

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0466.01 Esther van Mourik x4215

SENATE BILL 16-073

SENATE SPONSORSHIP

Grantham,

HOUSE SPONSORSHIP

Lawrence,

Senate Committees

Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING THE AUTHORITY OF THE STATE AUDITOR TO AUDIT THE
102 USE OF STATE GAMING TAX REVENUES TRANSFERRED FROM THE
103 STATE HISTORICAL FUND DIRECTLY TO THE GAMING CITIES FOR
104 HISTORIC PRESERVATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill provides the state auditor authority to conduct postaudits and performance audits related to the specific amount of the limited gaming fund that is transferred to the state historical fund for the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

preservation and restoration of the city of Central, the city of Black Hawk, and the city of Cripple Creek in order to ascertain:

- ! How the city of Central, the city of Black Hawk, and the city of Cripple Creek are spending their distributions and whether such expenditures are being used for the preservation and restoration of each city; and
- ! Whether the city of Central, the city of Black Hawk, and the city of Cripple Creek have adopted and are following the required statutory standards for distribution of grants from each city's share.

The bill grants the state auditor the continuing authority to audit this subject whenever the state auditor or the legislative audit committee deems it appropriate.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 2-3-122 as
3 follows:

4 **2-3-122. Audits of the distribution of money in the state**
5 **historical fund used for the preservation and restoration of the cities**
6 **of Central, Black Hawk, and Cripple Creek.** (1) SUBJECT TO THE
7 REQUIREMENTS OF SECTION 2-3-103 (2), NO LATER THAN SEPTEMBER 1,
8 2017, AND EVERY FIVE YEARS THEREAFTER, THE STATE AUDITOR SHALL
9 CONDUCT OR CAUSE TO BE CONDUCTED POSTAUDITS AND PERFORMANCE
10 AUDITS OF THE TWENTY PERCENT OF THE TWENTY-EIGHT PERCENT OF THE
11 LIMITED GAMING FUND THAT IS TRANSFERRED TO THE STATE HISTORICAL
12 FUND FOR THE PRESERVATION AND RESTORATION OF THE CITY OF
13 CENTRAL, THE CITY OF BLACK HAWK, AND THE CITY OF CRIPPLE CREEK
14 AS SPECIFIED IN SUBSECTION (5) (b) (III) OF SECTION 9 OF ARTICLE XVIII
15 OF THE STATE CONSTITUTION IN ORDER TO ASCERTAIN:

16 (a) HOW THE CITY OF CENTRAL, THE CITY OF BLACK HAWK, AND
17 THE CITY OF CRIPPLE CREEK ARE SPENDING THEIR DISTRIBUTIONS AND
18 WHETHER SUCH EXPENDITURES ARE BEING USED FOR THE PRESERVATION

1 AND RESTORATION OF EACH CITY; AND

2 (b) WHETHER THE CITY OF CENTRAL, THE CITY OF BLACK HAWK,
3 AND THE CITY OF CRIPPLE CREEK HAVE ADOPTED AND ARE FOLLOWING
4 THE STANDARDS DESCRIBED IN SECTION 12-47.1-1202 (3), C.R.S., FOR
5 DISTRIBUTION OF GRANTS FROM EACH CITY'S SHARE.

6 (2) THIS DUTY IS IN ADDITION TO THE STATE AUDITOR'S DUTY TO
7 EXAMINE THE REPORTS SUBMITTED BY THE CITY OF CENTRAL, THE CITY OF
8 BLACK HAWK, AND THE CITY OF CRIPPLE CREEK PURSUANT TO THE
9 REQUIREMENTS OF SECTIONS 29-1-606 AND 29-1-607, C.R.S.

10 (3) THE STATE AUDITOR HAS CONTINUING AUTHORITY TO
11 CONDUCT POSTAUDITS AND PERFORMANCE AUDITS OF THE SUBJECT
12 SPECIFIED IN SUBSECTION (1) OF THIS SECTION WHENEVER THE STATE
13 AUDITOR OR THE LEGISLATIVE AUDIT COMMITTEE DEEMS APPROPRIATE.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2016 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.