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2001



SENATE BILL 01-076

BY SENATOR(S) Andrews, Arnold, Cairns, May, McElhany, Dyer (Arapahoe), Epps, Evans, Hillman, Lamborn, Musgrave, and Teck; also REPRESENTATIVE(S) Spence, Crane, Dean, Fairbank, Hoppe, King, Lee, Mitchell, Nuñez, Paschall, Rhodes, Romanoff, Schultheis, and Scott.

CONCERNING PUBLIC DISCLOSURE OF SCHOOL DISTRICT COLLECTIVE BARGAINING AGREEMENTS.

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

SECTION 1. Part 1 of article 32 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-32-109.4. "Colorado School Collective Bargaining Agreement Sunshine Act" - board of education - specific duties. (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO SCHOOL COLLECTIVE BARGAINING AGREEMENT SUNSHINE ACT".

(2) "COLLECTIVE BARGAINING AGREEMENT" MEANS, FOR THE PURPOSE OF THIS SECTION, A MASTER AGREEMENT, AND ANY AMENDMENTS, ADDENDUMS, MEMORANDUMS, OR ANY OTHER DOCUMENTS MODIFYING THE MASTER AGREEMENT.

Capital letters indicate new material added to existing statute; dashes through the words indicate deletions from existing statutes and such material not part of act.

(3) IN ADDITION TO ANY OTHER DUTY REQUIRED TO BE PERFORMED BY LAW, EACH BOARD OF EDUCATION SHALL CAUSE, WITHIN THIRTY DAYS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, A TRUE AND CORRECT COPY OF EACH COLLECTIVE BARGAINING AGREEMENT ENTERED INTO BY THE BOARD OF EDUCATION AND IN EFFECT AS OF SAID DATE AND ALL SUBSEQUENT COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO BY THE BOARD OF EDUCATION, WITHIN TEN WORKING DAYS FOLLOWING THE DATE OF RATIFICATION OF EACH AGREEMENT, TO BE:

(a) POSTED ON THE WEBSITE OF THE SCHOOL DISTRICT, IF THE SCHOOL DISTRICT MAINTAINS A WEBSITE;

(b) FILED WITH THE STATE BOARD OF EDUCATION;

(c) MADE AVAILABLE FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS IN A CONVENIENT AND IDENTIFIED LOCATION AT THE MAIN ADMINISTRATIVE OFFICE OF THE SCHOOL DISTRICT; AND

(d) FILED WITH THE BOARD OF TRUSTEES OF THE LARGEST PUBLIC LIBRARY LOCATED WITHIN THE SCHOOL DISTRICT.

SECTION 2. 22-2-109 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-2-109. State board of education - additional duties. (1) The state board of education shall:

(r) RECEIVE THE TRUE AND CORRECT COPIES OF ALL SCHOOL DISTRICT COLLECTIVE BARGAINING AGREEMENTS SUBMITTED PURSUANT TO THE "COLORADO SCHOOL COLLECTIVE BARGAINING AGREEMENT SUNSHINE ACT", SECTION 22-32-109.4, AND SHALL:

(I) CREATE A REPOSITORY FOR ALL OF SAID CURRENT COLLECTIVE BARGAINING AGREEMENTS THAT IS AVAILABLE TO THE PUBLIC FOR INSPECTION DURING REGULAR BUSINESS HOURS IN A CONVENIENT AND IDENTIFIED LOCATION; AND

(II) POST COPIES OF ALL OF SAID CURRENT COLLECTIVE BARGAINING AGREEMENTS ON THE DEPARTMENT'S WEBSITE. THE POSTING MAY BE DONE THROUGH A LINK TO AN INDIVIDUAL SCHOOL DISTRICT'S WEBSITE.

SECTION 3. 24-90-109 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-90-109. Powers and duties of board of trustees. (1) The board of trustees shall:

(q) RECEIVE THE TRUE AND CORRECT COPIES OF ALL SCHOOL DISTRICT COLLECTIVE BARGAINING AGREEMENTS SUBMITTED PURSUANT TO THE "COLORADO SCHOOL COLLECTIVE BARGAINING AGREEMENT SUNSHINE ACT", SECTION 22-32-109.4, C.R.S., AND CREATE A REPOSITORY FOR ALL OF SAID CURRENT COLLECTIVE BARGAINING AGREEMENTS AT THE LIBRARY THAT IS AVAILABLE TO THE PUBLIC FOR INSPECTION DURING REGULAR BUSINESS HOURS IN A CONVENIENT AND IDENTIFIED LOCATION.

SECTION 4. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item,

section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Stan Matsunaka
PRESIDENT OF
THE SENATE

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO