting with the chair of the committee on legal services, the executive committee determines that the amount of moneys to be so expended is not needed in the foreseeable future for any expenses of the committee on legal services specified in subparagraph (I) of this paragraph (b). For purposes of this subparagraph (II), "qualified expenses" means:

(A) Expenses relating to legislative aides;

(B) Expenses relating to the necessary upkeep and furnishing of the chambers, antechambers, and committee rooms of the senate and the house of representatives, and of the office space assigned to and occupied by legislators, staff of the senate and the house of representatives, and staff of the legislative service agencies; and

(C) Expenses relating to electronic voting equipment in the chambers of the senate and the house of representatives, such as expenses for all equipment, software, and personal services for the development, installation, and maintenance of such electronic voting equipment.

(c) Any moneys credited to the legislative expenses cash fund and unexpended at the end of any given fiscal year shall remain in the fund and shall not revert to the general fund.

(2) Notwithstanding any law to the contrary, any moneys appropriated from the general fund to the legislative department of the state government for the fiscal year commencing on July 1, 2006, that are unexpended or not encumbered as of the close of the fiscal year shall not revert to the general fund and shall be transferred by the state treasurer and the controller to the legislative expenses cash fund created in subsection (1) of this section; except that the amount so transferred shall not exceed six hundred thousand dollars.

Source: L. 2004: Entire section added, p. 411, § 4, effective April 8. **L. 2005:** (1) amended, p. 78, § 1, effective March 25. **L. 2007:** Entire section amended, p. 2124, § 3, effective April 11.

PART 11

COLORADO ENERGY COORDINATING COUNCIL

2-3-1101 to 2-3-1108. (Repealed)

Editor's note: (1) This part 11 was added in 1979 and was not amended prior to its repeal in 1979. For the text of this part 11 prior to its repeal, consult the Colorado statutory research explanatory note and the table itemizing the replacement volumes and supplements to the original volume of C.R.S. 1973 beginning on page vii in the front of this volume or see section 1 of chapter 49, Session Laws of Colorado 1979.

(2) Section 2-3-1108 provided for the repeal of this part 11, effective December 31, 1979. (See L. 79, p. 304.)

PART 12

SUNRISE AND SUNSET REVIEW

Law reviews: For article, "Legislative Oversight of Regulatory Agencies: The Colorado Sunset Experience", see 18 Colo. Law. 2129 (1989).

2-3-1201. Sunrise and sunset review - designation of committees of reference to conduct review.

(1) At the convening of the first regular session of each general assembly, the speaker of the house of representatives and the president of the senate shall each designate one or more house

committees of reference for even-numbered years and one or more senate committees of reference for odd-numbered years to perform the duties and functions assigned to it relating to the termination of each division, board, or agency pursuant to the provisions of section 24-34-104, C.R.S., and the duties and functions assigned to it by this part 12 relating to the sunset review of advisory committees. The committees of reference designated by the speaker of the house of representatives to conduct reviews under this section in even-numbered years and the committees of reference designated by the president of the senate to conduct such reviews in odd-numbered years shall be the committees of reference for any bills introduced under sections 2-3-1203 and 24-34-104, C.R.S., during any regular or extraordinary session of the general assembly. The speaker of the house of representatives may authorize one or more house committees of reference and the president of the senate may authorize one or more senate committees of reference to conduct hearings prior to the convening of any regular session of the general assembly.

(2) Repealed.

Source: L. 85: Entire part added, p. 279, § 1, effective May 23. **L. 86:** Entire section amended, p. 408, § 2, effective March 26. **L. 88:** Entire section amended, p. 1000, § 3, effective July 1. **L. 91:** Entire section amended, p. 677, § 1, effective April 20. **L. 96:** Entire section amended, p. 792, § 2, effective May 23.

Editor's note: Subsection (2)(b) provided for the repeal of subsection (2), effective February 1, 1997. (See L. 96, p. 792.)

2-3-1202. Staff assistance.

In carrying out duties under section 24-34-104, C.R.S., and this part 12, any committee designated pursuant to section 2-3-1201 may request staff assistance from the legislative council, created by part 3 of this article.

Source: L. 85: Entire part added, p. 279, § 1, effective May 23. **L. 96:** Entire section amended, § 3, p. 792, effective May 23.

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal.

(1) (a) The general assembly finds and declares that advisory committees are beneficial to government since they help involve private citizens in the daily operations of government and provide the government with a system for using the expertise of its citizens. However, historically there was no legislative supervision that would allow for the systematic review of these committees to identify those committees that may have outlived their usefulness yet remained in the statutes and those committees that may have failed to perform the functions for which they were created. To assure that newly created advisory committees are supervised and subjected to review, the life of a newly created advisory committee may not exceed ten years, and the statutory authorization for the committee must include a corresponding repeal provision. The general assembly, acting by bill, may reschedule the review date for an advisory committee to a later date if the rescheduled date does not violate the ten-year maximum life provision. Newly created advisory committees are subject to the review provisions of this section.

(b) As used in this section, "advisory committee" means an advisory body, including but not limited to a commission, council, or board.

(2) (a) A legislative committee of reference designated pursuant to section 2-3-1201 shall consider whether to continue or to continue with modification an advisory committee whose statutory authority is scheduled to repeal and may recommend the consideration of a bill as it deems necessary to continue the advisory committee.

(b) (I) Each advisory committee shall submit the following information to the department of regulatory agencies:

(A) The names of the current members of the advisory committee;

(B) All revenues and all expenditures, including advisory committee expenses per diem paid to members and any travel expenses;

(C) The dates the advisory committee met and the number of members who attended each meeting;

(D) A list of the advisory proposals the advisory committee made and an indication as to whether each proposal was acted on, implemented, or enacted into statute; and

(E) The reasons why the advisory committee should continue.

(II) The information required by subparagraph (I) of this paragraph (b) must be for the fiscal year in which the advisory committee makes the submission as well as the prior fiscal year. The advisory committee must submit the information before July 1 of the year preceding the year in which the statutory authorization for the advisory committee repeals.

(III) The department of regulatory agencies shall analyze and evaluate the performance of each advisory committee scheduled for repeal under this section. The department of regulatory agencies shall submit a report setting forth the analysis and evaluation to the office of legislative legal services by October 15 of the year preceding the date established for repeal.

(c) A legislative committee of reference designated in section 2-3-1201 shall conduct hearings for each advisory committee that submits the information required by paragraph (b) of this subsection (2).

(d) A bill recommended for consideration under this subsection (2) must be introduced in the house of representatives in even-numbered years and in the senate in odd-numbered years.

(e) A bill recommended for consideration under this subsection (2) does not count against the number of bills to which the sponsor is limited by a law or joint rule of the senate and house of representatives.

(3) to (15) Repealed.

(16) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2025:

(I) to (III) Repealed.

(IV) The behavioral health entity implementation and advisory committee, established in section 25-27.6-103.

(V) to (VII) Repealed.

(b) This subsection (16) is repealed, effective September 1, 2027.

(17) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2026:

(I) to (VI) Repealed.

(VII) The Colorado food systems advisory council created in section 23-31-1102.

(b) This subsection (17) is repealed, effective September 1, 2028.

(18) (a) The following statutory authorizations for the designated advisory committees will repeal on July 1, 2027:

(I) Repealed.

(II) The domestic violence fatality review board created in section 24-31-702.

(b) This subsection (18) is repealed, effective July 1, 2029.

(18.5) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2027:

(I) The nurse-physician advisory task force for Colorado health care created in section 12-30-105;

(II) The environmental justice advisory board created in section 25-1-134 (2);

(III) The artificial intelligence impact task force created in section 2-3-1707;

(IV) The concurrent enrollment advisory board created in section 22-35-107.

(b) This subsection (18.5) is repealed, effective September 1, 2029.

(19) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2028:

(I) The stroke advisory board created in section 25-3-115;

(II) The defense counsel on first appearance grant program created in section 24-32-123;

(III) The Colorado youth advisory council created in section 2-2-1302.

(b) This subsection (19) is repealed, effective September 1, 2030.

(20) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2029:

(I) The consumer insurance council created in section 10-1-133;

(II) The maternal mortality review committee created in article 52 of title 25;

(III) The working group for identification of and educational support for students with dyslexia created in section 22-20.5-103;

(IV) The health equity commission created in section 25-4-2206;

(V) The state funding for senior services contingency reserve fund created in section 26-11-209;

(VI) The senior dental advisory committee created in section 25.5-3-406;

(VII) The hospital discounted care advisory committee created in section 25.5-3-507;

(VIII) The electronic recording technology board created in part 4 of article 21 of title 24;

(IX) The agricultural behavioral health community of practice work group created in section 35-1-121 (2);

(X) The title insurance advisory group described in part 2 of article 11 of title 10.

(b) This subsection (20) is repealed, effective September 1, 2031.

(21) (a) The following statutory authorizations for designated advisory committees will repeal on September 1, 2030:

(I) The Colorado state advisory council for parent involvement in education created in section 22-7-303;

(II) The wild horse advisory committee created in section 35-66-110;

(III) The just transition advisory committee created in section 8-83-503 (6);

(IV) The early childhood leadership commission created in section 26.5-1-302.

(b) This subsection (21) is repealed, effective September 1, 2031.

(22) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2031:

(I) The council of higher education representatives convened pursuant to section 23-1-108.5 (3);

(II) The Colorado special education fiscal advisory committee created in section 22-20-114.5;

(III) The agricultural work advisory committee created in section 8-13.5-205;

(IV) The soil health advisory committee created in section 35-73-106;

(V) The homeland security and all-hazards senior advisory committee created in section 24-33.5-1614;

(VI) The Colorado human trafficking council created in section 18-3-505;

(VII) The Colorado commission for the deaf, hard of hearing, and deafblind advisory council, as set forth in sections 26-21-104 and 26-21-105 (2) and (5);

(VIII) The provider stabilization fund advisory board created in section 25.5-3-605.

(b) This subsection (22) is repealed, effective September 1, 2033.

(23) (a) The following statutory authorizations for the designated advisory committees will repeal on July 1, 2032:

(I) The rules advisory council of the department of early childhood convened pursuant to section 26.5-1-105 (2).

(b) This subsection (23) is repealed, effective July 1, 2034.

(23.5) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2032:

(I) The Colorado rare disease advisory council created in section 25-1-1503;

(II) The primary care payment reform collaborative created in section 10-16-150;

(III) The advisory council for debt collection created in section 5-16-134.7;

(IV) The Colorado consumer protection act advisory council created in section 6-1-117;

(V) The Colorado privacy act advisory council created in section 6-1-1315;

(VI) The council of advisors on consumer credit created in section 5-6-301.

(b) This subsection (23.5) is repealed, effective September 1, 2034.

(24) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2033:

(I) The legislative oversight committee for Colorado jail standards created in section 2-3-1901;

(II) The Colorado forest health council created in section 23-31-316.

(b) This subsection (24) is repealed, effective September 1, 2035.

(24.5) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2033:

(I) The Colorado fire commission created in section 24-33.5-1233.

(b) This subsection (24.5) is repealed, effective September 1, 2034.

(25) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2034:

(I) The medicaid provider rate review advisory committee created in section 25.5-4-401.5;

(II) The state noxious weed advisory committee created in section 35-5.5-108.7;

(III) The Colorado natural areas council, an advisory council to the parks and wildlife commission, created in section 33-33-106;

(IV) The youth restraint and seclusion working group in the division of youth services created in section 26-20-110;

(V) The suicide prevention commission created in section 25-1.5-111;

(VI) The community rail safety advisory committee created in section 40-20-312;

(VII) The rail industry safety advisory committee created in section 40-20-313.

(b) This subsection (25) is repealed, effective September 1, 2036.

(26) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2035:

(I) The towing task force created in section 40-10.1-403.

(b) This subsection (26) is repealed, effective September 1, 2037.

(27) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2036:

(I) The compliance advisory panel to the air pollution control division created in section 25-7-109.2.

(b) This subsection (27) is repealed, effective September 1, 2038.

(28) (Reserved)

(29) (Reserved)

(30) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2039:

(I) The cold case task force created in section 24-33.5-109.

(b) This subsection (30) is repealed, effective September 1, 2041.

Source: For source information prior to 2016, go to https://leg.colorado.gov/node/3083286. **L. 2016:** (3)(cc)(IV) repealed and (3)(ll)(III) added, (HB 16-1182), ch. 74, p. 196, § 2, effective April 12; entire section R&RE, (HB 16-1192), ch. 83, p. 212, § 2, effective April 14; (3)(cc)(II) repealed and (3)(hh.5)(II) added, (HB 16-1236), ch. 105, p. 305, § 4, effective April 15; (3)(hh.5)(II) added, (HB 16-1255), ch. 113, p. 321, § 3, effective April 21; (3)(cc)(III) repealed and (3)(hh.5)(II) added, (HB 16-1177), ch. 218, p. 833, § 2, effective June 6; (3)(cc)(I) repealed and (3)(hh.5)(II) added, (HB 16-1171), ch. 244, p. 992, § 2, effective June 8; (3)(ii.5)(III) added, (SB 16-115), ch. 356, p. 1477, § 1, effective June 10; (3)(kk)(V) added, (HB 16-1328), ch. 345, p. 1408, § 10, effective June 10; (3)(hh.5)(II) added, (SB 16-077), ch. 360, p. 1505, § 3, effective July 1; (3)(mm)(II), (SB 16-062), ch. 295, p. 1203, § 4, effective July 1; (3)(ff)(VI) added, (HB 16-1172), ch. 331, p. 1341, § 2, effective August 10; (3)(mm)(II) added, (HB 16-1014), ch. 318, p. 1282, § 1, effective August 10. **L. 2017:** (4)(a)(VII) repealed and (12.5) added, (SB 17-144), ch. 110, p. 397, § 1, effective April 6; (4)(a)(VI) repealed, (SB 17-137), ch. 139, p. 467, § 2, effective April 18; (4)(a)(II) repealed, (SB 17-220), ch. 173, p. 632, § 4, effective April 28; (4)(a)(VIII) repealed, IP(13)(a) amended, and (13)(a)(IV) added, (SB 17-291), ch. 259, p. 1077,

§ 2, effective May 25; (4)(a)(I) repealed, (SB 17-212), ch. 275, p. 1512, § 2, effective June 1; (4)(a)(IV) repealed, (SB 17-217), ch. 273, p. 1508, § 2, effective June 1; (4)(a)(III) repealed, (SB 17-219), ch. 348, p. 1831, § 2, effective June 5; (4)(a)(V) repealed, (SB 17-221), ch. 349, p. 1832, § 2, effective June 5; (10)(a)(III) added, (HB 17-1216), ch. 336, p. 1795, § 2, effective June 5; IP(15)(a) and (15)(a)(V) amended, (HB 17-1329), ch. 381, p. 1968, § 13, effective June 6; (8)(a)(V) repealed, (SB 17-267), ch. 267, p. 1438, § 3, effective July 1; (6)(a)(IV) repealed and (14)(a)(V) added, (HB 17-1106), ch. 345, p. 1820, § 6, effective August 9. **L. 2018:** (14)(a)(VII) added, (HB 18-1287), ch. 318, p. 1911, § 5, effective May 30; (14)(a)(VIII) added, (HB 18-1353), ch. 348, p. 2071, § 2, effective May 30; (6)(a)(V) repealed and (14)(a)(VI) added, (HB 18-1186), ch. 175, p. 1208, § 2, effective June 30; (6)(a)(II) repealed, (HB 18-1238), ch. 111, p. 804, § 1, effective July 1; (6)(a)(III) repealed and (14)(a)(IX) added, (HB 18-1364), ch. 351, p. 2080, § 3, effective July 1; (7)(a)(I) repealed and (14)(a)(X) added, (HB 18-1236), ch. 340, p. 2030, § 1, effective August 8; (8)(a)(I) and (8)(a)(II) repealed, (SB 18-209), ch. 300, p. 1826, § 4, effective August 8; (12)(a)(VI) amended, (SB 18-145), ch. 215, p. 1372, § 5, effective August 8; (7)(a)(II) repealed and (19) added, (HB 18-1265), ch. 205, p. 1321, § 2, effective September 1; (10)(a)(II) repealed, (SB 18-161), ch. 123, p. 830, § 2, effective September 1. **L. 2019:** (8)(a)(VI) repealed, (SB 19-076), ch. 102, p. 369, § 2, effective April 12; (20) added, (HB 19-1122), ch. 196, p. 2144, § 2, effective May 16; (9)(a)(II) repealed, (SB19-162), ch. 212, p. 2220, § 1, effective May 17; (8)(a)(IV) repealed and (15)(a)(VII) added, (SB19-161), ch. 217, p. 2240, § 3, effective May 20; (9)(a)(V) repealed and (15)(a)(VIII) added, (SB 19-149), ch. 233, p. 2326, § 2, effective May 20; (16)(a)(V) added, (HB 19-1314), ch. 323, p. 2994, § 2, effective May 28; (14)(a)(X) amended, (HB 19-1202), ch. 403, p. 3573, § 2, effective May 31; (14)(a)(XI) added, (SB 19-007), ch. 401, p. 3557, § 2, effective May 31; (20) added, (HB 19-1134), ch. 407, p. 3595, § 2, effective May 31; (8)(a)(III) repealed and (15)(a)(VI) added, (SB 19-189), ch. 418, p. 3670, §§ 2 and 3, effective June 3; (13)(a)(V) added, (SB 19-108), ch. 294, p. 2730, § 31, effective July 1; (6) repealed and (20) added, (HB 19-1150), ch. 113, p. 485, § 2, effective August 2; (9)(a)(I) repealed, (SB 19-148), ch. 101, p. 366, § 1, effective August 2; (9)(a)(III) repealed, (SB 19-152), ch. 104, p. 373, § 1, effective August 2; (9)(a)(IV) repealed, (SB 19-151), ch. 103, p. 371, § 1, effective August 2; (15)(a)(IX) added, (SB 19-040), ch. 429, p. 3736, § 2, effective August 2; (16)(a)(IV) added, (HB 19-1237), ch. 413, p. 3638, § 5, effective August 2; (11)(a)(I), (13)(a)(I), and (17)(a)(III) amended, (HB 19-1172), ch. 136, p. 1642, § 5, effective October 1. **L. 2020:** (14)(a)(IX) repealed, (HB 20-1392), ch. 132, p. 575, § 3, effective June 26; (10)(a)(III) repealed, (HB 20-1022), ch. 156, p. 671, § 3, effective June 29; (11) repealed and (18.5) added, (HB 20-1209), ch. 189, p. 862, § 1, effective June 30; (13)(a)(VI) added, (SB 20-023), ch. 247, p. 1184, § 2, effective July 7; (10)(a)(I) repealed, (HB 20-1185), ch. 92, p. 366, § 1, effective September 14. **L. 2021:** (22) added, (SB 21-087), ch. 337, p. 2183, § 6, effective June 25; (12)(a)(VI) repealed, (SB 21-039), ch. 380, p. 2548, § 5, effective July 1; (17)(a)(VI) added, (HB 21-1171), ch. 407, p. 2703, § 3, effective July 2; (18.5)(a)(II) added, (HB 21-1266), ch. 411, p. 2750, § 18, effective July 2; (15)(a)(I) repealed and (16)(a)(VI) added, (HB 21-1283), ch. 472, p. 3383, § 1, effective July 7; (12)(a)(I) repealed and (21) added, (SB 21-144), ch. 66, p.

267, § 2, effective September 1; (12)(a)(II) repealed, (SB 21-093), ch. 110, p. 436, § 2, effective September 1; (12)(a)(III) repealed and (17)(a)(IV) added, (SB 21-136), ch. 198, p. 1055, § 2, effective September 1; (12)(a)(IV) repealed and (22) added, (SB 21-104), ch. 141, p. 786, § 2, effective September 1; (12)(a)(V) repealed and (22) added, (SB 21-100), ch. 140, p. 784, § 2, effective September 1; (12)(a)(VI) repealed, (SB 21-095), ch. 403, p. 2681, § 4, effective September 1; (12)(a)(III) repealed and (17)(a)(IV) added, (SB 21-237), ch. 288, p. 1704, § 1, effective September 2; (13)(a)(III) repealed and (17)(a)(V) added, (HB 21-1225), ch. 289, p. 1710, § 1, effective September 7; (22) added, (HB 21-1181), ch. 279, p. 1614, § 3, effective September 7; (14)(a)(V) amended, (HB 21-1304), ch. 307, p. 1855, § 6, effective July 1, 2022. **L. 2022:** (13)(a)(II) repealed, (HB 22-1209), ch. 95, p. 453, § 2, effective April 12; (18)(a)(II) added, (SB 22-100), ch. 143, p. 941, § 4, effective May 2; (12.5) repealed, (HB 22-1265), ch. 455, p. 3260, § 2, effective June 8; (14)(a)(V) repealed and (16)(a)(VII) and (23) added, (HB 22-1295), ch. 123, p. 825, § 19, effective July 1; (13)(a)(I) repealed, (HB 22-1227), ch. 86, p. 413, § 2, effective August 10; (13)(a)(IV) repealed, (HB 22-1275), ch. 90, p. 426, § 1, effective August 10; (13)(a)(VI) repealed, (HB 22-1274), ch. 456, p. 3261, § 1, effective August 10; (18.5)(a)(III) added, (SB 22-113), ch. 463, p. 3282, § 2, effective August 10; (23.5) added, (SB 22-186), ch. 488, p. 3540, § 2, effective August 10; (13)(a)(V)(B) added by revision, (HB 22-1211), ch. 79, pp. 392, 395, §§ 4, 11; (16)(a)(I)(B) added by revision, (SB 22-236), ch. 410, p. 2903, §§ 2, 3; (25) added, (SB 22-236), ch. 410, p. 2903, § 2, effective July 1, 2023; **L. 2023:** (14)(a)(VI) repealed and (19)(a)(III) added, (SB 23-076) ch. 325, p. 1956, § 6, effective June 2; (14)(a)(I) repealed and (20)(a)(IV) added, (SB 23-151) ch. 204, p. 1041, § 1, effective August 7; (14)(a)(II) repealed, (SB 23-073) ch. 27, p. 94, § 2, effective August 7; (14)(a)(III) repealed and (25)(a)(II) added, (SB 23-185) ch. 140, p. 591, § 1, effective August 7; (14)(a)(VIII) repealed and (19)(a)(II) added, (SB 23-072) ch. 180, p. 878, § 1, effective August 7; (14)(a)(X) repealed and (17)(a)(VII) added, (SB 23-159) ch. 328, p. 1962, § 1, effective August 7; (14)(a)(XI) repealed, (SB 23-085) ch. 127, p. 489, § 2, effective August 7. **L. 2024:** (20)(a)(V) added, (HB 24-1211), ch. 7, p. 19, § 2, effective February 27; (15)(a)(VIII) repealed and (22)(a)(VI) added, (HB 24-1345), ch. 317, p. 2122, § 1, effective May 31; (24) added, (HB 24-1054), ch. 328, p. 2218, § 3, effective June 3; (18.5)(a)(III) amended, (HB 24-1468), ch. 467, p. 3240, § 3, effective June 6; (25)(a)(VI) and (25)(a)(VII) added, (HB 24-1030), ch. 161, p. 761, § 2, effective July 1; (14)(a)(VII) repealed, (HB 24-1450), ch. 490, p. 3404, § 6, effective August 7; (15)(a)(II) repealed and (25)(a)(III) added, (HB 24-1257), ch. 116, p. 375, § 1, effective August 7; (15)(a)(III) repealed and (25)(a)(V) added, (HB 24-1252), ch. 315, p. 2117, § 1, effective August 7; (15)(a)(IV) repealed and (20)(a)(VI) added, (HB 24-1256), ch. 201, p. 1230, § 1, effective August 7; (15)(a)(V) repealed and (25)(a)(IV) added, (HB 24-1277), ch. 118, p. 386, § 2, effective August 7; (15)(a)(VII) repealed and (21) added, (HB 24-1255), ch. 392, p. 2705, § 1, effective August 7; (15)(a)(IX) repealed and (24.5) added, (HB 24-1272), ch. 416, p. 2849, §§ 2, 3, effective August 7; (20)(a)(IX) added, (SB 24-055), ch. 469, p. 3275, § 3, effective August 7; (15)(a)(VI) repealed and (18.5)(a)(IV) added, (HB 24-1278), ch. 337, p. 2284, § 1, effective September 1; (17)(a)(V)(B) added by revision, (HB 24-1269), ch. 394, pp. 2718, 2720, §§ 8, 13; (20)(a)(VIII)

added, (HB 24-1269), ch. 394, p. 2718, § 8, effective July 1, 2025; (20)(a)(VII) added, (HB 24-1399), ch. 76, p. 251, § 6, effective July 1, 2025. **L. 2025:** (22)(a)(VII) added, (HB 25-1154), ch. 230, p. 1083, § 16, effective May 22; (22)(a)(VIII) added, (SB 25-290), ch. 274, p. 1428, § 3, effective May 28; (16)(a)(II) repealed and (20)(a)(X) added, (SB 25-277), ch. 244, p. 1234, § 3, effective August 6; (16)(a)(III) repealed, (SB 25-171), ch. 75, p. 320, § 1, effective August 6; (16)(a)(V) repealed and (21)(a)(III) added, (SB 25-181), ch. 323, p. 1696, § 1, effective August 6; (16)(a)(VI) repealed and (26) added, (SB 25-175), ch. 321, p. 1691, § 1, effective August 6; (16)(a)(VII) repealed and (21)(a)(II) added, (SB 25-177), ch. 170, p. 689, § 1, effective August 6; (18)(a)(I) repealed, (SB 25-049), ch. 198, p. 876, § 2, effective August 6; (21)(a)(II) added, (HB 25-1283), ch. 225, p. 1033, § 7, effective August 6; (23.5)(a)(II) added, (SB 25-193), ch. 371, p. 2003, § 2, effective August 6. **L. 2026:** (17)(a)(I) repealed and (27) added, (HB 26-1208), ch. 97, p. 385, § 1, effective August 12; (17)(a)(II) repealed, (HB 26-1180), ch. 45, p. 208, § 2, effective August 12; (17)(a)(III) repealed, (HB 26-1182), ch. 23, p. 107, § 3, effective August 12; (17)(a)(IV) repealed and (24)(a)(II) added, (HB 26-1184), ch. 354, p. 2138, § 1, effective August 12; (23.5)(a)(III), (23.5)(a)(IV), (23.5)(a)(V), and (23.5)(a)(VI) added, (HB 26-1426), ch. 334, p. 1982, § 2, effective August 12; (27) added, (HB 26-1185), ch. 46, p. 210, § 3, effective August 12; (17)(a)(VI) repealed, (HB 26-1277), ch. 70, p. 279, § 2, effective September 1.

Editor's note: (1) Pursuant to 2-3-702.5, amendments to this section by SB 16-062, SB 16-069, SB 16-077, SB 16-115, SB 16-161, HB 16-1014, HB 16-1157, HB 16-1158, HB 16-1159, HB 16-1160, HB 16-1168, HB 16-1170, HB 16-1171, HB 16-1172, HB 16-1173, HB 16-1177, HB 16-1182, HB 16-1232, HB 16-1236, HB 16-1255, HB 16-1261, HB 16-1328, HB 16-1345, HB 16-1360, and HB 16-1404 were renumbered and harmonized with HB 16-1192. For additional information, see the 2016 Red Book that accompanies the 2016 Session Laws of Colorado.

(2) Section 34 of chapter 267 (SB 17-267), Session Laws of Colorado 2017, provides that the section of the act changing this section does not take effect if the centers for medicare and medicaid services determine that the amendments do not comply with federal law. For more information, see SB 17-267. (L. 2017, p. 1478.) The executive director of the department of health care policy and financing did not notify the revisor of statutes by June 1, 2017, of such determination; therefore, the changes to this section took effect July 1, 2017.

(3) Subsection (3)(b) provided for the repeal of subsection (3), effective July 1, 2018. (See L. 2016, p. 212.)

(4) Amendments to subsection (20) by HB 19-1122, HB 19-1134, and HB 19-1150 were harmonized.

(5) Subsection (4)(b) provided for the repeal of subsection (4), effective July 1, 2019. (See L. 2016, p. 212.)

(6) Subsection (5)(b) provided for the repeal of subsection (5), effective September 1, 2019. (See L. 2016, p. 212.)

(7) Subsection (7)(b) provided for the repeal of subsection (7), effective September 1, 2020. (See L. 2016, p. 212.)

(8) (a) Subsection (8)(b) provided for the repeal of subsection (8), effective July 1, 2021. (See L. 2016, p. 212.)

(b) Subsection (9)(b) provided for the repeal of subsection (9), effective September 1, 2021. (See L. 2016, p. 212.)

(9) Subsection (17)(a)(IV) was added in SB 21-136. That subsection was superseded by the addition of subsection (17)(a)(IV) in SB 21-237, effective September 2, 2021. For the version of subsection (17)(a)(IV) that was in effect on September 1, 2021, see chapter 198, Session Laws of Colorado 2021. (L. 2021, p. 1055.)

(10) (a) Amendments to subsection (22) by SB 21-087, SB 21-100, SB 21-104, and HB 21-1181 were harmonized.

(b) Subsection (21) was originally added by SB 21-144 in 2021, but that subsection was harmonized with subsection (22) in 2022, resulting in the renumbering of subsection (21)(a)(I) as (22)(a)(V) on revision for ease of location.

(11) Subsection (17)(a)(IV) was added by SB 21-136, effective September 1, 2021. However, it was superseded by the addition of subsection (17)(a)(IV) by SB 21-237, effective September 2, 2021.

(12) Section 2 of chapter 95 (HB 22-1209), Session Laws of Colorado 2022, provides that the act repealing subsection (13)(a)(II) takes effect only if HB 22-1035 becomes law and takes effect either upon the effective date of HB 22-1209 or HB 22-1035, whichever is later. HB 22-1035 became law and took effect March 24, 2022, and HB 22-1209 took effect April 12, 2022.

(13) Subsection (10)(b) provided for the repeal of subsection (10), effective July 1, 2022. (See L. 2016, p. 212.)

(14) Subsection (23.5) was numbered as (24) in SB 22-186 but has been renumbered on revision for ease of location.

(15) Subsection (25) was numbered as (23) in SB 22-236 but has been renumbered on revision for ease of location.

(16) Subsection (13)(a)(V)(B) provided for the repeal of subsection (13)(a)(V), effective December 31, 2022. (See L. 2022, p. 392.)

(17) Subsection (16)(a)(I)(B) provided for the repeal of subsection (16)(a)(I), effective July 1, 2023. (See L. 2022, p. 2903.)

(18) Subsection (12)(b) provided for the repeal of subsection (12), effective September 1, 2023. (See L. 2016, p. 212.)

(19) Subsection (13)(b) provided for the repeal of subsection (13), effective September 1, 2024. (See L. 2016, p. 212.)

(20) Subsection (21)(a)(IV) was numbered as (21)(a)(II) in SB 25-177 but was renumbered on revision for ease of location.

(21) Subsection (17)(a)(V)(B) provided for the repeal of subsection (17)(a)(V), effective July 1, 2025. (See L. 2024, pp. 2718, 2720.)

(22) Subsection (14)(b) provided for the repeal of subsection (14), effective September 1, 2025. (See L. 2016, p. 212.)

(23) Subsection (30) was numbered as (27) in HB 26-1185 but was renumbered on revision for ease of location.

(24) Subsection (15)(b) provided for the repeal of subsection (15), effective September 1, 2026. (See L. 2016, p. 212.)

Cross references: (1) For the legislative declaration in SB 16-077, see section 1 of chapter 360, Session Laws of Colorado 2016.

(2) For the legislative declaration in SB 17-267, see section 1 of chapter 267, Session Laws of Colorado 2017.

(3) For the legislative declaration in SB 18-145, see section 1 of chapter 215, Session Laws of Colorado 2018.

(4) For the legislative declaration in SB 19-076, see section 1 of chapter 102, Session Laws of Colorado 2019.

(5) For the legislative declaration in SB 21-095, see section 1 of chapter 403, Session Laws of Colorado 2021.

(6) For the short title ("Environmental Justice Act") and the legislative declaration in HB 21-1266, see sections 1 and 2 of chapter 411, Session Laws of Colorado 2021.

(7) For the short title ("Voluntary Soil Health Program Act") and the legislative declaration in HB 21-1181, see sections 1 and 2 of chapter 279, Session Laws of Colorado 2021.

(8) For the legislative declaration in HB 21-1171, see section 1 of chapter 407, Session Laws of Colorado 2021.

(9) For the legislative declaration in SB 25-290, see section 1 of chapter 274, Session Laws of Colorado 2025.

2-3-1204. Departments having authority to create advisory committees - duties - repeal. (Repealed)

Source: L. 86: Entire section added, p. 407, § 1, effective March 26.

Editor's note: Subsection (4) provided for the repeal of this section, effective July 1, 1988. (See L. 86, p. 407.)

PART 13

CAPITAL DEVELOPMENT

2-3-1301. Definitions.

As used in this part 13, unless the context otherwise requires:

(1) "Capital asset" has the same meaning as set forth in section 24-30-1301 (1), C.R.S.

(2) "Capital construction" has the same meaning as set forth in section 24-30-1301 (2), C.R.S.

(3) "Capital renewal" has the same meaning as set forth in section 24-30-1301 (3), C.R.S.

(4) "Controlled maintenance" has the same meaning as set forth in section 24-30-1301 (4), C.R.S., including the limitations specified in section 24-30-1303.9, C.R.S.

(5) "Real property" has the same meaning as set forth in section 24-30-1301 (15), C.R.S.

(6) "State" has the same meaning as set forth in section 24-30-1301 (16), C.R.S.

(7) "State agency" has the same meaning as set forth in section 24-30-1301 (17), C.R.S.

(8) "State institution of higher education" has the same meaning as set forth in section 24-30-1301 (18), C.R.S.

Source: L. 85: Entire part added, p. 283, § 1, effective May 23. **L. 2014:** Entire section amended, (HB 14-1387), ch. 378, p. 1818, § 13, effective June 6.

Cross references: For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014.

2-3-1302. Capital development committee established.

(1) There is hereby established a joint committee of the senate and house of representatives officially known as the capital development committee. The committee functions during the legislative sessions and during the interim between sessions. The committee consists of six members selected as follows:

(a) Three members from the senate, two appointed by the president of the senate and one appointed by the minority leader of the senate; and

(b) Three members from the house of representatives, two appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives.

(1.5) In order to expedite the work of the capital development committee, appointments to the committee shall be made no later than December 1 prior to the convening of the general assembly at which such committee is to serve, whether such appointees are members of the current general assembly or members-elect of the next general assembly, or both. Such appointees have all the powers and duties and are entitled to the same compensation and expense allowance as members duly appointed under the provisions of subsection (1) of this section.

(2) The capital development committee shall elect a chair and a vice-chair at the first December meeting each year. The chair and vice-chair appointments must alternate between a member from the house of representatives and a member from the senate with the chair being from the senate and the vice-chair being from the house of representatives in even-numbered years and with the chair being from the house of representatives and the vice-chair being from the senate in odd-numbered years.

(3) The capital development committee shall not travel or take field trips during the 2025 and 2026 interims.

Source: L. 85: Entire part added, p. 283, § 1, effective May 23. **L. 98:** Entire section amended, p. 841, § 1, effective August 5. **L. 2007:** (1.5) amended, p. 924, § 1, effective August 3. **L. 2019:** (1) and (2) amended, (HB 19-1020), ch. 28, p. 90, § 1, effective August 2. **L. 2025:** (3) added, (SB 25-199), ch. 149, p. 569, § 12, effective April 30; (1.5) and (2) amended, (HB 25-1313), ch.

405, p. 2307, § 1, effective August 6. **L. 2026:** (3) amended, (HB 26-1331), ch. 329, p. 1918, § 5, effective June 2.

2-3-1303. Rules of procedure.

(1) The capital development committee may prescribe its own rules of procedure and may appoint an advisory committee from among professionals in the private sector to include but not be limited by the following areas of expertise: Real estate, architecture, finance, and engineering.

(2) Repealed.

Source: L. 85: Entire part added, p. 284, § 1, effective May 23. **L. 86:** Entire section amended, p. 408, § 3, effective March 26. **L. 89:** (2)(a) amended, p. 336, § 2, effective March 15. **L. 90:** (2) repealed, p. 334, § 24, effective April 3.

2-3-1304. Powers and duties of capital development committee.

(1) The capital development committee has the following powers and duties:

(a) To study capital construction, controlled maintenance, and capital renewal requests and proposals, pursuant to rule 45 of the joint rules of the senate and the house of representatives, of each state agency and state institution of higher education;

(a.3) To review and make required recommendations on reports from state agencies and state institutions of higher education, including reports from:

(I) The office of the state architect on the approved and unapproved facility management plans and facility management plan updates pursuant to section 24-30-1303.5 (3.5), C.R.S., and acquisitions and dispositions pursuant to sections 24-30-1303.5 (6) and 24-82-102, C.R.S.;

(II) The adjutant general in the department of military and veterans affairs on the acquisition or disposition of property pursuant to section 28-3-106 (1)(s)(I), C.R.S.;

(III) The parks and wildlife commission in the department of natural resources on the acquisition or disposition of certain real property interests under section 33-1-105 (1)(i) or (3), C.R.S., and the acquisition of certain interest in real property or water pursuant to section 33-1-105.5 (9), C.R.S.; and

(IV) The parks and wildlife commission in the department of natural resources on the acquisition or disposition of certain interests in real property pursuant to section 33-10-107 (2), C.R.S.;

(a.5) To study any requests submitted by the transportation commission for state highway reconstruction, repair, and maintenance projects to be funded from money transferred to the capital construction fund pursuant to section 24-75-302 (2), specifically for such purpose. On or before October 1 of each year, the transportation commission may submit its request, based on the statewide transportation improvement programs, with a prioritized list of recommended state highway reconstruction, repair, and maintenance projects with the priority of projects on the list determined on the basis of greatest need without regard to location in the state. If the transportation commission submits a request, the capital development committee shall determine from the submitted request the number of projects on the list that may be funded from money available in the capital construction fund for state highway reconstruction, repair, or maintenance projects. Only projects on the list may be funded from money available in the capital construction fund for state highway reconstruction, repair, or maintenance projects, and the projects must be funded in the priority determined by the transportation commission; except that, if a project on the list cannot be funded because an alternative source of funding for the project has become available, a court order has enjoined the project, or an act of God has made the project construction unfeasible, the transportation commission shall submit the next phase of that project or the next project on that regional priority list to the capital development committee for approval as an addition to the list in lieu of the project that cannot be funded. No substitute project submitted by the transportation commission from the regional priority list shall be approved by the capital development committee if funding said project would result in the delay of any other project on the list. Upon approval of an amended list, the department of transportation shall provide a copy of the amended list to the members of the joint budget committee, the transportation, housing, and local government committee in the house of representatives, and the transportation and energy committee in the senate, or any successor committees. Projects on the list submitted by the transportation commission by October 1 or on an amended list submitted as provided in this subsection (1)(a.5) may be funded from money transferred to the capital construction fund and available in the current fiscal year or money to be transferred to the capital construction fund for the fiscal year beginning the following July 1.

(a.6) (Deleted by amendment, L. 2008, p. 1064, § 8, effective July 1, 2008.)

(b) To hold such hearings as may be necessary to consider reports from each state agency or state institution of higher education with respect to capital construction, controlled maintenance, or capital renewal;

(c) To make determinations, pursuant to rule 45 of the joint rules of the senate and the house of representatives, of the priority to be accorded to the proposals made by the various state agencies and state institutions of higher education with respect to capital construction, controlled maintenance, and capital renewal proposals, based upon information made available to the capital development committee from any sources with respect to estimates of revenues available for such purposes;

(d) To forecast the state's requirements for capital construction, controlled maintenance, and capital renewal as may be necessary or desirable for adequate presentation of the planning and implementation or construction of such projects and to forecast the projected available revenue to meet the state's requirements for capital construction, controlled maintenance, and capital renewal. Such revenue forecast must conform with the economic forecast period used in the quarterly revenue estimates prepared by the staff of the legislative council.

(e) Repealed.

(f) To review the annual capital construction and maintenance requests from the chief information officer of the office of information technology regarding the public safety communications trust fund created pursuant to section 24-33.5-2510;

(g) (Deleted by amendment, L. 2014.) / Repealed.

(h) To review all acquisitions of real property by a state agency or state institution of higher education; except that, for any state agency or state institution of higher education that has statutory authority as of June 6, 2014, to acquire real property and such statutory authority specifies a process whereby the capital development committee either reviews, reviews and approves, or approves such an acquisition, then such statutory authority controls. If a state agency or state institution of higher education has statutory authority as of June 6, 2014, to acquire real property and such statutory authority does not include a process whereby the capital development committee either reviews, reviews and approves, or approves such acquisition, then this paragraph (h) controls. Section 23-1-106, C.R.S., and any budget instructions of the office of state planning and budgeting that specify thresholds regarding the submission of acquisitions of real property as capital budget requests operate to limit the review specified in this paragraph (h).

(2) Nothing in this section shall in any way limit or reduce the powers of the governor, through the office of state planning and budgeting and the office of the state architect, to establish executive branch priorities and procedures.

(3) Repealed.

Source: L. 85: Entire part added, p. 284, § 1, effective May 23. **L. 94:** (1)(e) added, p. 1095, § 4, effective May 9; (1)(e) amended, p. 2614, § 21, effective July 1. **L. 95:** (1)(a.5) added, p. 1295, § 2, effective June 5; (1)(e) amended, p. 1275, § 11, effective June 5. **L. 96:** (1)(a.5) amended, p. 1869, § 2, effective June 6. **L. 98:** (1)(a.5) amended, p. 904, § 2, effective May 26; (1)(f) added, p. 939, § 6, effective May 27. **L. 2000:** (1)(a.6) added and (1)(b) amended, p. 502, § 11, effective July 1. **L. 2001:** (1)(a.5) amended, p. 225, § 1, effective March 28; (1)(e) amended, p. 309, § 2, effective August 8. **L. 2003:** (1)(a.5) amended, p. 2005, § 78, effective May 22. **L. 2007:** (1)(a) amended and (1)(a.3) added, p. 474, § 1, effective August 3; (1)(d) amended, p. 716, § 1, effective August 3. **L. 2008:** (1)(f) amended, p. 1129, § 10, effective May 22; (1)(a.6) and

(1)(b) amended, p. 1064, § 8, effective July 1. **L. 2009:** (1)(g) added, (SB 09-228), ch. 410, p. 2254, § 1, effective July 1; (1)(f) amended, (SB 09-292), ch. 369, p. 1939, § 3, effective August 5. **L. 2010:** (1)(e) amended, (SB 10-175), ch. 188, p. 776, § 3, effective April 29. **L. 2012:** IP(1), IP(1)(a.3), (1)(a.3)(III), and (1)(a.3)(IV) amended, (HB 12-1317), ch. 248, p. 1202, § 3, effective June 4. **L. 2014:** (1), (1)(a), and (1)(c) amended, (HB 14-1387), ch. 378, pp. 1819, 1854, §§ 14, 69, effective June 6; (1)(a.3)(III) amended, (HB 14-1275), ch. 288, p. 1181, § 2, effective August 6; (1)(g) repealed, (SB 14-110), ch. 105, p. 390, § 2, effective August 6. **L. 2015:** (1)(a.3)(I) and (2) amended and (1)(e) repealed, (SB 15-270), ch. 296, p. 1214, § 10, effective June 5. **L. 2019:** (3) added, (HB 19-1319), ch. 200, p. 2164, § 2, effective September 1. **L. 2022:** (1)(f) amended, (HB 22-1353), ch. 479, p. 3497, § 5, effective July 1, 2023. **L. 2024:** (3) repealed, (SB 24-178), ch. 108, p. 336, § 1, effective August 7. **L. 2025:** (1)(a.5) amended, (HB 25-1313), ch. 405, p. 2308, § 2, effective August 6.

Editor's note: (1) Amendments to subsection (1)(g) by Senate Bill 14-110 and House Bill 14-1387 were harmonized.

(2) Amendments to subsection (1)(a.3)(III) by HB 14-1275 and HB 14-1387 were harmonized.

Cross references: For the legislative declaration contained in the 2000 act amending subsection (1)(b), see section 1 of chapter 141, Session Laws of Colorado 2000. For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014. For the legislative declaration in SB 14-110, see section 1 of chapter 105, Session Laws of Colorado 2014. For the legislative declaration in HB 19-1319, see section 1 of chapter 200, Session Laws of Colorado 2019. For the legislative declaration in HB 22-1353, see section 1 of chapter 479, Session Laws of Colorado 2022.

2-3-1304.3. Additional powers and duties of capital development committee - approval and oversight of fund-raising for restoration of the capitol dome - legislative declaration - capitol dome restoration trust fund - repeal. (Repealed)

Source: L. 2010: Entire section added, (HB 10-1402), ch. 255, p. 1133, § 1, effective May 25. **L. 2011:** (3), (6)(a)(II), and (7) amended, (HB 11-1310), ch. 225, p. 967, § 1, effective August 10.

Editor's note: Subsection (7) provided for the repeal of this section, effective July 1, 2015. (See L. 2011, p. 968.)

2-3-1304.5. Reports from departments, institutions, and agencies in connection with capital construction requests - repeal. (Repealed)

Source: L. 89: Entire section added, p. 335, § 1, effective April 27. **L. 2010:** Entire section RC&RE, (SB 10-192), ch. 254, p. 1131, § 2, effective August 11. **L. 2011:** (2) amended, (HB 11-1310), ch. 225, p. 970, § 3, effective August 10. **L. 2014:** (2) amended, (HB 14-1387), ch. 378, p. 1821, § 15, effective June 6.

Editor's note: (1) Prior to the recreation and reenactment of this section in 2010, subsection (2) provided for the repeal of this section, effective January 1, 1992. (See L. 89, p. 335.)

(2) Subsection (2) provided for the repeal of this section, effective July 1, 2015. (See L. 2014, p. 1821.)

Cross references: For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014.

2-3-1304.6. Capital construction and long-range planning by state agencies and state institutions of higher education - policy.

It is declared to be the policy of the general assembly not to acquire a capital asset or authorize or initiate any program or activity requiring capital construction, except programs or activities for controlled maintenance or capital renewal, for any state agency or state institution of higher education unless the program or activity is an element of the facilities program plan for the agency or institution and such facilities program plan has been approved by the state architect as set forth in section 24-30-1311, C.R.S., or by the Colorado commission on higher education as set forth in section 23-1-106, C.R.S.

Source: L. 94: Entire section added, p. 561, § 1, effective April 6. **L. 2014:** Entire section amended, (HB 14-1387), ch. 378, p. 1821, § 16, effective June 6. **L. 2015:** Entire section amended, (SB 15-270), ch. 296, p. 1215, § 11, effective June 5.

Cross references: For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014.

2-3-1305. Recommendations and findings.

The capital development committee shall make written reports setting forth its recommendations, prioritization, findings, and comments as to each recommendation concerning capital assets that it submits to the joint budget committee. The capital development committee shall submit its prioritization for supplemental capital construction, capital renewal, or controlled maintenance budget requests pursuant to rule 45 of the joint rules of the senate and the house of representatives to the joint budget committee no later than January 15 of each year, and shall submit its prioritization for new or amended capital construction, capital renewal, or controlled maintenance budget requests pursuant to rule 45 of the joint rules of the senate and the house of representatives for the upcoming fiscal year to the joint budget committee no later than February 15 of each year. Other reports may be issued from time to time by the committee whenever it deems such action to be appropriate or whenever requested by the general assembly.

Source: L. 85: Entire part added, p. 284, § 1, effective May 23. **L. 2014:** Entire section amended, (HB 14-1387), ch. 378, pp. 1822, 1854, §§ 17, 70, effective June 6.

Cross references: (1) For provisions concerning the deadline for recommendations concerning additional correctional facilities and the legislative implementation of such recommendations, see section 1 of chapter 33 and section 2 of chapter 120, Session Laws of Colorado 1990.

(2) For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014.

2-3-1305.5. Continuation projects - future appropriations. (Repealed)

Source: L. 94: Entire section added, p. 1885, § 3, effective June 1. **L. 2014:** Entire section repealed, (HB 14-1387), ch. 378, p. 1822, § 18, effective June 6.

Cross references: For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014.

2-3-1306. Staff assistance.

In carrying out its duties under this part 13, the capital development committee may request staff assistance from the offices providing other legislative services or from the department of personnel and the office of state planning and budgeting in the governor's office. The legislative council shall provide any necessary assistance.

Source: L. 85: Entire part added, p. 284, § 1, effective May 23. **L. 95:** Entire section amended, p. 634, § 9, effective July 1. **L. 2014:** Entire section amended, (HB 14-1387), ch. 378, p. 1822, § 19, effective June 6.

Cross references: For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014.

2-3-1307. Highway and bridge projects - exempt.

This part 13 shall not apply to projects or properties which are funded or disposed of pursuant to the provisions of sections 43-1-106, 43-1-219, or 43-1-220, C.R.S., but shall apply to projects funded from the capital construction fund in accordance with section 2-3-1304 (1)(a.5).

Source: L. 85: Entire part added, p. 285, § 1, effective May 23. **L. 91:** Entire section amended, p. 1056, § 7, effective July 1. **L. 95:** Entire section amended, p. 1297, § 6, effective June 5.

2-3-1308. Repeal of part. (Repealed)

Source: L. 85: Entire part added, p. 285, § 1, effective May 23. **L. 89:** Entire section amended, p. 336, § 1, effective March 15. **L. 94:** Entire section amended, p. 628, § 1, effective April 14. **L. 2004:** Entire section amended, p. 1791, § 1, effective June 4. **L. 2006:** Entire section amended, p. 231, § 2, effective March 31. **L. 2009:** (1) amended, (HB 09-1169), ch. 45, p. 168, § 1, effective March 20. **L. 2014:** Entire section repealed, (HB 14-1387), ch. 378, p. 1822, § 20, effective June 6.

Cross references: For the legislative declaration in HB 14-1387, see section 1 of chapter 378, Session Laws of Colorado 2014.

PART 14

ECONOMIC DEVELOPMENT OVERSIGHT

2-3-1401. Oversight of economic development activities of state - business affairs and labor committee and business, labor, and technology committee - reports from governor to joint budget committee on economic development programs.

(1) The business affairs and labor committee of the house of representatives and the business, labor, and technology committee of the senate, or any successor committees, shall have jurisdiction to conduct general oversight of the economic development activities of state government. Each year such committees shall, jointly or separately in the discretion of the chairmen of such committees, review the activities of any agencies of state government engaged in economic development matters and may require the appropriate officials of any such agencies to make reports to such committees to facilitate the oversight function under this subsection (1).

(2) The governor's office shall submit an annual report to the joint budget committee detailing the expenditures by appropriated line item and funding source in the general appropriation bill of the state for all economic development programs in all departments. The governor's office shall also make such annual report available to the full general assembly. The report shall identify which activities are funded and where such activities fall within priorities of the strategic plan and identify any anticipated and actual results of such funded activities; specify dollars spent on each activity; and show a balance of funds remaining for additional economic development activities.

(3) Repealed.

(4) The Colorado first program shall submit to the joint budget committee an annual report on the number of workers trained, for whom they were trained, why they were trained, who trained the workers, and the cost per worker trained. Such report shall also be available to the full general assembly.

(5) The general assembly hereby finds, determines, and declares that the governor's office and the department of local affairs should comply with the state budgetary process, fiscal procedures, and generally accepted accounting principles when expending moneys to implement the state's economic development efforts. The governor's office and the department of local affairs shall record economic development program expenses in the state agency that benefits from the expenditure.

Source: L. 89: Entire part added, p. 338, § 1, effective June 7. **L. 94:** (3) repealed, p. 1820, § 6, effective June 1. **L. 97:** (2) and (4) amended, p. 1097, § 1, effective May 27. **L. 2006:** (2) amended, p. 1488, § 2, effective June 1. **L. 2007:** (1) amended, p. 2018, § 3, effective June 1.

PART 15

LEGISLATIVE EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY COMMITTEE

2-3-1501 to 2-3-1503. (Repealed)

Source: L. 2007: Entire part added, p. 1288, § 1, effective May 25. **L. 2010:** Entire section amended, (HB 10-1080), ch. 55, p. 202, § 1, effective March 31. **L. 2026:** Entire part repealed, (HB 26-1331), ch. 329, p. 1918, § 6, effective June 2.

Editor's note: This part 15 was added in 2007. For amendments to this part 15 prior to its repeal in 2026, consult the 2025 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

PART 16

WILDFIRE MATTERS REVIEW COMMITTEE

Editor's note: (1) This part 16 was added in 2013. For amendments to this part 16 prior to its repeal in 2025, consult the 2024 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

(2) Section 2-3-1602 provided for the repeal of this part 16, effective September 1, 2025. (See L. 2018, p. 1397.)

2-3-1601 to 2-3-1602. (Repealed)

PART 17

JOINT TECHNOLOGY COMMITTEE

2-3-1701. Definitions.

As used in this part 17, unless the context otherwise requires:

(1) "Artificial intelligence" or "artificial intelligence system" means any machine-based system that, for any explicit or implicit objective, infers, from the inputs the system receives, how to generate outputs, including content, decisions, predictions, or recommendations, that can influence physical or virtual environments.

(2) "Committee" means the joint technology committee created in section 2-3-1702.

(3) "Cybersecurity" means a broad range of technologies, processes, and practices designed to protect networks, computers, programs, and data from attack, damage, or unauthorized access.

(4) "Data privacy" means the collection and dissemination of data and technology and the public expectation of privacy. "Data privacy" also includes the way personally identifiable information or other sensitive information is collected, stored, used, and finally destroyed or deleted, in digital form or otherwise.

(5) "Disproportionately impacted community" has the meaning set forth in section 24-4-109 (2)(b)(II).

(6) "Facial recognition service" has the meaning set forth in section 24-18-301 (5).

(7) "Information technology" means technology, infrastructure, equipment, systems, or software that controls, displays, switches, interchanges, transmits, and receives data or information, including audio, video, graphics, and text. "Information technology" shall be construed broadly to incorporate future technologies that change or supplant those in effect as of September 7, 2021.

(8) "Information technology budget request" means a budget request from a state agency or state institution of higher education for the installation, development, maintenance, or upgrade of information technology, including the purchase of services from the office on the condition that the use of such services is the most cost beneficial option or falls within the duties and responsibilities of the office or the office's chief information officer as described in sections 24-37.5-105 and 24-37.5-106. "Information technology budget request" does not include budget requests that are primarily operational in nature or a budget request where the majority of funding will be used to support or modify state staffing levels.

(9) "Office of information technology" or "office" means the office of information technology created in section 24-37.5-103.

(10) "Oversee" means reviews of major information technology projects as defined in section 24-37.5-102 (19), reviews of the office's budget requests for information technology projects, and ensuring that information technology projects follow best practice standards as established by the office. "Oversee" does not include interference with the office's general responsibilities set forth in this article 3.

(11) "State agency" means all of the departments, divisions, commissions, boards, bureaus, and institutions in the executive branch of the state government. "State agency" does not include the legislative or judicial department, the department of law, the department of state, the department of the treasury, or state-supported institutions of higher education, including the Auraria higher education center established in article 70 of title 23.

(12) "Task force" means the artificial intelligence impact task force created in section 2-3-1707.

Source: L. 2013: Entire part added, (HB 13-1079), ch. 246, p. 1187, § 1, effective May 18. **L. 2014:** (2.5) added and (2.5)(b) amended, (HB 14-1395), ch. 309, pp. 1304, 1309, §§ 1, 9, effective May 31. **L. 2017:** (1.3) and (1.7) added and (4) amended, (SB 17-304), ch. 252, p. 1054, § 1, effective August 9. **L. 2021:** (2), (2.5), and (4) amended, (HB 21-1236), ch. 211, p. 1093, § 1, effective September 7. **L. 2022:** Entire section amended, (SB 22-113), ch. 463, p. 3282, § 3, effective August 10. **L. 2024:** (1) and (12) amended, (HB 24-1468), ch. 467, p. 3233, § 1, effective June 6.

2-3-1702. Joint technology committee established.

(1) There is hereby established a joint committee of the senate and house of representatives known as the joint technology committee, consisting of three members of the house of representatives, two of whom are appointed by the speaker of the house of representatives and one of whom is appointed by the minority leader of the house of representatives, and three members of the senate, two of whom are appointed by the president of the senate and one of whom is appointed by the minority leader of the senate. The members of the committee should have experience in information technology, business analysis, or business process. The committee functions during the legislative sessions and during the interim between sessions.

(2) To expedite the work of the committee, appointees may be designated after the general election and prior to the convening of the general assembly at which such committee is to serve, whether such appointees are members of the then-current general assembly or members-elect of the next general assembly, or both; and such appointees have all the powers and duties and are entitled to the same compensation and expense allowance as members duly appointed under the provisions of subsection (1) of this section.

(3) The committee shall elect a chair and a vice-chair, one from the senate membership of the committee and one from the house membership of the committee. The chair so elected shall serve as chair for the first regular session of the general assembly at which the committee is to serve, and as vice-chair for the second regular session; the vice-chair so elected shall serve as chair for the second regular session of said general assembly.

Source: L. 2013: Entire part added, (HB 13-1079), ch. 246, p. 1188, § 1, effective May 18.

2-3-1703. Organization, procedures, and meetings.

The committee may prescribe its own rules of procedure and shall meet at least once each year in order to review the governor's budget submissions for information technology, and shall meet as often as necessary to perform its functions.

Source: L. 2013: Entire part added, (HB 13-1079), ch. 246, p. 1189, § 1, effective May 18.

2-3-1704. Powers and duties of the joint technology committee.

(1) The committee oversees the office of information technology, including but not limited to:

(a) A review of the state of information technology;

(b) Any general information technology needs;

(c) Any anticipated short-term or long-term changes for information technology;

(d) Repealed.

(e) The office of information technology's responsibilities related to the geographic information system as set forth in section 24-37.5-103 (4).

(2) The committee oversees the chief information security officer and his or her duties as established in part 4 of article 37.5 of title 24, C.R.S.

(3) and (4) Repealed.

(5) The committee may review the actions of the statewide internet portal authority created in section 24-37.7-102, C.R.S.

(6) (a) The committee oversees a state agency regarding any authority that has been delegated to the state agency pursuant to section 24-37.5-105.4.

(b) On or before November 1, 2021, and on November 1 of each year thereafter, the office of information technology shall submit a written report to the committee regarding any delegation of authority to the state agency pursuant to section 24-37.5-105.4. The report shall include a summary of the information included in the written delegation agreement between the state agency and the office of information technology pursuant to section 24-37.5-105.4 (3).

(6.5) The committee may request information and presentations from state agencies regarding data privacy and cybersecurity within state agencies and may coordinate with the Colorado cybersecurity council created in section 24-33.5-1902. In addition, the committee may consider:

(a) Whether state agencies are collecting or retaining data that exceeds what is necessary and appropriate for such agencies to perform their functions;

(b) Who has access to data, the extent of such access, and appropriate mechanisms to protect sensitive data; and

(c) Measures to protect data against unauthorized access, disclosure, use, modification, or destruction.

(7) On or before November 1, 2013, and on November 1 of each year thereafter, the judicial department, the department of law, the department of state, and the department of the treasury shall submit a written report to the committee that details all information technology that such department purchased or implemented.

(8) A copy of any legislative measure introduced during any legislative session, regular or special, commencing on or after January 1, 2014, and determined by the speaker of the house of representatives or by the president of the senate to be dealing with information technology, data privacy, or cybersecurity shall be reviewed by the committee. The committee may also request that any legislative measure introduced during a legislative session, regular or special, and determined by the committee to be dealing with information technology, data privacy, or cybersecurity be reviewed by the committee. The committee may make advisory recommendations about such legislative measures to the house of representatives, the senate, the joint budget committee, the capital development committee, or to any committee of reference, as appropriate, considering any such legislative measure.

(9) On or before the first day of the regular legislative session commencing on or after January 1, 2014, and on the first day of each regular legislative session thereafter, the joint technology committee shall submit a written report on the committee's findings and recommendations based on the committee's oversight pursuant to subsections (1) to (8) of this section to the joint budget committee. Such report may include:

(a) Legislation recommended by the committee that addresses any of the committee's findings and recommendations based on the committee's oversight pursuant to subsections (1) to (8) of this section. Any such legislation is exempt from the five-bill limitation specified in rule 24 of the joint rules of the senate and the house of representatives; and

(b) A report on the status of any information technology budget request that was previously approved for phasing in or for incremental implementation over a period exceeding one year.

(10) Upon request, a state agency and the judicial department, the department of law, the department of state, and the department of the treasury shall make available to the committee such data, reports, or information as are necessary for the performance of the committee's duties. If the committee requests such data, reports, or information, the state agency or judicial department, the department of law, the department of state, or the department of the treasury shall provide the requested information no later than November 1 of the calendar year in which the request is made.

(11) (a) The committee shall study all information technology budget requests pursuant to rule 45 of the joint rules of the senate and the house of representatives, made by all state agencies and state institutions of higher education. For purposes of institutions of higher education, the committee shall only review state-funded information technology budget requests. The committee shall make determinations of the priority to be accorded to such information technology budget requests based upon information made available to the committee from any sources with respect to estimates of revenues available in a fiscal year for information technology budget requests. The committee shall make written reports setting forth its recommendations, prioritization, findings, and comments as to each information technology budget request reviewed pursuant to rule 45 of the joint rules of the senate and the house of representatives, including recommendations regarding the appropriate amount of an information technology budget request, and shall submit such written reports to the joint budget committee for supplemental information technology budget requests no later than January 15 of each year, and for new or amended information technology budget requests for the upcoming fiscal year no later than February 15 of each year.

(b) The joint budget committee may seek the committee's review of any operating budget request for information technology, including a request for which the general assembly may make an appropriation pursuant to section 24-75-302 (3.7)(b).

(c) The committee shall hold such hearings as may be necessary to study all information technology budget requests pursuant to rule 45 of the joint rules of the senate and the house of representatives made by all state agencies and state institutions of higher education.

(d) The legislative council staff shall assist and advise the committee by reviewing and summarizing the information technology budget requests made by all state agencies and state institutions of higher education.

(e) The committee shall oversee information technology strategy through the review of state agency information technology plans.

(f) The committee shall oversee any information technology project for which the general assembly makes an appropriation pursuant to section 24-75-302 (3.7)(b). The legislative or judicial department, the department of law, the department of state, or the department of the treasury, as applicable, shall submit to the committee any data, reports, or information requested by the committee or otherwise necessary for the committee to perform its duties pursuant to this subsection (11)(f).

(12) Between adjournment sine die of the second regular session of the seventy-second general assembly and the first meeting in 2021 of the sales and use tax simplification task force created in section 39-26-802, the committee shall:

(a) Seek regular updates from the office of information technology and the department of revenue regarding the development of the electronic sales and use tax simplification system described in Senate Bill 19-006, enacted in 2019;

(b) Once the electronic sales and use tax simplification system described in Senate Bill 19-006, enacted in 2019, is online, monitor and encourage participation by businesses and home rule municipalities; and

(c) Seek regular updates from the office of information technology and the department of revenue regarding the purchase and development of a geographic information system (GIS) database to maintain jurisdictional boundaries of sales tax districts and to calculate appropriate sales and use tax rates for individual addresses for which the department of revenue received an appropriation in Senate Bill 19-006, enacted in 2019.

(13) The committee may call the chief information security officer to testify before the committee regarding the written information technology security compliance report that the chief information security officer is required to submit to the committee pursuant to section 24-37.5-403 (2)(j).

(14) Within ninety days after the day that the chief information security officer of the office of information technology files a written information technology security compliance report as required by section 24-37.5-403 (2)(j), the committee may vote to formally request that the legislative audit committee, pursuant to section 2-3-108, vote to direct a special information technology security audit of the office in accordance with the state auditor's authority related to information technology systems as described in section 2-3-103 (1.5), if:

(a) The written information technology security compliance report required by section 24-37.5-403 (2)(j) indicates that one or more audit recommendations made by the state auditor is unresolved two or more years past the implementation date for the audit recommendation to which the office committed in a prior compliance report; or

(b) A material discrepancy exists between a representation made in the written information technology security compliance report required by section 24-37.5-403 (2)(j) and a finding made in a previous audit by the state auditor.

(15) (a) If a majority of the committee votes to request that the legislative audit committee direct a special information technology security audit pursuant to subsection (14) of this section and if a majority of the legislative audit committee votes to approve an audit pursuant to section 2-3-108, the state auditor shall conduct the information technology security audit and may contract with a qualified third-party information technology security firm to conduct the audit. The state auditor shall obtain input from the office of information technology when the state auditor determines the scope and boundaries of the audit, taking into consideration the resources available to the office to reimburse the auditor for the cost of the audit pursuant to subsection (15)(b) of this section.

(b) The state auditor shall, within twelve months of the affirmative vote of a majority of the legislative audit committee, produce an information technology security audit report and submit the audit report to the legislative audit committee, after which the state auditor shall submit the report to the committee, the joint budget committee, and the governor. Pursuant to section 2-3-110, the office shall reimburse the state auditor for an audit conducted pursuant to subsection (14) of this section. The reimbursement may be paid from the technology risk prevention and response fund created in section 24-37.5-120.

Source: L. 2013: Entire part added, (HB 13-1079), ch. 246, p. 1189, § 1, effective May 18. **L. 2014:** (9), (11)(a), and (11)(c) amended and (11) added, (HB 14-1395), ch. 309, pp. 1305, 1309, §§ 2, 10, effective May 31. **L. 2017:** (6.5) added and (8) amended, (SB 17-304), ch. 252, p. 1054, § 2, effective August 9. **L. 2020:** (12) added, (HB 20-1022), ch. 156, p. 671, § 4, effective June 29. **L. 2021:** (1)(d) and (4) repealed and (1)(e), (6), (7), and (11)(e) amended, (HB 21-1236), ch. 211, p. 1094, § 2, effective September 7. **L. 2022:** (3)(b) added by revision, (HB 22-1353), ch. 479, pp. 3488, 3499, §§ 2, 12; **L. 2023:** (11)(b) amended and (11)(f) added, (SB 23-142), ch. 7, p. 25, § 1, effective March 3. **L. 2026:** (13), (14), and (15) added, (SB 26-185), ch. 314, p. 1839, § 1, effective August 12.

Editor's note: Subsection (3)(b) provided for the repeal of subsection (3), effective July 1, 2023. (See L. 2022, p. 3488.)

Cross references: For the legislative declaration in HB 22-1353, see section 1 of chapter 479, Session Laws of Colorado 2022.

2-3-1705. Staff assistance.

The legislative council staff and the office of legislative legal services shall assist the joint technology committee in carrying out its duties.

Source: L. 2013: Entire part added, (HB 13-1079), ch. 246, p. 1191, § 1, effective May 18.

2-3-1706. Repeal of part. (Repealed)

Source: L. 2013: Entire part added, (HB 13-1079), ch. 246, p. 1191, § 1, effective May 18. **L. 2017:** Entire section repealed, (SB 17-304), ch. 252, p. 1055, § 3, effective August 9.

2-3-1707. Artificial intelligence impact task force - creation - membership - duties - compensation - staff support - report - definitions - repeal.

(1) **Definitions.** As used in this section, unless context otherwise requires:

(a) "Algorithmic discrimination" means any condition in which the use of an automated decision system or artificial intelligence system results in an unlawful differential treatment or impact that disfavors an individual or a group of individuals on the basis of their actual or perceived age, color, disability, ethnicity, genetic information, limited proficiency in the English language, national origin, race, religion, reproductive health, sex, veteran status, or other classification protected under the laws of this state or under federal law.

(b) "Automated decision system" means any system that is used to make or assist in decisions that impact the lives of consumers and that is based in whole or in significant part on artificial intelligence, machine learning, computerized algorithms, automated statistical or probabilistic modeling, or similar techniques.

(c) "Biometric technology" means a technology that uses, collects, or analyzes data generated by the technological processing, measurement, or analysis of an individual's biological, physical, or behavioral characteristics, which data can be processed for the purpose of uniquely identifying an individual.

(d) "Consumer" means an individual who is a Colorado resident.

(e) "Deploy" means to use an artificial intelligence system or automated decision system.

(f) "Deployer" means a person doing business in this state that deploys an artificial intelligence system or automated decision system.

(g) "Developer" means a person doing business in this state that develops or intentionally and substantially modifies an artificial intelligence system or automated decision system.

(2) **Creation - membership.**

(a) There is created the artificial intelligence impact task force for the purposes of considering issues and proposing recommendations regarding protections for consumers and workers from artificial intelligence systems and automated decision systems.

(b) The task force consists of the following members:

(I) One member who represents an organization that advocates on behalf of individuals who have historically experienced algorithmic discrimination by artificial intelligence systems or automated decision systems, to be appointed by the governor;

(II) One member who is recommended by consensus from a coalition of statewide labor organizations actively involved in representing the workforce impacted by artificial intelligence systems or automated decision systems, to be appointed by the president of the senate;

(III) One member who represents a statewide civil liberties organization, to be appointed by the president of the senate;

(IV) One member who represents an organization that advocates on behalf of individuals with disabilities, to be appointed by the speaker of the house of representatives;

(V) One member who represents a national nonprofit, nonpartisan organization that focuses on technology, policy, and civil rights, to be appointed by the speaker of the house of representatives;

(VI) The attorney general or the attorney general's designee;

(VII) One member who is a state representative, to be appointed by the speaker of the house of representatives;

(VIII) One member who is a state representative, to be appointed by the minority leader of the house of representatives;

(IX) One member who is a state senator, to be appointed by the president of the senate;

(X) One member who is a state senator, to be appointed by the minority leader of the senate;

(XI) One member who represents a statewide organization of business professionals, to be appointed by the governor;

(XII) One member who represents a nonprofit organization that is focused on privacy and that has a membership consisting of developers and deployers, to be appointed by the president of the senate;

(XIII) One member who represents a deployer, to be appointed by the president of the senate;

(XIV) One member who represents a developer, to be appointed by the speaker of the house of representatives;

(XV) One member who represents an industry association that represents developers or deployers, to be appointed by the minority leader of the senate;

(XVI) One member who is a representative from academia or a national nonprofit, nonpartisan organization that focuses on legal considerations relevant to artificial intelligence systems or automated decision systems, to be appointed by the president of the senate;

(XVII) One member who has expertise in the quantitative evaluation of artificial intelligence or automated decision systems for disparate performance, misuse, or bias, to be appointed by the minority leader of the house of representatives;

(XVIII) One member who is a representative from academia or a national nonprofit, nonpartisan organization with knowledge of the historical development and implementation of legislation, regulation, or codes of conduct requiring disclosure, safety planning, the development of professional standards, or monitoring related to artificial intelligence systems or automated decision systems, to be appointed by the speaker of the house of representatives;

(XIX) The chief information officer of the office of information technology, who is appointed by the governor pursuant to section 24-37.5-103 (1), or the chief information officer's designee;

(XX) One member who represents an organization that advocates for consumers and the first amendment, to be appointed by the speaker of the house of representatives;

(XXI) One member who represents an organization that advocates for schools, school districts, teachers, students, and the education community, to be appointed by the speaker of the house of representatives;

(XXII) One member who is a representative from an organization that advocates for law enforcement agencies, to be appointed by the president of the senate;

(XXIII) One member who is a representative from an organization that represents small business deployers and small business developers, to be appointed by the governor;

(XXIV) One member who is a technology expert from an organization that represents health-care, bioscience, or medical practitioners, to be appointed by the governor;

(XXV) One member who is a technology expert from the security technology industry, to be appointed by the governor; and

(XXVI) One member who is an expert in finance and financial technology, to be appointed by the governor.

(c) (I) The speaker of the house of representatives, the president of the senate, the minority leader of the house of representatives, the minority leader of the senate, and the governor shall make each of the initial appointments described in subsection (2)(b) of this section before August 1, 2024.

(II) Before August 1, 2024, the president of the senate shall appoint the chair of the task force and the speaker of the house of representatives shall appoint the vice-chair of the task force. Thereafter, the chair of the task force shall be appointed annually on or before July 1, with the speaker of the house of representatives appointing the chair in odd-numbered years and the president of the senate appointing the chair in even-numbered years.

(d) Any vacancy that occurs among the appointed members of the task force shall be filled by the appropriate appointment authority as soon as practicable in accordance with the limitations specified in subsection (2)(b) of this section.

(e) In making the appointments to the task force, the speaker of the house of representatives, the president of the senate, the minority leader of the house of representatives, the minority leader of the senate, and the governor shall strive to ensure that the membership of the task force:

(I) Reflects the ethnic, cultural, and gender diversity of the state;

(II) Includes representation from all areas of the state, including individuals who do not reside in the front range region of the state;

(III) To the extent practicable, includes individuals with disabilities; and

(IV) Includes representation from communities that have historically experienced algorithmic discrimination by artificial intelligence systems and automated decision systems.

(f) An employer of any task force member shall not discriminate, take adverse action, or retaliate against any worker based on the worker serving on the task force, including if the worker raises a reasonable concern about workplace violations of health or safety rules or other significant workplace threats to health or safety to the employer, the employer's agent, other workers, a government agency, or the public, if the employer controls the workplace conditions that give rise to the violation of or threat to workplace health or safety.

(3) **Issues of study.** The task force shall consider issues and propose policy recommendations to the committee related to:

(a) The definition of key terms, including "artificial intelligence system" and "automated decision system" and types of artificial intelligence systems and automated decision systems that any state legislation or policy should cover;

(b) Establishing notice, explanation, and other transparency and disclosure requirements for companies that develop or deploy artificial intelligence systems and automated decision systems that impact the lives of consumers and workers;

(c) Developing recommendations for how to protect disproportionately impacted communities and workers from algorithmic discrimination;

(d) Creating a code of conduct or establishing best practices for evaluating the ethical and equitable impact of using artificial intelligence systems and automated decision systems, including specific decision-making frameworks, benchmarks, safety standards, and metrics;

(e) Developing clear quantitative benchmarks and metrics by which to measure or assess algorithmic discrimination;

(f) Developing recommendations for how government agencies, developers, deployers, and third-party auditors can monitor for algorithmic discrimination and verify claims made by developers and deployers about artificial intelligence systems and automated decision systems;

(g) Developing best practices for gathering, documenting, reporting, and sharing data and information necessary for assessing algorithmic discrimination and verifying the claims of developers and deployers;

(h) Developing recommendations for how the state can secure the knowledge and skill necessary to effectively govern artificial intelligence systems and automated decision systems through expert consultation, hiring, and any other mechanisms deemed appropriate by the task force;

(i) Developing recommendations for securing more and better commitments from developers and deployers of artificial intelligence systems and automated decision systems to address algorithmic discrimination; and

(j) Developing recommendations related to the use of facial recognition services and biometric technology.

(4) **Additional duties of the task force.**

(a) (I) The member who is appointed as chair of the task force pursuant to subsection (2)(c)(II) of this section shall call the first meeting of the task force.

(II) The task force shall hold its first meeting on or before September 1, 2024.

(b) (I) The task force shall meet at least five times, which meetings may be online or in person, and shall allow for virtual participation at any in-person meetings.

(II) The task force shall post meeting summaries of its meetings, any draft policy recommendations, and the final report on the committee's public website.

(c) On or before February 1, 2025, the task force shall submit a report to the committee and the governor's office that summarizes the task force's findings and policy recommendations related to the issues of study described in subsection (3) of this section.

(d) The task force may solicit and seek input and participation from relevant communities and stakeholders in conducting the task force's meetings and compiling the final report of the task force.

(e) The task force shall continue to meet as necessary after it submits the report required by subsection (4)(c) of this section, as determined by the task force, until the task force is scheduled for review pursuant to subsection (7) of this section.

(5) **Compensation.** Nonlegislative members of the task force and nonlegislative members of any subcommittees of the task force serve without compensation. Compensation of legislative members is paid from appropriations to the general assembly in accordance with section 2-2-307.

(6) **Staff support.** The director of research of the legislative council may supply staff assistance to the task force as the director of research deems appropriate, subject to available appropriations. The task force may also accept gifts, grants, and donations for staff support from the private sector, which gifts, grants, and donations shall be transmitted to the state treasurer, who shall credit the money to the legislative department cash fund created in section 2-2-1601 (3)(a).

(7) **Repeal.** This section is repealed, effective September 1, 2027. Prior to the repeal, the task force is scheduled for review in accordance with section 2-3-1203.

Source: L. 2022: Entire section added, (SB 22-113), ch. 463, p. 3278, § 1, effective August 10. **L. 2024:** Entire section R&RE, (HB 24-1468), ch. 467, p. 3233, § 2, effective June 6. **L. 2026:** (6) amended, (HB 26-1332), ch. 273, p. 1543, § 2, effective June 1.

Editor's note: Subsections (5), (6), and (7) were numbered as (4), (5), and (6), respectively, in HB 24-1468 but have been renumbered on revision for ease of location.

PART 18

RECEIPT OF INFORMATION FROM THE EXECUTIVE BRANCH DURING A DECLARED DISASTER EMERGENCY

2-3-1801. Legislative committees to receive information from the executive branch during a declared disaster emergency - definition.

(1) As used in this section, "committees" means the executive committee of the legislative council created in section 2-3-301 (1) and the joint budget committee created in section 2-3-201, or any successor committees.

(2) The committees shall hold a joint meeting if any member of the committees submits a written request to hold a joint meeting to the chairs of the committees and the governor and if there has been a declaration of a disaster emergency by the governor under section 24-33.5-704 (4), or any successor section, since the first day of the month of the last meeting. A request for a joint meeting made pursuant to this section may be waived by an affirmative vote of at least two-thirds of the total membership of the committees.

(3) During any joint meeting of the committees held in accordance with this part 18, the governor or his or her designee shall appear to provide information of a comprehensive nature and respond to questions from the committees with respect to a current disaster emergency.

(4) The governor and any state agency shall promptly give notice to the general assembly of the promulgation of any executive order or other order by the governor or the agency, as applicable, issued in connection with the disaster emergency.

Source: L. 2020: Entire part added, (HB 20-1426), ch. 306, p. 1556, § 1, effective July 14. **L. 2023:** (2) amended, (SB 23-272), ch. 403, p. 2415, § 1, effective June 6.

PART 19

COLORADO JAIL STANDARDS COMMITTEE

2-3-1901. Legislative oversight committee for Colorado jail standards - creation - duties - repeal.

(1) **Creation.**

(a) There is created a legislative oversight committee concerning Colorado jail standards, referred to in this part 19 as the "committee".

(b) The committee consists of six members. The president of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives shall appoint the members of the committee as follows:

(I) The president of the senate shall appoint two senators to serve on the committee and designate one of the senators as the chair of the committee in odd-numbered years and as the vice-chair of the committee in even-numbered years, and the minority leader of the senate shall appoint one senator to serve on the committee;

(II) The speaker of the house of representatives shall appoint two representatives to serve on the committee and designate one of the representatives as the chair of the committee in even-numbered years and as the vice-chair of the committee in odd-numbered years, and the minority leader of the house of representatives shall appoint one representative to serve on the committee;

(III) The president of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives shall make their appointments by July 1, 2022. In the case of a vacancy, the person making the original appointment or reappointment shall fill any vacancy by appointment.

(c) (I) Members of the committee may receive payment of per diem and reimbursement for actual and necessary expenses authorized pursuant to section 2-2-307.

(II) The director of research of the legislative council and the director of the office of legislative legal services shall supply staff assistance to the committee, but shall not supply staff assistance to any subcommittees created by the committee.

(2) **Duties.**

(a) (I) The committee shall meet no more than four times each year.

(II) Repealed.

(III) (A) Notwithstanding subsection (2)(a)(I) of this section, the committee shall not meet during the 2026 interim.

(B) This subsection (2)(a)(III) is repealed, effective July 1, 2027.

(b) to (d) Repealed.

(e) (I) The committee may introduce up to a total of three bills, joint resolutions, or concurrent resolutions during a regular legislative session. Bills introduced by the committee are exempt from the five-bill limitation specified in rule 24 (b)(1)(A) of the joint rules of the senate and the house of representatives. Joint resolutions and concurrent resolutions introduced by the committee are exempt from the limitations set out in rule 26 (g) of the rules of the house of representatives and rule 30 (f) of the rules of the senate.

(II) The committee is exempt from the requirement to report bills or other measures to the legislative council as specified in rule 24 (b)(1)(D) and rule 24A (d)(8) of the joint rules of the senate and the house of representatives and in section 2-3-303 (1)(f). The committee is subject to rule 24A of the joint rules of the senate and the house of representatives, except to the extent that the rule may conflict with this part 19.

(III) Bills recommended by the committee must be introduced by the introduction deadline for house bills specified in rule 23 (a)(1) of the joint rules of the senate and the house of representatives.

(IV) The chair and vice-chair shall jointly establish the last date for the meeting at which the committee may approve bill requests, the last date by which committee members must finalize bill drafts or by which bill drafts will be deemed finalized for fiscal note purposes, and the last date by which the committee will consider and take final action on bill drafts.

(V) Repealed.

(VI) (A) Notwithstanding subsection (2)(e)(I) of this section, the committee shall not recommend legislation during the 2026 interim.

(B) This subsection (2)(e)(VI) is repealed, effective July 1, 2027.

(f) The committee shall consider the reports from the jail standards advisory committee created in section 30-10-530 and may revise the jail standards based on information in the reports.

(3) (a) This section is repealed, effective September 1, 2033.

(b) Prior to this section's repeal, the legislative oversight committee is subject to review pursuant to section 2-3-1203.

Source: L. 2022: Entire part added, (HB 22-1063), ch. 395, p. 2799, § 1, effective June 7. **L. 2024:** (1)(b)(I) and (1)(b)(II) amended and (2)(e), (2)(f), and (3) added, (HB 24-1054), ch. 328, p. 2216, § 1, effective June 3. **L. 2025:** (2)(a) amended and (2)(e)(V) added, (SB 25-199), ch. 149, p. 566, § 4, effective April 30; (2)(b), (2)(c), and (2)(d) repealed, (SB 25-300), ch. 428, p. 2435, § 1, effective August 6. **L. 2026:** (2)(a)(III) and (2)(e)(VI) added, (HB 26-1331), ch. 329, p. 1918, § 7, effective June 2.

Editor's note: Subsections (2)(a)(II)(B) and (2)(e)(V)(B) provided for the repeal of subsections (2)(a)(II) and (2)(e)(V), respectively, effective July 1, 2026. (See L. 2025, p. 566.)

2-3-1901.5. Jail standards compliance.

Each county jail shall comply with the standards adopted by the legislative oversight committee pursuant to section 2-3-1901 (2). Each municipal jail, as described in section 31-15-401, shall comply with the standards adopted by the committee, beginning July 1, 2027. The committee shall post the standards on its website. If the committee revises a jail standard, each county jail and municipal jail shall comply with the revised standard no later than one year after the revision is adopted, or earlier if specified by the committee when adopting the revision. A county jail or municipal jail does not have to comply with a standard or revised standard if it receives a variance from the standard pursuant to section 30-10-530 (5)(g).

Source: L. 2024: Entire section added, (HB 24-1054), ch. 328, p. 2217, § 2, effective June 3. **L. 2026:** Entire section amended, (HB 26-1039), ch. 75, p. 294, § 1, effective August 12.

2-3-1902. Colorado jail standards commission - creation - membership. (Repealed)

Source: L. 2022: Entire part added, (HB 22-1063), ch. 395, p. 2801, § 1, effective June 7. **L. 2024:** Entire section repealed, (HB 24-1054), ch. 328, p. 2217, § 3, effective June 3.

2-3-1903. Commission - duties - report. (Repealed)

Source: L. 2022: Entire part added, (HB 22-1063), ch. 395, p. 2802, § 1, effective June 7. **L. 2024:** Entire section repealed, (HB 24-1054), ch. 328, p. 2217, § 3, effective June 3.

2-3-1904. Repeal of part. (Repealed)

Source: L. 2022: Entire part added, (HB 22-1063), ch. 395, p. 2813, § 1, effective June 7. **L. 2024:** Entire section repealed, (HB 24-1054), ch. 328, p. 2217, § 3, effective June 3.

PART 20

LANGUAGE ACCESS ADVISORY BOARD

Editor's note: (1) This part 20 was added in 2024 and was not amended prior to its repeal in 2025. For the text of this part 20 prior to 2025, consult the 2024 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

(2) Section 2-3-2004 provided for the repeal of this part 20, effective January 1, 2025. (See L. 2024, p. 1773.)

2-3-2001 to 2-3-2004. (Repealed)

PART 21

AMERICAN INDIAN AFFAIRS INTERIM COMMITTEE

2-3-2101. Legislative declaration.

(1) The general assembly finds that:

(a) Historical and intergenerational trauma continues to impact American Indian communities. Without action to address the unique challenges American Indians face, the cycle of poverty, inadequate support, and lack of resources will persist.

(b) Communication, collaboration, and respect are critical to support American Indian Tribal Nations and create positive, lasting, and impactful change;

(c) From the work of the 2024 American Indian affairs interim study committee, more work is clearly needed to better support American Indian Tribal Nations and their communities in Colorado;

(d) Creating the American Indian affairs interim committee allows the general assembly to continue discussions and collaboration with the Ute Mountain Ute Tribe, Southern Ute Indian Tribe, and all other American Indian people and their communities in Colorado in order to address the challenges and issues they face; and

(e) The general assembly is committed to building stronger and more meaningful relationships with the American Indian Tribal Nations and their communities in Colorado.

(2) Therefore, the general assembly declares that the continuation of the American Indian affairs interim committee is critical to improve relationships and address the unique challenges and needs that American Indian Tribal Nations and their communities face.

Source: L. 2025: Entire part added, (HB 25-1057), ch. 268, p. 1380, § 1, effective May 28.

2-3-2102. Definitions.

As used in this part 21, unless the context otherwise requires:

(1) "American Indian Tribal Nations" means the Southern Ute Indian Tribe, the Ute Mountain Ute Tribe, and any other federally recognized tribe.

(2) "Committee" means the American Indian affairs interim committee created in section 2-3-2103.

Source: L. 2025: Entire part added, (HB 25-1057), ch. 268, p. 1381, § 1, effective May 28.

2-3-2103. American Indian affairs interim committee - creation - duties - membership - reporting - repeal.

(1) Notwithstanding section 2-3-303.3, the American Indian affairs interim committee is created.

(2) The purpose of the committee is to examine issues and challenges that impact the American Indian Tribal Nations.

(3) (a) The committee consists of the six members of the general assembly who were appointed to the 2024 American Indian affairs interim study committee as follows:

(I) Three members of the senate, the one member appointed by the president of the senate, the one member appointed by the majority leader of the senate, and the one member appointed by the minority leader of the senate; and

(II) Three members of the house of representatives, the one member appointed by the speaker of the house of representatives, the one member appointed by the majority leader of the house of representatives, and the one member appointed by the minority leader of the house of representatives.

(b) The committee consists of the following two nonvoting members:

(I) One representative from the Southern Ute Indian Tribe, appointed by the chairman of the Southern Ute Indian Tribe; and

(II) One representative from the Ute Mountain Ute Tribe, appointed by the chairman of the Ute Mountain Ute Tribe.

(c) The speaker of the house of representatives shall appoint the chair of the committee in odd-numbered years and the vice-chair of the committee in even-numbered years. The president of the senate shall appoint the chair of the committee in even-numbered years and the vice-chair of the committee in odd-numbered years.

(4) Members appointed to the committee serve for the duration of the committee unless an appointed member resigns, is removed, or is no longer in office. The appointing authority shall fill any vacancy as soon as practicable. Members serve at the pleasure of the appointing authority and continue until a successor is appointed.

(5) Members of the committee serve without compensation; except that each member is entitled to reimbursement for necessary expenses in connection with the performance of the member's duties and receives the same per diem as other members of interim committees in attendance at meetings.

(6) (a) The committee may meet up to six times per interim, which may include field trips.

(b) The chair of the committee shall schedule the first meeting of the committee for no later than July 31 of each year.

(c) Repealed.

(d) (I) Notwithstanding subsections (6)(a) and (6)(b) of this section, the committee shall not meet during the 2026 interim.

(II) This subsection (6)(d) is repealed, effective July 1, 2027.

(7) (a) The committee may recommend up to a total of five bills during each interim. Legislation recommended by the committee must be treated as legislation recommended by an interim committee for purposes of applicable deadlines, bill introduction limits, and any other requirements imposed by the joint rules of the general assembly.

(b) Repealed.

(c) (I) Notwithstanding subsection (7)(a) of this section, the committee shall not recommend legislation during the 2026 interim.

(II) This subsection (7)(c) is repealed, effective July 1, 2027.

(8) (a) The committee shall seek presentations and comments from community members and representatives of the American Indian Tribal Nations, relevant state agencies, and impacted community members.

(b) Repealed.

(c) (I) Notwithstanding subsection (8)(a) of this section, the committee shall not seek presentations and comments during the 2026 interim.

(II) This subsection (8)(c) is repealed, effective July 1, 2027.

(9) On or before January 15, 2031, the committee shall submit a report to the executive committee of the legislative council summarizing the issues and topics discussed, recommendations considered, and any actions taken by the committee during the preceding five years. The information contained in the report must be organized by interim year. The report must comply with the provisions of section 24-1-136 (9).

(10) The legislative council and the office of legislative legal services shall provide staff assistance to the committee.

(11) This part 21 is repealed, effective June 30, 2031.

Source: L. 2025: Entire part added, (HB 25-1057), ch. 268, p. 1381, § 1, effective May 28. **L. 2026:** (6)(d), (7)(c), and (8)(c) added, (HB 26-1331), ch. 329, p. 1918, § 8, effective June 2.

Editor's note: Subsections (6)(c)(II), (7)(b)(II), and (8)(b)(II) provided for the repeal of subsections (6)(c), (7)(b), and (8)(b), respectively, effective July 1, 2026. (See L. 2025, p. 1381.)

STATUTES - CONSTRUCTION AND REVISION

ARTICLE 4

Construction of Statutes

PART 1
CONSTRUCTION OF WORDS AND PHRASES

2-4-101. Common and technical usage.
2-4-102. Singular and plural.
2-4-103. Gender.
2-4-104. Tense.
2-4-105. Week.
2-4-106. Month.
2-4-107. Year.

2-4-108. Computation of time.

2-4-109. Standard time - daylight saving time - definition - repeal.

2-4-110. Joint authority.

2-4-111. Quorum.

2-4-112. Conflict in the expression of numbers.

2-4-113. Use of "to" in reference to several sections.

2-4-114. Introductory portion.

2-4-115. Assessed value - valuation for assessment.

PART 2
CONSTRUCTION OF STATUTES

2-4-201. Intentions in the enactment of statutes.

2-4-202. Statutes presumed prospective.

2-4-203. Ambiguous statutes - aids in construction.

2-4-204. Severability of statutory provisions.

2-4-205. Special or local provision prevails over general.

2-4-206. Irreconcilable statutes passed at the same or different sessions.

2-4-207. Original controls over subsequent printing.

2-4-208. Continuation of prior law.

2-4-209. Statutory references.

2-4-210. References in a series. (Repealed)

2-4-211. Common law of England.

2-4-212. Liberal construction.

2-4-213. Form of enacting clause.

2-4-214. Use of relative and qualifying words and phrases.

2-4-215. Each general assembly a separate entity - future general assemblies not bound by acts of previous general assemblies.

2-4-216. Limitations on statutory programs.

PART 3
AMENDATORY STATUTES

2-4-301. Multiple amendments to the same provision - one without reference to the other.

2-4-302. Repeal of a repealing statute.

2-4-303. Penalties and liabilities not released by repeal.

PART 4
DEFINITIONS

2-4-401. Definitions.

2-4-402. Colorado Revised Statutes.

PART 5
CONSTRUCTION OF LAWS FOR THE SOUTHERN UTE INDIAN TRIBE AND THE SOUTHERN UTE INDIAN RESERVATION

2-4-501. Purpose - legislative declaration.
2-4-502. Definitions.
2-4-503. Rules of construction.
2-4-504. Tribal consent to application of state laws.
2-4-505. Preservation of sovereign immunity - preservation of legal remedies.

PART 6
CONSTRUCTION OF LAWS FOR THE UTE MOUNTAIN UTE TRIBE AND THE UTE MOUNTAIN UTE RESERVATION

2-4-601. Purpose - legislative declaration.
2-4-602. Definitions.
2-4-603. Rules of construction.
2-4-604. Tribal consent to application of state laws.
2-4-605. Preservation of sovereign immunity - preservation of legal remedies.

PART 1

CONSTRUCTION OF WORDS AND PHRASES

2-4-101. Common and technical usage.

Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, shall be construed accordingly.

Source: L. 73: R&RE, p. 1422, § 1. **C.R.S. 1963:** § 135-1-101.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

Words and phrases found in statute are to be construed according to their familiar and generally accepted meaning. Harding v. Indus. Comm'n, 183 Colo. 52, 515 P.2d 95 (1973); Humana, Inc. v. Bd. of Adjustment, 189 Colo. 79, 537 P.2d 741 (1975); People v. District Court, 713 P.2d 918 (Colo. 1986); State Bd. of Nursing v. Crickenberger, 757 P.2d 1167 (Colo. App. 1988); Federal Land Bank of Wichita v. Needham, 759 P.2d 799 (Colo. App. 1988); Cartwright v. State Bd. of Accountancy, 796

P.2d 51 (Colo. App. 1990); Husson v. Meeker, 812 P.2d 731 (Colo. App. 1991); Allstate Ins. Co. v. Smith, 902 P.2d 1386 (Colo. 1995); Pearson v. District Court, 18th Jud. Dist., 924 P.2d 512 (Colo. 1996).

Forced, subtle, strained, or unusual interpretation should never be resorted to where statutory language is plain, its meaning is clear, and no absurdity is involved. Harding v. Indus. Comm'n, 183 Colo. 52, 515 P.2d 95 (1973); Humana, Inc. v. Bd. of Adjustment, 189 Colo. 79, 537 P.2d 741 (1975); Federal Land Bank v. Neddham, 759 P.2d 700 (Colo. App. 1988); Colonial Penn v. Colo. Ins. Guar., 799 P.2d 448 (Colo. App. 1990).

Statutory provisions are to be construed according to their plain and obvious meaning and should not be subjected to strained or forced interpretation. People v. Browning, 809 P.2d 1086 (Colo. App. 1990); People v. Thomas, 867 P.2d 880 (Colo. 1994).

The courts must interpret statutory language by first looking to the plain meaning, then to the objective of the general assembly, giving a sensible, yet harmonious effect to the statute. Matter of Title, Ballot Title for 1997-98 No. 62, 961 P.2d 1077 (Colo. 1998).

It is a well settled rule of statutory construction that all words and phrases used in a statute shall be understood and construed according to the approved and common usage of the language and that some meaning shall be given to every word used. Thomas v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1889); People v. J.J.H., 17 P.3d 159 (Colo. 2001).

This rule is expressly recognized and declared to be a law of this state. Thomas v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1899).

However, it is equally a well settled rule of construction that if no sensible meaning can be given to a word or phrase, or if it would defeat, manifestly, the real object of the enactment, it should be eliminated. Thomas v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1899).

Also, for the same reason words may be rejected as surplusage. Thomas v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1899).

And to carry out the intention of the general assembly, another word may be read for the word used, where the word used would manifestly defeat the legislative intent and the substitution of the other would carry it out. Thomas v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1899).

These may be said to be the exceptions to the general rule as announced. Thomas v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1899).

But these exceptions, are almost if not quite in as general use as the general rule itself. Thomas v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1899).

Especially with reference to the words "or" and "and" has it been frequently necessary to invoke this latter rule. Thomas

v. City of Grand Junction, 13 Colo. App. 80, 56 P. 665 (1899).

Although words employed should not be held cumulative or meaningless, unless it be impossible to attribute a rational purpose to them when considered in connection with the context. Garfield County Court v. Schwartz, 13 Colo. 291, 22 P. 783 (1889).

And general terms are to receive reasonable interpretation leaving the provision of the statute practically operative. Harding v. People, 10 Colo. 387, 15 P. 727 (1887). See Electro-Magnetic Mining & Dev. Co. v. Van Auken, 9 Colo. 204, 11 P. 80 (1886).

When a statutory term may be used in different senses, it is permissible for the court to apply the definition which will "best effectuate the legislative intent in the enactment of the law". Clown's Den, Inc. v. Canjar, 33 Colo. App. 212, 518 P.2d 957 (1974).

Prior judicial construction of language used in subsequent legislation. It is to be presumed that a general assembly is cognizant of and adopts the construction which prior judicial decisions have placed on particular language when such language is employed in subsequent legislation. Thompson v. People, 181 Colo. 194, 510 P.2d 311 (1973).

Also, the use of two different words or phrases, each of which expresses the same common meaning, does not render a statute internally inconsistent. Howe v. People, 178 Colo. 248, 496 P.2d 1040 (1972).

Words permissive in form when public duty is involved are considered as mandatory. Duprey v. Anderson, 184 Colo. 70, 518 P.2d 807 (1974) (decided under present section).

The word "may" when used in a statute to denote choice of procedure not affecting it or any party of interest is not mandatory, but generally construed to mean "must" where a substantial interest is affected. Duprey v. Anderson, 184 Colo. 70, 518 P.2d 807 (1974).

Where persons or the public have an interest in having an act done by a public body, the word "may" in a statute means "must". Duprey v. Anderson, 184 Colo. 70, 518 P.2d 807 (1974).

In the absence of any emergency clause, the expression "after the passage of the act", as used in the law, can have but one meaning, namely after the act goes into effect. Harding v. People, 10 Colo. 387, 15 P. 727 (1887).

Also parent is a common word, and the court in construing a contract, will give it its common meaning. Mund v. Rehaume, 51 Colo. 129, 117 P. 159, 1913A Ann. Cas. 1243 (1911).

Finally the word "employment" as used should be construed according to its ordinary meaning. Brannaman v. Richlow Mfg. Co., 106 Colo. 317, 104 P.2d 897 (1940).

The word "service", when used in interpreting unemployment compensation statute, was to be given its ordinary

meaning. Weld County Kirby Co. v. Indus. Comm'n, 676 P.2d 1253 (Colo. App. 1983).

The term "includes", as it is commonly understood, operates to extend rather than limit. Lyman v. Town of Bow Mar, 188 Colo. 216, 533 P.2d 1129 (1975); People v. Pipkin, 762 P.2d 736 (Colo. App. 1988).

When giving statutory language its plain and obvious meaning creates an absurd result, the intention of the framers will prevail over such interpretation. People v. Bowman, 812 P.2d 725 (Colo. App. 1991).

There is a presumption that the word "shall", when used in a statute, is mandatory. Williams Natural Gas Co. v. Mesa Operating Limited P'ship, 778 P.2d 309 (Colo. App. 1989); Pearson v. District Court, 18th Jud. Dist., 924 P.2d 512 (Colo. 1996).

Term which has been statutorily defined is required to be given its statutory definition and is applicable whenever it appears in statute, unless a contrary intention plainly appears. R.E.N. v. City of Colo. Springs, 823 P.2d 1359 (Colo. 1992).

Statutory reference to the popular name of a federal act encompassed all benefits payable under that act. No exclusion would be inferred from a subsequent, arguably more restrictive reference to federal benefits for purposes of offsetting state workers' compensation benefits. L.E.L. Construction v. Goode, 867 P.2d 875 (Colo. 1994).

Applied in Lemler v. Real Estate Comm'n, 38 Colo. App. 489, 558 P.2d 591 (1976); Wasson v. Hogenson, 196 Colo. 183, 583 P.2d 914 (1978); Wigent v. Shinsato, 43 Colo. App. 83, 60l P.2d 653 (1979) (all three cases decided under present section); Lepore v. Bd. of Trustees, 628 P.2d 625 (Colo. App. 1981); People v. District Court, 638 P.2d 65 (Colo. 1981); Meyer v. Indus. Comm'n, 644 P.2d 46 (Colo. App. 1981); Nat'l Ass'n of Credit Mgt. v. Burke, 645 P.2d 1323 (Colo. App. 1982); Engelbrecht v. Hartford Acc. & Idem. Co., 680 P.2d 231 (Colo. 1984); Calhan Sch. Dist. No. 1 v. El Paso County, 686 P.2d 1321 (Colo. 1984); Twilight Jones Lounge v. Showers, 732 P.2d 1230 (Colo. App. 1986); Lucero v. Climax Molybdenum Co., 732 P.2d 642 (Colo. 1987); Stevens v. People, 796 P.2d 946 (Colo. 1990); City of Craig v. Hammat, 809 P.2d 1034 (Colo. App. 1990); Aspen Highlands Skiing Corp. v. Apostolou, 866 P.2d 1384 (Colo. 1994).

2-4-102. Singular and plural.

The singular includes the plural, and the plural includes the singular.

Source: L. 73: R&RE, p. 1422, § 1. **C.R.S. 1963:** § 135-1-102.

ANNOTATION

In light of this rule of statutory construction, separate petition is not required for adoption of each of four children of same deceased natural mother even though statute refers to adopted children in the singular. Hopp v. Patterman, 757 P.2d 164 (Colo. App. 1988).

Because the singular includes the plural, the waiver of sovereign immunity set forth in § 24-10-106 (1)(d)(II) for "failure to repair a traffic signal on which conflicting directions are displayed" applies to a public entity that fails to repair multiple traffic control signals that display conflicting directions. DeForrest v. City of Cherry Hills Vill., 990 P.2d 1139 (Colo. App. 1999).

Applied in Renck v. Motor Vehicle Div., 636 P.2d 1294 (Colo. App. 1981); Mtn. Mobile Mix, Inc. v. Gifford, 660 P.2d 883 (Colo. 1983).

2-4-103. Gender.

Every word importing the masculine gender only may extend to and be applied to females and things as well as males; every word importing the feminine gender only may extend to and be applied to males and things as well as females; and every word importing the neuter gender only may extend to and be applied to natural persons as well as things.

Source: L. 73: R&RE, p. 1422, § 1. **C.R.S. 1963:** § 135-1-103.

2-4-104. Tense.

Words in the present tense include the future tense.

Source: L. 73: R&RE, p. 1422, § 1. **C.R.S. 1963:** § 135-1-104.

ANNOTATION

Applied in Gonzales v. District Court, 638 P.2d 39 (Colo. 1982); In re R.H.N., 673 P.2d 805 (Colo. App. 1983).

2-4-105. Week.

The word "week" means any seven consecutive days.

Source: L. 73: R&RE, p. 1422, § 1. **C.R.S. 1963:** § 135-1-105.

2-4-106. Month.

The word "month" means a calendar month.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-106.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

The word "month", wherever used in a statute, shall be construed to mean a calendar month. Daly v. Concordia Fire Ins. Co., 16 Colo. App. 349, 65 P. 416 (1901).

By analogy, therefore, it would be proper to construe the term in the same manner when used in contracts, and such is the general holding of the courts. Daly v. Concordia Fire Ins. Co., 16 Colo. App. 349, 65 P. 416 (1901).

And it has been expressly held that a calendar month beginning on a certain day expires on the corresponding day of the next month, if there be such a corresponding day. Daly v. Concordia Fire Ins. Co., 16 Colo. App. 349, 65 P. 416 (1901).

If there is no corresponding day then the calendar month expires on the last day of the succeeding month. Daly v. Concordia Fire Ins. Co., 16 Colo. App. 349, 65 P. 416 (1901).

For instance, one calendar month from January 15 would expire on February 15, but one calendar month from January 30 would expire on February 28 or 29, if the month contained so many days. Daly v. Concordia Fire Ins. Co., 16 Colo. App. 349, 65 P. 416 (1901).

Applied in Rowe v. Tucker, 38 Colo. App. 532, 560 P.2d 843 (1977).

2-4-107. Year.

The word "year" means a calendar year.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-107.

ANNOTATION

Defining the word "year" in the three-year statute of limitations in § 33-44-111 as "calendar year", meaning the period from January 1 to December 31, would lead to an absurd result. Schafer v. Aspen Skiing Corp., 742 F.2d 580 (10th Cir. 1984).

2-4-108. Computation of time.

(1) In computing a period of days, the first day is excluded and the last day is included.

(2) If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.

(3) If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-108.

Cross references: For provisions governing publication of legal notices and advertisements and the computation of time therefor, see part 1 of article 70 of title 24; for computation of time under the "Uniform Election Code of 1992", articles 1 to 13 of title 1, see § 1-1-106.

ANNOTATION

Law reviews. For article, "Service of Process on Sunday", see 16 Dicta 320 (1939).

This section cannot be viewed as retroactive just because it operates on antecedent facts. Rowe v. Tucker, 38 Colo. App. 532, 560 P.2d 843 (1977).

Rather, the question is whether applying this section to a particular controversy would deprive a party of accrued rights. Rowe v. Tucker, 38 Colo. App. 532, 560 P.2d 843 (1977).

When right accrues. For purposes of applying this section, a right accrues only when litigation could have been successfully

maintained thereunder. Rowe v. Tucker, 38 Colo. App. 532, 560 P.2d 843 (1977).

Application of section held not retroactive. Where only after the foreclosure sale did the right to limit redemption to the statutory period accrue and this took place after the effective date of this section, application of this statute to subsequent redemption proceedings raised no retroactivity problem. Rowe v. Tucker, 38 Colo. App. 532, 560 P.2d 843 (1977).

Sunday included within number of days to do statutory act, unless excluded. Where a statutory provision declares that an act must be done within a certain number of days, Sunday is reckoned as one of these days, though it happens to be the last, unless it is expressly or impliedly excluded. City and County of Denver v. Londoner, 33 Colo. 104, 80 P. 117 (1905), rev'd on other grounds, 210 U.S. 373 (1908).

Therefore, no time extension granted to filing election statement. The extension of time granted to judicial acts when the last day falls on a Sunday does not apply to the filing of a statement in an election contest. Vailes v. Brown, 16 Colo. 462, 27 P. 945 (1891).

Section not applicable to computation of a tort action's three-year statute of limitations under § 13-80-101. Gomez v. Walker, 2023 COA 79, 540 P.3d 936.

Section not applicable to computation of three-year statute of limitations in § 33-44-111 of the Ski Safety Act. Schafer v. Aspen Skiing Corp., 742 F.2d 580 (10th Cir. 1984).

In calculating the two-year limitation for filing a personal property tax abatement petition pursuant to § 39-10-114 (1)(a)(I)(A), the day from which the two-year period runs is excluded and the last day is included. If the last day is a holiday, the period is extended one day. Golden Aluminum v. Weld County Comm'rs, 867 P.2d 190 (Colo. App. 1993).

A period of years ends on and includes the anniversary date in the concluding year, that is, the same month and day of the concluding year as the month and day from which the computation began. People v. Brunner, 87 P.3d 267 (Colo. App. 2004).

This section shall not be construed as resulting in a tolling, waiver, or extension of the 180-day filing requirement pursuant to § 24-10-109. Rather, this section merely allows the 180-day period to be given effect and provide a uniform method for determining when a statutory period begins and ends. Matthews v. City & County of Denver, 20 P.3d 1227 (Colo. App. 2000).

Applied in People v. Bielecki, 41 Colo. App. 256, 588 P.2d 377 (1978); Shaball v. State Comp. Ins. Auth., 799 P.2d 399 (Colo. App. 1990); Ralston Purina-Keystone v. Lowry, 821 P.2d 910 (Colo. App. 1991); N.E., Inc. v. Iliff & Monaco Assocs., 890 P.2d 146 (Colo. App. 1994); Matthews v. City & County of Denver, 20 P.3d 1227 (Colo. App. 2000).

2-4-109. Standard time - daylight saving time - definition - repeal.

(1) (a) The standard time within the state, except as provided in subsection (2) of this section, is that which is now known and designated by act of congress as "United States Mountain Standard Time".

(b) This subsection (1) is repealed, effective on the date subsection (2.5) of this section takes effect.

(2) (a) From two o'clock antemeridian on the second Sunday of March, until two o'clock antemeridian on the first Sunday of November, or such other times and days as may, from time to time, be designated by act of congress, the standard time in this state so established shall be one hour in advance of the standard time now known as "United States Mountain Standard Time".

(b) This subsection (2) is repealed, effective on the date subsection (2.5) of this section takes effect.

(2.5) (a) The standard time within the state throughout the year is coordinated universal time minus six hours. As used in this section, "coordinated universal time" means the time scale maintained through the general conference of weights and measures and interpreted or modified for the United States by the secretary of commerce in coordination with the secretary of the Navy.

(b) (I) This subsection (2.5) takes effect at two o'clock antemeridian on the first Sunday of November after the governor notifies the revisor of statutes that the following conditions have occurred:

(A) A federal law is enacted and takes effect that authorizes states to adopt coordinated universal time minus six hours, commonly known as "United States Mountain Daylight Saving Time", as the standard time for the state throughout the year; and

(B) At least four states in the mountain standard time zone, in addition to Colorado, enact legislation that becomes law making coordinated universal time minus six hours, commonly known as "United States Mountain Daylight Saving Time", the states' standard time throughout the year.

(II) The governor shall notify the revisor of statutes in writing of the date on which the conditions specified in subsection (2.5)(b)(I) of this section have occurred by emailing the notice to revisorofstatutes.ga@coleg.gov.

(III) For purposes of this subsection (2.5)(b), the mountain standard time zone includes Arizona, New Mexico, Colorado, Utah, Wyoming, Montana, and the southern portion of Idaho as described in 15 U.S.C. sec. 264.

(3) In all laws, statutes, orders, decrees, rules, and regulations relating to the time of performance of any act by any officer or department of this state, or of any county, city and

county, city, town, district, or other political subdivision thereof, or relating to the time in which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of the state, and in all the public schools and in all other institutions of this state, or of any county, city and county, city, town, or district thereof, and in all contracts or choses in action made or to be performed in this state, the time shall be as set forth in this section and it shall be so understood and intended.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-109. **L. 87:** (2) amended, p. 1574, § 2, effective July 10. **L. 2007:** (2) amended, p. 2018, § 4, effective June 1. **L. 2022:** (1) and (2) amended and (2.5) added, (HB 22-1297), ch. 330, p. 2321, § 2, effective August 10.

Cross references: For the legislative declaration in HB 22-1297, see section 1 of chapter 330, Session Laws of Colorado 2022.

2-4-110. Joint authority.

A grant of authority to three or more persons as a public body confers the authority upon a majority of the number of members fixed by statute.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-110.

ANNOTATION

Industrial claim appeals office is a public body within the meaning of this section and, for decisions rendered prior to March 19, 1992, is subject to the limitation that it must act through a majority of its members. O'Gorman v. Indus. Claim Appeals Office, 839 P.2d 1149 (Colo. 1992).

2-4-111. Quorum.

A quorum of a public body is a majority of the number of members fixed by statute.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-111.

2-4-112. Conflict in the expression of numbers.

If there is a conflict between figures and words in expressing a number, the words govern.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-112.

2-4-113. Use of "to" in reference to several sections.

Wherever in the statutes of this state a reference is made to several sections and the section numbers given in the reference are connected by the word "to", the reference includes both sections whose numbers are given and all intervening sections.

Source: L. 75: Entire section added, p. 205, § 1, effective July 16.

ANNOTATION

Applied in W. Convenience Stores, Inc. v. Suncor Energy U.S.A., Inc., 970 F. Supp. 2d 1162 (D. Colo. 2013).

2-4-114. Introductory portion.

The portion of any section, subsection, paragraph, or subparagraph which precedes a list of examples, requirements, conditions, or other items may be referred to and cited as the "introductory portion" to the section, subsection, paragraph, or subparagraph.

Source: L. 75: Entire section added, p. 205, § 1, effective July 16.

2-4-115. Assessed value - valuation for assessment.

(1) The phrase "assessed value" means either the assessed value for the purpose of a levy imposed by a local governmental entity or the assessed value for the purpose of a levy imposed by a school district as best determined in the particular context by the property tax administrator.

(2) The phrase "valuation for assessment" means either the valuation for assessment for the purpose of a levy imposed by a local governmental entity or the valuation for assessment for the

purpose of a levy imposed by a school district as best determined in the particular context by the property tax administrator.

Source: L. 2024, 2nd Ex. Sess.: Entire section added, (HB 24B-1001), ch. 1, p. 1, § 2, effective October 1 (see editor's note).

Editor's note: Section 19 of chapter 1 (HB 24B-1001), Session Laws of Colorado 2024, Second Extraordinary Session, provides that the act adding this section takes effect only if SB 24-233 takes effect and takes effect upon the effective date of SB 24-233. SB 24-233 took effect on October 1, 2024, due to an amendment to the effective date of SB 24-233 by section 18 of chapter 1 (HB 24B-1001), Session Laws of Colorado 2024, Second Extraordinary Session.

PART 2

CONSTRUCTION OF STATUTES

Cross references: For editorial matters from which no implication or presumption of a legislative construction is to be drawn, see § 2-5-113 (4).

2-4-201. Intentions in the enactment of statutes.

(1) In enacting a statute, it is presumed that:

(a) Compliance with the constitutions of the state of Colorado and the United States is intended;

(b) The entire statute is intended to be effective;

(c) A just and reasonable result is intended;

(d) A result feasible of execution is intended;

(e) Public interest is favored over any private interest.

Source: L. 73: R&RE, p. 1423, § 1. **C.R.S. 1963:** § 135-1-201.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

General assembly did not intend statutory construction violative of due process. The general assembly did not intend that the long-arm statute be construed to permit jurisdiction to be asserted where to do so would violate due process of law. Le Manufacture Francaise Des Pneumatiques Michelin v. District Court, 620 P.2d 1040 (Colo. 1980).

A statute is presumed to be constitutional. People v. Sneed, 183 Colo. 96, 514 P.2d 776 (1973); Gates Rubber Co. v. S. Sub. Metro. Recreation & Park Dist., 183 Colo. 222, 516 P.2d 436 (1973); Zaba v. Motor Vehicle Div., 183 Colo. 335, 516 P.2d 634 (1973); People v. Summit, 183 Colo. 421, 517 P.2d 850 (1974); Yarbro v. Hilton Hotels Corp., 655 P.2d 822 (Colo. 1982); People v. Loomis, 698 P.2d 1320 (Colo. 1985); Rickstrew v. People, 822 P.2d 505 (Colo. 1991); Watso v. Dept. of Servs., 841 P.2d 299 (Colo. 1992); People v. Longoria, 862 P.2d 266 (Colo. 1993); Delta Sales Yard v. Patten, 870 P.2d 554 (Colo. App. 1993).

A statute will be presumed to conform to constitutional requirements. People v. Smith, 620 P.2d 232 (Colo. 1980).

Absent constitutional infirmity, it is not within the judicial power to exclude from a statute that which the legislature expressly includes. Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992).

Statutes are presumed to be constitutional, and the party asserting the invalidity of a particular statute bears the burden of establishing such beyond a reasonable doubt. Anderson v. State Dept. of Pers., 756 P.2d 969 (Colo. 1988); Spradling v. Colo. Dept. of Rev., 870 P.2d 521 (Colo. App. 1993); Colo. Cmty. Health Network v. Colo. Gen. Assembly, 166 P.3d 280 (Colo. App. 2007).

And one attacking its validity has the burden of establishing invalidity beyond a reasonable doubt. Clark v. People, 176 Colo. 48, 488 P.2d 1097 (1971); Yarbro v. Hilton Hotels Corp., 655 P.2d 822 (Colo. 1982); People v. Loomis, 698 P.2d 1320 (Colo. 1985); Rickstrew v. People, 822 P.2d 505 (Colo. 1991); Watso v. Dept. of Servs., 841 P.2d 299 (Colo. 1992); Burtkin Assocs. v. Tipton, 845 P.2d 525 (Colo. 1993); People v. Longoria, 862 P.2d 266 (Colo. 1993).

It is the duty of courts to presume a statute is constitutional. Harris v. Heckers, 185 Colo. 39, 521 P.2d 766 (1974).

When statute may be interpreted in two ways, the way which renders it constitutional must be adopted. Zaba v. Motor Vehicle Div., 183 Colo. 335, 516 P.2d 634 (1973); Duprey v. Anderson, 184 Colo. 70, 518 P.2d 807 (1974); People v. District Court, 185 Colo. 78, 521 P.2d 1254 (1974); Meyer v. Putnam, 186 Colo. 132, 526 P.2d 139 (1974); People v. Washburn, 197 Colo. 419, 593 P.2d 962 (1979); People v. District Court, 713 P.2d 918 (Colo. 1986); Catholic Health Initiatives Colo. v. City of Pueblo, 207 P.3d 812 (Colo. 2009).

If a statute is susceptible of both constitutional and unconstitutional interpretation, the court should adopt a constitutional construction if such

construction is reasonably consistent with the legislative intent. People in re R.M.D., 829 P.2d 852 (Colo. 1992); People v. Felgar, 58 P.3d 1122 (Colo. App. 2002).

Because the general assembly is presumed to have intended to pass a constitutional statute. State, Dept. of Insts. v. Colo. Civil Rights Comm'n ex rel. McAllister, 185 Colo. 42, 521 P.2d 908 (1974).

And the court presumes that it was passed with deliberation and with full knowledge of all existing law dealing with the same subject. In re Questions Submitted by United States Dist. Court, 179 Colo. 270, 499 P.2d 1169 (1972).

And it is presumed a just and reasonable result is intended. In determining the intent of the general assembly in the enactment of a statute, it is presumed that a just and reasonable result is intended, and that the public interest is favored over any private interest. In making that determination, the court may consider, among other things, the consequences of a particular construction. Conrad v. City of Thornton, 36 Colo. App. 22, 536 P.2d 855 (1975), rev'd on other grounds, 191 Colo. 444, 553 P.2d 822 (1976); Ingram v. Cooper, 698 P.2d 1314 (Colo. 1985); In re Estate of Hill, 713 P.2d 928 (Colo. App. 1985); Gamble v. Levitz Furniture Co., 759 P.2d 761 (Colo. App. 1988); Molnar v. Law, 776 P.2d 1156 (Colo. App. 1989); People v. Bowman, 812 P.2d 725 (Colo. App. 1991); Wycon v. Wheat Ridge Sanitation, 870 P.2d 496 (Colo. App. 1993); Hoffman v. Hoffman, 872 P.2d 1367 (Colo. App. 1994).

Because the court presumes that legislation is intended to have just and reasonable effects, it must construe statutes accordingly and apply them so as to ensure such results. State Eng'r v. Castle Meadows, Inc., 856 P.2d 496 (Colo. 1993).

Therefore, statutes must be given whatever meaning was intended by the general assembly, irrespective of the consequences. London Guarantee & Accident Co. v. Coffeen, 96 Colo. 375, 42 P.2d 998 (1935).

In interpreting a statute, a court must give effect to the intent of the lawmaking body and presume that the general assembly intends a just and reasonable result. Thus, a statutory interpretation that defeats the legislative intent or leads to an absurd result will not be followed. Avicomm, Inc. v. Colo. Pub. Utils. Comm'n, 955 P.2d 1023 (Colo. 1998).

And the statutory rule in the construction of acts of the general assembly was laid down by the general assembly itself. London Guarantee & Accident Co. v. Coffeen, 96 Colo. 375, 42 P.2d 998 (1935).

Moreover, courts must so act as to give full force and effect when possible to the statutory law of the state. Colo. & S. Ry. v. District Court, 177 Colo. 162, 493 P.2d 657 (1972).

When reviewing a statute upon a challenge of unconstitutionality due to vagueness, the duty of the reviewing court is to construe the statute so as to uphold its constitutionality whenever a reasonable and practical construction may be applied to the

statute. People v. Longoria, 862 P.2d 266 (Colo. 1993).

Statutes to be harmonized. Statutes should be interpreted, if possible, to harmonize and give meaning to other potentially conflicting statutes. People in Interest of D.L.E., 645 P.2d 271 (Colo. 1982); Ragsdale Bros. Roofing v. United Bank, 744 P.2d 750 (Colo. App. 1987); Gamble v. Levitz Furniture Co., 759 P.2d 761 (Colo. App. 1988).

A statute is to be construed as a whole to give a consistent, harmonious, and sensible effect to all its parts. Martinez v. Cont'l Enters., 730 P.2d 308 (Colo. 1986); People v. Torres, 812 P.2d 672 (Colo. App. 1990); People v. Bowman, 812 P.2d 725 (Colo. App. 1991); Bluewater Ins. Ltd. v. Balzano, 823 P.2d 1365 (Colo. 1992); People v. District Court, 834 P.2d 181 (Colo. 1992); Walgreen Co. v. Charnes, 859 P.2d 235 (Colo. App. 1992); People v. Armstrong, 919 P.2d 826 (Colo. App. 1995); Kramer v. Colo. Dept. of Rev., 964 P.2d 629 (Colo. App. 1998); Catholic Health Initiatives Colo. v. City of Pueblo, 207 P.3d 812 (Colo. 2009).

In construing a statutory scheme, a court may consider its history. Indus. Comm'n v. Milka, 159 Colo. 114, 410 P.2d 181 (1966); Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992).

Statute must be construed to further the legislative intent evidenced by the entire statutory scheme. Martinez v. Cont'l Enters., 730 P.2d 308 (Colo. 1986); Bynum v. Kautzky, 784 P.2d 735 (Colo. 1989).

A statute must be construed in a manner that gives effect to the legislative purpose underlying its enactment and that achieves a just and reasonable result consistent with that purpose. Johnson v. Indus. Comm'n, 761 P.2d 1140 (Colo. 1988); Subsequent Injury Fund v. Trevethan, 809 P.2d 1098 (Colo. App. 1991); Civil Serv. Comm'n v. Pinder, 812 P.2d 645 (1991); Rocky Mtn. Gen. v. Simon, 827 P.2d 629 (Colo. App. 1992); Snyder Oil Co. v. Embree, 862 P.2d 259 (Colo. 1993).

When construing a statute, the statute must be read and considered as a whole, so as to ascertain the intent of the general assembly in passing it. Howe v. People, 178 Colo. 248, 496 P.2d 1040 (1972); People v. District Court, 713 P.2d 918 (Colo. 1986); Longbottom v. State Bd. of Cmty. Colls., 872 P.2d 1253 (Colo. App. 1993); Kittinger v. City of Colo. Springs, 872 P.2d 1265 (Colo. App. 1993).

When construing statutes, the court must determine and give effect to the intent of the legislature, and adopt the statutory construction that best effectuates the purposes of the legislative scheme. M.S. v. People, 812 P.2d 632 (Colo. 1991); Triad Painting Co. v. Blair, 812 P.2d 638 (Colo. 1991); Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992); Dickman v. Jackalope, Inc., 870 P.2d 1261 (Colo. App. 1994); Longbottom v. State Bd. of Cmty. Colls., 872 P.2d 1253 (Colo. App. 1993); Reg'l Transp. Dist. v. Voss, 890 P.2d 663 (Colo. 1995); Allstate Ins. Co. v. Smith, 902 P.2d 1386 (Colo. 1995); City & County of Denver v. Gonzales, 17 P.3d 137 (Colo. 2001).

Courts must construe statutes to give effect to legislative intent and interpret them as a whole so as to give effect to all parts. State v. Nieto, 993 P.2d 493 (Colo. 2000); People v. Felgar, 58 P.3d 1122 (Colo. App. 2002).

In interpreting a comprehensive legislative scheme, the court must give meaning to all portions thereof and construe the statutory provisions to further legislative intent. A.B. Hirschfeld Press v. Denver, 806 P.2d 917 (Colo. 1991); Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992).

The court's primary task in construing a statute is to give effect to the intent of the general assembly by looking first at the language of the statute. Vaughan v. McMinn, 945 P.2d 404 (Colo. 1997); Waneka v. Clyncke, 157 P.3d 1072 (Colo. 2007).

And the meaning of any one section must be gathered from a consideration of the entire legislative scheme. State Hwy. Comm'n v. Haase, 189 Colo. 69, 537 P.2d 300 (1975).

The court's task in construing statutes is to ascertain and give effect to the intent of the general assembly, not to second guess its judgment. Rowe v. People, 856 P.2d 486 (Colo. 1993); People v. Valencia, 888 P.2d 319 (Colo. App. 1994), aff'd, 906 P.2d 115 (Colo. 1995); Walker v. People, 932 P.2d 303 (Colo. 1997).

Because the object to be attained in the construction of any statute is the intention of the legislative body which enacted it. Stermer v. Bd. of Comm'rs, 5 Colo. App. 379, 38 P. 839 (1895) (decided under former law).

The court's objective in interpreting seemingly conflicting statutes is to give effect to the intent of the general assembly. State Hwy. Comm'n v. Haase, 189 Colo. 69, 537 P.2d 300 (1975).

The task in construing statutes is to ascertain and effectuate the intent of the general assembly. In the Interest of R.C., 775 P.2d 27 (Colo. 1989); People v. Torres, 812 P.2d 672 (Colo. App. 1990); Rickstrew v. People, 822 P.2d 505 (Colo. 1991).

The court may not infer the intent of the general assembly by review of a subsequent amendment to the statute, however. People v. Duncan, 109 P.3d 1044 (Colo. App. 2004).

Amendatory legislation, in and of itself, contributes little to the judicial construction of the original, unamended statutory language in the absence of an adequate indication of intent to clarify. Union Pac. R.R. v. Martin, 209 P.3d 185 (Colo. 2009).

In questions of statutory interpretation, the most critical guide to the court is the intent of the legislature as evidenced by an entire statutory scheme. In determining the intent of the legislature, it is useful to consider the history of the statute. Bynum v. Kautzky, 784 P.2d 735 (Colo. 1989).

Legislative intent is to be ascertained and given effect wherever possible. People v. Sneed, 183 Colo. 96, 514 P.2d 776 (1973); R.E.N. v. City of Colo. Springs, 823 P.2d 1359 (Colo. 1992).

Statute may not be construed in such a way as to defeat obvious legislative intent. People v. Meyers, 182 Colo. 21, 510 P.2d 430 (1973); People v. District Court, 713 P.2d 918 (Colo. 1986); R.E.N. v. City of Colo. Springs, 823 P.2d 1359 (Colo. 1992); Koucherik v. Zavaras, 940 P.2d 1063 (Colo. App. 1996).

And perhaps the best guide to intent is the declaration of policy which frequently forms the initial part of an enactment. St. Luke's Hosp. v. Indus. Comm'n, 142 Colo. 28, 349 P.2d 995 (1960).

Although penal statutes are to be strictly construed in favor of the defendant, this rule of construction should not be used to defeat the intent of the general assembly. Rickstrew v. People, 822 P.2d 505 (Colo. 1991); Organ v. Jorgensen, 888 P.2d 336 (Colo. App. 1994); Koucherik v. Zavaras, 940 P.2d 1063 (Colo. App. 1996).

Strained or forced constructions of statutes are disfavored. Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992).

If the language of a statute is plain, its meaning clear, and no absurdity results, courts may not adopt a strained interpretation. People v. Nara, 964 P.2d 578 (Colo. App. 1998).

Two statutes concerning same subject matter should be read together. People in Interest of M.K.A., 182 Colo. 172, 511 P.2d 477 (1973).

Statutes addressing the same subject matter must, if possible, be construed together to give full effect to the legislative purpose of each statute. Subsequent Injury Fund v. Trevethan, 809 P.2d 1098 (Colo. App. 1991).

Statutes are to be construed in pari materia so as to give effect to the legislative intent and to avoid inconsistencies and absurdities. Whisler v. Kuckler, 36 Colo. App. 200, 538 P.2d 477 (1975), rev'd on other grounds, 191 Colo. 260, 552 P.2d 18 (1976).

Another fundamental rule of construction is to give effect to every word of an enactment if possible. Johnston v. City Council, 177 Colo. 223, 493 P.2d 651 (1972) (decided under former law); Blue River Defense Comm. v. Town of Silverthorne, 33 Colo. App. 10, 516 P.2d 452 (1973).

A well-established rule of statutory construction is that the entire statute is intended to be effective. People v. Phillips, 652 P.2d 575 (Colo. 1982); In re Estate of Hill, 713 P.2d 928 (Colo. App. 1985).

It is presumed that the general assembly has knowledge of the legal import of the words it uses and that it intends each part of the statute to be given effect. Longbottom v. State Bd. of Cmty. Colls., 872 P.2d 1253 (Colo. App. 1993).

And courts are not to presume that legislative body used language in a statute idly and with no intent that meaning should be given to its language. Blue River Defense Comm. v. Town of Silverthorne, 33 Colo. App. 10, 516 P.2d 452 (1973).

Hence it is the legislative meaning of the words used which it is important to know. Stermer v. Bd. of Comm'rs, 5 Colo. App. 379, 38 P. 839 (1895).

And to ascertain that, the courts avail themselves of the usual means employed in the construction of statutes. Stermer v. Bd. of Comm'rs, 5 Colo. App. 379, 38 P. 839 (1895).

For instance, in interpreting a statute one should look to the contemporaneous construction of the act by public officials charged with its administration. Davis v. Conour, 178 Colo. 376, 497 P.2d 1015 (1972).

The testimony of the zoning administrator, who dealt with a zoning ordinance on a day-to-day basis, is significant in construing ambiguous language in the ordinance. Humana, Inc. v. Bd. of Adjustment, 189 Colo. 79, 537 P.2d 741 (1975).

Prior judicial constructions of language used in subsequent legislation. It is to be presumed that a general assembly is cognizant of and adopts the construction which prior judicial decisions have placed on particular language when such language is employed in subsequent legislation. Thompson v. People, 181 Colo. 194, 510 P.2d 311 (1973).

Also a legislative intent to change the meaning of statutes in the course of a general revision will not be inferred unless this intent is clearly and indubitably manifested. Davis v. Conour, 178 Colo. 376, 497 P.2d 1015 (1972); Associated Grocers of Colo., Inc. v. Bendickson, 36 Colo. App. 239, 538 P.2d 476 (1975).

Resort to common law for definition of acts constituting crime. Where a statute does not define a crime, but merely gives to it its common-law name or designation, resort must be had to the common law to ascertain what acts constitute the crime in question. Thompson v. People, 181 Colo. 194, 510 P.2d 311 (1973).

The primary task in interpreting a statute is to give it a construction and interpretation that will render it effective in accomplishing the purpose for which it was enacted. Civil Serv. Comm'n v. Pinder, 812 P.2d 645 (Colo. 1991); Walgreen Co. v. Charnes, 859 P.2d 235 (Colo. App. 1992).

A court should look first to the plain language of the statute, and the words used should be given effect according to their plain and ordinary meaning. Farmers Grp., Inc. v. Williams, 805 P.2d 419 (Colo. 1991); Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992); People v. Valencia, 888 P.2d 319 (Colo. App. 1994), aff'd, 906 P.2d 115 (Colo. 1995); Organ v. Jorgensen, 888 P.2d 336 (Colo. App. 1994); Reg'l Transp. Dist. v. Voss, 890 P.2d 663 (Colo. 1995); Koucherik v. Zavaras, 940 P.2d 1063 (Colo. App. 1996); Walker v. People, 932 P.2d 303 (Colo. 1997); Int'l Truck & Engine Corp. v. Colo. Dept. of Rev., 155 P.3d 640 (Colo. App. 2007).

If the language of a statute is plain and its meaning clear, it must be applied as written. Heagney v. Schneider, 677 P.2d 446 (Colo. App. 1984); In Interest of A.R.W., 903 P.2d 10 (Colo. App. 1994); Catholic

Health Initiatives Colo. v. City of Pueblo, 207 P.3d 812 (Colo. 2009).

If statutory language is clear and the legislative intent appears to be reasonably certain, there is no need to resort to other rules of statutory construction. S.W. Devanney & Co., Inc. v. Griffin, 757 P.2d 1088 (Colo. App. 1988), aff'd, 775 P.2d 555 (Colo. 1989); In the Interest of R.C., 775 P.2d 27 (Colo. 1989); Colonial Penn v. Colo. Ins. Guar. 799 P.2d 448 (Colo. App. 1990); Bloomer v. Bd. of County Comm'rs, 799 P.2d 942 (Colo. 1990); McKinney v. Kautzky, 801 P.2d 508 (Colo. 1990); Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992); Allstate Ins. Co. v. Smith, 902 P.2d 1386 (Colo. 1995); Walker v. People, 932 P.2d 303 (Colo. 1997); Allstate Ins. v. Schneider Nat. Carriers, 942 P.2d 1352 (Colo. App. 1997), aff'd on other grounds sub nom. Farmers Ins. Exch. v. Bill Boom Inc., 961 P.2d 465 (Colo. 1998).

The court will not resort to interpretive rules of statutory construction and will apply the statute as written when the plain language of the statute is clear and unambiguous. Vaughan v. McMinn, 945 P.2d 404 (Colo. 1997); Waneka v. Clyncke, 157 P.3d 1072 (Colo. 2007); Kenna v. Huber, 179 P.3d 189 (Colo. App. 2007), rev'd on other grounds, 205 P.3d 1158 (Colo. 2009).

However, the intent of the legislature will prevail over a literal interpretation of the statute that leads to an absurd result. Avicomm, Inc. v. Colo. Pub. Util. Comm'n, 955 P.2d 1023 (Colo. 1998).

Consideration of results of construction. In case of a dispute as to the meaning of a statute, the court should consider the results of the construction urged. No provision of the law should be interpreted in a way which requires an impossible task. People in Interest of K.M.J., 698 P.2d 1380 (Colo. App. 1984).

If statutory language is uncertain as to its intended scope, with the result that the statutory text lends itself to alternative constructions, then a court may appropriately look to pertinent legislative history in determining which alternative construction is more in accordance with the legislative purpose. Fraternal Order, No. 27 v. Denver, 914 P.2d 483 (Colo. App. 1995).

The fact that a jury has twice been unable to agree upon a verdict in a given criminal case is not a proper or sufficient basis to establish that a criminal statute is unconstitutional beyond a reasonable doubt. People v. Loomis, 698 P.2d 1320 (Colo. 1985).

When the general assembly substantively amends a statute, it is presumed that a change in the law was intended. Allee v. Contractors, Inc., 783 P.2d 273 (Colo. 1989); Organ v. Jorgensen, 888 P.2d 336 (Colo. App. 1994).

As a general proposition, when a statute is amended there is an intent to change the law but this is not applicable when a law is amended to clarify an ambiguity. Div. of Emp. v. Parkview Episcopal Hosp., 725 P.2d 787 (Colo. 1986); Rickstrew v. People, 822 P.2d 505 (Colo. 1991).

Unless a contrary intent is expressed in the statute, procedural changes are

applicable to existing causes of action and not merely to those which accrue in the future. Loredo v. Denver Pub. Sch. Dist. 1, 827 P.2d 633 (Colo. App. 1992); People ex rel. Orange County v. M.A.S., 962 P.2d 339 (Colo. App. 1998).

A legislative intent to change the meaning of statutes in the course of a general revision will not be inferred unless this intent is clearly and indubitably manifested. Davis v. Conour, 178 Colo. 376, 497 P.2d 1015 (1972); Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992).

The general assembly is presumed cognizant of the judicial precedent in a particular area when it enacts legislation in that area. Thompson v. People, 181 Colo. 194, 510 P.2d 311 (1973); People v. Mathes, 703 P.2d 608 (Colo. App. 1985); Rauschenberger v. Radetsky, 745 P.2d 640 (Colo. 1987); Vaughan v. McMinn, 945 P.2d 404 (Colo. 1997).

When a statute is amended, the judicial construction previously placed upon the statute is deemed approved by the general assembly to the extent that the provision remains unchanged. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961); Rauschenberger v. Radetsky, 745 P.2d 640 (Colo. 1987); State Eng'r v. Castle Meadows, Inc., 856 P.2d 496 (Colo. 1993).

Although the title of a statute is not dispositive of legislative intent, it may be used as an aid in construing a statute. Martinez v. Cont'l Enters., 730 P.2d 308 (Colo. 1986).

The appropriate construction of a statute is a question of law. Dunlap v. Colo. Springs Cablevision, 855 P.2d 6 (Colo. App. 1992).

The construction of a statute, ordinance, or regulation is not one of fact, to be resolved with the assistance of retained experts. Rather, it is a question of law for the courts. Walcott v. Total Petroleum, Inc., 964 P.2d 609 (Colo. App. 1998).

Whether the general assembly intends a statutory provision to be directory or jurisdictional requires consideration of the legislative history, the language of the statute, its subject matter, the importance of its provisions, their relation to the general object intended to be accomplished by the act, and, finally, whether or not there is a public or private right involved. DiMarco v. Dept. of Rev., MVD, 857 P.2d 1349 (Colo. App. 1993).

The factor which most heavily weighs in favor of a mandatory construction is the use of the word "shall" in the provision; unless the context indicates otherwise, the word "shall" generally indicates that the general assembly intended the provision to be mandatory. DiMarco v. Dept. of Rev., MVD, 857 P.2d 1349 (Colo. App. 1993).

Applied in Hofer v. Polly Little Realtors, Inc., 37 Colo. App. 86, 543 P.2d 114 (1975); Conrad v. City of Thornton, 191 Colo. 444, 553 P.2d 822 (1976); DeLeon v. Tompkins, 40 Colo. App. 241, 576 P.2d 563 (1977); Wasson v. Hogenson, 196 Colo. 183, 583 P.2d 914 (1978); Posey v. District Court, 196 Colo. 396, 586 P.2d 36 (1978); McCoy v.

State, Dept. of Rev., 42 Colo. App. 267, 595 P.2d 706 (1979); Colo. Auto & Truck Wreckers Ass'n v. Dept. of Rev., 618 P.2d 646 (Colo. 1980); People v. Lessar, 629 P.2d 577 (Colo. 1981); People v. Gillett, 629 P.2d 613 (Colo. 1981); In re U.M. v. District Court, 631 P.2d 165 (Colo. 1981); People v. Rex, 636 P.2d 1282 (Colo. App. 1981); People v. District Court, 638 P.2d 65 (Colo. 1981); City & County of Denver v. Colo. Civil Rights Comm'n, 638 P.2d 837 (Colo. App. 1981); People v. Ferguson, 653 P.2d 725 (Colo. 1982); People v. Hale, 654 P.2d 849 (Colo. 1982); Stephen v. City & County of Denver, 659 P.2d 666 (Colo. 1983); People v. Chavez, 659 P.2d 1381 (Colo. 1983); Mtn. Mobile Mix, Inc. v. Gifford, 660 P.2d 883 (Colo. 1983); People ex rel. MacFarlane v. Alpert Corp., 660 P.2d 1295 (Colo. App. 1982); World Wide Constr. Servs., Inc. v. Chapman, 665 P.2d 132 (Colo. App. 1982); People v. Walker, 665 P.2d 154 (Colo. App. 1983); Strong Bros. Enters. v. Estate of Strong, 666 P.2d 1109 (Colo. App. 1983); Bernstein v. Rosenthal, 671 P.2d 979 (Colo. App. 1983); Allen v. Charnes, 674 P.2d 378 (Colo. 1984); People v. Russell, 703 P.2d 620 (Colo. App. 1985); Micciche v. Billings, 727 P.2d 367 (Colo. 1986); Baca v. Marriott Hotels, Inc., 732 P.2d 1252 (Colo. App. 1986); 6S Corp. v. Martinez, 831 P.2d 509 (Colo. App. 1992); Yadon v. Southward, 64 P.3d 909 (Colo. App. 2002).

2-4-202. Statutes presumed prospective.

A statute is presumed to be prospective in its operation.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-202.

ANNOTATION

As a general rule, statutes operate prospectively, while judicial decisions are applied retroactively. Martin Marietta Corp. v. Lorenz 823 P.2d 100 (Colo. 1992).

An amendment to a statute is not retroactively applied if the amendment covers the same subject matter as the original statute and if the person or persons claiming under the amendment had a continuing status under both the original statute and the amendment. Taylor v. Pub. Employees' Ret. Ass'n, 189 Colo. 486, 542 P.2d 383 (1975); Hurricane v. Pub. Employees' Ret. Ass'n, 703 P.2d 588 (Colo. App. 1984).

An amendment to a statute is not to be given retroactive application unless a contrary intent is clearly manifested therein. Kirby of Se. Denver, Inc. v. Indus. Comm'n, 732 P.2d 1232 (Colo. App. 1986).

Legislation is presumed to have prospective effect unless a contrary intent is expressed by the general assembly.

People v. Munoz, 857 P.2d 546 (Colo. App. 1993); Mission Viejo Co. v. Bd. of Equaliz., 942 P.2d 1251 (Colo. App. 1996); Powell v. City of Colo. Springs, 131 P.3d 1129 (Colo. App. 2005), aff'd, 156 P.3d 461 (Colo. 2007); Smokebrush Found. v. City of Colo. Springs, 2015 COA 80, 418 P.3d 530, aff'd in part, rev'd in part on other grounds, 2018 CO 10, 410 P.3d 1236; In re Gomez, 646 B.R. 523 (Bankr. D. Colo. 2022).

Contrary legislative intent must be clearly manifest. All statutes must be applied prospectively only, unless a contrary legislative intent is clearly manifest. Allchurch v. Project Unicorn, Ltd., 33 Colo. App. 173, 516 P.2d 441 (1973); McKown-Katy v. Rego Co., 776 P.2d 1130 (Colo. App. 1989), rev'd in part on other grounds, 801 P.2d 536 (Colo. 1990); Ficarra v. Dept. of Reg. Agencies, 849 P.2d 6 (Colo. 1993); Powell v. City of Colo. Springs, 131 P.3d 1129 (Colo. App. 2005), aff'd, 156 P.3d 461 (Colo. 2007).

Indication of legislative intent in § 16-5-401.1 is sufficient to overcome the presumption. People v. Holland, 708 P.2d 119 (Colo. 1985).

The legislature's mere invocation of the word "clarify" in a bill summary does not necessarily overcome the presumption that a substantive change in the law operates only prospectively. Novak v. Craven, 195 P.3d 1115 (Colo. App. 2008).

If an amendment results in substantive changes to the law, the legislation will apply prospectively unless the intent for retroactivity is clear. The legislature's intent to clarify charter schools' standing to sue, and its response to the district court decision in the case, provide convincing evidence of the legislature's intent to apply changes retroactively. Acad. of Charter Schs. v. Adams Cty. Sch. Dist. No. 12, 32 P.3d 456 (Colo. 2001).

Section merely codifies common law. Stewart v. Pub. Employees' Ret. Ass'n, 43 Colo. App. 25, 612 P.2d 1141 (1979).

Section 11 of art. II, Colo. Const., prohibits law that is retrospective in application. Stewart v. Pub. Employees' Ret. Ass'n, 43 Colo. App. 25, 612 P.2d 1141 (1979).

A law is applied retrospectively only when it takes away or impairs vested rights acquired under existing laws, or creates a new obligation. Stewart v. Pub. Employees' Ret. Ass'n, 43 Colo. App. 25, 612 P.2d 1141 (1979).

Procedural or remedial change not retroactive and unlawful. Application of a statute to a subsisting claim for relief does not violate the prohibition of retroactive legislation where the statute effects a change that is only procedural or remedial in nature. Cont'l Title Co. v. District Court, 645 P.2d 1310 (Colo. 1982); Davis v. Bd. of Psychologist Exam'rs, 791 P.2d 1198 (Colo. App. 1989).

Changes in the burden of proof are procedural only and should be retroactively applied. Krumback v. Dow Chem. Co., 676 P.2d 1215 (Colo. App. 1983).

Amendatory language concerning remedies not presumed prospective in

nature. People v. Holleron, 797 P.2d 806 (Colo. App. 1990).

Application of new 1990 water rights diligence determination statute, which the water court found to create a less onerous diligence standard than that existing under prior law and regarding which the general assembly did not express any intention should apply to diligence determinations initiated prior to the 1990 statute's effective date, was an impermissible application of retrospective law. Upper Gunnison River v. Bd. of County Comm'rs, 841 P.2d 1061 (Colo. 1992).

Unless a contrary intent is expressed in the statute, procedural changes are applicable to existing causes of action and not merely to those which accrue in the future. Loredo v. Denver Pub. Sch. Dist. 1, 827 P.2d 633 (Colo. App. 1992).

Retired judge entitled to increased benefits. Judge who had retired prior to effective date of 1977 amendment to § 24-51-607 (2)(a) (increasing pension benefit for judges with more than 5 and less than 10 years of service) was entitled to increased benefits from the effective date of the amendment. Stewart v. Pub. Employees' Ret. Ass'n, 43 Colo. App. 25, 612 P.2d 1141 (1979).

Amendment to statutory section providing that household exclusion clauses in automobile insurance policies are compatible with state public policy applies prospectively. People v. Dillings, 884 P.2d 275 (Colo. 1994).

The application of the amended Colorado exemption limits set forth in § 13-54-102 to a loan and security agreement that was entered into prior to the enactment of the amended exemption statute does not constitute a "retrospective" application of state law in violation of art. II, § 11, of the Colorado Constitution and this section. In re Larsen, 260 B.R. 174 (Bankr. D. Colo. 2001).

Applied in Adams County Sch. Dist. No. 1 v. District Court, 199 Colo. 284, 611 P.2d 963 (Colo. 1980); Thirteenth St. Corp. v. A-1 Plumbing & Heating Co., 640 P.2d 1130 (Colo. 1982); United Bank of Denver Nat'l Ass'n v. Wright, 660 P.2d 510 (Colo. App. 1983).

2-4-203. Ambiguous statutes - aids in construction.

(1) If a statute is ambiguous, the court, in determining the intention of the general assembly, may consider among other matters:

(a) The object sought to be attained;

(b) The circumstances under which the statute was enacted;

(c) The legislative history, if any;

(d) The common law or former statutory provisions, including laws upon the same or similar subjects;

(e) The consequences of a particular construction;

(f) The administrative construction of the statute;

(g) The legislative declaration or purpose.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-203.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

Where the natural significance of a clause is plain and unambiguous and involves no absurdity, construction is unnecessary. Lassner v. Civil Serv. Comm'n, 177 Colo. 257, 493 P.2d 1087 (1972).

Unambiguous statute is not subject to interpretation or construction. Husson v. Meeker, 812 P.2d 731 (Colo. App. 1991); Wycon Const. v. Wheat Ridge Sanitation, 870 P.2d 496 (Colo. App. 1993); Kenna v. Huber, 179 P.3d 189 (Colo. App. 2007), rev'd on other grounds, 205 P.3d 1158 (Colo. 2009).

If statutory language is clear and unambiguous, there is no need to resort to interpretive rules of statutory construction. Seaman v. Manufactured Hous. Lic. Bd., 832 P.2d 1041 (Colo. App. 1991); Van Waters & Rogers, Inc. v. Keelan, 840 P.2d 1070 (Colo. 1992); State Farm Mut. Auto. Ins. Co. v. Graham, 860 P.2d 566 (Colo. App. 1993); Snyder Oil Co. v. Embree, 862 P.2d 259 (Colo. 1993); McCarty v. People, 874 P.2d 394 (Colo. 1994).

Only in the absence of express definitions will statutory terms be construed according to the various interpretive rules governing the construction of statutes. Moody v. Larsen, 802 P.2d 1169 (Colo. App. 1990); Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992).

And statutes must be construed as a whole, and the several parts of a statute reflect light upon each other. People ex rel. Dunbar v. Gym of Am., Inc., 177 Colo. 97, 493 P.2d 660 (1972).

Statutes to be harmonized. Statutes should be interpreted, if possible, to harmonize and give meaning to other potentially conflicting statutes. People in Interest of D.L.E., 645 P.2d 271 (Colo. 1982).

If a statute is plain and its meaning is clear it must be interpreted as written. Casados v. City & County of Denver, 832 P.2d 1048 (Colo. App. 1992); East Lakewood Sanitation Dist. v. Dist. Ct., 842 P.2d 233 (Colo. 1992); Hohn v. Morrison, 870 P.2d 513 (Colo. App. 1993).

Statute should be interpreted so as to give consistent, harmonious, and sensible effect to all its parts, and its words and

phrases should be given effect according to their plain and ordinary meaning. In re Davisson, 797 P.2d 809 (Colo. App. 1990); People in Interest of J.L.R., 895 P.2d 1151 (Colo. App. 1995).

A court's primary task in construing a statute is to give effect to the legislative purpose underlying the enactment. Shapiro & Meinhold v. Zartman, 823 P.2d 120, (Colo. 1992); Montes v. Hyland Hills Park, 849 P.2d 852 (Colo. App. 1992).

The primary goal of statutory construction is to effect the intent of the general assembly. Water Quality Control Div. v. Casias, 843 P.2d 665 (Colo. App. 1992).

To determine legislative purpose we first look to the statutory language itself, giving words and phrases their commonly accepted and understood meaning. Shapiro & Meinhold v. Zartman, 823 P.2d 120 (Colo. 1992); Bd. of County Comm'rs v. IBM Credit Corp., 888 P.2d 250 (Colo. 1995).

Words and phrases should be given effect according to their plain and ordinary meaning unless the result is absurd. Colo. Dept. of Soc. Servs. v. Bd. of City Comm'rs, 697 P.2d 1 (Colo. 1985); Snyder Oil Co. v. Embree, 862 P.2d 259 (Colo. 1993).

When construing a statute, the court should not follow statutory construction that leads to absurd result. State Bd. of Med. Exam'rs v. Saddoris, 825 P.2d 39 (Colo. 1992); Bd. of County Comm'rs v. IBM Credit Corp., 888 P.2d 250 (Colo. 1995); People in Interest of J.L.R., 895 P.2d 1151 (Colo. App. 1995).

Court must ascertain and give effect to the intent of the general assembly in enacting the statute. States v. R.D. Werner Co., 799 P.2d 427 (Colo. App. 1990); Van Waters & Rogers, Inc. v. Keelan, 840 P.2d 1070 (Colo. 1992); Bd. of County Comm'rs v. IBM Credit Corp., 888 P.2d 250 (Colo. 1995).

In discerning legislative intent, the court must look first to the statutory language. States v. R.D. Werner Co., 799 P.2d 427 (Colo. App. 1990); Farmers Group, Inc. v. Williams, 805 P.2d 419 (Colo. 1991); R.E.N. v. City of Colo. Springs, 823 P.2d 1359 (Colo. 1992); Van Waters & Rogers, Inc. v. Keelan, 840 P.2d 1070 (Colo. 1992); Snyder Oil Co. v. Embree, 862 P.2d 259 (Colo. 1993).

Legislative intent may be inferred from an examination of successive drafts of a bill or statute. S.W. Devanney & Co., Inc. v. Griffin, 757 P.2d 1088 (Colo. App. 1988), aff'd, 775 P.2d 555 (Colo. 1989).

If the statutory language lends itself to alternative constructions and its intended scope is unclear, a court may look to pertinent legislative history to determine the purpose of the legislation. 24, Inc. v. Bd. of Equaliz., 800 P.2d 1366 (Colo. App. 1990); Seaman v. Manufactured Hous. Lic. Bd., 832 P.2d 1041 (Colo. App. 1991); Van Waters & Rogers, Inc. v. Keelan, 840 P.2d 1070 (Colo. 1992); L.E.L. Constr. v. Goode, 867 P.2d 875 (Colo. 1994); Vega v. People, 893 P.2d 107 (Colo. 1995); Fishburn v. City of Colo. Springs, 919 P.2d 847 (Colo. App. 1995).

If statutory language may be interpreted different ways and its intended scope is unclear, the court may rely on the intent of the general assembly, the circumstances under which the statute was adopted, and legislative history to determine the appropriate meaning of the statute. Gleason v. Becker-Johnson Assocs., Inc., 916 P.2d 662 (Colo. App. 1996).

If plain reading of a statute does not reveal the legislative intent, the court may interpret the statute by considering laws upon the same or similar subject. Montes v. Hyland Hills Park, 849 P.2d 852 (Colo. App. 1992).

But a court should look to the incidents of the statute itself in order to determine whether its terms have a sufficiently definite and understandable meaning, making specific reference to the group of persons to whom the statute applies, the kind of sanction imposed, the nature of the statute's subject matter, and the economic and social desirability of the statute's particular legislative policy. People ex rel. Dunbar v. Gym of Am., Inc., 177 Colo. 97, 493 P.2d 660 (1972).

Subsequent legislation clarifying the intent of an earlier statute is entitled to great weight in statutory construction. BQP Indus. v. State Bd. of Equaliz., 694 P.2d 337 (Colo. App. 1984).

Later unsuccessful attempts to modify a statutory provision provide no guidance as to the legislature's intent in adopting that provision. Colo. Common Cause v. Meyer, 758 P.2d 153 (Colo. 1988); Three Bells Ranch v. Cache La Poudre, 758 P.2d 164 (Colo. 1988).

Successive drafts of a bill may prove helpful in determining legislative intent in adopting provision contained in such bill. Three Bells Ranch v. Cache La Poudre, 758 P.2d 164 (Colo. 1988).

Just and reasonable result presumed intended. In determining the intent of the general assembly in the enactment of a statute, it is presumed that a just and reasonable result is intended, and that the public interest is favored over any private interest. In making that determination, the court may consider, among other things, the consequences of a particular construction. Conrad v. City of Thornton, 36 Colo. App. 22, 536 P.2d 855 (1975), rev'd on other grounds, 191 Colo. 444, 553 P.2d 822 (1976).

A statute should not be construed in a manner that would result in absurd consequences. People v. Pipkin, 762 P.2d 736 (Colo. App. 1988).

Ambiguities may be resolved by consideration of the objective of the general assembly in enacting the statute, the circumstances under which the statute was enacted, its legislative history, and its legislative declaration or purpose. States v. R.D. Werner Co., 799 P.2d 427 (Colo. App. 1990); Henderson v. RSI, Inc., 824 P.2d 91 (Colo. App. 1991).

Statutes in derogation of the common law must be strictly construed. If the legislature wishes to abrogate rights that would otherwise be available under the common law, it must manifest its intent

either expressly or by clear implication. Van Waters & Rogers, Inc. v. Keelan, 840 P.2d 1070 (Colo. 1992).

Statutes may not be interpreted to abrogate the common law unless such abrogation was clearly the intent of the general assembly. Preston v. Dupont, 35 P.3d 433 (Colo. 2001); Robbins v. People, 107 P.3d 384 (Colo. 2005).

A statute is not presumed to alter the common law except to the extent that such statute expressly provides. Robinson v. Kerr, 144 Colo. 48, 355 P.2d 117 (1960); Preston v. Dupont, 35 P.3d 433 (Colo. 2001).

Absent such clear intent, statutes must be deemed subject to the common law. Robbins v. People, 107 P.3d 384 (Colo. 2005).

Statutes in derogation of the common law must be strictly construed in favor of the person against whom their provisions are intended to be applied. Preston v. Dupont, 35 P.3d 433 (Colo. 2001); Robbins v. People, 107 P.3d 384 (Colo. 2005).

Court will generally interpret ambiguous tax statutes in favor of the taxpayer. Douglas County Bd. of Eq. v. Fidelity Castle Pines, 890 P.2d 119 (Colo. 1995).

If a statute is ambiguous, the court may determine the intent of the general assembly by considering the statute's legislative history, the state of the law prior to the legislative enactment, the problem addressed by the legislation, and the statutory remedy created to cure the problem. Rowe v. People, 856 P.2d 486 (Colo. 1993).

If a statute is ambiguous, a court may consider a variety of factors, including the consequences of a particular construction, the legislative declaration or purpose, and the administrative construction of the statute. Hallam v. City of Colo. Springs, 914 P.2d 479 (Colo. App. 1995).

If the language of a statute is unclear, the court may rely on several indicators, including the object that the legislature sought to obtain by its enactment, the circumstances under which it was adopted, and the consequences of a particular construction. State Eng'r v. Castle Meadows, Inc., 856 P.2d 496 (Colo. 1993).

Consideration of title of act. The title of legislation is relevant to the determination of legislative intent. L.E.L. Constr. v. Goode, 867 P.2d 875 (Colo. 1994).

Consideration of report of expert commission. Where legislative history evinced intent to adopt recommendations of the National Commission on State Workmen's Compensation Laws, statute would be interpreted in a manner consistent with the Commission's report issued prior to introduction of bill. L.E.L. Constr. v. Goode, 867 P.2d 875 (Colo. 1994).

Consideration of results of construction. In case of a dispute as to the meaning of a statute, the court should consider the results of the construction urged. No provision of the law should be interpreted in a way which requires an impossible task. People in Interest of K.M.J., 698 P.2d 1380 (Colo. App. 1984); Huff v. Tipton, 810 P.2d 236 (Colo. App. 1991).

Consideration of administrative construction. Construction of statute by administrative officials charged with its enforcement shall be given deference by courts. Larimer Cty. Sch. Dist. v. Indus. Comm'n, 727 P.2d 401 (Colo. App. 1986); Bluewater Ins. Ltd. v. Balzano, 823 P.2d 1365 (Colo. 1992).

Agency interpretations are not binding on the court, notwithstanding the rule of deference to an administrative agency's interpretation of a statute and the usefulness of such interpretations when the statute involves a technical subject in which the agency possesses expertise. Douglas County Bd. of Eq. v. Fidelity Castle Pines, 890 P.2d 119 (Colo. 1995).

When the construction of a statute by those charged with its administration has not been uniform, the rule which authorizes courts to give deference to administrative interpretations of a statutory scheme is inapplicable. Colo. Common Cause v. Meyer, 758 P.2d 153 (Colo. 1988).

Agency's interpretation not binding if inconsistent with clear language of statute or with legislative intent. If an agency's regulations exceed the scope of the statute for which they were written, they are void. Kenna v. Huber, 179 P.3d 189 (Colo. App. 2007), rev'd on other grounds, 205 P.3d 1158 (Colo. 2009).

Deference to an administrative agency's interpretation of law is not warranted when the agency's interpretation is contrary to the plain meaning of the statute. The Colorado collection agency board's advisory opinion that insurance subrogation claims are "debt" under the Colorado Fair Debt Collection Practices Act is not entitled to deference because the opinion is not supported by the plain language of the statute where the statute defines "debt" as "any obligation . . . arising out of a transaction" and a transaction requires some type of business dealing between parties. Ybarra v. Greenberg & Sada, P.C., 2016 COA 116, 488 P.3d 109, aff'd on other grounds, 2018 CO 81, 429 P.3d 839.

When a statute is silent as to the issue before the trier of fact, precedent dictates that legislative intent must govern the decision. O'Gorman v. Indus. Claim Appeals Office, 826 P.2d 390 (Colo. App. 1991).

A most basic resource for determination of legislative intent is the discussion which takes place in hearings before legislative committees concerning the enactment of legislation. People in Interest of G.W.R., 943 P.2d 466 (Colo. App. 1996).

If the language is clear and the intent of the general assembly may be discerned with reasonable certainty, the statute must be applied as written. Montes v. Hyland Hills Park, 849 P.2d 852 (Colo. App. 1992).

Ambiguities appearing in statutes regulating pension and retirement funds are construed favorably toward the employee. Taylor v. Pub. Employees' Ret. Ass'n, 189 Colo. 486, 542 P.2d 383 (1975).

Applied in In re U.M. v. District Court, 631 P.2d 165 (Colo. 1981); Mtn. Mobile Mix, Inc. v. Gifford, 660 P.2d 883 (Colo. 1983); People v. Walker, 665 P.2d 154

(Colo. App. 1983); Allen v. Charnes, 674 P.2d 378 (Colo. 1984); Alamosa - La Jara Water Users Prot. Ass'n v. Gould, 674 P.2d 914 (Colo. 1983); Engelbrecht v. Hartford Acc. & Indem. Co., 680 P.2d 231 (Colo. 1984); United States v. Wilkinson, 686 P.2d 790 (Colo. 1984); Calhan Sch. Dist. No. 1 v. El Paso County, 686 P.2d 1321 (Colo. 1984); Berkeley Metro. Dist. v. Poland, 705 P.2d 1004 (Colo. App. 1985); Bd. of County Comm'rs v. Dept. of Local Affairs, 729 P.2d 994 (Colo. App. 1986); Kirby of Se. Denver, Inc. v. Indus. Comm'n, 732 P.2d 1232 (Colo. App. 1986); City of Ouray v. Olin 761 P.2d 784 (Colo. 1988); Gamble v. Levitz Furniture Co., 759 P.2d 761 (Colo. App. 1988).

2-4-204. Severability of statutory provisions.

If any provision of a statute is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of the statute are valid, unless it appears to the court that the valid provisions of the statute are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed the legislature would have enacted the valid provisions without the void one; or unless the court determines that the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-204.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

In determining the severability of the sections of a statute, the court must look to legislative intent. Colo. Project - Common Cause v. Anderson, 177 Colo. 402, 495 P.2d 218 (1972).

And this general severability clause is applicable to any legislative act not containing a specific severability provision. People v. Vinnola, 177 Colo. 405, 494 P.2d 826 (1972).

A specific severability clause prevails over the general one contained in this section. Montezuma Well Serv., Inc. v. Indus. Claim Appeals Office, 928 P.2d 796 (Colo. App. 1996).

Therefore, where a portion of a statute is unconstitutional, the remaining portions will be held valid if they are complete in themselves, not dependent on the void portion, and, therefore, can be given legal effect. Covell v. Douglas, 179 Colo. 443, 501 P.2d 1047 (1972); Shroyer v. Sokol, 191 Colo. 32, 550 P.2d 309 (1976); Williams v. City & County of Denver, 198

Colo. 573, 607 P.2d 981 (1979); Reams v. City of Grand Junction, 676 P.2d 1189 (Colo. 1984); People v. Powell, 716 P.2d 1096 (Colo. 1986).

A severability clause creates a presumption that the general assembly would have been satisfied with the portions of the statute that remain after the offending provisions are stricken as unconstitutional. Montezuma Well Serv., Inc. v. Indus. Claim Appeals Office, 928 P.2d 796 (Colo. App. 1996).

The presumption is dispelled if what remains is so incompetent or riddled with omissions that it cannot be salvaged as a meaningful legislative enactment. Montezuma Well Serv., Inc. v. Indus. Claim Appeals Office, 928 P.2d 796 (Colo. App. 1996).

Single words or phrases, as well as self-contained sentences, subsections or sections, may be severed. Schroyer v. Sokol, 191 Colo. 32, 550 P.2d 309 (1976); Hejira Corp. v. MacFarlane, 660 F.2d 1356 (10th Cir. 1981).

But severance is impossible if the court determines that the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent. Hejira Corp. v. MacFarlane, 660 F.2d 1356 (10th Cir. 1981).

Severability clause could not preserve remainder of statutory scheme where debt financing provisions were inextricably intertwined with invalid provisions for reorganization and continued operation of public hospital as "private" entity. Colo. Ass'n of Pub. Employees v. Bd. of Regents, 804 P.2d 138 (Colo. 1990) (decided prior to the 1991 repeal of § 23-21-401 et seq.).

And where the skeleton of a statute which remained after striking out the invalid provisions, failed to describe any offense, the trial court properly declared the entire statute unconstitutional. People v. Vinnola, 177 Colo. 405, 494 P.2d 826 (1972).

Also it would be presumptuous to say that the effective date of the act is so essentially and inseparably connected with and dependent upon the remaining provisions that the general assembly would not have enacted the valid provisions but for the invalid provisions. In re Interrogatories by the Governor, 163 Colo. 113, 429 P.2d 304 (1967).

Applied in People ex rel. MacFarlane v. Am. Banco Corp., 194 Colo. 32, 570 P.2d 825 (1977); Jeffrey v. Colo. State Dept. of Soc. Servs., 198 Colo. 265, 599 P.2d 874 (1979); People v. Brown, 632 P.2d 1025 (Colo. 1981); People v. Beruman, 638 P.2d 789 (Colo. 1982); People v. Bookman, 646 P.2d 924 (Colo. 1982); People v. Moyer, 670 P.2d 785 (Colo. 1983); People v. Heitzman, 852 P.2d 443 (Colo. 1993); Aspen Highlands Skiing Corp. v. Apostolou, 866 P.2d 1384 (Colo. 1994); Colo. Dept. of Rev. v. Woodmen of the World, 919 P.2d 806 (Colo. 1996); People v. Gutierrez-Ruiz, 2014 COA 109, 383 P.3d 44.

2-4-205. Special or local provision prevails over general.

If a general provision conflicts with a special or local provision, it shall be construed, if possible, so that effect is given to both. If the conflict between the provisions is irreconcilable, the special or local provision prevails as an exception to the general provision, unless the general provision is the later adoption and the manifest intent is that the general provision prevail.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-205.

ANNOTATION

A special or specific provision of a statute prevails over a general provision only if the provisions are in conflict and the conflict is irreconcilable. Ohlson v. Weil, 953 P.2d 939 (Colo. App. 1997).

Statute requiring the costs of conducting an election be a county charge prevails over more general statute pertaining to state reimbursement of county expenditures generally. Even though statute pertaining to reimbursement of county costs is more recent than the election statute, there is no manifest intent that it prevail in a conflict with the other statute. Statute requiring that the costs of conducting an election be a county charge, § 1-5-505 (1), and the statute requiring state reimbursement to counties for costs associated with an increased level of service, § 29-1-304.5 (1), are in irreconcilable conflict. However, § 1-5-505 (1), which pertains only to election funding, is more specific than § 29-1-304.5 (1), which broadly applies its reimbursement requirement to most existing state programs. Although § 29-1-304.5 (1) was adopted after § 1-5-505 (1), there is no manifest intent that it should prevail in a conflict with the other statute. Rather, the intent of the legislature was to prioritize citizens' access to free and fair elections over convenience or cost savings to counties. Thus, § 1-5-505 (1) should prevail over § 29-1-304.5 (1), notwithstanding that this increase in service may create additional costs to the county. Gessler v. Doty, 2012 COA 4, 272 P.3d 1131.

Applied in Gillies v. Schmidt, 38 Colo. App. 233, 556 P.2d 82 (1976); Casselman v. Denver Tramway Corp., 39 Colo. App. 306, 568 P.2d 84 (1977), rev'd, 195 Colo. 241, 577 P.2d 293 (1978); People v. Donahue, 41 Colo. App. 70, 578 P.2d 671 (1978); Fuhrer v. Dept. of Motor Vehicles, 197 Colo. 325, 592 P.2d 402 (1979); Dayhoff v. State, Motor Vehicle Div., 42 Colo. App. 91, 595 P.2d 1051 (1979); Denver v. Hansen, 650 P.2d 1319 (Colo. App. 1982); Sw. Catholic Credit Union v. Charnes, 665 P.2d 626 (Colo. App. 1982); F.W. Woolworth Co. v. State Dept. of Rev., 699 P.2d 1 (Colo. App. 1984); People v. DeHerrera, 697 P.2d 734 (Colo. 1985); Pacino v. Sanchez, 807 P.2d 1231 (Colo. App. 1990); Husson v. Meeker, 812 P.2d 731 (Colo. App. 1991); People in Interest of E.Z.L., 815 P.2d 987 (Colo. App.

1991); People v. Munoz, 857 P.2d 546 (Colo. App. 1993); People v. One 1968 Chevrolet 2-Door, 895 P.2d 1177 (Colo. App. 1995); County Comm'rs of Douglas County v. Bainbridge, 929 P.2d 691 (Colo. 1996); People v. Smith, 932 P.2d 830 (Colo. App. 1996); In re Pickering, 967 P.2d 164 (Colo. App. 1997); People v. Cooper, 27 P.3d 348 (Colo. 2001); Martin v. People, 27 P.3d 846 (Colo. 2001); In re Ferris, 75 P.3d 1170 (Colo. App. 2003); In re Hillstrom, 126 P.3d 315 (Colo. App. 2005); Ricchio v. Colo. Sec. Comm'r, 2022 COA 35, 512 P.3d 1058.

2-4-206. Irreconcilable statutes passed at the same or different sessions.

If statutes enacted at the same or different sessions of the general assembly are irreconcilable, the statute prevails which is latest in its effective date. If the irreconcilable statutes have the same effective date, the statute prevails which is latest in its date of passage.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-206.

Cross references: For harmonization of amendments to the same statute, see § 2-4-301.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

If two acts of the general assembly may be construed so that an inconsistency will be avoided, it is the duty of the court to so construe them. People v. James, 178 Colo. 401, 497 P.2d 1256 (1972).

Where apparent conflict exists between two statutory sections, court must attempt to harmonize the statutes to effectuate the intent of the general assembly and, to extent the two cannot be harmonized, the statute enacted last in time controls. Ortega v. Indus. Comm'n, 682 P.2d 511 (Colo. App. 1984); Ragsdale Bros. Roofing v. United Bank, 744 P.2d 750 (Colo. App. 1987); Brown v. Am. Family Mut. Ins. Co., 809 P.2d 1055 (Colo. App. 1990).

In resolving a conflict between two statutes, the court will look to the statutes as they exist and if the two provisions of the revised statutes are in conflict, the one enacted last prior to the adoption of the revision will control. Whisler v. Kuckler, 36 Colo. App. 200, 538 P.2d 477 (1975), rev'd on other grounds, 191 Colo. 260, 552 P.2d 18 (1976); In re Org. of Upper Bear Creek, 682 P.2d 61 (Colo. App. 1983), aff'd, 715 P.2d 799 (Colo. 1986).

Constructions that work a repeal by implication are not favored unless

unavoidable. Chism v. People, 80 P.3d 293 (Colo. 2003).

Because repeals by implication are not favored, and only where there is a manifest inconsistency between a later and an earlier statute will a repeal by implication be held to have occurred. People v. James, 178 Colo. 401, 497 P.2d 1256 (1972).

Intent to repeal by implication to be effective must appear clearly, manifestly, and with cogent force. People v. Burke, 185 Colo. 19, 521 P.2d 783 (1974).

Court to give effect to legislative intent. A court's primary objective in interpreting assertedly conflicting statutes is to give effect to the legislative intent. Lininger v. City of Sheridan, 648 P.2d 1097 (Colo. App. 1982).

A specific legislative declaration that a later law repeals any provisions of an earlier law in conflict with the later law is superfluous since a later law automatically repeals an earlier law which conflicts with it. Whisler v. Kuckler, 36 Colo. App. 200, 538 P.2d 477 (1975), rev'd on other grounds, 191 Colo. 260, 552 P.2d 18 (1976).

Statute that is specific in its terms is not necessarily repealed by later statute which is in general terms. People v. Burke, 185 Colo. 19, 521 P.2d 783 (1974).

Statutes which are pari materia must be construed together. In re Org. of Upper Bear Creek, 682 P.2d 61 (Colo. App. 1983), aff'd, 715 P.2d 799 (Colo. 1986).

Statutes which are in pari materia should be reconciled if possible. Lininger v. City of Sheridan, 648 P.2d 1097 (Colo. App. 1982).

And statutes which are in pari materia will not be construed to lead to absurdities. Colo. & S. Ry. v. District Court, 177 Colo. 162, 493 P.2d 657 (1972).

Statutes are to be construed in pari materia so as to give effect to the legislative intent and to avoid inconsistencies and absurdities. Whisler v. Kuckler, 36 Colo. App. 200, 538 P.2d 477 (1975), rev'd on other grounds, 191 Colo. 260, 552 P.2d 18 (1976).

Therefore, where two statutes exist - one dealing with the right of the public utility to condemn the land of another utility, and another statute detailing the powers and duties of the public utilities commission in regulating such acquisitions - the statutes must be read in pari materia. Colo. & S. Ry. v. District Court, 177 Colo. 162, 493 P.2d 657 (1972).

Applied in Dye Constr. Co. v. Dolan, 41 Colo. App. 293, 589 P.2d 497 (1978); Colo. State Bd. of Med. Exam'rs v. Jorgensen, 198 Colo. 275, 599 P.2d 869 (1979); City of Colo. Springs v. State, 626 P.2d 1122 (Colo. 1980); L.O.W. v. District Court, 623 P.2d 1253 (Colo. 1981); People v. Owens, 670 P.2d 1233 (Colo. 1983); Calhan Sch. Dist. No. 1 v. El Paso County, 686 P.2d 1321 (Colo. 1984); People v. Cisneros, 720 P.2d 982 (Colo. App. 1986); In re Pickering, 967 P.2d 164 (Colo. App. 1997); People v. J.J.H., 17 P.3d 159 (Colo. 2001).

2-4-207. Original controls over subsequent printing.

If the language of the official copy of a statute conflicts with the language of any subsequent printing or reprinting of the statute, the language of the official copy prevails.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-207.

2-4-208. Continuation of prior law.

A statute which is reenacted, revised, or amended is intended to be a continuation of the prior statute and not a new enactment, insofar as it is the same as the prior statute.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-208.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

The program of revision and publication of statutes is based upon laws that exist as enacted by the general assembly and as construed and defined by the courts. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961).

And not on laws as they were originally enacted if they have been repealed by construction of the courts or by the general assembly. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961).

In such circumstances they do not exist at all. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961).

But any law or statute which is reenacted, amended or revised, so far as it is the same as that of a prior law, shall be construed as a continuation of such law and not as a new enactment or provision. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961); Estes Park Bank v. Shanks, 794 P.2d 1108 (Colo. App. 1990).

And so far as it is the same in substantial intent, effect and meaning, it shall be given effect as though continuation of such law. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961).

Also where a statute is reenacted in the substantial form of a preexisting statute without change of legal effect, it is effective or not effective as of its original and preexisting status. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961).

When a statute is amended, it is presumed that the legislature intended to

change the law. Robles v. People, 811 P.2d 804 (Colo. 1991); Douglas County Bd. of Eq. v. Fidelity Castle Pines, 890 P.2d 119 (Colo. 1995); Powell v. City of Colo. Springs, 131 P.3d 1129 (Colo. App. 2005), aff'd, 156 P.3d 461 (Colo. 2007).

This presumption is rebuttable, but, in a criminal case controlled by an earlier version of statute that was not ambiguous, there was no room for interpretation; prior statute would be applied according to its terms regardless of subsequent amendment that assertedly "clarified any ambiguity" but was found to change meaning of statute. Robles v. People, 811 P.2d 804 (Colo. 1991); Douglas County Bd. of Eq. v. Fidelity Castle Pines, 890 P.2d 119 (Colo. 1995).

This presumption may be rebutted only by a showing that the general assembly intended to clarify an existing ambiguity in that law. Thus, if an amendment clarifies such an ambiguity, the law remains unchanged by the amendment, and it may provide convincing evidence of the general assembly's intent to apply the amendment retroactively. Powell v. City of Colo. Springs, 131 P.3d 1129 (Colo. App. 2005), aff'd, 156 P.3d 461 (Colo. 2007).

To determine whether an amendment clarifies or changes a statute, the court must examine the plain language used by the general assembly, the legislative history surrounding the amendment, and any ambiguity in the provision before it was amended. Powell v. City of Colo. Springs, 131 P.3d 1129 (Colo. App. 2005), aff'd, 156 P.3d 461 (Colo. 2007).

The amendment of a statute creates a rebuttable presumption that a change in the law was intended. When more specific sections, however, are added to a general statutory provision, the addition may indicate a legislative intent to clarify the existing statute or to resolve an ambiguity in the former law. Colo. Dept. of Soc. Servs. v. Bethesda Care Ctr., Inc., 867 P.2d 4 (Colo. App. 1993); People ex rel. T.T., 128 P.3d 328 (Colo. App. 2005).

And where such a reenacted statute has been construed, the force and effect of such construction remains an integral part of the reenacted statute. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961); Rauschenberger v. Radetsky, 745 P.2d 640 (Colo. 1987); Messler v. Phillips, 867 P.2d 128 (Colo. App. 1993).

And where statutes are reenacted the construction previously placed upon them is deemed to have been approved by the general assembly in making the enactments and with the understanding the former construction will be adhered to. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961); Rauschenberger v. Radetsky, 745 P.2d 640 (Colo. 1987).

Because contemporaneous construction of legislation, acquiesced in for many years by the authorities charged with its enforcement, is entitled to great weight in determining the intent of the framers. Sec. Life & Accident Co. v. Heckers, 177 Colo. 455, 495 P.2d 225 (1972).

And in the absence of clear error, such a long established construction should not be overturned or disregarded. Sec. Life &

Accident Co. v. Heckers, 177 Colo. 455, 495 P.2d 225 (1972).

Therefore, when the general assembly repeatedly reenacts a statute which has theretofore received a settled judicial construction, there can be no doubt as to the legislative intent. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961).

It must be considered that the statute is reenacted with the understanding that the former construction will be adhered to. Creacy v. Indus. Comm'n, 148 Colo. 429, 366 P.2d 384 (1961).

But this statute does not apply to statutory titles. People ex rel. Dunbar v. Gilpin Inv. Co., 177 Colo. 132, 493 P.2d 359 (1972).

Failure to cite most recent compilation. While the convenience of all concerned might better be served by citation of the most recent compilation, failure to do so is not fatal to driver's license suspension proceedings. Johnson v. Motor Vehicle Div., 38 Colo. App. 230, 556 P.2d 488 (1976).

Applied in Thompson v. People, 181 Colo. 194, 510 P.2d 311 (1973); Cagle v. Charnes, 43 Colo. App. 401, 604 P.2d 697 (1979) (both cases decided under present section).

2-4-209. Statutory references.

A reference to any portion of a statute applies to all reenactments, revisions, or amendments thereof.

Source: L. 73: R&RE, p. 1424, § 1. **C.R.S. 1963:** § 135-1-209.

ANNOTATION

Failure to cite most recent compilation. While the convenience of all concerned might better be served by citation of the most recent compilation, failure to do so is not fatal to driver's license suspension proceedings. Johnson v. Motor Vehicle Div., 38 Colo. App. 230, 556 P.2d 488 (1976).

Extent of adoption by reference. When a statute adopts precise provisions of another statute by specific reference, the adoption is considered to refer to the specific provisions contained in that other statute at the time of the adoption. In re Arrington v. Arrington, 618 P.2d 744 (Colo. App. 1980).

No presumption of permanent reference implied in reference by general terms. When the adoptive statute refers to another statute by general terms, no presumption of permanent reference is

implied. In re Arrington v. Arrington, 618 P.2d 744 (Colo. App. 1980).

2-4-210. References in a series. (Repealed)

Source: L. 73: R&RE, p. 1425, § 1. **C.R.S. 1963:** § 135-1-210. **L. 93:** Entire section repealed, p. 1771, § 20, effective June 6.

2-4-211. Common law of England.

The common law of England so far as the same is applicable and of a general nature, and all acts and statutes of the British parliament, made in aid of or to supply the defects of the common law prior to the fourth year of James the First, excepting the second section of the sixth chapter of forty-third Elizabeth, the eighth chapter of thirteenth Elizabeth, and the ninth chapter of thirty-seventh Henry the Eighth, and which are of a general nature, and not local to that kingdom, shall be the rule of decision, and shall be considered as of full force until repealed by legislative authority.

Source: L. 73: R&RE, p. 1425, § 1. **C.R.S. 1963:** § 135-1-211.

ANNOTATION

Law reviews. For article, "Service of Process on Sunday", see 16 Dicta 320 (1939). For article, "Future Interests in Colorado", Part I, see 29 Rocky Mt. L. Rev. 227 (1948); Part II, 21 Rocky Mt. L. Rev. 1 (1948); Part III, 21 Rocky Mt. L. Rev. 123 (1949). For article, "Is an Attempt to Obtain Money Under False Pretenses a Common Law Crime?", see 29 Dicta 55 (1952). For comment on Sconce v. Neece, 129 Colo. 267, 268 P.2d 1102 (1954), appearing below, see 31 Dicta 239 (1954). For article, "An Aspect of Estate Planning in Colorado: The Revocable Inter Vivos Trust", see 43 Den. L.J. 296 (1966). For note, "The Evolution of the Police Officer's Right to Arrest Without a Warrant in Colorado", see 43 Den. L.J. 366 (1966).

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

The provision for application of the common law is still in force in this state. Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

The provision for application of the common law was copied largely from the revised statutes of the limited states.

Brown v. Challis, 23 Colo. 145, 46 P. 679 (1896).

And originally, it applied to criminal cases only, but, as adopted by the general assembly, it embraces civil as well as criminal matters. Brown v. Challis, 23 Colo. 145, 46 P. 679 (1896).

However, the adoption of the common law by the territorial legislature of 1861 was limited to the extent that it was applicable to our conditions. Crippen v. White, 28 Colo. 298, 64 P. 184 (1901).

The statutory adoption of the common-law is limited to the extent that it is reasonable to apply the English common-law to the needs and conditions of the state. Lovato v. District Court, 198 Colo. 419, 601 P.2d 1072 (1979).

Therefore, the common law of England was adopted so far as it is applicable and is of a general nature and has not been altered by legislation. Doughterty v. Seymour, 16 Colo. 289, 26 P. 823 (1891); Canon City & C.R.R. v. Oxtoby, 45 Colo. 214, 100 P. 1127 (1909); Marmaduke v. People, 45 Colo. 357, 101 P. 337 (1909); Rains v. Rains, 97 Colo. 19, 46 P.2d 740 (1935); Young v. Colo. Nat'l Bank, 148 Colo. 104, 365 P.2d 701 (1961).

So with the exceptions specified, the common law of England, as found in the reports of cases decided since A.D. 1607, and unaffected by subsequent acts of parliament, as well as of those decided before that year, constitutes the rule of decision in the state. Chilcott v. Hart, 23 Colo. 40, 45 P. 391 (1896); Herr v. Johnson, 11 Colo. 393, 18 P. 342 (1888).

Hence, the common law and acts of parliament in aid thereof prior to the designated time, are a part of the law of this state. Denver Jobbers' Ass'n v. People ex rel. Dickson, 21 Colo. App. 326, 122 P. 404 (1912).

But acts of parliament subsequently enacted repealing prohibitions in force at the designated time do not affect the common law in force in this state. Denver Jobbers' Ass'n v. People ex rel. Dickson, 21 Colo. App. 326, 122 P. 404 (1912).

However, it was only the public laws of the mother country and those of a general nature which were adopted. People ex rel. Thomas v. Goddard, 8 Colo. 432, 7 P. 301 (1885).

Common-law doctrine of restraints on alienation is part of law in Colorado. Malouff v. Midland Fed. Sav. & Loan Ass'n, 181 Colo. 294, 509 P.2d 1240 (1973).

The common-law doctrine of restraints on alienation is part of the common-law in Colorado and prohibits unreasonable restraints. Perry v. Brundage, 200 Colo. 229, 614 P.2d 362 (1980).

While the original 13 states took the common law by inheritance and so held it at the time of the adoption of their constitutions, Colorado took it by legislative enactment and so held it at the time of the adoption of the Colorado constitution. Herr v. Johnson, 11 Colo. 393, 18 P. 342 (1888); Chilcott v. Hart, 23 Colo. 40, 45 P. 391 (1896); Teller v. Hill, 18 Colo. App. 509, 72 P. 811 (1903); People ex rel. Attorney Gen. v. News-Times Publ'g Co., 35 Colo. 253, 84

P. 912 (1906); Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

When the courts of the original 13 states came into existence by constitutional creation they took common law powers by reason of the presence of the common law in their respective jurisdictions. Herr v. Johnson, 11 Colo. 393, 18 P. 342 (1888); Chilcott v. Hart, 23 Colo. 40, 45 P. 391 (1896); Teller v. Hill, 18 Colo. App. 509, 72 P. 811 (1903); People ex rel. Attorney Gen. v. News-Times Publ'g Co., 35 Colo. 253, 84 P. 912 (1906).

When the courts of Colorado came into existence by constitutional creation they took common law powers except where the constitution otherwise provided. Herr v. Johnson, 11 Colo. 393, 18 P. 342 (1888); Chilcott v. Hart, 23 Colo. 40, 45 P. 391 (1896); Teller v. Hill, 18 Colo. App. 509, 72 P. 811 (1903); People ex rel. Attorney Gen. v. News-Times Publ'g Co., 35 Colo. 253, 84 P. 912 (1906).

Therefore, the supreme court of Colorado is a constitutional court with common law powers. Herr v. Johnson, 11 Colo. 393, 18 P. 342 (1888); Chilcott v. Hart, 23 Colo. 40, 45 P. 391 (1896); Teller v. Hill, 18 Colo. App. 509, 72 P. 811 (1903); People ex rel. Attorney Gen. v. News-Times Publ'g Co., 35 Colo. 253, 84 P. 912 (1906).

But the common law prevails in this state only by virtue of its adoption into the law of the state by legislative enactment. Colo. State Bd. of Pharmacy v. Hallett, 88 Colo. 331, 296 P. 540 (1931).

Its application in Colorado depends upon legislative enactment, and is only of full force and effect until repealed by legislative authority. Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

And it may be repealed, without violating the Colorado constitution, by the general assembly at any time it chooses to do so. Colo. State Bd. of Pharmacy v. Hallett, 88 Colo. 331, 296 P. 540 (1931); Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

Because the general assembly may at any time by a legislative act, repeal any part of the common law either expressly or by passage of an act inconsistent therewith on any particular subject. Colo. State Bd. of Pharmacy v. Hallett, 88 Colo. 331, 296 P. 540 (1931); Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

Common-law prevails in this state, but the general assembly may repeal any part of the common-law either expressly or by the passage of inconsistent legislation. Shoemaker v. Mtn. States Tel. & Tel. Co., 38 Colo. App. 321, 559 P.2d 721 (1976).

Also because it is within the power of the general assembly to take away any power not expressly granted by the constitution. People ex rel. Attorney Gen. v. News-Times Publ'g Co., 35 Colo. 253, 84 P. 912 (1906) (dissenting opinion)

And while this statute does adopt certain portions of the common law of England and states that it shall be the law of this state, it does so with the proviso "until repealed by legislative authority". Campbell v. State, 176 Colo. 202, 491 P.2d 1385 (1971).

But the common law will not be held to be abrogated unless the language in the statute requires it. Schuler v. Henry, 42 Colo. 367, 94 P. 360 (1908); Robinson v. Kerr, 144 Colo. 48, 355 P.2d 117 (1960).

In order to recognize an abrogation of the common-law remedy for tortious bad faith breach of an insurance contract, there must be a clear legislative intent to do so. Farmers Grp., Inc. v. Williams, 805 P.2d 419 (Colo. 1991).

The principle of statutory construction that statutes in derogation of the common law must be narrowly construed is a principle applicable only when an ambiguity in the language of the statute in question permits such narrowing construction and when the intent of the legislature is not to the contrary; that principle cannot be invoked to defeat the plain and manifest language of the Industrial Relations Act. Martin v. Montezuma-Cortez Sch. Dist. RE-1, 841 P.2d 237 (Colo. 1992).

An intent to change the common law will not be presumed from doubtful statutory provisions. Schuler v. Henry, 42 Colo. 367, 94 P. 360 (1908).

The general assembly possesses the authority to abrogate the common law remedies; however, the court will not lightly infer a legislative abrogation of that right absent a clear expression of intent. Vaughan v. McMinn, 945 P.2d 404 (Colo. 1997).

And it is true, that where the constitution, code, and statute controlling the proceeding are silent as to the mode of trial, it will be in accord with the usage and practice prevailing before the adoption of the constitution, code, or statute. Clough v. Clough, 10 Colo. App. 433, 51 P. 513 (1897), aff'd, 27 Colo. 97, 59 P. 736 (1899); Huston v. Wadsworth, 5 Colo. 213 (1880).

But in case there is no previous usage or practice, the proceedings including the mode of trial would come within the provisions of the statute declaring that the common law of England, so far as applicable, shall be the rule of decision, and be considered as of full force. Clough v. Clough, 10 Colo. App. 433, 51 P. 513 (1897), aff'd, 27 Colo. 97, 59 P. 736 (1899); Huston v. Wadsworth, 5 Colo. 213 (1880).

And where the law of another state becomes material and there has been no evidence offered concerning it, the Colorado courts will presume that the general principles of the common law prevail there the same as in this state. Sullivan v. German Nat'l Bank, 18 Colo. App. 99, 70 P. 162 (1902).

But it will not be presumed that such other state has adopted the same or similar statutes as have been adopted in Colorado. Sullivan v. German Nat'l Bank, 18 Colo. App. 99, 70 P. 162 (1902).

And because the constitution does not forbid the creation of new rights, or the abolition of old ones recognized by the common law, to attain a permissible legislative object. Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

There has been material change in the common law as it existed in the year 1607. Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

Because the common law is not a fixed and changeless code for the government of human conduct. Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

And its applicability depends to a large extent upon existing conditions and circumstances at any given time. Vogts v. Guerrette, 142 Colo. 527, 351 P.2d 851 (1960).

Applied in Moorehead v. John Deere Indus. Equip. Co., 194 Colo. 398, 572 P.2d 1207 (1977) (decided under present section).

2-4-212. Liberal construction.

All general provisions, terms, phrases, and expressions, used in any statute, shall be liberally construed, in order that the true intent and meaning of the general assembly may be fully carried out.

Source: L. 73: R&RE, p. 1425, § 1. **C.R.S. 1963:** § 135-1-212.

ANNOTATION

I. General Consideration.

II. Construing Statutes.

III. Construing Rules of Procedure.

I. GENERAL CONSIDERATION.

Law reviews. For article, "Legislative Bill Drafting", see 23 Rocky Mt. L. Rev. 127 (1950).

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

Applied in Posey v. District Court, 196 Colo. 396, 586 P.2d 36 (1978) (decided under present section); In re U.M. v. District Court, 631 P.2d 165 (Colo. 1981); Franco v. District Court, 641 P.2d 922 (Colo. 1982); Mtn. Mobile Mix, Inc. v. Gifford, 660 P.2d 883 (Colo. 1983).

II. CONSTRUING STATUTES.

The appropriate construction of a statute is a question of law. Wycon Const. v. Wheat Ridge Sanitation, 870 P.2d 496 (Colo. App. 1993).

The necessities of modern legislation dealing with complex economic and social problems have led to judicial approval of broad standards for administrative action, especially in regulatory enactments under the police power, and with respect to such types of legislation, detailed standards in precise and unvarying form would be unrealistic and more arbitrary than a general indefinite standard. People ex rel. Dunbar v. Gym of America, Inc., 177 Colo. 97, 493 P.2d 660 (1972).

And a statute should be given construction which will render it effective

in accomplishing purpose for which it was enacted. In re Questions Submitted by United States Dist. Court, 179 Colo. 270, 499 P.2d 1169 (1972); Zaba v. Motor Vehicle Div., 183 Colo. 335, 516 P.2d 634 (1973).

A statute should be construed to accomplish the purpose for which it is enacted. Firstbank of N. Longmont v. Banking Bd., 648 P.2d 684 (Colo. App. 1982).

Whether constitution or statute is involved, that interpretation which, brushing aside minor objections and trivial technicalities, effectuates the intent of the act, is a broad interpretation, and that which, regarding such objections and technicalities, fails to do so, is narrow. In re Senate Resolution No. 2, 94 Colo. 101, 31 P.2d 325 (1933).

In construing either constitutional or statutory language the first requisite is to inquire what objective was sought to be accomplished by it. In re Questions Submitted by United States Dist. Court, 179 Colo. 270, 499 P.2d 1169 (1972).

Court to discern legislative intent. In construing a statute, the court's task is to discern the intent of the general assembly. Safeway Stores, Inc. v. Smith, 658 P.2d 255 (Colo. 1983); People v. District Court, 713 P.2d 918 (Colo. 1986).

The primary goal of statutory construction is to effect the intent of the general assembly. Water Quality Control Div. v. Casias, 843 P.2d 665 (Colo. App. 1992).

To do this the court should strive to ascertain and give effect to the intention of the general assembly. A statute imperfect in its details is not void unless impossible of execution. The title of an act may be looked to in seeking the legislative intent, and the preamble as well. W. Lumber & Pole Co. v. City of Golden, 23 Colo. App. 461, 130 P. 1027 (1913); Dekelt v. People, 44 Colo. 525, 99 P. 330 (1908).

It is a cardinal rule of statutory construction that the legislative intent should be ascertained and given effect whenever possible. People v. Stevens, 183 Colo. 399, 517 P.2d 1336 (1973); People v. Sneed, 183 Colo. 96, 514 P.2d 776 (1973).

No court should interpret a statute in such a manner as to frustrate the intent of the general assembly. Frohlick Crane Serv., Inc. v. Mack, 182 Colo. 34, 510 P.2d 891 (1973).

The court may not infer the intent of the general assembly by review of a subsequent amendment to the statute, however. People v. Duncan, 109 P.3d 1044 (Colo. App. 2004).

Contemporaneous statements of individual legislators are relevant to judicial inquiry into legislative intent. Archer Daniels Midland Co. v. State, 690 P.2d 177 (Colo. 1984); In re Estate of Hill, 713 P.2d 928 (Colo. App. 1985).

Because in statutory construction, legislative intent is polestar. People v. Lee, 180 Colo. 376, 506 P.2d 136 (1973); Firstbank of N. Longmont v. Banking Bd., 648 P.2d 684 (Colo. App. 1982); In re Estate of Hill, 713 P.2d 928 (Colo. App. 1985).

Also statutes must be construed to carry out their beneficent purposes, and not to defeat them. Eugene Cervi & Co. v. Russell, 31 Colo. App. 525, 506 P.2d 748 (1972), aff'd, 184 Colo. 282, 519 P.2d 1189 (1974); Seibel v. Colo. Real Estate Comm'n, 34 Colo. App. 415, 530 P.2d 1290 (1974).

And, statute should be construed as whole so as to give consistent, harmonious, and sensible effect to all its parts. Massey v. District Court, 180 Colo. 359, 506 P.2d 128 (1973); Seibel v. Colo. Real Estate Comm'n, 34 Colo. App. 415, 530 P.2d 1290 (1974); People v. District Court, 713 P.2d 918 (Colo. 1986); In re Davisson, 797 P.2d 809 (Colo. App. 1990).

In ascertaining the intent of a legislative body, and the meaning of its enactments, courts are required to give effect to every work, phrase, clause, sentence, and section, if it can be done. Blue River Defense Comm. v. Town of Silverthorne, 33 Colo. App. 10, 516 P.2d 452 (1973).

The words and phrases of a statute should be given effect according to their plain and ordinary meaning. In re Davisson, 797 P.2d 809 (Colo. App. 1990); Gabriel v. City & County of Denver, 824 P.2d 36 (Colo. App. 1991).

Therefore, courts should not extend an enactment by construction beyond the expression of the act. Kellogg v. Hickman, 12 Colo. 256, 21 P. 325 (1888).

Moreover, statute will not be construed in such way as to defeat legislative intent. Kellogg v. Hickman, 12 Colo. 256, 21 P. 325 (1888); People v. Lee, 180 Colo. 376, 506 P.2d 136 (1973); Frohlick Crane Serv., Inc. v. Mack, 182 Colo. 34, 510 P.2d 891 (1973).

Although the construction of a statute by the agency charged with its administration is entitled to deference, courts are not bound by an agency construction that misapplies or misconstrues the law. Golden Aluminum v. Weld County Comm'rs, 867 P.2d 190 (Colo. App. 1993).

But courts and administrative agencies are not at liberty to substitute their own notions of public policy for public policy of state as declared by general assembly. Fleming v. State Civil Serv. Comm'n, 31 Colo. App. 463, 506 P.2d 158 (1972), rev'd on other grounds, 183 Colo. 71, 514 P.2d 1135 (1973).

Read and consider in context. In construing a section of a legislative act, it is fundamental that the whole of the act must be read and considered in context. Humana, Inc. v. Bd. of Adjustment, 189 Colo. 79, 537 P.2d 741 (1975); People v. District Court, 713 P.2d 918 (Colo. 1986).

Courts are not to presume that legislative body used language in statute idly and with no intent that meaning should be given to its language. Blue River Defense Comm. v. Town of Silverthorne, 33 Colo. App. 10, 516 P.2d 452 (1973).

Prior judicial construction of language presumed adopted in subsequent legislation. It is to be presumed that a general assembly is cognizant of and adopts the construction which prior judicial decisions have placed on particular language when such language is employed in

subsequent legislation. Thompson v. People, 181 Colo. 194, 510 P.2d 311 (1973).

Construction that converts statute into absurdity is a construction forbidden unless no other is possible. Seibel v. Colo. Real Estate Comm'n, 34 Colo. App. 415, 530 P.2d 1290 (1974).

And a statute imperfect in its details is not void unless impossible of execution. W. Lumber & Pole Co. v. City of Golden, 23 Colo. App. 461, 130 P. 1027 (1913); Dekelt v. People, 44 Colo. 525, 99 P. 330 (1908).

The title of an act may be looked to in seeking the legislative intent, and the preamble as well. W. Lumber & Pole Co. v. City of Golden, 23 Colo. App. 461, 130 P. 1027 (1913); Dekelt v. People, 44 Colo. 525, 99 P. 330 (1908).

But the generality of a title is no objection to it. Cardillo v. People, 26 Colo. 355, 58 P. 678 (1899).

The use of the word "shall" in a statute is usually deemed to involve a mandatory connotation. People v. District Court, 713 P.2d 918 (Colo. 1986).

Constructions which defeat the obvious legislative intent of a statute should be avoided. People v. District Court, 713 P.2d 918 (Colo. 1986).

III. CONSTRUING RULES OF PROCEDURE.

The rules of civil procedure should be liberally construed and that technical errors or defects in proceedings not affecting the substantial rights of parties should be disregarded. Moses v. Moses, 180 Colo. 397, 505 P.2d 1302 (1973).

Because while unjustified delay in complying with procedural requirements is not condoned, to apply a strict technical application of time requirements appears to be a punitive disposition of the litigation, resulting in an arbitrary denial of substantial justice to petitioner, contrary to the spirit of the Rules of Civil Procedure. Moses v. Moses, 180 Colo. 397, 505 P.2d 1302 (1973).

Moreover, provisions in law regarding extradition should not be so narrowly interpreted, as to enable offenders against the laws of a state to find a permanent asylum in the territory of another state. Boyd v. Van Cleave, 180 Colo. 403, 505 P.2d 1305 (1973).

2-4-213. Form of enacting clause.

All acts of the general assembly of the state of Colorado shall be designated, known, and acknowledged in each such act of said state as follows: "Be it enacted by the General Assembly of the State of Colorado".

Source: L. 73: R&RE, p. 1425, § 1. **C.R.S. 1963:** § 135-1-213.

ANNOTATION

Law reviews. For article, "Legislative Bill Drafting", see 23 Rocky Mt. L. Rev. 127 (1950).

2-4-214. Use of relative and qualifying words and phrases.

The general assembly hereby finds and declares that the rule of statutory construction expressed in the Colorado supreme court decision entitled *People v. McPherson*, 200 Colo. 429, 619 P.2d 38 (1980), which holds that ". . . relative and qualifying words and phrases, where no contrary intention appears, are construed to refer solely to the last antecedent with which they are closely connected . . ." has not been adopted by the general assembly and does not create any presumption of statutory intent.

Source: L. 81: Entire section added, p. 347, § 1, effective May 18.

ANNOTATION

It is appropriate to rely upon the last antecedent rule for statutes enacted prior to the enactment of this section, since the court presumes this section to be prospective in operation pursuant to § 2-4-202. People v. O'Neal, 228 P.3d 211 (Colo. App. 2009).

Applied in People v. Myers, 714 P.2d 513 (Colo. App. 1985); In re Estate of David v. Snelson, 776 P.2d 813 (Colo. 1989); Am. Respiratory Care Servs. v. Manager of Rev., 835 P.2d 623 (Colo. App. 1992).

2-4-215. Each general assembly a separate entity - future general assemblies not bound by acts of previous general assemblies.

(1) The general assembly finds and declares, pursuant to the constitution of the state of Colorado, that each general assembly is a separate entity, and the acts of one general assembly are not binding on future general assemblies. Accordingly, no legislation passed by one general assembly requiring an appropriation shall bind future general assemblies.

(2) Furthermore, the general assembly finds and declares that when a statute provides for the proration of amounts in the event appropriations are insufficient, the general assembly has not committed itself to any particular level of funding, does not create any rights in the ultimate recipients of such funding or in any political subdivision or agency which administers such

funds, and clearly intends that the level of funding under such a statute is in the full and complete discretion of the general assembly.

Source: L. 85: Entire section added, p. 289, § 1, effective June 11.

2-4-216. Limitations on statutory programs.

(1) When the general assembly creates statutory programs which are not required by federal law and which offer and provide services or assistance or both to persons in this state, the general assembly gives rise to a reasonable expectation that such services or assistance or both will be provided by the state in a manner consistent with the statutes which created the programs. However, the general assembly does not commit itself or the taxpayers of the state to the provision of a particular level of funding for such programs and does not create rights in the ultimate recipient to a particular level of service or assistance or both. The general assembly intends that the level of funding, and thus the level of service or assistance or both, shall be in the full and complete discretion of the general assembly, consistent with the statute which created the program.

(2) In the statutes creating some of these programs, the general assembly expressly conditions any rights arising under such programs by the use of the words "within available appropriations" or "subject to available appropriations" or similar words of limitation. The purpose of the use of these words of limitation is to reaffirm the principles set forth in subsection (1) of this section.

(3) At the time such a program is created, the general assembly appropriates funds for its implementation, taking into account many factors, including but not limited to the availability of revenues, the importance of the program, and needs of recipients when balanced with the needs of recipients under other state programs. The amount of the initial appropriation indicates a program's priority in relation to other state programs. The general assembly reasonably expects that the priority of the program will be subject to annual changes which will be reflected in the modification of the annual appropriation for the program. If the general assembly desires a substantive change in the program, or to eliminate the program, that can be accomplished by amendment of the statutory law which created the program.

(4) It is the purpose of the general assembly, through the enactment of this section, to clarify that the rights, if any, created through the enactment of statutory programs are subject to substantial modification through the annual appropriation process, so long as the modification is consistent with the statute which created the program.

Source: L. 89: Entire section added, p. 341, § 1, effective March 25.

ANNOTATION

With respect to cash funds, the general assembly has the authority to reduce funding, eliminate the funds, or transfer them to the general fund under its power under this section as well as its inherent power. Barber v. Ritter, 170 P.3d 763 (Colo. App. 2007), aff'd in part, rev'd in part on other grounds, 196 P.3d 238 (Colo. 2008).

PART 3

AMENDATORY STATUTES

2-4-301. Multiple amendments to the same provision - one without reference to the other.

If amendments to the same statute are enacted at the same or different sessions of the general assembly and one amendment is without reference to another, the amendments are to be harmonized, if possible, so that effect may be given to each. If the amendments are irreconcilable, the amendment prevails which is latest in its effective date. If the irreconcilable statutes have the same effective date, the statute prevails which is latest in its date of passage.

Source: L. 73: R&RE, p. 1425, § 1. **C.R.S. 1963:** § 135-1-301.

ANNOTATION

Laws dealing with interrelated subjects to be harmonized. Laws enacted in the same session of the general assembly should be harmonized if possible, particularly where they deal with interrelated subjects. People v. Rafferty, 644 P.2d 102 (Colo. App. 1982).

Statutory section, as published in cumulative supplement, is the law of the state if statute was amended twice in the same session and such amendments were in conflict. People v. Littleton, 799 P.2d 426 (Colo. App. 1990).

Applied in People v. Owens, 670 P.2d 1233 (Colo. 1983); In re Pickering, 967 P.2d 164 (Colo. App. 1997).

2-4-302. Repeal of a repealing statute.

The repeal of a repealing statute does not revive the statute originally repealed.

Source: L. 73: R&RE, p. 1425, § 1. **C.R.S. 1963:** § 135-1-302.

ANNOTATION

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

When any law or part of a law is repealed, it is not revived by a subsequent repeal of the repealing law. Heinssen v. State, 14 Colo. 228, 23 P. 995 (1890); Sanders v. Hendrick, 93 Colo. 512, 27 P.2d 493 (1933).

However, when the suspension of a general law within a municipality results from a city ordinance passed in pursuance of a special charter, the repeal of the ordinance will leave the general law in force within the city. Heinssen v. State, 14 Colo. 228, 23 P. 995 (1890).

And the repealing clause of an unconstitutional legislative law falls with the rest of the law. Armstrong v. Mitten, 95 Colo. 425, 37 P.2d 757 (1934).

Also, the rule against implied revival applies only where the statute itself is repealed, and not where it is left in force. Terminal Drilling Co. v. Jones, 84 Colo. 279, 269 P. 894 (1928).

But certain cases are impliedly excepted from the rules operation by the effect of a subsequent enactment. Terminal Drilling Co. v. Jones, 84 Colo. 279, 269 P. 894 (1928); Heinssen v. State, 14 Colo. 228, 23 P. 995 (1890).

And the difference between a repealed and a suspended law is that a repeal puts an end to the law and a suspension holds it in abeyance. Heinssen v. State, 14 Colo. 228, 23 P. 995 (1890).

2-4-303. Penalties and liabilities not released by repeal.

The repeal, revision, amendment, or consolidation of any statute or part of a statute or section or part of a section of any statute shall not have the effect to release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such statute, unless the repealing, revising, amending, or consolidating act so expressly provides, and such statute or part of a statute or section or part of a section of a statute so repealed, amended, or revised shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions, criminal as well as civil, for the enforcement of such penalty, forfeiture, or liability, as well as for

the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions imposing, inflicting, or declaring such penalty, forfeiture, or liability.

Source: L. 73: R&RE, p. 1425, § 1. **C.R.S. 1963:** § 135-1-303.

ANNOTATION

I. General Consideration.

II. Effects of Section on Repealed or Amended Statutes.

III. Section Part of Repealed or Amended Statute.

IV. Statute Expiring by Its Own Limitation.

I. GENERAL CONSIDERATION.

Annotator's note. The following annotations include cases decided under former provisions similar to this section.

Application of section. This section has no application to acts other than those which relate to a penalty, forfeiture, or liability incurred under a repealed statute. Since no substantive penalty, forfeiture, or liability is incurred under a statute of limitations, this section has no bearing on such a statute. People v. Montera, 195 Colo. 118, 575 P.2d 1294 (1978).

Since no substantive penalty, forfeiture, or liability is incurred under a statute of limitations, this section has no bearing on such a statute. People v. Montera, 195 Colo. 118, 575 P.2d 1294 (1978).

Applied in People in Interest of M.K.A., 182 Colo. 172, 511 P.2d 477 (1973); City of Littleton v. Schum, 38 Colo. App. 122, 553 P.2d 399 (1976); People v. Harris, 633 P.2d 1095 (Colo. App. 1981); Lipp v. State, 843 P.2d 41 (Colo. App. 1992).

II. EFFECTS OF SECTION ON REPEALED OR AMENDED STATUTES.

The repeal, revision, amendment or consolidation of any statute shall not have the effect to alter, modify or change in whole or in part any liability, which shall have been incurred under such statute unless expressly so provided. Colo. Fuel & Iron Corp. v. Indus. Comm'n, 148 Colo. 557, 367 P.2d 597 (1961).

General rule in civil proceedings regarding amendatory legislation is that civil liability already incurred may not be changed by statute unless specifically so provided by the general assembly. Noe v. Dolan, 197 Colo. 32, 589 P.2d 483 (1979).

Civil liability already incurred may not be modified unless specifically provided by the general assembly. Hedstrom v. Motor Vehicle Div., 662 P.2d 173 (Colo. 1983).

Therefore, the repeal of a statute does not invalidate the accrued results of its operative tenure and it will not be thus

retroactively construed as undoing accrued results if not already required by language of the repealing act. State v. McMillin, 150 Colo. 23, 370 P.2d 435 (1962).

Absent an express legislative provision, the repeal of a statute will not operate retroactively to modify vested rights or liabilities. Stark v. Zimmerman, 638 P.2d 843 (Colo. App. 1981).

And so long as there is a general law limiting the effect of the repeal, it is declarative of the general policy of the state and takes effect unless the repealing act, or expiration clause, expressly provides otherwise. State v. McMillin, 150 Colo. 23, 370 P.2d 435 (1962); Wall v. Crawford, 103 Colo. 66, 82 P.2d 749 (1938).

Repealed statutory provisions remain in force insofar as pending actions, suits, proceedings, and prosecutions are concerned. Martinez v. People, 174 Colo. 365, 484 P.2d 792 (1971); City of Westminster v. Hyland Hills Metro. Park & Recreation Dist., 190 Colo. 558, 550 P.2d 337 (1976).

To hold otherwise would do violence to the expressed and plain intent of the general assembly that the reservation as to pending prosecutions applies equally to matters arising before repeal, even though prosecution not be had until after such repeal. Martinez v. People, 174 Colo. 365, 484 P.2d 792 (1971).

And the provision for retention of penalties does not attempt to interfere in any manner with future legislation. Wilson v. People, 36 Colo. 418, 85 P. 187 (1906); Cavanaugh v. Patterson, 41 Colo. 158, 91 P. 1117 (1907).

But the repeal of a statute prescribing a penalty shall not prevent a recovery of such penalty unless the repealing statute so provides. Cavanaugh v. Patterson, 41 Colo. 158, 91 P. 1117 (1907); Wilson v. People, 36 Colo. 418, 85 P. 187 (1906).

Its purpose then is to save the right to penalties incurred when the repealing statute was silent on that question. Wilson v. People, 36 Colo. 418, 85 P. 187 (1906); Cavanaugh v. Patterson, 41 Colo. 158, 91 P. 1117 (1907).

And hence, by virtue of its provisions, the repeal of a statute imposing penalties under certain conditions, without any saving clause, does not prevent the recovery of such penalties when it appears that the repeal and subsequent statute are not inconsistent with its purpose. Wilson v. People, 36 Colo. 418, 85 P. 187 (1906); Cavanaugh v. Patterson, 41 Colo. 158, 91 P. 1117 (1907).

And the provision for retention of penalties abrogates the rule that rights under statute repealed by subsequent law without saving clause are lost. Cavanaugh v. Patterson, 41 Colo. 158, 91 P. 1117 (1907).

However, the general saving character is limited to those acts which relate to a penalty, forfeiture or liability, either civil or criminal, incurred under such acts. Peery v. City of Denver, 27 Colo. 93, 59 P. 747 (1899); Vail v. Denver Bldg. & Constr. Trades Council, 108 Colo. 206, 115 P.2d 389 (1941).

The penalty, forfeiture or liability which is saved, is one not merely incurred according to the terms of the repealed statute, but must be one incurred prior to the time the repealing act takes effect. Cobb v. Int'l State Bank, 67 Colo. 488, 186 P. 529 (1919).

But the retention of penalties provision does not apply where a statute gives certain rights of action upon grounds of public policy, no vested rights as to the continuance thereof are conferred, and notwithstanding the existence of a general saving statute such as this section, the repeal of the provision takes away all its benefits as regards incomplete actions existing at the time of the repeal, whether they be pending in appellate or trial courts. Vail v. Denver Bldg. & Constr. Trades Council, 108 Colo. 206, 115 P.2d 389 (1941).

As to retrospective liability under section 8-52-103(2) of the workmen's compensation law, see Eight Thousand W. Corp. v. Stewart, 37 Colo. App. 372, 546 P.2d 1281 (1976).

This section applies to any amendment or repeal of a statute providing for the award of punitive damages. Ortivez v. Davis, 902 P.2d 905 (Colo. App. 1995).

Section not violated by prospective modification of § 24-10-109 (1). The notice requirements of § 24-10-109 (1) of the Colorado government immunity act may be modified prospectively without violating the provisions of this section. Adams County Sch. Dist. No. 1 v. District Court, 199 Colo. 284, 611 P.2d 963 (Colo. App. 1980).

A defendant is not entitled to the ameliorative benefit of amendatory legislation when retroactive application is not expressly intended. People v. Kingsolver, 897 P.2d 878 (Colo. App. 1995).

Liability is incurred within the meaning of this section when the cause of action accrues, irrespective of the date on which litigation is commenced. Ortivez v. Davis, 902 P.2d 905 (Colo. App. 1995).

III. SECTION PART OF REPEALED OR AMENDED STATUTE.

The court has a right to assume that the general assembly, in passing a repealing statute without a savings clause, had in view the terms, scope, and legal effect of this section evidently passed to provide for such contingencies. Day v. Madden, 9 Colo. App. 464, 48 P. 1053 (1897).

The retention of penalties provision is in general terms and it aims at no specific statute. Day v. Madden, 9 Colo. App. 464, 48 P. 1053 (1897).

And is intended to embrace all statutes, both civil and criminal. Day v. Madden, 9 Colo. App. 464, 48 P. 1053, appeal dismissed, 24 Colo. 418, 51 P. 165 (1897).

Since the retention of penalties provision is broad in its scope, ample in its terms, therefore without giving undue force to its language, and without the adoption of a strained construction, it may be taken to be a part and parcel of a repealing or amending statute. Day v. Madden, 9 Colo. App. 464, 48 P. 1053 (1897).

And if this is so, then a statute is amended and reenacted with this provision attached, and the court must read that section being repealed or amended as though it contained a provision that it should not be taken to extend to or affect any suits or proceedings already begun. Day v. Madden, 9 Colo. App. 464, 48 P. 1053 (1897).

Therefore, this provision is to be given the same effect as a saving clause in the repealing statute itself. Vail v. Denver Bldg. & Constr. Trades Council, 108 Colo. 206, 115 P.2d 389 (1941).

IV. STATUTE EXPIRING BY ITS OWN LIMITATION.

Where an act expires by its own limitations, the effect is the same as though it had been repealed at that time. State v. McMillin, 150 Colo. 23, 370 P.2d 435 (1962).

Therefore, it is necessary to incorporate in an act which will soon expire under its own terms a specific exemption from the retention of penalties provision to avoid its application. State v. McMillan, 150 Colo. 23, 370 P.2d 435 (1962).

Because this general retention of penalties provision made it unnecessary for the general assembly to embody in a specific act which would expire under its own terms soon thereafter a declaration repeating the provision. State v. McMillin, 150 Colo. 23, 370 P.2d 435 (1962).

And where a general statute limits effect of repeal, such termination does not invalidate the accrued results of its operation. State v. McMillin, 150 Colo. 23, 370 P.2d 435 (1962).

PART 4

DEFINITIONS

2-4-401. Definitions.

The following definitions apply to every statute, unless the context otherwise requires:

(1) "Behavioral health" refers to an individual's mental and emotional well-being and actions that affect an individual's overall wellness. Behavioral health problems and disorders include substance use disorders, serious psychological distress, suicide, and other mental health disorders. Problems ranging from unhealthy stress or subclinical conditions to diagnosable and treatable diseases are included in the term "behavioral health". The term "behavioral health" is also used to describe service systems that encompass prevention and promotion of emotional health, prevention and treatment services for mental health and substance use disorders, and recovery support.

(1.1) "Child" includes child by adoption.

(1.3) "Civil union" means a relationship established by two eligible persons pursuant to the requirements of article 15 of title 14, C.R.S., that entitles them to receive the benefits and protections and be subject to the responsibilities of spouses.

(1.4) "Civil union certificate" means a document that certifies that the persons named in the certificate have established a civil union in this state in compliance with the provisions of article 15 of title 14, C.R.S.

(1.5) "Contraceptive" or "contraception" means a medically acceptable drug, device, or procedure used to prevent pregnancy.

(2) "Court" means a court of record.

(2.5) Repealed.

(3) "Executor" includes administrator and "administrator" includes executor.

(3.2) "Felony" includes a drug felony described in article 18 of title 18.

(3.4) "Gender expression" means an individual's way of reflecting and expressing the individual's gender to the outside world, typically demonstrated through appearance, dress, and behavior.

(3.5) "Gender identity" means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth.

(3.6) "Final disposition" means the disposition of human remains by entombment, burial, cremation, natural reduction, or removal from the state.

(3.7) "Immediate family member" means a person who is related by blood, marriage, civil union, or adoption.

(4) "Issue", as applied to the descent of estate, includes all the lawful, lineal descendants of the ancestor.

(5) "Land", "lands", or "real estate" includes lands, tenements, and hereditaments, and all rights thereto and all interests therein.

(6) "Minor" means any person who has not attained the age of twenty-one years. No construction of this subsection (6) shall supersede the express language of any statute.

(6.3) "Misdemeanor" includes a drug misdemeanor described in article 18 of title 18, C.R.S.

(6.5) (a) "Must" means that a person or thing is required to meet a condition for a consequence to apply. "Must" does not mean that a person has a duty.

(b) This subsection (6.5):

(I) Is not intended to alter the interpretation of a statute enacted before August 7, 2013; and

(II) Applies to statutes enacted on or after August 7, 2013, but only with regard to language that appears in small capital font in the session laws published pursuant to section 24-70-223, C.R.S.

(6.9) "Natural reduction" or "naturally reduce" means the contained, accelerated conversion of human remains to soil.

(7) "Oath" includes affirmation, and "swear" includes affirm.

(7.5) "Partner in a civil union" or "party to a civil union" means a person who has entered into a civil union in accordance with the requirements of article 15 of title 14, C.R.S.

(8) "Person" means any individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, limited liability company, partnership, association, or other legal entity.

(8.5) Repealed.

(9) "Personal representative" includes executor, administrator, conservator, or guardian.

(9.5) "Petty offense" includes a drug petty offense described in article 18 of title 18, C.R.S.

(10) "Population" means that shown by the most recent regular or special federal census.

(11) "Property" means both real and personal property.

(12) "Registered mail" includes certified mail.

(13) "Rule" includes regulation.

(13.5) "Sexual orientation" means an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction.

(13.7) (a) "Shall" means that a person has a duty.

(b) This subsection (13.7):

(I) Is not intended to alter the interpretation of a statute enacted before August 7, 2013; and

(II) Applies to statutes enacted on or after August 7, 2013, but only with regard to language that appears in small capital font in the session laws published pursuant to section 24-70-223, C.R.S.

(14) "State", when applied to a part of the United States, includes any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legislative authority of the United States of America.

(15) "United States" includes all states, the District of Columbia, and the territories, commonwealths, and possessions of the United States.

(16) "Will" includes a codicil.

(17) "Written" or "in writing" includes any representation of words, letters, symbols, or figures; but this provision does not affect any law relating to signatures.

Source: L. 73: R&RE, p. 1426, § 1. **C.R.S. 1963:** § 135-1-401. **L. 80:** (2.5) added, p. 751, § 1. **L. 90:** (8) amended, p. 444, § 2, effective April 18. **L. 2008:** (13.5) added, p. 1598, § 9, effective May 29. **L. 2009:** (1.5) added, (SB 09-225), ch. 126, p. 546, § 1, effective August 5. **L. 2013:** (1.3), (1.4), (3.7), and (7.5) added, (SB 13-011), ch. 49, p. 157, § 5, effective May 1; (6.5) and (13.7) added, (HB 13-1029), ch. 8, p. 21, § 2, effective August 7; (3.5) added, (SB 13-250), ch. 333, p. 1942, § 65, effective October 1. **L. 2014:** (6.7) and (8.5) added, (SB 14-163), ch. 391, p. 1968, § 1, effective June 6. **L. 2015:** (8.5) repealed and (9.5) added, (SB 15-264), ch. 259, p. 940, § 3, effective August 5. **L. 2017:** (1) amended and (1.1) added, (SB 17-242), ch. 263, p. 1250, § 2, effective May 25. **L. 2021:** (3.6) and (6.9) added, (SB 21-006), ch. 123, p. 488, § 1, effective September 7; (3.2) and (3.4) added and (3.5) and (13.5) amended, (HB 21-1108), ch. 156, p. 889, § 9, effective September 7.

Editor's note: (1) Subsection (2.5) provided for the repeal of subsection (2.5), effective July 1, 1987. (See L. 80, p. 751.)

(2) Subsection (6.3) was added as subsection (6.7) in SB 14-163 but was renumbered on revision in 2020 to place defined terms in alphabetical order.

Cross references: (1) For other statutes having age qualifications that differ from that set out in the definition of "minor", see selection for jury service, § 13-71-105; liability for damages, § 13-21-107; contracts and agreements, article 22 of title 13; the "Colorado Probate Code", § 15-10-201 (32).

(2) For the legislative declaration contained in the 2008 act enacting subsection (13.5), see section 1 of chapter 341, Session Laws of Colorado 2008.

(3) For the legislative declaration in the 2013 act adding subsections (6.5) and (13.7), see section 1 of chapter 8, Session Laws of Colorado 2013.

(4) For the legislative declaration in SB 17-242, see section 1 of chapter 263, Session Laws of Colorado 2017.

(5) For the legislative declaration in HB 21-1108, see section 1 of chapter 156, Session Laws of Colorado 2021.

ANNOTATION

Law reviews. For article, "What Really Happens in Child Support Cases: An Empirical Study of Establishment and Enforcement of Child Support Orders in the Denver District Court", see 57 Den. L.J. 21 (1979).

"Minor" applies to wrongful death act. The definition of "minor" in subsection (6) applies to the Wrongful Death Act, §§ 13-21-201 through 13-21-204. Hesseltine v. United States, 538 F. Supp. 1003 (D. Colo. 1982).

Emancipation ordinarily occurs upon the attainment of majority. Koltay v. Koltay, 667 P.2d 1374 (Colo. 1983).

Workers' compensation statute does not supersede definition of "minor". The statute setting forth compensation payable to minors contains no language superseding the definition of minor in this section, and award of maximum benefits to claimant who was 20 years and 6 weeks and a minor at the time of injury was proper. Casa Bonita Rest. v. Indus. Comm'n, 677 P.2d 344 (Colo. App. 1983).

The general assembly's choice of the word "person" demonstrates its intent to limit the reach of the state's habeas corpus statute to human beings, given this section's definition of the term "person" and the plain and ordinary meaning of the term found in the dictionary. Including nonhuman animals, no matter how cognitively, psychologically, or socially sophisticated, in the definition of the term "person" is the type of monumental change in the law that one would reasonably expect the general assembly to make explicit. NRP v. Cheyenne Mountain Zoological Soc'y, 2025 CO 3, 562 P.3d 63.

Applied in Tobias v. State, 41 Colo. App. 444, 586 P.2d 669 (1978); In re Hellman, 474 F. Supp. 348 (D. Colo. 1979); People v. Lessar, 629 P.2d 577 (Colo. 1981); People v. Cantwell, 636 P.2d 1313 (Colo. App. 1981).

2-4-402. Colorado Revised Statutes.

Colorado Revised Statutes may be abbreviated and cited as "C.R.S.".

Source: L. 73: R&RE, p. 1426, § 1. **C.R.S. 1963:** § 135-1-402. **L. 83:** Entire section amended, p. 377, § 1, effective July 1.

PART 5

CONSTRUCTION OF LAWS FOR THE SOUTHERN UTE INDIAN TRIBE AND THE SOUTHERN UTE INDIAN RESERVATION

2-4-501. Purpose - legislative declaration.

(1) The general assembly finds and declares that in the absence of clear expressions of legislative intent regarding whether legislation is intended to apply to the Tribe, its officials and employees acting in their official capacities, tribally controlled entities, or Tribal lands within the reservation, the resulting ambiguity substantially increases the likelihood of unnecessary jurisdictional disputes between the state of Colorado, the Tribe, and entities or persons who are subject to the laws of the state of Colorado or the Tribe.

(2) The general assembly finds, therefore, that the purpose of this part 5 is to establish rules for the construction of laws passed by the general assembly to limit the interpretation and application of laws to the Tribe, its officials and employees acting in their official capacities, tribally controlled entities, and Tribal lands within the reservation.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1366, § 1, effective August 6.

2-4-502. Definitions.

As used in this part 5, unless the context otherwise requires:

(1) "Municipality" means the town of Ignacio or any other municipality that is located entirely within the reservation and is incorporated pursuant to the laws of the state.

(2) "Reservation" means the Southern Ute Indian reservation, the exterior boundaries of which are defined in the act of May 21, 1984, Pub.L. 98-290, 98 Stat. 201 (found at the "other provisions" note to 25 U.S.C. sec. 668).

(3) "State" means the state of Colorado.

(4) "Tribal lands" means lands within the exterior boundaries of the reservation that are owned in fee simple by the Tribe or a tribally controlled entity. "Tribal lands" also means trust lands, including land assignments and allotments, within the exterior boundaries of the reservation.

(5) "Tribally controlled entity" means a division of the Tribe or a business organization that is a subsidiary owned by the Tribe or an affiliate in which the Tribe owns a controlling interest.

(6) "Tribe" means the Southern Ute Indian Tribe.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1367, § 1, effective August 6.

2-4-503. Rules of construction.

(1) If the general assembly enacts a new law or materially amends an existing law that is silent as to its application to the Tribe or to tribally controlled entities; purports to apply statewide; or grants a governmental agency or entity civil, criminal, or regulatory authority, it is presumed that the law does not apply within the exterior boundaries of the reservation to the Tribe, including the Tribe's officials and employees acting in their official capacities, to a tribally controlled entity, or to Tribal lands.

(2) Nothing in this part 5 intends to modify federal law, including, but not limited to, Pub.L. 98-290, 98 Stat. 201 and the rules Pub.L. 98-290, 98 Stat. 201 established for jurisdiction within the reservation boundaries.

(3) Nothing in this part 5 is intended to apply outside of the reservation boundaries.

(4) The civil and criminal laws of the state are presumed to apply within a municipality to Indians and persons other than Indians as set forth in Pub.L. 98-290, 98 Stat. 201; except that nothing in this part 5 limits the concurrent jurisdiction of the Tribe over the conduct of Indians within a municipality.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1367, § 1, effective August 6.

2-4-504. Tribal consent to application of state laws.

(1) Nothing in this part 5 prevents the Tribe from requesting inclusion in legislation pending before the general assembly.

(2) The governor and state agencies, in exercising the powers of the executive branch, may determine that the Tribe or the Tribe's governmental divisions are eligible for participation in state programs and grant funding that may be used within the reservation and that are designed to improve infrastructure, health care and treatment, telecommunications, transportation, education, law enforcement, environmental protections, wildlife resource management, water management, or other governmental functions and services, even if the law creating the program does not explicitly authorize participation by the Tribe.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1367, § 1, effective August 6.

2-4-505. Preservation of sovereign immunity - preservation of legal remedies.

(1) Nothing in this part 5 is intended to abrogate the sovereign immunity of the state or the Tribe.

(2) Nothing in this part 5 is intended to affect the right of the state, the Tribe, or other persons to pursue legal remedies that may be available to contest the application of laws passed by the general assembly.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1368, § 1, effective August 6.

PART 6

CONSTRUCTION OF LAWS FOR THE UTE MOUNTAIN UTE TRIBE AND THE UTE MOUNTAIN UTE RESERVATION

2-4-601. Purpose - legislative declaration.

(1) The general assembly finds and declares that in the absence of clear expressions of legislative intent regarding whether legislation is intended to apply to the Tribe, its officials and employees acting in their official capacities, tribally controlled entities, or Tribal lands within the reservation, the resulting ambiguity substantially increases the likelihood of unnecessary jurisdictional disputes between the state of Colorado, the Tribe, and entities or persons who are subject to the laws of the state of Colorado or the Tribe.

(2) The general assembly finds, therefore, that the purpose of this part 6 is to establish rules for the construction of laws passed by the general assembly to limit the interpretation and application of laws to the Tribe, its officials and employees acting in their official capacities, tribally controlled entities, and Tribal lands within the reservation.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1368, § 2, effective August 6.

2-4-602. Definitions.

As used in this part 6, unless the context otherwise requires:

(1) "Reservation" means the reservation in Colorado of the Ute Mountain Ute Tribe.

(2) "State" means the state of Colorado.

(3) "Tribal lands" means lands within the exterior boundaries of the reservation that are owned in fee simple by the Tribe or a tribally controlled entity. "Tribal lands" also means trust lands, including land assignments and allotments, within the exterior boundaries of the reservation.

(4) "Tribally controlled entity" means a division of the Tribe or a business organization that is a subsidiary owned by the Tribe or an affiliate in which the Tribe owns a controlling interest.

(5) "Tribe" means the Ute Mountain Ute Tribe.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1368, § 2, effective August 6.

2-4-603. Rules of construction.

(1) If the general assembly enacts a new law or materially amends an existing law that is silent as to its application to the Tribe or to tribally controlled entities; purports to apply statewide; or grants a governmental agency or entity civil, criminal, or regulatory authority, it is presumed that the law does not apply within the exterior boundaries of the reservation to the Tribe, including the Tribe's officials and employees acting in their official capacities, to a tribally controlled entity, or to Tribal lands.

(2) Nothing in this part 6 intends to modify federal law.

(3) Nothing in this part 6 is intended to apply outside of the reservation boundaries.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1369, § 2, effective August 6.

2-4-604. Tribal consent to application of state laws.

(1) Nothing in this part 6 prevents the Tribe from requesting inclusion in legislation pending before the general assembly.

(2) The governor and state agencies, in exercising the powers of the executive branch, may determine that the Tribe or the Tribe's governmental divisions are eligible for participation in state programs and grant funding that may be used within the reservation and that are designed to improve infrastructure, health care and treatment, telecommunications, transportation, education,

law enforcement, environmental protections, wildlife resource management, water management, or other governmental functions and services, even if the law creating the program does not explicitly authorize participation by the Tribe.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1369, § 2, effective August 6.

2-4-605. Preservation of sovereign immunity - preservation of legal remedies.

(1) Nothing in this part 6 is intended to abrogate the sovereign immunity of the state or the Tribe.

(2) Nothing in this part 6 is intended to affect the right of the state, the Tribe, or other persons to pursue legal remedies that may be available to contest the application of laws passed by the general assembly.

Source: L. 2025: Entire part added, (SB 25-061), ch. 265, p. 1369, § 2, effective August 6.

ARTICLE 5

Colorado Revised Statutes

2-5-100.3. Definitions.
2-5-101. Compilation of Colorado Revised Statutes.
2-5-102. Inclusions - nonstatutory.
2-5-103. Preparation of Colorado Revised Statutes.
2-5-104. Revisor's bill.
2-5-105. Publication contract - legislative declaration.
2-5-105.5. Publication - paper specification.
2-5-106. Bid and contract forms, guarantee, bonds. (Repealed)
2-5-107. Notification of bidders. (Repealed)
2-5-108. Contents of forms. (Repealed)
2-5-109. Contract approval and execution.
2-5-110. Cost, alternative specifications. (Repealed)
2-5-111. Sale price to public.

2-5-112. Report to the 1974 session of the general assembly. (Repealed)

2-5-113. Effect of enactment of Colorado Revised Statutes 1973 - legislative construction not based on editorial matters.

2-5-114. Deposit with secretary of state. (Repealed)

2-5-115. Copyright by state.

2-5-116. Official list - designation and disposition of statutes.

2-5-117. Softbound volumes - ancillary publications.

2-5-118. Official statutes - publications by other persons or agencies.

2-5-119. Tax levy on civil actions.

2-5-120. Editorial matters not construed. (Repealed)

2-5-121. Report deposited - 1973 supplement to Colorado Revised Statutes 1963. (Repealed)

2-5-122. Enactment. (Repealed)

2-5-123. Publishing - publication - effective date. (Repealed)

2-5-124. Validation of Colorado Revised Statutes and replacement volumes and supplements thereto - effective date - proceedings of the committee on legal services.

2-5-125. Supplements and replacement volumes to Colorado Revised Statutes - report - enactment - publication - effective date.

2-5-126. Annual enactment of Colorado Revised Statutes - validation - effective date.

2-5-100.3. Definitions.

As used in this article 5, unless the context otherwise requires:

(1) "Committee" means the committee on legal services created in section 2-3-501.

(2) "Revisor" means the revisor of statutes.

Source: L. 2025: Entire section added, (SB 25-275), ch. 377, p. 2032, § 23, effective August 6.

2-5-101. Compilation of Colorado Revised Statutes.

(1) The revisor of statutes, under the supervision and direction of the committee on legal services, shall compile, edit, arrange, and prepare for publication all laws of the state of Colorado of a general and permanent nature.

(2) The statutes shall be arranged and collated into such code titles, articles, and sections, and under such a numbering system as the committee approves and directs. The committee shall designate the number of volumes to comprise a set of the statutes for purposes of this arrangement and collating.

(3) The compilation of statutory laws and nonstatutory material provided for in this article, originally entitled "Colorado Revised Statutes 1973" and cited as "C.R.S. 1973", shall, on and after July 1, 1983, be entitled "Colorado Revised Statutes" and may be cited as "C.R.S.". Reference to individual sections of the statutes shall be cited substantially in the following manner: "Section 1-1-101, C.R.S.". Unless the context otherwise requires, any reference to Colorado Revised Statutes 1973 or to C.R.S. 1973 shall be deemed to refer to Colorado Revised Statutes or to C.R.S.

Source: L. 70: p. 364, § 1. **C.R.S. 1963:** § 135-6-1. **L. 83:** (1) and (3) amended, p. 377, § 2, effective July 1. **L. 2025:** (1) amended, (SB 25-275), ch. 377, p. 2032, § 24, effective August 6.

ANNOTATION

There is no substantive significance to the revisor's bifurcation of a section into two separate subsections. People v. North Ave. Furn. & Appliance, Inc., 645 P.2d 1291 (Colo. 1982).

2-5-102. Inclusions - nonstatutory.

(1) At the end of each section of the statutes, the revisor shall include:

(a) Reference to the statutory history of the section;

(b) Annotations of state and federal court decisions construing, applying, or relating to the subject matter of the section; and

(c) Such editorial notes, cross references, and other matter as the committee considers desirable or advantageous.

(2) The revisor shall prepare for publication with Colorado Revised Statutes:

(a) The declaration of independence;

(b) The constitutions of the United States and state of Colorado;

(c) The enabling act admitting Colorado into the union; and

(d) The rules of civil and criminal procedure and such other rules as the supreme court of Colorado may adopt.

(3) The revisor shall also prepare for publication with Colorado Revised Statutes a complete subject index and comparative disposition tables or cross reference indices relating sections of the original 1973 compilation to prior compilations and session laws.

(4) The revisor of statutes shall include in the publication of the "Uniform Commercial Code", as nonstatutory matter, a complete index to the code and, following each section of the code, the session law source of that section and a specific designation of differences in text, if any, between that section and the version of that section in the official text of the "Uniform Commercial Code" issued by the American law institute and the national conference of commissioners on uniform state laws upon which that article of the "Uniform Commercial Code" as enacted in Colorado was based. In addition, the revisor of statutes shall include after each section the full text of the official comment to that section in that version of the article in the official text in effect at the time of the enactment of that version of that article in Colorado, and by the Colorado comments of the revisor of statutes. The inclusion of said nonstatutory matter is only for the purpose of information, and no inference or presumption of legislative intent shall be drawn therefrom.

(5) In order that said "Uniform Commercial Code" shall be, at all times and in all respects, as uniform as possible with the "Uniform Commercial Code" of other states, the order and arrangement of articles, sections, and subsections of said code, the numbering and lettering system of said articles, sections, and subsections, the titles or headings of said articles, sections, or subsections, and the wording, punctuation, capitalization, and sentence and paragraph structure of said code and any amendments thereto, as enacted by the general assembly, shall be preserved and maintained as far as possible without change; except that the revisor of statutes and the committee on legal services shall review said code and revise the same for the correction of errors needed and present said code, with the correction of such errors, to the general assembly for reenactment with other statutes of a general and permanent nature.

(6) There shall be included in the publication of the "Colorado Uniform Limited Partnership Act of 1981", as nonstatutory matter, following each section of the article, the full text of the official comments to that section contained in the official volume containing the 1976 official text of the "Revised Uniform Limited Partnership Act" issued by the national conference of commissioners on uniform state laws, with any changes in the official comments or Colorado comments to correspond to Colorado changes in the uniform act. The comments shall be

prepared by the revisor of statutes and approved for publication by the committee on legal services.

(7) There shall be included in the publication of the "Colorado Voidable Transactions Act", as nonstatutory matter, guidance on how to access the official comments of the "Uniform Voidable Transactions Act". The guidance on how to access the official comments shall be prepared by the revisor of statutes and approved for publication by the committee on legal services.

(8) There may be included in the publication of the amendments to article 10 of title 15, Colorado Revised Statutes, and to the revised parts 1 through 9 of article 11 of title 15, Colorado Revised Statutes, as nonstatutory matter, following each section of articles 10 and 11 of title 15, the full text of the official comments to that section contained in the official volume containing the official text of the "Uniform Probate Code - Article II" issued by the national conference of commissioners on uniform state laws, with any changes in the official comments or Colorado comments to correspond to Colorado changes in the uniform act. The comments shall be prepared by the revisor of statutes and approved for publication by the committee on legal services.

(9) There shall be included in the publication of the "Colorado Water for the 21st Century Act", as nonstatutory matter, following section 37-75-105, C.R.S., the full text of the interbasin compact charter as submitted to the general assembly on April 6, 2006, by the interbasin compact committee.

(10) There shall be included in the publication of the "Uniform Power of Attorney Act", as nonstatutory matter, following each section of the act, the full text of the official comments to that section contained in the official volume containing the 2006 official text of the "Uniform Power of Attorney Act" issued by the national conference of commissioners on uniform state laws, with any changes in the official comments or Colorado comments to correspond to Colorado changes in the uniform act. The comments shall be prepared by the revisor of statutes and approved for publication by the committee on legal services.

(11) There shall be included in the publication of the "Colorado Probate Code" as nonstatutory matter, following each amended or added section, the full text of the official comments to that section contained in the 2008 official text of "Amendments to Uniform Probate Code" issued by the national conference of commissioners on uniform state laws, with any changes in the official comments to correspond to Colorado changes in the "Uniform Probate Code". The comments shall be prepared by the revisor of statutes and approved for publication by the committee on legal services.

(12) There shall be included in the publication of the "Uniform Electronic Legal Material Act" as nonstatutory matter, following each amended or added section, the full text of the official comments to that section contained in the 2011 official text of the "Uniform Electronic Legal

Material Act" issued by the national conference of commissioners on uniform state laws, with any changes in the official comments to correspond to Colorado changes in the "Uniform Electronic Legal Material Act". The comments shall be prepared by the revisor of statutes and approved for publication by the committee on legal services.

(13) The revisor of statutes shall include in the publication of the "Uniform Interstate Family Support Act" as nonstatutory matter, following each amended or added section, the full text of the official comments to that section contained in the 2008 official text of the "Uniform Interstate Family Support Act" issued by the national conference of commissioners on uniform state laws, with any changes in the official comments to correspond to Colorado changes in the "Uniform Interstate Family Support Act". The comments shall be prepared by the revisor of statutes and approved for publication by the committee on legal services.

Source: L. 70: p. 364, § 1. **C.R.S. 1963:** § 135-6-2. **L. 74:** (4) and (5) added, p. 420, § 71, effective April 11. **L. 77:** (4) amended, p. 311, § 1, effective January 1. **L. 81:** (6) added, p. 453, § 4, effective November 1. **L. 83:** IP(2) and (3) amended, p. 378, § 3, effective July 1. **L. 91:** (7) added, p. 1690, § 4, effective July 1. **L. 94:** (8) added, p. 1039, § 15, effective July 1, 1995. **L. 2006:** (9) added, p. 1282, § 2, effective May 26. **L. 2009:** (10) added, (HB 09-1198), ch. 106, p. 424, § 12, effective January 1, 2010. **L. 2010:** (11) added, (SB 10-199), ch. 374, p. 1747, § 1, effective July 1. **L. 2012:** (12) added, (HB 12-1209), ch. 138, p. 504, § 2, effective August 8; (4) amended, (HB 12-1262), ch. 170, p. 609, § 17, effective July 1, 2013. **L. 2015:** (13) added, (HB 15-1198), ch. 173, p. 568, § 34, effective July 1. **L. 2025:** (7) amended, (SB 25-133), ch. 57, p. 242, § 11, effective August 6.

Cross references: For the "Uniform Commercial Code", see title 4; for the "Colorado Uniform Limited Partnership Act of 1981", see article 62 of title 7; for the "Colorado Uniform Fraudulent Transfer Act", see article 8 of title 38; for the "Uniform Power of Attorney Act", see part 7 of article 14 of title 15; for the "Colorado Probate Code", see articles 10 to 17 of title 15; for the "Uniform Electronic Legal Material Act", see article 71.5 of title 24; for the "Uniform Interstate Family Support Act", see article 5 of title 14.

ANNOTATION

Law reviews. For article, "Limited Partnership Act Update", see 11 Colo. Law. 688 (1982). For comment, "The Colorado Changes to the Revised Uniform Limited Partnership Act", see 53 U. Colo. L. Rev. 823 (1982).

2-5-103. Preparation of Colorado Revised Statutes.

(1) In compiling, editing, arranging, and preparing the statutes, the revisor, under the supervision and direction of the committee, shall:

(a) Adopt a uniform system of punctuation, capitalization, and wording;

(b) Eliminate all obsolete and redundant wording of laws;

(c) Correct obvious errors and inconsistencies;

(d) Correct inaccurate references to the titles of officers, departments, or other agencies of the state and to other statutes, and make such other name changes as are necessary to be consistent with the law currently in effect;

(e) Eliminate any duplications in law and any laws repealed directly or by implication; and

(f) Clarify existing laws, modernize terminology, and make such other nonsubstantive changes as the committee considers proper.

(2) The revisor shall make no change in the substance of any statute but may make such changes in arrangement and terminology as will, in the judgment of the committee, improve the style and clarity of the laws, yet preserve the intent, effect, and meaning of each statutory provision.

(3) The revisor, with the approval of the committee, may employ such additional professional and clerical staff, within limits of appropriations, as may be necessary for the preparation and publication of the statutes under this article. In addition, the committee may obtain, by contract, such technical and professional assistance as it deems advisable for the efficient and accurate preparation and publication of such statutes, including but not limited to preparation of annotations and indices.

Source: L. 70: p. 365, § 1. **C.R.S. 1963:** § 135-6-3. **L. 96:** (3) amended, p. 1345, § 2, effective June 1.

Cross references: For editorial work in the office of revisor of statutes, see § 2-3-703; for legislative construction not based on editorial matters, see § 2-5-113 (4).

ANNOTATION

There is no substantive significance to the revisor's bifurcation of a section into

two separate subsections. People v. North Ave. Furn. & Appliance, Inc. 645 P.2d 1291 (Colo. 1982).

This section authorizes the revisor to correct obvious errors and inconsistencies in the laws in order to preserve the intent, effect, and meaning of each statutory provision, but it precludes him from making any change in the substance of a statute. Olin v. City of Ouray, 744 P.2d 761 (Colo. App. 1987), rev'd on other grounds, 761 P. 2d 784 (Colo. 1988).

Where we conclude that the phrase "in the board's discretion" was intended to mean a board of county commissioners and that the legislature intended the statute to apply exclusively to county employees, the revisor's action was entirely proper and consistent with the revisor's statutory mandate to make such change in terminology as will improve the style and clarity of the laws, yet preserve the intent, effect, and meaning of each statutory provision. City of Ouray v. Olin, 761 P.2d 784 (Colo. 1988).

2-5-104. Revisor's bill.

The revisor, under the supervision and direction of the committee, shall prepare and submit annually one or more bills containing amendments or repeals of obsolete, inoperative, imperfect, obscure, or doubtful laws as the revisor considers necessary to improve the clarity and certainty of the statutes as provided in section 2-5-103.

Source: L. 70: p. 365, § 1. **C.R.S. 1963:** § 135-6-4. **L. 77:** Entire section R&RE, p. 265, § 1, effective June 1. **L. 2022:** Entire section amended, (SB 22-212), ch. 421, p. 2965, § 9, effective August 10.

2-5-105. Publication contract - legislative declaration.

(1) (a) Consistent with the requirement of section 8 of article XVIII of the state constitution that the general assembly provide for the publication of the laws passed at each session, the state acknowledges its obligation to provide official sets of statutes that are reasonably priced, accurate, and easy to use. In fulfillment of this obligation, the general assembly provides for distribution of statutes to state and local government agencies and the courts, without charge, in accordance with section 2-5-116 and provides for sale of statutes to the public in accordance with sections 2-5-111 and 2-5-118.

(b) The general assembly hereby finds and declares that:

(I) This section is enacted to assure that the obligation set forth in paragraph (a) of this subsection (1) is met consistent with the requirements of section 29 of article V of the state constitution governing the printing, binding, and distribution of the laws;

(II) An official, softbound, fully annotated set of statutes that is republished in its entirety annually and that is prepared under the supervision and direction of the committee on legal services of the general assembly meets that obligation; and

(III) On and after January 1, 1997, annual, softbound, official statutes shall be printed as a continuation of the original enactment of the Colorado Revised Statutes printed in accordance with the provisions of this article.

(2) On and after January 1, 1997, the work of the printing, binding, and packaging of softbound volumes and publications ancillary to Colorado Revised Statutes, originally entitled Colorado Revised Statutes 1973, and other similar operations precedent to the distribution thereof when published shall be performed pursuant to a contract or contracts bid and entered into in the manner directed by the committee on legal services in accordance with this section. Such contract or contracts shall be bid by employing standard bidding practices including, but not limited to, the use of requests for information, requests for proposals, or any other standard vendor selection practices determined by the committee to be best suited to selecting an appropriate printing contractor. The executive director of the department of personnel shall provide such technical advice and assistance regarding bidding procedures as deemed necessary by the committee.

(3) (a) It is the intent of the general assembly that the work of printing, binding, and packaging of softbound volumes and publications ancillary to Colorado Revised Statutes be submitted to bid and any contract or contracts be awarded by the committee on legal services at least one year prior to the expiration of the current printing contract on December 31, 1997. However, if the committee determines that a further extension of the current contract would facilitate preparation of Colorado Revised Statutes in a new format and that such an extension would be in the public interest, the committee may extend such contract for an additional period not to exceed five years. The committee shall determine whether such an extension should be granted and, subject to the five-year limitation, the duration of any extension. Subsequent contracts for the work of printing, binding, packaging, and distribution shall be rebid at the direction of the committee on legal services prior to the expiration of a contract or, if an extension is granted, prior to the expiration of the extension period. Subsequent contracts shall be awarded at least six months prior to the expiration of a prior contract or extension period. The committee shall assure that the work is rebid at least every ten years. Such contract or contracts shall be awarded to the lowest responsible bidder or bidders and the determination thereof by the committee shall be final.

(b) The terms and conditions of any contract shall be determined by the committee on legal services, subject to the following:

(I) The term of any contract shall not exceed five years; however, the committee on legal services may extend the term of any such contract for one additional period of not more than five years if it finds that such an extension would be in the public interest; and

(II) Any contract shall contain adequate procedures to allow for verification of actual costs of printing.

(c) The methods and terms of sale of Colorado Revised Statutes to the public shall be included in the contract as an alternative provision as provided for in section 2-5-111.

(d) The committee on legal services may authorize such enhancements to or improvements in Colorado Revised Statutes as the committee deems appropriate.

(e) In the award of said contract or contracts, the committee on legal services shall take into consideration the policies set forth in the "Unfair Practices Act", article 2 of title 6, C.R.S.

(f) In determining the lowest responsible bidder in the award of said contract or contracts or in determining whether to extend any such contract as provided for in paragraph (b) of this subsection (3), the committee on legal services shall take into consideration the economic, fiscal, and tax impacts of the award or extension on the state of Colorado, its citizens, and its businesses. The information must be provided in writing and shall be verifiable by legal services staff.

(4) (Deleted by amendment, L. 93, p. 548, § 1, effective April 29, 1993.)

Source: L. 70: p. 366, § 1. **C.R.S. 1963:** § 135-6-5. **L. 71:** p. 1241, § 1. **L. 81:** Entire section amended, p. 1290, § 10, effective January 1, 1982. **L. 83:** Entire section amended, p. 378, § 4, effective July 1. **L. 91:** Entire section amended, p. 1902, § 1, effective May 24. **L. 93:** Entire section amended, p. 548, § 1, effective April 29. **L. 96:** Entire section amended and (2) amended, pp. 1345, 1512, §§ 3, 36, effective June 1.

2-5-105.5. Publication - paper specification.

(1) A contract or extension of contract entered into after May 25, 2017, to publish or print the Colorado Revised Statutes pursuant to section 2-5-105 must specify that the paper used must meet the alkaline reserve minimum requirements and acidity levels for uncoated paper established by the American national standards institute and the national information standards organization (ANSI/NISO Z39.48-1992 (R2009)).

(2) This provision does not affect any contract that is in effect on January 1, 2017.

Source: L. 90: Entire section added, p. 1260, § 1, effective July 1, 1991. **L. 2017:** Entire section amended, (SB 17-293), ch. 257, p. 1075, § 1, effective May 25.

2-5-106. Bid and contract forms, guarantee, bonds. (Repealed)

Source: L. 70: p. 366, § 1. **C.R.S. 1963:** § 135-6-6. **L. 81:** (2) amended, p. 1290, § 11, effective January 1, 1982. **L. 83:** Entire section repealed, p. 382, § 17, effective July 1.

2-5-107. Notification of bidders. (Repealed)

Source: L. 70: p. 366, § 1. **C.R.S. 1963:** § 135-6-7. **L. 81:** Entire section amended, p. 1290, § 12, effective January 1, 1982. **L. 83:** Entire section repealed, p. 382, § 17, effective July 1.

2-5-108. Contents of forms. (Repealed)

Source: L. 70: p. 367, § 1. **C.R.S. 1963:** § 135-6-8. **L. 83:** Entire section repealed, p. 382, § 17, effective July 1.

2-5-109. Contract approval and execution.

Any publication contract entered into pursuant to section 2-5-105 and all proceedings included therein shall be approved by the attorney general as to legality and by the controller, acting as the designee of the governor, and executed by the chairman of the committee for and in behalf of the state.

Source: L. 70: p. 367, § 1. **C.R.S. 1963:** § 135-6-9. **L. 81:** Entire section amended, p. 1290, § 13, effective January 1, 1982. **L. 83:** Entire section amended, p. 378, § 5, effective July 1. **L. 91:** Entire section amended, p. 1904, § 2, effective May 24.

2-5-110. Cost, alternative specifications. (Repealed)

Source: L. 70: p. 367, § 1. **C.R.S. 1963:** § 135-6-10. **L. 83:** Entire section repealed, p. 382, § 17, effective July 1.

2-5-111. Sale price to public.

The methods and terms of sale of Colorado Revised Statutes, and ancillary publications thereto, to the public shall be included by the committee as an alternative specification and bid, and as a part of a contract let by bids authorized by this article.

Source: L. 70: p. 367, § 1. **C.R.S. 1963:** § 135-6-11. **L. 83:** Entire section amended, p. 378, § 6, effective July 1. **L. 91:** Entire section amended, p. 1904, § 3, effective **L. 96:** Entire section amended, p. 1347, § 4, effective June 1.

2-5-112. Report to the 1974 session of the general assembly. (Repealed)

Source: L. 70: p. 367, § 1. **C.R.S. 1963:** § 135-6-12. **L. 83:** Entire section repealed, p. 382, § 17, effective July 1.

2-5-113. Effect of enactment of Colorado Revised Statutes 1973 - legislative construction not based on editorial matters.

(1) Colorado Revised Statutes 1973 was enacted as a repeal and reenactment of Colorado Revised Statutes 1963 and the supplements thereto, as provided for in section 2-5-122, as said section existed upon its repeal.

