An Act

HOUSE BILL 21-1003

BY REPRESENTATIVE(S) Benavidez, Amabile, Bernett, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Jackson, Kipp, McLachlan, Michaelson Jenet, Mullica, Sirota, Snyder, Titone, Woodrow, Herod, Ortiz;
also SENATOR(S) Fenberg, Buckner, Coleman, Danielson, Fields, Gonzales, Hansen, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Priola, Story, Winter, Garcia.

CONCERNING THE CONDUCT OF LEGISLATIVE PROCEEDINGS DURING A DECLARED DISASTER EMERGENCY.

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

SECTION 1. In Colorado Revised Statutes, 2-3-303, **amend** (2)(h) as follows:

2-3-303. Functions - report - definitions. (2) In addition to any other powers and duties set forth in law, the executive committee of the legislative council has the following powers and duties:

(h) (I) The power to allow members of the general assembly to participate electronically in ~~committee meetings~~ LEGISLATIVE PROCEEDINGS

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.

and to recommend, ~~and~~ develop, AND ESTABLISH policies regarding electronic participation if so allowed; except that, if allowed, electronic participation must only be allowed for:

(A) Committee meetings occurring during the legislative interim; OR

(B) LEGISLATIVE PROCEEDINGS, INCLUDING FLOOR PROCEEDINGS, COMMITTEE MEETINGS OR HEARINGS, AND OTHER LEGISLATIVE BUSINESS OCCURRING DURING A DISASTER EMERGENCY DECLARED BY THE GOVERNOR IN ACCORDANCE WITH SECTION 24-33.5-704 THAT IS CAUSED BY A PUBLIC HEALTH EMERGENCY INFECTING OR EXPOSING A GREAT NUMBER OF PEOPLE TO DISEASE, AGENTS, TOXINS, OR OTHER SUCH THREATS.

(II) A member participating electronically in a committee meeting pursuant to ~~this subsection (2)(h)~~ SUBSECTION (2)(h)(I)(A) OF THIS SECTION is deemed to be in attendance of that committee for the purpose of receiving compensation to which the member is entitled under section 2-2-307 (3). Notwithstanding section 2-2-307 (3)(b), members participating electronically are not entitled to reimbursement for any expenses incurred in connection with such electronic participation.

(III) A MEMBER PARTICIPATING ELECTRONICALLY IN A LEGISLATIVE PROCEEDING PURSUANT TO SUBSECTION (2)(h)(I)(B) OF THIS SECTION IS NOT ENTITLED TO REIMBURSEMENT FOR ANY EXPENSES INCURRED IN CONNECTION WITH SUCH ELECTRONIC PARTICIPATION; EXCEPT THAT, IF THE MEMBER CANNOT PARTICIPATE ELECTRONICALLY FROM THE MEMBER'S HOME DUE TO A TECHNOLOGICAL LIMITATION OR INCAPACITY AT THAT LOCATION, THE MEMBER MAY RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED TO TRAVEL TO AN ALTERNATE LOCATION IN ORDER TO PARTICIPATE ELECTRONICALLY. A REQUEST FOR REIMBURSEMENT UNDER THIS SUBSECTION (2)(h)(III) IS SUBJECT TO THE GUIDELINES FOR REIMBURSEMENT AND SUBSTANTIATION REQUIREMENTS ESTABLISHED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL IN ACCORDANCE WITH SECTION 2-2-317 (2)(c), AND THE AMOUNT OF REIMBURSEMENT MUST NOT EXCEED THE AMOUNT THE MEMBER WOULD CUSTOMARILY RECEIVE FOR TRAVEL EXPENSES UNDER SECTION 2-2-317 (2)(a) OR (2)(b).

(IV) NOTHING IN THIS SUBSECTION (2)(h) SUPERSEDES THE POWER OF THE SENATE OR THE HOUSE OF REPRESENTATIVES TO ADOPT RULES OR JOINT RULES, OR BOTH, FOR THE ORDERLY CONDUCT OF ITS AFFAIRS.

SECTION 2. In Colorado Revised Statutes, 2-7-203, **add** (6) as follows:

2-7-203. Departmental presentations to legislative committees of reference - departmental regulatory agendas - legislative declaration - repeal. (6) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT ON MARCH 10, 2020, THE GOVERNOR DECLARED A STATE OF DISASTER EMERGENCY DUE TO THE COVID-19 PANDEMIC. THE STATE OF DISASTER EMERGENCY HAS BEEN EXTENDED AND WILL REMAIN IN EFFECT WHEN THE FIRST REGULAR SESSION OF THE SEVENTY-THIRD GENERAL ASSEMBLY CONVENES. THE COVID-19 PANDEMIC CONTINUES TO POSE RISKS TO THE HEALTH AND SAFETY OF THE MEMBERS OF THE GENERAL ASSEMBLY AND THE PUBLIC.

(b) NOTWITHSTANDING ANY REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION TO THE CONTRARY, DUE TO THE ONGOING STATE OF DISASTER EMERGENCY, IN THE FIRST REGULAR SESSION OF THE SEVENTY-THIRD GENERAL ASSEMBLY THE JOINT COMMITTEE OF REFERENCE HEARINGS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION MAY BE CONDUCTED AT ANY TIME AFTER THE GENERAL ASSEMBLY CONVENES, INCLUDING WHILE THE GENERAL ASSEMBLY IS TEMPORARILY ADJOURNED. MEMBERS OF THE GENERAL ASSEMBLY, REPRESENTATIVES OF DEPARTMENTS, AND THE PUBLIC MAY PARTICIPATE ELECTRONICALLY IN ACCORDANCE WITH POLICIES ESTABLISHED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL PURSUANT TO SECTION 2-3-303 (2)(h) OR THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

(c) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED January 20, 2021 at 12:22 PM
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO