

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0245.02 Esther van Mourik x4215

**HOUSE BILL 13-1299**

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**HOUSE SPONSORSHIP**

**Ferrandino,**

**SENATE SPONSORSHIP**

**Steadman,**

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**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**  
State, Veterans, & Military Affairs  
Legislative Council

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**A BILL FOR AN ACT**

101    **CONCERNING CHANGES TO THE "STATE MEASUREMENT FOR**  
102            **ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)**  
103            **GOVERNMENT ACT" OF 2010.**

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**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>.)*

The bill repeals and reenacts the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" of 2010 with amendments. The bill creates 7 standing interim committees, with the intention of eliminating specialized interim committees in the

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  
April 19, 2013

HOUSE  
Amended 2nd Reading  
April 17, 2013

future, with the following responsibilities:

- ! **Standing education interim committee:** Issues and policies related to preschool through postsecondary education, including basic adult education;
- ! **Standing health care and human services interim committee:** Issues and policies related to health, health care, human services, and insurance;
- ! **Standing judiciary and criminal justice interim committee:** Issues and policies related to children and domestic matters, civil law, corrections, youth corrections, criminal law and procedure, juvenile law, and probate and trusts;
- ! **Standing science and energy interim committee:** Issues and policies related to agriculture, livestock, natural resources, public utilities, and energy;
- ! **Standing finance and business interim committee:** Issues and policies related to state and local government finance, taxation, business, labor and industry, professions and occupations, and economic development and tourism;
- ! **Standing state and local government and military affairs interim committee:** Issues and policies related to elections, state departments and agencies, state and local government, public employees' retirement association, fire and police pension association, and military and veterans affairs; and
- ! **Standing transportation interim committee:** Issues and policies related to transportation and motor vehicle and traffic regulation.

The bill repeals and reenacts the transportation legislation review committee so that it is instead the standing transportation interim committee. The bill also repeals the police officers' and firefighters' pension reform commission and places the commission's duties under the standing state and local government and military affairs interim committee instead.

Each executive branch department and the judicial department is assigned to a specific standing interim committee so that the legislature may give guidance and direction to such department in the development of its policies and programs, to provide legislative overview of and input regarding the implementation of its policies and programs, and to review its performance plans and performance evaluations.

A legislative member may submit a request in writing to the legislative council regarding an issue that he or she wishes a standing interim committee to add to its agenda. The legislative council is required to meet during the regular session each year to review and prioritize requests made by legislative members and, if approved, assign such

requests to the appropriate standing interim committee.

The standing interim committees will meet as determined by the executive committee of the legislative council so that each standing interim committee may perform its functions at least once during an interim between legislative sessions in a 3-year period, including the consideration of any approved policies to be studied as requested by legislative members, and any approved policies to be studied as requested by the joint budget committee, the legislative audit committee, or the office of state planning and budgeting.

The bill repeals the annual SMART hearings at the commencement of each legislative session. The bill also makes changes to the strategic planning requirements found in the 2010 act so that departments are now required to prepare performance plans and performance evaluations that the joint budget committee may use to prioritize departments' requests for new funding that are expressly intended to enhance productivity, improve efficiency, reduce costs, and eliminate waste in the processes and operations that deliver goods and services to taxpayers and customers of state government.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** part 2 of article 7 of title 2 as follows:

4 PART 2

5 STATE MEASUREMENT FOR ACCOUNTABLE,

6 RESPONSIVE, AND TRANSPARENT

7 (SMART) GOVERNMENT ACT

8 **2-7-201. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
9 HEREBY FINDS AND DECLARES THAT:

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11 (a) IT IS IMPORTANT THAT STATE GOVERNMENT BE ACCOUNTABLE  
12 AND TRANSPARENT IN SUCH A WAY THAT THE GENERAL PUBLIC CAN  
13 UNDERSTAND THE VALUE RECEIVED FOR THE TAX DOLLARS SPENT BY THE  
14 STATE;

15 (b) STATE GOVERNMENT AGENCIES SHOULD OPERATE UNDER A

1 PERFORMANCE MANAGEMENT PHILOSOPHY IN WHICH EMPLOYEES FOCUS  
2 ON TAXPAYER AND CUSTOMER SERVICE, UNDERPINNED BY THE CONSTANT  
3 GOAL OF ACHIEVING OPERATIONAL EXCELLENCE;

4 (c) THE ABILITY OF THE GENERAL PUBLIC, THE GENERAL  
5 ASSEMBLY, THE GOVERNOR, AND STATE DEPARTMENTS TO ASSESS  
6 DEPARTMENTS' PROGRESS IN ACHIEVING PERFORMANCE GOALS WILL LEAD  
7 TO IMPROVEMENTS IN SERVICES RENDERED AND INCREASED EFFICIENCY IN  
8 PROGRAM ADMINISTRATION, AS WELL AS TRANSPARENCY;

9 (d) THE ANNUAL BUDGET PROCESS SHOULD SERVE AS PART OF A  
10 PERFORMANCE MANAGEMENT SYSTEM TO INCENTIVIZE CONTINUOUS  
11 PROCESS IMPROVEMENT IN THE SERVICES DELIVERED TO CUSTOMERS AND  
12 TAXPAYERS;

13 (e) A SYSTEM OF CONTINUOUS PROCESS IMPROVEMENT IS A  
14 CRITICAL AND NECESSARY COMPONENT OF A PERFORMANCE MANAGEMENT  
15 PHILOSOPHY;

16 (f) MEASURES FOR EVALUATING THE PERFORMANCE OF STATE  
17 DEPARTMENTS SHOULD BE INTEGRATED INTO A FORMAL STATE PLANNING  
18 PROCESS;

19 (g) A PERFORMANCE MANAGEMENT SYSTEM WILL BE MORE USEFUL  
20 AND RELIABLE FOR THE GENERAL ASSEMBLY AND THE PUBLIC IF  
21 PERFORMANCE AUDITS OF THE DEPARTMENTS ARE COMPLETED; AND

22 (h) DEPARTMENTS NEED STATUTORY AUTHORITY AND FLEXIBILITY  
23 TO USE THEIR RESOURCES IN THE BEST POSSIBLE WAY TO BETTER SERVE  
24 THE PEOPLE OF COLORADO THROUGH THE EFFECTIVE ADMINISTRATION  
25 AND DELIVERY OF GOVERNMENTAL PROGRAMS AND SERVICES.

26 **2-7-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
27 CONTEXT OTHERWISE REQUIRES:

1           (1) "COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE"  
2 MEANS THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE  
3 CREATED IN SECTION 16-11.3-102, C.R.S.

4           (2) "COLORADO COMMISSION ON HIGHER EDUCATION" MEANS THE  
5 COLORADO COMMISSION ON HIGHER EDUCATION CREATED IN SECTION  
6 23-1-102, C.R.S.

7           (3) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY  
8 OFFICE CREATED IN SECTION 24-38.5-101, C.R.S.

9           (4) "CONTINUOUS PROCESS IMPROVEMENT SYSTEM" MEANS A  
10 SYSTEM BASED ON LEAN GOVERNMENT PRINCIPLES OR ANOTHER WIDELY  
11 ACCEPTED BUSINESS PROCESS IMPROVEMENT SYSTEM BY WHICH A  
12 DEPARTMENT ENGAGES IN SPECIFIC ACTIVITIES THAT HAVE THE PURPOSE  
13 OF INCREASING EFFICIENCY AND ELIMINATING WASTE IN THE PROCESSES  
14 USED TO DELIVER GOODS AND SERVICES TO TAXPAYERS AND CUSTOMERS  
15 OF STATE GOVERNMENT. A "CONTINUOUS PROCESS IMPROVEMENT  
16 SYSTEM" INCLUDES MEASURING THE OUTCOMES OF SUCH IMPROVEMENTS  
17 AND MAY INVOLVE SOME OR ALL OF THE FOLLOWING STRATEGIES:

18           (a) THE DEVELOPMENT OF A PROCESS MAP THAT DESCRIBES THE  
19 PROCEDURES BY WHICH A DEPARTMENT PRODUCES GOODS OR SERVES ITS  
20 CUSTOMERS;

21           (b) SPECIFIC ACTIVITIES TO RAPIDLY IMPROVE A DEPARTMENT'S  
22 PROCESSES THAT WILL INCREASE VALUE OR DECREASE STAFF TIME,  
23 INVENTORY, DEFECTS, OVERPRODUCTION, COMPLEXITY, DELAYS, OR  
24 EXCESSIVE MOVEMENT;

25           (c) THE INVOLVEMENT OF DEPARTMENT EMPLOYEES AT ALL  
26 LEVELS IN MAPPING A DEPARTMENT'S PROCESSES AND IN MAKING  
27 RECOMMENDATIONS FOR IMPROVEMENTS, WITH SPECIFIC IMPORTANCE

1 PLACED ON THE INVOLVEMENT OF DEPARTMENT EMPLOYEES CLOSEST TO  
2 THE CUSTOMER OR END USER OF THE STATE GOVERNMENT PRODUCT OR  
3 SERVICE;

4 (d) PROVIDING THE MEANS TO MEASURE EACH PROCESS IN ORDER  
5 TO DEMONSTRATE THE EFFECTIVENESS OF EACH PROCESS OR PROCESS  
6 IMPROVEMENT; AND

7 (e) THE TRAINING OF DEPARTMENT EMPLOYEES FOR PURPOSES OF  
8 MENTORING AND TRAINING OTHER DEPARTMENT EMPLOYEES IN  
9 CONTINUOUS PROCESS IMPROVEMENT METHODOLOGIES.

10 (5) (a) "DEPARTMENT" MEANS THE JUDICIAL DEPARTMENT, THE  
11 OFFICE OF STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE  
12 COUNSEL, THE OFFICE OF THE CHILD'S REPRESENTATIVE, THE PUBLIC  
13 EMPLOYEES' RETIREMENT ASSOCIATION, THE COLORADO COMMISSION ON  
14 CRIMINAL AND JUVENILE JUSTICE, THE COLORADO COMMISSION ON HIGHER  
15 EDUCATION, THE COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC  
16 DEVELOPMENT, AND THE PRINCIPAL DEPARTMENTS OF THE EXECUTIVE  
17 BRANCH OF STATE GOVERNMENT AS SPECIFIED IN SECTION 24-1-110,  
18 C.R.S., INCLUDING ANY DIVISION, OFFICE, AGENCY, OR OTHER UNIT  
19 CREATED WITHIN A PRINCIPAL DEPARTMENT.

20 (b) FOR PURPOSES OF THE REQUIREMENTS OF SECTION 2-7-211 (3),  
21 "DEPARTMENT" MEANS THE PRINCIPAL DEPARTMENTS OF THE EXECUTIVE  
22 BRANCH OF STATE GOVERNMENT AS SPECIFIED IN SECTION 24-1-110,  
23 C.R.S., INCLUDING ANY DIVISION, OFFICE, AGENCY, OR OTHER UNIT  
24 CREATED WITHIN A PRINCIPAL DEPARTMENT.

25 (6) "DEPARTMENTAL REGULATORY AGENDA" MEANS A DOCUMENT  
26 PREPARED BY EACH PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH  
27 OF STATE GOVERNMENT AND SUBMITTED TO THE GENERAL ASSEMBLY AND

1 MADE AVAILABLE TO THE PUBLIC AS DESCRIBED IN SECTION 2-7-211 (3).  
2 THE "DEPARTMENTAL REGULATORY AGENDA" CONTAINS THE FOLLOWING  
3 INFORMATION:

4 (a) A LIST OF NEW RULES OR REVISIONS TO EXISTING RULES THAT  
5 THE DEPARTMENT EXPECTS TO PROPOSE IN THE NEXT CALENDAR YEAR;

6 (b) THE STATUTORY OR OTHER BASIS FOR ADOPTION OF THE  
7 PROPOSED RULES;

8 (c) THE PURPOSE OF THE PROPOSED RULES;

9 (d) THE CONTEMPLATED SCHEDULE FOR ADOPTION OF THE RULES;

10 (e) AN IDENTIFICATION AND LISTING OF PERSONS OR PARTIES THAT  
11 MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE RULES; AND

12 (f) COMMENCING WITH DEPARTMENTAL REGULATORY AGENDAS  
13 SUBMITTED ON AND AFTER NOVEMBER 1, 2013, A LIST AND BRIEF  
14 SUMMARY OF ALL PERMANENT AND TEMPORARY RULES ACTUALLY  
15 ADOPTED SINCE THE PREVIOUS DEPARTMENTAL REGULATORY AGENDA  
16 WAS FILED.

17 (7) "JOINT BUDGET COMMITTEE" MEANS THE JOINT BUDGET  
18 COMMITTEE ESTABLISHED IN SECTION 2-3-201.

19 (8) "LEGISLATIVE AUDIT COMMITTEE" MEANS THE LEGISLATIVE  
20 AUDIT COMMITTEE CREATED IN SECTION 2-3-101 (1).

21 (9) "LEGISLATIVE COUNCIL" OR "EXECUTIVE COMMITTEE OF THE  
22 LEGISLATIVE COUNCIL" MEANS THE LEGISLATIVE COUNCIL OR EXECUTIVE  
23 COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301.

24 (10) "OFFICE OF ALTERNATE DEFENSE COUNSEL" MEANS THE  
25 OFFICE OF ALTERNATE DEFENSE COUNSEL CREATED IN SECTION 21-2-101,  
26 C.R.S.

27 (11) "OFFICE OF ECONOMIC DEVELOPMENT" MEANS THE

1 COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN SECTION  
2 24-38.5-101, C.R.S.

3 (12) "OFFICE OF STATE PLANNING AND BUDGETING" MEANS THE  
4 OFFICE OF STATE PLANNING AND BUDGETING CREATED IN SECTION  
5 24-37-102, C.R.S.

6 (13) "OFFICE OF STATE PUBLIC DEFENDER" MEANS THE OFFICE OF  
7 STATE PUBLIC DEFENDER CREATED IN SECTION 21-1-101, C.R.S.

8 (14) "OFFICE OF THE CHILD'S REPRESENTATIVE" MEANS THE OFFICE  
9 OF THE CHILD'S REPRESENTATIVE CREATED IN SECTION 13-91-104, C.R.S.

10 (15) "PERFORMANCE EVALUATION" MEANS A REGULAR REVIEW OF  
11 A DEPARTMENT'S OUTCOMES AS COMPARED TO ITS PUBLISHED  
12 PERFORMANCE GOALS. THE PERFORMANCE EVALUATION SHALL BE BASED  
13 ON ACTUAL HISTORICAL INFORMATION.

14 (16) "PERFORMANCE GOAL" MEANS A SPECIFIC, QUANTIFIABLE  
15 GOAL RELATED TO A PERFORMANCE MEASURE ADOPTED BY A  
16 DEPARTMENT.

17 (17) "PERFORMANCE MANAGEMENT SYSTEM" MEANS A FORMAL  
18 SYSTEM OF MANAGING THE PROCESSES AND OPERATIONS OF  
19 DEPARTMENTS.

20 (18) "PERFORMANCE MEASURE" MEANS A QUANTITATIVE  
21 INDICATOR USED TO ASSESS THE OPERATIONAL PERFORMANCE OF A  
22 DEPARTMENT PURSUANT TO A PUBLISHED PERFORMANCE PLAN. A  
23 PERFORMANCE MEASURE SHOULD APPLY TO ACTIVITIES DIRECTLY UNDER  
24 THE INFLUENCE OF A DEPARTMENT AND SHOULD DEMONSTRATE THE  
25 DEPARTMENT'S EFFICIENCY AND EFFECTIVENESS IN DELIVERING GOODS OR  
26 SERVICES TO CUSTOMERS AND TAXPAYERS. PERFORMANCE MEASURES  
27 SHOULD BE REASONABLY UNDERSTANDABLE TO THE PUBLIC.



1 (19) "PERFORMANCE PLAN" MEANS A DOCUMENT PREPARED BY A  
2 DEPARTMENT AS PART OF A PERFORMANCE MANAGEMENT SYSTEM. A  
3 PERFORMANCE PLAN MUST INCORPORATE THE IMPACT OF MANAGEMENT  
4 STRATEGIES AND CONTINUOUS PROCESS IMPROVEMENT ACTIVITIES ON THE  
5 COSTS AND EFFICIENCY OF DELIVERING GOODS AND SERVICES TO  
6 TAXPAYERS AND CUSTOMERS OF STATE GOVERNMENT.

7 (20) "PROCESS MAP" MEANS A WRITTEN OR VISUAL PRESENTATION  
8 THAT DESCRIBES THE STEPS INVOLVED IN PRODUCING A PRODUCT OR  
9 SERVICE FROM BEGINNING TO END.

10 (21) "PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION" MEANS THE  
11 PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION CREATED IN ARTICLE 51 OF  
12 TITLE 24, C.R.S.

13 (22) "STANDING INTERIM COMMITTEE" MEANS THE STANDING  
14 EDUCATION INTERIM COMMITTEE CREATED IN SECTION 2-7-203, THE  
15 STANDING HEALTH CARE AND HUMAN SERVICES INTERIM COMMITTEE  
16 CREATED IN SECTION 2-7-204, THE STANDING JUDICIARY AND CRIMINAL  
17 JUSTICE INTERIM COMMITTEE CREATED IN SECTION 2-7-205, THE STANDING  
18 SCIENCE AND ENERGY INTERIM COMMITTEE CREATED IN SECTION 2-7-206,  
19 THE STANDING FINANCE AND BUSINESS INTERIM COMMITTEE CREATED IN  
20 SECTION 2-7-207, THE STANDING STATE AND LOCAL GOVERNMENT AND  
21 MILITARY AFFAIRS INTERIM COMMITTEE CREATED IN SECTION 2-7-208,  
22 AND THE STANDING TRANSPORTATION INTERIM COMMITTEE CREATED IN  
23 SECTION 2-7-209.

24 (23) "STATE AUDITOR" MEANS THE STATE AUDITOR DESCRIBED IN  
25 SECTION 2-3-102.

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27 **2-7-203. Departmental presentations to legislative committees**

1 of reference - departmental regulatory agendas. (1) THE SPEAKER OF  
2 THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE  
3 SHALL ASSIGN EACH DEPARTMENT TO A HOUSE AND SENATE COMMITTEE  
4 OF REFERENCE FOR THEIR RESPECTIVE HOUSES. IN MAKING THE  
5 ASSIGNMENTS, THE SPEAKER AND THE PRESIDENT SHALL ENSURE THAT THE  
6 PRIMARY FUNCTIONS AND RESPONSIBILITIES OF THE DEPARTMENT ARE  
7 WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMITTEES OF  
8 REFERENCE TO WHICH IT IS ASSIGNED.

9 (2) (a) EACH JOINT COMMITTEE OF REFERENCE SHALL CONDUCT  
10 HEARINGS AS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2)  
11 DURING THE INTERIM BETWEEN LEGISLATIVE SESSIONS BETWEEN  
12 NOVEMBER 1 AND THE COMMENCEMENT OF THE FOLLOWING REGULAR  
13 LEGISLATIVE SESSION, DURING WHICH HEARINGS THE JOINT COMMITTEE  
14 SHALL HEAR A PRESENTATION FROM EACH DEPARTMENT THAT IS ASSIGNED  
15 TO SUCH COMMITTEE PURSUANT TO SUBSECTION (1) OF THIS SECTION  
16 REGARDING:

17 (I) THE DEPARTMENT'S PERFORMANCE PLAN DEVELOPED  
18 PURSUANT TO SECTION 2-7-204 (3);

19 (II) THE DEPARTMENT'S REGULATORY AGENDA REQUIRED  
20 PURSUANT TO SUBSECTION (4) OF THIS SECTION; AND

21 (III) THE DEPARTMENT'S LEGISLATIVE AGENDA FOR THE UPCOMING  
22 REGULAR LEGISLATIVE SESSION.

23 (b) IN THE PERIOD SPECIFIED IN PARAGRAPH (a) OF THIS  
24 SUBSECTION (2), EACH JOINT COMMITTEE OF REFERENCE MUST MEET:

25 (I) AT LEAST ONCE IN EVERY EVEN-NUMBERED YEAR; AND

26 (II) AT LEAST TWICE IN EVERY ODD-NUMBERED YEAR.

27 (c) EACH JOINT COMMITTEE OF REFERENCE SHALL ALLOW TIME FOR

1 PUBLIC TESTIMONY REGARDING EACH SUCH DEPARTMENT PRESENTATION.

2 (3) (a) THE CHAIR OF EACH JOINT COMMITTEE OF REFERENCE  
3 SHALL ASSIGN TWO MEMBERS OF THE JOINT COMMITTEE, ONE FROM EACH  
4 MAJOR POLITICAL PARTY, TO SERVE AS LIAISONS WITH THE DEPARTMENTS  
5 ASSIGNED TO THEIR JOINT COMMITTEE OF REFERENCE REGARDING THE  
6 PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE PLAN.

7 (b) THE CHAIR OF THE JOINT BUDGET COMMITTEE SHALL ASSIGN  
8 ONE MEMBER OF THE JOINT BUDGET COMMITTEE TO SERVE AS A LIAISON  
9 FOR EACH DEPARTMENT. THE JOINT BUDGET COMMITTEE LIAISON SHALL  
10 WORK WITH THE LIAISONS ASSIGNED PURSUANT TO PARAGRAPH (a) OF THIS  
11 SUBSECTION (3) TO INFORM THE JOINT COMMITTEE OF REFERENCE  
12 REGARDING THE DEPARTMENT'S PROGRESS.

13 (c) THE EXECUTIVE DIRECTOR OF EACH DEPARTMENT, OR THE  
14 EXECUTIVE DIRECTOR'S DESIGNEE, AND ANY APPROPRIATE STAFF OF THE  
15 DEPARTMENT SHALL WORK WITH THE LIAISONS AS NECESSARY.

16 (4) ON NOVEMBER 1, 2013, AND EACH NOVEMBER 1 THEREAFTER,  
17 EACH DEPARTMENT SHALL FILE A DEPARTMENTAL REGULATORY AGENDA  
18 WITH THE STAFF OF THE LEGISLATIVE COUNCIL, WHO SHALL DISTRIBUTE  
19 THE DEPARTMENTAL REGULATORY AGENDA TO THE APPLICABLE  
20 COMMITTEE OF REFERENCE PRIOR TO THE DEPARTMENTAL PRESENTATIONS  
21 TO THE COMMITTEE OF REFERENCE. ON NOVEMBER 1, 2013, AND EACH  
22 NOVEMBER 1 THEREAFTER, EACH DEPARTMENT SHALL ALSO POST ITS  
23 DEPARTMENTAL REGULATORY AGENDA ON THE DEPARTMENT'S WEB SITE  
24 AND SHALL SUBMIT ITS DEPARTMENTAL REGULATORY AGENDA TO THE  
25 SECRETARY OF STATE FOR PUBLICATION IN THE COLORADO REGISTER.

26 (5) ALL LOCAL GOVERNMENT ENTITIES ARE ENCOURAGED TO  
27 ATTEND THE HEARINGS DESCRIBED IN SUBSECTION (2) OF THIS SECTION TO

1 PROVIDE TESTIMONY OR TO SUBMIT AN OFFICIAL POSITION LETTER TO THE  
2 JOINT COMMITTEES OF REFERENCE REGARDING ANY LOCAL IMPACT OF A  
3 DEPARTMENT'S PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE  
4 PLAN.

5 **2-7-204. Performance management systems.** (1) (a) NO LATER  
6 THAN AUGUST 1, 2013, AND NO LATER THAN AUGUST 1 OF EACH YEAR  
7 THEREAFTER, THE GOVERNOR SHALL PUBLISH THE COMPONENTS OF THE  
8 PERFORMANCE MANAGEMENT SYSTEM FOR MANAGING THE PRINCIPAL  
9 DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT,  
10 EXCEPT THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY,  
11 AND THE DEPARTMENT OF LAW. THE PERFORMANCE MANAGEMENT  
12 SYSTEM MUST BE PUBLISHED IN INSTRUCTIONS ISSUED BY THE OFFICE OF  
13 STATE PLANNING AND BUDGETING. THE INSTRUCTIONS MUST BE POSTED  
14 ON THE OFFICIAL WEB SITE ADMINISTERED BY THE OFFICE OF STATE  
15 PLANNING AND BUDGETING.

16 (b) NO LATER THAN AUGUST 1, 2013, AND NO LATER THAN  
17 AUGUST 1 OF EACH YEAR THEREAFTER, THE JUDICIAL DEPARTMENT SHALL  
18 PUBLISH THE COMPONENTS OF THE PERFORMANCE MANAGEMENT SYSTEM  
19 FOR MANAGING THE JUDICIAL BRANCH THROUGH INSTRUCTIONS ISSUED BY  
20 THE OFFICE OF THE STATE COURT ADMINISTRATOR. THESE INSTRUCTIONS  
21 MUST BE POSTED ON THE OFFICIAL WEB SITE ADMINISTERED BY THE  
22 JUDICIAL BRANCH.

23 (c) NO LATER THAN AUGUST 1, 2013, AND NO LATER THAN  
24 AUGUST 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF STATE, THE  
25 DEPARTMENT OF THE TREASURY, THE DEPARTMENT OF LAW, THE OFFICE  
26 OF STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE  
27 COUNSEL, AND THE OFFICE OF THE CHILD'S REPRESENTATIVE SHALL EACH

1 PUBLISH THEIR COMPONENTS OF THE PERFORMANCE MANAGEMENT  
2 SYSTEMS FOR THEIR RESPECTIVE DEPARTMENT, OFFICE, OR COMMISSION.  
3 THESE INSTRUCTIONS MUST BE POSTED ON THE OFFICIAL WEB SITES  
4 ADMINISTERED BY THE RESPECTIVE DEPARTMENTS, OFFICES, AND  
5 COMMISSIONS.

6 (2) (a) ANY PERFORMANCE MANAGEMENT SYSTEM PUBLISHED  
7 PURSUANT TO SUBSECTION (1) OF THIS SECTION MUST ADDRESS, AMONG  
8 OTHER STRATEGIC GOALS AND PRIORITIES THAT ARE CONSISTENT WITH THE  
9 CHARGE OF EACH DEPARTMENT, STRATEGIES FOR ENHANCING  
10 PRODUCTIVITY, IMPROVING EFFICIENCY, REDUCING COSTS, AND  
11 ELIMINATING WASTE IN THE PROCESSES AND OPERATIONS THAT DELIVER  
12 GOODS AND SERVICES TO TAXPAYERS AND CUSTOMERS OF STATE  
13 GOVERNMENT. AT A MINIMUM, THE PERFORMANCE MANAGEMENT SYSTEM  
14 MUST ESTABLISH PARAMETERS FOR THE DEVELOPMENT OF PERFORMANCE  
15 PLANS FOR EACH DEPARTMENT. A PERFORMANCE MANAGEMENT SYSTEM  
16 SHOULD INCORPORATE A CONTINUOUS PROCESS IMPROVEMENT SYSTEM  
17 BASED ON LEAN GOVERNMENT PRINCIPLES OR ANOTHER WIDELY ACCEPTED  
18 BUSINESS PROCESS IMPROVEMENT SYSTEM.

19 (b) A PERFORMANCE MANAGEMENT SYSTEM SHOULD INCLUDE  
20 ELEMENTS TO ENSURE THAT A DEPARTMENT'S EMPLOYEES ARE  
21 APPROPRIATELY TRAINED TO IMPLEMENT ITS VARIOUS COMPONENTS.

22 (3) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS  
23 PARAGRAPH (a), NO LATER THAN JULY 1, 2014, AND NO LATER THAN JULY  
24 1 OF EACH YEAR THEREAFTER, EACH DEPARTMENT SHALL DEVELOP A  
25 PERFORMANCE PLAN IN ACCORDANCE WITH THE PERFORMANCE  
26 MANAGEMENT SYSTEM AND SUBMIT THAT PLAN TO THE JOINT BUDGET \_\_\_  
27 COMMITTEE AND THE APPROPRIATE JOINT COMMITTEE OF REFERENCE AS

1 DETERMINED PURSUANT TO SECTION 2-7-203. THE PERFORMANCE PLAN  
2 SERVES AS A GUIDE TO A DEPARTMENT'S MAJOR FUNCTIONS AND AS A TOOL  
3 TO EVALUATE PERFORMANCE GOALS OVER TIME.

4 (II) (A) THE DEPARTMENT OF HIGHER EDUCATION WILL SATISFY  
5 THE REQUIREMENTS IN THIS SUBSECTION (3) THROUGH THE MASTER PLAN  
6 FOR POSTSECONDARY EDUCATION THAT THE COLORADO COMMISSION ON  
7 HIGHER EDUCATION MAINTAINS AS DESCRIBED IN SECTION 23-1-108 (1.5),  
8 C.R.S., AND ANY PERFORMANCE CONTRACTS THAT THE COLORADO  
9 COMMISSION ON HIGHER EDUCATION NEGOTIATES AND ENTERS INTO WITH  
10 THE GOVERNING BOARDS OF THE STATE INSTITUTIONS OF HIGHER  
11 EDUCATION AS SPECIFIED IN SECTION 23-5-129, C.R.S. THE DEPARTMENT  
12 OF HIGHER EDUCATION SHALL ENSURE THAT COPIES OF THE MASTER PLAN  
13 AND PERFORMANCE CONTRACTS BE SUBMITTED TO THE JOINT BUDGET  
14 COMMITTEE AND THE APPROPRIATE JOINT COMMITTEE OF REFERENCE AS  
15 DETERMINED PURSUANT TO SECTION 2-7-203, AND SHALL POST THE  
16 MASTER PLAN AND PERFORMANCE CONTRACTS TO ITS OFFICIAL WEB SITE  
17 AND THE OFFICIAL WEB SITE OF THE OFFICE OF STATE PLANNING AND  
18 BUDGETING.

19 (B) THE STATE AUDITOR, IN CONDUCTING A PERFORMANCE AUDIT  
20 OF THE DEPARTMENT OF HIGHER EDUCATION AS SPECIFIED IN SUBSECTION  
21 (5) OF THIS SECTION, SHALL CONSIDER THE EXTENT TO WHICH THE GOALS  
22 OF THE MASTER PLAN AND THE ASSOCIATED PERFORMANCE CONTRACTS  
23 HAVE BEEN ACHIEVED.

24 (b) EACH DEPARTMENT'S PERFORMANCE PLAN SHALL BE POSTED  
25 ON THE OFFICIAL WEB SITES OF THE DEPARTMENT AND THE OFFICE OF  
26 STATE PLANNING AND BUDGETING. THE STATE TREASURER, THE ATTORNEY  
27 GENERAL, THE SECRETARY OF STATE, THE STATE COURT ADMINISTRATOR

1 FOR THE JUDICIAL DEPARTMENT, THE OFFICE OF STATE PUBLIC DEFENDER,  
2 THE OFFICE OF ALTERNATE DEFENSE COUNSEL, AND THE OFFICE OF THE  
3 CHILD'S REPRESENTATIVE SHALL ENSURE THE OFFICE OF STATE PLANNING  
4 AND BUDGETING RECEIVES THE INFORMATION REQUIRED TO BE POSTED ON  
5 THE OFFICE OF STATE PLANNING AND BUDGETING'S WEB SITE PURSUANT TO  
6 THIS PARAGRAPH (b). THE OFFICE OF STATE PLANNING AND BUDGETING  
7 SHALL NOT HAVE ACCESS TO EDIT ANY INFORMATION PROVIDED BY THE  
8 STATE TREASURER, THE ATTORNEY GENERAL, THE SECRETARY OF STATE,  
9 THE STATE COURT ADMINISTRATOR FOR THE JUDICIAL DEPARTMENT, THE  
10 OFFICE OF STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE  
11 COUNSEL, OR THE OFFICE OF THE CHILD'S REPRESENTATIVE.

12 (c) AT A MINIMUM, A PERFORMANCE PLAN MUST INCLUDE THE  
13 FOLLOWING COMPONENTS, WHICH MAY BE FURTHER REFINED IN THE  
14 PERFORMANCE MANAGEMENT SYSTEM PUBLISHED PURSUANT TO  
15 SUBSECTION (1) OF THIS SECTION:

16 (I) A STATEMENT OF THE DEPARTMENT'S MISSION OR VISION;

17 (II) A DESCRIPTION OF THE MAJOR FUNCTIONS OF THE  
18 DEPARTMENT;

19 (III) PERFORMANCE MEASURES FOR THE MAJOR FUNCTIONS OF THE  
20 DEPARTMENT;

21 (IV) PERFORMANCE GOALS THAT CORRESPOND TO THE  
22 DEPARTMENT'S PERFORMANCE MEASURES AND THAT EXTEND TO AT LEAST  
23 THREE YEARS INTO THE FUTURE;

24 (V) A NARRATIVE DESCRIPTION OF THE STRATEGIES NECESSARY TO  
25 MEET THE PERFORMANCE GOALS; AND

26 (VI) A SUMMARY OF THE DEPARTMENT'S MOST RECENT  
27 PERFORMANCE EVALUATION.

1 (d) IF REASONABLE AND APPROPRIATE, PERFORMANCE MEASURES  
2 SHOULD BE DEVELOPED WITH THE INPUT OF DEPARTMENT EMPLOYEES AND  
3 CERTIFIED EMPLOYEE ORGANIZATIONS.

4 (4) DEPARTMENTS SHALL CONDUCT PERFORMANCE EVALUATIONS  
5 AND DISTRIBUTE THEM TO THE JOINT BUDGET COMMITTEE AND THE  
6 GENERAL ASSEMBLY AT LEAST TWICE EACH CALENDAR YEAR AS DEFINED  
7 IN THE PUBLISHED PERFORMANCE MANAGEMENT SYSTEM.

8 (5) (a) PRIOR TO THE FIRST REGULAR SESSION OF THE SEVENTIETH  
9 GENERAL ASSEMBLY, THE STATE AUDITOR SHALL, WITHIN EXISTING  
10 RESOURCES, CONDUCT OR CAUSE TO BE CONDUCTED PERFORMANCE  
11 AUDITS OF ONE OR MORE SPECIFIC PROGRAMS OR SERVICES IN AT LEAST  
12 TWO DEPARTMENTS, AND SHALL CONTINUE TO CONDUCT OR CAUSE TO BE  
13 CONDUCTED PERFORMANCE AUDITS OF ONE OR MORE SPECIFIC PROGRAMS  
14 OR SERVICES IN AT LEAST TWO DEPARTMENTS ANNUALLY THEREAFTER.

15 (b) IN SELECTING BOTH DEPARTMENTS AND SPECIFIC PROGRAMS OR  
16 SERVICES WITHIN THOSE DEPARTMENTS FOR PERFORMANCE AUDITS, THE  
17 STATE AUDITOR SHALL CONSIDER RISK, AUDIT COVERAGE, RESOURCES  
18 REQUIRED TO CONDUCT THE PERFORMANCE AUDITS, AND THE IMPACT OF  
19 THE AUDITED PROGRAMS OR SERVICES ON A DEPARTMENT'S  
20 PERFORMANCE-BASED GOALS. THE LEGISLATIVE AUDIT COMMITTEE SHALL  
21 APPROVE THE PROGRAMS OR SERVICES SELECTED BY THE AUDITOR FOR  
22 PERFORMANCE AUDITS.

23 (c) PERFORMANCE AUDITS OF THE PROGRAMS OR SERVICES  
24 SELECTED FOR AUDIT MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, THE  
25 REVIEW OF THE FOLLOWING:

- 26 (I) THE INTEGRITY OF THE PERFORMANCE MEASURES AUDITED;  
27 (II) THE ACCURACY AND VALIDITY OF REPORTED RESULTS; AND



1 (III) THE OVERALL COST AND EFFECTIVENESS OF THE AUDITED  
2 PROGRAMS OR SERVICES IN ACHIEVING LEGISLATIVE INTENT AND THE  
3 DEPARTMENTS' PERFORMANCE GOALS.

4 (d) THE STATE AUDITOR SHALL PRESENT THE PERFORMANCE AUDIT  
5 REPORT TO THE LEGISLATIVE AUDIT COMMITTEE.

6 (e) AFTER THE PERFORMANCE AUDIT REPORT IS RELEASED BY THE  
7 LEGISLATIVE AUDIT COMMITTEE, THE STATE AUDITOR SHALL PRESENT THE  
8 PERFORMANCE AUDIT REPORT OF THOSE DEPARTMENTS WITH SERVICES OR  
9 PROGRAMS AUDITED IN THE PREVIOUS YEAR TO THE APPROPRIATE JOINT  
10 COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION  
11 2-7-203. THE STATE AUDITOR SHALL ALSO PRESENT ANY OTHER AUDIT  
12 REPORTS THAT HE OR SHE DEEMS RELEVANT FOR THE JOINT COMMITTEE OF  
13 REFERENCE'S REVIEW.

14 (6) AS PART OF ITS REGULAR DELIBERATIONS, THE JOINT BUDGET  
15 COMMITTEE SHALL CONSIDER THE PERFORMANCE PLANS SUBMITTED  
16 PURSUANT TO PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION AND  
17 THE PERFORMANCE EVALUATIONS SUBMITTED PURSUANT TO SUBSECTION  
18 (4) OF THIS SECTION. BASED ON ITS REVIEW OF THESE PERFORMANCE  
19 PLANS AND PERFORMANCE EVALUATIONS AND ITS CONSIDERATION OF  
20 EACH DEPARTMENT'S LEGAL RESPONSIBILITIES AND STRATEGIC GOALS AND  
21 OBJECTIVES, THE JOINT BUDGET COMMITTEE MAY PRIORITIZE  
22 DEPARTMENTS' REQUESTS FOR NEW FUNDING THAT ARE EXPRESSLY  
23 INTENDED TO ENHANCE PRODUCTIVITY, IMPROVE EFFICIENCY, REDUCE  
24 COSTS, AND ELIMINATE WASTE IN THE PROCESSES AND OPERATIONS THAT  
25 DELIVER GOODS AND SERVICES TO TAXPAYERS AND CUSTOMERS OF STATE  
26 GOVERNMENT.

27 **2-7-205. Annual performance report.** (1) (a) (I) EXCEPT AS

1 PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), NO LATER THAN  
2 JANUARY 2, 2014, AND NO LATER THAN JANUARY 2 OF EACH YEAR  
3 THEREAFTER, THE OFFICE OF STATE PLANNING AND BUDGETING SHALL  
4 PUBLISH AN ANNUAL PERFORMANCE REPORT FOR EACH DEPARTMENT  
5 EXCEPT THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY,  
6 THE DEPARTMENT OF LAW, THE JUDICIAL DEPARTMENT, THE OFFICE OF  
7 STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE COUNSEL,  
8 AND THE OFFICE OF THE CHILD'S REPRESENTATIVE. THE ANNUAL  
9 PERFORMANCE REPORT MUST INCLUDE A SUMMARY OF EACH  
10 DEPARTMENT'S PERFORMANCE PLAN AND MOST RECENT PERFORMANCE  
11 EVALUATION. THE ANNUAL PERFORMANCE REPORT MUST BE CLEARLY  
12 WRITTEN AND EASILY UNDERSTOOD AND MUST BE LIMITED TO A MAXIMUM  
13 OF FOUR PAGES PER DEPARTMENT.

14 (II) THE OFFICE OF STATE PLANNING AND BUDGETING SHALL  
15 PREPARE THE SECTION OF THE ANNUAL PERFORMANCE REPORT FOR THE  
16 DEPARTMENT OF HIGHER EDUCATION BY REVIEWING THE INSTITUTIONS OF  
17 HIGHER EDUCATION'S PROGRESS TOWARDS THE GOALS SET FORTH IN THE  
18 INSTITUTION OF HIGHER EDUCATION'S PERFORMANCE CONTRACT  
19 DESCRIBED IN SECTION 23-5-129, C.R.S., AND THE OUTCOMES OF THE  
20 RECOMMENDED PERFORMANCE FUNDING PLAN REQUIRED IN SECTION  
21 23-1-108 (1.9) (b), C.R.S.

22 (b) NO LATER THAN DECEMBER 1, 2013, AND NO LATER THAN  
23 DECEMBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF STATE,  
24 THE DEPARTMENT OF THE TREASURY, THE DEPARTMENT OF LAW, THE  
25 JUDICIAL DEPARTMENT, THE OFFICE OF STATE PUBLIC DEFENDER, THE  
26 OFFICE OF ALTERNATE DEFENSE COUNSEL, AND THE OFFICE OF THE CHILD'S  
27 REPRESENTATIVE SHALL EACH PUBLISH AN ANNUAL PERFORMANCE REPORT

1 INCLUDING A SUMMARY OF ITS PERFORMANCE PLAN AND MOST RECENT  
2 PERFORMANCE EVALUATION. THE ANNUAL PERFORMANCE REPORTS MUST  
3 BE CLEARLY WRITTEN AND EASILY UNDERSTOOD AND MUST EACH BE  
4 LIMITED TO A MAXIMUM OF FOUR PAGES.

5 (2) (a) THE ANNUAL PERFORMANCE REPORTS SHALL BE POSTED ON  
6 THE OFFICIAL WEB SITES OF THE STATE OF COLORADO AND THE OFFICE OF  
7 THE GOVERNOR. THE ANNUAL PERFORMANCE REPORTS SHALL INCLUDE A  
8 HYPERLINK TO EACH DEPARTMENT'S PERFORMANCE PLAN POSTED ON THE  
9 OFFICIAL WEB SITE OF EACH DEPARTMENT PURSUANT TO SECTION 2-7-204

10 (3) (b).

11 (b) THE ANNUAL PERFORMANCE REPORTS SHALL BE DISTRIBUTED  
12 TO ALL MEMBERS OF THE GENERAL ASSEMBLY PURSUANT TO SECTION  
13 24-1-136 (9), C.R.S.

14 **SECTION 2.** In Colorado Revised Statutes, 2-3-103, **amend** (9);  
15 and **add** (9.5) as follows:

16 **2-3-103. Duties of state auditor - definitions.** (9) It is the duty  
17 of the state auditor to conduct or cause to be conducted performance  
18 audits as specified in ~~section 2-7-204 (4)~~ SECTION 2-7-212 (5).

19 (9.5) IT IS THE DUTY OF THE STATE AUDITOR TO NOTIFY THE  
20 APPROPRIATE JOINT COMMITTEE OF REFERENCE AS DETERMINED PURSUANT  
21 TO SECTION 2-7-203 WHEN A DEPARTMENT HAS NOT COMPLETED  
22 RECOMMENDATIONS MADE BY THE STATE AUDITOR WITHIN THE TIME  
23 PROVIDED.

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25 **SECTION 3.** In Colorado Revised Statutes, 2-3-203, **add** (1)  
26 (b.2) as follows:

27 **2-3-203. Powers and duties of the joint budget committee -**

1 **repeal.** (1) The committee has the following power and duties:  
2 (b.2) EFFECTIVE JULY 1, 2013, TO HOLD HEARINGS AS REQUIRED  
3 TO REVIEW THE PERFORMANCE PLANS AND PERFORMANCE EVALUATIONS  
4 OF STATE DEPARTMENTS AS DEFINED IN SECTION 2-7-212. BASED ON ITS  
5 REVIEW OF THESE PERFORMANCE PLANS AND PERFORMANCE EVALUATIONS  
6 AND ITS CONSIDERATION OF EACH DEPARTMENT'S LEGAL RESPONSIBILITIES  
7 AND STRATEGIC GOALS AND OBJECTIVES, THE JOINT BUDGET COMMITTEE  
8 MAY PRIORITIZE DEPARTMENTS' REQUESTS FOR NEW FUNDING THAT ARE  
9 EXPRESSLY INTENDED TO ENHANCE PRODUCTIVITY, IMPROVE EFFICIENCY,  
10 REDUCE COSTS, AND ELIMINATE WASTE IN THE PROCESSES AND  
11 OPERATIONS THAT DELIVER GOODS AND SERVICES TO TAXPAYERS AND  
12 CUSTOMERS OF STATE GOVERNMENT.

