
County Required to Name “Agent” CGIA Limits Raised

Counties Must Designate Agent

There have been changes to the Colorado Governmental Immunity Act (CGIA), C.R.S. § 24-10-109, including the implementation of C.R.S. § 24-32-116 regarding the notice requirement of the CGIA and “inventory of local governmental entities-information required” effective as of August 8, 2012.

This statute requires local governmental entities, including counties, to designate an agent to receive notices of claim pursuant to C.R.S. § 24-10-109. This statute imposes an additional requirement that each local governmental entity keep the State Department of Local Affairs updated regarding its specific designated agent.

By August 8, 2013, each county must provide the following information to the State Department of Local Affairs: (1) the official name of the county; (2) the principal address of the county; (3) the mailing address of the county, if other than the principal address; (4) the name of the county’s agent; and (5) the mailing address of the agent. The form can be found at <http://www.colorado.gov/cs/Satellite/DOLA-Main/CBON/1251594653189>

Upon receipt, this information will be posted on the State Department of Local Affairs website. Please note that failure to provide this information to the State Department of Local Affairs or failure to update any changes, renders any notice of

claim pursuant to C.R.S. § 24-10-109 to the last county’s agent in the inventory valid as a matter of law. Accordingly, it is important to ensure that appropriate agents are designated with the State Department of Local Affairs to ensure the validity of any notices of claims received from potential claimants and to preserve the protections afforded governmental entities through the CGIA.

CGIA Damages Cap Raised

Effective July 1, 2013, the CGIA damages cap will be raised from the current \$150,000 to \$350,000 for any injury to one person in a single occurrence. For an injury to two or more persons in any single occurrence, the CGIA damages cap will be raised from \$600,000 to \$990,000.

What This Means to Counties

Counties are required to name an agent to receive notices of claim and file and update that information with the Department of Local Affairs by August 8, 2013.

Costs of in-state liability claims for the Colorado Counties Casualty and Property Pool may increase due to the increase in the CGIA damages caps.

For more information call (303) 861-0507.