

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0737.02 Ed DeCecco

SENATE BILL 11-190

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SENATE SPONSORSHIP

Aguilar,

HOUSE SPONSORSHIP

Court,

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Senate Committees  
State, Veterans & Military Affairs

House Committees

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A BILL FOR AN ACT

101 CONCERNING INCREASED TRANSPARENCY OF STATE GOVERNMENT  
102 THROUGH ANNUAL CITIZEN-CENTRIC PERFORMANCE AND  
103 ACCOUNTABILITY REPORTS BY DEPARTMENTS.

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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 "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" requires each department to prepare a 4-page annual performance report (report). The bill modifies the report to be a citizen-centric performance and accountability report

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.*

by:

- ! Requiring specific information on each page of the report;
- ! Requiring a brief table of contents and information about the department, the population served by the department, financial data, costs for services provided, and the department's anticipated future challenges; and
- ! Requiring the office of state planning and budgeting and the departments that create their own reports to design the report to maximize its visual appeal and readability.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds, determines, and declares that:

4 (a) The foundation of democracy is based on a government's  
5 accountability to its citizenry;

6 (b) The public overwhelmingly believes that government has the  
7 obligation to report and explain how it generates and spends its revenue;

8 (c) A lack of government accountability and transparency  
9 undermines the democratic process;

10 (d) As such, state government has a responsibility to provide  
11 information about the financial condition and performance of its  
12 departments to its citizens;

13 (e) This information should be easily understandable and must be  
14 easily accessible; and

15 (f) Providing this vital information can enhance the public's trust  
16 in state government.

17 (2) Now, therefore, it is the purpose of Senate Bill 11-\_\_\_\_,  
18 enacted in 2011, to modify the annual performance report required by the  
19 "State Measurement for Accountable, Responsive, and Transparent  
20 (SMART) Government Act", House Bill 10-1119, enacted in 2010, to

1 create a citizen-centric performance and accountability report that  
2 provides citizens with valuable performance-related information in an  
3 understandable manner.

4 **SECTION 2.** 2-7-202 (1), Colorado Revised Statutes, is  
5 amended, and the said 2-7-202 is further amended BY THE ADDITION  
6 OF A NEW SUBSECTION, to read:

7 **2-7-202. Definitions.** As used in this part 2, unless the context  
8 otherwise requires:

9 (1) ~~"Committee of reference" means the house or senate~~  
10 ~~committee of reference that is assigned to review the primary functions~~  
11 ~~and responsibilities of a department as specified in section 2-7-203~~  
12 "CITIZEN-CENTRIC PERFORMANCE AND ACCOUNTABILITY REPORT" OR  
13 "REPORT" MEANS THE ANNUAL REPORT REQUIRED PURSUANT TO SECTION  
14 2-7-205.

15 (1.5) "COMMITTEE OF REFERENCE" MEANS THE HOUSE OR SENATE  
16 COMMITTEE OF REFERENCE THAT IS ASSIGNED TO REVIEW THE PRIMARY  
17 FUNCTIONS AND RESPONSIBILITIES OF A DEPARTMENT AS SPECIFIED IN  
18 SECTION 2-7-203.

19 **SECTION 3.** 2-7-205, Colorado Revised Statutes, is amended to  
20 read:

21 **2-7-205. Annual citizen-centric performance and**  
22 **accountability report.** (1) (a) On December 1, 2012, and each  
23 December 1 thereafter, the office of state planning and budgeting shall  
24 publish an annual CITIZEN-CENTRIC performance AND ACCOUNTABILITY  
25 report for each department except the department of state, the department  
26 of the treasury, the department of law, the judicial department, the office  
27 of state public defender, the office of alternate defense counsel, the

1 independent ethics commission, and the office of the child's  
2 representative. The ~~annual performance~~ report shall include a summary  
3 of each department's strategic plan. The ~~annual performance~~ report shall  
4 be clearly written and easily understood, ~~and~~ shall be limited to a  
5 maximum of four pages per department, AND SHALL COMPLY WITH THE  
6 REQUIREMENTS SET FORTH IN SUBSECTION (1.5) OF THIS SECTION.

7 (b) On December 1, 2012, and each December 1 thereafter, the  
8 department of state, the department of the treasury, the department of law,  
9 the judicial department, the office of state public defender, the office of  
10 alternate defense counsel, the independent ethics commission, and the  
11 office of the child's representative shall each publish an annual  
12 CITIZEN-CENTRIC performance AND ACCOUNTABILITY report including a  
13 summary of its strategic plan. The ~~annual performance~~ reports shall be  
14 clearly written and easily understood, ~~and~~ shall each be limited to a  
15 maximum of four pages, AND SHALL COMPLY WITH THE REQUIREMENTS  
16 SET FORTH IN SUBSECTION (1.5) OF THIS SECTION.

17 (1.5) (a) THE CITIZEN-CENTRIC PERFORMANCE AND  
18 ACCOUNTABILITY REPORT MUST INCLUDE THE FOLLOWING INFORMATION,  
19 IF APPLICABLE, ON EACH OF THE SPECIFIED PAGES:

20 (I) PAGE ONE OF THE REPORT MUST INCLUDE A BRIEF TABLE OF  
21 CONTENTS AND INFORMATION ABOUT THE DEPARTMENT, INCLUDING, BUT  
22 NOT LIMITED TO, THE DEPARTMENT'S FIVE-YEAR MISSION OR VISION,  
23 OPERATIONAL STRUCTURE, THE NUMBER OF DEPARTMENT EMPLOYEES,  
24 AND INFORMATION REGARDING THE POPULATION SERVED BY THE  
25 DEPARTMENT, INCLUDING THE NUMBER OF PERSONS SERVED BY THE  
26 DEPARTMENT AND CHARACTERISTICS OF THOSE SERVED;

27 (II) PAGE TWO OF THE REPORT MUST INCLUDE A SUMMARY OF THE

1 DEPARTMENT'S KEY PERFORMANCE-BASED GOALS THAT CORRESPOND TO  
2 THE DEPARTMENT'S MISSION OR VISION, PERFORMANCE MEASURES THAT  
3 CORRESPOND TO THE PERFORMANCE-BASED GOALS, STRATEGIES TO MEET  
4 THE PERFORMANCE-BASED GOALS, AND A HYPERLINK TO EACH  
5 DEPARTMENT'S STRATEGIC PLAN POSTED ON THE OFFICIAL WEB SITE OF  
6 EACH DEPARTMENT PURSUANT TO SECTION 2-7-204 (1) (b);

7 (III) PAGE THREE OF THE REPORT MUST INCLUDE A SUMMARY OF  
8 THE DEPARTMENT'S FINANCIAL DATA FOR THE PRIOR STATE FISCAL YEAR  
9 AS IT RELATES TO THE INFORMATION PRESENTED ON PAGE TWO OF THE  
10 REPORT AND SHOULD PROVIDE THE DEPARTMENT'S COSTS FOR SERVICES  
11 PROVIDED AND BY WHAT MEANS THOSE COSTS WERE COVERED; AND

12 (IV) PAGE FOUR OF THE REPORT MUST INCLUDE A SUMMARY OF  
13 THE RESULTS OF THE MOST RECENT PERFORMANCE EVALUATION OF THE  
14 DEPARTMENT AND THE DEPARTMENT'S FORECAST OF FUTURE CHALLENGES.

15 (b) THE OFFICE OF STATE PLANNING AND BUDGETING SHALL  
16 ESTABLISH A SINGLE DESIGN USED BY ALL DEPARTMENTS FOR THE  
17 CITIZEN-CENTRIC PERFORMANCE AND ACCOUNTABILITY REPORT PURSUANT  
18 TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, INCLUDING THE  
19 LAYOUT, COLORS, IMAGES AND GRAPHICS, AND THE TYPE AND FONTS, TO  
20 MAXIMIZE THE VISUAL APPEAL AND READABILITY OF THE REPORT. A  
21 DEPARTMENT REQUIRED TO PUBLISH A REPORT PURSUANT TO PARAGRAPH  
22 (b) OF SUBSECTION (1) OF THIS SECTION SHALL ESTABLISH THE DESIGN TO  
23 BE USED BY THE DEPARTMENT. IN ESTABLISHING THE DESIGN, THE OFFICE  
24 AND THE APPLICABLE DEPARTMENTS MAY CONSIDER THE GUIDELINES AND  
25 DESIGN TEMPLATE ESTABLISHED BY THE ASSOCIATION OF GOVERNMENT  
26 ACCOUNTANTS.

27 (2) (a) The ~~annual~~ CITIZEN-CENTRIC performance AND

1 ACCOUNTABILITY reports shall be posted on the official web sites of the  
2 state of Colorado and the office of the governor. ~~The annual performance~~  
3 ~~reports shall include a hyperlink to each department's strategic plan~~  
4 ~~posted on the official web site of each department pursuant to section~~  
5 ~~2-7-204 (1) (b)~~ IN ADDITION, EACH DEPARTMENT SHALL POST THE  
6 DEPARTMENT'S REPORT ON THE OFFICIAL WEB SITE OF THE DEPARTMENT.

7 (b) The ~~annual~~ CITIZEN-CENTRIC performance AND  
8 ACCOUNTABILITY reports shall be distributed to all members of the  
9 general assembly pursuant to section 24-1-136 (9), C.R.S., for members  
10 to use to make decisions related to the annual general appropriation act.  
11 THE REPORTING REQUIREMENT SET FORTH IN THIS PARAGRAPH (b) IS  
12 EXEMPT FROM THE PROVISIONS OF SECTION 24-1-136 (11), C.R.S., AND  
13 THE ANNUAL REPORTING REQUIREMENT SHALL REMAIN IN EFFECT UNTIL  
14 CHANGED BY THE GENERAL ASSEMBLY ACTING BY BILL.

15 **SECTION 4. Act subject to petition - effective date.** This act  
16 shall take effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part shall not take effect  
22 unless approved by the people at the general election to be held in  
23 November 2012 and shall take effect on the date of the official  
24 declaration of the vote thereon by the governor.