

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 1, 2010
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB10-1269 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 8, after line 26 insert:

2 "SECTION 2. 24-34-402.7 (3) (a), (3) (b), and (4), Colorado
3 Revised Statutes, are amended to read:

4 **24-34-402.7. Unlawful action against employees seeking**
5 **protection.** (3) (a) It shall be ~~unlawful~~ A DISCRIMINATORY OR UNFAIR
6 EMPLOYMENT PRACTICE for any employer to interfere with, restrain, or
7 deny the exercise of or any attempt to exercise any rights provided under
8 this section.

9 (b) It shall be ~~unlawful~~ A DISCRIMINATORY OR UNFAIR
10 EMPLOYMENT PRACTICE for any employer to discharge or in any other
11 manner discriminate against any individual for exercising his or her rights
12 under this section.

13 (4) ~~Notwithstanding any other provisions of this article to the~~
14 ~~contrary, the sole remedy for any person claiming to be aggrieved by a~~
15 ~~violation of this section shall be to bring a civil suit for damages or~~
16 ~~equitable relief or both in any district court of competent jurisdiction.~~
17 ~~Such person may claim as damages all wages and benefits that would~~
18 ~~have been due the person up to and including the date of the judgment~~
19 ~~had the act violating this section not occurred; except that nothing in this~~
20 ~~section shall be construed to relieve such person from the obligation to~~

- 1 ~~mitigate his or her damages."~~.
- 2 Renumber succeeding section accordingly.

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