

**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
Appropriations

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) "PROGRAM OR PRACTICE" OR "PROGRAM" MEANS A STATE
12 ADMINISTERED, STATE SUPERVISED, AND STATE FUNDED PROGRAM.

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

18 (4) "RESULTS FIRST WORKING GROUP" OR "WORKING GROUP"
19 MEANS THE RESULTS FIRST WORKING GROUP CREATED IN SECTION
20 24-37-503.

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

26 **24-37-503. Results first working group to examine program**
27 **evaluation capacity in the state - creation.** (1) (a) THERE IS HEREBY

1 CREATED A RESULTS FIRST WORKING GROUP THAT CONSISTS OF UP TO TEN
2 MEMBERS. TWO MEMBERS OF THE RESULTS FIRST WORKING GROUP ARE
3 MEMBERS OF THE GENERAL ASSEMBLY, ONE APPOINTED BY THE SPEAKER
4 OF THE HOUSE OF REPRESENTATIVES AND ONE APPOINTED BY THE
5 PRESIDENT OF THE SENATE, AND BOTH APPOINTED NO LATER THAN
6 AUGUST 15, 2016. EIGHT MEMBERS ARE APPOINTED BY THE GOVERNOR NO
7 LATER THAN AUGUST 15, 2016. THE MEMBERS OF THE WORKING GROUP
8 APPOINTED BY THE 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;
- 12 [REDACTED]
- 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 LEGISLATIVE, POLICY, AND BUDGETARY
13 RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE GOVERNOR'S
14 OFFICE, AND EXECUTIVE BRANCH AGENCIES REGARDING PROGRAM
15 EVALUATION PRACTICES;

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

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

21 (e) PROVIDE THE STATE WITH COMPREHENSIVE SYSTEM-LEVEL
22 RECOMMENDATIONS WHILE AIMING FOR MANAGEABLE IMPLEMENTATION
23 OF THE STATE'S PROGRAM EVALUATION; 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 LEGISLATIVE, POLICY, AND BUDGETARY
27 RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE GOVERNOR'S

1 OFFICE, AND EXECUTIVE BRANCH AGENCIES REGARDING PROGRAM
2 EVALUATION PRACTICES, THE WORKING GROUP SHALL EXAMINE:

3 (a) RESOURCE AND INFRASTRUCTURE NEEDS FOR BUILDING
4 EVALUATION CAPACITY IN THE STATE. THIS INCLUDES ASSESSING THE
5 VALUE AND LOGISTICS OF:

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

7 (II) ESTABLISHING FORMAL RELATIONSHIPS WITH THE STATE'S
8 INSTITUTIONS OF HIGHER EDUCATION TO EVALUATE OR ASSIST IN
9 EVALUATING STATE PROGRAMS PURSUANT TO THE COMMON DEFINITIONS
10 AND STANDARDS SET BY THE WORKING GROUP AS SPECIFIED IN
11 PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION.

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

17 (c) COLLECTING AN INVENTORY OF STATE [REDACTED] PROGRAM
18 INVENTORIES AND EVALUATING THE UTILITY OF THE INVENTORIES
19 COLLECTED;

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

22 (e) DATA COLLECTION REQUIREMENTS AND CAPACITY;

23 (f) CURRENT EVALUATION REQUIREMENTS FOR STATE PROGRAMS;

24 AND

25 (g) THE STATE PROVIDING TECHNICAL ASSISTANCE AND FIDELITY
26 MONITORING TO LOCAL GOVERNMENTS WITH THEIR PROGRAM
27 EVALUATION.

1 **24-37-504. Repeal of part.** THIS PART 5 IS REPEALED, EFFECTIVE
2 DECEMBER 31, 2019.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2016 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.