

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

DRAFT
6.26.09

DRAFT

Temporary storage location: S:\LLS\2010A\Bills\Pre-Draft\10-0021.wpd

LLS NO. 10-0021.01 Troy Bratton

COMMITTEE BILL

Legislative Emergency Epidemic Response Committee

A BILL FOR AN ACT

101 CONCERNING THE CONVENING OF THE GENERAL ASSEMBLY IN A
102 TEMPORARY LOCATION UPON DECLARATION BY THE GOVERNOR
103 OF A DISASTER EMERGENCY IN THE STATE OF COLORADO.

Bill Summary

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

Legislative Emergency Epidemic Response Committee. Allows the general assembly, upon declaration by the governor of a disaster emergency based upon an emergency epidemic, to convene any regular or special session, at any time or date deemed necessary, in either a location other than the state capitol building within the city and county of Denver or, if necessary, a location outside of the city and county of

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.*

Denver.

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

2 **SECTION 1.** Part 15 of article 3 of title 2, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **2-3-1504. Emergency epidemic - time and location for**
6 **convening regular or special sessions - legislative declaration.**

7 (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DETERMINES THAT,
8 IN THE EVENT OF AN EMERGENCY EPIDEMIC, THE GENERAL ASSEMBLY MAY
9 NEED TO CONDUCT ITS BUSINESS SO AS NOT TO FURTHER SPREAD
10 COMMUNICABLE DISEASES, WORSEN THE EMERGENCY EPIDEMIC, OR
11 NEEDLESSLY ENDANGER THE MEMBERS OR LEGISLATIVE STAFF.

12 (b) THE GENERAL ASSEMBLY DECLARES THAT:

13 (I) THE PURPOSE OF THE PROCESS OUTLINED IN THIS SECTION IS TO
14 ALLOW FOR THE GENERAL ASSEMBLY TO CARRY OUT ITS ESSENTIAL
15 BUSINESS WITHOUT VIOLATING THE CONSTITUTIONAL REQUIREMENTS
16 GOVERNING THE OPERATIONS OF THE GENERAL ASSEMBLY;

17 (II) THE PROCESSES OUTLINED IN THIS SECTION THAT ARE TO BE
18 FOLLOWED IN THE EVENT OF AN EMERGENCY EPIDEMIC ARE ONLY OF A
19 TEMPORARY NATURE; AND

20 (III) TAKING SUCH MEASURES WITH RESPECT TO HAVING A
21 TEMPORARY MEETING PLACE FOR THE GENERAL ASSEMBLY DOES NOT
22 CONSTITUTE MOVING THE SEAT OF GOVERNMENT OF THE STATE FOR
23 PURPOSES OF SECTION 2 OF ARTICLE VIII OF THE STATE CONSTITUTION.

24 (2) NOTWITHSTANDING THE PROVISIONS OF SECTION 2-2-301
25 REGARDING THE MEETING PLACE OF THE GENERAL ASSEMBLY AND IN

1 ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (4) OF THIS SECTION,
2 THE GENERAL ASSEMBLY MAY CONVENE ANY REGULAR SESSION OR
3 SPECIAL SESSION IN A LOCATION WITHIN THE CITY AND COUNTY OF
4 DENVER OTHER THAN THE STATE CAPITOL BUILDING OR, IF NECESSARY, IN
5 A LOCATION OUTSIDE OF THE CITY AND COUNTY OF DENVER.

6 (3) NOTWITHSTANDING THE PROVISIONS OF SECTION 2-2-303.5
7 REGARDING THE TIME FOR CONVENING REGULAR SESSIONS OF THE
8 GENERAL ASSEMBLY AND IN ACCORDANCE WITH THE PROVISIONS OF
9 SUBSECTION (4) OF THIS SECTION, THE GENERAL ASSEMBLY MAY CONVENE
10 ANY REGULAR SESSION OF THE GENERAL ASSEMBLY AT A TIME AND DATE
11 OTHER THAN THOSE SPECIFIED IN SECTION 2-2-303.5.

12 (4) IN ORDER TO CONVENE AND MEET IN A LOCATION OTHER THAN
13 THE STATE CAPITOL BUILDING OR AT A TIME OTHER THAN THAT DESCRIBED
14 IN SECTION 2-2-303.5, A MAJORITY OF THE MEMBERS OF THE EXECUTIVE
15 COMMITTEE OF THE LEGISLATIVE COUNCIL, AFTER CONSULTING WITH THE
16 GOVERNOR AND PUBLIC HEALTH OFFICIALS, SHALL MAKE THE FOLLOWING
17 DETERMINATIONS:

18 (a) THAT THE GOVERNOR HAS, PURSUANT TO THE "COLORADO
19 DISASTER EMERGENCY ACT OF 1992", PART 21 OF ARTICLE 32 OF TITLE
20 24, C.R.S., ISSUED AN EXECUTIVE ORDER THAT DECLARES THAT THE STATE
21 OF COLORADO IS IN A STATE OF DISASTER EMERGENCY AND HAS
22 ACTIVATED THE COLORADO EMERGENCY OPERATIONS PLAN;

23 (b) TO RESPOND TO AN EMERGENCY EPIDEMIC AND AVOID THE
24 SPREAD OF DISEASE, THAT THE INTERESTS OF THE STATE AND ITS CITIZENS
25 WOULD BE SERVED BY HOLDING ANY REGULAR SESSION OR SPECIAL
26 SESSION OF THE GENERAL ASSEMBLY AT A TIME DIFFERENT FROM THAT
27 DESIGNATED BY LAW AND IN A LOCATION WITHIN THE CITY AND COUNTY

1 OF DENVER OTHER THAN THE STATE CAPITOL BUILDING OR, IF NECESSARY,
2 OUTSIDE OF THE CITY AND COUNTY OF DENVER;

3 (c) THAT THE MEASURES TAKEN WITH REGARD TO LOCATION OR
4 TIME ARE OF A TEMPORARY NATURE AND THAT, ONCE THE STATE OF
5 DISASTER EMERGENCY HAS BEEN TERMINATED IN ACCORDANCE WITH
6 SECTION 24-32-2104 (4), C.R.S, THE GENERAL ASSEMBLY SHALL RESUME
7 MEETING IN THE STATE CAPITOL BUILDING IN THE CITY AND COUNTY OF
8 DENVER AT THE TIME DESIGNATED BY LAW.

9 **SECTION 2. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety. <{*Ask Committee*}>