

Ballot Title Setting Board

Proposed Initiative 2007-2008 #74¹

The title as designated and fixed by the Board is as follows:

An amendment to the Colorado Revised Statutes extending the criminal liability of a business entity to its executive officials for the entity's failure to perform a specific duty imposed by law, and, in connection therewith, conditioning an executive official's liability upon his or her knowledge of the duty imposed by law and of the business entity's failure to perform such duty; and allowing an executive official who discloses to the attorney general all facts known to the official concerning a business's criminal conduct to use that disclosure as an affirmative defense to criminal charges.

The ballot title and submission clause as designated and fixed by the Board is as follows:

Shall there be an amendment to the Colorado Revised Statutes extending the criminal liability of a business entity to its executive officials for the entity's failure to perform a specific duty imposed by law, and, in connection therewith, conditioning an executive official's liability upon his or her knowledge of the duty imposed by law and of the business entity's failure to perform such duty; and allowing an executive official who discloses to the attorney general all facts known to the official concerning a business's criminal conduct to use that disclosure as an affirmative defense to criminal charges?

Hearing March 19, 2008:

Single subject approved; staff draft amended; titles set.

Hearing adjourned 2:38 p.m.

Hearing April 2, 2008:

Motion for Rehearing denied.

Hearing adjourned 2:34 p.m.

¹ Unofficially captioned "**Liability of Business Entities and Their Executive Officials – Criminal Liability**" by legislative staff for tracking purposes. Such caption is not part of the titles set by the Board.