

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0958.01 Bob Lackner x4350

HOUSE BILL 13-1294

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HOUSE SPONSORSHIP

Gardner,

SENATE SPONSORSHIP

Guzman,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING A CLARIFICATION THAT THE STATE'S JUDICIAL  
102 DEPARTMENT IS INCLUDED WITHIN THE DEFINITION OF "PUBLIC  
103 ENTITY" FOR PURPOSES OF THE "COLORADO GOVERNMENTAL  
104 IMMUNITY ACT".

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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>.)*

In 2012, the general assembly enacted legislation that had the inadvertent effect of removing the state's judicial department from the

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.*

definition of "public entity" for purposes of the "Colorado Governmental Immunity Act" (CGIA). The bill modifies the definition of "public entity" under the CGIA to clarify that it includes the state's judicial department.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-10-103, **amend**  
3 (5) as follows:

4 **24-10-103. Definitions.** As used in this article, unless the context  
5 otherwise requires:

6 (5) "Public entity" means the state, THE JUDICIAL DEPARTMENT OF  
7 THE STATE, ANY county, city and county, municipality, school district,  
8 special improvement district, and every other kind of district, agency,  
9 instrumentality, or political subdivision thereof organized pursuant to law  
10 and any separate entity created by intergovernmental contract or  
11 cooperation only between or among the state, county, city and county,  
12 municipality, school district, special improvement district, and every other  
13 kind of district, agency, instrumentality, or political subdivision thereof.

14 **SECTION 2. Applicability.** This act applies to claims asserted  
15 against the judicial department on or after January 1, 2012.

16 **SECTION 3. Safety clause.** The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, and safety.