



Colorado Legislative Council Staff Fiscal Note
REVISED NO FISCAL IMPACT

(replaces fiscal note dated March 23, 2010)

Drafting Number: LLS 10-0268
Prime Sponsor(s): Sen. Carroll M.
Rep. Weissmann

Date: March 31, 2010
Bill Status: House Second Reading
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING THE "COLORADO TAXPAYER TRANSPARENCY ACT OF 2010".

Summary of Legislation

The reengrossed bill, as amended by the House SVMA committee, includes several measures to increase transparency in state government contracting and purchasing. Specifically, it does the following:

- requires certain state governmental entities covered by state procurement code to include language in contracts stating that the contract is open to public inspection;
- requires any party to a contract with a governmental entity to make records relating to the costs and performance measures of the contract available to the governmental entity for purposes of complying with open records law;
- makes exceptions to the public disclosure requirement for public records that are exempt from disclosure under state or federal law and creates a process for contractors to identify such documents if they are requested;
- expands the definition of "institutionally related foundation" for the purposes of open records requests to include nonprofit corporations, foundations, and other entities organized for the benefit of a state agency.

The bill is effective August 11, 2010, assuming the General Assembly adjourns May 12, 2010, as scheduled and no referendum petition is filed.

Assessment

The bill is assessed at no fiscal impact. While costs for new open records requests allowed under the bill will be shared by contractors and governmental entities, the costs to state agencies are expected to be minimal. Contractors with the state may incorporate costs for providing records to governmental entities in response to open records requests into bids for state contracts, which could increase costs in the future for some types of contracts. However, any increase in costs is expected to be minimal, and can be addressed through the annual budget process, if needed.

Departments Contacted

All Departments