

CHAPTER 330

GOVERNMENT - STATE

HOUSE BILL 93-1341

BY REPRESENTATIVES Ratterree, Anderson, Kerns, Thiebaut, Armstrong, Chlouber, Fleming, Greenwood, Martin, Owen, and Taylor;
also SENATORS Bishop, Gallagher, Martinez, R. Powers, and Cassidy.

AN ACT

CONCERNING THE CREATION OF THE CONSOLIDATED DATA PROCESSING SYSTEM FOR VOTER AND MOTOR VEHICLE REGISTRATION, AND MAKING APPROPRIATIONS THEREFOR.

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

SECTION 1. 1-2-301, Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

1-2-301. Secretary of state to maintain master list of electors - consolidated data processing system. (3) (a) THE DEPARTMENT OF STATE IS AUTHORIZED TO ACQUIRE COMPUTER EQUIPMENT, DESIGN COMPUTER SOFTWARE, AND TO PROVIDE SUCH TRAINING AS IS NECESSARY TO IMPLEMENT THE CONSOLIDATED DATA PROCESSING SYSTEM CREATED PURSUANT TO SECTION 42-1-210.2, C.R.S.

(b) THE DEPARTMENT OF STATE SHALL TAKE ALL REASONABLE STEPS NECESSARY TO FACILITATE THE DEPARTMENT OF REVENUE'S CONTROL AND USE OF SUCH COMPUTER EQUIPMENT TO ENABLE THE DEPARTMENT OF REVENUE TO CARRY OUT ITS FUNCTIONS CONCERNING THE CONSOLIDATED DATA PROCESSING SYSTEM IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-1-210.2, C.R.S.

(c) THE DEPARTMENT OF STATE SHALL REIMBURSE THE DEPARTMENT OF REVENUE FOR THE DIRECT AND INDIRECT COST OF UTILIZING PERSONNEL OF THE DEPARTMENT OF REVENUE TO PERFORM FUNCTIONS ON BEHALF OF THE DEPARTMENT OF STATE NECESSITATED BY THE OPERATION AND MAINTENANCE OF THE CONSOLIDATED DATA PROCESSING SYSTEM. SUCH REIMBURSEMENT SHALL BE FROM MONEYS IN THE DEPARTMENT OF STATE CASH FUND CREATED BY 24-21-104 (3) (b), C.R.S. THE STATE TREASURER SHALL MAKE SUCH REIMBURSEMENT THROUGH TRANSFERS OR

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

PAYMENTS, AS THE CASE MAY BE, PURSUANT TO THE REIMBURSEMENT PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING ENTERED INTO PURSUANT TO THE PROVISIONS OF SECTION 42-1-210.2 (2) (c), C.R.S.

SECTION 2. 1-2-302 (6), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-302. Maintenance of master list. (6) The secretary of state shall determine and use other necessary means to maintain the master list of registered electors on a current basis. SUCH MEANS SHALL BE CONSISTENT WITH THE PROVISIONS OF SECTION 42-1-210.2, C.R.S.

SECTION 3. 42-1-210.1 (1), Colorado Revised Statutes, 1984 Repl. Vol., is amended to read:

42-1-210.1. Distributive data processing system. (1) The department is hereby authorized to develop and manage a statewide distributive data processing system. This system is to provide the necessary data processing equipment and software to:

(a) Aid the authorized agents of the department in processing motor vehicle registration and title documents; AND

(b) ESTABLISH, OPERATE, AND MAINTAIN A TELECOMMUNICATIONS NETWORK WHICH PROVIDES ACCESS FROM THE OFFICES OF COUNTY CLERK AND RECORDERS TO THE MASTER LIST OF REGISTERED ELECTORS MAINTAINED PURSUANT TO SECTIONS 1-2-301 AND 1-2-302, C.R.S. THE DEPARTMENT OF STATE SHALL PROVIDE SUCH COMPUTER EQUIPMENT AS IS NECESSARY TO ESTABLISH, OPERATE, AND MAINTAIN SUCH SERVICE.

SECTION 4. 42-1-210.1 (4), Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

42-1-210.1. Distributive data processing system. (4) (c) THERE IS HEREBY CREATED A SUBCOMMITTEE OF THE AUTHORIZED AGENTS' ADVISORY COMMITTEE FOR THE PURPOSE OF FACILITATING THE CONSOLIDATED DATA PROCESSING SYSTEM CREATED PURSUANT TO SECTION 42-1-210.2. THE MEMBERS OF THE SUBCOMMITTEE SHALL BE APPOINTED IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING ENTERED INTO PURSUANT TO PARAGRAPH (c) OF SUBSECTION (2) OF SECTION 42-1-210.2.

SECTION 5. Part 2 of article 1 of title 42, Colorado Revised Statutes, 1984 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

42-1-210.2. Consolidated data processing system - voter registration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THERE IS A NEED FOR COORDINATION BETWEEN THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF STATE REGARDING THE CONSOLIDATED USE OF DATA PROCESSING SYSTEMS UTILIZED FOR VOTER AND MOTOR VEHICLE REGISTRATION. THE GENERAL ASSEMBLY FINDS THAT CONSOLIDATING SUCH SYSTEMS WILL RESULT IN SIGNIFICANT SAVINGS TO THE STATE AND WILL FOSTER IMPROVED SERVICE AND EFFICIENCY. TOWARD THAT END, THERE SHALL BE CREATED A CONSOLIDATED DATA PROCESSING SYSTEM FOR THE

PURPOSE OF OPERATING VOTER REGISTRATION ON THE DISTRIBUTIVE DATA PROCESSING SYSTEM MANAGED BY THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 42-1-210.1.

(2) (a) THE DEPARTMENT OF REVENUE SHALL ESTABLISH, OPERATE, AND MAINTAIN SUCH COMPUTER SERVICES WITHIN THE DISTRIBUTIVE DATA PROCESSING SYSTEM AS ARE NECESSARY TO MAINTAIN A TELECOMMUNICATIONS NETWORK WHICH PROVIDES ACCESS FROM THE OFFICES OF COUNTY CLERK AND RECORDERS TO THE MASTER LIST OF REGISTERED ELECTORS MAINTAINED IN THE MANNER PRESCRIBED BY SECTIONS 1-2-301 AND 1-2-302, C.R.S. THE PROVISION OF SUCH SERVICE SHALL BE DELIVERED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE MEMORANDUM OF UNDERSTANDING ENTERED INTO PURSUANT TO THE PROVISIONS OF PARAGRAPH (c) OF THIS SUBSECTION (2).

(b) THE DEPARTMENT OF REVENUE SHALL EXERCISE SUCH CONTROL AND USE OF THE COMPUTER EQUIPMENT ACQUIRED BY THE DEPARTMENT OF STATE PURSUANT TO SECTION 1-2-301 (3), C.R.S., AS IS NECESSARY TO ESTABLISH, OPERATE, AND MAINTAIN THE CONSOLIDATED DATA PROCESSING SYSTEM.

(c) NO LATER THAN JUNE 30, 1993, THE DEPARTMENT OF REVENUE, THE DEPARTMENT OF STATE, AND THE JOINT BUDGET COMMITTEE SHALL EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE PURPOSE OF ENSURING THE ORDERLY IMPLEMENTATION OF THE COUNTY PILOT PROGRAM BY AUGUST 1, 1994, AND ENSURING FULL IMPLEMENTATION OF THE CONSOLIDATED DATA PROCESSING SYSTEM BY NOVEMBER 1, 1995. THE MEMORANDUM SHALL ESTABLISH THE AGREEMENT OF THE PARTIES WITH REGARD TO:

(I) THE SCOPE OF THE COUNTY PILOT PROGRAM TO BE IMPLEMENTED BY AUGUST 1, 1994;

(II) THE SPECIFIC SERVICE TO BE PROVIDED BY THE DEPARTMENT OF REVENUE TO ENSURE THAT THE TELECOMMUNICATIONS NETWORK WHICH PROVIDES ACCESS FROM THE OFFICES OF THE COUNTY CLERK AND RECORDERS TO THE MASTER LIST OF REGISTERED ELECTORS IS MAINTAINED IN THE MANNER PRESCRIBED BY SECTIONS 1-2-301 AND 1-2-302, C.R.S.;

(III) THE METHOD OF CALCULATING AND VERIFYING THE DIRECT AND INDIRECT COST OF UTILIZING PERSONNEL OF THE DEPARTMENT OF REVENUE ON BEHALF OF THE DEPARTMENT OF STATE TO PERFORM FUNCTIONS NECESSITATED BY THE IMPLEMENTATION OF THE CONSOLIDATED DATA PROCESSING SYSTEM;

(IV) THE METHOD OF REIMBURSEMENT TO THE DEPARTMENT OF REVENUE FOR THE COST OF SUCH PERSONNEL FROM THE DEPARTMENT OF STATE CASH FUND CREATED BY SECTION 24-21-104 (3) (b), C.R.S.;

(V) THE APPOINTMENT OF MEMBERS TO THE SUBCOMMITTEE OF THE AUTHORIZED AGENTS' ADVISORY COMMITTEE CREATED BY PARAGRAPH (c) OF SUBSECTION (4) OF SECTION 42-1-210.1 AND THE FUNCTIONS TO BE CARRIED OUT BY SUCH SUBCOMMITTEE; AND

(VI) SUCH ADDITIONAL INFORMATION AS IS NECESSARY AND APPROPRIATE TO

ENSURE THE IMPLEMENTATION OF THIS SECTION.

(d) EFFECTIVE AUGUST 1, 1994, A COUNTY PILOT PROGRAM FOR THE CONSOLIDATED DATA PROCESSING SYSTEM SHALL BE IMPLEMENTED.

(e) EFFECTIVE NOVEMBER 1, 1995, COMPUTER SERVICES NECESSARY TO MAINTAIN THE TELECOMMUNICATIONS NETWORK WHICH PROVIDES ACCESS FROM THE COUNTY CLERK AND RECORDERS TO THE MASTER LIST OF REGISTERED ELECTORS SHALL BE OPERATIONAL.

SECTION 6. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created by section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 1993, the sum of one hundred fifty-one thousand five hundred seventy-nine dollars (\$151,579) and 0.3 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 7. Future appropriations. Although no general fund appropriation is included in this act for the fiscal year beginning July 1, 1993, it appears that this act will require appropriations from the general fund or from the department of state cash fund created by section 24-21-104 (3) (b), Colorado Revised Statutes, for subsequent fiscal years, and the amount required to be appropriated for the fiscal year beginning July 1, 1994, is estimated to be two hundred eighty-two thousand ten dollars (\$282,010) and 1.0 FTE.

SECTION 8. Effective date. This act shall take effect July 1, 1993.

SECTION 9. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 9, 1993