

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0036.01 Bob Lackner x4350

SENATE BILL 13-129

SENATE SPONSORSHIP

Tochtrop,

HOUSE SPONSORSHIP

Williams,

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING THE MODIFICATION OF CERTAIN STATUTORY
102 REQUIREMENTS DIRECTING THE OFFICE OF THE STATE AUDITOR
103 TO REVIEW COMPLIANCE WITH STATUTORY OBLIGATIONS.

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>.)

Legislative Audit Committee. The bill modifies certain statutory requirements directing the office of the state auditor (OSA) to review compliance with statutory obligations as follows:

! Under current law, at least every 4 years the general

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.

assembly is required to provide for a performance review by the state auditor of the administrative law judges in the office of administrative courts who hear cases relating to workers' compensation matters. The bill eliminates this required schedule and permits such audits to be undertaken by the state auditor at his or her discretion.

- ! The bill changes the cycle for regular audits by the OSA of the Colorado travel and tourism promotion fund and related activities of the Colorado tourism office from every 2 years to every 5 years.
- ! In connection with the existing program allowing a state employee to submit an innovative idea for cost savings improvements for which the employee may receive a monetary award, the bill modifies existing requirements to require the OSA to review and verify the application only where the executive director of the applicable state agency has made a determination that the savings realized for the first 12 months of full implementation of the innovative idea equal \$10,000 or more.
- ! Beginning in 2007, under the "Secure and Verifiable Identity Document Act" (act), the state auditor is required to submit to the governor, members of the legislative audit committee of the general assembly, and members of the state, veterans, and military affairs committees of the senate and the house of representatives an annual executive summary of state agency and institution compliance with the requirements of the act based upon audits conducted during the year. The bill eliminates the requirement that this annual summary be prepared.
- ! The bill changes the cycle for regular audits by the OSA of the Colorado auto theft prevention cash fund from every 2 years to every 5 years.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-47-101, **amend** (3)

3 (d) (II) as follows:

4 **8-47-101. Division of workers' compensation - creation -**
5 **powers, duties, and functions - transfer of functions - change of**
6 **statutory references.** (3) (d) (II) ~~Commencing in the 1992 legislative~~
7 ~~session and at least every four years thereafter, the general assembly shall~~

1 ~~provide for the conduct of~~ AT THE DISCRETION OF THE STATE AUDITOR,
2 THE STATE AUDITOR MAY CONDUCT OR CAUSE TO BE CONDUCTED a
3 performance review ~~by the state auditor~~ of the administrative law judges
4 in the office of administrative courts who hear cases under articles 40 to
5 47 of this title. The review ~~shall~~ MUST include, but IS not ~~be~~ limited to, the
6 following topics: The time elapsed from the date of hearing until
7 decisions are rendered by the administrative law judges; the time elapsed
8 from the point at which the file is complete and the case is ready for order
9 until the decision is rendered by the administrative law judges; the
10 number of decisions that are reversed upon appeal to the industrial claim
11 appeals panel and to the court of appeals respectively; the workload or
12 number of cases assigned to each administrative law judge; and the public
13 perception of the quality of the performance of the office of
14 administrative courts with respect to matters arising under the "Workers'
15 Compensation Act of Colorado".

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-49.7-108
17 as follows:

18 **24-49.7-108. Audit requirements.** On or before August 1, 2002,
19 and not less than every ~~two~~ FIVE years thereafter, the state auditor shall
20 review or cause to be reviewed the manner in which moneys from the
21 fund and the additional source fund are expended, any contracts entered
22 into pursuant to this article, and the activities of the board and the office
23 to ensure compliance with the provisions of this article. Upon completing
24 such audit, the state auditor shall provide a report to the governor and the
25 general assembly reviewing the findings of the audit and making
26 recommendations for statutory changes, if any.

27 **SECTION 3.** In Colorado Revised Statutes, 24-50-903, **amend**

1 (4) (b) introductory portion; and **add** (4) (f) as follows:

2 **24-50-903. State employee idea application.** (4) (b) Thirteen
3 months after the innovative idea described in the idea application is fully
4 implemented, the executive director shall calculate the savings realized
5 for the first twelve months of full implementation. All documentation of
6 the savings realized calculation SATISFYING THE REQUIREMENTS OF
7 PARAGRAPH (f) OF THIS SUBSECTION (4) shall be forwarded to the state
8 auditor for review and verification no later than two months after the
9 twelve months of full implementation of the innovative idea described in
10 the idea application. The state auditor shall have one hundred twenty days
11 from receipt of the savings realized calculation to:

12 (f) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
13 THE STATE AUDITOR SHALL ONLY BE REQUIRED TO UNDERTAKE THE
14 REVIEW AND VERIFICATION REQUIRED BY PARAGRAPH (b) OF THIS
15 SUBSECTION (4) WHERE THE EXECUTIVE DIRECTOR HAS MADE A
16 DETERMINATION THAT THE SAVINGS REALIZED FOR THE FIRST TWELVE
17 MONTHS OF FULL IMPLEMENTATION OF THE INNOVATIVE IDEA DESCRIBED
18 IN THE IDEA APPLICATION EQUALS TEN THOUSAND OR MORE DOLLARS.

19 **SECTION 4.** In Colorado Revised Statutes, 24-72.1-107, **repeal**
20 (2) as follows:

21 **24-72.1-107. State auditor - report.** (2) ~~Beginning in 2007, the~~
22 ~~state auditor shall submit to the governor, members of the legislative audit~~
23 ~~committee of the general assembly, and members of the state, veterans,~~
24 ~~and military affairs committees of the senate and the house of~~
25 ~~representatives, or any successor committees, an annual executive~~
26 ~~summary of state agency and institution compliance with the requirements~~
27 ~~of this article based upon audits conducted during the year.~~

1 **SECTION 5.** In Colorado Revised Statutes, **amend** 42-5-113 as
2 follows:

3 **42-5-113. Colorado auto theft prevention cash fund - audit.**
4 Beginning in the 2008-09 fiscal year, and every ~~two~~ FIVE years thereafter,
5 the state auditor shall cause an audit to be made of the Colorado auto theft
6 prevention cash fund created in section 42-5-112 (4) to include
7 procedures to test distributions from the fund for compliance with
8 program requirements and guidelines. The auditor shall review a sample
9 of distributions and expenditures from the Colorado auto theft prevention
10 cash fund for the purposes described in section 42-5-112. The state
11 auditor shall prepare a report of each audit conducted and file the report
12 with the audit committee of the general assembly. Following the release
13 of the audit report, the state auditor shall file the audit report with the
14 judiciary committees of the house of representatives and the senate, or
15 any successor committees.

16 **SECTION 6. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.