

**HB 18-1198****Concerning the Establishment of Best Practices  
for State Boards and Commissions****WHAT WOULD THIS BILL DO?**

Require each statutorily created board or commission in state government to implement written policies and obtain annual training in a variety of areas, including:

- Understanding and operating within the limits of applicable laws and legislative intent.
- The board or commission's role in overseeing projects or entities it approves to receive public funding.
- Aligning its processes with the goals of the program the board or commission oversees.
- Identifying and managing conflicts of interest and ensuring the members act in accordance with their roles as public representatives.
- Understanding the requirements of the Open Records Act and the Open Meetings Law.
- Setting parameters regarding the duties of program staff relative to the board or commission.
- Identifying and securing sufficient data to make informed decisions.
- Ensuring the appropriate involvement of members in the review of key communications and policy making activities.

Require each state agency responsible for a statutorily created board or commission to ensure the board or commission obtains the annual training and implements the required policies.

**HOW DID THIS BILL COME ABOUT?**

Over the last five years the Office of the State Auditor has identified gaps in how a number of state boards, commissions, or committees carry out their duties. The audit reports listed below cited problems with boards, commission, or committees understanding and carrying out their statutorily assigned roles; establishing definitions and processes to guide and support their decisions (such as approving grant requests, allocating funding, or providing direction to the state agency); distinguishing between the role of staff and the role of the board, commission, or committee; obtaining sufficient data to make informed decisions; adhering to legal requirements such as those related to conflicts of interest and open

meetings; and operating within the limits of their authority. On the basis of these audit results, the Legislative Audit Committee approved bill language to provide state boards and commissions with specific statutory expectations.

OSA PERFORMANCE AUDITS WITH FINDINGS RELATED TO BOARDS/COMMITTEES/COMMISSIONS 2012 - 2017		
	AUDIT	BOARD/COMMISSION/COMMITTEE
1	Regional Tourism Act, Governor's Office of Economic Development & Trade Oct 2017 (#1683P)	Economic Development Commission
2	State Land Board, Department of Natural Resources Oct 2017 (#1681P)	State Board of Land Commissioners
3	Gaming Impact Grants, Department of Local Affairs (DOLA) Aug 2015 (#1419P)	Limited Gaming Impact Advisory Committee
4	Collection and Usage of FASTER Motor Vehicle Fees, Department of Transportation Aug 2015 (#1410P)	Transportation Commission
5	Colorado Correctional Industries, Department of Corrections Jan 2015 (#1350P)	Correctional Industries Advisory Committee
6	History Colorado, Department of Higher Education July 2014 (#1405P)	History Colorado Board of Directors
7	Veterans' Trust Fund Grant Program, Department of Veterans' and Military Affairs June 2014 (#1340P)	Board of Veterans' Affairs
8	Public School Capital Construction Assistance Program (BEST), Department of Education Oct 2013 (#2200)	BEST Board
9	Colorado HIV & AIDS Prevention Grant Program (CHAPP), Department of Public Health & Environment Aug 2013 (#2201)	CHAPP Advisory Committee
10	Colorado Lottery, Department of Revenue Aug 2013 (#2205)	Lottery Commission
11	Conservation Easement Tax Credit Program, Departments of Revenue and Regulatory Agencies Oct 2012 (#2171)	Conservation Easement Oversight Commission
12	Amendment 35 Tobacco Tax Grant Program, Department of Public Health and Environment Aug 2012 (#2166)	Tobacco Education, Prevention, & Cessation Program Review Committee