

CHAPTER 36

GENERAL ASSEMBLY

HOUSE BILL 01-1009

BY REPRESENTATIVE(S) Young, Ragsdale, Coleman, Jahn, Mace, Miller, Romanoff, Williams S., and Williams T.;
also SENATOR(S) Evans and Teck.

AN ACT

CONCERNING THE STATE AUDITOR'S DUTY TO CONDUCT RECORDS MANAGEMENT AUDITS OF STATE
GOVERNMENT AGENCIES.

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

SECTION 1. Part 1 of article 3 of title 2, Colorado Revised Statutes, is amended
BY THE ADDITION OF A NEW SECTION to read:

2-3-114. State records management - duties of state auditor. (1) FOR
PURPOSES OF THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AGENCY" MEANS EVERY DEPARTMENT, INSTITUTION, AND AGENCY OF STATE
GOVERNMENT, INCLUDING EDUCATIONAL INSTITUTIONS AND THE JUDICIAL AND
LEGISLATIVE BRANCHES.

(b) "RECORDS" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION
24-80-101 (1), C.R.S., AND SHALL INCLUDE A "RECORD" AS DEFINED IN SECTION
24-71.1-103 (9), C.R.S.

(2) THE STATE AUDITOR SHALL CONDUCT RECORDS MANAGEMENT AUDITS OF
EVERY AGENCY ON A PERIODIC BASIS AS DETERMINED BY THE STATE AUDITOR. SUCH
RECORDS MANAGEMENT AUDITS SHALL BE CONDUCTED SEPARATELY OR IN
CONNECTION WITH AN AGENCY AUDIT CONDUCTED PURSUANT TO SECTION 2-3-103.

(3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL OR THE
DIRECTOR'S DESIGNEE SHALL, IN CONSULTATION WITH THE STATE ARCHIVIST, PROVIDE
THE STATE AUDITOR WITH GUIDELINES BY SEPTEMBER 1, 2001, FOR DETERMINING
WHETHER AN AGENCY IS:

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

(a) MANAGING ITS RECORDS IN COMPLIANCE WITH THE ADMINISTRATIVE AND TECHNICAL PROCEDURES FOR RECORDS MAINTENANCE AND MANAGEMENT ESTABLISHED PURSUANT TO SECTION 24-80-102 (3), C.R.S.; AND

(b) IMPROVING THE GENERAL ACCESSIBILITY OF THE RECORDS IN THE AGENCY'S CUSTODY.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 20, 2001