(2) The effect of the enactment of the Colorado Revised Statutes 1973, as of its effective and operative date, shall be:

(a) To repeal all statutes and parts of statutes of a general and permanent nature not contained in the Colorado Revised Statutes 1973;

(b) To revive no law repealed or superseded before the effective and operative date of the Colorado Revised Statutes 1973;

(c) To affect no act done, right accrued, or obligation incurred or imposed by law prior to that effective and operative date;

(d) Neither to abate nor otherwise affect any action, suit, or proceeding pending on such effective and operative date;

(e) To affect no penalty or forfeiture incurred before such effective and operative date, except that where a punishment, penalty, or forfeiture is mitigated by any provision of the Colorado Revised Statutes 1973, that mitigating provision shall apply to any judgment pronounced after that effective and operative date; and

(f) To have no effect on the running or ending of a limitation or period of time prescribed for acquiring a right, barring a remedy, or for any other purpose, where the time limitation began to run before that effective and operative date and the same or a similar limitation is prescribed in Colorado Revised Statutes 1973.

(3) The provisions of Colorado Revised Statutes 1973, insofar as they are the same in substantial intent, effect, and meaning as those of prior laws, shall be given effect as though a continuation of those laws and not as new enactments. If, however, any act set out in the prior laws and reenacted by Colorado Revised Statutes 1973 or any supplement thereto is alleged to have had a defective title when originally enacted, that defect is cured by enactment of the Colorado Revised Statutes 1973 or any supplement thereto.

(4) The classification and arrangement by title, article, and numbering system of sections of Colorado Revised Statutes, as well as the section headings, source notes, annotations, revisor's notes, and other editorial material, shall be construed to form no part of the legislative text but to be only for the purpose of convenience, orderly arrangement, and information; therefore, no implication or presumption of a legislative construction is to be drawn therefrom.

Source: L. 70: p. 367, § 1. **C.R.S. 1963:** § 135-6-13. **L. 83:** (1) and (4) amended, p. 378, § 7, effective July 1. **L. 2005:** (1) amended, p. 276, § 1, effective August 8.

Cross references: For editorial work by the revisor of statutes, see § 2-3-703; for preparation of Colorado Revised Statutes, see § 2-5-103.

ANNOTATION

Interpretation of statutory section was supported by the statute's legislative history, as demonstrated by an examination of the prior statute, bill titles, and amendment history. City of Ouray v. Olin, 761 P.2d 784 (Colo. 1988).

Section heading usable in construing statute. A legislatively selected heading may be used by a reviewing court as an aid in

construing a statute section. In re U.M. v. District Court, 631 P.2d 165 (Colo. 1981); Jones v. Westernaires, Inc., 876 P.2d 50 (Colo. App. 1993).

A defect in the title of a bill due to the title not being broad enough to cover the subject of the bill was corrected by the reenactment of the statute and the general assembly's approval of the annual supplements. Olin v. City of Ouray, 744 P.2d 761 (Colo. App. 1987), rev'd on other grounds, 761 P.2d 784 (Colo. 1988).

There can be no substantive effect given to a revisor's change even though such substantive change may have appeared in subsequent annual reenactments of the statutes and the supplements thereto. Olin v. City of Ouray, 744 P.2d 761 (Colo. App. 1987), rev'd on other grounds, 761 P.2d 784 (Colo. 1988).

Applied in People v. Shortt, 192 Colo. 183, 557 P.2d 388 (1976).

2-5-114. Deposit with secretary of state. (Repealed)

Source: L. 70: p. 368, § 1. **C.R.S. 1963:** § 135-6-14. **L. 83:** Entire section repealed, p. 382, § 17, effective July 1.

2-5-115. Copyright by state.

Colorado Revised Statutes and ancillary publications thereto, as published, shall be the sole property of the state of Colorado as owner and publisher thereof. The committee, or its designee, may register a copyright for and in behalf of the state of Colorado in any and all original publications and editorial work ancillary to the Colorado Revised Statutes that are prepared by the general assembly or its staff. The committee shall use its best efforts to ensure that any federal copyright registered pursuant to this section is appropriately maintained. Any prior actions of the committee and the revisor in securing such federal copyright are hereby validated.

Source: L. 70: p. 369, § 1. **C.R.S. 1963:** § 135-6-15. **L. 83:** Entire section amended, p. 379, § 8, effective July 1. **L. 90:** Entire section amended, p. 335, § 1, effective March 20. **L. 96:** Entire section amended, p. 1347, § 5, effective June 1. **L. 2011:** Entire section amended, (SB 11-261), ch. 205, p. 874, § 1, effective May 23.

2-5-116. Official list - designation and disposition of statutes.

(1) The revisor shall prepare for approval by the committee an official list of the state, district, county, and municipal officials and state boards, commissions, divisions, and agencies who shall receive for official use sets of Colorado Revised Statutes, including a sufficient number of volumes for exchange with other states and territories on a reciprocal basis.

(2) The office of legislative legal services shall distribute such sets to the officials and agencies so listed, taking a receipt for each set so delivered.

(3) All sets of volumes provided for official use shall remain the property of the state of Colorado for the use of the named officials and their successors, and shall bear such designation.

Source: L. 70: p. 369, § 1. **C.R.S. 1963:** § 135-6-16. **L. 75:** (1) and (2) amended, p. 850, § 1, effective July 1. **L. 83:** (1) amended, p. 379, § 9, effective July 1. **L. 88:** (2) amended, p. 309, § 14, effective May 23. **L. 96:** Entire section amended, p. 1348, § 6, effective June 1.

2-5-117. Softbound volumes - ancillary publications.

(1) Following the regular legislative session convening after January 1, 1997, the revisor, under the supervision and direction of the committee, shall annotate, arrange, and prepare for publication all laws of a general and permanent nature enacted at that session and at any special session intervening since the last preceding regular legislative session. Such laws shall be combined with the laws previously contained in the original hardbound volumes or replacement volumes and with the laws contained in the 1996 cumulative supplements for those volumes. Such combined laws shall be republished in accordance with this article in a fully annotated, softbound set of statutes.

(2) After each regular legislative session convening after January 1, 1998, the preparation for publication shall be as a republication of the entire set of statutes in softbound format that combines newly enacted laws with those published in the preceding year.

(3) Such softbound volumes, when, in like manner as is provided for enactment of Colorado Revised Statutes 1973, certified and reported to the general assembly by the committee, approved and enacted by the general assembly, published, and deposited with the secretary of state, shall be received, recognized, and referred to in like manner as Colorado Revised Statutes. Each year's set of softbound volumes shall become effective on the date specified in section 2-5-126 (2).

(4) The committee may issue such ancillary publications as it considers necessary or desirable in aid of the general use and purposes of Colorado Revised Statutes.

Source: L. 70: p. 369, § 1. **C.R.S. 1963:** § 135-6-17. **L. 79:** (2) and (3) amended, p. 305, § 1, effective April 25. **L. 81:** (3) amended, p. 348, § 1, effective May 18. **L. 83:** (2) to (4) amended, p. 379, § 10, effective July 1. **L. 96:** Entire section amended, p. 1344, § 1, effective June 1. **L. 2011:** (3) amended, (SB 11-261), ch. 205, p. 874, § 2, effective May 23.

2-5-118. Official statutes - publications by other persons or agencies.

(1) (a) The statutes prepared in accordance with sections 2-5-102 and 2-5-103 and printed and enacted as the law of the state in accordance with sections 2-5-105, 2-5-113, 2-5-117, and 2-5-126 shall be considered to be the official statutes of the state of Colorado. Such official statutes shall be the only publication of the statutes entitled to be considered as evidence in Colorado courts in accordance with section 13-25-101, C.R.S., and with applicable Colorado court rules. The courts of this state shall take judicial notice of such official statutes.

(b) To ensure public access to the statutes, the committee:

(I) Shall authorize the printing of the official statutes in softbound sets in accordance with section 2-5-105;

(II) May authorize and work cooperatively with the person printing the official statutes in accordance with section 2-5-105 to reprint and distribute the statutes in alternative printed and electronic formats, including, but not limited to the following:

(A) Compact discs;

(B) Online public access through the world wide web;

(C) Electronic applications for handheld electronic devices;

(D) Electronic books or digital versions of books readable on personal computers, mobile handheld electronic devices, or special e-reader or tablet-style devices; and

(E) Other electronic products or formats;

(III) May, pursuant to subsection (2) of this section, provide the statutory database containing the official text of the statutes, with or without original ancillary publications prepared by the general assembly or its staff, for the additional publication, reprinting, and distribution of the statutes in print, electronic, or other digital format by another person, agency, or political subdivision, in accordance with subsections (2) to (5) of this section; and

(IV) Recognizes that other persons, agencies, or political subdivisions may, from time to time, also publish, reprint, or otherwise distribute the statutes in print, electronic, or other digital

format without the use of the statutory database containing the official text of the statutes as prepared by the general assembly or its staff.

(c) Publication, reprinting, or distribution of any of the publications ancillary to the statutes of the state of Colorado, as prepared by the general assembly or its staff, other than pursuant to sections 2-5-101 to 2-5-116, may be made only as provided for in this section.

(2) (a) Any person, agency, or political subdivision desiring to publish, reprint, or distribute, whether by use of printed matter or by use of computer or other electronic means, the statutes of the state of Colorado using the statutory database prepared by the general assembly or its staff containing the official text of the statutes, shall submit to the committee or the committee's designee:

(I) A statement specifying those portions of the statutes the person, agency, or political subdivision seeks to publish;

(II) A statement specifying whether the person, agency, or political subdivision is seeking to publish, reprint, or distribute any of the publications ancillary to the statutes as prepared by the general assembly or its staff pursuant to subsection (2.5) of this section;

(III) The costs and fees required by the committee as specified in paragraph (c) of this subsection (2); and

(IV) Such other information as the committee reasonably requires.

(b) Any person, agency, or political subdivision who wishes to publish, reprint, or distribute an officially sanctioned version of the statutes pursuant to this subsection (2) shall reproduce the statutes and ancillary publications, if any, accurately.

(c) (I) In addition to any other requirement, the committee may require that any person, agency, or political subdivision seeking to publish, reprint, or distribute the statutes using the statutory database prepared by the general assembly or its staff containing the official text of the statutes pay a fee to the state and any direct costs of preparation of any material provided by the state. Such fee and costs shall be determined by the committee, and any fee shall be in an amount that the committee determines is necessary to pay for state property interests in the statutes, to pay for the use of any material copyrighted by the state, and to pay for expenses incurred by the committee to ensure the accuracy of the statutes.

(II) (Deleted by amendment, L. 92, p. 959, § 1, effective April 29, 1992.)

(2.5) (a) Any person, agency, or political subdivision desiring to publish, reprint, or distribute, whether by use of printed matter or by use of computer or other electronic means, any of the publications ancillary to the statutes of the state of Colorado shall make prior written application to the committee, in which the applicant:

(I) Specifies what ancillary publications it seeks to publish;

(II) States generally the purpose for the publication, reprinting, or distribution and the persons or classes of persons to receive copies thereof;

(III) Demonstrates to the satisfaction of the committee that such ancillary publications will be accurately reproduced; and

(IV) Agrees to pay the costs and fees required by the committee.

(b) If the committee finds from the application that such distribution meets the requirements of this subsection (2.5) and that it will not be detrimental to the interests of the citizens of the state, it may authorize distribution of such ancillary publications specified in the application. Upon satisfactory arrangements for the payment by such person, agency, or political subdivision of any costs and fees, the committee may provide copies of such ancillary publications in printed or electronic format.

(3) (a) (Deleted by amendment, L. 2011, (SB 11-261), ch. 205, p. 875, § 3, effective May 23, 2011.)

(b) The committee may enter into such contracts as it deems necessary to implement the provisions of this section. Any contracts entered into prior to May 23, 2011, are hereby validated.

(4) The general assembly hereby finds and declares that this section and the other provisions of this article are enacted in furtherance of the general assembly's legislative duty to provide for the publication of the laws as required by section 8 of article XVIII of the state constitution and that any acts of the committee or its staff in implementing these provisions are legislative in character. The purpose of this section is to ensure that the official statutes are made available to the courts, state and local government agencies, and other users; that copies of the Colorado Revised Statutes, when published, reprinted, or distributed to interested citizens, accurately state the law in effect when those copies are prepared; and that unofficial publications, reprintings, or distributions of the statutes are not mistaken for the official statutes produced and enacted in accordance with this article. Any person, agency, or political subdivision that publishes, reprints, or otherwise distributes the statutes of the state of Colorado, with or without any ancillary publications to the statutes, shall reproduce them accurately.

(5) (a) Any publication, reprinting, or distribution that is published in accordance with paragraph (a) of subsection (2) of this section using the statutory database containing the official text of the statutes may contain a notice, approved by the committee, that indicates that it is an officially sanctioned publication using the official text of the Colorado Revised Statutes. Except for the official statutes provided for in subsection (1) of this section, publications of the statutes shall not contain any notice or other indication that they are official statutes of this state.

(b) to (d) (Deleted by amendment, L. 2011, (SB 11-261), ch. 205, p. 875, § 3, effective May 23, 2011.)

(6) Notwithstanding any other provision of this section to the contrary, a person, agency, or political subdivision may publish, reprint, or distribute two hundred or fewer sections of the Colorado Revised Statutes, with or without the ancillary publications thereto, for educational purposes.

Source: L. 70: p. 369, § 1. **C.R.S. 1963:** § 135-6-18. **L. 83:** (1), IP(2), (2)(d), (3), and (4) amended and (2)(b) repealed, pp. 380, 382, §§ 11, 17, effective July 1. **L. 90:** Entire section amended, p. 335, § 2, effective March 20. **L. 92:** (2)(c) amended, p. 959, § 1, effective April 29. **L. 94:** (1)(a) amended, p. 1626, § 16, effective May 31. **L. 96:** (4) amended, p. 1348, § 7, effective June 1. **L. 2003:** (1)(b)(II), (1)(c), IP(2)(a), (2)(b), (2)(c)(I), (3)(a), (4), and (5) amended and (6) added, p. 830, § 1, effective August 6. **L. 2011:** Entire section amended, (SB 11-261), ch. 205, p. 875, § 3, effective May 23.

ANNOTATION

Enacting clause as published in session laws of Colorado satisfies requirements and policy of article V, § 18 of the Colorado Constitution and omission of enacting clause from the Colorado revised statutes does not render statutes unconstitutional nor result in a constitutional deficiency in defendant's conviction. People v. Washington, 969 P.2d 788 (Colo. App. 1998).

2-5-119. Tax levy on civil actions.

A tax of one dollar is imposed upon each action filed in the office of each clerk of a court of record of the state of Colorado, except criminal actions, cases filed for reviews of findings and orders of the industrial claim appeals office, petitions relating to the distribution of estates under sections 15-12-1203 and 15-12-1204, petitions relating to a person with a mental health disorder filed under articles 10.5, 65, and 92 of title 27, cases filed by the state of Colorado, cases filed by the United States of America or any of its agencies in any matter under articles 10 to 20 of title 15, and cases where a party is allowed to sue as a poor person. The party filing the action shall pay the tax to the clerk at the time of such filing. Each clerk shall keep the taxes received in a separate fund and remit them to the state treasurer on the first day of each month for the purpose of reimbursing the general fund for appropriations made for the use of the committee on legal services for statutory revision purposes.

Source: L. 70: p. 370, § 1. **C.R.S. 1963:** § 135-6-19. **L. 73:** p. 1651, § 20. **L. 83:** Entire section amended, p. 380, § 12, effective July 1. **L. 86:** Entire section amended, p. 496, § 109,

effective July 1. **L. 2006:** Entire section amended, p. 1394, § 30, effective August 7. **L. 2015:** Entire section amended, (SB 15-264), ch. 259, p. 941, § 4, effective August 5. **L. 2017:** Entire section amended, (SB 17-242), ch. 263, p. 1262, § 31, effective May 25.

Cross references: For the legislative declaration in SB 17-242, see section 1 of chapter 263, Session Laws of Colorado 2017.

2-5-120. Editorial matters not construed. (Repealed)

Source: L. 73: p. 1417, § 99. **C.R.S. 1963:** § 135-6-20. **L. 76:** Entire section repealed, p. 297, § 9, effective May 20.

2-5-121. Report deposited - 1973 supplement to Colorado Revised Statutes 1963. (Repealed)

Source: L. 74: Entire section added, p. 425, § 1, effective May 7. **L. 83:** (1) amended, p. 381, § 13, effective July 1. **L. 2005:** Entire section repealed, p. 276, § 2, effective August 8.

2-5-122. Enactment. (Repealed)

Source: L. 74: Entire section added, p. 425, § 1, effective May 7. **L. 2005:** Entire section repealed, p. 277, § 3, effective August 8.

2-5-123. Publishing - publication - effective date. (Repealed)

Source: L. 74: Entire section added, p. 426, § 1, effective May 7. **L. 83:** Entire section amended, p. 381, § 14, effective July 1. **L. 2005:** Entire section repealed, p. 277, § 4, effective August 8.

2-5-124. Validation of Colorado Revised Statutes and replacement volumes and supplements thereto - effective date - proceedings of the committee on legal services.

(1) The printing, publication, and certification of Colorado Revised Statutes, originally entitled Colorado Revised Statutes 1973, and replacement volumes and certain supplements thereto, the deposit with the secretary of state by the committee on legal services of a copy thereof, and the publication of notice thereof with the effective date of Colorado Revised Statutes, originally entitled Colorado Revised Statutes 1973, and replacement volumes and supplements thereto, containing all of the laws of the state of Colorado of a general and permanent nature enacted at the regular and extraordinary sessions held subsequent to the 1973 session, as set forth with particularity in section 2-5-125, have been completed and are accepted, approved, ratified, confirmed, and validated as a full compliance with this article for the following publications:

(a) **Colorado Revised Statutes 1973 and the 1973 supplement to Colorado Revised Statutes 1963.** The effective and operative date of Colorado Revised Statutes 1973, including the 1973 supplement to Colorado Revised Statutes 1963, which contains all of the laws of the state of Colorado of a general and permanent nature enacted through the 1973 session of the Colorado general assembly, is fixed as December 31, 1974.

(b) **1975 supplement to Colorado Revised Statutes 1973.** The effective and operative date is fixed as March 1, 1976, for the 1975 supplement.

(c) **1976 supplement to Colorado Revised Statutes 1973.** The effective and operative date is fixed as July 1, 1977, for the 1976 supplement.

(d) **1978 supplement to Colorado Revised Statutes 1973 and replacement volumes 5, 8, and 12.** The effective and operative date is fixed as February 1, 1978, for volume 12, 1977 replacement volume, and is fixed as May 1, 1979, for the 1978 supplement and volumes 5 and 8, 1978 replacement volumes.

(e) **1979 supplement to Colorado Revised Statutes 1973.** The effective and operative date is fixed as April 7, 1980, for the 1979 supplement.

(f) **1980 supplement to Colorado Revised Statutes 1973 and replacement volume 1B.** The effective and operative date is fixed as May 1, 1981, for the 1980 supplement and for volume 1B, 1980 replacement volume.

(g) **1981 supplement to Colorado Revised Statutes 1973.** The effective and operative date is fixed as February 19, 1982, for the 1981 supplement.

(h) **1982 supplement to Colorado Revised Statutes 1973 and replacement volumes 10, 11, 16A, and 16B.** The effective and operative date is fixed as February 15, 1983, for the 1982 supplement and for volumes 10, 11, 16A, and 16B, 1982 replacement volumes.

(i) **1983 supplement to Colorado Revised Statutes.** The effective and operative date is fixed as March 27, 1984, for the 1983 supplement.

(j) **1984 supplement and special supplement to Colorado Revised Statutes and replacement volumes 14 and 17.**

(I) The effective and operative date is fixed as May 23, 1985, for the 1984 supplement and for volumes 14 and 17, 1984 replacement volumes.

(II) The effective and operative date is fixed as May 23, 1985, for that portion of the publication entitled "Special Supplement 1984 Voter-approved Changes and Court Rules Update", which contains the law amending title 1, C.R.S., in volume 1B, as enacted by the people at the general election on November 6, 1984.

(k) **1985 supplement to Colorado Revised Statutes and replacement volume 5.** The effective and operative date is fixed as February 28, 1986, for the 1985 supplement and for volume 5, 1985 replacement volume.

(l) **1986 supplement to Colorado Revised Statutes and replacement volumes 3A, 3B, 8A, 8B, 12A, and 12B.** The effective and operative date is fixed as April 17, 1987, for the 1986 supplement and for volumes 3A, 3B, 8A, 8B, 12A, and 12B, 1986 replacement volumes.

(m) **1987 supplement to Colorado Revised Statutes and replacement volumes 4A, 4B, 6A, and 6B.** The effective and operative date is fixed as April 5, 1988, for the 1987 supplement and for volumes 4A, 4B, 6A, and 6B, 1987 replacement volumes.

(n) **1988 supplement to Colorado Revised Statutes and replacement volumes 9, 10A, and 10B.** The effective and operative date is fixed as February 21, 1989, for the 1988 supplement and for volumes 9, 10A, and 10B, 1988 replacement volumes.

(o) **1989 supplement to Colorado Revised Statutes and replacement volumes 11A and 11B.** The effective and operative date is fixed as February 16, 1990, for the 1989 supplement and for volumes 11A and 11B, 1989 replacement volumes.

(p) **1990 supplement to Colorado Revised Statutes and replacement volume 15.** The effective and operative date is fixed as April 2 for the 1990 supplement and for volume 15, 1990 replacement volume.

(q) **1991 supplement and 1991 special supplement to Colorado Revised Statutes and replacement volumes 5A and 5B.** The effective and operative date is fixed as May 21, 1992, for the 1991 supplement, the 1991 special supplement, and volumes 5A and 5B, 1991 replacement volumes.

(r) **1992 supplement to Colorado Revised Statutes and replacement volume 2.** The effective and operative date is fixed as March 26, 1993, for the 1992 supplement and volume 2, 1992 replacement volume.

(s) **1993 supplement to Colorado Revised Statutes and replacement volume 17.** The effective and operative date is fixed as February 7, 1994, for the 1993 supplement and volume 17, 1993 replacement volume.

(t) **1994 supplement to Colorado Revised Statutes and replacement volumes 4A and 16B.** The effective and operative date is fixed as February 23, 1995, for the 1994 supplement and volumes 4A and 16B, 1994 replacement volumes.

(u) **1995 supplement to Colorado Revised Statutes and replacement volumes 9 and 14.** The effective and operative date is fixed as February 13, 1996, for the 1995 supplement and volumes 9 and 14, 1995 replacement volumes.

(v) **1996 supplement to Colorado Revised Statutes.** The effective and operative date is fixed as February 21, 1997, for the 1996 supplement.

(2) All proceedings of the committee on legal services, including the contract for publication, the provisions for distribution thereof between state and public subscribers, and the corresponding price costs thereof, are accepted, approved, ratified, confirmed, and validated.

Source: L. 75: Entire section added, p. 230, § 1, effective July 14. **L. 77:** Entire section R&RE, p. 266, § 1, effective May 27. **L. 78:** (1)(c) added, p. 250, § 1, effective May 6. **L. 80:** IP(1) amended and (1)(d) added, p. 442, § 1, effective April 1. **L. 81:** (1)(e) added, p. 349, § 1, effective April 22. **L. 82:** (1)(f) added, p. 223, § 1, effective February 19. **L. 83:** (1)(g) added, p. 383, § 1, effective February 14; IP(1) amended, p. 381, § 15, effective July 1. **L. 84:** (1)(h) and (1)(i) added, p. 282, § 1, effective March 26. **L. 85:** (1)(h) amended and (1)(j) added, p. 291, § 1, effective May 22. **L. 86:** (1)(k) added, p. 428, § 1, effective February 27. **L. 87:** (1)(l) added, p. 351, § 1, effective April 16. **L. 88:** (1) R&RE, p. 321, § 1, effective April 4. **L. 89:** (1)(n) added, p. 343, § 1, effective February 17. **L. 90:** (1)(o) added, p. 340, § 1, effective February 15. **L. 91:** (1)(p) added, p. 1942, § 1, effective April 1. **L. 92:** (1)(q) added, p. 2162, § 1, effective May 20. **L. 93:** (1)(r) added, p. 74, § 1, effective March 26. **L. 94:** (1)(s) added, p. 2, § 1, effective February 4. **L. 95:** (1)(t) added, p. 1, § 1, effective February 22. **L. 96:** (1)(u) added, p. 7, § 1, effective February 13. **L. 97:** (1)(v) added, p. 2, § 1, effective February 20.

Editor's note: (1) Subsection (1)(a) references the 1973 supplement to Colorado Revised Statutes 1973; however, the laws enacted during the 1972 and 1973 legislative sessions for inclusion in the compilation of Colorado Revised Statutes 1973 were not available until 1974. The 1973 supplement was not published separately in a pocket part or in a single bound volume. (See Senate Bill 035, Session Laws of Colorado 1974, ch. 103, p. 425, and § 2-5-121 prior to its repeal in 2005.)

(2) Subsection (1)(v) was originally lettered as subsection (1)(w) in House Bill 97-1005 but has been relettered on revision for ease of location.

ANNOTATION

Applied in People v. Giles, 192 Colo. 240, 557 P.2d 408 (1976).

2-5-125. Supplements and replacement volumes to Colorado Revised Statutes - report - enactment - publication - effective date.

(1) The following supplements and replacement volumes to Colorado Revised Statutes, originally entitled Colorado Revised Statutes 1973, as corrected, collated, edited, revised, and compiled by the revisor and as certified by the committee on legal services, are prepared and published pursuant to and in conformity with section 2-5-117:

(a) **1975 supplement.** The 1975 supplement, hereby designated and declared to be the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature enacted by the forty-ninth general assembly at its second regular session (1974) and by the fiftieth general assembly at its first regular session (1975), a copy of which, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted. The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(b) **1976 supplement.** The 1976 supplement, hereby designated and declared to be the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature enacted by the forty-ninth general assembly at its second regular session (1974), by the fiftieth general assembly at its first regular session (1975), and by the fiftieth general assembly at its second regular session and its first extraordinary session (1976), a copy of which, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted. The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(c) (I) **1977 supplement.** The 1977 supplement, hereby designated and declared to be the "Official Report of the Committee on Legal Services" (consisting of a computer printout),

contains all the laws of a general and permanent nature enacted by the forty-ninth general assembly at its second regular session (1974), by the fiftieth general assembly at its first regular session (1975), by the fiftieth general assembly at its second regular session and its first extraordinary session (1976), and by the fifty-first general assembly at its first regular session (1977), a computer printout of which, together with a listing of the revisor's changes, has been delivered to each member of the general assembly, and is approved and adopted. The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(II) The 1977 supplement shall not be published separately in pocket parts or in a single bound volume but shall be compiled and published with the 1978 supplement.

(d) (I) **1978 supplement.** The 1978 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature enacted by the forty-ninth general assembly at its second regular session in 1974, by the fiftieth general assembly at its first regular session in 1975, by the fiftieth general assembly at its second regular session and its first extraordinary session in 1976, by the fifty-first general assembly at its first regular session in 1977, and by the fifty-first general assembly at its second regular session, its first extraordinary session, and its second extraordinary session in 1978 (with the exception of Volume 12, 1978 supplement, which contains all the laws of a general and permanent nature enacted by the fifty-first general assembly at its first regular session in 1977 and by the fifty-first general assembly at its second regular session, its first extraordinary session, and its second extraordinary session in 1978). A copy of said supplement, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(II) **Volumes 5 and 8, 1978 replacement volumes.** Volumes 5 and 8, 1978 replacement volumes, including the 1978 supplement to each volume, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado as title 12 and titles 16 to 21 which were revised and reenacted in Colorado Revised Statutes 1973, together with the 1975 and 1976 supplements thereto, the "Official Report of the Committee on Legal Services" enacting the 1977 supplement thereto (which was not published), and the laws of a general and permanent nature enacted by the fifty-first general assembly at its second regular session, its first extraordinary session, and its second extraordinary session in 1978. A copy of said volumes and supplements, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(III) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the

committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(e) (I) **1979 supplement.** The 1979 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature (except for the laws contained in the replacement volumes for volumes 5, 8, and 12) enacted during the 1974, 1975, 1976, 1977, 1978, and 1979 sessions of the Colorado general assembly.

(II) A copy of said supplement, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(III) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(f) (I) **1980 supplement.** The 1980 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature (except for the laws contained in the replacement volumes for volumes 1B, 5, 8, and 12) enacted during the 1974, 1975, 1976, 1977, 1978, 1979, and 1980 sessions of the Colorado general assembly.

(II) **Volume 1B, 1980 replacement volume.** Volume 1B, 1980 replacement volume, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature of the state of Colorado for titles 1 to 3 which were revised and reenacted in Colorado Revised Statutes 1973, together with the 1979 supplement thereto and the laws of a general and permanent nature enacted by the fifty-second general assembly at its second regular session in 1980.

(III) A copy of said supplement and replacement volume, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(g) (I) **1981 supplement.** The 1981 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general

and permanent nature (except for the laws contained in the replacement volumes for volumes 1B, 5, 8, and 12) enacted during the 1974, 1975, 1976, 1977, 1978, 1979, 1980, and 1981 sessions of the Colorado general assembly.

(II) A copy of said supplement, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(III) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(h) (I) **1982 supplement.** The 1982 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature (except for the laws contained in the replacement volumes for volumes 1B, 5, 8, 10, 11, 12, 16A, and 16B) enacted during the 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, and 1982 sessions of the Colorado general assembly.

(II) **Volumes 10, 11, 16A, and 16B, 1982 replacement volumes.** Volumes 10, 11, 16A, and 16B, 1982 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for titles 24 to 28, 38, and 39 which were revised and reenacted in Colorado Revised Statutes 1973, together with the 1981 supplement thereto and the laws of a general and permanent nature enacted by the fifty-third general assembly at its second regular session in 1982.

(III) A copy of said supplement and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes 1973.

(i) (I) **1983 supplement.** The 1983 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature (except for the laws contained in the replacement volumes for volumes 1B, 5, 8, 10, 11, 12, 16A, and 16B) enacted during the 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, and 1983 sessions of the Colorado general assembly.

(II) A copy of said supplement, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(III) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(j) (I) (A) **1984 supplement.** The 1984 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature (except for the laws contained in the replacement volumes for volumes 1B, 5, 8, 10, 11, 12, 14, 16A, 16B, and 17) enacted during the 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, and 1984 sessions of the Colorado general assembly.

(B) **Special supplement.** That portion of the publication entitled "Special Supplement 1984 Voter-approved Changes and Court Rules Update", hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains the law amending title 1, C.R.S., in volume 1B, as enacted by the people at the general election on November 6, 1984.

(II) **Volumes 14 and 17, 1984 replacement volumes.** Volumes 14 and 17, 1984 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for titles 33 to 35 and 40 to 43 which were revised and reenacted in Colorado Revised Statutes 1973, together with the 1983 supplement thereto and the laws of a general and permanent nature enacted by the fifty-fourth general assembly at its second regular session in 1984.

(III) A copy of said 1984 supplement and portion of the special supplement and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(k) (I) **1985 supplement.** The 1985 supplement, including the addendum to the 1985 supplement for volume 10, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature (except for the laws contained in the replacement volumes for volumes 1B, 5, 8, 10, 11, 12, 14, 16A, 16B, and 17) enacted during the 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982,

1983, 1984, and 1985 regular sessions of the Colorado general assembly and during the extraordinary sessions in 1976, 1978, and 1985.

(II) **Volume 5, 1985 replacement volume.** Volume 5, 1985 replacement volume, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature of the state of Colorado for title 12 which were revised and reenacted in Colorado Revised Statutes 1973 and in volume 5, 1978 replacement volume, together with the 1984 supplement thereto and the laws of a general and permanent nature enacted by the fifty-fifth general assembly at its first regular session in 1985 pertaining thereto.

(III) A copy of said supplement and replacement volume, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(l) (I) **1986 supplement.** The 1986 supplement, including the 1986 special supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature (except for the laws contained in the bound replacement volumes for volumes 1B, 3A, 3B, 5, 8A, 8B, 10, 11, 12A, 12B, 14, 16A, 16B, and 17) enacted during the 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, and 1986 regular sessions of the Colorado general assembly and during the extraordinary sessions in 1976, 1978, 1985, and 1986.

(II) **Volumes 3A, 3B, 8A, 8B, 12A, and 12B, 1986 replacement volumes.** Volumes 3A, 3B, 8A, 8B, 12A, and 12B, 1986 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for titles 7 to 9, 16 to 21, and 29 to 31 which were revised and reenacted in Colorado Revised Statutes 1973 and in volume 8, 1978 replacement volume, and volume 12, 1977 replacement volume, together with the 1985 supplement thereto and the laws of a general and permanent nature enacted by the fifty-fifth general assembly at its second regular session in 1986 pertaining thereto. Additionally, volume 8B, 1986 replacement volume, specifically includes the errata sheet for page 223 which correctly reflects the amendments made to section 18-4-401, C.R.S.

(III) A copy of said supplement and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said official report of the committee on legal services, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(m) (I) **1987 supplement.** The 1987 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volumes 2, 9, 13, and 15;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volumes 10, 11, 16A, and 16B;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volumes 14 and 17;

(E) All the laws of a general and permanent nature enacted after the 1985 extraordinary session of the Colorado general assembly for volume 5;

(F) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B.

(II) **Volumes 4A, 4B, 6A, and 6B, 1987 replacement volumes.** Volumes 4A, 4B, 6A, and 6B, 1987 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for titles 10, 11, and 13 to 15 which were revised and reenacted in Colorado Revised Statutes 1973, together with the 1986 supplement thereto and the laws of a general and permanent nature enacted by the fifty-sixth general assembly at its first regular session in 1987 pertaining thereto.

(III) A copy of said supplement and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(n) (I) **1988 supplement.** The 1988 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volumes 2, 13, and 15;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volumes 11, 16A, and 16B;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volumes 14 and 17;

(E) All the laws of a general and permanent nature enacted after the 1985 extraordinary session of the Colorado general assembly for volume 5;

(F) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(G) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4A, 4B, 6A, and 6B.

(II) **Volumes 9, 10A, and 10B, 1988 replacement volumes.** Volumes 9, 10A, and 10B, 1988 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for titles 22 and 23 and title 24 which were revised and reenacted in Colorado Revised Statutes 1973, and in volume 10, 1982 replacement volume, together with the 1987 supplement thereto and the laws of a general and permanent nature enacted by the fifty-sixth general assembly at its second regular session and its first extraordinary session in 1988 pertaining thereto.

(III) A copy of said supplement and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(o) (I) **1989 supplement.** The 1989 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volumes 2, 13, and 15;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volumes 16A and 16B;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volumes 14 and 17;

(E) All the laws of a general and permanent nature enacted after the 1985 extraordinary session of the Colorado general assembly for volume 5;

(F) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(G) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4A, 4B, 6A, and 6B;

(H) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 9, 10A, and 10B.

(II) **Volumes 11A and 11B, 1989 replacement volumes.** Volumes 11A and 11B, 1989 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for title 25 and titles 26 to 28 which were revised and reenacted in Colorado Revised Statutes 1973, and in volume 11, 1982 replacement volume, together with the 1988 supplement thereto and the laws of a general and permanent nature enacted by the fifty-seventh general assembly at its first regular session and its first extraordinary session in 1989 pertaining thereto.

(III) A copy of said supplement and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(p) (I) **1990 supplement.** The 1990 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volumes 2 and 13;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volumes 16A and 16B;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volumes 14 and 17;

(E) All the laws of a general and permanent nature enacted after the 1985 extraordinary session of the Colorado general assembly for volume 5;

(F) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(G) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4A, 4B, 6A, and 6B;

(H) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 9, 10A, and 10B;

(I) All the laws of a general and permanent nature enacted after the 1989 regular session of the Colorado general assembly for volumes 11A and 11B.

(II) **Volume 15, 1990 replacement volume.** Volume 15, 1990 replacement volume, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature of the state of Colorado for titles 36 and 37 which were revised and reenacted in Colorado Revised Statutes 1973, together with the 1989 supplement thereto and the laws of a general and permanent nature enacted by the fifty-seventh general assembly at its second regular session in 1990 pertaining thereto.

(III) A copy of said supplement and replacement volume, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(q) (I) **1991 supplement and 1991 special supplement.** The 1991 supplement and the 1991 special supplement (resulting from the second extraordinary session), hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contain:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volumes 2 and 13;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volumes 16A and 16B;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volumes 14 and 17;

(E) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(F) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4A, 4B, 6A, and 6B;

(G) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 9, 10A, and 10B;

(H) All the laws of a general and permanent nature enacted after the 1989 regular session of the Colorado general assembly for volumes 11A and 11B;

(I) All the laws of a general and permanent nature enacted after the 1990 regular session of the Colorado general assembly for volume 15;

(J) All the laws of a general and permanent nature enacted after the 1991 first extraordinary session of the Colorado general assembly for volumes 5A and 5B.

(II) **Volumes 5A and 5B, 1991 replacement volumes.** Volumes 5A and 5B, 1991 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for title 12 which were revised and reenacted in Colorado Revised Statutes 1973, in volume 5, 1978 replacement volume, and in volume 5, 1985 replacement volume, together with the 1990 supplement thereto and the laws of a general and permanent nature enacted by the fifty-eighth general assembly at its first regular session and its first extraordinary session in 1991 pertaining thereto.

(III) A copy of said supplements and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(r) (I) **1992 supplement.** The 1992 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volume 13;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volumes 16A and 16B;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volumes 14 and 17;

(E) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(F) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4A, 4B, 6A, and 6B;

(G) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 9, 10A, and 10B;

(H) All the laws of a general and permanent nature enacted after the 1989 regular session of the Colorado general assembly for volumes 11A and 11B;

(I) All the laws of a general and permanent nature enacted after the 1990 regular session of the Colorado general assembly for volume 15;

(J) All the laws of a general and permanent nature enacted after the 1991 first extraordinary session of the Colorado general assembly for volumes 5A and 5B.

(II) **Volume 2, 1992 replacement volume.** Volume 2, 1992 replacement volume, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature of the state of Colorado for titles 4 to 6 which were revised and reenacted in Colorado Revised Statutes 1973 together with the 1991 supplement thereto and the laws of a general and permanent nature enacted by the fifty-eighth general assembly at its second regular session in 1992 pertaining thereto.

(III) A copy of said supplements and replacement volume, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the

Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(s) (I) **1993 supplement.** The 1993 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volume 13;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volumes 16A and 16B;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volume 14;

(E) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(F) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4A, 4B, 6A, and 6B;

(G) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 9, 10A, and 10B;

(H) All the laws of a general and permanent nature enacted after the 1989 regular session of the Colorado general assembly for volumes 11A and 11B;

(I) All the laws of a general and permanent nature enacted after the 1990 regular session of the Colorado general assembly for volume 15;

(J) All the laws of a general and permanent nature enacted after the 1991 first extraordinary session of the Colorado general assembly for volumes 5A and 5B;

(K) All the laws of a general and permanent nature enacted after the 1992 regular session of the Colorado general assembly for volume 2.

(II) **Volume 17, 1993 replacement volume.** Volume 17, 1993 replacement volume, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contains all the laws of a general and permanent nature of the state of Colorado for titles 40 to 43 which were revised and reenacted in Colorado Revised Statutes 1973 together with the 1992 supplement thereto and the laws of a general and permanent nature enacted by the fifty-ninth general assembly at its first regular session in 1993 pertaining thereto.

(III) A copy of said supplements and replacement volume, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(t) (I) **1994 supplement.** The 1994 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volume 13;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volume 16A;

(D) All the laws of a general and permanent nature enacted after the 1984 regular session of the Colorado general assembly for volume 14;

(E) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(F) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4B, 6A, and 6B;

(G) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 9, 10A, and 10B;

(H) All the laws of a general and permanent nature enacted after the 1989 regular session of the Colorado general assembly for volumes 11A and 11B;

(I) All the laws of a general and permanent nature enacted after the 1990 regular session of the Colorado general assembly for volume 15;

(J) All the laws of a general and permanent nature enacted after the 1991 first extraordinary session of the Colorado general assembly for volumes 5A and 5B;

(K) All the laws of a general and permanent nature enacted after the 1992 regular session of the Colorado general assembly for volume 2;

(L) All the laws of a general and permanent nature enacted after the 1993 regular session of the Colorado general assembly for volume 17.

(II) **Volumes 4A and 16B, 1994 replacement volumes.** Volumes 4A and 16B, 1994 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for title 10 which was revised and reenacted in Colorado Revised Statutes 1973, and in volume 4A, 1987 replacement volume, and for title 39 which was revised and reenacted in Colorado Revised Statutes 1973, and in volume 16B, 1982 replacement volume, together with the 1993 supplements thereto and the laws of a general and permanent nature enacted by the fifty-ninth general assembly at its second regular session in 1994 pertaining thereto.

(III) A copy of said supplements and replacement volumes together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(u) (I) **1995 supplement.** The 1995 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volume 13;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volume 16A;

(D) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(E) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4B, 6A, and 6B;

(F) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 10A and 10B;

(G) All the laws of a general and permanent nature enacted after the 1989 regular session of the Colorado general assembly for volumes 11A and 11B;

(H) All the laws of a general and permanent nature enacted after the 1990 regular session of the Colorado general assembly for volume 15;

(I) All the laws of a general and permanent nature enacted after the 1991 first extraordinary session of the Colorado general assembly for volumes 5A and 5B;

(J) All the laws of a general and permanent nature enacted after the 1992 regular session of the Colorado general assembly for volume 2;

(K) All the laws of a general and permanent nature enacted after the 1993 regular session of the Colorado general assembly for volume 17;

(L) All the laws of a general and permanent nature enacted after the 1994 regular session of the Colorado general assembly for volumes 4A and 16B.

(II) **Volumes 9 and 14, 1995 replacement volumes.** Volumes 9 and 14, 1995 replacement volumes, hereby designated and declared to be also a part of the "Official Report of the Committee on Legal Services", contain all the laws of a general and permanent nature of the state of Colorado for titles 22 and 23 which were revised and reenacted in Colorado Revised Statutes 1973, and in volume 9, 1988 replacement volume, and for titles 33 to 35 which were revised and reenacted in Colorado Revised Statutes 1973, and in volume 14, 1984 replacement volume, together with the 1994 supplements thereto and the laws of a general and permanent nature enacted by the sixtieth general assembly at its first regular session in 1995 pertaining thereto.

(III) A copy of said supplements and replacement volumes, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(IV) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(v) (I) **1996 supplement.** The 1996 supplement, hereby designated and declared to be part of the "Official Report of the Committee on Legal Services", contains:

(A) All the laws of a general and permanent nature enacted after the 1973 regular session of the Colorado general assembly for volume 13;

(B) All the laws of a general and permanent nature enacted after the 1980 regular session of the Colorado general assembly for volume 1B;

(C) All the laws of a general and permanent nature enacted after the 1982 regular session of the Colorado general assembly for volume 16A;

(D) All the laws of a general and permanent nature enacted after the 1986 extraordinary session of the Colorado general assembly for volumes 3A, 3B, 8A, 8B, 12A, and 12B;

(E) All the laws of a general and permanent nature enacted after the 1987 regular session of the Colorado general assembly for volumes 4B, 6A, and 6B;

(F) All the laws of a general and permanent nature enacted after the 1988 extraordinary session of the Colorado general assembly for volumes 10A and 10B;

(G) All the laws of a general and permanent nature enacted after the 1989 regular session of the Colorado general assembly for volumes 11A and 11B;

(H) All the laws of a general and permanent nature enacted after the 1990 regular session of the Colorado General Assembly for volume 15;

(I) All the laws of a general and permanent nature enacted after the 1991 first extraordinary session of the Colorado general assembly for volumes 5A and 5B;

(J) All the laws of a general and permanent nature enacted after the 1992 regular session of the Colorado general assembly for volume 2;

(K) All the laws of a general and permanent nature enacted after the 1993 regular session of the Colorado general assembly for volume 17;

(L) All the laws of a general and permanent nature enacted after the 1994 regular session of the Colorado general assembly for volumes 4A and 16B;

(M) All the laws of a general and permanent nature enacted after the 1995 regular session of the Colorado general assembly for volumes 9 and 14.

(II) A copy of said supplement, together with a listing of the revisor's changes, has been delivered to each member of the general assembly and is approved and adopted.

(III) The statutory law of the state of Colorado of a general and permanent nature, as corrected, harmonized, collated, edited, revised, and compiled in said "Official Report of the Committee on Legal Services", is enacted as the positive and statutory law of the state of Colorado with the same legal force and effect as, and as part of, Colorado Revised Statutes.

(2) Each supplement is printed and bound in the manner prescribed by the committee on legal services. A copy thereof shall be filed with the secretary of state as part of the records of his office. The date of such filing with the secretary of state shall be the effective date of such reenactments in each supplement as revised statutes.

Source: L. 76: Entire section added, p. 321, § 1, effective February 20. **L. 77:** Entire section R&RE, p. 267, § 2, effective May 27. **L. 78:** (1)(c) added, p. 250, § 2, effective May 6. **L. 79:** (1)(d) added, p. 306, § 2, effective April 25. **L. 80:** IP(1) amended and (1)(e) added, p. 443, § 2, effective April 1. **L. 81:** (1)(f) added, p. 349, § 2, effective April 22. **L. 82:** (1)(g) added, p. 223, § 2, effective February 19. **L. 83:** (1)(h) added, p. 383, § 2, effective February 14; IP(1) and (2)

amended, p. 382, § 16, effective July 1. **L. 84:** (1)(i) added, p. 282, § 2, effective March 26. **L. 85:** (1)(j) added, p. 292, § 2, effective May 22. **L. 86:** (1)(k) added, p. 429, § 2, effective February 27. **L. 87:** (1)(l) added, p. 352, § 2, effective April 16. **L. 88:** (1)(m) added, p. 323, § 2, effective April 4. **L. 89:** (1)(n) added, p. 343, § 2, effective February 17. **L. 90:** (1)(o) added, p. 340, § 2, effective February 15. **L. 91:** (1)(p) added, p. 1943, § 2, effective April 1. **L. 92:** (1)(q) added, p. 2163, § 2, effective May 20. **L. 93:** (1)(r) added, p. 75, § 2, effective March 26. **L. 94:** (1)(s) added, p. 3, § 2, effective February 4. **L. 95:** (1)(t) added, p. 2, § 2, effective February 22. **L. 96:** (1)(t)(II) amended and (1)(u) added, p. 7, § 2, effective February 13. **L. 97:** (1)(v) added, p. 3, § 2, effective February 20.

ANNOTATION

Statutory section, as published in cumulative supplement, is the law of the state if statute was amended twice in the same session and such amendments were in conflict. People v. Littleton, 799 P.2d 426 (Colo. App. 1990).

2-5-126. Annual enactment of Colorado Revised Statutes - validation - effective date.

(1) The annual version of Colorado Revised Statutes, authorized by section 2-5-117, as corrected, collated, edited, revised, and compiled by the revisor, as printed, published, and certified by the committee on legal services and filed with the secretary of state, and as set forth with particularity in subsection (2) of this section, is enacted as the positive and statutory law of a general and permanent nature of the state of Colorado and is accepted, approved, ratified, confirmed, and validated in compliance with this article.

(2) The annual statutes, copies of which shall be delivered to each member of the general assembly, together with a listing of the revisor's changes, constitute the official report of the committee on legal services and are hereby enacted in accordance with this section as follows:

(a) **Colorado Revised Statutes 1997.** Colorado Revised Statutes 1997, including the 1997 special supplement, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session and the first extraordinary session of the sixty-first general assembly. The effective date for Colorado Revised Statutes 1997 is fixed as March 24, 1998.

(b) **Colorado Revised Statutes 1998.** Colorado Revised Statutes 1998, including the 1998 special supplements, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a

general and permanent nature enacted at the second regular session and the second extraordinary session of the sixty-first general assembly and at the general election on November 3, 1998. The effective date for Colorado Revised Statutes 1998 is fixed as February 22, 1999.

(c) **Colorado Revised Statutes 1999.** Colorado Revised Statutes 1999, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the sixty-second general assembly. The effective date for Colorado Revised Statutes 1999 is fixed as February 11, 2000.

(d) **Colorado Revised Statutes 2000.** Colorado Revised Statutes 2000, including the 2000 special supplement, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the sixty-second general assembly and at the general election on November 7, 2000. The effective date for Colorado Revised Statutes 2000 is fixed as March 21, 2001.

(e) **Colorado Revised Statutes 2001.** Colorado Revised Statutes 2001, including the 2001 special supplement, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session and the second extraordinary session of the sixty-third general assembly. The effective date for Colorado Revised Statutes 2001 is fixed as March 6, 2002.

(f) **Colorado Revised Statutes 2002.** Colorado Revised Statutes 2002, including the 2002 special supplements, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session and the third extraordinary session of the sixty-third general assembly and at the general election on November 5, 2002. The effective date for Colorado Revised Statutes 2002 is fixed as February 14, 2003.

(g) **Colorado Revised Statutes 2003.** Colorado Revised Statutes 2003, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the sixty-fourth general assembly. The effective date for Colorado Revised Statutes 2003 is fixed as March 5, 2004.

(h) **Colorado Revised Statutes 2004.** Colorado Revised Statutes 2004, including the 2004 special supplement, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the sixty-fourth general assembly and at the general election on November 2, 2004. The effective date for Colorado Revised Statutes 2004 is fixed as February 24, 2005.

(i) **Colorado Revised Statutes 2005.** Colorado Revised Statutes 2005, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the sixty-fifth general assembly and at the odd-numbered year election on November 1, 2005. The effective date for Colorado Revised Statutes 2005 is fixed as March 7, 2006.

(j) **Colorado Revised Statutes 2006.** Colorado Revised Statutes 2006, including the 2006 special supplement, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session and the first extraordinary session of the sixty-fifth general assembly and at the general election on November 7, 2006. The effective date for Colorado Revised Statutes 2006 is fixed as February 21, 2007.

(k) **Colorado Revised Statutes 2007.** Colorado Revised Statutes 2007, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the sixty-sixth general assembly. The effective date for Colorado Revised Statutes 2007 is fixed as March 18, 2008.

(l) **Colorado Revised Statutes 2008.** Colorado Revised Statutes 2008, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the sixty-sixth general assembly. The effective date for Colorado Revised Statutes 2008 is fixed as April 21, 2009.

(m) **Colorado Revised Statutes 2009.** Colorado Revised Statutes 2009, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at

the first regular session of the sixty-seventh general assembly. The effective date for Colorado Revised Statutes 2009 is fixed as February 25, 2010.

(n) **Colorado Revised Statutes 2010.** Colorado Revised Statutes 2010, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the sixty-seventh general assembly. The effective date for Colorado Revised Statutes 2010 is fixed as March 2, 2011.

(o) **Colorado Revised Statutes 2011.** Colorado Revised Statutes 2011, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the sixty-eighth general assembly. The effective date for Colorado Revised Statutes 2011 is fixed as March 20, 2012.

(p) **Colorado Revised Statutes 2012.** Colorado Revised Statutes 2012, including the 2012 special supplement, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session and the first extraordinary session of the sixty-eighth general assembly and at the general election on November 6, 2012. The effective date for Colorado Revised Statutes 2012 is fixed as February 20, 2013.

(q) **Colorado Revised Statutes 2013.** Colorado Revised Statutes 2013, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the sixty-ninth general assembly and at the odd-numbered year election on November 5, 2013. The effective date for Colorado Revised Statutes 2013 is fixed as February 12, 2014.

(r) **Colorado Revised Statutes 2014.** Colorado Revised Statutes 2014, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the sixty-ninth general assembly and at the general election on November 4, 2014. The effective date for Colorado Revised Statutes 2014 is fixed as the first day that is not a Saturday, Sunday, or legal holiday following February 25, 2015.

(s) **Colorado Revised Statutes 2015.** Colorado Revised Statutes 2015, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in

"Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the seventieth general assembly and at the odd-numbered year statewide election on November 3, 2015. The effective date for Colorado Revised Statutes 2015 is fixed as the first day that is not a Saturday, Sunday, or legal holiday following March 9, 2016.

(t) **Colorado Revised Statutes 2016.** Colorado Revised Statutes 2016, including the 2016 special supplement, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the seventieth general assembly and at the general election on November 8, 2016. The effective date for Colorado Revised Statutes 2016 is fixed as March 2, 2017.

(u) **Colorado Revised Statutes 2017.** Colorado Revised Statutes 2017, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the seventy-first general assembly, including the corrected replacement volume consisting of titles 42 and 43. The effective date for Colorado Revised Statutes 2017 is fixed as March 2, 2018.

(v) **Colorado Revised Statutes 2018.** Colorado Revised Statutes 2018, including the special supplement 2018, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the seventy-first general assembly and at the general election on November 6, 2018. The effective date for Colorado Revised Statutes 2018 is fixed as February 21, 2019.

(w) **Colorado Revised Statutes 2019.** Colorado Revised Statutes 2019, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the seventy-second general assembly and as approved by the voters at the odd-numbered year statewide election on November 5, 2019. The effective date for Colorado Revised Statutes 2019 is fixed as March 6, 2020.

(x) **Colorado Revised Statutes 2020.** Colorado Revised Statutes 2020, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the seventy-second general assembly, the first extraordinary session

of the seventy-second general assembly, and as approved by the voters at the general election on November 3, 2020. The effective date for Colorado Revised Statutes 2020 is fixed as March 26, 2021.

(y) **Colorado Revised Statutes 2021.** Colorado Revised Statutes 2021, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the seventy-third general assembly. The effective date for Colorado Revised Statutes 2021 is fixed as the first day that is not a Saturday, Sunday, or legal holiday following March 3, 2022.

(z) **Colorado Revised Statutes 2022.** Colorado Revised Statutes 2022, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the seventy-third general assembly and as approved by the voters at the general election on November 8, 2022. The effective date for Colorado Revised Statutes 2022 is fixed as the first day that is not a Saturday, Sunday, or legal holiday following February 24, 2023.

(aa) **Colorado Revised Statutes 2023.** Colorado Revised Statutes 2023, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the first regular session of the seventy-fourth general assembly, the first extraordinary session of the seventy-fourth general assembly, and as approved by the voters at the statewide election on November 7, 2023. The effective date for Colorado Revised Statutes 2023 is fixed as February 21, 2024.

(bb) **Colorado Revised Statutes 2024.** Colorado Revised Statutes 2024, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at the second regular session of the seventy-fourth general assembly, the second extraordinary session of the seventy-fourth general assembly, and as approved by the voters at the statewide election on November 5, 2024. The effective date for Colorado Revised Statutes 2024 is fixed as the first day that is not a Saturday, Sunday, or legal holiday following March 14, 2025.

(cc) **Colorado Revised Statutes 2025.** Colorado Revised Statutes 2025, which consists of all of the laws of the state of Colorado of a general and permanent nature originally enacted in "Colorado Revised Statutes 1973", including subsequent enactments made pursuant to section 2-5-125, and all of the laws of the state of Colorado of a general and permanent nature enacted at

the first regular session of the seventy-fifth general assembly, the first extraordinary session of the seventy-fifth general assembly, and as approved by the voters at the statewide election on November 4, 2025. The effective date for Colorado Revised Statutes 2025 is fixed as March 27, 2026.

Source: L. 98: Entire section added, p. 108, § 1, effective March 23. **L. 99:** (2) amended, p. 8, § 1, effective February 19. **L. 2000:** (2)(c) added, p. 1, § 1, effective February 10. **L. 2001:** (2)(d) added, p. 69, § 1, effective March 20. **L. 2002:** (2)(e) added, p. 5, § 1, effective March 5. **L. 2003:** (2)(f) added, p. 1, § 1, effective February 13. **L. 2004:** (2)(g) added, p. 53, § 1, effective March 4. **L. 2005:** (2)(h) added, p. 22, § 1, effective February 23. **L. 2006:** (2)(i) added, p. 12, § 1, effective March 6. **L. 2007:** (2)(j) added, p. 20, § 1, effective February 20. **L. 2008:** (2)(k) added, p. 59, § 1, effective March 17. **L. 2009:** (2)(l) added, (SB 09-059), ch. 139, p. 598, § 1, effective April 20. **L. 2010:** (2)(m) added, (HB 10-1039), ch. 4, p. 36, § 1, effective February 24. **L. 2011:** (2)(n) added, (HB 11-1001), ch. 3, p. 5, § 1, effective March 1. **L. 2012:** (2)(o) added, (SB 12-029), ch. 28, p. 115, § 1, effective March 19. **L. 2013:** (2)(p) added, (HB 13-1070), ch. 3, p. 7, § 1, effective February 19. **L. 2014:** (2)(q) added, (HB 14-1019), ch. 1, p. 1, § 1, effective February 11. **L. 2015:** (2)(r) added, (SB 15-035), ch. 1, p. 1, § 1, effective February 25. **L. 2016:** (2)(s) added, (SB 16-004), ch. 13, p. 30, § 1, effective March 9. **L. 2017:** (2)(t) added, (HB 17-1073), ch. 1, p. 1, § 1, effective March 1. **L. 2018:** (2)(u) added, (HB 18-1075), ch. 11, p. 162, § 1, effective March 1. **L. 2019:** (2)(v) added, (SB 19-058), ch. 6, p. 28, § 1, effective February 20. **L. 2020:** (2)(w) added, (SB 20-062), ch. 6, p. 9, § 1, effective March 5. **L. 2021:** (2)(x) added, (SB 21-068), ch. 20, p. 102, § 1, effective March 25. **L. 2022:** (2)(y) added, (SB 22-022), ch. 8, p. 112, § 1, effective March 3. **L. 2023:** (2)(z) added, (HB 23-1049), ch. 1, p. 1, § 1, effective February 24. **L. 2024:** (2)(aa) added, (HB 24-1020), ch. 3, p. 6, § 1, effective February 20. **L. 2025:** (2)(bb) added, (SB 25-082), ch. 12, p. 33, § 1, effective March 14. **L. 2026:** (2)(cc) added, (HB 26-1035), ch. 13, p. 57, § 1, effective March 26.

MISCELLANEOUS

ARTICLE 6

Economic Impact Statements

2-6-101 to 2-6-104. (Repealed)

Source: L. 95: Entire article repealed, p. 190, § 1, effective April 13.

Editor's note: This article was added in 1977. For amendments to this article prior to its repeal in 1995, consult the Colorado statutory research explanatory note and the table itemizing the replacement volumes and supplements to the original volume of C.R.S. 1973 beginning on page vii in the front of this volume.

ARTICLE 7

Legislative Oversight of Principal Departments

PART 1
JOINT LEGISLATIVE OVERSIGHT COMMITTEES

2-7-101. Legislative declaration.

2-7-102. Assignment of departments for review - all principal departments subject to legislative oversight - composition of joint legislative oversight committees.

2-7-103. Review of principal department - subject matter to be studied.

2-7-104. Staff - report - recommendations.

PART 2
STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT

2-7-200.1. Short title.

2-7-201. Legislative declaration.

2-7-202. Definitions.

2-7-203. Departmental presentations to legislative committees of reference - departmental regulatory agendas - legislative declaration.

2-7-204. Performance management systems.

2-7-205. Annual performance report.

PART 1

JOINT LEGISLATIVE OVERSIGHT COMMITTEES

2-7-101. Legislative declaration.

(1) The general assembly hereby finds and declares that:

(a) A multiplicity of powers, duties, and functions have been assigned to the executive branch of state government in accordance with law and have been undertaken by the executive branch on its own initiative or at the behest of the federal government;

(b) Considerations such as avoidance of duplication, cost-effective service delivery, and efficient management of state government may have been overlooked in the assignment and undertaking of said powers, duties, and functions;

(c) While the initial assignment or undertaking of powers, duties, and functions may be reasonable, the assignment or undertaking may become obsolete because of changes in the nature of the problem sought to be solved or because of the passage of time;

(d) The interests of cost-effective and expedited delivery of services, avoidance of excessive tax burdens, and better government would be served by regular analytical review of the powers, duties, and functions of executive agencies by the general assembly for the purpose of determining whether there is a public need for continued existence of such powers, duties, and functions and whether the public need would be better served by the elimination, reassignment, or expansion of said powers, duties, and functions.

Source: L. 79: Entire article added, p. 307, § 1, effective June 15.

2-7-102. Assignment of departments for review - all principal departments subject to legislative oversight - composition of joint legislative oversight committees.

(1) Beginning in 1980, a general assembly during its second regular session shall designate at least three principal departments for study by joint legislative oversight committees during the interim following the first regular session of the next general assembly. Each of the twenty principal departments shall be studied in this manner at least once before January 1, 1994. A joint legislative oversight committee may be assigned more than one principal department during each interim period.

(2) The legislative audit committee shall cause to be conducted a performance audit of each principal department designated by a general assembly during its second regular session for legislative oversight which audit shall be completed on or before the adjournment of the first regular session of the next general assembly. In conducting the audit, the legislative audit committee shall take into consideration, but not be limited to considering, the factors listed in section 2-7-103 (1). An audit of a principal department shall be forwarded to the joint legislative oversight committee which is to study said principal department.

(3) During the first regular session of the next general assembly, the president of the senate and the speaker of the house of representatives shall designate the appropriate joint committee of reference as the joint legislative oversight committee for a particular principal department and shall appoint the members of the joint legislative committee from among the members of the committee of reference in each house.

Source: L. 79: Entire article added, p. 308, § 1, effective June 15.

2-7-103. Review of principal department - subject matter to be studied.

(1) (a) A joint legislative oversight committee shall study a principal department's powers, duties, and functions in order to evaluate the public need for continuance of said powers, duties, and functions and whether the public need would be better served by the elimination, reassignment, or expansion of said powers, duties, and functions.

(b) Said study may include, but not be limited to:

(I) Identification of unnecessary duplication of functions, situations in which similar functions should be consolidated in one division or in which divisions should be consolidated, and situations in which efficient administration would be served by transferring existing powers, duties, and functions among principal departments or elimination of said powers, duties, and functions;

(II) Examination of the extent to which the proper exercise of powers and performance of duties and functions has been impeded or enhanced by existing statutes and procedures and practices of the principal department, and any other circumstances, including budgeting, resources, and personnel matters;

(III) Study of the efficiency and cooperation exhibited by the principal department in processing inquiries and complaints from the public;

(IV) The extent to which changes are necessary in the enabling laws of the principal department.

(c) Beginning in 1981, said study shall include a review of all fees and fines charged by the principal department. Pursuant to such review, the principal department shall be required to tabulate all fees and fines and the amounts thereof, state the purpose of each, and state the rationale for each where appropriate.

(2) A joint legislative oversight committee may require a principal department to make budget presentations which clearly illustrate the source, amount, and expenditure of funds in relation to each of the principal department's powers, duties, and functions.

Source: L. 79: Entire article added, p. 308, § 1, effective June 15. **L. 81:** (1)(c) added, p. 351, § 1, effective June 4.

2-7-104. Staff - report - recommendations.

(1) In addition to the audit reports provided for in section 2-7-102 (2), a joint legislative oversight committee shall receive staff services and information from the legislative council staff and the joint budget committee staff and may request assistance from the office of state planning and budgeting. Drafting services and legal research shall be provided by the office of legislative legal services.

(2) A joint legislative oversight committee shall report on its study of a principal department to the general assembly following completion of the study. Said report shall contain the committee's findings and recommendations.

(3) Legislative oversight pursuant to this article shall be in addition to any other periodic review for the purpose of determining whether an agency should be terminated or renewed.

Source: L. 79: Entire article added, p. 309, § 1, effective June 15. **L. 83:** (1) amended, p. 969, § 19, effective July 1, 1984. **L. 88:** (1) amended, p. 309, § 15, effective May 23.

PART 2

STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT

Editor's note: This part 2 was added in 2004. It was repealed and reenacted in 2010 and was subsequently repealed and reenacted in 2013, resulting in the addition, relocation, or elimination of sections as well as subject matter. For amendments to this part 2 prior to 2013, consult the 2012 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume. Former C.R.S. section numbers prior to 2013 are shown in editor's notes following those sections that were relocated.

2-7-200.1. Short title.

This part 2 shall be known and may be cited as the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" or "SMART Act".

Source: L. 2015: Entire section added, (SB 15-264), ch. 259, p. 941, § 5, effective August 5. **L. 2022:** Entire section amended, (SB 22-212), ch. 421, p. 2965, § 10, effective August 10.

2-7-201. Legislative declaration.

(1) The general assembly hereby finds and declares that:

(a) It is important that state government be accountable and transparent in such a way that the general public can understand the value received for the tax dollars spent by the state;

(b) State government agencies should operate under a performance management philosophy in which employees focus on taxpayer and customer service, underpinned by the constant goal of achieving operational excellence;

(c) The ability of the general public, the general assembly, the governor, and state departments to assess departments' progress in achieving performance goals will lead to improvements in services rendered and increased efficiency in program administration, as well as transparency;

(d) The annual budget process should serve as part of a performance management system to incentivize continuous process improvement in the services delivered to customers and taxpayers;

(e) A system of continuous process improvement is a critical and necessary component of a performance management philosophy;

(f) Measures for evaluating the performance of state departments should be integrated into a formal state planning process;

(g) A performance management system will be more useful and reliable for the general assembly and the public if performance audits of the departments are completed; and

(h) Departments need statutory authority and flexibility to use their resources in the best possible way to better serve the people of Colorado through the effective administration and delivery of governmental programs and services.

Source: L. 2010: Entire part R&RE, (HB 10-1119), ch. 340, p. 1564, § 3, effective August 11. **L. 2011:** Entire section amended, (HB 11-1212), ch. 174, p. 656, § 1, effective May 13. **L. 2013:** Entire part R&RE, (HB 13-1299), ch. 382, p. 2232, § 1, effective June 5.

Editor's note: This section is similar to former § 2-7-201 as it existed prior to 2013.

2-7-202. Definitions.

As used in this part 2, unless the context otherwise requires:

(1) "Behavioral health administration" means the behavioral health administration established in section 27-50-102.

(1.5) Repealed.

(2) "Colorado commission on higher education" means the Colorado commission on higher education created in section 23-1-102, C.R.S.

(3) "Colorado energy office" means the Colorado energy office created in section 24-38.5-101, C.R.S.

(4) "Continuous process improvement system" means a system based on lean government principles or another widely accepted business process improvement system by which a department engages in specific activities that have the purpose of increasing efficiency and eliminating waste in the processes used to deliver goods and services to taxpayers and customers of state government. A "continuous process improvement system" includes measuring the outcomes of such improvements and may involve some or all of the following strategies:

(a) The development of a process map that describes the procedures by which a department produces goods or serves its customers;

(b) Specific activities to rapidly improve a department's processes that will increase value or decrease staff time, inventory, defects, overproduction, complexity, delays, or excessive movement;

(c) The involvement of department employees at all levels in mapping a department's processes and in making recommendations for improvements, with specific importance placed on the involvement of department employees closest to the customer or end user of the state government product or service;

(d) Providing the means to measure each process in order to demonstrate the effectiveness of each process or process improvement; and

(e) The training of department employees for purposes of mentoring and training other department employees in continuous process improvement methodologies.

(5) (a) "Department" means the judicial department, the office of state public defender, the office of alternate defense counsel, the office of the child's representative, the office of the child protection ombudsman, the public employees' retirement association, the Colorado energy office, the office of economic development, the behavioral health administration, and the principal departments of the executive branch of state government as specified in section 24-1-110, including any division, office, agency, or other unit created within a principal department.

(b) For purposes of the requirements of section 2-7-203 (4), "department" means the principal departments of the executive branch of state government as specified in section 24-1-

110, C.R.S., including any division, office, agency, or other unit created within a principal department.

(6) "Departmental regulatory agenda" means a document prepared by each principal department of the executive branch of state government and submitted to the general assembly and made available to the public as described in section 2-7-203 (4). The "departmental regulatory agenda" contains the following information:

(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;

(b) The statutory or other basis for adoption of the proposed rules;

(c) The purpose of the proposed rules;

(d) The contemplated schedule for adoption of the rules;

(e) An identification and listing of persons or parties that may be affected positively or negatively by the rules; and

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

(7) "Joint budget committee" means the joint budget committee established in section 2-3-201.

(8) "Legislative audit committee" means the legislative audit committee created in section 2-3-101 (1).

(9) "Legislative council" or "executive committee of the legislative council" means the legislative council or executive committee of the legislative council created in section 2-3-301.

(10) "Office of alternate defense counsel" means the office of alternate defense counsel created in section 21-2-101, C.R.S.

(11) "Office of economic development" means the Colorado office of economic development created in section 24-48.5-101, C.R.S.

(12) "Office of state planning and budgeting" means the office of state planning and budgeting created in section 24-37-102, C.R.S.

(13) "Office of state public defender" means the office of state public defender created in section 21-1-101, C.R.S.

(13.5) "Office of the child protection ombudsman" means the office of the child protection ombudsman created in section 19-3.3-102, C.R.S.

(14) "Office of the child's representative" means the office of the child's representative created in section 13-91-104, C.R.S.

(15) "Performance evaluation" means a regular review of a department's outcomes as compared to its published performance goals. The performance evaluation shall be based on actual historical information.

(16) "Performance goal" means a specific, quantifiable goal related to a performance measure adopted by a department.

(17) "Performance management system" means a formal system of managing the processes and operations of departments.

(18) "Performance measure" means a quantitative indicator used to assess the operational performance of a department pursuant to a published performance plan. A performance measure should apply to activities directly under the influence of a department and should demonstrate the department's efficiency and effectiveness in delivering goods or services to customers and taxpayers. Performance measures should be reasonably understandable to the public.

(19) "Performance plan" means a document prepared by a department as part of a performance management system. A performance plan must incorporate the impact of management strategies and continuous process improvement activities on the costs and efficiency of delivering goods and services to taxpayers and customers of state government.

(20) "Process map" means a written or visual presentation that describes the steps involved in producing a product or service from beginning to end.

(21) "Public employees' retirement association" means the public employees' retirement association created in article 51 of title 24, C.R.S.

(22) "State auditor" means the state auditor described in section 2-3-102.

Source: L. 2010: (2) amended and (2.5) added, (HB 10-1404), ch. 405, p. 2003, § 3, effective June 10; entire part R&RE, (HB 10-1119), ch. 340, p. 1565, § 3, effective August 11. **L. 2011:** (3.5), (11.5), (13)(c) and (14) added and (9) amended, (HB 11-1212), ch. 174, pp. 657, 658, §§ 2, 3, effective May 13. **L. 2012:** (2) amended and (2.3) added, (HB 12-1008), ch. 182, p. 692, § 3, effective May 17. **L. 2013:** Entire part R&RE, (HB 13-1299), ch. 382, p. 2233, § 1, effective June 5. **L. 2014:** (11) amended, (HB 14-1363), ch. 302, p. 1261, § 3, effective May 31. **L. 2015:** (5)(a) amended and (13.5) added, (SB 15-204), ch. 264, p. 1030, § 11, effective June 2. **L. 2022:** (1) and (5)(a) amended and (1.5) added, (HB 22-1278), ch. 222, p. 1487, § 3, effective July 1. **L. 2024:** (1.5) repealed, (HB 24-1450), ch. 490, p. 3404, § 7, effective August 7.

Editor's note: This section is similar to former § 2-7-202 as it existed prior to 2013.

2-7-203. Departmental presentations to legislative committees of reference - departmental regulatory agendas - legislative declaration.

(1) The speaker of the house of representatives and the president of the senate shall assign each department to a house and senate committee of reference for their respective houses. In making the assignments, the speaker and the president shall ensure that the primary functions and responsibilities of the department are within the subject matter jurisdiction of the committees of reference to which it is assigned.

(2) (a) Each joint committee of reference shall conduct at least one but not more than three hearings in the first two weeks of the regular legislative session, during which hearings the joint committee shall hear a presentation from each department that is assigned to such committee pursuant to subsection (1) of this section regarding:

(I) The department's performance plan developed pursuant to section 2-7-204 (3);

(II) The department's regulatory agenda required pursuant to subsection (4) of this section; and

(III) The department's budget request and associated legislative agenda for the current regular legislative session.

(a.5) and (b) Repealed.

(c) Each joint committee of reference shall allow time for public testimony regarding each such department presentation.

(d) Repealed.

(3) (a) (Deleted by amendment, L. 2015.)

(b) The chair of the joint budget committee shall assign one member of the joint budget committee to serve as a liaison for each department. The joint budget committee liaison shall inform the joint committee of reference regarding the department's performance management system and performance plan.

(c) The executive director of each department, or the executive director's designee, and any appropriate staff of the department shall work with the joint budget committee liaisons as necessary.

(4) On November 1, 2013, and each November 1 thereafter, each department shall file a departmental regulatory agenda with the staff of the legislative council, who shall distribute the departmental regulatory agenda to the applicable committee of reference prior to the

departmental presentations to the committee of reference. On November 1, 2013, and each November 1 thereafter, each department shall also post its departmental regulatory agenda on the department's website and shall submit its departmental regulatory agenda to the secretary of state for publication in the Colorado register.

(5) All local government entities are encouraged to attend the hearings described in subsection (2) of this section to provide testimony or to submit an official position letter to the joint committees of reference regarding any local impact of a department's performance management system and performance plan.

(6) Repealed.

Source: L. 2010: Entire part R&RE, (HB 10-1119), ch. 340, p. 1567, § 3, effective August 11. **L. 2012:** (2)(a)(IV) added, (HB 12-1008), ch. 182, p. 693, § 4, effective May 17. **L. 2013:** Entire part R&RE, (HB 13-1299), ch. 382, p. 2236, § 1, effective June 5. **L. 2015:** IP(2)(a) and (3) amended, (2)(a.5) added, and (2)(b) repealed, (HB 15-1308), ch. 180, p. 588, § 1, effective August 5. **L. 2019:** IP(2)(a), (2)(a)(III), and (2)(d) amended and (2)(a.5) repealed, (SB 19-252), ch. 254, p. 2451, § 1, effective August 2. **L. 2021:** (6) added, (HB 21-1003), ch. 2, p. 5, § 2, effective January 20. **L. 2024:** (2)(d) repealed, (HB 24-1450), ch. 490, p. 3405, § 8, effective August 7.

Editor's note: (1) This section is similar to former § 2-7-203 as it existed prior to 2013.

(2) Subsection (6)(c) provided for the repeal of subsection (6), effective September 1, 2021. (See L. 2021, p. 5.)

2-7-204. Performance management systems.

(1) (a) No later than August 1, 2013, and no later than August 1 of each year thereafter, the governor shall publish the components of the performance management system for managing the principal departments of the executive branch of state government, except the department of state, the department of the treasury, and the department of law. The performance management system must be published in instructions issued by the office of state planning and budgeting. The instructions must be posted on the official website administered by the office of state planning and budgeting.

(b) No later than August 1, 2013, and no later than August 1 of each year thereafter, the judicial department shall publish the components of the performance management system for managing the judicial branch through instructions issued by the office of the state court

administrator. These instructions must be posted on the official website administered by the judicial branch.

(c) No later than August 1, 2013, and no later than August 1 of each year thereafter, the department of state, the department of the treasury, the department of law, the office of state public defender, the office of alternate defense counsel, the Colorado energy office, the office of economic development, the office of the child's representative, and the office of the child protection ombudsman shall each publish their components of the performance management systems for their respective department, office, or commission. These instructions must be posted on the official websites administered by the respective departments, offices, and commissions.

(2) (a) Any performance management system published pursuant to subsection (1) of this section must address, among other strategic goals and priorities that are consistent with the charge of each department, strategies for enhancing productivity, improving efficiency, reducing costs, and eliminating waste in the processes and operations that deliver goods and services to taxpayers and customers of state government. At a minimum, the performance management system must establish parameters for the development of performance plans for each department. A performance management system should incorporate a continuous process improvement system based on lean government principles or another widely accepted business process improvement system.

(b) A performance management system should include elements to ensure that a department's employees are appropriately trained to implement its various components.

(3) (a) (I) Except as provided in subparagraphs (II) and (III) of this paragraph (a), no later than July 1, 2014, and no later than July 1 of each year thereafter, each department shall develop a performance plan in accordance with the performance management system and submit that plan to the joint budget committee and the appropriate joint committee of reference as determined pursuant to section 2-7-203. The performance plan serves as a guide to a department's major functions and as a tool to evaluate performance goals over time.

(II) (A) The department of higher education will satisfy the requirements in this subsection (3) through the master plan for postsecondary education that the Colorado commission on higher education maintains as described in section 23-1-108 (1.5). The department of higher education shall ensure that copies of the master plan are submitted to the joint budget committee and the appropriate joint committee of reference as determined pursuant to section 2-7-203, and shall post the master plan and any performance contracts and reports to its official website and the official website of the office of state planning and budgeting.

(B) The state auditor, in conducting a performance audit of the department of higher education as specified in subsection (5) of this section, shall consider the extent to which the goals of the master plan and the associated performance contracts have been achieved.

(III) The public employees' retirement association will satisfy the requirements of this subsection (3) through its annual actuarial valuation report described in section 24-51-204 (7), C.R.S., and its report to the governor described in section 24-51-204 (8), C.R.S., regarding the policies, financial condition, and administration of the association. The public employees' retirement association shall ensure that copies of the reports described in this subparagraph (III) be submitted to the joint budget committee and the appropriate joint committee of reference as determined pursuant to section 2-7-203, and shall post such reports to its official website and the official website of the office of state planning and budgeting.

(b) Each department's performance plan shall be posted on the official websites of the department and the office of state planning and budgeting. The state treasurer, the attorney general, the secretary of state, the state court administrator for the judicial department, the office of state public defender, the office of alternate defense counsel, the public employees' retirement association, the Colorado energy office, the office of economic development, the office of the child's representative, and the office of the child protection ombudsman shall ensure the office of state planning and budgeting receives the information required to be posted on the office of state planning and budgeting's website pursuant to this paragraph (b). The office of state planning and budgeting shall not have access to edit any information provided by the state treasurer, the attorney general, the secretary of state, the state court administrator for the judicial department, the office of state public defender, the office of alternate defense counsel, the public employees' retirement association, the Colorado energy office, the office of economic development, the office of the child's representative, or the office of the child protection ombudsman.

(c) At a minimum, a performance plan must include the following components, which may be further refined in the performance management system published pursuant to subsection (1) of this section:

(I) A statement of the department's mission or vision;

(II) A description of the major functions of the department;

(III) Performance measures for the major functions of the department;

(IV) Performance goals that correspond to the department's performance measures and that extend to at least three years into the future;

(V) A narrative description of the strategies necessary to meet the performance goals; and

(VI) A summary of the department's most recent performance evaluation.

(d) If reasonable and appropriate, performance measures should be developed with the input of department employees and certified employee organizations.

(4) Departments shall conduct performance evaluations and distribute them to the joint budget committee and the general assembly at least twice each calendar year as defined in the published performance management system.

(5) (a) Prior to the first regular session of the seventieth general assembly, the state auditor shall, within existing resources, conduct or cause to be conducted performance audits of one or more specific programs or services in at least two departments, and shall continue to conduct or cause to be conducted performance audits of one or more specific programs or services in at least two departments annually thereafter.

(b) In selecting both departments and specific programs or services within those departments for performance audits, the state auditor shall consider risk, audit coverage, resources required to conduct the performance audits, and the impact of the audited programs or services on a department's performance-based goals. The legislative audit committee shall approve the programs or services selected by the auditor for performance audits.

(c) Performance audits of the programs or services selected for audit may include, but shall not be limited to, the review of the following:

(I) The integrity of the performance measures audited;

(II) The accuracy and validity of reported results; and

(III) The overall cost and effectiveness of the audited programs or services in achieving legislative intent and the departments' performance goals.

(d) The state auditor shall present the performance audit report to the legislative audit committee.

(e) After the performance audit report is released by the legislative audit committee, the state auditor shall present the performance audit report of those departments with services or programs audited in the previous year to the appropriate joint committee of reference as determined pursuant to section 2-7-203. The state auditor shall also present any other audit reports that he or she deems relevant for the joint committee of reference's review.

(6) As part of its regular deliberations, the joint budget committee shall consider the performance plans submitted pursuant to paragraph (a) of subsection (3) of this section and the performance evaluations submitted pursuant to subsection (4) of this section. Based on its review of these performance plans and performance evaluations and its consideration of each department's legal responsibilities and strategic goals and objectives, the joint budget committee may prioritize departments' requests for new funding that are expressly intended to enhance productivity, improve efficiency, reduce costs, and eliminate waste in the processes and operations that deliver goods and services to taxpayers and customers of state government.

Source: L. 2010: (1)(b), (3)(a)(I), and (3)(a)(II) amended, (HB 10-1404), ch. 405, p. 2003, § 4, effective June 10; entire part R&RE, (HB 10-1119), ch. 340, p. 1568, § 3, effective August 11. **L. 2013:** Entire part R&RE, (HB 13-1299), ch. 382, p. 2237, § 1, effective June 5. **L. 2015:** (1)(c) and (3)(b) amended, (SB 15-204), ch. 264, p. 1030, § 12, effective June 2. **L. 2017:** (3)(a)(II)(A) amended, (SB 17-297), ch. 210, p. 821, § 19, effective May 18.

Editor's note: This section is similar to former § 2-7-204 as it existed prior to 2013.

2-7-205. Annual performance report.

(1) (a) (I) Except as provided in subparagraph (II) of this paragraph (a), no later than November 1, 2014, and no later than November 1 of each year thereafter, the office of state planning and budgeting shall publish an annual performance report for each department except the department of state, the department of the treasury, the department of law, the judicial department, the office of state public defender, the office of alternate defense counsel, the Colorado energy office, the office of economic development, the office of the child's representative, and the office of the child protection ombudsman. The annual performance report must include a summary of each department's performance plan and most recent performance evaluation. The annual performance report must be clearly written and easily understood and must be limited to a maximum of four pages per department.

(II) The office of state planning and budgeting shall prepare the section of the annual performance report for the department of higher education by reviewing the institutions of higher education's progress towards the goals set forth in the master plan for Colorado postsecondary education, as described in section 23-1-108 (1.5) and taking into account the data and metrics described in sections 23-18-201 (2) and part 3 of article 18 of title 23.

(b) No later than November 1, 2014, and no later than November 1 of each year thereafter, the department of state, the department of the treasury, the department of law, the judicial department, the office of state public defender, the office of alternate defense counsel, the Colorado energy office, the office of economic development, the office of the child's representative, and the office of the child protection ombudsman shall each publish an annual performance report including a summary of its performance plan and most recent performance evaluation. The annual performance reports must be clearly written and easily understood and must each be limited to a maximum of four pages.

(2) (a) The annual performance reports shall be posted on the official websites of the state of Colorado and the office of the governor. The annual performance reports shall include a hyperlink to each department's performance plan posted on the official website of each department pursuant to section 2-7-204 (3)(b).

(b) The annual performance reports shall be distributed to all members of the general assembly pursuant to section 24-1-136 (9), C.R.S.

Source: L. 2010: (1) amended, (HB 10-1404), ch. 405, p. 2004, § 5, effective June 10; entire part R&RE, (HB 10-1119), ch. 340, p. 1571, § 3, effective August 11. **L. 2013:** Entire part R&RE, (HB 13-1299), ch. 382, p. 2241, § 1, effective June 5. **L. 2015:** (1) amended, (SB 15-204), ch. 264, p. 1031, § 13, effective June 2. **L. 2017:** (1)(a)(II) amended, (SB 17-297), ch. 210, p. 821, § 20, effective May 18. **L. 2021:** (2) amended, (SB 21-271), ch. 462, p. 3194, § 267, effective March 1, 2022.

Editor's note: This section is similar to former § 2-7-205 as it existed prior to 2013.