

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 09-1082

BY REPRESENTATIVE(S) Peniston, Green, Priola, Ryden, Court;
also SENATOR(S) Tochtrop, Carroll M., Foster, Harvey, Lundberg, Penry,
Schultheis.

CONCERNING RECORDING OF PUBLIC MEETINGS OF SCHOOL DISTRICT BOARDS
OF EDUCATION.

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

SECTION 1. 22-32-108 (5), Colorado Revised Statutes, is amended to read:

22-32-108. Meetings of the board of education. (5) (a) All regular and special meetings of the board shall be open to the public, but any person who disturbs good order may be required to leave. At any regular or special meeting the board may proceed in executive session, at which only those persons invited by the board may be present, but no final policy decisions shall be made by the board while in executive session.

(b) THE BOARD SHALL MAKE A RECORDING OF EACH REGULAR AND SPECIAL MEETING OF THE BOARD AT WHICH VOTES ARE TAKEN AND RECORDED AND SHALL MAKE THE RECORDING AVAILABLE TO THE PUBLIC. THE BOARD, AT ITS DISCRETION, SHALL USE APPROPRIATE TECHNOLOGY

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

THAT IS AVAILABLE WITHIN THE SCHOOL DISTRICT AT THE TIME THE RECORDING IS MADE AND SHALL, AT A MINIMUM, MAKE AN AUDIO RECORDING. AN INDIVIDUAL OR ENTITY MAY REQUEST A COPY OF A RECORDING AND SHALL PAY THE COSTS THE BOARD INCURS IN PROVIDING THE COPY, PURSUANT TO SECTION 24-72-205, C.R.S.

(c) THE BOARD SHALL INSTITUTE A POLICY REQUIRING, AT A MINIMUM, RETAINING RECORDINGS OF BOARD MEETINGS MADE PURSUANT TO THIS SUBSECTION (5) FOR A MINIMUM OF NINETY DAYS.

SECTION 2. Act subject to petition - 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, (August 5, 2009, if adjournment sine die is on May 6, 2009); 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.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Peter C. Groff
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO