

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 16-0720.01 Ed DeCecco x4216

HOUSE BILL 16-1014

HOUSE SPONSORSHIP

Williams,

SENATE SPONSORSHIP

Tate,

House Committees

Business Affairs and Labor
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE BUSINESS INTELLIGENCE CENTER
102 PROGRAM WITHIN THE DEPARTMENT OF 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>.)

The bill creates the business intelligence center program (program) within the department of state (department). The purpose of the program is to streamline access to public data collected by state agencies and to provide resources to make the data more useful. In operating the program, the department is authorized to assist state agencies in formatting and publishing their public data to a publicly available platform and provide

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
April 25, 2016

HOUSE
3rd Reading Unamended
March 22, 2016

HOUSE
Amended 2nd Reading
March 21, 2016

resources to help users effectively use the data. To create those resources, the department may conduct public contests with cash awards and other incentives for the development of application software or other tools to help people effectively use the published public data. The business intelligence center advisory board is created in the department to assist the department in the operation of the program, and the advisory board will sunset in 10 years after a review by the department of regulatory agencies.

The department is authorized to solicit, receive, and expend gifts, grants, or donations for direct and indirect costs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-3-1203, **add** (3)
3 (mm) (II) as follows:

4 **2-3-1203. Sunset review of advisory committees.** (3) The
5 following dates are the dates on which the statutory authorization for the
6 designated advisory committee is scheduled for repeal:

7 (mm) September 1, 2026:

8 (II) THE BUSINESS INTELLIGENCE CENTER ADVISORY PANEL
9 CREATED IN SECTION 24-21-116 (4) (a), C.R.S.;

10 **SECTION 2.** In Colorado Revised Statutes, **add** 24-21-116 as
11 follows:

12 **24-21-116. Business intelligence center program - creation -**
13 **public data - contests - legislative declaration - definitions - repeal.**

14 (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

15 (I) PUBLIC DATA IS A VALUABLE RESOURCE THAT CAN ASSIST
16 BUSINESSES WITH STRATEGIC PLANNING AND DECISION-MAKING;

17 (II) STATE AGENCIES COLLECT VOLUMES OF PUBLIC BUSINESS AND
18 ECONOMIC DATA, BUT THIS DATA IS OFTEN HELD IN LEGACY SYSTEMS OR
19 DIFFICULT-TO-USE FORMATS AND MADE AVAILABLE ON DISPARATE
20 WEBSITES;

1 (III) THE DATA WOULD BE MORE EASILY ACCESSIBLE IF IT WAS
2 MADE AVAILABLE ON A SINGLE, PUBLICLY AVAILABLE PLATFORM, SUCH AS
3 THE COLORADO INFORMATION MARKETPLACE;

4 (IV) THE DATA IS MORE VALUABLE IF IT IS MACHINE-READABLE
5 AND FORMATTED IN A MANNER THAT ALLOWS FOR REFERENCE ACROSS
6 DATA SETS;

7 (V) THE PRIVATE SECTOR CAN BE AN IMPORTANT PARTNER IN
8 CREATING TOOLS THAT ANALYZE THE DATA FOR GREATER INSIGHT;

9 (VI) THE DEPARTMENT OF STATE, WHICH HAS EXPERTISE WITH A
10 DIGITAL BUSINESS REGISTRY AND OTHER PUBLIC DATA, HAS RECEIVED
11 APPROPRIATIONS IN THE ANNUAL GENERAL APPROPRIATIONS ACT AND
12 SUCCESSFULLY OPERATED A BUSINESS INTELLIGENCE CENTER AS A PILOT
13 PROJECT; AND

14 (VII) THE CONTINUATION OF THE BUSINESS INTELLIGENCE CENTER
15 PROGRAM WILL PROVIDE BUSINESSES WITH GREATER ACCESS TO PUBLIC
16 DATA, WHICH WILL FOSTER A BETTER BUSINESS ENVIRONMENT IN THE
17 STATE.

18 (b) NOW, THEREFORE, IT IS THE INTENT OF THE GENERAL
19 ASSEMBLY TO CREATE A BUSINESS INTELLIGENCE CENTER PROGRAM IN
20 STATE LAW TO STREAMLINE ACCESS TO PUBLIC DATA AND PROVIDE
21 RESOURCES TO MAKE THE DATA MORE USEFUL.

22 (2) AS USED IN THIS SECTION:

23 (a) "ADVISORY BOARD" MEANS THE BUSINESS INTELLIGENCE
24 CENTER ADVISORY BOARD CREATED IN PARAGRAPH (a) OF SUBSECTION (4)
25 OF THIS SECTION.

26 (b) "DEPARTMENT" MEANS THE DEPARTMENT OF STATE.

27 (c) "PROGRAM" MEANS THE BUSINESS INTELLIGENCE CENTER

1 PROGRAM CREATED IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS
2 SECTION.

3 (d) "PUBLIC DATA" MEANS DATA COLLECTED BY A STATE AGENCY
4 OR LOCAL GOVERNMENT THAT IS NOT REQUIRED BY LAW TO BE
5 CONFIDENTIAL.

6 (e) "STATE AGENCY" MEANS ANY DEPARTMENT, COMMISSION,
7 COUNCIL, BOARD, BUREAU, COMMITTEE, INSTITUTION OF HIGHER
8 EDUCATION, AGENCY, OR OTHER GOVERNMENTAL UNIT OF THE EXECUTIVE
9 BRANCH OF STATE GOVERNMENT.

10 (3) THE BUSINESS INTELLIGENCE CENTER PROGRAM IS CREATED
11 WITHIN THE DEPARTMENT OF STATE. THE PURPOSE OF THE PROGRAM IS TO
12 STREAMLINE ACCESS TO PUBLIC DATA AND TO PROVIDE RESOURCES TO
13 MAKE THE DATA MORE USEFUL. IN OPERATING THE PROGRAM, THE
14 DEPARTMENT MAY:

15 (a) ASSIST STATE AGENCIES IN FORMATTING AND PUBLISHING DATA
16 TO A PUBLICALLY AVAILABLE PLATFORM IN A MACHINE-READABLE
17 FORMAT;

18 (b) PROVIDE RESOURCES TO FACILITATE THE MORE EFFECTIVE USE
19 OF PUBLIC DATA;

20 (c) SOLICIT FEEDBACK FROM THE BUSINESS COMMUNITY TO
21 IDENTIFY THE TYPES OF PUBLIC DATA AND RESEARCH TOOLS THAT WOULD
22 BE HELPFUL;

23 (d) CONDUCT PUBLIC CONTESTS TO DEVELOP APPLICATION
24 SOFTWARE OR OTHER TOOLS TO HELP BUSINESSES EFFECTIVELY USE
25 PUBLIC DATA, WHICH CONTESTS MAY INCLUDE CASH AWARDS AND OTHER
26 INCENTIVES; AND

27 (e) ASSIST LOCAL GOVERNMENTS IN PUBLISHING PUBLIC DATA.

1 (4) (a) THE BUSINESS INTELLIGENCE CENTER ADVISORY BOARD IS
2 CREATED IN THE DEPARTMENT TO ASSIST THE DEPARTMENT IN THE
3 OPERATION OF THE PROGRAM.

4 (b) THE ADVISORY BOARD CONSISTS OF:

5 (I) THE SECRETARY OF STATE OR HIS OR HER DESIGNEE;

6 (II) A REPRESENTATIVE FROM THE GOVERNOR'S OFFICE;

7 (III) A REPRESENTATIVE FROM THE COLORADO OFFICE OF
8 ECONOMIC DEVELOPMENT CREATED IN SECTION 24-48.5-101;

9 (IV) A REPRESENTATIVE FROM THE OFFICE OF INFORMATION
10 TECHNOLOGY CREATED IN SECTION 24-37.5-103;

11 (V) A REPRESENTATIVE FROM THE STATEWIDE INTERNET PORTAL
12 AUTHORITY CREATED IN SECTION 24-37.7-102; AND

13 (VI) UP TO SIX ADDITIONAL REPRESENTATIVES WHOM THE
14 SECRETARY OF STATE APPOINTS FROM STATE OR LOCAL GOVERNMENT, THE
15 PRIVATE SECTOR, OR THE NONPROFIT COMMUNITY. THE SECRETARY OF
16 STATE OR HIS OR HER DESIGNEE MAY ALSO INVITE ADDITIONAL
17 REPRESENTATIVES TO ATTEND BOARD MEETINGS AND PARTICIPATE AS
18 NON-VOTING MEMBERS.

19 (c) THE SECRETARY OF STATE OR HIS OR HER DESIGNEE SHALL
20 CHAIR THE BOARD. THE BOARD SHALL MEET AT THE CHAIRPERSON'S
21 DISCRETION. MEMBERS OF THE ADVISORY BOARD SERVE WITHOUT
22 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

23 (d) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,
24 2026. PRIOR TO SUCH REPEAL, THE DEPARTMENT OF REGULATORY
25 AGENCIES SHALL REVIEW THE ADVISORY BOARD AS PROVIDED IN SECTION
26 2-3-1203, C.R.S.

27 (5) THE DEPARTMENT MAY CONTRACT WITH PUBLIC OR PRIVATE

1 ENTITIES TO OPERATE ANY PART OF THE PROGRAM.

2 (6) A PUBLIC CONTEST CONDUCTED BY THE DEPARTMENT IN
3 ACCORDANCE WITH PARAGRAPH (e) OF SUBSECTION (3) OF THIS SECTION
4 IS NOT SUBJECT TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF
5 THIS TITLE 24.

6 (7) A STATE AGENCY IS NOT REQUIRED TO PROVIDE ANY PUBLIC
7 DATA TO THE DEPARTMENT UNDER THE PROGRAM. A STATE AGENCY'S
8 PARTICIPATION IN THE PROGRAM IS VOLUNTARY. IF A STATE AGENCY
9 ACCEPTS THE DEPARTMENT'S ASSISTANCE, THE STATE AGENCY CONTROLS
10 THE SCOPE, TIMELINE, AND FORMAT OF THE PUBLICATION OF THE PUBLIC
11 DATA.

12 (8) THE SECRETARY OF STATE MAY SEEK, ACCEPT, AND EXPEND
13 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
14 DIRECT AND INDIRECT PROGRAM COSTS. ANY STATE MONEY RECEIVED IN
15 ACCORDANCE WITH THIS SUBSECTION (8) IS DEPOSITED INTO THE
16 DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3)
17 AND CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR DIRECT AND
18 INDIRECT PROGRAM COSTS.

19 **SECTION 3. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.