

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 18-0970.01 Nicole Myers x4326

SENATE BILL 18-209

SENATE SPONSORSHIP

Todd and Martinez Humenik, Tate

HOUSE SPONSORSHIP

Pabon and Thurlow, Singer

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE GOVERNMENT DATA ADVISORY**
102 **BOARD CREATED IN THE OFFICE OF INFORMATION TECHNOLOGY.**

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/>.)

Joint Technology Committee. The government data advisory board (board) was created in the office of information technology to advise and provide recommendations to the chief information officer regarding interdepartmental data protocol and best practices in sharing and protecting data in state government. The bill modifies the definition of interdepartmental protocol to reflect current practice. The bill also

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 11, 2018

modifies the composition of the board to include a representative from each state agency and to remove members of the education data subcommittee from the board.

Currently, the board is scheduled for repeal on July 1, 2019. The bill extends the board to July 1, 2024. The bill specifies that prior to being repealed, the board is subject to review by the joint technology committee rather than pursuant to the sunset review process.

In addition, current law specifies that prior to its repeal on July 1, 2019, the education data subcommittee is subject to review pursuant to the sunset review process. The bill eliminates the sunset review of the education data subcommittee to facilitate the repeal of the subcommittee on July 1, 2019.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-37.5-702, **amend**
3 (4) as follows:

4 **24-37.5-702. Definitions.** As used in this part 7, unless the
5 context otherwise requires:

6 (4) "Interdepartmental data protocol" means ~~an interoperable,~~
7 ~~cross-departmental data management system and file sharing procedure~~
8 ~~that permits~~ AND GOVERNANCE POLICIES, PROCESSES, AND PROCEDURES
9 THAT PERMIT the merging of ~~unit records~~ DATA for the purposes of policy
10 analysis and determination of program effectiveness.

11 **SECTION 2.** In Colorado Revised Statutes, 24-37.5-703, **amend**
12 (1)(b), (1)(d)(I), (1)(d)(II) introductory portion, (1)(d)(II)(A), (6), and (7)
13 as follows:

14 **24-37.5-703. Government data advisory board - created -**
15 **duties - repeal.** (1) (b) On or before October 1, 2009, the governor shall
16 appoint four members of the advisory board. BEGINNING JULY 1, 2019,
17 THE GOVERNOR SHALL APPOINT TWO MEMBERS OF THE ADVISORY BOARD
18 as follows:

19 (I) An employee of a city, county, or city and county that collects

1 and maintains unit-level records, which employee has expertise in data
2 sharing and information technology; AND

3 ~~(II) A person who is serving on a school district board of~~
4 ~~education in this state;~~

5 (III) An employee of a school district in this state who has
6 expertise in data sharing and information technology. and

7 ~~(IV) A person from an institution of higher education or a~~
8 ~~nongovernmental organization that, in the course of conducting research,~~
9 ~~routinely requests data from government agencies, which person has~~
10 ~~expertise in data sharing and information technology.~~

11 (d) (I) The remaining membership of the advisory board shall
12 consist of a person from each of the following departments PRINCIPAL
13 DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS
14 SPECIFIED IN SECTION 24-1-110, who is either an expert in information
15 technology or responsible for data administration within the member's
16 respective department and who is selected by the head of the member's
17 respective department to participate on the advisory board at the
18 invitation of the chief information officer.

19 ~~(A) The department of education;~~

20 ~~(B) The department of higher education;~~

21 ~~(C) The department of human services;~~

22 ~~(D) The department of health care policy and financing;~~

23 ~~(E) The department of public health and environment;~~

24 ~~(F) The department of labor and employment;~~

25 ~~(G) The department of public safety;~~

26 ~~(H) The department of corrections; and~~

27 ~~(I) The department of revenue.~~

1 (II) Notwithstanding ~~the provisions of subparagraph (f) of this~~
2 ~~paragraph (d)~~ SUBSECTION (1)(d)(I) OF THIS SECTION, at the invitation of
3 the chief information officer, additional members who meet the
4 qualifications specified in ~~said subparagraph (f)~~ SUBSECTION (1)(d)(I) OF
5 THIS SECTION may be selected to participate on the advisory board as
6 follows:

7 (A) The governor, as he or she deems appropriate, ~~may direct the~~
8 ~~executive director of one or more of the departments that are not specified~~
9 ~~in subparagraph (f) of this paragraph (d) to select a member from his or~~
10 ~~her department or~~ may select a member from one or more political
11 subdivisions of the state, including a city, county, city and county, or
12 special purpose authority;

13 (6) On or before January 15, 2010, and on or before January 15
14 each year thereafter, the advisory board shall submit to the chief
15 information officer its recommendations for developing and
16 implementing protocols for sharing data among state agencies and entities
17 and with local governments and nongovernmental entities. The chief
18 information officer shall review the recommendations and take them into
19 account in preparing a report concerning implementing protocols for
20 sharing data among state agencies and entities and with local
21 governments and nongovernmental entities. The chief information officer
22 shall submit the report to the general assembly on or before March 1,
23 2010, and on or before March 1 each year thereafter THROUGH MARCH 1,
24 2018. ON OR BEFORE MARCH 1, 2019, AND ON OR BEFORE MARCH 1 EACH
25 YEAR THEREAFTER, THE CHIEF INFORMATION OFFICER SHALL SUBMIT THE
26 REPORT TO THE JOINT TECHNOLOGY COMMITTEE OF THE GENERAL
27 ASSEMBLY ESTABLISHED IN SECTION 2-3-1702.

1 (7) This section is repealed, effective ~~July 1, 2019~~ JULY 1, 2024.
2 NOTWITHSTANDING SECTION 2-3-1203, prior to such repeal, the advisory
3 board shall be reviewed ~~as provided in section 2-3-1203, C.R.S.~~ BY THE
4 JOINT TECHNOLOGY COMMITTEE.

5 **SECTION 3.** In Colorado Revised Statutes, 24-37.5-703.5,
6 **amend** (8) as follows:

7 **24-37.5-703.5. Education data subcommittee - created - duties**
8 **- repeal.** (8) This section is repealed, effective July 1, 2019. ~~Prior to such~~
9 ~~repeal, the education data subcommittee shall be reviewed as provided in~~
10 ~~section 2-3-1203, C.R.S.~~

11 **SECTION 4.** In Colorado Revised Statutes, 2-3-1203, **repeal**
12 (8)(a)(I) and (8)(a)(II) as follows:

13 **2-3-1203. Sunset review of advisory committees - legislative**
14 **declaration - definition - repeal.** (8) (a) The following statutory
15 authorizations for the designated advisory committees will repeal on July
16 1, 2019:

17 (I) ~~The government data advisory board created in section~~
18 ~~24-37.5-703, C.R.S.;~~

19 (II) ~~The education data subcommittee created in section~~
20 ~~24-37.5-703.5, C.R.S.;~~

21 **SECTION 5. Act subject to petition - effective date.** Section
22 24-37.5-703 (1)(b), enacted in section 2 of this act, takes effect July 1,
23 2019, and the remainder of this act takes effect at 12:01 a.m. on the day
24 following the expiration of the ninety-day period after final adjournment
25 of the general assembly (August 8, 2018, if adjournment sine die is on
26 May 9, 2018); except that, if a referendum petition is filed pursuant to
27 section 1 (3) of article V of the state constitution against this act or an

1 item, section, or part of this act within such period, then the act, item,
2 section, or part will not take effect unless approved by the people at the
3 general election to be held in November 2018 and, in such case, will take
4 effect on the date of the official declaration of the vote thereon by the
5 governor; except that section 24-37.5-703 (1)(b), enacted in section 2 of
6 this act, takes effect July 1, 2019.