

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 12-0410.01 Ed DeCecco x4216

HOUSE BILL 12-1252

HOUSE SPONSORSHIP

Nikkel,

SENATE SPONSORSHIP

Spence,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF AN ON-LINE DATABASE FOR A STATE**
102 **INSTITUTION OF HIGHER EDUCATION'S FINANCIAL**
103 **INFORMATION.**

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>.)

Currently, the state's revenues and expenditures that are included in the state's official book of record are included in a free, searchable web-based system that is known as the transparency on-line project. A state institution of higher education's transactions are not included in the

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.

state's official book of record, and, accordingly, its revenues and expenditures are not included in the web-based system.

The bill requires each state institution of higher education to develop, maintain, and make publicly available a searchable, on-line revenue and expenditure database. A state institution is required to include and exclude in its database the same information relating to each revenue and expenditure transaction that the department of transportation is required to include in its revenue and expenditure database. In addition to requiring transparency of all employee salaries anonymously, for each professor, a state institution is required to include information related not only to salary, but also the number of classes the professor personally taught, benefits paid by the institution, travel-related expenses, and grants received.

For purposes of the bill, a "state institution of higher education" is defined to mean a public postsecondary institution that is governed by:

- ! The board of governors of the Colorado state university system;
- ! The board of regents of the university of Colorado;
- ! The board of trustees of the Colorado school of mines; or
- ! The board of trustees of the university of northern Colorado.

The web-based system is required to include a link to all on-line databases.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-72.4-101, **amend**
3 (3) (a) (II), (3) (a) (III), and (3) (b); and **add** (3) (a) (I.5) as follows:

4 **24-72.4-101. Legislative declaration.** (3) (a) The general
5 assembly further finds and declares that:

6 (I.5) THE TRANSACTIONS OF A STATE INSTITUTION OF HIGHER
7 EDUCATION ARE NOT INCLUDED IN THE STATE'S OFFICIAL BOOK OF
8 RECORD;

9 (II) Because of accounting and information technology
10 differences, it is not feasible to fully assimilate the department of
11 transportation OR STATE INSTITUTIONS OF HIGHER EDUCATION into the
12 web-based system; and

1 (III) Taxpayers should still be able to access the details of the
2 department of transportation's OR A STATE INSTITUTION OF HIGHER
3 EDUCATION'S finances.

4 (b) Now, therefore, it is the intent of the general assembly that the
5 department of transportation AND STATE INSTITUTIONS OF HIGHER
6 EDUCATION be required to create and maintain a searchable, on-line
7 revenue and expenditure ~~database~~ DATABASES and that such information
8 should be accessible through the web-based system.

9 **SECTION 2.** In Colorado Revised Statutes, 24-72.4-102, **amend**
10 (1.3); and **add** (1.5) as follows:

11 **24-72.4-102. Definitions.** As used in this article, unless the
12 context otherwise requires:

13 (1.3) "On-line database" means ~~the~~ A searchable, on-line revenue
14 and expenditure database developed, maintained, and made publicly
15 available by the department of transportation pursuant to section
16 24-72.4-105 OR A STATE INSTITUTION OF HIGHER EDUCATION PURSUANT
17 TO SECTION 24-72.4-106.

18 (1.5) "STATE INSTITUTION OF HIGHER EDUCATION" **HAS THE SAME**
19 **MEANING AS SET FORTH IN SECTION 23-18-102 (10) (a), C.R.S.; EXCEPT**
20 **THAT THE TERM ALSO INCLUDES A PARTICIPATING PRIVATE INSTITUTION**
21 **OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (8), C.R.S.**

22 **SECTION 3.** In Colorado Revised Statutes, 24-72.4-103, **amend**
23 (1) (j) as follows:

24 **24-72.4-103. Web-based system - enhancements - procedure**
25 **for challenging exclusions.** (1) The chief information officer shall
26 modify the web-based system to meet the following requirements:

27 (j) The web-based system shall include a link to ~~the~~ EACH on-line

1 database.

2 **SECTION 4.** In Colorado Revised Statutes, 24-72.4-105, **amend**
3 (2) introductory portion and (3) introductory portion as follows:

4 **24-72.4-105. Department of transportation - revenue and**
5 **expenditure - on-line database - link to web-based system.** (2) The
6 DEPARTMENT OF TRANSPORTATION'S on-line database must:

7 (3) The DEPARTMENT OF TRANSPORTATION'S on-line database must
8 not include:

9 **SECTION 5.** In Colorado Revised Statutes, **add** 24-72.4-106 as
10 follows:

11 **24-72.4-106. State institution of higher education - revenue**
12 **and expenditure - on-line database - link to web-based system.**

13 (1) NO LATER THAN JULY 1, 2013, EACH STATE INSTITUTION OF HIGHER
14 EDUCATION SHALL DEVELOP, MAINTAIN, AND MAKE PUBLICLY AVAILABLE
15 A SEARCHABLE, ON-LINE REVENUE AND EXPENDITURE DATABASE.

16 (2) EXCEPT AS SET FORTH IN SUBSECTION (3) OF THIS SECTION, A
17 STATE INSTITUTION OF HIGHER EDUCATION SHALL INCLUDE AND EXCLUDE
18 IN ITS ON-LINE DATABASE ALL THE SAME INFORMATION RELATED TO ITS
19 REVENUES AND EXPENDITURES AS THE DEPARTMENT OF TRANSPORTATION
20 IS REQUIRED TO INCLUDE AND EXCLUDE IN ITS ON-LINE DATABASE
21 PURSUANT TO SECTION 24-72.4-105. A STATE INSTITUTION OF HIGHER
22 EDUCATION'S ON-LINE DATABASE MUST BE SEARCHABLE AND BE UPDATED
23 AT LEAST EVERY FIVE BUSINESS DAYS TO INCLUDE NEW EXPENDITURE AND
24 REVENUE DATA.

25 (3) (a) A STATE INSTITUTION OF HIGHER EDUCATION SHALL ALSO
26 INCLUDE IN ITS ON-LINE DATABASE THE FOLLOWING INFORMATION FOR
27 THE CURRENT FISCAL YEAR FOR EACH PROFESSOR FROM THE STATE

1 INSTITUTION:
2 (I) ANNUAL SALARY;
3 (II) THE TOTAL CONTRIBUTIONS BY THE STATE INSTITUTION OF
4 HIGHER EDUCATION FOR BENEFITS FOR THE PROFESSOR;
5 (III) ANY REIMBURSEMENTS TO THE PROFESSOR FOR EXPENSES
6 INCURRED, WITH TRAVEL-RELATED EXPENSES LISTED SEPARATELY;
7 (IV) ANY OTHER PAYMENTS MADE BY THE STATE INSTITUTION OF
8 HIGHER EDUCATION TO THE PROFESSOR;
9 (V) NUMBER OF CLASSES PERSONALLY TAUGHT; AND
10 (VI) THE AMOUNT OF GRANT MONEYS RECEIVED BY THE
11 PROFESSOR.

12 (b) A STATE INSTITUTION OF HIGHER EDUCATION SHALL
13 SEPARATELY IDENTIFY EACH PROFESSOR AND THE ASSOCIATED
14 INFORMATION REQUIRED TO BE LISTED BY PARAGRAPH (a) OF THIS
15 SUBSECTION (3).

16 (4) A STATE INSTITUTION OF HIGHER EDUCATION MAY INCLUDE
17 ANY OTHER INFORMATION IN ITS ON-LINE DATABASE THAT THE STATE
18 INSTITUTION DETERMINES WILL INCREASE TRANSPARENCY.

19 **SECTION 6. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2012 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.