

**First Regular Session  
Sixty-third General Assembly  
STATE OF COLORADO**

**REENGROSSED**

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

LLS NO. 01-0970.01 Christy Chase

**SENATE BILL 01-218**

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**SENATE SPONSORSHIP**

**Thiebaut,**

**HOUSE SPONSORSHIP**

**Johnson,**

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**Senate Committees**

Business, Labor, and Finance

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE REQUIREMENT OF A PRETERMINATION MEETING**  
102             **PRIOR TO THE TERMINATION OF CERTAIN DEPUTY SHERIFFS.**  
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**Bill Summary**

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

Prohibits the dismissal of a peace officer, level I, or a certified firefighter before the peace officer or firefighter has received a pretermination meeting with the peace officer's or firefighter's chief or the chief's designee. Requires written notice of the date, time, and place of the pretermination meeting to be given to the peace officer or firefighter at least 7 days prior to the meeting. Specifies that the written notice must also set forth the specific reason for the termination and must inform the

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.*

SENATE  
3rd Reading Unamended  
April 20, 2001

SENATE  
Amended 2nd Reading  
April 19, 2001

peace officer or firefighter of the right to bring a representative to the meeting.

Specifies that the peace officer or firefighter or the representative, at the request of the peace officer or firefighter, must be given the opportunity to respond to the allegations as set forth in the notice.

Specifies that a peace officer or firefighter may be suspended from employment pending the pretermination meeting.

Specifies that the requirement for a pretermination meeting applies to any collective bargaining agreement or other contract entered into by or on behalf of a peace officer or firefighter on or after the effective date of the act.

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

2 **SECTION 1. 30-10-506, Colorado Revised Statutes, is amended**  
3 **to read:**

4 **30-10-506. Deputies - liability of sheriff - pretermination**  
5 **meetings.** (1) Each sheriff may appoint as many deputies as he may  
6 think proper, for whose official acts and those of his undersheriff he shall  
7 be responsible, and may revoke such appointments at his pleasure.  
8 Persons may also be deputized by such sheriff or undersheriff in writing  
9 to do particular acts; the sheriff and his sureties shall be responsible on  
10 his official bond for the default or misconduct of his undersheriff and  
11 deputies.

12 (2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
13 THIS SECTION, NO DEPUTY SHERIFF SHALL BE TERMINATED FROM  
14 EMPLOYMENT UNTIL THE DEPUTY SHERIFF HAS RECEIVED A  
15 PRETERMINATION MEETING PURSUANT TO THIS SUBSECTION (2) WITH THE  
16 SHERIFF EMPLOYING THE DEPUTY SHERIFF OR THE UNDERSHERIFF OF SAID  
17 SHERIFF.

18 (b) AT LEAST SEVEN DAYS PRIOR TO THE PRETERMINATION  
19 MEETING, THE DEPUTY SHERIFF SHALL BE GIVEN WRITTEN NOTICE OF THE

1 DATE, TIME, AND LOCATION OF THE MEETING. SAID NOTICE SHALL  
2 CONTAIN THE SPECIFIC REASON FOR TERMINATION AND A STATEMENT THAT  
3 THE DEPUTY SHERIFF HAS THE RIGHT TO BRING A REPRESENTATIVE TO THE  
4 MEETING.

5 (c) AT THE PRETERMINATION MEETING, THE DEPUTY SHERIFF OR  
6 THE DEPUTY SHERIFF'S REPRESENTATIVE, AT THE REQUEST OF THE DEPUTY  
7 SHERIFF, SHALL HAVE THE OPPORTUNITY TO RESPOND TO THE  
8 ALLEGATIONS AGAINST THE DEPUTY SHERIFF AS SET FORTH IN THE NOTICE  
9 PROVIDED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2).

10 (d) NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO  
11 PREVENT A DEPUTY SHERIFF FROM BEING SUSPENDED FROM EMPLOYMENT  
12 PENDING THE PRETERMINATION MEETING.

13 (e) FOR PURPOSES OF THIS SUBSECTION (2), "DEPUTY SHERIFF"  
14 MEANS ANY DEPUTY SHERIFF WHO IS RANKED NO HIGHER THAN  
15 LIEUTENANT.

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