

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 13-0434.01 Esther van Mourik x4215

HOUSE BILL 13-1079

HOUSE SPONSORSHIP

Tyler,

SENATE SPONSORSHIP

Newell,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE JOINT TECHNOLOGY COMMITTEE**
102 **OF THE SENATE AND HOUSE OF REPRESENTATIVES.**

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 creates the joint technology committee of the senate and house of representatives, which functions during legislative session and during the interim. The joint technology committee will have oversight over and may review:

! The office of information technology;

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.

- ! The chief information security officer and his or her duties related to information security;
- ! Any telecommunications coordination within state government that the chief information officer performs pursuant to state law;
- ! The general government computer center;
- ! The government data advisory board and any of its subcommittees;
- ! The actions of the statewide internet portal authority;
- ! Any information technology purchased or implemented by a state agency that is not being managed through the office of information technology;
- ! Any information technology that a state agency has purchased or implemented that does not follow the standards as set by the office of information technology;
- ! Any information technology that a state agency has purchased or implemented that will have the same function as information technology that the office of information technology has already created, purchased, or implemented.

The bill also requires the legislative and judicial department, the department of law, the department of state, and the department of the treasury to each submit a written report to the committee that details all information technology that such department purchased or implemented.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 16 to article
3 of title 2 as follows:

4 **PART 16**

5 **JOINT TECHNOLOGY COMMITTEE**

6 **2-3-1601. Definitions.** AS USED IN THIS PART 16:

7 (1) "COMMITTEE" MEANS THE JOINT TECHNOLOGY COMMITTEE
8 CREATED IN SECTION 2-3-1602.

9 (2) "INFORMATION TECHNOLOGY" MEANS INFORMATION
10 TECHNOLOGY AND COMPUTER-BASED EQUIPMENT AND RELATED SERVICES
11 DESIGNED FOR THE STORAGE, MANIPULATION, AND RETRIEVAL OF DATA BY
12 ELECTRONIC OR MECHANICAL MEANS, OR BOTH. THE TERM INCLUDES BUT

1 IS NOT LIMITED TO:

2 (a) CENTRAL PROCESSING UNITS, SERVERS FOR ALL FUNCTIONS,
3 NETWORK ROUTERS, PERSONAL COMPUTERS, LAPTOP COMPUTERS,
4 HAND-HELD PROCESSORS, AND ALL RELATED PERIPHERAL DEVICES
5 CONFIGURABLE TO SUCH EQUIPMENT, SUCH AS DATA STORAGE DEVICES,
6 DOCUMENT SCANNERS, DATA ENTRY EQUIPMENT, SPECIALIZED END-USER
7 TERMINAL EQUIPMENT, AND EQUIPMENT AND SYSTEMS SUPPORTING
8 COMMUNICATIONS NETWORKS;

9 (b) ALL RELATED SERVICES, INCLUDING FEASIBILITY STUDIES,
10 SYSTEMS DESIGN, SOFTWARE DEVELOPMENT, SYSTEM TESTING, EXTERNAL
11 OFF-SITE STORAGE, AND NETWORK SERVICES, WHETHER PROVIDED BY
12 STATE EMPLOYEES OR BY OTHERS;

13 (c) THE SYSTEMS, PROGRAMS, ROUTINES, AND PROCESSES USED TO
14 EMPLOY AND CONTROL THE CAPABILITIES OF DATA PROCESSING
15 HARDWARE, INCLUDING OPERATING SYSTEMS, COMPILERS, ASSEMBLERS,
16 UTILITIES, LIBRARY ROUTINES, MAINTENANCE ROUTINES, APPLICATIONS,
17 APPLICATION TESTING CAPABILITIES, STORAGE SYSTEM SOFTWARE,
18 HAND-HELD DEVICE OPERATING SYSTEMS, AND COMPUTER NETWORKING
19 PROGRAMS; AND

20 (d) THE APPLICATION OF ELECTRONIC INFORMATION PROCESSING
21 HARDWARE, SOFTWARE, OR TELECOMMUNICATIONS TO SUPPORT STATE
22 GOVERNMENT BUSINESS PROCESSES.

23 (3) "OFFICE OF INFORMATION TECHNOLOGY" MEANS THE OFFICE OF
24 INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103, C.R.S.

25 (4) "STATE AGENCY" MEANS ALL OF THE DEPARTMENTS,
26 DIVISIONS, COMMISSIONS, BOARDS, BUREAUS, AND INSTITUTIONS IN THE
27 EXECUTIVE BRANCH OF THE STATE GOVERNMENT. "STATE AGENCY" DOES

1 NOT INCLUDE THE LEGISLATIVE OR JUDICIAL DEPARTMENT, THE
2 DEPARTMENT OF LAW, THE DEPARTMENT OF STATE, THE DEPARTMENT OF
3 THE TREASURY, OR STATE-SUPPORTED INSTITUTIONS OF HIGHER
4 EDUCATION.

5 **2-3-1602. Joint technology committee established.** (1) THERE
6 IS HEREBY ESTABLISHED A JOINT COMMITTEE OF THE SENATE AND HOUSE
7 OF REPRESENTATIVES KNOWN AS THE JOINT TECHNOLOGY COMMITTEE,
8 CONSISTING OF THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES, TWO
9 OF WHOM ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF
10 REPRESENTATIVES AND ONE OF WHOM IS APPOINTED BY THE MINORITY
11 LEADER OF THE HOUSE OF REPRESENTATIVES, AND THREE MEMBERS OF THE
12 SENATE, TWO OF WHOM ARE APPOINTED BY THE PRESIDENT OF THE SENATE
13 AND ONE OF WHOM IS APPOINTED BY THE MINORITY LEADER OF THE
14 SENATE. THE MEMBERS OF THE COMMITTEE SHOULD HAVE EXPERIENCE IN
15 BUSINESS ANALYSIS, BUSINESS PROCESS, OR INFORMATION TECHNOLOGY.
16 THE COMMITTEE FUNCTIONS DURING THE LEGISLATIVE SESSIONS AND
17 DURING THE INTERIM BETWEEN SESSIONS.

18 (2) TO EXPEDITE THE WORK OF THE COMMITTEE, APPOINTEES MAY
19 BE DESIGNATED AFTER THE GENERAL ELECTION AND PRIOR TO THE
20 CONVENING OF THE GENERAL ASSEMBLY AT WHICH SUCH COMMITTEE IS TO
21 SERVE, WHETHER SUCH APPOINTEES ARE MEMBERS OF THE THEN-CURRENT
22 GENERAL ASSEMBLY OR MEMBERS-ELECT OF THE NEXT GENERAL
23 ASSEMBLY, OR BOTH; AND SUCH APPOINTEES HAVE ALL THE POWERS AND
24 DUTIES AND ARE ENTITLED TO THE SAME COMPENSATION AND EXPENSE
25 ALLOWANCE AS MEMBERS DULY APPOINTED UNDER THE PROVISIONS OF
26 SUBSECTION (1) OF THIS SECTION.

27 (3) THE COMMITTEE SHALL ELECT A CHAIR AND A VICE-CHAIR, ONE

1 FROM THE SENATE MEMBERSHIP OF THE COMMITTEE AND ONE FROM THE
2 HOUSE MEMBERSHIP OF THE COMMITTEE. THE CHAIR SO ELECTED SHALL
3 SERVE AS CHAIR FOR THE FIRST REGULAR SESSION OF THE GENERAL
4 ASSEMBLY AT WHICH THE COMMITTEE IS TO SERVE, AND AS VICE-CHAIR
5 FOR THE SECOND REGULAR SESSION; THE VICE-CHAIR SO ELECTED SHALL
6 SERVE AS CHAIR FOR THE SECOND REGULAR SESSION OF SAID GENERAL
7 ASSEMBLY.

8 **2-3-1603. Organization, procedures, and meetings.** THE
9 COMMITTEE MAY PRESCRIBE ITS OWN RULES OF PROCEDURE AND SHALL
10 MEET AT LEAST ONCE IN ORDER TO REVIEW THE GOVERNOR'S BUDGET
11 SUBMISSIONS FOR INFORMATION TECHNOLOGY, BUT MAY MEET AS OFTEN
12 AS NECESSARY TO PERFORM ITS FUNCTIONS.

13 **2-3-1604. Powers and duties of the joint technology committee.**

14 (1) (a) THE COMMITTEE OVERSEES THE OFFICE OF INFORMATION
15 TECHNOLOGY, INCLUDING BUT NOT LIMITED TO:

16 (I) A REVIEW OF THE STATE OF INFORMATION TECHNOLOGY;

17 (II) ANY EMERGENCY INFORMATION TECHNOLOGY NEEDS;

18 (III) ANY GENERAL INFORMATION TECHNOLOGY NEEDS;

19 (IV) ANY ANTICIPATED SHORT-TERM OR LONG-TERM CHANGES FOR
20 INFORMATION TECHNOLOGY;

21 (V) THE OFFICE OF INFORMATION TECHNOLOGY'S RESPONSIBILITIES
22 RELATED TO THE STATEWIDE COMMUNICATIONS AND INFORMATION
23 INFRASTRUCTURE AS SET FORTH IN SECTION 24-37.5-108, C.R.S.; AND

24 (VI) THE OFFICE OF INFORMATION TECHNOLOGY'S
25 RESPONSIBILITIES RELATED TO THE GEOGRAPHIC INFORMATION SYSTEM AS
26 SET FORTH IN SECTION 24-37.5-111, C.R.S.

27 (2) THE COMMITTEE OVERSEES THE CHIEF INFORMATION SECURITY

1 OFFICER AND HIS OR HER DUTIES AS ESTABLISHED IN PART 4 OF ARTICLE
2 37.5 OF TITLE 24, C.R.S.

3 (3) THE COMMITTEE OVERSEES ANY TELECOMMUNICATIONS
4 COORDINATION WITHIN STATE GOVERNMENT THAT THE CHIEF
5 INFORMATION OFFICER PERFORMS PURSUANT TO PART 5 OF ARTICLE 37.5
6 OF TITLE 24, C.R.S.

7 (4) THE COMMITTEE OVERSEES THE GENERAL GOVERNMENT
8 COMPUTER CENTER ESTABLISHED IN PART 6 OF ARTICLE 37.5 OF TITLE 24,
9 C.R.S.

10 (5) THE COMMITTEE OVERSEES THE GOVERNMENT DATA ADVISORY
11 BOARD AND ANY OF ITS SUBCOMMITTEES AS DESCRIBED IN PART 7 OF
12 ARTICLE 37.5 OF TITLE 24, C.R.S.

13 (6) THE COMMITTEE MAY REVIEW THE ACTIONS OF THE STATEWIDE
14 INTERNET PORTAL AUTHORITY CREATED IN SECTION 24-37.7-102, C.R.S.

15 (7) (a) THE COMMITTEE OVERSEES A STATE AGENCY REGARDING:

16 (I) ANY INFORMATION TECHNOLOGY PURCHASED OR IMPLEMENTED
17 THAT IS NOT MANAGED THROUGH THE OFFICE OF INFORMATION
18 TECHNOLOGY;

19 (II) ANY INFORMATION TECHNOLOGY THAT A STATE AGENCY
20 PURCHASED OR IMPLEMENTED THAT DOES NOT FOLLOW THE STANDARDS
21 SET BY THE OFFICE OF INFORMATION TECHNOLOGY; AND

22 (III) ANY INFORMATION TECHNOLOGY THAT A STATE AGENCY
23 PURCHASED OR IMPLEMENTED THAT HAS THE SAME FUNCTION AS
24 INFORMATION TECHNOLOGY THAT THE OFFICE OF INFORMATION
25 TECHNOLOGY HAS ALREADY CREATED, PURCHASED, OR IMPLEMENTED.

26 (b) ON OR BEFORE NOVEMBER 1, 2013, AND ON NOVEMBER 1 OF
27 EACH YEAR THEREAFTER, ALL STATE AGENCIES ARE ENCOURAGED TO

1 SUBMIT A WRITTEN REPORT TO THE COMMITTEE REGARDING ANY OF THE
2 INSTANCES DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (7).

3 (8) ON OR BEFORE NOVEMBER 1, 2013, AND ON NOVEMBER 1 OF
4 EACH YEAR THEREAFTER, THE LEGISLATIVE AND JUDICIAL DEPARTMENT,
5 THE DEPARTMENT OF LAW, THE DEPARTMENT OF STATE, AND THE
6 DEPARTMENT OF THE TREASURY ARE ENCOURAGED TO SUBMIT A WRITTEN
7 REPORT TO THE COMMITTEE THAT DETAILS ALL INFORMATION
8 TECHNOLOGY THAT SUCH DEPARTMENT PURCHASED OR IMPLEMENTED.

9 (9) A COPY OF ANY LEGISLATIVE MEASURE INTRODUCED DURING
10 ANY LEGISLATIVE SESSION, REGULAR OR SPECIAL, COMMENCING ON OR
11 AFTER JANUARY 1, 2014, AND DETERMINED BY THE SPEAKER OF THE
12 HOUSE OF REPRESENTATIVES OR BY THE PRESIDENT OF THE SENATE TO BE
13 DEALING WITH INFORMATION TECHNOLOGY SHALL BE REVIEWED BY THE
14 COMMITTEE. THE COMMITTEE MAY MAKE ADVISORY RECOMMENDATIONS
15 ABOUT SUCH LEGISLATIVE MEASURES TO THE HOUSE OF REPRESENTATIVES,
16 THE SENATE, THE JOINT BUDGET COMMITTEE, THE CAPITAL DEVELOPMENT
17 COMMITTEE, OR TO ANY COMMITTEE OF REFERENCE, AS APPROPRIATE,
18 CONSIDERING ANY SUCH LEGISLATIVE MEASURE.

19 (10) ON OR BEFORE NOVEMBER 1, 2013, AND ON NOVEMBER 1 OF
20 EACH YEAR THEREAFTER, THE JOINT TECHNOLOGY COMMITTEE SHALL
21 SUBMIT A WRITTEN REPORT ON THE COMMITTEE'S FINDINGS AND
22 RECOMMENDATIONS BASED ON THE COMMITTEE'S OVERSIGHT PURSUANT
23 TO SUBSECTIONS (1) TO (9) OF THIS SECTION TO THE JOINT BUDGET
24 COMMITTEE FOR ANY OPERATIONAL BUDGET ITEM RELATED TO
25 INFORMATION TECHNOLOGY AND TO THE CAPITAL DEVELOPMENT
26 COMMITTEE FOR ANY CAPITAL BUDGET ITEM RELATED TO INFORMATION
27 TECHNOLOGY. SUCH REPORT MAY INCLUDE:

1 (a) LEGISLATION RECOMMENDED BY THE COMMITTEE THAT
2 ADDRESSES ANY OF THE COMMITTEE'S FINDINGS AND RECOMMENDATIONS
3 BASED ON THE COMMITTEE'S OVERSIGHT PURSUANT TO SUBSECTIONS (1)
4 TO (9) OF THIS SECTION. ANY SUCH LEGISLATION IS EXEMPT FROM THE
5 FIVE-BILL LIMITATION SPECIFIED IN RULE 24 OF THE JOINT RULES OF THE
6 SENATE AND THE HOUSE OF REPRESENTATIVES.

7 (b) RECOMMENDATIONS CONCERNING APPROPRIATIONS TO ANY
8 STATE AGENCY FOR INFORMATION TECHNOLOGY.

9 (c) RECOMMENDATIONS CONCERNING STATE AGENCY BUDGET
10 REQUESTS FOR INFORMATION TECHNOLOGY FOR THE NEXT FISCAL YEAR
11 THAT HAVE BEEN APPROVED BY THE OFFICE OF INFORMATION
12 TECHNOLOGY OR THE OFFICE OF STATE PLANNING AND BUDGETING. SUCH
13 RECOMMENDATIONS MAY INCLUDE THE BASIS FOR APPROVAL BY THE
14 COMMITTEE, FINDINGS OR COMMENTS ON ONE OR MORE BUDGET
15 REQUESTS, AND A SUGGESTED PRIORITIZATION OF SUCH BUDGET
16 REQUESTS.

17 (d) ANY INFORMATION ON APPROVED BUDGET REQUESTS AND A
18 REPORT ON THE STATUS OF ANY INFORMATION TECHNOLOGY THAT WAS
19 PREVIOUSLY APPROVED FOR PHASING IN OR FOR INCREMENTAL
20 IMPLEMENTATION OVER A PERIOD EXCEEDING ONE YEAR.

21 (11) A STATE AGENCY AND THE LEGISLATIVE AND JUDICIAL
22 DEPARTMENTS, THE DEPARTMENT OF LAW, THE DEPARTMENT OF STATE,
23 AND THE DEPARTMENT OF THE TREASURY SHALL MAKE AVAILABLE TO THE
24 COMMITTEE SUCH DATA, REPORTS, OR INFORMATION AS ARE NECESSARY
25 FOR THE PERFORMANCE OF THE COMMITTEE'S DUTIES. IF THE COMMITTEE
26 REQUESTS SUCH DATA, REPORTS, OR INFORMATION, THE STATE AGENCY OR
27 LEGISLATIVE OR JUDICIAL DEPARTMENT, THE DEPARTMENT OF LAW, THE

1 DEPARTMENT OF STATE, OR THE DEPARTMENT OF THE TREASURY SHALL
2 PROVIDE THE REQUESTED INFORMATION NO LATER THAN NOVEMBER 1 OF
3 THE CALENDAR YEAR IN WHICH THE REQUEST IS MADE.

4 **2-3-1605. Staff assistance.** IN CARRYING OUT ITS DUTIES UNDER
5 THIS PART 16, THE JOINT TECHNOLOGY COMMITTEE SHALL RECEIVE STAFF
6 ASSISTANCE FROM THE OFFICE OF LEGISLATIVE LEGAL SERVICES, AND
7 LEGISLATIVE COUNCIL STAFF SHALL PROVIDE STAFFING AND CLERICAL
8 ASSISTANCE.

9 **SECTION 2.** In Colorado Revised Statutes, 24-37.5-102, **add**
10 (2.3) as follows:

11 **24-37.5-102. Definitions - repeal.** As used in this article, unless
12 the context otherwise requires:

13 (2.3) "JOINT TECHNOLOGY COMMITTEE" MEANS THE JOINT
14 TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1602, C.R.S.

15 **SECTION 3.** In Colorado Revised Statutes, 24-37.5-105, **amend**
16 (3.5) (a) introductory portion, (3.5) (b), and (8) introductory portion; and
17 **add** (3) (l) as follows:

18 **24-37.5-105. Office - responsibilities - rules - repeal.** (3) The
19 office shall:

20 (l) ASSIST THE JOINT TECHNOLOGY COMMITTEE AS NECESSARY TO
21 FACILITATE THE COMMITTEE'S OVERSIGHT OF THE OFFICE.

22 (3.5) (a) If the office initiates any COPE services in a state agency
23 on or after January 1, 2010, through an agreement with the statewide
24 internet portal authority or any private sector provider of information
25 technology resources, it shall file a report with the joint budget
26 committee, THE JOINT TECHNOLOGY COMMITTEE, and the legislative audit
27 committee no later than thirty days after the last day of the fiscal quarter

1 in which the COPE service was initiated. Such report shall include the
2 following:

3 (b) Following the report described in paragraph (a) of this
4 subsection (3.5), the office shall file a quarterly report with the joint
5 budget committee AND THE JOINT TECHNOLOGY COMMITTEE no later than
6 thirty days after the last day of each subsequent fiscal quarter for a period
7 of two years containing information on the progress of the
8 implementation of the COPE services in the state agency and the cost
9 savings to the state agency from such implementation. No further
10 quarterly reporting shall thereafter be required pursuant to this paragraph
11 (b).

12 (8) Notwithstanding any other provision of law, any emergency
13 acquisition or purchase of information technology resources by the office
14 shall not be subject to the provisions of the "Procurement Code", articles
15 101 to 112 of this title. The chief information officer, in consultation with
16 and with the approval of the executive director of the department of
17 personnel, shall promulgate rules pursuant to article 4 of this title
18 specifying the criteria for such emergency acquisitions or purchases. On
19 or before September 1, 2009, and on or before September 1 each year
20 thereafter, the chief information officer shall report to the state, veterans,
21 and military affairs committees of the senate and house of representatives,
22 or any successor committees, TO THE JOINT TECHNOLOGY COMMITTEE, and
23 to the joint budget committee the following information for each
24 emergency acquisition or purchase of information technology resources
25 made in the preceding fiscal year:

26 **SECTION 4.** In Colorado Revised Statutes, 24-37.5-106, **amend**
27 (1) (a), (1) (m), and (1) (t) (I); and **add** (1) (u) as follows:

1 **24-37.5-106. Chief information officer - duties and**
2 **responsibilities - broadband inventory fund created - repeal.** (1) The
3 chief information officer shall:

4 (a) Monitor trends and advances in information technology
5 resources, direct and approve a comprehensive, statewide, four-year
6 planning process, and plan for the acquisition, management, and use of
7 information technology. The statewide information technology plan shall
8 be updated annually and submitted to the governor, THE JOINT
9 TECHNOLOGY COMMITTEE, the speaker of the house of representatives,
10 and the president of the senate.

11 (m) Advise the JOINT TECHNOLOGY COMMITTEE AND THE joint
12 budget committee on requested or ongoing information technology
13 projects, including the adherence of the office to the budget, amounts
14 appropriated, and relevant contract deadline dates or schedules for those
15 projects;

16 (t) (I) Monitor the Colorado benefits management system
17 improvement and modernization project and report quarterly to the JOINT
18 TECHNOLOGY COMMITTEE AND THE joint budget committee pursuant to
19 the provisions of section 24-37.5-113.

20 (u) ASSIST THE JOINT TECHNOLOGY COMMITTEE AS NECESSARY TO
21 FACILITATE THE COMMITTEE'S OVERSIGHT OF THE OFFICE.

22 **SECTION 5.** In Colorado Revised Statutes, 24-37.5-109, **amend**
23 (1) (c) and (1) (d) as follows:

24 **24-37.5-109. Status of state agencies.** (1) State agencies shall:

25 (c) Comply with information requests of the office, the general
26 assembly, THE JOINT TECHNOLOGY COMMITTEE, and the joint budget
27 committee;

1 (d) Upon request of the general assembly, THE JOINT TECHNOLOGY
2 COMMITTEE, or the joint budget committee, provide satisfactory evidence
3 of said compliance; and

4 **SECTION 6.** In Colorado Revised Statutes, 24-37.5-113, **amend**
5 (2) (a) as follows:

6 **24-37.5-113. Colorado benefits management system**
7 **improvement and modernization project - appropriation - reporting**
8 **- repeal.** (2) (a) Commencing June 1, 2012, and continuing on a
9 quarterly basis, thereafter, including September 1, December 1, and
10 March 1 of each year, the chief information officer shall report to the
11 JOINT TECHNOLOGY COMMITTEE AND THE joint budget committee,
12 pursuant to the provisions of section 24-1-136, concerning the CBMS
13 project. Each quarterly report shall include the information described in
14 subsection (3) of this section.

15 **SECTION 7.** In Colorado Revised Statutes, 24-37.5-402, **add**
16 (8.5) as follows:

17 **24-37.5-402. Definitions.** As used in this part 4, unless the
18 context otherwise requires:

19 (8.5) "JOINT TECHNOLOGY COMMITTEE" MEANS THE JOINT
20 TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1602, C.R.S.

21 **SECTION 8.** In Colorado Revised Statutes, 24-37.5-403, **amend**
22 (2) (h) as follows:

23 **24-37.5-403. Chief information security officer - duties and**
24 **responsibilities.** (2) The chief information security officer shall:

25 (h) In coordination and consultation with the office of state
26 planning and budgeting, THE JOINT TECHNOLOGY COMMITTEE, and the
27 chief information officer, review public agency budget requests related

1 to information security systems and approve such budget requests for
2 state agencies other than the legislative department; and

3 **SECTION 9.** In Colorado Revised Statutes, 24-37.5-404, **amend**
4 (4) as follows:

5 **24-37.5-404. Public agencies - information security plans.**

6 (4) In the event that a public agency fails to submit to the chief
7 information security officer an information security plan on or before July
8 15 of each year or such plan is disapproved by the chief information
9 security officer, the officer shall notify the governor, the chief
10 information officer, THE JOINT TECHNOLOGY COMMITTEE, and the head of
11 the public agency of noncompliance with this section. If no plan has been
12 approved by September 15 of each year, the chief information security
13 officer shall be authorized to temporarily discontinue or suspend the
14 operation of a public agency's communication and information resources
15 until such plan has been submitted to or is approved by the officer.

16 **SECTION 10.** In Colorado Revised Statutes, 24-37.5-404.7,
17 **amend** (3) as follows:

18 **24-37.5-404.7. General assembly - information security plans.**

19 (3) On or before July 15 of each year, the director of legislative
20 information services for the general assembly shall submit the
21 information security plan developed pursuant to this section to the
22 legislative service agency directors of the general assembly for review
23 and comment. The legislative service agency directors shall submit such
24 plan to the JOINT TECHNOLOGY COMMITTEE AND THE chief information
25 security officer.

26 **SECTION 11.** In Colorado Revised Statutes, 24-37.5-405,
27 **amend** (2) as follows:

1 **24-37.5-405. Security incidents - authority of chief information**
2 **security officer.** (2) The chief information security officer shall be
3 authorized to temporarily discontinue or suspend the operation of a public
4 agency's communication and information resources in order to isolate the
5 source of a security incident. The officer shall give notice to the governor,
6 or the lieutenant governor in the event the governor is not available, the
7 chief information officer, THE JOINT TECHNOLOGY COMMITTEE, and the
8 head of the public agency concurrent with such discontinuation or
9 suspension of operations. The officer shall ensure, to the extent possible,
10 the continuity of operations for the communication and information
11 resources that support the operations and assets of the public agency.

12 **SECTION 12.** In Colorado Revised Statutes, 24-37.5-506,
13 **amend** (6) as follows:

14 **24-37.5-506. Public safety communications trust fund -**
15 **creation.** (6) The chief information officer shall keep an accurate
16 account of all activities related to the fund including its receipts and
17 expenditures AND SHALL ANNUALLY REPORT IN WRITING SUCH ACCOUNT
18 TO THE JOINT TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1602,
19 C.R.S. The state auditor may investigate the affairs of the fund, severally
20 examine the properties and records relating to the fund, and prescribe
21 accounting methods and procedures for rendering periodical reports in
22 relation to disbursements and purchases made from the fund.

23 **SECTION 13.** In Colorado Revised Statutes, 24-37.5-703,
24 **amend** (1) (d) (II) (D) and (6) as follows:

25 **24-37.5-703. Government data advisory board - created -**
26 **duties - repeal.** (1) (d) (II) Notwithstanding the provisions of
27 subparagraph (I) of this paragraph (d), at the invitation of the chief

1 information officer, additional members who meet the qualifications
2 specified in said subparagraph (I) may be selected to participate on the
3 advisory board as follows:

4 (D) The speaker of the house of representatives and the president
5 of the senate may jointly select a member from the legislative branch,
6 including a representative, senator, or employee. ON AND AFTER JULY 1,
7 2013, IF A VACANCY ARISES FOR THE LEGISLATIVE BRANCH POSITION, THE
8 JOINTLY SELECTED MEMBER SHALL BE A MEMBER OF THE JOINT
9 TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1602, C.R.S.

10 (6) On or before January 15, 2010, and on or before January 15
11 each year thereafter, the advisory board shall submit to the chief
12 information officer its recommendations for developing and
13 implementing protocols for sharing data among state agencies and entities
14 and with local governments and nongovernmental entities. The chief
15 information officer shall review the recommendations and take them into
16 account in preparing a report concerning implementing protocols for
17 sharing data among state agencies and entities and with local
18 governments and nongovernmental entities. The chief information officer
19 shall submit the report to the ~~general assembly~~ JOINT TECHNOLOGY
20 COMMITTEE CREATED IN SECTION 2-3-1602, C.R.S., on or before March
21 1, 2010, and on or before March 1 each year thereafter.

22 **SECTION 14.** In Colorado Revised Statutes, 24-37.5-703.5,
23 **amend** (7) as follows:

24 **24-37.5-703.5. Education data subcommittee - created - duties**
25 **- repeal.** (7) On or before December 1, 2009, and at least every six
26 months thereafter, the education data subcommittee shall submit to the
27 chief information officer and the advisory board its recommendations

1 prepared pursuant to subsection (5) of this section. The chief information
2 officer shall review the recommendations and take them into account in
3 preparing a report concerning protocols and procedures for sharing
4 student data among preschool through postsecondary education entities,
5 including but not limited to the creation of a statewide comprehensive
6 P-20 education data system. The chief information officer shall combine
7 the report with the report prepared pursuant to section 24-37.5-703 (6)
8 and submit the combined report to the ~~general assembly~~ JOINT
9 TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1602, C.R.S., on or
10 before March 1, 2010, and on or before March 1 each year thereafter.

11 **SECTION 15.** In Colorado Revised Statutes, 24-37.5-703.7,
12 **amend** (6) as follows:

13 **24-37.5-703.7. Early childhood universal application**
14 **subcommittee - created - duties - funding - repeal.** (6) On or before
15 December 1, 2010, and at least every six months thereafter, the early
16 childhood universal application subcommittee shall submit to the chief
17 information officer and the advisory board recommendations prepared
18 pursuant to subsection (4) of this section. The chief information officer
19 shall review the recommendations and take them into account in
20 preparing a report concerning protocols and procedures for creating and
21 implementing a universal application to be used by all state agencies and
22 school districts for applications for programs related to early childhood
23 care and education. The chief information officer shall combine the report
24 with the report prepared pursuant to section 24-37.5-703 (6) and submit
25 the combined report to the ~~general assembly~~ JOINT TECHNOLOGY
26 COMMITTEE CREATED IN SECTION 2-3-1602, C.R.S., on or before March
27 1, 2011, and on or before March 1 each year thereafter.

1 **SECTION 16.** In Colorado Revised Statutes, 24-37.7-102,
2 **amend** (2) (f) as follows:

3 **24-37.7-102. Statewide internet portal authority - creation -**
4 **board.** (2) The governing body of the authority shall be a board of
5 directors that shall consist of the following thirteen voting members:

6 (f) One member of the senate appointed by the president of the
7 senate and one member of the house of representatives appointed by the
8 speaker of the house of representatives, both of whom shall exhibit a
9 background in information management and technology or who have
10 experience as members of an oversight committee for information
11 management and technology. ON AND AFTER JULY 1, 2013, IF A VACANCY
12 ARISES AMONG THE LEGISLATIVE BRANCH MEMBERS, THE APPOINTED
13 MEMBER SHALL BE A MEMBER OF THE JOINT TECHNOLOGY COMMITTEE
14 CREATED IN SECTION 2-3-1602, C.R.S.

15 **SECTION 17.** In Colorado Revised Statutes, **add** 24-37.7-113.5
16 as follows:

17 **24-37.7-113.5. Annual report.** THE AUTHORITY SHALL SUBMIT TO
18 THE JOINT TECHNOLOGY COMMITTEE WITHIN SIX MONTHS AFTER THE END
19 OF THE FISCAL YEAR COMMENCING ON JULY 1, 2013, AND EACH FISCAL
20 YEAR THEREAFTER A REPORT THAT SETS FORTH A COMPLETE AND
21 DETAILED OPERATING AND FINANCIAL STATEMENT OF THE AUTHORITY
22 DURING SUCH FISCAL YEAR. THE REPORT MUST ALSO INCLUDE ANY
23 RECOMMENDATIONS REGARDING ADDITIONAL LEGISLATION OR OTHER
24 ACTION THAT MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THE
25 AUTHORITY.

26 **SECTION 18. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.