

CHAPTER 430

GOVERNMENT - STATE

SENATE BILL 25-306

BY SENATOR(S) Rodriguez and Kirkmeyer, Amabile, Bridges, Bright, Frizell, Liston, Pelton B., Pelton R., Simpson, Snyder, Exum, Lundeen, Mullica;
 also REPRESENTATIVE(S) Lindstedt and Taggart, Armagost, Bird, Boesenecker, Brooks, Camacho, Clifford, Gonzalez R., Hartsook, Keltie, Soper, Winter T., Barron, Bradley, Caldwell, Garcia Sander, Marshall, Stewart R., Story, McCluskie.

AN ACT

CONCERNING REQUIRED PERFORMANCE AUDITS OF CERTAIN STATE AGENCIES, AND, IN CONNECTION THEREWITH, REQUIRING THE STATE AUDITOR TO CONDUCT OR CAUSE TO BE CONDUCTED PERFORMANCE AUDITS OF THE AIR POLLUTION CONTROL DIVISION AND THE DIVISION OF UNEMPLOYMENT INSURANCE.

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

SECTION 1. In Colorado Revised Statutes, **add 2-3-131 and 2-3-132** as follows:

2-3-131. Performance audit - air pollution control division - report.

(1) **DURING THE 2026 AND 2031 CALENDAR YEARS, THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE CONDUCTED A PERFORMANCE AUDIT OF THE AIR POLLUTION CONTROL DIVISION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO DETERMINE WHETHER THE AIR POLLUTION CONTROL DIVISION IS EFFECTIVELY AND EFFICIENTLY PERFORMING AND FULFILLING THE DIVISION'S STATUTORY OBLIGATIONS. UPON COMPLETION OF A PERFORMANCE AUDIT, THE STATE AUDITOR SHALL SUBMIT A WRITTEN REPORT ABOUT THE PERFORMANCE AUDIT TO THE LEGISLATIVE AUDIT COMMITTEE.**

(2) **IN CONDUCTING THE PERFORMANCE AUDIT REQUIRED BY SUBSECTION (1) OF THIS SECTION, THE STATE AUDITOR SHALL:**

(a) **DETERMINE WHETHER THE AIR POLLUTION CONTROL DIVISION COMPLIES WITH STATUTE AND ITS STATUTORY PURPOSE;**

(b) **ASSESS THE IMPACT OF THE AIR POLLUTION CONTROL DIVISION'S PROCESSES ON THE ABILITY OF STAKEHOLDERS TO ACCESS PROGRAM BENEFITS;**

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(c) DETERMINE WHETHER THE AIR POLLUTION CONTROL DIVISION'S FUNDING AND STAFFING LEVELS ARE SUFFICIENT FOR IT TO EFFICIENTLY AND EFFECTIVELY FULFILL ITS STATUTORY DUTIES AND RESPONSIBILITIES RELATED TO PROGRAM ADMINISTRATION AND ENFORCEMENT, INCLUDING ASSESSING HOW FUNDING OR STAFFING CHANGES MADE AT THE STATE LEVEL MIGHT IMPACT LOCAL GOVERNMENTS;

(d) DETERMINE WHETHER THE AIR POLLUTION CONTROL DIVISION REQUESTED AND WAS APPROPRIATED ADDITIONAL RESOURCES FROM THE GENERAL ASSEMBLY AND WHETHER THAT DECISION IMPACTED PROGRAM IMPLEMENTATION AND THE TIMING OF IMPLEMENTATION; AND

(e) NOT INCLUDE A REVIEW OF A RULE NOT YET FINALIZED BUT MAY CONSIDER CHANGES BEING PROPOSED TO A CURRENT RULE.

2-3-132. Performance audit - division of unemployment insurance.

(1) DURING THE 2027 AND 2032 CALENDAR YEARS, THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE CONDUCTED A PERFORMANCE AUDIT OF THE DIVISION OF UNEMPLOYMENT INSURANCE CREATED IN SECTION 8-71-101 TO DETERMINE WHETHER THE DIVISION OF UNEMPLOYMENT INSURANCE IS EFFECTIVELY AND EFFICIENTLY PERFORMING AND FULFILLING THE DIVISION'S STATUTORY OBLIGATIONS. UPON COMPLETION OF A PERFORMANCE AUDIT, THE STATE AUDITOR SHALL SUBMIT A WRITTEN REPORT ABOUT THE PERFORMANCE AUDIT TO THE LEGISLATIVE AUDIT COMMITTEE.

(2) IN CONDUCTING THE PERFORMANCE AUDIT REQUIRED BY SUBSECTION (1) OF THIS SECTION, THE STATE AUDITOR SHALL:

(a) DETERMINE WHETHER THE DIVISION OF UNEMPLOYMENT INSURANCE COMPLIES WITH STATUTE AND ITS STATUTORY PURPOSE;

(b) ASSESS THE IMPACT OF THE DIVISION OF UNEMPLOYMENT INSURANCE PROCESSES ON THE ABILITY OF STAKEHOLDERS TO ACCESS PROGRAM BENEFITS AND IDENTIFY ANY DIVISION PROCESSES THAT MAY BE UNNECESSARY, UNREASONABLE, OR CAUSE DELAYS;

(c) DETERMINE WHETHER THE DIVISION OF UNEMPLOYMENT INSURANCE FUNDING AND STAFFING LEVELS ARE SUFFICIENT FOR IT TO EFFICIENTLY AND EFFECTIVELY FULFILL ITS STATUTORY DUTIES AND RESPONSIBILITIES RELATED TO PROGRAM ADMINISTRATION AND ENFORCEMENT;

(d) DETERMINE WHETHER THE DIVISION OF UNEMPLOYMENT INSURANCE REQUESTED AND WAS APPROPRIATED ADDITIONAL RESOURCES FROM THE GENERAL ASSEMBLY AND WHETHER THAT DECISION IMPACTED PROGRAM IMPLEMENTATION AND THE TIMING OF IMPLEMENTATION; AND

(e) NOT INCLUDE A REVIEW OF A RULE NOT YET FINALIZED BUT MAY CONSIDER CHANGES BEING PROPOSED TO A CURRENT RULE.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final

adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 4, 2025