

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0889.01 Jerry Barry x4341

HOUSE BILL 17-1217

HOUSE SPONSORSHIP

Winter and Saine, Nordberg, Kraft-Tharp

SENATE SPONSORSHIP

Donovan and Smallwood, Jahn

House Committees

State, Veterans, & Military Affairs

Senate Committees

Education

A BILL FOR AN ACT

101 **CONCERNING THE GOVERNANCE STRUCTURE OF THE STATE**
102 **HISTORICAL SOCIETY.**

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>.)

Legislative Audit Committee. Under current law, of the 9 members of the board of directors of the state historical society (board), the board is to recommend 4 members for appointment by the governor. The bill repeals certain obsolete provisions, including the provision requiring recommendation by the board.

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
2nd Reading Unamended
April 19, 2017

HOUSE
3rd Reading Unamended
April 3, 2017

HOUSE
2nd Reading Unamended
March 31, 2017

Under current law, the directors council of the state historical society (council) was established. The bill changes the language from establishing the council to allowing the board to establish the council. If the council is not established by June 1, 2020, the bill repeals the section authorizing its establishment.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-80-201.5, **amend**
3 (2)(a) and (2)(b) as follows:

4 **24-80-201.5. State historical society - board - appointment -**
5 **powers and duties.** (2) (a) ~~(f)~~ The governor shall appoint, with the
6 consent of the senate, ~~five~~ NINE members of the board. ~~The governor shall~~
7 ~~make the initial appointments on or before June 1, 2015, to be effective~~
8 ~~July 1, 2015.~~ If there is a vacancy of a member appointed pursuant to this
9 ~~subparagraph (f)~~ SUBSECTION (2)(a), the governor shall appoint a new
10 member of the board for the remainder of the unexpired term.

11 ~~(H)(A) The four remaining members of the board are selected by~~
12 ~~the board for appointment by the governor with the consent of the senate.~~
13 ~~The board shall submit the name or names of persons selected to be~~
14 ~~members of the board to the governor. Upon appointment by the~~
15 ~~governor, the name of the appointee is forwarded to the senate for~~
16 ~~confirmation. If the governor does not approve of a recommendation from~~
17 ~~the board, the governor shall notify the board of his or her decision, and~~
18 ~~the board shall submit a new recommendation. The initial appointments~~
19 ~~are effective July 1, 2015.~~

20 ~~(B) For the initial selection of board members, the members of the~~
21 ~~board of directors holding elective office as of June 1, 2015, shall select~~
22 ~~four persons and submit their names to the governor on or before June 15,~~
23 ~~2015, pursuant to sub-subparagraph (A) of this subparagraph (H).~~

1 ~~(C) If there is a vacancy or at the expiration of the term of a~~
2 ~~member appointed pursuant to this subparagraph (H), the board of~~
3 ~~directors shall submit a name or names to the governor pursuant to~~
4 ~~sub-subparagraph (A) of this subparagraph (H) for appointment,~~
5 ~~reappointment, or to fill an unexpired term.~~

6 (b) Except as otherwise provided in this ~~paragraph (b)~~
7 SUBSECTION (2)(b), members of the board serve three-year terms. The
8 members first appointed to the board take office on July 1, 2015. Of the
9 appointments of members to take office on July 1, 2015, the governor
10 shall designate:

11 (I) Three members of the board to have terms expiring on July 1,
12 2016; ~~including one member who is appointed pursuant to subparagraph~~
13 ~~(H) of paragraph (a) of this subsection (2);~~

14 (II) Three members of the board to have terms expiring on July 1,
15 2017; ~~including one member who is appointed pursuant to subparagraph~~
16 ~~(H) of paragraph (a) of this subsection (2); and~~

17 (III) Three members of the board to have terms expiring on July
18 1, 2018. ~~including two members who are appointed pursuant to~~
19 ~~subparagraph (H) of paragraph (a) of this subsection (2). Thereafter, the~~
20 terms of the members of the board are three years.

21 **SECTION 2.** In Colorado Revised Statutes, 24-80-201.7, **amend**
22 (1); and **add** (3) as follows:

23 **24-80-201.7. Directors council - creation - election - duties -**
24 **repeal.** (1) ~~There is created the~~ THE BOARD MAY ESTABLISH A directors
25 council of the state historical society, referred to in this part 2 as the
26 "directors council". IF ESTABLISHED, the directors council shall provide
27 advice, counsel, and expertise to the board of directors concerning the

1 state historical society's operations and accomplishing its mission and
2 objectives. Members of the directors council are elected by the members
3 of the state historical society pursuant to nomination procedures adopted
4 by the board.

5 (3) (a) THIS SECTION IS REPEALED IF THE BOARD DOES NOT
6 ESTABLISH A DIRECTORS COUNCIL BY JUNE 1, 2020. BY JUNE 20, 2020, THE
7 PRESIDENT OF THE HISTORICAL SOCIETY SHALL NOTIFY THE REVISOR OF
8 STATUTES IN WRITING IF THE DIRECTORS COUNCIL IS NOT ESTABLISHED BY
9 E-MAILING THE NOTICE TO REVISOROFSTATUTES.GA@STATE.CO.US. THIS
10 SECTION IS REPEALED ON THE DATE OF THE NOTICE TO THE REVISOR OF
11 STATUTES.

12 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1,
13 2021.

14 **SECTION 3. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.