



SENATE RESOLUTION 22-004

BY SENATOR(S) Fenberg and Holbert, Moreno.

CONCERNING THE RULES OF THE SENATE, AND, IN CONNECTION THEREWITH, MAKING THE TEMPORARY RULES OF THE SENATE OF THE SEVENTY-THIRD GENERAL ASSEMBLY PERMANENT, MAKING CHANGES TO THE RULES OF THE SENATE AFFECTING THE READING OF BILLS AT LENGTH AND THE READING OF THE SENATE JOURNAL, AND MODIFYING THE ETHICS COMPLAINT PROCEDURES.

Be It Resolved by the Senate of the Seventy-third General Assembly of the State of Colorado:

That the temporary Rules of the Senate of the Seventy-third General Assembly be adopted as the permanent Rules of the Senate for the remainder of the second regular session of the Seventy-third General Assembly.

That in the Rules of the Senate, **amend** Rule No. 11 as follows:

11. Reading of Bills

- (a) Unless a member ~~shall request the reading of a bill in full~~ REQUESTS THAT A BILL BE READ AT LENGTH when the bill is being considered by the committee of the whole or on third and final reading, it shall be read by title only, and the unanimous consent of the members present to dispense with the reading of the bill ~~in full~~ AT LENGTH shall be presumed.
- (b) IF A MEMBER REQUESTS THAT A BILL BE READ AT LENGTH WHEN THE BILL IS BEING CONSIDERED BY THE COMMITTEE OF THE WHOLE

OR ON THIRD AND FINAL READING, THE MEMBER MAKING THE REQUEST MUST REMAIN IN THE SENATE CHAMBER FOR THE DURATION OF THE READING. EXCEPT FOR BRIEF ABSENCES NOT TO EXCEED FIVE MINUTES, OR LONGER AS PERMITTED BY THE PRESIDING OFFICER, THE MEMBER'S DEPARTURE FROM THE SENATE CHAMBER IS DEEMED TO BE A WITHDRAWAL OF THE REQUEST TO READ THE BILL AT LENGTH.

- (c) IF A MEMBER WHO REQUESTS THAT A BILL BE READ AT LENGTH WITHDRAWS THE REQUEST OR IF THE REQUEST IS DEEMED TO HAVE BEEN WITHDRAWN AND, SUBSEQUENTLY, ANY MEMBER OF THE SENATE REQUESTS THAT THE BILL BE READ AT LENGTH, THE READING OF THE BILL SHALL RESUME AT THE POINT IN THE BILL AT WHICH THE EARLIER READING HAD STOPPED.
- (d) IF A MEMBER REQUESTS THAT A BILL BE READ AT LENGTH EITHER DURING THE COMMITTEE OF THE WHOLE OR ON THIRD AND FINAL READING, THE MAJORITY LEADER MAY MOVE TO SUSPEND THE READING OF THE BILL AT LENGTH AND LAY THE BILL OVER TO A DATE OR TIME CERTAIN. THE MOTION IS NOT SUBJECT TO DEBATE AND IS DECIDED BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS PRESENT. WHEN THE BILL IS BROUGHT UP AGAIN, THE READING OF THE BILL AT LENGTH SHALL RESUME AT THE POINT IN THE BILL AT WHICH THE EARLIER READING HAD BEEN SUSPENDED.
- (e) WHEN A MEMBER REQUESTS THAT A BILL BE READ AT LENGTH, THE SECRETARY OF THE SENATE, OR THE SECRETARY'S STAFF, MAY ARRANGE FOR THE BILL TO BE READ BY ELECTRONIC MEANS. THE SECRETARY, OR THE SECRETARY'S STAFF, MAY NOT USE MORE THAN ONE ELECTRONIC DEVICE OR MORE THAN ONE INDIVIDUAL AT A TIME TO READ MULTIPLE SECTIONS OF THE BILL SIMULTANEOUSLY. IF THE SECRETARY, OR THE SECRETARY'S STAFF, ARRANGES TO HAVE THE BILL READ BY ELECTRONIC MEANS, THE READING MUST BE AT AN INTELLIGIBLE RATE UNDERSTANDABLE TO A REASONABLE PERSON.
- (f) WHEN A BILL HAS BEEN READ AT LENGTH PURSUANT TO THIS RULE 11, WHETHER DURING THE COMMITTEE OF THE WHOLE OR DURING THIRD AND FINAL READING, THAT READING SATISFIES THE REQUIREMENTS OF SECTION 22 OF ARTICLE V OF THE STATE CONSTITUTION FOR THAT READING.

That in the Rules of the Senate, Rule No. 14, **amend** (b) as follows:

14. Journal

- (b) Before proceeding to any other order of business each day, the journal of the preceding day shall be corrected and approved. ~~On any day, the journal for the preceding day shall be read at the request of any Senator.~~ No corrections of the original journal after it is approved shall be made without consent of the Senate.

That in the Rules of the Senate, Rule No. 43, **amend** (a) as follows:

43. Committee on Ethics

- (a) Any person who has knowledge concerning misconduct involving legislative duties by a member of the Senate, including but not limited to the alleged violation of the Rules of the Senate or of Section 40 of Article V of the state Constitution, may file a written, signed complaint with the President setting forth the facts that constitute the alleged misconduct and specifying the statutes, rules, constitutional provisions, or other ethical principles alleged to have been violated. The President shall provide the member complained against with a copy of the complaint. The President shall consult with the majority leader and the minority leader about the complaint. THE PRESIDENT MAY ASK THE MEMBER COMPLAINED AGAINST TO PROVIDE AN EXPLANATION OF THE MEMBER'S UNDERSTANDING OF THE ISSUES RAISED IN THE COMPLAINT FOR THE PURPOSE OF ASSISTING THE PRESIDENT, THE MAJORITY LEADER, AND THE MINORITY LEADER IN MAKING A PRELIMINARY DETERMINATION OF WHETHER THE COMPLAINT SHOULD BE DISMISSED. THE PRESIDENT MAY ALSO DISCUSS THE COMPLAINT WITH THE COMPLAINANT TO OBTAIN MORE DETAILS ON THE MATTER. The PRESIDENT, THE MAJORITY LEADER, AND THE MINORITY LEADER SHALL KEEP THE fact that a complaint has been filed and any documents relating thereto ~~shall be kept confidential; by the President, the majority leader, and the minority leader~~ EXCEPT THAT THE PRESIDENT, THE MAJORITY LEADER, OR THE MINORITY LEADER MAY DISCUSS THE COMPLAINT WITH THE OFFICE OF LEGISLATIVE LEGAL SERVICES FOR THE PURPOSE OF GATHERING INFORMATION OR RECEIVING LEGAL ADVICE. If at least two of the three leaders conclude that the complaint is not meritorious or does not substantiate an ethical

violation, the complaint shall be dismissed, and the complainant and the member complained against shall be so notified. If the complaint is dismissed, ~~it shall remain confidential~~ THE PRESIDENT, THE MAJORITY LEADER, AND THE MINORITY LEADER SHALL KEEP THE MATTER CONFIDENTIAL. HOWEVER, THE PRESIDENT, THE MAJORITY LEADER, AND THE MINORITY LEADER MAY DISCUSS EVIDENCE OF A PRIOR COMPLAINT PREVIOUSLY FILED BY THE SAME COMPLAINANT AGAINST THE SAME MEMBER BUT WHICH HAD BEEN DISMISSED.

That in the Rules of the Senate, Rule No. 9, **add** (a)(10) as follows:

9. Debate

(a) The following questions shall be decided upon without debate; but any Senator making such a motion shall be given three minutes to explain the motion:

(10) SUSPEND THE READING OF A BILL AT LENGTH PURSUANT TO RULE No. 11 (d).

Stephen Fenberg
PRESIDENT OF
THE SENATE

Cindi L. Markwell
SECRETARY OF
THE SENATE