

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0134.01 Dan Cartin

HOUSE BILL 10-1092

HOUSE SPONSORSHIP

Liston,

SENATE SPONSORSHIP

Steadman,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ISSUANCE OF IDENTIFICATION CARDS TO LOBBYISTS
102 FOR THE PURPOSE OF ENTERING THE STATE CAPITOL BUILDING.

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 authorizes security personnel at the state capitol building, including the Colorado state patrol, to allow a lobbyist with a lobbyist identification card to enter the capitol building without submitting to a search of his or her person or property by security personnel, electronic weapons screening devices, or other means.

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.

The secretary of the senate (secretary) or the chief clerk of the house of representatives (chief clerk) may issue a lobbyist identification card to lobbyists who have met relevant registration requirements. Lobbyists are required to pay a fee and submit proof of registration to the secretary or chief clerk for a lobbyist identification card. The fee for the issuance of a lobbyist identification card shall include a surcharge of \$100 or such amount as may be approved by the executive committee of the legislative council, not to exceed \$300.

The secretary or chief clerk shall make an inquiry to the Colorado state patrol to ascertain whether a lobbyist who applies for a lobbyist identification card has a criminal history. The issuance of a lobbyist identification card is conditional upon a satisfactory criminal background check.

Lobbyist identification cards expire annually on July 15 and may be renewed with the secretary or chief clerk upon payment of a fee and \$50 surcharge or such amount as may be approved by the executive committee of the legislative council, not to exceed \$300.

All fees and surcharges for issuance and renewal of a lobbyist identification card are to be credited to the legislative department cash fund.

A criminal background check is required to be conducted every 3 years in connection with the renewal of a lobbyist identification card. The secretary or chief clerk may cancel or deny renewal of a lobbyist identification card under certain circumstances, and lobbyists must surrender the lobbyist identification card to the Colorado state patrol upon such cancellation or denial.

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

2 **SECTION 1.** Part 3 of article 2 of title 2, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **2-2-326. Lobbyist identification card - access to state capitol**
6 **building - powers of secretary of the senate and chief clerk of the**
7 **house of representatives - issuance of card - definition.** (1) AS USED
8 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (a) "LOBBYIST" MEANS A PROFESSIONAL LOBBYIST REGISTERED IN
10 ACCORDANCE WITH THE PROVISIONS OF SECTION 24-6-303 OR 24-6-303.5,

1 C.R.S., OR A VOLUNTEER LOBBYIST REGISTERED IN ACCORDANCE WITH
2 THE RULES OF THE GENERAL ASSEMBLY.

3 (2) SECURITY PERSONNEL AT THE STATE CAPITOL BUILDING,
4 INCLUDING THE COLORADO STATE PATROL, MAY ALLOW A LOBBYIST WITH
5 A LOBBYIST IDENTIFICATION CARD ISSUED PURSUANT TO THIS SECTION TO
6 ENTER THE CAPITOL BUILDING WITHOUT SUBMITTING TO A SEARCH OF HIS
7 OR HER PERSON OR PROPERTY BY SECURITY PERSONNEL, ELECTRONIC
8 WEAPONS SCREENING DEVICES, OR OTHER MEANS.

9 (3) THE SECRETARY OF THE SENATE OR THE CHIEF CLERK OF THE
10 HOUSE OF REPRESENTATIVES MAY ISSUE A LOBBYIST IDENTIFICATION CARD
11 TO A LOBBYIST UPON RECEIPT OF THE APPLICATION AND FEE DESCRIBED IN
12 SUBSECTION (4) OF THIS SECTION AND BASED UPON A SATISFACTORY
13 CRIMINAL BACKGROUND CHECK CONDUCTED PURSUANT TO SUBSECTION
14 (5) OF THIS SECTION. A LOBBYIST SHALL SUBMIT PROOF WITH THE
15 APPLICATION AND FEE THAT HE OR SHE IS REGISTERED IN ACCORDANCE
16 WITH THE PROVISIONS OF SECTION 24-6-303 OR 24-6-303.5, C.R.S., OR THE
17 RULES OF THE GENERAL ASSEMBLY.

18 (4) (a) A LOBBYIST SHALL PAY A FEE TO THE SECRETARY OF THE
19 SENATE OR THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES FOR A
20 LOBBYIST IDENTIFICATION CARD UPON MAKING AN APPLICATION FOR THE
21 CARD. THE SECRETARY AND THE CHIEF CLERK SHALL SET THE FEE TO BE
22 CHARGED AT A LEVEL THAT OFFSETS THE COSTS FOR THE PROCESSING OF
23 APPLICATIONS FOR AND ISSUANCE OF LOBBYIST IDENTIFICATION CARDS.

24 (b) IN ADDITION TO THE FEE IMPOSED IN PARAGRAPH (a) OF THIS
25 SUBSECTION (4), THE FEE FOR THE ISSUANCE OF A LOBBYIST
26 IDENTIFICATION CARD SHALL INCLUDE A SURCHARGE OF ONE HUNDRED
27 DOLLARS OR SUCH AMOUNT AS MAY BE APPROVED BY THE EXECUTIVE

1 COMMITTEE OF THE LEGISLATIVE COUNCIL, NOT TO EXCEED THREE
2 HUNDRED DOLLARS.

3 (5) THE SECRETARY OF THE SENATE OR THE CHIEF CLERK OF THE
4 HOUSE OF REPRESENTATIVES SHALL MAKE AN INQUIRY TO THE COLORADO
5 STATE PATROL TO ASCERTAIN WHETHER A LOBBYIST WHO APPLIES FOR A
6 LOBBYIST IDENTIFICATION CARD HAS A CRIMINAL HISTORY. THE ISSUANCE
7 OF A LOBBYIST IDENTIFICATION CARD SHALL BE CONDITIONAL UPON A
8 SATISFACTORY CRIMINAL BACKGROUND CHECK CONDUCTED BY THE
9 COLORADO STATE PATROL. ANY CRIMINAL BACKGROUND CHECK
10 CONDUCTED PURSUANT TO THIS SUBSECTION (5) SHALL INCLUDE BUT NEED
11 NOT BE LIMITED TO ARRESTS, CONVICTION RECORDS, AND THE DISPOSITION
12 OF ANY CRIMINAL CHARGES.

13 (6) THE LOBBYIST IDENTIFICATION CARD SHALL ADEQUATELY
14 DESCRIBE THE LOBBYIST AND SHALL SHOW A PHOTOGRAPH OF THE
15 LOBBYIST'S FACE. THE LOBBYIST IDENTIFICATION CARD MAY BEAR A TAB
16 OR STICKER DENOTING THE YEAR OR SESSION OF THE GENERAL ASSEMBLY
17 FOR WHICH THE CARD IS VALID.

18 (7) (a) A LOBBYIST IDENTIFICATION CARD EXPIRES ANNUALLY ON
19 JULY 15 UNLESS IT IS RENEWED. A LOBBYIST WHO WISHES TO RENEW A
20 LOBBYIST IDENTIFICATION CARD SHALL, AT LEAST SIXTY DAYS PRIOR TO
21 THE EXPIRATION OF A LOBBYIST IDENTIFICATION CARD, SUBMIT TO THE
22 SECRETARY OF THE SENATE OR THE CHIEF CLERK OF THE HOUSE OF
23 REPRESENTATIVES A COMPLETED APPLICATION FORM AND A FEE FOR
24 RENEWAL OF THE CARD. THE FEE SHALL BE SET BY THE SECRETARY AND
25 THE CHIEF CLERK IN THE SAME MANNER AS PROVIDED IN PARAGRAPH (a)
26 OF SUBSECTION (4) OF THIS SECTION. THE APPLICATION SHALL BE
27 REVIEWED AND ACTED UPON AS PROVIDED IN THIS SECTION.

1 (b) IN ADDITION TO THE FEE IMPOSED IN PARAGRAPH (a) OF THIS
2 SUBSECTION (7), THE FEE FOR THE RENEWAL OF A LOBBYIST
3 IDENTIFICATION CARD SHALL INCLUDE A SURCHARGE OF FIFTY DOLLARS
4 OR SUCH AMOUNT AS MAY BE APPROVED BY THE EXECUTIVE COMMITTEE
5 OF THE LEGISLATIVE COUNCIL, NOT TO EXCEED THREE HUNDRED DOLLARS.

6 (c) THE CRIMINAL BACKGROUND CHECK DESCRIBED IN SUBSECTION
7 (5) OF THIS SECTION SHALL BE CONDUCTED EVERY THREE YEARS IN
8 CONNECTION WITH THE RENEWAL OF A LOBBYIST IDENTIFICATION CARD.

9 (d) THE SECRETARY AND THE CHIEF CLERK SHALL PROVIDE A LIST
10 TO THE COLORADO STATE PATROL OF THE LOBBYISTS WHO HAVE NOT
11 RENEWED A LOBBYIST IDENTIFICATION CARD PURSUANT TO THIS SECTION.
12 THE LIST SHALL BE PROVIDED ON OR BEFORE JULY 20 FOLLOWING THE
13 EXPIRATION OF THE CARD PURSUANT TO PARAGRAPH (a) OF THIS
14 SUBSECTION (7).

15 (8) (a) ALL FEES COLLECTED PURSUANT TO PARAGRAPH (a) OF
16 SUBSECTION (4) AND PARAGRAPH (a) OF SUBSECTION (7) OF THIS SECTION
17 TO OFFSET THE COSTS FOR THE ISSUANCE AND RENEWAL OF LOBBYIST
18 IDENTIFICATION CARDS SHALL BE CREDITED TO THE LOBBYIST
19 IDENTIFICATION CARD ACCOUNT, WHICH ACCOUNT IS HEREBY CREATED
20 WITHIN THE LEGISLATIVE DEPARTMENT CASH FUND CREATED IN SECTION
21 2-2-1601 (1). MONEYS IN THE ACCOUNT ARE CONTINUOUSLY
22 APPROPRIATED TO THE HOUSE OF REPRESENTATIVES AND THE SENATE FOR
23 THE PAYMENT OF SUCH COSTS.

24 (b) ALL SURCHARGES COLLECTED PURSUANT TO THE PROVISIONS
25 OF PARAGRAPH (b) OF SUBSECTION (4) AND PARAGRAPH (b) OF
26 SUBSECTION (7) OF THIS SECTION SHALL BE CREDITED TO THE LEGISLATIVE
27 DEPARTMENT CASH FUND CREATED IN SECTION 2-2-1601 (1).

1 (9) A LOBBYIST IDENTIFICATION CARD MAY BE CANCELED OR THE
2 RENEWAL OF THE CARD DENIED UPON NOTIFICATION TO THE SECRETARY
3 OF THE SENATE OR THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES
4 BY THE COLORADO STATE PATROL OF AN UNSATISFACTORY CRIMINAL
5 BACKGROUND CHECK ON THE LOBBYIST, A VIOLATION OF THE RULES OF
6 THE COLORADO STATE PATROL REGARDING USAGE OF THE CARD, AN
7 UNAUTHORIZED USE OF THE CARD, OR CRIMINAL ACTIVITY OF THE
8 LOBBYIST IN THE STATE CAPITOL BUILDING. UPON SUCH CANCELLATION
9 OR DENIAL OF RENEWAL, THE LOBBYIST SHALL SURRENDER HIS OR HER
10 LOBBYIST IDENTIFICATION CARD TO THE COLORADO STATE PATROL.

11 **SECTION 2.** 2-2-1601 (1) and (2), Colorado Revised Statutes,
12 are amended to read:

13 **2-2-1601. Legislative department cash fund - creation.**

14 (1) There is hereby created in the state treasury the legislative department
15 cash fund. The fund shall be comprised of such moneys that the general
16 assembly, the house of representatives, the senate, or any legislative
17 service agency accepts as gifts, grants, or donations from private and
18 public sources, MONEYS CREDITED TO THE FUND IN ACCORDANCE WITH
19 SECTION 2-2-326 (8), and any other moneys appropriated to the fund. All
20 interest earned on the investment of moneys in the fund shall be credited
21 to the fund. Any moneys credited to the fund and unexpended at the end
22 of any given fiscal year shall remain in the fund and shall not revert to the
23 general fund.

24 (2) EXCEPT AS PROVIDED IN SECTION 2-2-326 (8) (a), moneys in
25 the legislative department cash fund are continuously appropriated to the
26 executive committee of the legislative council to pay for expenses of the
27 legislative department of the state of Colorado. Moneys in the fund shall

1 be expended consistent with any terms and conditions imposed as a
2 condition of receiving such moneys as gifts, grants, or donations.

3 **SECTION 3. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.