

New Laws Concerning Budget Items

C.R.S. 30-2-102 was revised to allow for changed salaries for county elected officials, and for optional, additional pay for a county surveyor's services.

C.R.S. 1-6-122 allows county employees to serve as election judges and to take a paid administrative leave day, unless the employee's supervisor determines that the employee's attendance at work on election day is essential. To receive pay, the employee must submit evidence of service as an election judge.

HB 06-1343 was passed to add C.R.S. 8-17.5-101, which requires counties to enforce and apply contractual provisions prohibiting the use of illegal aliens on public contracts and with contractors.

This bill passes administrative responsibility to the local level and requires counties to have all contractors sign an agreement that indemnifies the state. It gives the federal and state agencies the right to "terminate the contract", it gives the local agency the right to "terminate the contract" with any contractors, and provides for penalties for breach of contract by any "contractor." Contractor is defined to include any person having "a public contract for services," which is "any type of agreement between a state agency or political subdivision and a contractor". That definition appears to include local or county agencies which may have any type of contract for services with the state agencies.

The law gives the Colorado Department of Labor and Employment the discretion to which complaints, if any, are to be investigated and specifies that department investigations are not to be "final agency action". It does not state what would be final agency action, but gives the department authority to set rules under the Administrative Procedures Act.

In addition, the law requires each contractor to apply to the Basic Pilot Employment Verification Program ("BPEVP") and "to continue applying to verify employment, at a frequency of once every three months, until the contractor is accepted or the contract is completed, whichever is earlier." The BPEVP is administered by the United States Department of Homeland Security. It was created in public Law 208, 104th Congress, as amended, and expanded in Public Law 156, 108th Congress, as amended.

To find the text of these laws, go to the Colorado General Assembly website, and on the pull-down menu on the left, select "Session Laws", then go to the appropriate session and legislative house.