

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 15-0390.01 Gregg Fraser x4325

HOUSE BILL 15-1074

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Crowder,

House Committees
Local Government

Senate Committees
Local Government

A BILL FOR AN ACT

101 **CONCERNING THE LIABILITY OF AN INDIVIDUAL MEMBER OF A BOARD**
102 **OF COUNTY COMMISSIONERS IN A LEGAL PROCEEDING IN WHICH**
103 **THE BOARD IS FOUND LIABLE.**

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://www.leg.state.co.us/billsummaries>.)

The bill prohibits a judgment against a board of county commissioners arising solely from an act of the board from being enforced against an individual member of the board.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
February 3, 2015

HOUSE
2nd Reading Unamended
February 2, 2015

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend 1-45-117 (4)**
3 as follows:

4 **1-45-117. State and political subdivisions - limitations on**
5 **contributions.** (4) (a) Any violation of this section shall be subject to the
6 provisions of sections 9 (2) and 10 (1) of article XXVIII of the state
7 constitution or any appropriate order or relief, including an order
8 directing the person making a contribution or expenditure in violation of
9 this section to reimburse the fund of the state or political subdivision, as
10 applicable, from which such moneys were diverted for the amount of the
11 contribution or expenditure, injunctive relief, or a restraining order to
12 enjoin the continuance of the violation.

13 (b) IF A BOARD OF COUNTY COMMISSIONERS IS FOUND TO HAVE
14 MADE A CONTRIBUTION OR EXPENDITURE IN VIOLATION OF THIS SECTION,
15 AN INDIVIDUAL MEMBER OF THE BOARD WHO VOTED IN FAVOR OF OR
16 OTHERWISE AUTHORIZED THE CONTRIBUTION OR EXPENDITURE MAY BE
17 ORDERED TO REIMBURSE AN AMOUNT PURSUANT TO PARAGRAPH (a) OF
18 THIS SUBSECTION (4) AS LONG AT THE AMOUNT DOES NOT EXCEED THE
19 AMOUNT ORDERED TO BE REIMBURSED BY ANY OTHER INDIVIDUAL OF THE
20 BOARD WHO VOTED IN FAVOR OR OTHERWISE AUTHORIZED THE
21 CONTRIBUTION OR EXPENDITURE.

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly
25 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
26 if a referendum petition is filed pursuant to section 1 (3) of article V of
27 the state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2016 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.