

HOUSE COMMITTEE OF REFERENCE REPORT

	March 25, 2025
Chair of Committee	Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB25-1031 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend page 2, line 15, strike "OR INFORMATION REGARDING
- 2 WHISTLEBLOWER ACTIVITY" and substitute "REGARDING A PEACE
- 3 OFFICER".
  
- 4 Page 3, line 11, after "DUTIES" insert "OR MEET THE OPERATIONAL NEEDS
- 5 OF THE EMPLOYER".
  
- 6 Page 3, strike lines 22 through 27.
  
- 7 Page 4, strike lines 1 through 9 and substitute "AGGRIEVED BY A
- 8 VIOLATION OF SUBSECTION (1) OF THIS SECTION HAS A PRIVATE RIGHT OF
- 9 ACTION AGAINST THE EMPLOYER THAT VIOLATED SUBSECTION (1) OF THIS
- 10 SECTION AFTER THE EMPLOYEE EXHAUSTS THE INTERNAL ADMINISTRATIVE
- 11 PROCEDURES PURSUANT TO SUBSECTION (9) OF THIS SECTION.
- 12 (4) AN EMPLOYEE WHOSE PROTECTED ACTIVITY PURSUANT TO
- 13 SUBSECTION (1) OF THIS SECTION WAS A CONTRIBUTING FACTOR IN THE
- 14 EMPLOYER'S ACTION DESCRIBED IN SUBSECTION (1) OF THIS SECTION MAY
- 15 BE AWARDED ALL RELIEF NECESSARY TO MAKE THE EMPLOYEE WHOLE,
- 16 INCLUDING, BUT NOT LIMITED TO:
- 17 (a) (I) REINSTATEMENT, WITH THE SAME SENIORITY STATUS THAT
- 18 THE EMPLOYEE WOULD HAVE HAD BUT FOR THE VIOLATION OF SUBSECTION
- 19 (1) OF THIS SECTION; AND
- 20 (II) THE AMOUNT OF BACK PAY WITH INTEREST;".
  
- 21 Page 4, line 14, strike "AND".
  
- 22 Page 4, line 15, strike "COSTS." and substitute "COSTS; AND
- 23 (e) ANY REQUEST FOR REINSTATEMENT OR FOR AN AWARD OF

1 REASONABLE ATTORNEY FEES SHALL BE MADE TO THE COURT AFTER A  
2 JUDGMENT IS ENTERED IN FAVOR OF THE EMPLOYEE. THE PARTIES ARE  
3 ENTITLED TO A HEARING ON THE REQUEST PRIOR TO THE COURT'S  
4 DETERMINATION."

5 Page 4, strike lines 16 through 19.

6 Page 5, line 12, strike "STATE" and substitute "LOCAL, STATE,".

7 Page 5, line 25, after the period insert "If THE INTERNAL REPORTING  
8 PROCEDURE REQUIRES AN EMPLOYEE TO REPORT TO THE INDIVIDUAL WHO  
9 COMMITTED THE ACT DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION,  
10 THE PROCEDURE MUST PROVIDE AN ALTERNATIVE REPORTING  
11 PROCEDURE."

12 Page 6, strike lines 3 through 5 and substitute "DAYS AFTER A REPORT OR  
13 DISCLOSURE."

14 Page 6, strike lines 9 through 13 and substitute "DAYS AFTER A REPORT OR  
15 DISCLOSURE, THIS SUBSECTION (9) IS DEEMED COMPLIED WITH AND AN  
16 EMPLOYEE MAY FILE A PRIVATE RIGHT OF ACTION IN ANY COURT OF  
17 COMPETENT JURISDICTION PURSUANT TO SUBSECTION (3) OF THIS SECTION.  
18 IF THE LAW ENFORCEMENT AGENCY'S INTERNAL ADMINISTRATIVE  
19 PROCEDURE HAS NOT BEEN COMPLETED WHEN AN EMPLOYEE INITIATES A  
20 PRIVATE RIGHT OF ACTION PURSUANT TO SUBSECTION (3) OF THIS SECTION  
21 FOR REASONS BEYOND THE CONTROL OF THE LAW ENFORCEMENT AGENCY,  
22 INCLUDING BUT NOT LIMITED TO THE EXISTENCE OF AN OPEN CRIMINAL  
23 PROCEEDING OR AN OPEN CRITICAL INCIDENT RESPONSE TEAM  
24 INVESTIGATION, THE LAW ENFORCEMENT AGENCY MAY SEEK A STAY OF  
25 THE PRIVATE RIGHT OF ACTION PENDING RESOLUTION OF THE SOURCE OF  
26 THE DELAY."

27 Page 7, line 1, strike "16-2.5-101" and substitute "16-2.5-102 AND A  
28 NONCERTIFIED DEPUTY SHERIFF AS DESCRIBED IN SECTION 16-2.5-103 (2)".

29 Page 7, lines 3 and 4, strike "THE INSTRUMENTALITIES OF THE STATE OF  
30 COLORADO OR".

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