

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

INTRODUCED

LLS NO. 13-0509.02 Kate Meyer x4348

SENATE BILL 13-274

SENATE SPONSORSHIP

Steadman,

HOUSE SPONSORSHIP

Levy and Gerou,

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE COMPENSATION PAID TO ELECTED STATE 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://www.leg.state.co.us/billsummaries>.)

The bill:

- ! Aligns the salaries of executive branch elected state officials with the salaries of certain judicial branch officials;
- ! Applies that alignment prospectively and provides for periodic future adjustments that correspond to the judicial branch officers' salaries; and

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.*

! Revives the lapsed Colorado state officials' compensation commission, alters the compensation of the commission so that no appointees are current elected officials or state employees, and directs the commission to study certain specific issues related to officials' compensation and to make recommendations on such officials' salaries in the future.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-9-101, **amend** (1)
3 (a), (1) (b), (1) (d), (1) (e), (1) (f), and (2); and **add** (3) as follows:

4 **24-9-101. Salaries of elected state officials - repeal.** (1) The
5 following state officials shall receive annual salaries and allowances,
6 payable monthly, as follows:

7 (a) Governor:

8 (I) (A) Ninety thousand dollars.

9 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JANUARY 7,
10 2019.

11 (II) (A) THE SALARY PAYABLE TO THE GOVERNOR FOR EACH YEAR
12 OF THE TERM COMMENCING ON THE SECOND TUESDAY IN JANUARY 2019
13 IS THE SAME AMOUNT AS THE TOTAL COMPENSATION PAID TO THE CHIEF
14 JUSTICE OF THE STATE SUPREME COURT ON JANUARY 8, 2019.

15 (B) EACH SUBSEQUENT SALARY PAID UNDER THIS PARAGRAPH (a)
16 SHALL BE ADJUSTED ON A QUADRENNIAL BASIS SO THAT, BEGINNING WITH
17 THE FIRST DAY OF EACH FOUR-YEAR GUBERNATORIAL TERM, AND
18 APPLYING TO EACH YEAR OF THAT TERM, THE GOVERNOR'S ANNUAL
19 SALARY MATCHES THE TOTAL COMPENSATION EARNED BY THE CHIEF
20 JUSTICE OF THE SUPREME COURT ON THE FIRST DAY OF THE GOVERNOR'S
21 TERM.

22 (b) Lieutenant governor:

1 (I) (A) Sixty-eight thousand five hundred dollars or, if
2 concurrently serving as the head of a principal department, a combined
3 salary that, in total, is commensurate with the annual salary paid for the
4 position of head of the principal department.

5 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JANUARY 7,
6 2019.

7 (II) (A) THE SALARY PAYABLE TO THE LIEUTENANT GOVERNOR
8 FOR EACH YEAR OF THE TERM COMMENCING ON THE SECOND TUESDAY IN
9 JANUARY 2019 IS THE SAME AMOUNT AS THE TOTAL COMPENSATION PAID
10 TO THE JUDGES OF THE COUNTY COURT IN CLASS B COUNTIES, AS DEFINED
11 IN SECTION 13-6-201, C.R.S., ON JANUARY 8, 2019.

12 (B) EACH SUBSEQUENT SALARY PAID UNDER THIS PARAGRAPH (e)
13 SHALL BE ADJUSTED ON A QUADRENNIAL BASIS SO THAT, BEGINNING WITH
14 THE FIRST DAY OF EACH FOUR-YEAR TERM, AND APPLYING TO EACH YEAR
15 OF THAT TERM, THE LIEUTENANT GOVERNOR'S ANNUAL SALARY MATCHES
16 THE TOTAL COMPENSATION EARNED BY THE JUDGES OF THE COUNTY
17 COURT IN CLASS B COUNTIES ON THE FIRST DAY OF THE LIEUTENANT
18 GOVERNOR'S TERM.

19 (III) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (II)
20 OF THIS PARAGRAPH (b) TO THE CONTRARY, IF THE LIEUTENANT GOVERNOR
21 IS CONCURRENTLY SERVING AS THE HEAD OF A PRINCIPAL DEPARTMENT
22 AND THE SALARY FOR THE HEAD OF THAT PRINCIPAL DEPARTMENT IS
23 GREATER THAN THAT TO WHICH THE LIEUTENANT GOVERNOR IS ENTITLED
24 UNDER THIS PARAGRAPH (b), THE LIEUTENANT GOVERNOR SHALL ALSO BE
25 PAID THAT PORTION OF THE SALARY FOR THE HEAD OF THE PRINCIPAL
26 DEPARTMENT THAT, WHEN ADDED TO THE AMOUNT OF THE SALARY PAID
27 UNDER THIS PARAGRAPH (b), EQUALS THE AMOUNT PAID TO THE HEAD OF

1 THAT PRINCIPAL DEPARTMENT.

2 (d) Attorney general:

3 (I) (A) Eighty thousand dollars.

4 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JANUARY 12,
5 2015.

6 (II) (A) THE SALARY PAYABLE TO THE ATTORNEY GENERAL FOR
7 EACH YEAR OF THE TERM COMMENCING ON THE SECOND TUESDAY IN
8 JANUARY 2015 IS THE SAME AMOUNT AS THE TOTAL COMPENSATION PAID
9 TO THE CHIEF JUDGE OF THE COURT OF APPEALS ON JANUARY 13, 2015.

10 (B) EACH SUBSEQUENT SALARY PAID UNDER THIS PARAGRAPH (d)
11 SHALL BE ADJUSTED ON A QUADRENNIAL BASIS SO THAT, BEGINNING WITH
12 THE FIRST DAY OF EACH FOUR-YEAR TERM, AND APPLYING TO EACH YEAR
13 OF THAT TERM, THE ATTORNEY GENERAL'S ANNUAL SALARY MATCHES THE
14 TOTAL COMPENSATION EARNED BY THE CHIEF JUDGE OF THE COURT OF
15 APPEALS ON THE FIRST DAY OF THE ATTORNEY GENERAL'S TERM.

16 (e) Secretary of state:

17 (I) (A) Sixty-eight thousand five hundred dollars.

18 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JANUARY 7,
19 2019.

20 (II) (A) THE SALARY PAYABLE TO THE SECRETARY OF STATE FOR
21 EACH YEAR OF THE TERM COMMENCING ON THE SECOND TUESDAY IN
22 JANUARY 2019 IS THE SAME AMOUNT AS THE TOTAL COMPENSATION PAID
23 TO THE JUDGES OF THE COUNTY COURT IN CLASS B COUNTIES, AS DEFINED
24 IN SECTION 13-6-201, C.R.S., ON JANUARY 8, 2019.

25 (B) EACH SUBSEQUENT SALARY PAID UNDER THIS PARAGRAPH (e)
26 SHALL BE ADJUSTED ON A QUADRENNIAL BASIS SO THAT, BEGINNING WITH
27 THE FIRST DAY OF EACH FOUR-YEAR TERM, AND APPLYING TO EACH YEAR

1 OF THAT TERM, THE SECRETARY OF STATE'S ANNUAL SALARY MATCHES
2 THE TOTAL COMPENSATION EARNED BY THE JUDGES OF THE COUNTY
3 COURT IN CLASS B COUNTIES ON THE FIRST DAY OF THE SECRETARY OF
4 STATE'S TERM.

5 (f) State treasurer:

6 (I) (A) Sixty-eight thousand five hundred dollars.

7 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JANUARY 7,
8 2019.

9 (II) (A) THE SALARY PAYABLE TO THE STATE TREASURER FOR
10 EACH YEAR OF THE TERM COMMENCING ON THE SECOND TUESDAY IN
11 JANUARY 2019 IS THE SAME AMOUNT AS THE TOTAL COMPENSATION PAID
12 TO THE JUDGES OF THE COUNTY COURT IN CLASS B COUNTIES, AS DEFINED
13 IN SECTION 13-6-201, C.R.S., ON JANUARY 8, 2019.

14 (B) EACH SUBSEQUENT SALARY PAID UNDER THIS PARAGRAPH (f)
15 SHALL BE ADJUSTED ON A QUADRENNIAL BASIS SO THAT, BEGINNING WITH
16 THE FIRST DAY OF EACH FOUR-YEAR TERM, AND APPLYING TO EACH YEAR
17 OF THAT TERM, THE STATE TREASURER'S ANNUAL SALARY MATCHES THE
18 TOTAL COMPENSATION EARNED BY THE JUDGES OF THE COUNTY COURT IN
19 CLASS B COUNTIES ON THE FIRST DAY OF THE STATE TREASURER'S TERM.

20 ~~(2) The salaries fixed by subsection (1) of this section shall~~
21 ~~become payable on and after the second Tuesday in January, 1999~~ ANY
22 OFFICIAL WHO ASSUMES HIS OR HER POSITION BY REASON OF FILLING A
23 VACANCY SHALL BE PAID THE SAME SALARY AS THAT TO WHICH THE
24 VACATING OFFICIAL WAS ENTITLED.

25 (3) NOTHING IN THIS SECTION AUTHORIZES THE SALARY OF ANY
26 ELECTED STATE OFFICIAL TO BE MODIFIED WHILE HE OR SHE IS SERVING HIS
27 OR HER OFFICIAL TERM.

1 **SECTION 2.** In Colorado Revised Statutes, **amend** 2-3-803 as
2 follows:

3 **2-3-803. Colorado state officials' compensation commission**
4 **established - composition.** (1) The Colorado state officials'
5 compensation commission, referred to in this part 8 as the "commission",
6 is hereby established.

7 (2) The commission ~~shall consist~~ CONSISTS of nine members, who
8 ~~shall be~~ ARE appointed as follows:

9 (a) Two members ~~shall be~~ appointed by the president of the
10 senate, ~~only one of whom may be a member of the general assembly,~~
11 NEITHER OF WHOM MAY BE AFFILIATED WITH THE SAME POLITICAL PARTY;

12 (b) Two members ~~shall be~~ appointed by the speaker of the house
13 of representatives, ~~only one of whom may be a member of the general~~
14 ~~assembly,~~ NEITHER OF WHOM MAY BE AFFILIATED WITH THE SAME
15 POLITICAL PARTY;

16 (c) Three members ~~shall be~~ appointed by the governor, ONE OF
17 WHOM SHALL BE SELECTED BY THE GOVERNOR TO CHAIR THE COMMISSION.
18 NO MORE THAN TWO MEMBERS APPOINTED UNDER THIS PARAGRAPH (c)
19 SHALL BE AFFILIATED WITH THE SAME POLITICAL PARTY.

20 (d) Two members ~~shall be~~ appointed by the chief justice of the
21 supreme court, NEITHER OF WHOM MAY BE AFFILIATED WITH THE SAME
22 POLITICAL PARTY.

23 (3) The commission members ~~appointed by the governor and the~~
24 ~~chief justice of the supreme court~~ shall not be CURRENT elected or
25 appointed officials nor be CURRENTLY employed by the state of Colorado.
26 ~~and~~ THE MEMBERS shall be selected with special reference to their
27 knowledge of compensation practices and financial matters generally.

1 (4) (a) (I) Except as provided in subparagraph (II) of this
2 paragraph (a), the commission members appointed by the president of the
3 senate and the speaker of the house of representatives shall serve for
4 terms of two years.

5 (II) ~~The terms of the members appointed by the speaker of the~~
6 ~~house of representatives and the president of the senate and who are~~
7 ~~serving on March 22, 2007, shall be extended to and expire on or shall~~
8 ~~terminate on the convening date of the first regular session of the~~
9 ~~sixty-seventh general assembly.~~ As soon as practicable after such
10 ~~convening~~ THE date ON WHICH THE SPEAKER OF THE HOUSE OF
11 REPRESENTATIVES AND THE PRESIDENT OF THE SENATE RECEIVE THE
12 NOTICE REQUIRED UNDER SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS
13 SUBSECTION (4), the speaker and the president shall each appoint ~~or~~
14 ~~reappoint~~ members ~~in the same manner as provided in~~ PURSUANT TO
15 paragraphs (a) and (b) of subsection (2) of this section. THE TERMS OF
16 THOSE FOUR MEMBERS, AND thereafter, the terms of members appointed
17 or reappointed by the speaker and the president, ~~shall~~ expire BIENNIALY
18 on the convening date of the first regular session of each general
19 assembly, and all subsequent appointments and reappointments by the
20 speaker and the president shall be made as soon as practicable after the
21 convening date of the first regular session of each general assembly. The
22 person making the original appointment shall fill any vacancy by
23 appointment for the remainder of an unexpired term. Members appointed
24 or reappointed by the speaker and the president ~~shall~~ serve at the pleasure
25 of the appointing authority and ~~shall~~ continue in office until the member's
26 successor is appointed.

27 (b) (I) Two commission members initially appointed by the

1 governor ~~shall~~ serve for terms of two years, and one ~~shall serve~~ SERVES
2 for a term of four years. Subsequent appointments ~~shall be~~ ARE for terms
3 of four years, except for THAT vacancies ~~which shall be~~ ARE filled by
4 appointment for the unexpired term.

5 (II) THE GOVERNOR SHALL MAKE HIS OR HER INITIAL
6 APPOINTMENTS TO THE COMMISSION BY OCTOBER 1, 2013. THE GOVERNOR
7 SHALL NOTIFY IN WRITING THE SPEAKER OF THE HOUSE OF
8 REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND THE CHIEF
9 JUSTICE OF THE SUPREME COURT AS SOON AS PRACTICABLE AFTER MAKING
10 THOSE INITIAL APPOINTMENTS.

11 (c) One commission member initially appointed by the chief
12 justice ~~shall serve~~ SERVES for a term of two years, and one ~~shall serve~~
13 SERVES for a term of four years. Subsequent appointments ~~shall be~~ ARE
14 for terms of four years, except for THAT vacancies ~~which shall be~~ ARE
15 filled by appointment for the unexpired term.

16 **SECTION 3.** In Colorado Revised Statutes, **amend** 2-3-804 as
17 follows:

18 **2-3-804. Commission officers - meetings.** (1) The governor shall
19 call the first meeting of the commission, for the purpose of organization,
20 BY DECEMBER 1, 2013. At this meeting, the commission shall select from
21 its membership a ~~chairman, a vice-chairman,~~ VICE-CHAIRPERSON and a
22 secretary to serve for terms of two years.

23 (2) The commission shall meet at least two times a year upon call
24 of the ~~chairman~~ CHAIRPERSON.

25 (3) Commission members shall serve without compensation but
26 ~~they shall be~~ ARE entitled to reimbursement for actual and necessary
27 expenses in carrying out their duties under this part 8.

1 **SECTION 4.** In Colorado Revised Statutes, 2-3-805, **amend** (2)
2 as follows:

3 **2-3-805. Commission duties and responsibilities.** (2) (a) No
4 later than the tenth day of each ~~even-numbered~~ ODD-NUMBERED year,
5 COMMENCING WITH 2015, the commission shall file its report with the
6 president of the senate, ~~and~~ the speaker of the house of representatives,
7 AND THE JOINT BUDGET COMMITTEE. The commission may submit ~~such~~
8 ANY interim reports as it deems necessary. Copies of any report shall also
9 be filed with the governor and the chief justice of the supreme court.

10 (b) The report shall set forth the salaries, retirement benefits,
11 expense allowances, and other emoluments to be paid members of the
12 general assembly, justices and judges of the state judicial system, district
13 attorneys, and elected and appointed officials of the executive branch not
14 included in the state personnel system. The general assembly, in
15 considering and enacting legislation concerning such matters, shall ~~give~~
16 ~~consideration to~~ CONSIDER the recommendations contained in the report.
17 ~~however, insofar as district attorneys are concerned, the county~~
18 ~~commissioners of the counties or city council of the city and county~~
19 ~~affected, in considering such matters, shall give consideration to the~~
20 ~~recommendations contained in the report.~~

21 (c) (I) IN ITS FIRST REPORT, THE COMMISSION SHALL INCLUDE THE
22 FOLLOWING:

23 (A) RECOMMENDATIONS, IF ANY, THAT THE SALARIES FOR
24 MEMBERS OF THE GENERAL ASSEMBLY BE ADJUSTED, INCLUDING WHETHER
25 ANY SUCH ADJUSTMENTS SHOULD BE MADE IN REFERENCE TO OTHER
26 POSITIONS OF COLORADO STATE GOVERNMENT OR IMPOSED
27 AUTOMATICALLY AT THE BEGINNING OF LEGISLATIVE TERMS, AS SUCH

1 ADJUSTMENTS ARE PROVIDED FOR IN SECTION 24-9-101, C.R.S.;

2 (B) RECOMMENDATIONS, IF ANY, THAT THE MEMBERS OF THE
3 BOARD OF REGENTS OR OF THE STATE BOARD OF EDUCATION BE PAID A
4 SALARY OR MONTHLY STIPEND; AND

5 (C) RECOMMENDATIONS, IF ANY, THAT THE STATE-FUNDED
6 PORTION OF THE SALARIES OF DISTRICT ATTORNEYS SET FORTH IN SECTION
7 20-1-301, C.R.S., AND PAID IN ACCORDANCE WITH SECTION 20-1-306,
8 C.R.S., BE ADJUSTED.

9 (II) THE COMMISSION SHALL PERIODICALLY REVISIT, AS IT DEEMS
10 APPROPRIATE, THE ISSUES DESCRIBED IN SUBPARAGRAPH (I) OF THIS
11 PARAGRAPH (c).

12 **SECTION 5. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2014 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.