13  
14 **SECTION 4.** In Colorado Revised Statutes, **repeal and reenact,**  
15 **with amendments,** 2-3-303.3 as follows:

16 **2-3-303.3. Interim studies.** (1) COMMENCING ON AND AFTER THE  
17 EFFECTIVE DATE OF THIS SECTION, INTERIM STUDIES MAY NOT BE  
18 REQUESTED BY A LEGISLATIVE MEMBER BY BILL OR RESOLUTION. NO  
19 LATER THAN THE NINETY-FOURTH DAY OF A REGULAR LEGISLATIVE  
20 SESSION, A LEGISLATIVE MEMBER MAY SUBMIT A REQUEST IN WRITING TO  
21 THE LEGISLATIVE COUNCIL REGARDING AN ISSUE THAT HE OR SHE WISHES  
22 TO STUDY DURING THE NEXT INTERIM BETWEEN SESSIONS. AT MINIMUM,  
23 THE REQUEST MUST SPECIFY:

- 24 (a) THE SCOPE OF THE POLICY ISSUES TO BE STUDIED;  
25 (b) THE NUMBER OF MEETINGS THAT WOULD BE NECESSARY TO  
26 STUDY THE ISSUES;  
27 (c) THE SUGGESTED NUMBER AND COMPOSITION OF LEGISLATIVE

1 MEMBERS ON THE INTERIM COMMITTEE;

2 (d) WHETHER OTHER NONLEGISLATIVE MEMBERS SHOULD HAVE A  
3 ROLE IN THE INTERIM COMMITTEE;

4 (e) WHETHER A TASK FORCE WOULD BE NECESSARY TO ASSIST THE  
5 INTERIM COMMITTEE IN STUDYING THE SCOPE OF ISSUES AND, IF SO, THE  
6 MEMBERS AND COMPOSITION OF SUCH A TASK FORCE; AND

7 (f) (I) AN ESTIMATE OF THE MAXIMUM NUMBER OF BILLS THE  
8 INTERIM COMMITTEE WILL NEED IN ORDER TO ADDRESS THE ISSUES  
9 STUDIED BY THE INTERIM COMMITTEE.

10 (II) ANY INTERIM COMMITTEE BILLS ARE EXEMPT FROM THE  
11 FIVE-BILL LIMITATION SPECIFIED IN RULE 24 OF THE JOINT RULES OF THE  
12 SENATE AND THE HOUSE OF REPRESENTATIVES.

13 (2) NO LATER THAN THE ONE HUNDREDTH DAY OF A REGULAR  
14 LEGISLATIVE SESSION, THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE  
15 COUNCIL SHALL DETERMINE THE NUMBER OF INTERIM COMMITTEE  
16 MEETINGS THAT MAY BE HELD WITHIN THE LEGISLATIVE BUDGET AND  
17 SHALL PROVIDE THAT INFORMATION TO THE EXECUTIVE COMMITTEE OF  
18 THE LEGISLATIVE COUNCIL.

19 (3) (a) NO LATER THAN THE ONE HUNDRED EIGHTH DAY OF A  
20 REGULAR LEGISLATIVE SESSION, THE LEGISLATIVE COUNCIL SHALL MEET  
21 TO REVIEW AND PRIORITIZE REQUESTS MADE BY LEGISLATIVE MEMBERS  
22 PURSUANT TO SUBSECTION (1) OF THIS SECTION. SUCH REVIEW AND  
23 PRIORITIZATION MUST TAKE INTO ACCOUNT THE INFORMATION PROVIDED  
24 BY THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AS  
25 SPECIFIED IN SUBSECTION (2) OF THIS SECTION. THE LEGISLATIVE COUNCIL  
26 SHALL ALSO DETERMINE IF ANY OF THE PRIORITIZED INTERIM COMMITTEES  
27 MAY CREATE A TASK FORCE. IF A TASK FORCE IS APPROVED, SUCH TASK

1 FORCE SHALL INCLUDE NO MORE THAN TWO LEGISLATIVE MEMBERS OF THE  
2 INTERIM COMMITTEE, ONE FROM THE MAJORITY PARTY AND ONE FROM THE  
3 MINORITY PARTY. LEGISLATIVE MEMBERS ON A TASK FORCE ARE ONLY  
4 ENTITLED TO RECEIVE NECESSARY TRAVEL COSTS AND ARE NOT ENTITLED  
5 TO PER DIEM PURSUANT TO SECTION 2-2-307.

6 (b) THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE  
7 OF REPRESENTATIVES, AND THE MINORITY AND MAJORITY LEADERS OF  
8 BOTH HOUSES SHALL APPOINT THE LEGISLATIVE MEMBERS TO ANY  
9 PRIORITIZED INTERIM COMMITTEES OR APPROVED TASK FORCES.

10 (c) AFTER THE GENERAL ASSEMBLY HAS ADJOURNED, IF AN ISSUE  
11 IS BROUGHT TO THE ATTENTION OF THE EXECUTIVE COMMITTEE OF THE  
12 LEGISLATIVE COUNCIL AND THE EXECUTIVE COMMITTEE DETERMINES THAT  
13 THE ISSUE IS THE RESULT OF CHANGED CIRCUMSTANCES OR NEW  
14 CIRCUMSTANCES AND IS APPROPRIATE MATERIAL FOR AN INTERIM  
15 COMMITTEE THAT IS MEETING DURING THAT INTERIM BETWEEN  
16 LEGISLATIVE SESSIONS, THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE  
17 COUNCIL MAY ADD THE INTERIM COMMITTEE BY ADOPTING A RESOLUTION.  
18 THE RESOLUTION MUST INCLUDE THE ITEMS SPECIFIED IN THE LEGISLATIVE  
19 MEMBER'S WRITTEN REQUEST FOR AN INTERIM STUDY.

20 **SECTION 5.** In Colorado Revised Statutes, 24-37-103, **amend**  
21 (1) (d) as follows:

22 **24-37-103. Director - duties.** (1) The director shall:  
23 (d) Publish an annual performance report as specified in ~~section~~  
24 ~~2-7-205~~ SECTION 2-7-204, C.R.S.; AND

25 **SECTION 6.** In Colorado Revised Statutes, 24-38.5-102, **amend**  
26 (3) (a) as follows:

27 **24-38.5-102. Colorado energy office - duties and powers.**

1 (3) The Colorado energy office shall notify the house of representatives  
2 and senate committees of reference to which the office is assigned  
3 pursuant to section 2-7-203 (1), C.R.S., as part of its "State Measurement  
4 for Accountable, Responsive, and Transparent (SMART) Government  
5 Act" hearing required by section 2-7-203 (2), C.R.S., if it has made any  
6 changes to:

7 (a) ~~Any principles, policies, or performance-based goals that the~~  
8 ~~office has outlined in its strategic plan~~ PERFORMANCE PLANS AND  
9 PERFORMANCE EVALUATIONS required pursuant to ~~section 2-7-204 (1) (a)~~  
10 SECTION 2-7-212, C.R.S.;

11 =====

12 **SECTION 7. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.