

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0226.01 Bart Miller

SENATE BILL 11-025

SENATE SPONSORSHIP

Carroll,

HOUSE SPONSORSHIP

Ferrandino,

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING ACCOUNTABILITY FOR STATE PROCUREMENT, AND, IN
102 CONNECTION THEREWITH, ENACTING THE "COLORADO
103 TAXPAYER EMPOWERMENT ACT OF 2011".

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 enacts the "Colorado Taxpayer Empowerment Act of 2011". Current law makes state procurement information available to the public. **Section 2** of the bill requires each contract entered into by a governmental body under the state "Procurement Code" to contain a

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.

provision reflecting this current law and specifies that, with the exception of records exempt from inspection under the "Colorado Open Records Act", upon request, records relating to the costs of or any performance measures under the contract are available to the contracting governmental body, the president of the senate, the speaker of the house of representatives, the minority leaders of the senate and house of representatives, and legislative oversight committees of the general assembly. Authorizes the executive director of the department of personnel and administration to promulgate rules for the administration of the provisions enacted in the bill.

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 "Colorado Taxpayer Empowerment Act of 2011".

4 **SECTION 2.** 24-101-401, Colorado Revised Statutes, is amended
5 to read:

6 **24-101-401. Public access to procurement information - rules.**

7 (1) Except as provided in section 24-103-202 (4), procurement
8 information ~~shall be~~ IS a public record and ~~shall be~~ IS available to the
9 public as provided in sections 24-72-203 and 24-72-204.

10 (2) (a) EACH CONTRACT ENTERED INTO BY A GOVERNMENTAL
11 BODY PURSUANT TO THIS CODE SHALL SPECIFY THAT THE CONTRACT IS
12 OPEN TO INSPECTION BY THE PUBLIC.

13 (b) EXCEPT FOR RECORDS EXEMPT FROM INSPECTION UNDER
14 SECTION 24-72-204, UPON REQUEST, THE VENDOR SHALL MAKE AVAILABLE
15 TO THE CONTRACTING GOVERNMENTAL BODY RECORDS RELATING TO THE
16 COSTS OF, OR ANY PERFORMANCE MEASURE UNDER, THE CONTRACT. IN
17 ADDITION, THE RECORDS MUST BE MADE AVAILABLE, UPON REQUEST, TO
18 THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF
19 REPRESENTATIVES, THE MINORITY LEADERS OF THE SENATE AND HOUSE OF
20 REPRESENTATIVES, AND LEGISLATIVE OVERSIGHT COMMITTEES OF THE

1 GENERAL ASSEMBLY, INCLUDING BUT NOT LIMITED TO THE JOINT BUDGET
2 COMMITTEE, THE LEGISLATIVE AUDIT COMMITTEE, AND SUCH OTHER
3 OVERSIGHT COMMITTEES AS MAY BE PROVIDED BY THE GENERAL
4 ASSEMBLY. THE EXECUTIVE DIRECTOR MAY PROMULGATE RULES AS
5 NECESSARY FOR THE ADMINISTRATION OF THIS SUBSECTION (2).

6 **SECTION 3. Effective date - applicability.** This act shall take
7 effect July 1, 2011, and shall apply to all state contracts on or after said
8 date.

9 **SECTION 4. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.