

**NOTE: This bill has been prepared for the signatures 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.**

# An Act

HOUSE BILL 15-1213

BY REPRESENTATIVE(S) Tate and Tyler, Singer, Fields, Ginal, Young;  
also SENATOR(S) Martinez Humenik and Neville T., Newell, Lambert.

CONCERNING CLARIFICATIONS IN CONNECTION WITH THE RESPONSIBILITIES  
OF THE OFFICE OF INFORMATION TECHNOLOGY.

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

**SECTION 1.** In Colorado Revised Statutes, 24-37.5-102, **amend** (1.7); and **add** (1.6) as follows:

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

(1.6) "ENTERPRISE AGREEMENT" MEANS ANY AGREEMENT FOR THE PURCHASE OF INFORMATION TECHNOLOGY OR FOR THE PURCHASE OF GOODS OR SERVICES THAT ARE RELATED TO INFORMATION TECHNOLOGY THAT THE OFFICE ENTERS INTO FOR THE BENEFIT OF THE STATE AND THAT IS CREATED IN FURTHERANCE OF THE OFFICE'S REQUIREMENTS OR RESPONSIBILITIES SPECIFIED IN THIS ARTICLE.

(1.7) "Enterprise facility" means ~~an enterprise facility for providing information technology services~~ ANY FACILITY, INCLUDING STATE OFFICES,

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

STATE WAREHOUSES, STATE LEASED SPACES, AND VENDOR FACILITIES, THAT THE OFFICE DESIGNATES AS A FACILITY WHERE STATE DATA, EQUIPMENT, INFORMATION TECHNOLOGY, OR GOODS RELATED TO INFORMATION TECHNOLOGY WILL BE LOCATED OR WHERE SERVICES RELATED TO INFORMATION TECHNOLOGY WILL BE PERFORMED.

**SECTION 2.** In Colorado Revised Statutes, 24-37.5-105, **amend** (3) (i) and (8) introductory portion as follows:

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

(i) Initiate or approve all procurements of information technology resources, ENTERPRISE FACILITIES, AND ANY GOODS OR SERVICES RELATED TO SUCH PROCUREMENTS for state agencies and enter into any agreement, ~~or~~ contract, OR ENTERPRISE AGREEMENT in connection with such a ~~procurement~~ PROCUREMENTS on behalf of a state agency or agencies;

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

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO