

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

PREAMENDED

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

LLS NO. 09-0466.01 Brita Darling

SENATE BILL 09-057

SENATE SPONSORSHIP

Harvey, Kopp

HOUSE SPONSORSHIP

Stephens,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A VOLUNTARY PILOT PROGRAM FOR**
102 **SEARCHABLE BUDGET DATABASE WEBSITES CONTAINING PUBLIC**
103 **EDUCATION FINANCIAL INFORMATION, AND, IN CONNECTION**
104 **THEREWITH, ENACTING THE "PUBLIC SCHOOL FINANCIAL**
105 **TRANSPARENCY ACT".**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires each school district, board of cooperative services, district charter school, and institute charter school and the state charter school institute (local education provider) to create and maintain 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.

1 (1) (a) "ENTITY" MEANS A CORPORATION, ASSOCIATION, UNION,
2 LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, GRANTEE,
3 CONTRACTOR, LOCAL GOVERNMENT, OR OTHER LEGAL ENTITY INCLUDING
4 A NONPROFIT CORPORATION.

5 (b) "ENTITY" SHALL NOT INCLUDE AN INDIVIDUAL RECIPIENT OF
6 STATE PUBLIC ASSISTANCE OR PUBLIC ASSISTANCE PROVIDED BY THE
7 LOCAL EDUCATION PROVIDER.

8 (2) "LOCAL EDUCATION PROVIDER" MEANS:

9 (a) A SCHOOL DISTRICT, OTHER THAN A JUNIOR COLLEGE DISTRICT,
10 ORGANIZED AND EXISTING PURSUANT TO LAW;

11 (b) A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO
12 ARTICLE 5 OF THIS TITLE;

13 (c) THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED
14 PURSUANT TO SECTION 22-30.5-503;

15 (d) A DISTRICT CHARTER SCHOOL AUTHORIZED PURSUANT TO PART
16 1 OF ARTICLE 30.5 OF THIS TITLE; OR

17 (e) AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO
18 PART 5 OF ARTICLE 30.5 OF THIS TITLE.

19 (3) "PUBLIC RECORD" SHALL HAVE THE SAME MEANING AS SET
20 FORTH IN SECTION 24-72-202 (6), C.R.S.

21 (4) "SEARCHABLE BUDGET DATABASE WEB SITE" OR "WEB SITE"
22 MEANS A WEB SITE THAT ALLOWS THE PUBLIC AT NO COST TO REVIEW
23 THE FOLLOWING INFORMATION:

24 (a) THE AMOUNT AND SOURCE OF MONEYS RECEIVED BY THE
25 LOCAL EDUCATION PROVIDER; AND

26 (b) MONEYS EXPENDED BY THE LOCAL EDUCATION PROVIDER,
27 INCLUDING:

1 (I) THE NAME AND PRINCIPAL LOCATION OR ADDRESS OF THE
2 ENTITY RECEIVING MONEYS; EXCEPT THAT INFORMATION CONCERNING A
3 PAYMENT TO AN EMPLOYEE OF THE LOCAL EDUCATION PROVIDER SHALL
4 IDENTIFY THE INDIVIDUAL EMPLOYEE BY POSITION AND BUSINESS ADDRESS
5 ONLY;

6 (II) THE AMOUNT OF EXPENDED MONEYS;

7 (III) THE FUNDING SOURCE OF THE EXPENDED MONEYS;

8 (IV) THE NAME OF THE BUDGET PROGRAM OR ACTIVITY RECEIVING
9 THE MONEYS; AND

10 (V) A DESCRIPTION OF THE PLANNED USE OF THE MONEYS.

11 **22-44-304. Searchable budget database web site - creation.**

12 (1) EACH LOCAL EDUCATION PROVIDER IS STRONGLY ENCOURAGED TO
13 DEVELOP, MAINTAIN, AND MAKE PUBLICLY AVAILABLE A SINGLE,
14 SEARCHABLE BUDGET DATABASE WEB SITE. THE WEB SITE SHALL CONTAIN
15 ONLY INFORMATION THAT IS A PUBLIC RECORD OR THAT IS NOT
16 CONFIDENTIAL OR OTHERWISE PROTECTED FROM PUBLIC DISCLOSURE
17 PURSUANT TO STATE OR FEDERAL LAW.

18 (2) EACH LOCAL EDUCATION PROVIDER THAT CREATES A WEB SITE
19 OR POSTS INFORMATION TO A WEB SITE PURSUANT TO THE PROVISIONS OF
20 THIS PART 3 IS ENCOURAGED TO PROVIDE THE INFORMATION, TO THE
21 EXTENT PRACTICABLE, IN A STRUCTURED FORMAT THAT MAY BE
22 DOWNLOADED, TO UPDATE THE INFORMATION MONTHLY, TO ARCHIVE THE
23 INFORMATION SO THAT IT REMAINS ACCESSIBLE AND SEARCHABLE FOR A
24 MINIMUM OF FIVE YEARS, AND TO INCLUDE A METHOD BY WHICH A USER
25 OF THE WEB SITE MAY PROVIDE FEEDBACK CONCERNING THE
26 ORGANIZATION AND UTILITY OF THE WEB SITE.

27 (3) (a) A LOCAL EDUCATION PROVIDER THAT IMPLEMENTS THE

1 PROVISIONS OF THIS PART 3 IS ENCOURAGED TO PROVIDE THE FOLLOWING
2 INFORMATION TO THE DEPARTMENT OF EDUCATION:

3 (I) THE METHOD USED TO CREATE A WEB SITE OR TO POST
4 INFORMATION TO A WEB SITE;

5 (II) CONTACT INFORMATION CONCERNING THE VENDOR USED BY
6 A LOCAL EDUCATION PROVIDER, IF ANY;

7 (III) THE METHOD AND COST OF THE IMPLEMENTATION OF THE
8 PROVISIONS OF THIS PART 3; AND

9 (IV) ANY OTHER INFORMATION THAT MAY BE USEFUL TO ANOTHER
10 LOCAL EDUCATION PROVIDER IN IMPLEMENTING THE PROVISIONS OF THIS
11 PART 3.

12 (b) UPON REQUEST, THE DEPARTMENT OF EDUCATION SHALL
13 PROVIDE ANY INFORMATION RECEIVED FROM A LOCAL EDUCATION
14 PROVIDER PURSUANT TO THIS SUBSECTION (3) TO A MEMBER OF THE
15 GENERAL ASSEMBLY OR TO THE PUBLIC.

16 **SECTION 2. Act subject to petition - effective date.** This act
17 shall take effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly that is
19 allowed for submitting a referendum petition pursuant to article V,
20 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
21 sine die is on May 6, 2009); except that, if a referendum petition is filed
22 against this act or an item, section, or part of this act within such period,
23 then the act, item, section, or part, if approved by the people, shall take
24 effect on the date of the official declaration of the vote thereon by
25 proclamation of the governor.