

**NOTE: This bill has been prepared for the signatures 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 13-1298

BY REPRESENTATIVE(S) Ryden, Fields, Fischer;  
also SENATOR(S) Giron, Newell.

CONCERNING EMPLOYMENT POLICIES RELATED TO NONCLASSIFIED  
EMPLOYEES OF THE STATE.

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

**SECTION 1.** In Colorado Revised Statutes, 24-50-104, **amend** (5) (c) and (5) (d); and **add** (5) (e) as follows:

**24-50-104. Job evaluation and compensation - state employee reserve fund - created - definitions.** (5) **Pay plans.** (c) The senior executive service ~~shall be~~ IS limited to one hundred twenty-five positions. The state personnel director shall establish criteria for inclusion in the senior executive service and shall review each nominated position before it is placed in the pay plan for the senior executive service. The head of the department or agency or state auditor for employees of the state auditor's office shall make appointments to the senior executive service based on competitive selection and is responsible for the management of the employees in such plan. Any person in the senior executive service ~~shall have~~ HAS no right to a ANY position ~~outside of the senior executive service~~ WITHIN THE STATE.

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

(d) In the MEDICAL pay plans, ~~for medical and the senior executive service~~, there ~~shall be~~ ARE no anniversary-based merit increases. The salaries in such pay plans ~~shall be~~ ARE based on the negotiation of an annual contract between the employee and the department head or the state auditor, when appropriate, and the amount of such salaries may increase, decrease, or remain unchanged from year to year. Any employee dismissed for failure to perform under such contract may only appeal directly to the state personnel board.

(e) IN THE PAY PLANS FOR THE SENIOR EXECUTIVE SERVICE AND THOSE POSITIONS SPECIFIED IN SECTION 13 (2) (a) (XI) OF ARTICLE XII OF THE STATE CONSTITUTION, THERE ARE NO ANNIVERSARY-BASED MERIT INCREASES. THE SALARIES IN SUCH PAY PLANS ARE BASED ON POLICIES SET FORTH BY THE STATE PERSONNEL DIRECTOR. THE AMOUNT OF SUCH SALARIES MAY INCREASE, DECREASE, OR REMAIN UNCHANGED FROM YEAR TO YEAR.

**SECTION 2. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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John P. Morse  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO