

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0624.01 Jed Franklin x5484

HOUSE BILL 25-1079

HOUSE SPONSORSHIP

Story,

SENATE SPONSORSHIP

Weissman,

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE SCOPE OF THE INDEPENDENT ETHICS COMMISSION'S**
102 **JURISDICTION OVER ETHICS COMPLAINTS AGAINST LOCAL**
103 **GOVERNMENTS, AND, IN CONNECTION THEREWITH, EXPANDING**
104 **THE INDEPENDENT ETHICS COMMISSION'S JURISDICTION TO**
105 **INCLUDE SCHOOL DISTRICTS AND SPECIAL DISTRICTS, AND**
106 **MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, the independent ethics commission created in

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

article XXIX of the state constitution does not have jurisdiction over officials or employees of special districts or school districts. The bill gives the independent ethics commission jurisdiction to hear complaints, issue findings, assess penalties, and issue advisory opinions on ethics issues concerning a special district official or employee or school district official or employee. However:

- "Officials" include only members of a school district or special district board;
- "School district employee" includes only the superintendent or head administrative officer designated by a school board to execute its policy decisions who is appointed or hired by, directly reports to, and is subject to the direction of the school district board; and
- "Special district employee" includes only an employee of a special district who is appointed or hired by, directly reports to, and is subject to the direction of the special district's board.

Existing law establishes ethical standards for a special district official or employee or school district official or employee. The bill incorporates those standards under the independent ethics commission's jurisdiction and expands the standards to include those described in article XXIX of the state constitution.

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

2 **SECTION 1. Legislative Declaration.** (1) The general assembly
3 finds and declares that:

4 (a) An expansion of the jurisdiction of the independent ethics
5 commission will result in the filing of more ethics complaints with the
6 independent ethics commission;

7 (b) An increase in complaint volume will increase the need for
8 resources within the independent ethics commission to process and decide
9 complaints; and

10 (c) Resources to allocate to the independent ethics commission to
11 process the increased complaint volume are limited.

12 (2) The general assembly further finds and declares that the
13 independent ethics commission's jurisdiction should be expanded while

1 using existing resources so that the general assembly may observe the
2 actual increase in caseload presented by the expansion and allocate
3 appropriate resources to the independent ethics commission in the future.

4 **SECTION 2.** In Colorado Revised Statutes, 24-18.5-101, **add**
5 (4.5) as follows:

6 **24-18.5-101. Independent ethics commission - establishment**
7 **- membership - subpoena power - definitions.** (4.5) (a) AS USED IN
8 THIS SUBSECTION (4.5), UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (I) "ANY OTHER STANDARDS OF CONDUCT AND REPORTING
10 REQUIREMENTS AS PROVIDED BY LAW" HAS THE SAME MEANING AS SET
11 FORTH IN SECTION 5 OF ARTICLE XXIX OF THE STATE CONSTITUTION.

12 (II) "SCHOOL DISTRICT" HAS THE SAME MEANING AS SET FORTH IN
13 SECTION 22-30-103 (13).

14 (III) "SCHOOL DISTRICT EMPLOYEE" MEANS A TEMPORARY OR
15 PERMANENT SUPERINTENDENT OF A SCHOOL DISTRICT OR A TEMPORARY OR
16 PERMANENT HEAD ADMINISTRATIVE OFFICER DESIGNATED BY A SCHOOL
17 BOARD TO EXECUTE ITS POLICY DECISIONS WHO IS APPOINTED OR HIRED
18 BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF THE
19 SCHOOL DISTRICT'S BOARD.

20 (IV) "SCHOOL DISTRICT OFFICIAL" MEANS A MEMBER OF A SCHOOL
21 DISTRICT'S BOARD.

22 (V) "SPECIAL DISTRICT" MEANS A QUASI-MUNICIPAL CORPORATION
23 AND POLITICAL SUBDIVISION ORGANIZED OR ACTING PURSUANT TO THE
24 PROVISIONS OF TITLE 32 AND DOES NOT INCLUDE ANY ENTITY ORGANIZED
25 OR ACTING PURSUANT TO THE PROVISIONS OF ARTICLE 8 OF TITLE 29,
26 ARTICLE 20 OF TITLE 30, ARTICLE 25 OF TITLE 31, OR ARTICLES 41 TO 50
27 OF TITLE 37.

1 (VI) "SPECIAL DISTRICT EMPLOYEE" MEANS A TEMPORARY OR
2 PERMANENT EMPLOYEE OF A SPECIAL DISTRICT WHO IS APPOINTED OR
3 HIRED BY, DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF
4 THE SPECIAL DISTRICT'S BOARD.

5 (VII) "SPECIAL DISTRICT OFFICIAL" MEANS A MEMBER OF A
6 SPECIAL DISTRICT'S BOARD.

7 (b) SPECIAL DISTRICT OFFICIALS, SPECIAL DISTRICT EMPLOYEES,
8 SCHOOL DISTRICT OFFICIALS, AND SCHOOL DISTRICT EMPLOYEES ARE
9 SUBJECT TO THE PROVISIONS OF ARTICLE XXIX OF THE STATE
10 CONSTITUTION AND TO ANY OTHER STANDARDS OF CONDUCT AND
11 REPORTING REQUIREMENTS AS PROVIDED BY LAW.

12 (c) IN ADDITION TO ANY OF ITS OTHER POWERS AND DUTIES AS
13 PROVIDED BY LAW, AND USING EXISTING APPROPRIATIONS, THE
14 COMMISSION MAY:

15 (I) HEAR COMPLAINTS, ISSUE FINDINGS, AND ASSESS PENALTIES ON
16 ETHICS ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE
17 CONSTITUTION AND OTHER STANDARDS OF CONDUCT AND REPORTING
18 REQUIREMENTS AS PROVIDED BY LAW INVOLVING SPECIAL DISTRICT
19 OFFICIALS, SPECIAL DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR
20 SCHOOL DISTRICT EMPLOYEES; AND

21 (II) ISSUE ADVISORY OPINIONS AND LETTER RULINGS ON ETHICS
22 ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE CONSTITUTION AND
23 OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS
24 PROVIDED BY LAW INVOLVING SPECIAL DISTRICT OFFICIALS, SPECIAL
25 DISTRICT EMPLOYEES, SCHOOL DISTRICT OFFICIALS, OR SCHOOL DISTRICT
26 EMPLOYEES.

27 **SECTION 3. Appropriation. (1) For the 2025-26 state fiscal**

1 year, \$120,856 is appropriated to the judicial department for use by the
2 independent ethics commission. This appropriation is from the general
3 fund. To implement this act, the commission may use this appropriation
4 as follows:

5 (a) \$96,917 for program costs, which amount is based on an
6 assumption that the commission will require an additional 0.8 FTE; and

7 (b) \$23,939 for the purchase of legal services.

8 (2) For the 2025-26 state fiscal year, \$23,939 is appropriated to
9 the department of law. This appropriation is from reappropriated funds
10 received from the judicial department under subsection (1)(b) of this
11 section and is based on an assumption that the department of law will
12 require an additional 0.1 FTE. To implement this act, the department of
13 law may use this appropriation to provide legal services for the
14 independent ethics commission.

15 **SECTION 4. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2026 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.