

CHAPTER 375

GOVERNMENT - STATE

SENATE BILL 03-336

BY SENATOR(S) May R., Andrews, Chlouber, Hagedorn, Hillman, Jones, Lamborn, Taylor, and Teck;
also REPRESENTATIVE(S) Fritz, Brophy, Cadman, Carroll, Crane, Lee, and Rippy.

AN ACT**CONCERNING THE STATEWIDE INTERNET PORTAL.**

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds, determines, and declares that:

(a) The goal of state government should be to do more with less and provide efficient and effective services for citizens through the use of innovative technology solutions that maximize the utilization of its existing human and physical capital in conjunction with the application of new technologies that can be supplied by outside vendors;

(b) An efficient, effective, and user-friendly statewide internet portal will serve as a place where citizens can electronically access state government information, products, and services and will make state government more accessible;

(c) The development and deployment of a statewide internet portal should be treated as a capital asset for the citizens of the state of Colorado;

(d) A web portal is a dynamic, not static, investment by the state and its citizens and must be maintained and upgraded through a commitment to the expenditure of additional funds generated through the operation of the statewide internet portal;

(e) The commission on information management should focus its attention on developing a statewide internet portal that is built upon a long-term service plan affording short-term additions of new information and services when economically viable;

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

(f) Development of a statewide internet portal should allow for the integration of specific applications that have been developed or may be developed by state agencies; and

(g) The effective implementation of a statewide internet portal will require the input, leadership, and technical expertise of various departments and agencies of state government.

SECTION 2. Part 2 of article 37.5 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-37.5-203.5. Statewide internet portal - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CO-SOURCING" MEANS THE PROVISION OF SERVICES TO A STATE AGENCY THROUGH A CONTRACT WITH A PRIVATE VENDOR THAT AFFORDS STATE EMPLOYEES THE OPPORTUNITY FOR TRAINING IN THE SKILLS NECESSARY FOR IMPLEMENTING SUCH SERVICES.

(b) "STATE AGENCY" SHALL HAVE THE SAME MEANING AS PROVIDED IN SECTION 24-37.5-102 (5).

(c) "STATE AGENCY INFORMATION, PRODUCTS, AND SERVICES" MEANS ANY DATA, INFORMATION, PRODUCT, OR SERVICE THAT IS CREATED, GENERATED, COLLECTED, MAINTAINED, OR DISTRIBUTED IN ELECTRONIC FORM BY A STATE AGENCY TO THE PUBLIC THROUGH ELECTRONIC ACCESS BY MEANS OF THE WORLD WIDE WEB.

(d) "STATEWIDE INTERNET PORTAL" MEANS AN ELECTRONIC INFORMATION DELIVERY SYSTEM BY WHICH STATE AGENCY INFORMATION, PRODUCTS, AND SERVICES ARE PROVIDED VIA DIAL-IN MODEM OR CONTINUOUS LINK TO THE PUBLIC THROUGH SUBSCRIPTION, PUBLIC LIBRARIES, OR A GATEWAY SERVICE OR NETWORK.

(e) "STATEWIDE INTERNET PORTAL INTEGRATOR" MEANS THE PRIVATE VENDOR SELECTED TO PROVIDE GOODS AND SERVICES NEEDED TO IMPLEMENT AND OPERATE THE STATEWIDE INTERNET PORTAL.

(2) THE COMMISSION ON INFORMATION MANAGEMENT SHALL GUIDE THE DEVELOPMENT OF A STATEWIDE INTERNET PORTAL TO PROVIDE FOR THE EFFECTIVE AND EFFICIENT EXCHANGE AND RETRIEVAL OF STATE AGENCY INFORMATION AND, WHERE APPROPRIATE, PUBLIC ACCESS TO STATE AGENCY INFORMATION, PRODUCTS, AND SERVICES. THE COMMISSION SHALL BE RESPONSIBLE FOR PROVIDING OVERSIGHT AND TECHNICAL SUPPORT IN CONNECTION WITH THE DEVELOPMENT OF THE STATEWIDE INTERNET PORTAL TO ENSURE COMPLIANCE WITH THE STATEWIDE PLAN DEVELOPED IN ACCORDANCE WITH SECTION 24-37.5-106 (1) (a).

