

**Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 12-0088.02 Ed DeCecco x4216

HOUSE BILL 12-1009

HOUSE SPONSORSHIP

Gerou,

SENATE SPONSORSHIP

Lambert,

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REPORT RELATED TO THE FEDERAL MONEYS RECEIVED**
102 **BY THE EXECUTIVE BRANCH.**

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>.)

Currently, each department and agency of the executive branch is required to submit to the state controller a report of all federal moneys received by the department or agency, and the state controller is required to submit a report on all federal moneys to the general assembly.

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.*

HOUSE
3rd Reading Unamended
February 15, 2012

HOUSE
Amended 2nd Reading
February 14, 2012

The bill modifies the information that is required to be included in the reports.

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

2 **SECTION 1. Short title.** This act shall be known and may be
3 cited as the "Federal Funds Transparency Act".

4 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-75-212 as
5 follows:

6 **24-75-212. Legislative reporting of federal moneys -**
7 **definitions.** (1) (a) Each ~~department and agency of the executive branch~~
8 ~~of state government~~ STATE AGENCY shall submit to the controller by
9 October 1 of each year a report of all federal moneys received by the
10 ~~department or~~ STATE agency. ~~listing each~~ EXCEPT AS SET FORTH IN
11 PARAGRAPH (d) OF THIS SUBSECTION (1), FOR EACH SEPARATE GRANT OF
12 FEDERAL MONEYS RECEIVED, THE STATE AGENCY SHALL INCLUDE IN THE
13 REPORT THE FOLLOWING INFORMATION:

- 14 (I) THE federal program;
- 15 (II) A citation to its federal statutory authority; ~~and~~
- 16 (III) The amount received under such program, including indirect
17 cost recoveries; ~~during the prior year.~~
- 18 (IV) THE PURPOSE FOR WHICH THE MONEYS WERE USED; ■
- 19 (V) THE PERCENTAGE OF THE FEDERAL MONEYS THAT THE STATE
20 AGENCY USED FOR ADMINISTRATIVE EXPENSES; AND
- 21 (VI) A SUMMARY OF ANY OBLIGATIONS IMPOSED ON THE STATE AS
22 A RESULT OF ACCEPTING THE FEDERAL MONEYS.

23 (b) THE STATE AGENCY SHALL ALSO INCLUDE IN THE REPORT THE
24 FOLLOWING INFORMATION:

- 25 (I) THE TOTAL AMOUNT OF ALL FEDERAL MONEYS RECEIVED BY

1 THE STATE AGENCY;

2 (II) THE PERCENTAGE OF THE STATE AGENCY'S TOTAL SPENDING
3 THAT WAS FROM FEDERAL MONEYS; AND

4 (III) PLANS FOR OPERATING THE STATE AGENCY IF THERE IS A
5 REDUCTION OF:

6 (A) FIVE PERCENT OR MORE IN THE TOTAL AMOUNT OF ALL
7 FEDERAL MONEYS THAT THE STATE AGENCY RECEIVES; AND

8 (B) TWENTY-FIVE PERCENT OR MORE IN THE TOTAL AMOUNT OF
9 ALL FEDERAL MONEYS THAT THE STATE AGENCY RECEIVES.

10 (c) A STATE AGENCY SHALL USE THE MOST RECENTLY COMPLETED
11 STATE FISCAL YEAR AS OF THE REPORT DEADLINE IN DETERMINING THE
12 INFORMATION REQUIRED BY THIS SUBSECTION (1).

13 (d) A STATE INSTITUTION OF HIGHER EDUCATION IS NOT REQUIRED
14 TO INCLUDE THE INFORMATION REQUIRED BY SUBPARAGRAPHS (IV), (V),
15 AND (VI) OF PARAGRAPH (a) OR PARAGRAPH (b) OF THIS SUBSECTION (1)
16 IN ITS REPORT TO THE CONTROLLER.

17 (2) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 24-1-136
18 (9), the controller shall submit to the general assembly by November 1 of
19 each year a report of all federal moneys, including the same matters
20 required by subsection (1) of this section, received by each ~~department~~
21 ~~and agency of the executive branch of state government~~ STATE AGENCY
22 during the prior STATE FISCAL year. IN THE REPORT, THE CONTROLLER
23 SHALL IDENTIFY ANY STATE AGENCY THAT FAILED TO SUBMIT A REPORT AS
24 REQUIRED BY THIS SECTION.

25 (3) THIS SECTION IS EXEMPT FROM THE PROVISIONS OF SECTION
26 24-1-136 (11) (a) (I).

27 (4) AS USED IN THIS SECTION, "STATE AGENCY" MEANS A

1 PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE
2 GOVERNMENT SPECIFIED IN SECTION 24-1-110, A STATE INSTITUTION OF
3 HIGHER EDUCATION, OR AN OFFICE CREATED IN THE OFFICE OF THE
4 GOVERNOR.

5 **SECTION 3. No appropriation.** The general assembly has
6 determined that this act can be implemented within existing
7 appropriations, and therefore no separate appropriation of state moneys
8 is necessary to carry out the purposes of this act.

9 **SECTION 4. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2012 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.