

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0193.01 Julie Pelegrin x2700

SENATE BILL 13-015

SENATE SPONSORSHIP

Roberts,

HOUSE SPONSORSHIP

Hamner,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING AUTHORIZATION FOR ELECTRONIC PARTICIPATION IN
102 MEETINGS OF SCHOOL DISTRICT BOARDS OF EDUCATION.

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 allows a school district board of education to adopt a policy that authorizes members to participate electronically in board meetings. But a member who is participating electronically cannot participate in an executive session 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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-32-108, **amend**
3 (5) (a); and **add** (7) as follows:

4 **22-32-108. Meetings of the board of education.** (5) (a) All
5 regular and special meetings of the board shall be open to the public, but
6 THE BOARD MAY REQUIRE any person who disturbs good order ~~may be~~
7 ~~required~~ to leave. At any regular or special meeting the board may
8 proceed in executive session; ~~at which~~ EXCEPT THAT A MEMBER WHO IS
9 PARTICIPATING ELECTRONICALLY PURSUANT TO A POLICY ADOPTED BY
10 THE BOARD IN ACCORDANCE WITH SUBSECTION (7) OF THIS SECTION SHALL
11 NOT PARTICIPATE IN EXECUTIVE SESSION. Only those persons invited by
12 the board may be present ~~but no final policy decisions shall be made by~~
13 DURING EXECUTIVE SESSION, AND the board SHALL NOT MAKE FINAL
14 POLICY DECISIONS while in executive session.

15 (7) THE BOARD MAY ADOPT A POLICY AUTHORIZING BOARD
16 MEMBERS TO ATTEND AND PARTICIPATE IN REGULAR OR SPECIAL MEETINGS
17 ELECTRONICALLY. AT A MINIMUM, THE POLICY MUST ENSURE THAT A
18 MEETING AT WHICH ONE OR MORE BOARD MEMBERS PARTICIPATE
19 ELECTRONICALLY IS OPEN TO THE PUBLIC AND THAT THE MEMBERS WHO
20 PARTICIPATE ELECTRONICALLY ARE INCLUDED IN THE RECORDING MADE
21 IN ACCORDANCE WITH PARAGRAPH (b) OF SUBSECTION (5) OF THIS
22 SECTION. A MEMBER WHO PARTICIPATES ELECTRONICALLY IN
23 CONFORMANCE WITH THE POLICY IS CONSIDERED PRESENT FOR PURPOSES
24 OF SUBSECTIONS (4) AND (6) OF THIS SECTION.

25 **SECTION 2. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August
2 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
3 referendum petition is filed pursuant to section 1 (3) of article V of the
4 state constitution against this act or an item, section, or part of this act
5 within such period, then the act, item, section, or part will not take effect
6 unless approved by the people at the general election to be held in
7 November 2014 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.