

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0520.01 Megan McCall x4215

HOUSE BILL 25-1229

HOUSE SPONSORSHIP

Soper,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SALARIES OF ELECTED LOCAL OFFICIALS.**

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://leg.colorado.gov>.)

Under current law, elected county officials in certain counties may elect to receive a salary that is 50% lower than the salary amount for that county official as set by law. This election must be set forth and recorded with the office of a county's clerk and recorder during the month of November.

The bill modifies this election to allow elected county officials in any county to elect to receive any amount of salary lower than the amount set by law or to receive no salary. The election must be made annually

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

and submitted to the county treasurer no later than 30 days before the county's next fiscal year. The bill also extends to district attorneys, in substantially the same manner, the ability to elect to receive a lower salary than the amount set by law or to receive no salary.

For purposes of establishing the salaries of county elected officers, each county in the state is delineated into a specified category. The bill changes Mesa county's categorization from category I-D to category I-A, effective January 1, 2029, which will result in an accompanying percentage increase for the county's elected officials.

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

2 **SECTION 1.** In Colorado Revised Statutes, 20-1-302, **add** (1)(d)
3 as follows:

4 **20-1-301. Compensation of district attorneys.**

5 (1) (d) NOTWITHSTANDING SUBSECTIONS (1)(a) AND (1)(b) OF THIS
6 SECTION, A DISTRICT ATTORNEY MAY ELECT IN THE DISTRICT ATTORNEY'S
7 SOLE DISCRETION TO RECEIVE ANY AMOUNT OF SALARY THAT IS LOWER
8 THAN THE AMOUNT PROVIDED FOR IN SUBSECTION (1)(a) OF THIS SECTION
9 OR SET IN ACCORDANCE WITH SUBSECTION (1)(b) OF THIS SECTION OR TO
10 NOT RECEIVE A SALARY. THE DISTRICT ATTORNEY MAKING AN ELECTION
11 IN ACCORDANCE WITH THIS SUBSECTION (1)(d) SHALL SUBMIT THE
12 ELECTION ANNUALLY TO THE TREASURER OF THE COUNTY OR COUNTIES
13 COMPRISING THE JUDICIAL DISTRICT OR TO THE CHIEF FINANCIAL OFFICER
14 FOR THE CITY AND COUNTY OF DENVER FOR THE SECOND JUDICIAL
15 DISTRICT IN WRITING, SIGNED BY THE DISTRICT ATTORNEY AND
16 NOTARIZED, NOT LATER THAN THIRTY DAYS PRIOR TO THE START OF THE
17 COUNTY'S OR THE CITY AND COUNTY OF DENVER'S NEXT FISCAL YEAR.
18 ANY ADDITIONAL MONEY AVAILABLE TO A COUNTY OR TO THE CITY AND
19 COUNTY OF DENVER AS A RESULT OF THE DISTRICT ATTORNEY MAKING AN
20 ELECTION PURSUANT TO THIS SUBSECTION (1)(d) REMAINS AVAILABLE FOR

1 EXPENDITURE IN THE GENERAL FUND OF THE COUNTY OR THE CITY AND
2 COUNTY OF DENVER.

3 **SECTION 2.** In Colorado Revised Statutes, 30-2-102, **amend**
4 (1.5)(a)(I)(B) and (3)(f); and **add** (1.5)(c) as follows:

5 **30-2-102. Categorization of counties for fixing salaries of**
6 **county officers - salary amounts - legislative declaration.** (1.5) (a) For
7 the purpose of establishing the salaries of county officers whose terms of
8 office begin on or after January 1, 2016:

9 (I) (B) Category I-D counties consist of the county of Mesa;
10 EXCEPT THAT, ON OR AFTER JANUARY 1, 2029, MESA COUNTY IS A
11 CATEGORY I-A COUNTY.

12 (c) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

13 (I) SECTION 15 OF ARTICLE XIV OF THE STATE CONSTITUTION
14 PRESCRIBES THAT COMPENSATION OF COUNTY OFFICERS OF THE STATE IS
15 FIXED BY THE GENERAL ASSEMBLY BY LAW;

16 (II) IN FIXING THE COMPENSATION OF COUNTY OFFICERS, THE
17 GENERAL ASSEMBLY GIVES DUE CONSIDERATION TO COUNTY VARIATIONS
18 INCLUDING FACTORS NECESSARY TO PREPARE COMPENSATION SCHEDULES
19 THAT REFLECT VARIATIONS IN THE WORKLOADS AND RESPONSIBILITIES OF
20 COUNTY OFFICERS AND IN THE TAX RESOURCES OF THE SEVERAL
21 COUNTIES; AND

22 (III) THEREFORE, WHEN THE GENERAL ASSEMBLY IS CONSIDERING
23 A PROPOSAL TO MOVE A COUNTY TO ANOTHER CATEGORY PURSUANT TO
24 SUBSECTION (1.5)(b) OF THIS SECTION, THE GENERAL ASSEMBLY
25 ENCOURAGES THE BOARD OF COUNTY COMMISSIONERS OF THE SUBJECT
26 COUNTY TO INDICATE, BY ADOPTION OF A RESOLUTION, THE BOARD OF
27 COUNTY COMMISSIONERS' POSITION ON THE PROPOSAL TO MOVE THE

1 COUNTY TO A DIFFERENT CATEGORY.

2 (3) (f) An elected county officer ~~in a county classified for salary~~
3 ~~purposes under subsection (1.5)(a)(III), (1.5)(a)(IV), (1.5)(a)(V), or~~
4 ~~(1.5)(a)(VI) of this section~~ may elect in ~~his or her~~ THE COUNTY OFFICER'S
5 sole discretion to receive ~~an~~ ANY amount of salary that is lower than the
6 amount provided for in this section ~~The amount of the lower salary~~
7 ~~received by an officer shall be fifty percent of the amount of the salary~~
8 ~~otherwise provided for the officer as set forth in this section. Any such~~ OR
9 TO NOT RECEIVE A SALARY. A COUNTY OFFICER MAKING AN election IN
10 ACCORDANCE WITH THIS SUBSECTION (3)(f) shall ~~be set forth~~ SUBMIT THE
11 ELECTION ANNUALLY TO THE COUNTY TREASURER in writing, SIGNED BY
12 THE COUNTY OFFICER AND NOTARIZED, ~~and recorded with the office of the~~
13 ~~county clerk and recorder during the month of November~~ NOT LATER
14 THAN THIRTY DAYS PRIOR TO THE START OF THE COUNTY'S NEXT FISCAL
15 YEAR. Any additional money available to a county as a result of an elected
16 county officer making an election pursuant to this subsection (3)(f) shall
17 remain available for expenditure in the county general fund. ~~An elected~~
18 ~~county officer who elects to receive a lower salary pursuant to this~~
19 ~~subsection (3)(f) may subsequently elect to receive a higher salary so long~~
20 ~~as the amount of the higher salary does not exceed the amount provided~~
21 ~~for in this section. In no event shall an elected county officer make more~~
22 ~~than one election per year pursuant to this subsection (3)(f).~~

23 **SECTION 3. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this

1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2026 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.