

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

2001



HOUSE BILL 01-1009

BY REPRESENTATIVE(S) Young, Ragsdale, Coleman, Jahn, Mace, Miller, Romanoff, Williams S., and Williams T.;
also SENATOR(S) Evans and Teck.

CONCERNING THE STATE AUDITOR'S DUTY TO CONDUCT RECORDS
MANAGEMENT AUDITS OF STATE GOVERNMENT AGENCIES.

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

SECTION 1. Part 1 of article 3 of title 2, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

2-3-114. State records management - duties of state auditor.

(1) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AGENCY" MEANS EVERY DEPARTMENT, INSTITUTION, AND AGENCY OF STATE GOVERNMENT, INCLUDING EDUCATIONAL INSTITUTIONS AND THE JUDICIAL AND LEGISLATIVE BRANCHES.

(b) "RECORDS" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 24-80-101 (1), C.R.S., AND SHALL INCLUDE A "RECORD" AS DEFINED IN SECTION 24-71.1-103 (9), C.R.S.

Capital letters indicate new material added to existing statute; dashes through the words indicate deletions from existing statutes and such material not part of act.

(2) THE STATE AUDITOR SHALL CONDUCT RECORDS MANAGEMENT AUDITS OF EVERY AGENCY ON A PERIODIC BASIS AS DETERMINED BY THE STATE AUDITOR. SUCH RECORDS MANAGEMENT AUDITS SHALL BE CONDUCTED SEPARATELY OR IN CONNECTION WITH AN AGENCY AUDIT CONDUCTED PURSUANT TO SECTION 2-3-103.

(3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL OR THE DIRECTOR'S DESIGNEE SHALL, IN CONSULTATION WITH THE STATE ARCHIVIST, PROVIDE THE STATE AUDITOR WITH GUIDELINES BY SEPTEMBER 1, 2001, FOR DETERMINING WHETHER AN AGENCY IS:

(a) MANAGING ITS RECORDS IN COMPLIANCE WITH THE ADMINISTRATIVE AND TECHNICAL PROCEDURES FOR RECORDS MAINTENANCE AND MANAGEMENT ESTABLISHED PURSUANT TO SECTION 24-80-102 (3), C.R.S.; AND

(b) IMPROVING THE GENERAL ACCESSIBILITY OF THE RECORDS IN THE AGENCY'S CUSTODY.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Stan Matsunaka
PRESIDENT OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO