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SENATE BILL 18-209

BY SENATOR(S) Todd and Martinez Humenik, Tate, Lambert, Williams A.;
also REPRESENTATIVE(S) Pabon and Thurlow, Singer, Rosenthal, Valdez.

CONCERNING MODIFICATIONS TO THE GOVERNMENT DATA ADVISORY BOARD
CREATED IN THE OFFICE OF INFORMATION TECHNOLOGY.

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

SECTION 1. In Colorado Revised Statutes, 24-37.5-702, **amend** (4) as follows:

24-37.5-702. Definitions. As used in this part 7, unless the context otherwise requires:

(4) "Interdepartmental data protocol" means ~~an interoperable, cross-departmental data management system and file sharing procedure that permits~~ AND GOVERNANCE POLICIES, PROCESSES, AND PROCEDURES THAT PERMIT the merging of ~~unit records~~ DATA for the purposes of policy analysis and determination of program effectiveness.

SECTION 2. In Colorado Revised Statutes, 24-37.5-703, **amend**

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

(1)(b), (1)(d)(I), (1)(d)(II) introductory portion, (1)(d)(II)(A), (6), and (7) as follows:

24-37.5-703. Government data advisory board - created - duties - repeal. (1) (b) On or before October 1, 2009, the governor shall appoint four members of the advisory board. BEGINNING JULY 1, 2019, THE GOVERNOR SHALL APPOINT TWO MEMBERS OF THE ADVISORY BOARD as follows:

(I) An employee of a city, county, or city and county that collects and maintains unit-level records, which employee has expertise in data sharing and information technology; AND

~~(II) A person who is serving on a school district board of education in this state;~~

(III) An employee of a school district in this state who has expertise in data sharing and information technology. ~~and~~

~~(IV) A person from an institution of higher education or a nongovernmental organization that, in the course of conducting research, routinely requests data from government agencies, which person has expertise in data sharing and information technology.~~

(d) (I) The remaining membership of the advisory board shall consist of a person from each of the following departments PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS SPECIFIED IN SECTION 24-1-110, who is either an expert in information technology or responsible for data administration within the member's respective department and who is selected by the head of the member's respective department to participate on the advisory board at the invitation of the chief information officer.

~~(A) The department of education;~~

~~(B) The department of higher education;~~

~~(C) The department of human services;~~

~~(D) The department of health care policy and financing;~~

~~(E) The department of public health and environment;~~

~~(F) The department of labor and employment;~~

~~(G) The department of public safety;~~

~~(H) The department of corrections; and~~

~~(I) The department of revenue.~~

(II) Notwithstanding ~~the provisions of subparagraph (I) of this paragraph (d)~~ SUBSECTION (1)(d)(I) OF THIS SECTION, at the invitation of the chief information officer, additional members who meet the qualifications specified in ~~said subparagraph (I)~~ SUBSECTION (1)(d)(I) OF THIS SECTION may be selected to participate on the advisory board as follows:

(A) The governor, as he or she deems appropriate, ~~may direct the executive director of one or more of the departments that are not specified in subparagraph (I) of this paragraph (d) to select a member from his or her department or~~ may select a member from one or more political subdivisions of the state, including a city, county, city and county, or special purpose authority;

(6) On or before January 15, 2010, and on or before January 15 each year thereafter, the advisory board shall submit to the chief information officer its recommendations for developing and implementing protocols for sharing data among state agencies and entities and with local governments and nongovernmental entities. The chief information officer shall review the recommendations and take them into account in preparing a report concerning implementing protocols for sharing data among state agencies and entities and with local governments and nongovernmental entities. The chief information officer shall submit the report to the general assembly on or before March 1, 2010, and on or before March 1 each year thereafter THROUGH MARCH 1, 2018. ON OR BEFORE MARCH 1, 2019, AND ON OR BEFORE MARCH 1 EACH YEAR THEREAFTER, THE CHIEF INFORMATION OFFICER SHALL SUBMIT THE REPORT TO THE JOINT TECHNOLOGY COMMITTEE OF THE GENERAL ASSEMBLY ESTABLISHED IN SECTION 2-3-1702.

(7) This section is repealed, effective ~~July 1, 2019~~ JULY 1, 2024. NOTWITHSTANDING SECTION 2-3-1203, prior to such repeal, the advisory

board shall be reviewed ~~as provided in section 2-3-1203, C.R.S.~~ BY THE JOINT TECHNOLOGY COMMITTEE.

SECTION 3. In Colorado Revised Statutes, 24-37.5-703.5, **amend** (8) as follows:

24-37.5-703.5. Education data subcommittee - created - duties - repeal. (8) This section is repealed, effective July 1, 2019. ~~Prior to such repeal, the education data subcommittee shall be reviewed as provided in section 2-3-1203, C.R.S.~~

SECTION 4. In Colorado Revised Statutes, 2-3-1203, **repeal** (8)(a)(I) and (8)(a)(II) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (8) (a) The following statutory authorizations for the designated advisory committees will repeal on July 1, 2019:

(I) ~~The government data advisory board created in section 24-37.5-703, C.R.S.;~~

(II) ~~The education data subcommittee created in section 24-37.5-703.5, C.R.S.;~~

SECTION 5. Act subject to petition - effective date. Section 24-37.5-703 (1)(b), enacted in section 2 of this act, takes effect July 1, 2019, and the remainder of 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 8, 2018, if adjournment sine die is on May 9, 2018); 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 2018 and, in such case, will take effect on the date of the

official declaration of the vote thereon by the governor; except that section 24-37.5-703 (1)(b), enacted in section 2 of this act, takes effect July 1, 2019.

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO