



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 21-0285	Date:	July 8, 2021
Prime Sponsors:	Rep. Geitner; Bird Sen. Pettersen; Liston	Bill Status:	Became Law without Signature
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Bill Topic: PUBLIC INFORMATION APPLICANTS FOR PUBLIC EMPLOYMENT

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill allows a public body to name a single finalist for an executive position, and modifies the application materials that are subject to public records requests. The bill modifies workload for state and local government agencies on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the enacted bill.

Summary of Legislation

Under current law, a state or local public body must make the list of all finalists under consideration for a chief executive position public prior to making an offer, and the application materials for a person named as a finalist are subject to the Colorado Open Records Act (CORA). The bill clarifies that the public body may name a single finalist, and specifies that application materials for a person who is not hired or named a finalist for a non-executive position are not subject to CORA, except that an agency must allow public inspection of demographic data of candidates who interview for executive positions.

The bill also repeals a provision stating that if three or fewer candidates for an executive position meet the minimum requirements, all of those candidates must be treated as finalists and their application materials are public record.

State Expenditures

The bill minimally impacts workload for state agencies and institutions of higher education. The bill may increase workload in agencies to modify hiring processes. To the extent that exempting the application materials for any candidate who is not ultimately hired decreases the number of CORA

requests, workload for the state agency, the Department of Personnel and Administration, and the Judicial Department may decrease. No change in state appropriations is required.

Local Government

As with state agencies, the bill impacts the workload for local government agencies to adjust hiring processes and handle any change in CORA requests.

Effective Date

The bill became law without the Governor's signature and takes effect September 7, 2021, assuming no referendum petition is filed.

State and Local Government Contacts

All State Agencies