

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



SENATE BILL 11-025

BY SENATOR(S) Carroll, Boyd, Newell;  
also REPRESENTATIVE(S) Ferrandino, Court, Duran, Fields, Fischer,  
Hullingerhorst, Jones, Kerr A., Labuda, Pabon, Pace, Ryden, Schafer S.,  
Tyler, Vigil.

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

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

**SECTION 1. Short title.** This act shall be known and may be cited  
as the "Colorado Taxpayer Empowerment Act of 2011".

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

**24-101-401. Public access to procurement information - repeal.**

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

(2) (a) TO THE EXTENT NOT PROHIBITED BY FEDERAL LAW, EACH

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

CONTRACT ENTERED INTO BY A GOVERNMENTAL BODY PURSUANT TO THIS CODE SHALL SPECIFY THAT THE CONTRACT AND PERFORMANCE MEASURES AND STANDARDS UNDER ARTICLE 103.5 OF THIS TITLE ARE OPEN TO INSPECTION BY THE PUBLIC AS PROVIDED IN SECTIONS 24-72-203 AND 24-72-204.

(b) (I) EACH AGREEMENT ENTERED INTO BY A GOVERNMENTAL BODY WITH A CERTIFIED EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES UNDER EXECUTIVE ORDER D 028 07, OR ANY SIMILAR SUCCESSOR EXECUTIVE ORDER WITH RESPECT TO THE EXISTENCE OF A CERTIFIED EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES, SHALL SPECIFY THAT THE AGREEMENT IS OPEN TO PUBLIC INSPECTION AS PROVIDED IN SECTIONS 24-72-203 AND 24-72-204.

(II) IF EXECUTIVE ORDER D 028 07, OR ANY SIMILAR SUCCESSOR EXECUTIVE ORDER WITH RESPECT TO THE EXISTENCE OF A CERTIFIED EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES, IS RESCINDED OR ALTERED BY THE GOVERNOR IN ANY WAY TO CREATE A SITUATION WHERE A CERTIFIED EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES NO LONGER REPRESENTS STATE EMPLOYEES, THE GOVERNOR SHALL PROVIDE WRITTEN NOTICE OF THIS FACT TO THE REVISOR OF STATUTES.

(III) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE UPON THE RECEIPT BY THE REVISOR OF STATUTES OF THE WRITTEN NOTICE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

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

**SECTION 4. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO