



**Colorado
Legislative
Council
Staff**

HB16-1208

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0089	Date: September 21, 2016
Prime Sponsor(s): Rep. Carver	Bill Status: Postponed Indefinitely
Sen. Lundberg; Newell	Fiscal Analyst: Jessika Shipley (303-866-3528)

BILL TOPIC: CREATE DATA PRIVACY SUBCOMMITTEE

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	<u>\$3,392</u>	<u>\$3,392</u>
General Fund	3,392	3,392
Appropriation Required: \$3,392 - Legislative Department (FY 2016-17).		
Future Year Impacts: None.		

NOTE: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

This bill would have created a subcommittee within the Joint Technology Committee (JTC) to address issues related to data privacy and cyber security. Specifically, the subcommittee would have been required to consider:

- whether state governmental agencies are collecting or retaining data that exceeds what is necessary and appropriate for such agencies to perform their functions;
- who has access to such data, the extent of such access, and appropriate mechanisms to protect sensitive data; and
- additional measures to protect such data against unauthorized access, disclosure, use, modification, or destruction.

The bill specifies that the subcommittee will consist of four legislative members, four members to be appointed by the Governor, and the state's Chief Security Information Officer. The subcommittee would have been required to meet at least three times per calendar year; communicate with and obtain input from groups throughout the state; and submit its findings and recommendations to the JTC and the General Assembly on or before January 1, 2018. The bill would have been repealed July 1, 2018.

State Expenditures

This bill will increase General Fund costs in the Legislative Department by \$3,392 in FY 2016-17 and FY 2017-18.

Assumptions. The fiscal note assumes that the nonlegislative members of the subcommittee will be located in the Denver Metro area and therefore will not incur travel expenses, which could be reimbursed under the bill.

Legislative Department. Legislative members of the subcommittee are entitled to per diem and expenses for each legislative meeting they attend. The average rate of per diem and expenses for such a meeting is \$212 per member. The subcommittee will contain four legislative members and the fiscal note assumes it will meet four times per year, for a total annual cost of \$3,392. Legislative agencies will provide staff assistance to the subcommittee, but the increase in workload is expected to be minimal and will be accomplished within existing appropriations.

Office of Information Technology (OIT). The bill requires one of the Governor's appointees to the subcommittee to be a representative of OIT. The state's Chief Security Information Officer, who works in OIT, is also required to be a member of the subcommittee. Both of these individuals will attend meetings and potentially work on tasks outside of the meetings, thereby increasing their workload. Additionally, OIT is likely to have data and other information necessary for the subcommittee to accomplish its work. As such, the workload at OIT is expected to increase, although the increase will be minimal and can be accomplished within existing appropriations.

Other state agencies. To the extent that state government agencies provide data and input to further the subcommittee's work, workload and costs at those agencies will increase. It is unknown at this time how much assistance will be required; however, the increase is expected to be minimal and can be accomplished within existing appropriations.

Local Government Impact

To the extent that local government agencies provide data and input to further the subcommittee's work, workload and costs at those agencies will increase. It is unknown at this time how much assistance will be required; however, the increase is expected to be minimal.

Effective Date

The bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on March 21, 2016.

State Appropriations

For FY 2016-17, the Legislative Department requires a General Fund appropriation of \$3,392.

State and Local Government Contacts

Governor	Information Technology
Legal Services	Legislative Council

Research Note Available

An LCS Research Note for HB16-1208 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.