

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

ENGROSSED

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

LLS NO. 13-0131.02 Ed DeCecco x4216

SENATE BILL 13-076

SENATE SPONSORSHIP

Roberts, Brophy, Morse, Schwartz

HOUSE SPONSORSHIP

Gardner, Labuda, Murray, Waller

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ELIMINATION OF FEES RELATED TO ARCHIVED**
102 **MATERIAL FOR THE LEGISLATIVE BRANCH OF THE STATE.**

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>.)

Committee on Legal Services. State archives currently charges all state agencies, including the general assembly and the legislative service agencies, various fees for responding to requests for information and research. The bill exempts a member of the general assembly or anyone from a legislative service agency from these fees if the request is

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.

SENATE
2nd Reading Unamended
February 11, 2013

for legislative material and it relates to the requester's official duties.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-80-102, **amend**
3 (10) as follows:

4 **24-80-102. State archives and public records - personnel -**
5 **duties - cash fund - rules - definition.** (10) (a) EXCEPT AS SET FORTH IN
6 PARAGRAPH (b) OF THIS SUBSECTION (10), the executive director of the
7 department of personnel shall establish by rule any fees as are necessary
8 to pay for the direct and indirect costs of responding to requests for
9 information and research from state agencies and the general public. THE
10 EXECUTIVE DIRECTOR SHALL TRANSMIT all fees collected ~~shall be~~
11 ~~transmitted~~ to the state treasurer, who shall credit the same to the state
12 archives and public records cash fund, which fund is hereby created. The
13 moneys in the fund ~~shall be~~ ARE subject to annual appropriation by the
14 general assembly for the direct and indirect costs of responding to
15 requests for information and research from state agencies and the general
16 public. All interest derived from the deposit and investment of moneys in
17 the fund ~~shall be~~ IS credited to the fund. Any unexpended and
18 unencumbered moneys remaining in the fund at the end of a fiscal year
19 ~~shall~~ remain in the fund and shall not be credited or transferred to the
20 general fund or any other fund.

21 (b) (I) THE DEPARTMENT OF PERSONNEL SHALL NOT CHARGE ANY
22 FEES FOR RESPONDING TO A REQUEST FOR INFORMATION OR RESEARCH
23 FROM A MEMBER OF THE GENERAL ASSEMBLY OR HIS OR HER AGENT OR
24 ANYONE FROM A LEGISLATIVE SERVICE AGENCY IF THE REQUEST:

25 (A) RELATES TO AN AUDIO RECORDING OF A LEGISLATIVE

1 PROCEEDING OR ANY DOCUMENT PROVIDED TO THE DEPARTMENT OF
2 PERSONNEL BY THE LEGISLATIVE BRANCH OF THE STATE; AND

3 (B) IS MADE IN THE PERFORMANCE OF THE REQUESTER'S OFFICIAL
4 DUTIES.

5 (II) AS USED IN THIS PARAGRAPH (b), "LEGISLATIVE SERVICE
6 AGENCY" MEANS THE OFFICE OF LEGISLATIVE LEGAL SERVICES,
7 LEGISLATIVE COUNCIL STAFF, OFFICE OF THE STATE AUDITOR, OR STAFF OF
8 THE JOINT BUDGET COMMITTEE.

9 **SECTION 2. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2014 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.