

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

PREAMENDED

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

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
Legislative Council
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF AN EVALUATION METHODOLOGY**
102 **WORKING GROUP TO EXAMINE WAYS TO BUILD PROGRAM**
103 **EVALUATION CAPACITY FOR STATE AND LOCAL PROGRAMS, AND,**
104 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

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

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.

membership association whose purpose is to offer assistance to county commissioners, mayors, and council members, and local nonprofits or 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 AN EVALUATION METHODOLOGY WORKING GROUP TO
18 REVIEW AND ANALYZE THE EXISTING SUCCESSFUL PROGRAMS TO
19 DETERMINE BEST PRACTICES; AND

20 (d) ESTABLISHING AN EVALUATION METHODOLOGY WORKING
21 GROUP TO EXAMINE WAYS TO ADVANCE PROGRAM EVALUATION
22 METHODOLOGY IN THE STATE IS AN EFFECTIVE APPROACH TO ENRICHING

1 THE VALUE OF LEGISLATIVE, POLICY, OR BUDGETARY RECOMMENDATIONS.

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

4 (1) "EVALUATION METHODOLOGY WORKING GROUP" OR "WORKING
5 GROUP" MEANS THE EVALUATION METHODOLOGY WORKING GROUP
6 CREATED IN SECTION 24-37-503.

7 (2) "EVIDENCE-BASED PROGRAM OR PRACTICE" MEANS A PROGRAM
8 OR PRACTICE WITH A HIGH LEVEL OF EVALUATIVE RESEARCH ON
9 EFFECTIVENESS FOR AN INTENDED POPULATION, DETERMINED AS A RESULT
10 OF RIGOROUS EVALUATION. AN "EVIDENCE-BASED PROGRAM OR
11 PRACTICE" MAY SPECIFY PROCEDURES THAT ALLOW FOR SUCCESSFUL
12 REPLICATION.

13 (3) "PROGRAM OR PRACTICE" OR "PROGRAM" MEANS A STATE
14 ADMINISTERED, STATE SUPERVISED, AND STATE FUNDED PROGRAM.

15 (4) "PROMISING PROGRAM OR PRACTICE" MEANS A PROGRAM OR
16 PRACTICE WITH SOME EVALUATIVE RESEARCH THAT DEMONSTRATES
17 EFFECTIVENESS, BUT DOES NOT MEET THE FULL CRITERIA FOR AN
18 EVIDENCE-BASED PROGRAM OR PRACTICE.

19 (5) "THEORY-BASED PROGRAM OR PRACTICE" MEANS A PROGRAM
20 OR PRACTICE THAT HAS BEEN EVALUATED USING LESS RIGOROUS
21 RESEARCH DESIGNS OR A NEW OR INNOVATIVE PROGRAM THAT HAS NOT
22 BEEN EVALUATED. A "THEORY-BASED PROGRAM OR PRACTICE" DOES NOT
23 MEET THE FULL CRITERIA OR STANDARDS FOR AN EVIDENCE-BASED
24 PROGRAM OR PRACTICE OR A PROMISING PROGRAM OR PRACTICE.

25 **24-37-503. Evaluation methodology working group to examine**
26 **program evaluation methodology in the state - creation.** (1) (a) THERE
27 IS HEREBY CREATED AN EVALUATION METHODOLOGY WORKING GROUP

1 THAT CONSISTS OF UP TO TEN MEMBERS. TWO MEMBERS OF THE
2 EVALUATION METHODOLOGY WORKING GROUP ARE MEMBERS OF THE
3 GENERAL ASSEMBLY, ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF
4 REPRESENTATIVES AND ONE APPOINTED BY THE PRESIDENT OF THE
5 SENATE, AND BOTH APPOINTED NO LATER THAN AUGUST 15, 2016. EIGHT
6 MEMBERS ARE APPOINTED BY THE GOVERNOR NO LATER THAN AUGUST 15,
7 2016. THE MEMBERS OF THE WORKING GROUP APPOINTED BY THE
8 GOVERNOR MUST INCLUDE REPRESENTATIVES FROM:

- 9 (I) THE GOVERNOR'S OFFICE;
- 10 (II) STATE AGENCIES, EITHER THE EXECUTIVE DIRECTOR OR HIS OR
11 HER DESIGNEE, PREFERABLY WITH EXPERIENCE IN CURRENT STATE AGENCY
12 EVALUATION PROCESSES;
- 13 (III) THE JUDICIAL BRANCH;
- 14 (IV) A NONPROFIT MEMBERSHIP ASSOCIATION WHOSE PURPOSE IS
15 TO OFFER ASSISTANCE TO COUNTY COMMISSIONERS, MAYORS, AND
16 COUNCIL MEMBERS; AND
- 17 (V) LOCAL NONPROFITS OR SERVICE PROVIDERS.

18 (b) MEMBERS OF THE WORKING GROUP SERVE THREE-YEAR TERMS;
19 EXCEPT THAT MEMBERS OF THE GENERAL ASSEMBLY SERVE TWO-YEAR
20 TERMS.

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

22 (d) THE WORKING GROUP MAY CREATE ADVISORY COMMITTEES
23 AND MEMBERS OF SUCH ADVISORY COMMITTEES ARE APPOINTED BY THE
24 CHAIR OF THE WORKING GROUP. ADVISORY COMMITTEES MAY CONSIST OF
25 WORKING GROUP MEMBERS OR OTHER EXPERTS WHO MAY ASSIST THE
26 WORKING GROUP IN PERFORMING ITS DUTIES.

27 (e) THE WORKING GROUP MEMBERS ARE ENTITLED TO

1 REIMBURSEMENT OF ANY NECESSARY EXPENSES RELATED TO HIS OR HER
2 PARTICIPATION IN THE WORKING GROUP.

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

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

7 (a) SET COMMON DEFINITIONS AND STANDARDS FOR
8 EVIDENCE-BASED PROGRAMS OR PRACTICES, PROMISING PROGRAMS OR
9 PRACTICES, AND THEORY-BASED PROGRAMS OR PRACTICES IN THE STATE
10 USING THE DEFINITIONS SET FORTH IN SECTION 24-37-502 AS A STARTING
11 POINT;

12 (b) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE
13 GOVERNOR'S OFFICE, AND EXECUTIVE BRANCH AGENCIES REGARDING THE
14 BUILDING OF PROGRAM EVALUATION METHODOLOGY FOR THE STATE;

15 (c) REVIEW RECOMMENDATIONS BASED ON GOOD GOVERNMENT
16 PRACTICES FROM AROUND THE COUNTRY FOR PROGRAM EVALUATION BEST
17 PRACTICES;

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

20 (e) PROVIDE THE STATE WITH COMPREHENSIVE SYSTEM-LEVEL
21 EVALUATION METHODOLOGY RECOMMENDATIONS WHILE AIMING FOR
22 MANAGEABLE IMPLEMENTATION OF THE STATE'S PROGRAM EVALUATION;

23 AND

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

26 (4) IN ORDER TO MAKE RECOMMENDATIONS TO THE GENERAL
27 ASSEMBLY, THE GOVERNOR'S OFFICE, AND EXECUTIVE BRANCH AGENCIES

1 REGARDING THE BUILDING OF PROGRAM EVALUATION METHODOLOGY FOR
2 THE STATE, THE WORKING GROUP SHALL EXAMINE:

3 (a) RESOURCE AND INFRASTRUCTURE NEEDS FOR BUILDING
4 EVALUATION METHODOLOGY IN THE STATE. THIS INCLUDES ASSESSING THE
5 VALUE AND LOGISTICS OF ESTABLISHING FORMAL RELATIONSHIPS WITH
6 THE STATE'S INSTITUTIONS OF HIGHER EDUCATION TO EVALUATE OR ASSIST
7 IN EVALUATING STATE METHODOLOGY PURSUANT TO THE COMMON
8 DEFINITIONS AND STANDARDS SET BY THE WORKING GROUP AS SPECIFIED
9 IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION.

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

15 (c) COLLECTING AN INVENTORY OF STATE PROGRAMS AND
16 CLASSIFYING SUCH PROGRAMS AS AN EVIDENCE-BASED PROGRAM OR
17 PRACTICE, PROMISING PROGRAM OR PRACTICE, OR THEORY-BASED
18 PROGRAM OR PRACTICE;

19 (d) EXISTING PROCUREMENT PRACTICES, INCLUDING
20 PERFORMANCE-BASED CONTRACTING;

21 (e) DATA COLLECTION REQUIREMENTS AND METHODOLOGY; AND

22 (f) CURRENT EVALUATION REQUIREMENTS FOR STATE PROGRAMS.

23 **24-37-504. Repeal of part.** THIS PART 5 IS REPEALED, EFFECTIVE
24 DECEMBER 31, 2019.

25 **SECTION 2. Appropriation.** (1) For the 2016-17 state fiscal
26 year, \$23,728 is appropriated to the office of governor for use by the
27 office of state planning and budgeting. This appropriation is from the

1 general fund. To implement this act, the office may use this appropriation
2 as follows:

3 (a) \$11,254 for personal services, which amount is based on an
4 assumption that the office will require an additional 0.2 FTE; and

5 (b) \$12,474 for operating expenses.

6 (2) For the 2016-17 state fiscal year, \$13,690 is appropriated to
7 the legislative department. This appropriation is from the general fund
8 and is based on an assumption that the department will require an
9 additional 0.2 FTE. The department may use this appropriation to
10 implement this act.

11 **SECTION 3. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2016 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.