

**Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 08-0582.01 Nancy Dalien

HOUSE BILL 08-1067

HOUSE SPONSORSHIP

Gardner B.,

SENATE SPONSORSHIP

Kester,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING IMMUNITY FOR PAROLE ADMINISTRATIVE HEARING**
102 **OFFICERS WHEN ACTING WITHIN THE SCOPE OF THEIR**
103 **RESPONSIBILITIES AS PUBLIC EMPLOYEES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Adds parole administrative hearing officers to the statutory definition of a public employee for purposes of the "Colorado Governmental Immunity Act". Clarifies that a parole administrative hearing officer is protected by governmental immunity only when acting within the scope of his or her duties as a public employee.

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
2nd Reading Unamended
January 24, 2008

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

2 **SECTION 1.** 24-10-103 (4) (b), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

4 **24-10-103. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (4) (b) "Public employee" includes any of the following:

7 (VII) ANY ADMINISTRATIVE HEARING OFFICER UTILIZED BY THE
8 DEPARTMENT OF CORRECTIONS AND THE STATE BOARD OF PAROLE
9 PURSUANT TO SECTION 17-2-201 (3) (c) (I), C.R.S. AN ADMINISTRATIVE
10 HEARING OFFICER SHALL MAINTAIN THE STATUS OF A PUBLIC EMPLOYEE
11 ONLY WHEN THE ADMINISTRATIVE HEARING OFFICER ENGAGES IN
12 ACTIVITIES THAT ARE WITHIN THE COURSE AND SCOPE OF HIS OR HER
13 RESPONSIBILITIES AS AN ADMINISTRATIVE HEARING OFFICER.

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