

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 11-0412.01 Thomas Morris

HOUSE BILL 11-1095

HOUSE SPONSORSHIP

Nikkel,

SENATE SPONSORSHIP

Lundberg,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SECURITY OF THE INFORMATION FILED ON BEHALF OF AN**
102 **ENTITY WITH THE SECRETARY OF STATE'S ON-LINE BUSINESS**
103 **FILING SYSTEM, AND MAKING AN APPROPRIATION THEREFOR.**

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>.)

In order to ensure the security of the secretary of state's on-line business filing system, the secretary is directed to implement a password-protected system for any filings, updates, or other filing requirements under title 7, Colorado Revised Statutes.

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.*

HOUSE
Amended 2nd Reading
February 21, 2011

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

2 **SECTION 1.** 24-21-111 (1), Colorado Revised Statutes, is
3 amended to read:

4 **24-21-111. Electronic filing - authority - electronic access -**
5 **passwords - rules.** (1) (a) Notwithstanding any provision of law to the
6 contrary, the secretary of state may require any filing to be made by
7 electronic means as determined by the secretary of state.

8 (b) IN ORDER TO ENSURE THE SECURITY OF THE SECRETARY OF
9 STATE'S ON-LINE BUSINESS FILING SYSTEM, THE SECRETARY SHALL
10 IMPLEMENT, UNDER SUCH CONDITIONS AS THE SECRETARY MAY
11 DETERMINE, A PASSWORD-PROTECTED SYSTEM FOR AND TAKE
12 APPROPRIATE ACTIONS TO ADDRESS FRAUDULENT ACTIVITIES AGAINST
13 ALTERING DATA IN ANY FILINGS, UPDATES, OR OTHER FILING
14 REQUIREMENTS UNDER TITLE 7, C.R.S., WHILE STILL ALLOWING FOR
15 ACCESS TO AND RETRIEVAL OF PUBLICLY AVAILABLE RECORDS WITHOUT
16 A PASSWORD, INCLUDING A CERTIFICATE OF GOOD STANDING.

17 **SECTION 2. Appropriation.** In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the
19 department of state cash fund created in section 24-21-104 (3) (b),
20 Colorado Revised Statutes, not otherwise appropriated, to the department
21 of state, for allocation to the administration division, for the fiscal year
22 beginning July 1, 2011, the sum of three hundred sixty thousand nine
23 hundred fifty-six dollars (\$360,956) cash funds and 1.0 FTE, or so much
24 thereof as may be necessary, for the implementation of this act.

25 **SECTION 3. 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.