

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

INTRODUCED

LLS NO. 11-0555.01 Gregg Fraser

HOUSE BILL 11-1098

HOUSE SPONSORSHIP

Scott, Conti, Beezley, Coram, Holbert, Ramirez, Szabo

SENATE SPONSORSHIP

(None),

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ON-LINE PUBLICATION OF FISCAL INFORMATION BY**
102 **A COUNTY.**

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, a board of county commissioners is required, with certain exceptions, to publish an expenditure report each month and a financial statement twice a year. The reports and statements are required to be published in at least one newspaper in the county. The bill allows the board to publish the expenditure report and the financial statement on

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.

a web site maintained by the county rather than publish them in a legal newspaper.

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

2 **SECTION 1.** 30-25-111 (1) and (2), Colorado Revised Statutes,
3 are amended to read:

4 **30-25-111. Proceedings published - failure - penalty.** (1) It is
5 the duty of the board of county commissioners of each county to publish
6 ON A WEB SITE MAINTAINED BY THE COUNTY OR in at least one legal
7 newspaper in the county a report of each claim, except salary warrants,
8 and expenditure by it allowed and paid and taxes rebated, disclosing the
9 name of and the amount paid to each individual or firm, a description of
10 the services or material furnished to the county, and, as to other items, the
11 nature of the claim and disclosing the fund charged with each
12 expenditure. Such report shall contain a statement of any contracts for
13 the expenditure of money not paid immediately made by the board of
14 county commissioners, disclosing the nature and purpose of the contract,
15 the parties thereto, and the amounts involved therein. Such reports shall
16 be published at least monthly within thirty days following the end of the
17 period for which made. If A COUNTY DECIDES TO PUBLISH THE REPORT IN
18 A NEWSPAPER AND no legal newspaper is located in the county, either
19 such reports shall be published in a newspaper of an adjacent county
20 which has general circulation in the county for which the report is made,
21 or the board shall cause such statements to be posted in three conspicuous
22 places in said county, one of which shall be the courthouse door. The
23 county accounting office, if there is one, and otherwise the county clerk
24 and recorder, if he is acting as the accounting agency for the county, shall
25 provide to the board of county commissioners all information necessary

1 for the publication. The published report shall state that it is published
2 under the direction of the board of county commissioners. Nothing in this
3 section shall be construed as requiring the board of county commissioners
4 to publish or make public the names of or individual public welfare
5 payments to, or in behalf of, indigent persons receiving assistance from
6 public welfare programs financed, in whole or in part, by federal or state
7 funds, or any combination thereof, when such publication is specifically
8 forbidden by law.

9 (2) It is the duty of the board of county commissioners of each
10 county to publish ON A WEB SITE MAINTAINED BY THE COUNTY OR in some
11 legal newspaper published in the county the semiannual financial
12 statement furnished to the board of county commissioners by the county
13 treasurer which shall include in separate columns the balance at the
14 beginning of the period in each fund kept by the treasurer, the collections
15 to each fund from current taxes, delinquent taxes, miscellaneous
16 collection and transfers, withdrawals from each fund showing cash
17 disbursements, transfers and treasurer's fees, and the balance at the end
18 of the period in each fund. The statement shall be published within sixty
19 days following June thirtieth and December thirty-first each year. If A
20 COUNTY DECIDES TO PUBLISH THE STATEMENT IN A NEWSPAPER AND no
21 legal newspaper is located in the county, either such reports shall be
22 published in a newspaper of an adjacent county which has general
23 circulation in the county for which the report is made or the board of
24 county commissioners shall cause such statements to be posted in three
25 conspicuous places in said county, one of which shall be the courthouse
26 door. The county clerk and recorder shall furnish a copy of such
27 proceedings for such publication.

1 **SECTION 2. Act subject to petition - effective date -**
2 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
3 following the expiration of the ninety-day period after final adjournment
4 of the general assembly (August 10, 2011, if adjournment sine die is on
5 May 11, 2011); except that, if a referendum petition is filed pursuant to
6 section 1 (3) of article V of the state constitution against this act or an
7 item, section, or part of this act within such period, then the act, item,
8 section, or part shall not take effect unless approved by the people at the
9 general election to be held in November 2012 and shall take effect on the
10 date of the official declaration of the vote thereon by the governor.
11 (2) The provisions of this act shall apply to reports and statements
12 published on and after January 1, 2012.