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ELECTIONS/LICENSING
SECRETARY OF STATE

S.WARD 2:40P.M.

Final version

PERA TRANSPARENCY ACT

Be it Enacted by the People of the State of Colorado:

In Colorado Revised Statutes, add part 221 to article 51 of title 24, amend part 202 (6)(a)(I) of article 72 of title 24, add part 202 (6.5)(b)(V) of article 72 of title 24, amend part 402 (1)(d) of article 6 of title 24, add part 403 to article 6 of title 24, as follows:

C.R.S. 24-51-221. ALL VIDEO, AUDIO, ELECTRONIC AND WRITTEN INFORMATION, PUBLICATIONS, DOCUMENTS AND OTHER COMMUNICATIONS AND MATERIALS PRODUCED, RECEIVED, HOUSED OR USED BY THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, INCLUDING BY ITS EMPLOYEES IN THE COURSE OF THEIR EMPLOYMENT, SHALL BE TRANSPARENT AND OPEN TO PUBLIC INSPECTION UNDER C.R.S. 24-72, WITH THE EXCEPTION OF "PERSONNEL RECORDS" AS DEFINED BY 24-72-202 (4.5).

C.R.S. 24-72-202 (6) (a) (I) "Public records" means and includes all writings made, maintained, or kept by the state, any agency, institution, INCLUDING THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION AND ITS BOARD, a nonprofit corporation incorporated pursuant to section 23-5-121 (2), C.R.S., or political subdivision of the state, or that are described in section 29-1-902, C.R.S., and held by any local-government-financed entity for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds.

C.R.S. 24-72-202 (6.5) (b) (V) ALL DOCUMENTS, ANALYSIS, WORKSHEETS AND DRAFTS PREPARED BY THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION STAFF OR PROVIDED BY AN OUTSIDE ENTITY TO ASSIST IN THE PREPARATION OF ANY GOVERNMENT ACCOUNTING STANDARDS BOARD REQUIRED DOCUMENTS AND/OR ANALYSIS REQUIRED TO PREPARE SUCH DOCUMENTS.

C.R.S. 24-6-402 (1)(d) "State public body" means any board, INCLUDING THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION'S BOARD, committee, commission, or other advisory, policy-making, rule-making, decision-making, or formally constituted body of any state agency, state authority, governing board of a state institution of higher education including the regents of the university of Colorado, a nonprofit corporation incorporated pursuant to section 23-5-121 (2), C.R.S., or the general assembly, and any public or private entity to which the state, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the state public body.

C.R.S. 24-6-403. (1) THIS SECTION SHALL BE KNOWN AS "THE PERA OPEN MEETINGS ACT OF 2012".

(2) ALL MEETINGS OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION BOARD AND MEMBERS OF THE BOARD EQUALING A QUORUM SHALL BE COVERED UNDER C.R.S. 24-6-402, THE COLORADO SUNSHINE LAW