

House Bill 22-1022
Legislative Audit Committee Bill Resulting from the Performance Audit of the
Colorado State Fair Authority, Department of Agriculture

Concerning Modifications to the Administration of the
Colorado State Fair and Industrial Exposition
Audit Recommendations 1A and 1D, Report Page 26

WHAT WOULD THIS BILL DO?

This Bill would amend:

- Section 35-65-105, C.R.S., to clarify that the Colorado State Fair Authority (Authority) may collaborate with a state agency on developing an industry display for the State Fair (Fair); allow the Authority to receive information from an industry representative in order to develop an industry display; and require the Authority's Board of Commissioners (Board) to establish a process for approving industry displays. These changes would help ensure that the Authority receives technical assistance when developing displays of Colorado industries, and that the Authority displays those industries at the Fair as required by Section 35-65-105, C.R.S.
- Sections 35-65-401(c) and 35-65-403(1), C.R.S., to align with requirements in Section 24-50-104(5)(c), C.R.S., by removing the provision that the Board hire the Fair's manager, and clarifying that the Commissioner of Agriculture, as the Department's Executive Director, is responsible for hiring the Fair's manager. This change would resolve conflicting sections of statute, and reflects the historical practice that the Commissioner of Agriculture, in consultation with the Board, hires the Fair's manager, who is a Senior Executive Service state employee.

WHAT DID THE AUDIT FIND?

The October 2019 *Colorado State Fair Authority Performance Audit* found that the State Fair did not consistently display seven industry categories required by Section 35-65-105(1)(a), C.R.S.—industrial, mining, water conservation, tourism, recreation, education, and science—but did consistently display required information on livestock, agriculture, and horticulture. The audit recommended that the Board ensure compliance with statute.

The audit also noted inconsistencies between Section 24-50-104(5), C.R.S., and Sections 35-65-401(9)(c) and 403(1), C.R.S., which made it unclear who is responsible for hiring the Fair's manager. The audit recommended that the Board obtain a legal interpretation of statutes from the Attorney General's Office; that Office suggested statutory clean up to clarify that the Commissioner of Agriculture is responsible for hiring.

Comments: This Bill incorporates comments from the Department of Agriculture.