



**Office
of Legislative
Legal Services**

The Office of Legislative Legal Services

The Office of Legislative Legal Services is the non-partisan, in-house counsel for the Colorado General Assembly and writes bills and amendments, produces statutes, researches legal issues, reviews administrative rules, comments on initiated measures, and serves as a resource of legislative information for the public. The OLLS is committed to customer service, professional competence, and the highest standards of professional integrity.

The main office of the OLLS is located in Room 091 (lower level at the south end) of the Capitol Building.

Committee on Legal Services

The OLLS is under the direction of the Committee on Legal Services, which consists of ten members of the General Assembly. These members are: The respective chairs of the House and Senate committees on Judiciary or their designees; four members from the House of Representatives, two from each major political party (one member from each party is to be an attorney-at-law if an attorney is available); and four members from the Senate, two from each major political party (one member from each party is to be an attorney-at-law if an attorney is available).

Director of OLLS

Based on the recommendation of the Committee on Legal Services, the Executive Committee of the Legislative Council, created in section 2-3-301, C.R.S., appoints a director of the OLLS who is an attorney-at-law. Dan Cartin was appointed director in 2010. The director appoints a professional staff which includes attorneys-at-law and technical and clerical personnel to assist in the operation of the office. The OLLS currently has a staff of 47 full-time employees and 1 half-time employee.

In addition, the director of the OLLS or the director's designee serves ex officio as secretary to the Colorado Commission on Uniform State Laws.

Revisor of Statutes

The director of the OLLS serves ex officio as the Revisor of Statutes for purposes of statutory publications or the director may appoint another employee of the office to serve as Revisor of Statutes. In 2004, the director appointed Jennifer Gilroy to serve as the Revisor of Statutes.

Drafting Services

The OLLS prepares all bills, resolutions, and memorials introduced in the General Assembly. Under legislative joint rule, no bill may be introduced in either house unless first approved as to form by the OLLS. In addition, most amendments and all conference committee reports are prepared by the OLLS.

A bill draft request may be made only by a member of the General Assembly or the Governor. Prior to introduction, all requests received by the OLLS are held in confidence and not discussed or released without the prior permission or instruction of the member making the request.

Each bill is drafted by a staff attorney (or a legislative assistant in some cases) and is reviewed by other staff members for format, grammar, and legality before introduction.

Review of Bills and Enrolling

Pursuant to Joint Rule 3, the OLLS is responsible for a review of all bills and amendments after they are passed by either house. This review is conducted to identify conflicting bills and any technical or substantive defects in bills or amendments and is performed by the OLLS attorneys and technical staff. The OLLS also assists the House and Senate in proofreading and preparing the final enrolled acts.

Legislative Records

The OLLS maintains legislative records on bills, resolutions, and memorials

drafted by the office and considered and enacted by the General Assembly. Some portions of these files may not be available to the public without permission of the legislator (see section 2-3-505 (2), C.R.S.).

Legal Research

The OLLS researches a variety of legal topics relating to state and federal law for legislators and other legislative service agencies. The research may be part of the bill drafting process, but often it is a standalone request. The mode of the response can vary but typically includes either an oral response, an email, or a formal memorandum. Whatever the format may be, the OLLS strives to provide the best information and analysis to assist the legislative decision-making process.

Coordination of Litigation

The OLLS, acting under the direction of the Committee on Legal Services, coordinates litigation involving the General Assembly. The OLLS is the conduit through which legal counsel retained by the Committee may communicate with members of the Committee. Staff attorneys may assist such retained counsel in the preparation of briefs and in other legal research and writing.

Review of Administrative Rules and Regulations

The OLLS has responsibility for implementing the statutory provisions for legislative review of administrative rules and regulations. Every rule adopted or amended by an executive agency is reviewed by OLLS staff to determine if the rule is within the power delegated to the agency and consistent with law. If the staff concludes there is a problem with the rule, it is then reviewed by the Committee on Legal Services at a public hearing. By statute, all rules adopted or amended during any one-year period that begins November 1 and ends the following October 31 expire on the May 15th that follows such one-year period unless the General Assembly adopts a bill that postpones their expiration. Each session members of the Committee on Legal Services sponsor a bill to postpone the expiration of the rules scheduled to expire May 15 of that year; but those rules that the General Assembly finds to exceed the rule-making authority of the agency or to be inconsistent with law are designated to expire as scheduled on May 15. After each session of the General

Assembly, the OLLS reviews existing rules to determine if they are in conflict with laws enacted during that session.

Review of Initiatives

Anyone who wishes to initiate an amendment to the state constitution or state statutes is required to submit a rough draft of the measure to the OLLS and the Legislative Council staff. The staffs prepare written comments on the draft, which are then delivered to the proponents of the measure at a public hearing conducted by the directors of the two offices or their designees.

In addition, the director of the OLLS or the director's designee sits on the Ballot Title Board, which drafts and adopts the title for each measure to appear on circulated petitions and official ballots.

Other Services

In addition to the above services, the OLLS:

- ▶ Gives assistance to Legislative Council committees and other legislative committees not working directly under the Council
- ▶ May provide legal assistance in connection with contracts or other business done by the General Assembly
- ▶ Participates in numerous special projects for the General Assembly. Examples of past projects include: Staffing a special committee appointed to examine lobbying practices and helping to present proposed rule changes; making recommendations to the legislative leadership on legislative management issues such as methods to streamline the legislative process; assisting a legislative task force in implementing the Americans with Disabilities Act; and researching and compiling information on issues relating to section 20 of article X of the state constitution.
- ▶ Provides staff members to serve as amendment clerks in both the Senate and the House of Representatives.

- ▶ Serves as a resource of legislative information for the public.

Publications

Session Laws: Immediately after the adjournment of each session, the OLLS indexes and publishes all the bills and concurrent resolutions passed at that session, together with those resolutions and memorials designated by the House of Representatives and the Senate.

Statutes: The OLLS edits, collates, and revises the laws enacted each session, with annotations, and prints them each year. Beginning in 1997, the official set of statutes is published each year in a softbound edition as well as an official CD-Rom edition. The statutes are also available in electronic format on the internet.

Distribution: The OLLS is responsible for maintaining distribution lists of the government agencies that receive the Colorado Revised Statutes and Session Laws free of charge and for making the distribution.

Digest of Bills: Following adjournment, the OLLS prepares a Digest of Bills summarizing the major provisions of each bill passed during the preceding session. A preliminary version of the Digest is hand-delivered to each member prior to adjournment and a final Digest is mailed to each member. The Digest is also available in the "Statutes and Session Laws" section of the General Assembly's website (www.leg.state.co.us) through the "Bill Digest" link.

Reprinting of C.R.S.: The Committee on Legal Services is charged with responsibility for approving requests for permission to reprint C.R.S. and for assuring the accuracy of the reprintings. The staff of the OLLS administers the contracts entered into by the Committee to authorize such reprintings. Additionally, the OLLS assists state agencies in preparing reprintings of portions of C.R.S. pertaining to the agency. The OLLS can also provide certified copies of specified portions of the statutes.