

CHAPTER 151

GOVERNMENT - STATE

SENATE BILL 13-076

BY SENATOR(S) Roberts, Brophy, Morse, Schwartz, Cadman, Grantham, Lundberg, Marble, Scheffel;
also REPRESENTATIVE(S) Gardner, Labuda, Murray, Waller, Gerou.

AN ACT

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

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

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

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

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

(A) RELATES TO AN AUDIO RECORDING OF A LEGISLATIVE PROCEEDING OR ANY

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

DOCUMENT PROVIDED TO THE DEPARTMENT OF PERSONNEL BY THE LEGISLATIVE BRANCH OF THE STATE; AND

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

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

SECTION 2. 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 7, 2013, if adjournment sine die is on May 8, 2013); 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 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 26, 2013