

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0414.01 Esther van Mourik x4215

HOUSE BILL 16-1209

HOUSE SPONSORSHIP

Rankin and Becker K.,

SENATE SPONSORSHIP

(None),

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A RESULTS FIRST WORKING GROUP TO
102 EXAMINE WAYS TO BUILD PROGRAM EVALUATION CAPACITY FOR
103 STATE AND LOCAL PROGRAMS.

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/bills summaries>.)

The bill creates a results first working group that consists of members appointed by the governor from the governor's office, executive branch agencies, the general assembly, the judicial branch, a nonprofit membership association whose purpose is to offer assistance to county commissioners, mayors, and council members, and local nonprofits or

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.

service providers. The working group is tasked with making legislative, policy, and budgetary recommendations to the general assembly, the governor's office, and the executive branch agencies regarding program evaluation practices.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 5 to article
3 37 of title 24 as follows:

4 PART 5

5 EVALUATION OF STATE AND LOCAL PROGRAMS

6 **24-37-501. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 HEREBY FINDS AND DECLARES THAT:

8 (a) IT IS IMPORTANT FOR THE STATE TO INVEST IN PROGRAMS THAT
9 IMPROVE OUTCOMES FOR ITS CUSTOMERS IN AN EFFICIENT, EFFECTIVE, AND
10 COST-EFFECTIVE MANNER;

11 (b) IN ORDER TO ENSURE SUCH INVESTMENT, IT IS EQUALLY
12 IMPORTANT THAT THE STATE HAS THE ABILITY TO EVALUATE PROGRAMS
13 THAT THE STATE CURRENTLY FUNDS AND TO EVALUATE FUTURE
14 PROGRAMS THAT THE STATE MAY FUND;

15 (c) THE STATE IS A NATIONAL LEADER IN PROGRAM EVALUATION
16 AND SUCH PROGRESS IS BEST SUSTAINED BY GETTING THE EXPERTS
17 TOGETHER IN A RESULTS FIRST WORKING GROUP TO REVIEW AND ANALYZE
18 THE EXISTING SUCCESSFUL PROGRAMS TO DETERMINE BEST PRACTICES;
19 AND

20 (d) ESTABLISHING A RESULTS FIRST WORKING GROUP TO EXAMINE
21 WAYS TO BUILD FURTHER PROGRAM EVALUATION CAPACITY IN THE STATE
22 IS THE BEST APPROACH TO MAKING LEGISLATIVE, POLICY, OR BUDGETARY
23 RECOMMENDATIONS.

1 **24-37-502. Definitions.** AS USED IN THIS PART 5, UNLESS THE
2 CONTEXT OTHERWISE REQUIRES:

3 (1) "EVIDENCE-BASED PROGRAM OR PRACTICE" MEANS A PROGRAM
4 OR PRACTICE WITH A HIGH LEVEL OF RESEARCH ON EFFECTIVENESS FOR AN
5 INTENDED POPULATION, DETERMINED AS A RESULT OF MULTIPLE RIGOROUS
6 EVALUATIONS, SUCH AS RANDOMIZED CONTROLLED TRIALS AND
7 EVALUATIONS THAT INCORPORATE STRONG COMPARISON GROUP DESIGNS,
8 OR A SINGLE LARGE MULTI-SITE RANDOMIZED STUDY. AN
9 "EVIDENCE-BASED PROGRAM OR PRACTICE" TYPICALLY SPECIFIES
10 PROCEDURES THAT ALLOW FOR SUCCESSFUL REPLICATION.

11 (2) "PROMISING PROGRAM OR PRACTICE" MEANS A PROGRAM OR
12 PRACTICE WITH SOME RESEARCH THAT DEMONSTRATES EFFECTIVENESS,
13 SUCH AS A SINGLE RANDOMIZED CONTROLLED TRIAL OR EVALUATION WITH
14 A COMPARISON GROUP DESIGN, BUT DOES NOT MEET THE FULL CRITERIA
15 FOR AN EVIDENCE-BASED PROGRAM OR PRACTICE.

16 (3) "RESULTS FIRST WORKING GROUP" OR "WORKING GROUP"
17 MEANS THE RESULTS FIRST WORKING GROUP CREATED IN SECTION
18 24-37-503.

19 (4) "THEORY-BASED PROGRAM OR PRACTICE" MEANS A PROGRAM
20 OR PRACTICE THAT HAS BEEN TESTED USING LESS RIGOROUS RESEARCH
21 DESIGNS THAT DO NOT MEET THE FULL CRITERIA OR STANDARDS FOR AN
22 EVIDENCE-BASED PROGRAM OR PRACTICE OR A PROMISING PROGRAM OR
23 PRACTICE.

24 **24-37-503. Results first working group to examine program**
25 **evaluation capacity in the state - creation.** (1) (a) THERE IS HEREBY
26 CREATED A RESULTS FIRST WORKING GROUP THAT CONSISTS OF UP TO TEN
27 MEMBERS APPOINTED BY THE GOVERNOR NO LATER THAN AUGUST 15,

1 2016. THE MEMBERS OF THE WORKING GROUP MUST INCLUDE
2 REPRESENTATIVES FROM:

- 3 (I) THE GOVERNOR'S OFFICE;
- 4 (II) STATE AGENCIES, EITHER THE EXECUTIVE DIRECTOR OR HIS OR
5 HER DESIGNEE;
- 6 (III) THE GENERAL ASSEMBLY;
- 7 (IV) THE JUDICIAL BRANCH;
- 8 (V) A NONPROFIT MEMBERSHIP ASSOCIATION WHOSE PURPOSE IS
9 TO OFFER ASSISTANCE TO COUNTY COMMISSIONERS, MAYORS, AND
10 COUNCIL MEMBERS; AND
- 11 (VI) LOCAL NONPROFITS OR SERVICE PROVIDERS.

12 (b) MEMBERS OF THE WORKING GROUP SERVE THREE-YEAR TERMS.

13 (c) THE GOVERNOR APPOINTS THE CHAIR OF THE WORKING GROUP.

14 (d) THE WORKING GROUP MAY CREATE ADVISORY COMMITTEES
15 AND MEMBERS OF SUCH ADVISORY COMMITTEES ARE APPOINTED BY THE
16 CHAIR OF THE WORKING GROUP. ADVISORY COMMITTEES MAY CONSIST OF
17 WORKING GROUP MEMBERS OR OTHER EXPERTS WHO MAY ASSIST THE
18 WORKING GROUP IN PERFORMING ITS DUTIES.

19 (e) THE WORKING GROUP MEMBERS ARE ENTITLED TO
20 REIMBURSEMENT OF ANY NECESSARY EXPENSES RELATED TO HIS OR HER
21 PARTICIPATION IN THE WORKING GROUP.

22 (2) THE WORKING GROUP IS STAFFED JOINTLY BY THE GOVERNOR'S
23 OFFICE, THE OFFICE OF STATE PLANNING AND BUDGETING, LEGISLATIVE
24 COUNCIL STAFF, AND JOINT BUDGET COMMITTEE STAFF.

25 (3) THE DUTIES OF THE WORKING GROUP ARE TO:

26 (a) SET COMMON DEFINITIONS AND STANDARDS FOR
27 EVIDENCE-BASED PROGRAMS OR PRACTICES, PROMISING PROGRAMS OR

1 PRACTICES, AND THEORY-BASED PROGRAMS OR PRACTICES IN THE STATE
2 USING THE DEFINITIONS SET FORTH IN SECTION 24-37-502 AS A STARTING
3 POINT;

4 (b) MAKE LEGISLATIVE, POLICY, AND BUDGETARY
5 RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE GOVERNOR'S
6 OFFICE, AND EXECUTIVE BRANCH AGENCIES REGARDING PROGRAM
7 EVALUATION PRACTICES;

8 (c) REVIEW RECOMMENDATIONS BASED ON GOOD GOVERNMENT
9 PRACTICES FROM AROUND THE COUNTRY FOR PROGRAM EVALUATION BEST
10 PRACTICES;

11 (d) ENSURE THAT THE STATE'S PROGRAM EVALUATION ALLOWS
12 FOR CONTINUED INNOVATION IN PROGRAM DEVELOPMENT;

13 (e) PROVIDE THE STATE WITH COMPREHENSIVE SYSTEM-LEVEL
14 RECOMMENDATIONS WHILE AIMING FOR MANAGEABLE IMPLEMENTATION
15 OF THE STATE'S PROGRAM EVALUATION; AND

16 (f) RECOGNIZE, SUPPORT, AND INCORPORATE THE NEED FOR
17 CULTURE CHANGE IN THE AREA OF PROGRAM EVALUATION PRACTICES.

18 (4) IN ORDER TO MAKE LEGISLATIVE, POLICY, AND BUDGETARY
19 RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE GOVERNOR'S
20 OFFICE, AND EXECUTIVE BRANCH AGENCIES REGARDING PROGRAM
21 EVALUATION PRACTICES, THE WORKING GROUP SHALL EXAMINE:

22 (a) RESOURCE AND INFRASTRUCTURE NEEDS FOR BUILDING
23 EVALUATION CAPACITY IN THE STATE. THIS INCLUDES ASSESSING THE
24 VALUE AND LOGISTICS OF:

25 (I) ESTABLISHING A STATE OFFICE OF PROGRAM EVALUATION; AND

26 (II) ESTABLISHING FORMAL RELATIONSHIPS WITH THE STATE'S
27 INSTITUTIONS OF HIGHER EDUCATION TO EVALUATE OR ASSIST IN

1 EVALUATING STATE PROGRAMS PURSUANT TO THE COMMON DEFINITIONS
2 AND STANDARDS SET BY THE WORKING GROUP AS SPECIFIED IN
3 PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION.

4 (b) INTEGRATING IN THE STATE'S PROGRAM EVALUATION ANY
5 EXISTING GOOD GOVERNMENT PRACTICES, INCLUDING PROGRAMS SUCH AS
6 THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND
7 TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF
8 TITLE 2, C.R.S., AND EXISTING LEAN GOVERNMENT PROCESSES;

9 (c) COLLECTING AN INVENTORY OF STATE AND LOCAL PROGRAM
10 INVENTORIES AND EVALUATING THE UTILITY OF THE INVENTORIES
11 COLLECTED;

12 (d) EXISTING PROCUREMENT PRACTICES, INCLUDING
13 PERFORMANCE-BASED CONTRACTING;

14 (e) DATA COLLECTION REQUIREMENTS AND CAPACITY;

15 (f) CURRENT EVALUATION REQUIREMENTS FOR STATE PROGRAMS;

16 AND

17 (g) THE STATE PROVIDING TECHNICAL ASSISTANCE AND FIDELITY
18 MONITORING TO LOCAL GOVERNMENTS WITH THEIR PROGRAM
19 EVALUATION.

20 **24-37-504. Repeal of part.** THIS PART 5 IS REPEALED, EFFECTIVE
21 DECEMBER 31, 2019.

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2016 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.