

**STATE
FISCAL IMPACT**

Drafting Number: LLS 11-0226

Date: January 20, 2011

Prime Sponsor(s): Sen. Carroll
Rep. Ferrandino

Bill Status: Senate Finance

Fiscal Analyst: Bill Zepernick (303-866-4777)

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

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: July 1, 2011.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: None.		

Summary of Legislation

This bill requires that each contract entered into under the state procurement code contain a clause specifying that vendor records relating to the costs or performance measures of the contract must be made available upon request of the contracting governmental body, legislative leadership, or an oversight committee of the General Assembly. Vendors are not required to provide records that are exempt under the Colorado Open Records Act (CORA). The bill also clarifies that procurement information and contracts are public records.

State Expenditures

The bill will likely increase the workload of state agencies required to coordinate with vendors to obtain records in response to legislative requests. However, this analysis assumes that the volume of requests will be relatively small and that no additional appropriation is required at this time. If a large volume of requests were to occur, especially over a short period of time, additional staff could be required.

In addition, requiring that vendors provide records on costs and performance could reduce the number of vendors willing to bid for state contracts. Vendors will also bear the costs of managing records and responding to records requests. Together, these factors could increase the cost of contracting for state agencies by an unknown amount.

Departments Contacted

All Departments