

CHAPTER 11

**GOVERNMENT - STATE**

HOUSE BILL 99-1077

BY REPRESENTATIVES Taylor, Pfiffner, Clarke, Larson, Lee, McKay, Miller, Paschall, and Young;  
also SENATORS Reeves, Linkhart, and Powers.

**AN ACT**

CONCERNING THE CREATION OF A STATEWIDE SYSTEM FOR TRACKING EMPLOYMENT CLAIMS AGAINST THE STATE FOR THE PURPOSE OF RISK MANAGEMENT, AND, IN CONNECTION THEREWITH, ESTABLISHING A PILOT PROGRAM FOR THE PURPOSE OF DEVELOPING SUCH A SYSTEM.

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

**SECTION 1.** 24-30-1504 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

**24-30-1504. Powers and duties of the department.** (1) The department of personnel shall have the following powers and duties:

(l) TO ESTABLISH AND ADMINISTER A PILOT PROGRAM BEGINNING JULY 1, 1999, FOR THE PURPOSE OF DEVELOPING A STATEWIDE DATABASE AND UNIFORM REPORTING SYSTEM TO TRACK EMPLOYMENT CLAIMS BROUGHT AGAINST STATE AGENCIES AND THE LOSSES INCURRED AS A RESULT OF SUCH CLAIMS. THE PILOT PROGRAM SHALL INCLUDE:

(I) A MINIMUM OF THREE AGENCIES SELECTED BY THE DEPARTMENT OF PERSONNEL, INCLUDING AT LEAST ONE INSTITUTION OF HIGHER EDUCATION AND ONE DEPARTMENT OF THE EXECUTIVE BRANCH OTHER THAN THE DEPARTMENT OF HIGHER EDUCATION; AND

(II) A REPORT TO THE GENERAL ASSEMBLY NOT LATER THAN JUNE 30, 2001, DETAILING THE RESULTS OF THE PILOT PROGRAM.

(m) ON AND AFTER JULY 1, 2001, TO ESTABLISH AND ADMINISTER A STATEWIDE DATABASE AND UNIFORM REPORTING SYSTEM TO TRACK EMPLOYMENT CLAIMS BROUGHT AGAINST STATE AGENCIES AND THE LOSSES INCURRED AS A RESULT OF SUCH CLAIMS, EXCEPT AS EXCLUDED BY SECTION 24-30-1517 (2).

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2.** 24-30-1505 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-30-1505. Powers of the executive director.** (1) In order to perform the powers and duties set forth in this part 15, the executive director shall exercise the following powers:

(a) Supervise the development and administration of the following risk management programs:

(V) THE PILOT PROGRAM DESCRIBED IN SECTION 24-30-1504 (1) (l) AND THE STATEWIDE DATABASE AND UNIFORM TRACKING SYSTEM DESCRIBED IN SECTION 24-30-1504 (1) (m) FOR THE PURPOSE OF TRACKING EMPLOYMENT CLAIMS BROUGHT AGAINST STATE AGENCIES AND THE LOSSES INCURRED AS A RESULT OF SUCH CLAIMS, EXCEPT AS EXCLUDED BY SECTION 24-30-1517 (2). IN DEVELOPING AND ADMINISTERING SUCH PROGRAMS, THE EXECUTIVE DIRECTOR MAY:

(A) ADOPT RULES THAT DEFINE RELEVANT TERMS INCLUDING, BUT NOT LIMITED TO, "CLAIMS" AND "LOSSES"; AND

(B) REQUIRE STATE AGENCIES, INCLUDING INSTITUTIONS OF HIGHER EDUCATION, TO SUBMIT SUCH INFORMATION AS IS NECESSARY TO IMPLEMENT THE PROGRAMS.

**SECTION 3. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 10, 1999