

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 17-0543.01 Kate Meyer x4348

HOUSE BILL 17-1113

HOUSE SPONSORSHIP

Willett and Arndt,

SENATE SPONSORSHIP

Scott,

House Committees
State, Veterans, & Military Affairs
Appropriations

Senate Committees
State, Veterans, & Military Affairs
Legislative Council

A BILL FOR AN ACT

101 **CONCERNING ELECTRONIC PARTICIPATION IN COMMITTEE MEETINGS**

102 **DURING THE LEGISLATIVE INTERIM.**

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://leg.colorado.gov>.)

The bill gives the executive committee of the legislative council the ability to consider, recommend, and establish policies regarding electronic participation by senators or representatives in committee meetings during the legislative interim.

SENATE
Amended 2nd Reading
May 2, 2017

HOUSE
3rd Reading Unamended
April 3, 2017

HOUSE
Amended 2nd Reading
March 31, 2017

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.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Electronic participation in committee meetings by members of
5 the general assembly is currently prohibited, but that general prohibition
6 fails to account for technological advances or the reality that Colorado's
7 part-time legislature presents significant year-round demands on members
8 fulfilling various legislative obligations;

9 (b) Modern technology facilitates a verisimilitude of in-person
10 interaction, which technology Colorado has already successfully deployed
11 to permit remote testimony by the public at committee meetings;

12 (c) Rather than enshrine in black-letter law exhaustive criteria to
13 govern and circumscribe the use of electronic participation, the general
14 assembly entrusts the executive committee of the legislative council to
15 monitor members' electronic participation, if any is allowed, and to
16 develop and occasionally revisit policies so as to:

17 (I) Attain the equitable, secure, and orderly use of electronic
18 participation, including whether it is feasible and desirable to allow
19 electronically participating members to vote on matters before the
20 committee or whether such members shall be counted for attendance
21 purposes but prohibited from voting; and

22 (II) Ensure the access to, and quality of, legislative proceedings
23 for the public, especially inasmuch as the proceedings may incorporate
24 visual technology that allows electronically participating members to see
25 and be seen; and

26 (d) The general assembly therefore intends to enable the executive
27 committee of the legislative council to allow, in its discretion, electronic

1 participation in committee meetings during the legislative interim by
2 legislators in a manner that provides maximum flexibility for current and
3 future legislative leaders to implement, regulate, and refine the
4 parameters governing electronic participation.

5 (2) The general assembly further finds that a legislator
6 participating electronically is still entitled to compensation for attending
7 the meeting, but not for reimbursement of expenses.

8 **SECTION 2.** In Colorado Revised Statutes, 2-3-303, **add** (2)(h)
9 as follows:

10 **2-3-303. Functions - report - definitions.** (2) In addition to any
11 other powers and duties set forth in law, the executive committee of the
12 legislative council has the following powers and duties:

13 (h) (I) THE POWER TO ALLOW MEMBERS OF THE GENERAL
14 ASSEMBLY TO PARTICIPATE ELECTRONICALLY IN COMMITTEE MEETINGS
15 AND TO RECOMMEND AND DEVELOP POLICIES REGARDING ELECTRONIC
16 PARTICIPATION IF SO ALLOWED; EXCEPT THAT, IF ALLOWED, ELECTRONIC
17 PARTICIPATION MUST ONLY BE ALLOWED FOR COMMITTEE MEETINGS
18 OCCURRING DURING THE LEGISLATIVE INTERIM.

19

20 (II) A MEMBER PARTICIPATING ELECTRONICALLY IN A COMMITTEE
21 MEETING PURSUANT TO THIS SUBSECTION (2)(h) IS DEEMED TO BE IN
22 ATTENDANCE OF THAT COMMITTEE FOR THE PURPOSE OF RECEIVING
23 COMPENSATION TO WHICH THE MEMBER IS ENTITLED UNDER SECTION
24 2-2-307 (3). NOTWITHSTANDING SECTION 2-2-307 (3)(b), MEMBERS
25 PARTICIPATING ELECTRONICALLY ARE NOT ENTITLED TO REIMBURSEMENT
26 FOR ANY EXPENSES INCURRED IN CONNECTION WITH SUCH ELECTRONIC
27 PARTICIPATION.

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.