

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

**INTRODUCED**

LLS NO. 13-0212.01 Gregg Fraser x4325

**HOUSE BILL 13-1064**

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**HOUSE SPONSORSHIP**

**Dore,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE ON-LINE PUBLICATION BY A LOCAL GOVERNMENT OF**  
102             **INFORMATION THAT IS CURRENTLY REQUIRED TO BE PUBLISHED**  
103             **IN A NEWSPAPER.**

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**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://www.leg.state.co.us/billsummaries>.)*

Currently, a board of county commissioners is required to publish certain legal notices, advertisements, and fiscal information in specified newspapers. The bill allows these items to be published on a web site maintained by the county rather than publish them in a newspaper.

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.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-70-103, **amend**  
3 (1) as follows:

4           **24-70-103. Requisites of legal newspaper.** (1) Any and every  
5 legal notice or advertisement shall be published only in a daily, a  
6 triweekly, a semiweekly, or a weekly newspaper of general circulation  
7 and printed or published in whole or in part in the county in which such  
8 notice or advertisement is required to be published, except as provided in  
9 this section. The newspaper, if published triweekly, semiweekly, or  
10 weekly, shall have been so published in such county, except as provided  
11 in this section, continuously and uninterrupted during the period of at  
12 least fifty-two consecutive weeks next prior to the first issue thereof  
13 containing any such notice or advertisement; and the newspaper, if  
14 published daily, shall have been so published in such county,  
15 uninterrupted and continuously, during the period of at least six months  
16 next prior to the first issue thereof containing any such notice or  
17 advertisement. In the case of a municipality having territory in two  
18 counties, each of which counties has one or more legal newspapers within  
19 the municipality, the publication by such municipality of its legal notices  
20 and advertisements in one of such newspapers shall be construed as valid  
21 publication under this part 1. THE BOARD OF COUNTY COMMISSIONERS OF  
22 A COUNTY MAY ELECT TO PUBLISH ITS LEGAL NOTICES AND  
23 ADVERTISEMENTS ON A WEB SITE MAINTAINED BY THE COUNTY IN LIEU OF  
24 PUBLISHING LEGAL NOTICES AND ADVERTISEMENTS IN A NEWSPAPER OF  
25 GENERAL CIRCULATION.

26           **SECTION 2.** In Colorado Revised Statutes, 30-25-111, **amend**

1 (1) and (2) as follows:

2 **30-25-111. Proceedings published - failure - penalty.** (1) It is  
3 the duty of the board of county commissioners of each county to publish  
4 ON A WEB SITE MAINTAINED BY THE COUNTY OR in at least one legal  
5 newspaper in the county a report of each claim, except salary warrants,  
6 and expenditure by it allowed and paid and taxes rebated, disclosing the  
7 name of and the amount paid to each individual or firm, a description of  
8 the services or material furnished to the county, and, as to other items, the  
9 nature of the claim and disclosing the fund charged with each  
10 expenditure. Such report shall contain a statement of any contracts for the  
11 expenditure of money not paid immediately made by the board of county  
12 commissioners, disclosing the nature and purpose of the contract, the  
13 parties thereto, and the amounts involved therein. Such reports shall be  
14 published at least monthly within thirty days following the end of the  
15 period for which made. If A COUNTY ELECTS TO PUBLISH THE REPORT IN  
16 A NEWSPAPER AND no legal newspaper is located in the county, either  
17 such reports shall be published in a newspaper of an adjacent county  
18 which has general circulation in the county for which the report is made,  
19 or the board shall cause such statements to be posted in three conspicuous  
20 places in said county, one of which shall be the courthouse door. The  
21 county accounting office, if there is one, and otherwise the county clerk  
22 and recorder, if he OR SHE is acting as the accounting agency for the  
23 county, shall provide to the board of county commissioners all  
24 information necessary for the publication. The published report shall state  
25 that it is published under the direction of the board of county  
26 commissioners. Nothing in this section shall be construed as requiring the  
27 board of county commissioners to publish or make public the names of

1 or individual public welfare payments to, or in behalf of, indigent persons  
2 receiving assistance from public welfare programs financed, in whole or  
3 in part, by federal or state funds, or any combination thereof, when such  
4 publication is specifically forbidden by law.

5 (2) It is the duty of the board of county commissioners of each  
6 county to publish ON A WEB SITE MAINTAINED BY THE COUNTY OR in some  
7 legal newspaper published in the county the semiannual financial  
8 statement furnished to the board of county commissioners by the county  
9 treasurer which shall include in separate columns the balance at the  
10 beginning of the period in each fund kept by the treasurer, the collections  
11 to each fund from current taxes, delinquent taxes, miscellaneous  
12 collection and transfers, withdrawals from each fund showing cash  
13 disbursements, transfers and treasurer's fees, and the balance at the end  
14 of the period in each fund. The statement shall be published within sixty  
15 days following June thirtieth and December thirty-first each year. If A  
16 COUNTY ELECTS TO PUBLISH THE STATEMENT IN A NEWSPAPER AND no  
17 legal newspaper is located in the county, either such reports shall be  
18 published in a newspaper of an adjacent county which has general  
19 circulation in the county for which the report is made or the board of  
20 county commissioners shall cause such statements to be posted in three  
21 conspicuous places in said county, one of which shall be the courthouse  
22 door. The county clerk and recorder shall furnish a copy of such  
23 proceedings for such publication.

24 **SECTION 3. Act subject to petition - effective date -**  
25 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
26 the expiration of the ninety-day period after final adjournment of the  
27 general assembly (August 7, 2013, if adjournment sine die is on May 8,

1 2013); except that, if a referendum petition is filed pursuant to section 1  
2 (3) of article V of the state constitution against this act or an item, section,  
3 or part of this act within such period, then the act, item, section, or part  
4 will not take effect unless approved by the people at the general election  
5 to be held in November 2014 and, in such case, will take effect on the  
6 date of the official declaration of the vote thereon by the governor.

7 (2) This act applies to notices, advertisements, reports, and  
8 statements published on and after January 1, 2014.