



## Information Technology

During the 2021 legislative session, the Colorado General Assembly considered several measures related to information technology (IT), including new requirements for the Governor's Office of Information Technology (OIT), technical services, data privacy, and internet service.

### Governor's Office of Information Technology

During the 2021 legislative session, the General Assembly passed several bills concerning OIT. *House Bill 21-1230* requires OIT to develop a single, public-facing search interface for accessing state agency rules and rulemaking, in conjunction with the Colorado Department of State. *House Bill 21-1100* extends state technical services by requiring state, city, and county government entities to collaborate with OIT in assessing the state's existing electronic document filing capabilities. The bill also requires that government entities collaborate with OIT to develop estimates to increase electronic filing to at least 80 percent. Finally, *House Bill 21-287* creates and appropriates funds to the Technology Risk Prevention and Response Fund in OIT, with half of the funds for IT emergencies, compliance, and mitigating IT debt risks.

The General Assembly also passed *House Bill 21-1236*, which modified certain statutory provisions for OIT, the Governor's

Cybersecurity Council, and the Joint Technology Committee (JTC). The Cybersecurity Council was created in *House Bill 16-1453* to develop cybersecurity policy guidance, requirements, and initiatives. The JTC, established in 2013 by *House Bill 13-1079*, oversees OIT, IT capital budget requests, technical legislation, and other technical matters.

### Technical Services

The General Assembly also passed bills concerning the Statewide Internet Portal Authority (SIPA) procurement, county electronic filing, disability discrimination law in Colorado, and electronic business activities.

SIPA is responsible for developing and maintaining the Colorado internet portal. *Senate Bill 21-141* allows SIPA to use other competitive procurement methods besides a method that requires a request for proposal.

Under current law, the Electronic Recording Technology Board (ERTB) in the Department of State is repealed on September 1, 2022, following a sunset review conducted by the Department of Regulatory Agencies. *House Bill 21-1225* delays the repeal and sunset review, and requires that ERTB continues managing grants for county electronic filing systems.

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The federal American Disabilities Act prohibits discrimination against individuals with disabilities in employment, government services, public accommodations and services, telecommunications, and transportation. *House Bill 21-1110* strengthens state discrimination laws for individuals with disabilities, and requires state agencies to submit a written accessibility plan to OIT by July 1, 2022.

*House Bill 21-1124* expands the ability for Colorado businesses to conduct business electronically by: (1) modifying electronic communication definitions; (2) specifying how notices may be given by electronic means; and (3) establishing requirements for remote participation in stakeholders' and directors' meetings.

### Data Privacy

Over the past several years, governments in various countries, including the United States, have enacted privacy laws. Colorado is no exception. During the 2021 legislation session, the General Assembly passed three bills concerning data privacy.

*House Bill 21-1111* directs OIT to convene an advisory group during the 2022 interim to study the protection of personally identifiable information (PII), which is any data that may be used to identify a specific individual. The working group must provide a report to the General Assembly on or before January 1, 2023. *Senate Bill 21-190* provides Colorado consumers with additional data privacy rights, specifically concerning personal data processed to conduct business or produce commercial products or services. *Senate Bill 21-131* creates protections for PII collected and maintained by state

agencies, such as a social security number or an identification card number.

### Internet Service

Broadband technology is one of the common methods used to access the internet. *House Bill 21-1109* directs the Broadband Deployment Board within OIT to develop a process for deploying broadband into critically underserved Colorado areas and households. *House Bill 21-1289* codifies the Colorado Broadband Office (CBO) and establishes a broadband grant program to address critically unserved Colorado areas, such as households or communities that lack affordable and accessible broadband internet service. The CBO will also: (1) improve and operate telehealth capabilities; (2) assist with local education providers' broadband capabilities; and (3) expand digital access to government services. *Senate Bill 21-060* directs the CBO to select and contract with a nonprofit organization to subsidize broadband costs for households based on income.

Lastly, under current law, local governments are restricted from offering internet service to their residents without first meeting certain requirements and getting voter approval. *House Bill 21-1114* clarifies the provision of internet service by a school district to enable individuals associated with the district to access a school district network.