

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 25-1298

BY REPRESENTATIVE(S) Carter and Richardson, Bacon, Bird, Boesenecker, Espenosa, Hamrick, Johnson, Keltie, Mabrey, Paschal, Phillips, Woodrow; also SENATOR(S) Exum and Michaelson Jenet, Carson, Frizell, Jodeh, Snyder, Weissman.

CONCERNING JUDICIAL PERFORMANCE COMMISSIONS.

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

**SECTION 1.** In Colorado Revised Statutes, 13-5.5-104, **amend** (3)(a) introductory portion and (4)(a) introductory portion; **repeal** (3)(b), (3)(c), (4)(b), and (4)(c); and **add** (4.5) as follows:

**13-5.5-104. State commission on judicial performance - district commissions on judicial performance - established - membership - terms - immunity - conflicts - repeal.** (3) (a) The state commission consists of eleven members appointed ~~on or before March 1, 2019~~, as follows:

(b) ~~The terms of state commissioners appointed prior to January 31, 2019, shall continue until such time as his or her term was originally set to expire, except that the term of the two nonattorneys appointed by the chief~~

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

~~justice of the supreme court pursuant to subsection (2)(a)(IV) of this section expires on January 31, 2019.~~

~~(c) This subsection (3) becomes effective February 1, 2019.~~

~~(4) (a) Each district commission consists of ten members appointed on or before March 1, 2019, as follows:~~

~~(b) The terms of district commissioners appointed prior to January 31, 2019, shall continue until such time as his or her term was originally set to expire; except that the following commissioners' terms expire on January 31, 2019:~~

~~(i) The two nonattorneys appointed by the chief justice of the supreme court pursuant to subsection (2)(a)(IV) of this section; and~~

~~(ii) The attorney appointed by the governor pursuant to subsection (2)(a)(III) of this section.~~

~~(c) This subsection (4) becomes effective February 1, 2019.~~

(4.5) (a) THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION ON JUDICIAL PERFORMANCE, REFERRED TO IN THIS SUBSECTION (4.5) AS THE "TWENTY-THIRD JUDICIAL DISTRICT COMMISSION", IS ESTABLISHED ON DECEMBER 1, 2025. MEMBERS OF THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION ARE APPOINTED PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION; EXCEPT THAT A PERSON SERVING AS A MEMBER OF THE EIGHTEENTH JUDICIAL DISTRICT COMMISSION ON JUDICIAL PERFORMANCE DURING 2025 WHO RESIDES WITHIN THE TWENTY-THIRD JUDICIAL DISTRICT MAY BE APPOINTED TO SERVE ON THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION, AND IF SUCH A PERSON IS APPOINTED, THE PERSON'S TERM ON THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION CONTINUES FOR THE REMAINDER OF THE TERM TO WHICH THE PERSON WAS ORIGINALLY APPOINTED FOR THE EIGHTEENTH JUDICIAL DISTRICT COMMISSION ON JUDICIAL PERFORMANCE.

(b) NOTWITHSTANDING SUBSECTION (5)(a) OF THIS SECTION, THE INITIAL TERMS OF THE FOLLOWING MEMBERS OF THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION EXPIRE ON NOVEMBER 30, 2027:

(I) THE NONATTORNEY APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES PURSUANT TO SUBSECTION (4)(a)(I) OF THIS SECTION;

(II) THE NONATTORNEY APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES PURSUANT TO SUBSECTION (4)(a)(III) OF THIS SECTION;

(III) THE NONATTORNEY APPOINTED BY THE PRESIDENT OF THE SENATE PURSUANT TO SUBSECTION (4)(a)(II) OF THIS SECTION;

(IV) ONE OF THE ATTORNEYS APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT PURSUANT TO SUBSECTION (4)(a)(V) OF THIS SECTION AS DESIGNATED BY THE CHIEF JUSTICE; AND

(V) ONE OF THE NONATTORNEYS APPOINTED BY THE GOVERNOR PURSUANT TO SUBSECTION (4)(a)(VI) OF THIS SECTION AS DESIGNATED BY THE GOVERNOR.

(c) THE INITIAL TERMS OF THE FOLLOWING MEMBERS OF THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION EXPIRE ON NOVEMBER 30, 2029:

(I) THE ATTORNEY APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES PURSUANT TO SUBSECTION (4)(a)(I) OF THIS SECTION;

(II) THE ATTORNEY APPOINTED BY THE PRESIDENT OF THE SENATE PURSUANT TO SUBSECTION (4)(a)(II) OF THIS SECTION;

(III) THE NONATTORNEY APPOINTED BY THE MINORITY LEADER OF THE SENATE PURSUANT TO SUBSECTION (4)(a)(IV) OF THIS SECTION;

(IV) ONE OF THE ATTORNEYS APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT PURSUANT TO SUBSECTION (4)(a)(V) OF THIS SECTION AS DESIGNATED BY THE CHIEF JUSTICE; AND

(V) ONE OF THE NONATTORNEYS APPOINTED BY THE GOVERNOR PURSUANT TO SUBSECTION (4)(a)(VI) OF THIS SECTION AS DESIGNATED BY THE GOVERNOR.

(d) DURING 2025, MEMBERS OF THE EIGHTEENTH JUDICIAL DISTRICT

COMMISSION ON JUDICIAL PERFORMANCE SERVING ON THE EFFECTIVE DATE OF THIS SUBSECTION (4.5) SHALL CONDUCT THE INTERIM EVALUATIONS PURSUANT TO SECTION 13-5.5-109 FOR JUDGES OF BOTH THE EIGHTEENTH JUDICIAL DISTRICT AND THE TWENTY-THIRD JUDICIAL DISTRICT.

(e) THIS SUBSECTION (4.5) IS REPEALED, EFFECTIVE JULY 1, 2028.

**SECTION 2. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO