

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 11-1095

BY REPRESENTATIVE(S) Nikkel, Barker, Fields, Labuda, Miklosi, Pabon, Schafer S., Stephens, Todd, Beezley, DelGrosso, Gardner B., Hamner, Looper, Murray;
also SENATOR(S) Lundberg, Brophy, Cadman, Grantham, Harvey, Heath, Hodge, Jahn, King K., King S., Kopp, Lambert, Newell, Roberts, Scheffel, Steadman, White, Williams S.

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

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

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

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

(b) IN ORDER TO ENSURE THE SECURITY OF THE SECRETARY OF STATE'S ON-LINE BUSINESS FILING SYSTEM, THE SECRETARY SHALL

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

IMPLEMENT, UNDER SUCH CONDITIONS AS THE SECRETARY MAY DETERMINE, A PASSWORD-PROTECTED SYSTEM FOR AND TAKE APPROPRIATE ACTIONS TO ADDRESS FRAUDULENT ACTIVITIES AGAINST ALTERING DATA IN ANY FILINGS, UPDATES, OR OTHER FILING REQUIREMENTS UNDER TITLE 7, C.R.S., WHILE STILL ALLOWING FOR ACCESS TO AND RETRIEVAL OF PUBLICLY AVAILABLE RECORDS, INCLUDING A CERTIFICATE OF GOOD STANDING, WITHOUT A PASSWORD.

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

SECTION 3. Safety clause. The general assembly hereby finds,

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

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO