

**CORRECTED REPORT**

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 28, 2016  
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB16-1209 be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation:

1 Strike the Local Government Committee Report, dated February 17,  
2 2016, and substitute:

3 "Amend printed bill, strike everything below the enacting clause and  
4 substitute:

5 **"SECTION 1.** In Colorado Revised Statutes, **add** part 5 to article  
6 37 of title 24 as follows:

7 **PART 5**  
8 **EVALUATION OF STATE AND LOCAL PROGRAMS**  
9 **24-37-501. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
10 HEREBY FINDS AND DECLARES THAT:

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

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

18 (c) THE STATE IS A NATIONAL LEADER IN PROGRAM EVALUATION  
19 AND SUCH PROGRESS IS BEST SUSTAINED BY GETTING THE EXPERTS  
20 TOGETHER IN AN EVALUATION METHODOLOGY WORKING GROUP TO  
21 REVIEW AND ANALYZE THE EXISTING SUCCESSFUL PROGRAMS TO  
22 DETERMINE BEST PRACTICES; AND

1 (d) ESTABLISHING AN EVALUATION METHODOLOGY WORKING  
2 GROUP TO EXAMINE WAYS TO ADVANCE PROGRAM EVALUATION  
3 METHODOLOGY IN THE STATE IS AN EFFECTIVE APPROACH TO ENRICHING  
4 THE VALUE OF LEGISLATIVE, POLICY, OR BUDGETARY RECOMMENDATIONS.

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

7 (1) "EVALUATION METHODOLOGY WORKING GROUP" OR "WORKING  
8 GROUP" MEANS THE EVALUATION METHODOLOGY WORKING GROUP  
9 CREATED IN SECTION 24-37-503.

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

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

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

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

28 **24-37-503. Evaluation methodology working group to examine**  
29 **program evaluation methodology in the state - creation.** (1)(a) THERE  
30 IS HEREBY CREATED AN EVALUATION METHODOLOGY WORKING GROUP  
31 THAT CONSISTS OF UP TO TEN MEMBERS. TWO MEMBERS OF THE  
32 EVALUATION METHODOLOGY WORKING GROUP ARE MEMBERS OF THE  
33 GENERAL ASSEMBLY, ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF  
34 REPRESENTATIVES AND ONE APPOINTED BY THE PRESIDENT OF THE  
35 SENATE, AND BOTH APPOINTED NO LATER THAN AUGUST 15, 2016. EIGHT  
36 MEMBERS ARE APPOINTED BY THE GOVERNOR NO LATER THAN AUGUST 15,  
37 2016. THE MEMBERS OF THE WORKING GROUP APPOINTED BY THE  
38 GOVERNOR MUST INCLUDE REPRESENTATIVES FROM:

39 (I) THE GOVERNOR'S OFFICE;

40 (II) STATE AGENCIES, EITHER THE EXECUTIVE DIRECTOR OR HIS OR

1 HER DESIGNEE, PREFERABLY WITH EXPERIENCE IN CURRENT STATE AGENCY  
2 EVALUATION PROCESSES;  
3 (III) THE JUDICIAL BRANCH;  
4 (IV) A NONPROFIT MEMBERSHIP ASSOCIATION WHOSE PURPOSE IS  
5 TO OFFER ASSISTANCE TO COUNTY COMMISSIONERS, MAYORS, AND  
6 COUNCIL MEMBERS; AND  
7 (V) LOCAL NONPROFITS OR SERVICE PROVIDERS.  
8 (b) MEMBERS OF THE WORKING GROUP SERVE THREE-YEAR TERMS;  
9 EXCEPT THAT MEMBERS OF THE GENERAL ASSEMBLY SERVE TWO-YEAR  
10 TERMS.  
11 (c) THE GOVERNOR APPOINTS THE CHAIR OF THE WORKING GROUP.  
12 (d) THE WORKING GROUP MAY CREATE ADVISORY COMMITTEES  
13 AND MEMBERS OF SUCH ADVISORY COMMITTEES ARE APPOINTED BY THE  
14 CHAIR OF THE WORKING GROUP. ADVISORY COMMITTEES MAY CONSIST OF  
15 WORKING GROUP MEMBERS OR OTHER EXPERTS WHO MAY ASSIST THE  
16 WORKING GROUP IN PERFORMING ITS DUTIES.  
17 (e) THE WORKING GROUP MEMBERS ARE ENTITLED TO  
18 REIMBURSEMENT OF ANY NECESSARY EXPENSES RELATED TO HIS OR HER  
19 PARTICIPATION IN THE WORKING GROUP.  
20 (2) THE WORKING GROUP IS STAFFED JOINTLY BY THE GOVERNOR'S  
21 OFFICE, THE OFFICE OF STATE PLANNING AND BUDGETING, LEGISLATIVE  
22 COUNCIL STAFF, AND JOINT BUDGET COMMITTEE STAFF.  
23 (3) THE DUTIES OF THE WORKING GROUP ARE TO:  
24 (a) SET COMMON DEFINITIONS AND STANDARDS FOR  
25 EVIDENCE-BASED PROGRAMS OR PRACTICES, PROMISING PROGRAMS OR  
26 PRACTICES, AND THEORY-BASED PROGRAMS OR PRACTICES IN THE STATE  
27 USING THE DEFINITIONS SET FORTH IN SECTION 24-37-502 AS A STARTING  
28 POINT;  
29 (b) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE  
30 GOVERNOR'S OFFICE, AND EXECUTIVE BRANCH AGENCIES REGARDING THE  
31 BUILDING OF PROGRAM EVALUATION METHODOLOGY FOR THE STATE;  
32 (c) REVIEW RECOMMENDATIONS BASED ON GOOD GOVERNMENT  
33 PRACTICES FROM AROUND THE COUNTRY FOR PROGRAM EVALUATION BEST  
34 PRACTICES;  
35 (d) ENSURE THAT THE STATE'S PROGRAM EVALUATION ALLOWS  
36 FOR CONTINUED INNOVATION IN PROGRAM DEVELOPMENT;  
37 (e) PROVIDE THE STATE WITH COMPREHENSIVE SYSTEM-LEVEL  
38 EVALUATION METHODOLOGY RECOMMENDATIONS WHILE AIMING FOR  
39 MANAGEABLE IMPLEMENTATION OF THE STATE'S PROGRAM EVALUATION;  
40 AND

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

3 (4) IN ORDER TO MAKE RECOMMENDATIONS TO THE GENERAL  
4 ASSEMBLY, THE GOVERNOR'S OFFICE, AND EXECUTIVE BRANCH AGENCIES  
5 REGARDING THE BUILDING OF PROGRAM EVALUATION METHODOLOGY FOR  
6 THE STATE, THE WORKING GROUP SHALL EXAMINE:

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

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

19 (c) COLLECTING AN INVENTORY OF STATE PROGRAMS AND  
20 CLASSIFYING SUCH PROGRAMS AS AN EVIDENCE-BASED PROGRAM OR  
21 PRACTICE, PROMISING PROGRAM OR PRACTICE, OR THEORY-BASED  
22 PROGRAM OR PRACTICE;

23 (d) EXISTING PROCUREMENT PRACTICES, INCLUDING  
24 PERFORMANCE-BASED CONTRACTING;

25 (e) DATA COLLECTION REQUIREMENTS AND METHODOLOGY; AND

26 (f) CURRENT EVALUATION REQUIREMENTS FOR STATE PROGRAMS.

27 **24-37-504. Repeal of part.** THIS PART 5 IS REPEALED, EFFECTIVE  
28 DECEMBER 31, 2019.

29 **SECTION 2. Appropriation.** (1) For the 2016-17 state fiscal  
30 year, \$23,728 is appropriated to the office of governor for use by the  
31 office of state planning and budgeting. This appropriation is from the  
32 general fund. To implement this act, the office may use this appropriation  
33 as follows:

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

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

37 (2) For the 2016-17 state fiscal year, \$13,690 is appropriated to  
38 the legislative department. This appropriation is from the general fund  
39 and is based on an assumption that the department will require an  
40 additional 0.2 FTE. The department may use this appropriation to

1 implement this act.

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

12 Page 1 of the bill, line 101, strike "A RESULTS FIRST" and substitute "AN  
13 EVALUATION METHODOLOGY".

14 Page 1 of the bill, line 103, strike "PROGRAMS." and substitute  
15 "PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN  
16 APPROPRIATION."."

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