NOTE: This bill has been prepared for the signatures 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.

An Act

SENATE BILL 13-129

BY SENATOR(S) Tochtrop, Newell;
also REPRESENTATIVE(S) Williams, Fields, Labuda, Ryden, Young.

CONCERNING THE MODIFICATION OF CERTAIN STATUTORY REQUIREMENTS DIRECTING THE OFFICE OF THE STATE AUDITOR TO REVIEW COMPLIANCE WITH STATUTORY OBLIGATIONS, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 8-47-101, **amend** (3) (d) (II) as follows:

8-47-101. Division of workers' compensation - creation - powers, duties, and functions - transfer of functions - change of statutory references. (3) (d) (II) ~~Commencing in the 1992 legislative session and at least every four years thereafter, the general assembly shall provide for the conduct of~~ AT THE DISCRETION OF THE STATE AUDITOR, THE STATE AUDITOR MAY CONDUCT OR CAUSE TO BE CONDUCTED a performance review ~~by the state auditor~~ of the administrative law judges in the office of administrative courts who hear cases under articles 40 to 47 of this title. The review ~~shall~~ MUST include, but IS not ~~be~~ limited to, the following topics: The time elapsed from the date of hearing until decisions are rendered by the

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

administrative law judges; the time elapsed from the point at which the file is complete and the case is ready for order until the decision is rendered by the administrative law judges; the number of decisions that are reversed upon appeal to the industrial claim appeals panel and to the court of appeals respectively; the workload or number of cases assigned to each administrative law judge; and the public perception of the quality of the performance of the office of administrative courts with respect to matters arising under the "Workers' Compensation Act of Colorado".

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

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

SECTION 3. In Colorado Revised Statutes, 24-50-903, **amend** (4) (b) introductory portion; and **add** (4) (f) as follows:

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

(f) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE STATE AUDITOR SHALL ONLY BE REQUIRED TO UNDERTAKE THE REVIEW AND VERIFICATION REQUIRED BY PARAGRAPH (b) OF THIS SUBSECTION (4) WHERE THE EXECUTIVE DIRECTOR HAS MADE A DETERMINATION THAT THE SAVINGS

REALIZED FOR THE FIRST TWELVE MONTHS OF FULL IMPLEMENTATION OF THE INNOVATIVE IDEA DESCRIBED IN THE IDEA APPLICATION EQUALS TEN THOUSAND OR MORE DOLLARS.

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

24-72.1-107. State auditor - report. (2) ~~Beginning in 2007, the state auditor shall 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, or any successor committees, an annual executive summary of state agency and institution compliance with the requirements of this article based upon audits conducted during the year.~~

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

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

SECTION 6. Appropriation to the legislative department for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, chapter 283 (HB 12-1301), **amend** section 1 as follows:

Section 1. **Appropriation.** In addition to any other appropriation, there is hereby appropriated, to the legislative department of the state of Colorado, the sum of ~~$34,326,736,~~ $34,320,236, or so much thereof as may be necessary, of which amount $33,237,355 shall be out of any moneys in

the general fund not otherwise appropriated, $179,065 shall be from cash funds, and ~~$910,316~~ $903,816 shall be from reappropriated funds, for payment of the expenses of the legislative department for the fiscal year beginning July 1, 2012, to be allocated as follows:

General assembly	$ 11,783,625 [1/] (66.0 FTE)
State auditor	~~7,963,562~~ ~~[2/]~~ 7,957,062 [2/] (68.0 FTE)
Joint budget committee	1,480,365 (16.0 FTE)
Legislative council	6,606,338 (68.0 FTE)
Committee on legal services	5,235,260 [3/] (53.0 FTE)
PERA Amortization Equalization Disbursement	677,848
PERA Supplemental Amortization Equalization Disbursement	579,738
Total legislative department	$ 34,326,736

[1/] Of this amount, $90,000 is appropriated out of cash funds generated by the sale of bill boxes, legislative directories, and publications and other services provided by the print shop, $3,816 is appropriated out of reappropriated funds from the methamphetamine abuse prevention, intervention, and treatment cash fund created in section 18-18.5-105 (1) (a), Colorado Revised Statutes, and $11,689,809 is appropriated out of the general fund.

[2/] Of this amount, $6,967,997 is appropriated out of the general fund, ~~$906,500~~ $900,000 is appropriated out of reappropriated funds received from various departments for audits, and $89,065 is appropriated out of cash funds received pursuant to section 2-3-113 (7), Colorado Revised Statutes.

[3/] In addition, it is anticipated that, during the 2012-13 fiscal year, the tax levy on civil actions provided for in section 2-5-119, Colorado Revised Statutes, will return approximately $326,000 to the general fund to offset expenses of the revision of statutes by the office of legislative legal services.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

SECTION 7. Appropriation to the department of public safety for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, section 2 of chapter 305, (HB 12-1335), **amend** Part XVII (2) and the affected totals, as the said Part XVII (2) and the affected totals are amended by section 1 of Senate Bill 13-101, as follows:

Section 2. **Appropriations.**

PART XVII
DEPARTMENT OF PUBLIC SAFETY

(2) COLORADO STATE PATROL						
Colonel, Lt. Colonels, Majors, and Captains	3,974,328	79,007		3,895,321[a]		
		(1.0 FTE)		(33.0 FTE)		
Sergeants, Technicians, and Troopers	49,087,606	1,333,464		46,134,077[b]	1,620,065[c]	
		(18.0 FTE)		(576.0 FTE)	(21.6 FTE)	
Civilians	4,384,890	42,864		4,275,817[d]	66,209[c]	
		(1.0 FTE)		(76.5 FTE)	(1.0 FTE)	
Retirements	400,000			400,000[a]		
Overtime	1,403,815			1,378,553[d]	25,262[c]	
Operating Expenses	12,874,642	462,528		12,158,213[d]	253,901[c]	
Information Technology Asset Maintenance	2,843,020			2,843,020[a]		
Vehicle Lease Payments	7,018,665	180,862		6,536,593[e]	187,452[f]	113,758(I)
Communications Program	7,462,168			6,624,254[e]	818,173[g]	19,741(I)
				(127.1 FTE)	(9.0 FTE)	
State Patrol Training Academy	2,370,021			1,882,550[h]	487,471[i]	
				(17.0 FTE)		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
Safety and Law Enforcement Support	3,473,679				1,012,512[j]	2,461,167[k] (4.0 FTE)	
Aircraft Program	727,859				536,509[l] (4.5 FTE)	191,350[m] (1.5 FTE)	
Executive and Capitol Complex Security Program	3,944,613		2,697,904 (41.0 FTE)			1,246,709[n] (20.0 FTE)	
Hazardous Materials Safety Program	1,135,380				1,135,380[o] (12.0 FTE)		
Automobile Theft Prevention Authority	~~5,333,420~~ 5,326,920				~~5,333,420[p]~~ 5,326,920[p] (3.0 FTE)		
Victim Assistance	651,246				197,000[q]	280,320[r] (5.0 FTE)	173,926(I) (1.8 FTE)
Counter-drug Program	4,000,000				4,000,000[s]		
Motor Carrier Safety and Assistance Program Grants	3,724,074				326,607[a]		3,397,467(I) (32.0 FTE)
Federal Safety Grants	1,073,045						1,073,045(I) (2.0 FTE)
Indirect Cost Assessment	8,213,058				7,431,058[t]	473,359[u]	308,641(I)
		~~124,095,529~~ 124,089,029					

[a] These amounts shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S.

[b] Of this amount, $45,174,276 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., $870,944 shall be from the E-470 Toll Road Authority, $35,644 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2) (a), C.R.S., and $53,213 shall be from various sources of cash funds.

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
$	$	$	$	$	$	$

[c] Of these amounts $1,916,280 shall be from Limited Gaming funds appropriated to the Department of Revenue and $49,157 shall be from other state agencies.

[d] Of these amounts, $17,134,932 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., $218,874 shall be from the E-470 Toll Road Authority, $119,813 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2) (a), C.R.S., and $338,964 shall be from various sources of cash funds.

[e] Of these amounts, $12,163,895 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., $698,213 shall be from user fees from non-state agencies, and $298,739 shall be from various sources of cash funds.

[f] This amount shall be from various sources of reappropriated funds.

[g] Of this amount, $317,768 shall be from the Department of Transportation, $174,119 shall be from Limited Gaming funds appropriated to the Department of Revenue, $155,308 shall be from the Department of Corrections, $152,500 shall be from the Department of Natural Resources, $16,858 shall be from the Department of Higher Education (Adams State College), $1,280 shall be from the Department of Revenue, and $340 shall be from the Colorado Bureau of Investigation.

[h] Of this amount, $1,802,925 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., and $79,625 shall be from user fees from non-state agencies.

[i] This amount shall be from user fees collected from other state agencies.

[j] Of this amount, $456,377 shall be from user fees collected from non-state agencies and $556,135 shall be from various sources of cash funds.

[k] Of this amount, $1,817,282 shall be from the Department of Transportation and $643,885 shall be from user fees collected from other state agencies.

[l] Of this amount, $346,865 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., $180,000 shall be from the Aircraft Engine Fund, and $9,644 shall be from various sources of cash funds.

[m] This amount shall be from user fees collected from other state agencies.

[n] Of this amount, $531,551 shall be from the Judicial Department, $300,703 shall be from the Department of Personnel Capitol Complex leased space rent proceeds, $290,096 shall be from the Legislative Department, and $124,359 shall be from the Department of Law.

[o] Of this amount, $794,966 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., $218,586 shall be from the Nuclear Materials Transportation Fund created in Section 42-20-511, C.R.S., and $121,828 shall be from the Hazardous Materials Safety Fund created in Section 42-20-107 (1), C.R.S.

[p] This amount shall be from the Colorado Auto Theft Prevention Cash Fund created in Section 42-5-112 (4) (a), C.R.S.

[q] This amount shall be from compulsory insurance fine revenue collected and allocated pursuant to Section 42-4-1409 (9), C.R.S.

[r] This amount shall be from the Division of Criminal Justice, Victims Assistance Sub-program.

[s] This amount shall be from local governments for the purchase of counter-drug equipment from the federal government pursuant to Title 10, Chapter 18, Section 381 U.S.C.

[t] Of this amount, $7,209,081 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S., $104,166 shall be from the E-470 Toll Road Authority, $12,730 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2) (a), C.R.S., and $105,081 shall be from various sources of cash funds.

[u] Of this amount, $65,632 shall be from other state agencies for dispatch services, $14,136 shall be from the Department of Natural Resources, and $393,591 shall be from various sources of reappropriated funds.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
TOTALS PART XVII (PUBLIC SAFETY)		~~$273,982,783~~ $273,976,283	$84,338,122		~~$136,496,137[a]~~ $136,489,637[a]	$25,083,490	$28,065,034[b]

[a] Of this amount, $105,755,507 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S.
[b] This amount contains an (I) notation.

SECTION 8. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

John P. Morse PRESIDENT OF THE SENATE	Mark Ferrandino SPEAKER OF THE HOUSE OF REPRESENTATIVES
Cindi L. Markwell SECRETARY OF THE SENATE	Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

APPROVED_____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO