

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0299.02 Megan Waples x4348

HOUSE BILL 21-1100

HOUSE SPONSORSHIP

Soper,

SENATE SPONSORSHIP

Bridges,

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY TO FILE DOCUMENTS ELECTRONICALLY
102 WITH GOVERNMENTAL ENTITIES.

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://leg.colorado.gov>.)

The bill requires a governmental entity to establish an electronic filing option by January 1, 2022, for each document required or allowed to be filed with the governmental entity. A governmental entity includes each principal department of the state and each county, and any agency, department, board, or division thereof. The electronic filing option may include accepting a scanned copy of the original document by email or

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

through a secure file transfer system. The electronic filing option must comply with existing requirements for a governmental entity to have reasonable security practices in place if the governmental entity receives or maintains personal identifying information. The governmental entity is not authorized to require a filing to be made only by electronic filing if the department does not have authority under other law to require electronic filing.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) In response to the COVID-19 pandemic, Coloradans have
5 practiced social distancing, observed stay-at-home orders and
6 recommendations, and taken other safety precautions to minimize
7 exposure to the novel coronavirus;

8 (b) These precautions have highlighted the need to be able to file
9 documents with government agencies electronically in order to allow
10 Coloradans to take safety precautions while still carrying on necessary
11 business and activities; and

12 (c) Even as the COVID-19 pandemic subsides, electronic filing
13 is an opportunity to modernize government operations, reduce waste, and
14 increase the accessibility of government services and functions
15 throughout the state.

16 (2) The general assembly further finds and declares that, in light
17 of the benefits of electronic filing, it is in the interest of the state for
18 governmental entities to quickly adopt policies allowing electronic filing
19 for documents.

20 **SECTION 2.** In Colorado Revised Statutes, **add** article 72.6 to
21 title 24 as follows:

22 **ARTICLE 72.6**

1 **Paper Reduction Act of 2021**

2 **24-72.6-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 72.6
3 IS THE "PAPER REDUCTION ACT OF 2021".

4 **24-72.6-102. Definitions.** AS USED IN THIS ARTICLE 72.6, UNLESS
5 THE CONTEXT OTHERWISE REQUIRES:

6 (1) "GOVERNMENTAL ENTITY" MEANS EACH PRINCIPAL
7 DEPARTMENT OF THE STATE AND EACH ORGANIZED COUNTY AND INCLUDES
8 ANY AGENCY, DEPARTMENT, BOARD, OR DIVISION OF A PRINCIPAL
9 DEPARTMENT OR COUNTY.

10 **24-72.6-103. Electronic filing option required - date of receipt.**

11 (1) ON OR BEFORE JANUARY 1, 2022, EACH GOVERNMENTAL ENTITY
12 SHALL ESTABLISH AN ELECTRONIC FILING OPTION FOR EACH DOCUMENT
13 CAPABLE OF ELECTRONIC DELIVERY THAT IS REQUIRED OR PERMITTED BY
14 LAW TO BE FILED WITH THE GOVERNMENTAL ENTITY. THE ELECTRONIC
15 FILING OPTION MAY INCLUDE ACCEPTING A SCANNED COPY OF THE
16 ORIGINAL FILING BY EMAIL OR THROUGH A SECURE FILE TRANSFER
17 SYSTEM. FOR THE PURPOSES OF A FILING DEADLINE, EFFECTIVE DATE, OR
18 OTHER REQUIREMENT, A DOCUMENT FILED ELECTRONICALLY IS FILED AS
19 OF THE DATE AND TIME IT IS SUBMITTED THROUGH THE ELECTRONIC FILING
20 SYSTEM OR SECURE FILE TRANSFER SYSTEM OR THE DATE AND TIME OF THE
21 EMAIL WITH THE FILING ATTACHED IS SENT.

22 (2) A GOVERNMENTAL ENTITY ESTABLISHING AN ELECTRONIC
23 FILING OPTION IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION FOR
24 A DOCUMENT THAT CONTAINS OR MAY CONTAIN PERSONAL IDENTIFYING
25 INFORMATION SHALL COMPLY WITH SECTION 24-73-102.

26 (3) THIS SECTION DOES NOT AUTHORIZE A GOVERNMENTAL ENTITY
27 TO REQUIRE A FILING TO BE MADE ONLY BY ELECTRONIC FILING IF THE

1 GOVERNMENTAL ENTITY DOES NOT HAVE AUTHORITY UNDER OTHER LAW
2 TO REQUIRE ELECTRONIC FILING.

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2022 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.