(3) THE COMMISSION ON INFORMATION MANAGEMENT SHALL ADOPT A PRELIMINARY PLAN FOR IMPLEMENTING THE STATEWIDE INTERNET PORTAL NO LATER THAN JULY 1, 2004. THE COMMISSION SHALL DEVELOP THE PLAN UTILIZING THE COMMISSION CRITERIA AND STANDARDS FOR REVIEW OF COMMUNICATION AND INFORMATION RESOURCES, COMMUNICATIONS AND INFORMATION RESOURCES TECHNOLOGIES, AND DATA PROCESSING SYSTEMS. THE PLAN SHALL, AT A MINIMUM,

CONTAIN THE FOLLOWING ELEMENTS:

(a) THE PROCESS AND TECHNOLOGY NECESSARY FOR THE DISTRIBUTION OF STATE AGENCY INFORMATION THROUGH THE STATEWIDE INTERNET PORTAL;

(b) SPECIFIC BUSINESS REQUIREMENTS AND PROCESSES FOR MORE EFFECTIVE AND EFFICIENT COLLECTION, MAINTENANCE, AND DISTRIBUTION OF STATE AGENCY INFORMATION, INCLUDING, BUT NOT LIMITED TO, STANDARDIZED POLICIES, PROCEDURES, AND EQUIPMENT FOR SUCH COLLECTION, MAINTENANCE, AND DISTRIBUTION;

(c) POTENTIAL REQUESTS FOR BIDS OR PROPOSALS TO OR CONTRACTS WITH ANY PUBLIC OR PRIVATE PARTIES FOR THE DESIGN, IMPLEMENTATION, OPERATION, AND IMPROVEMENT OF THE DISTRIBUTION OF STATE AGENCY INFORMATION;

(d) CHARGES OR FEES FOR NEW SERVICES RELATED TO THE DISTRIBUTION OF STATE AGENCY INFORMATION THROUGH THE STATEWIDE INTERNET PORTAL, OR, WHERE APPLICABLE, THE CONTINUATION OF ANY FEES CURRENTLY COLLECTED BY ANY STATE AGENCY FOR THE DISTRIBUTION OF SUCH AGENCY'S INFORMATION;

(e) A COMPILATION OF THE EXISTING DATA COLLECTION SYSTEMS IN THE STATE AGENCIES, INCLUDING STAND-ALONE SYSTEMS, THAT MAY BE ADAPTED, ALIGNED, OR INTEGRATED FOR USE WITH THE STATEWIDE INTERNET PORTAL THROUGH APPROPRIATE REFERENCING AND LINKING FOR PURPOSES OF THE DISTRIBUTION OF STATE AGENCY INFORMATION;

(f) PROCEDURES FOR FACILITATING UNIFORM AND MAXIMUM INTERFACING AMONG THE DATA COLLECTION SYSTEMS OF THE STATE AGENCIES AND THE STATEWIDE INTERNET PORTAL FOR PURPOSES OF THE DISTRIBUTION OF STATE AGENCY INFORMATION;

(g) RECOMMENDATIONS ON THE PROCESS FOR IMPLEMENTING THE DISTRIBUTION OF STATE AGENCY INFORMATION BY THE STATEWIDE INTERNET PORTAL IN PHASES AND A DESCRIPTION OF THE TIME FOR SUCH A PHASE-IN;

(h) THE RECOMMENDED COMPONENTS FOR A CONTRACT WITH A STATEWIDE INTERNET PORTAL INTEGRATOR, INCLUDING A COMPONENT REQUIRING THE STATEWIDE INTERNET PORTAL INTEGRATOR TO MAXIMIZE UTILIZATION OF STATE INFORMATION AND TECHNOLOGY PERSONNEL IN THE DEVELOPMENT, SUPPORT, MAINTENANCE, AND ENHANCEMENT OF THE EQUIPMENT AND SYSTEMS UTILIZED FOR THE STATEWIDE INTERNET PORTAL THROUGH THE USE OF TRAINING AND INSTRUCTION TO THOSE PERSONNEL DESIRING TO IMPROVE THEIR SKILLS IN PROVIDING THIS SERVICE TO CUSTOMERS THROUGH THE CONCEPT OF CO-SOURCING;

(i) OVERSIGHT OF THE ADMINISTRATION AND OPERATION OF THE STATEWIDE INTERNET PORTAL FOLLOWING THE SELECTION OF THE STATEWIDE INTERNET PORTAL INTEGRATOR;

(j) RECOMMENDATIONS ON THE APPROPRIATE STATE AGENCY TO SERVE AS THE OPERATING AUTHORITY FOR THE STATEWIDE INTERNET PORTAL;

(k) UNIFORM ENTRY TO THE STATEWIDE INTERNET PORTAL THAT RECOGNIZES THE OPPORTUNITY FOR CUSTOMERS TO ACCESS SERVICES THROUGH A STATE AGENCY OR A CENTRAL STATE SITE;

(l) A PROCESS FOR PROVIDING COMPREHENSIVE INFORMATION AND SERVICES TO OUTSIDE USERS IN A MANNER THAT PROTECTS THE INTEGRITY AND SECURITY OF STATE AGENCY INFORMATION, PRODUCTS, AND SERVICES;

(m) IDENTIFICATION OF CURRENT STATUTORY PROVISIONS GOVERNING ELECTRONIC TRANSACTIONS, INCLUDING, BUT NOT LIMITED TO, THE REQUIREMENTS OF ARTICLE 71.3 OF THIS TITLE FOR ELECTRONIC SIGNATURES, AND RECOMMENDATIONS ON ANY RULES OR GUIDELINES ENSURING THAT IMPLEMENTATION OF THE STATEWIDE INTERNET PORTAL IS CONSISTENT WITH SUCH STATUTORY PROVISIONS;

(n) RECOMMENDATIONS FOR SECURING THE SERVICES OF THIRD-PARTY SUPPLIERS, WHEN APPROPRIATE, THROUGH THE PROCESS OF CO-SOURCING WITH THE STATE;

(o) MEASURES FOR SUPPORTING THE DEVELOPMENT AND IMPLEMENTATION OF INDIVIDUAL STATE AGENCY SOLUTIONS THAT WILL BE AVAILABLE THROUGH THE STATEWIDE INTERNET PORTAL;

(p) A DESCRIPTION OF POTENTIAL FUNDING SOURCES FOR THE DEVELOPMENT, MAINTENANCE, SUPPORT, AND ENHANCEMENT OF THE STATEWIDE INTERNET PORTAL, INCLUDING, BUT NOT LIMITED TO, REVENUES GENERATED FROM SUBSCRIBERS, REVENUES GENERATED FROM WRITTEN AGREEMENTS WITH USER ASSOCIATIONS, LOANS, FEDERAL FUNDS, SITE ADVERTISING, USER CHARGES, DEVELOPMENT FEES, AND SAVINGS GENERATED FROM THE DEPLOYMENT OF TECHNOLOGY SOLUTIONS OR THE REPLACEMENT OF EQUIPMENT; AND

(q) A RECOMMENDED PROGRAM TO AGGREGATELY PROCURE COMMUNICATION AND INFORMATION RESOURCES TECHNOLOGY IN FURTHERANCE OF CREATING AN EFFECTIVE AND EFFICIENT STATEWIDE INTERNET PORTAL.

(4) THE COMMISSION ON INFORMATION MANAGEMENT SHALL SUBMIT THE PLAN FOR IMPLEMENTING THE STATEWIDE INTERNET PORTAL TO THE GENERAL ASSEMBLY NO LATER THAN JULY 15, 2004.

(5) THE COMMISSION ON INFORMATION MANAGEMENT MAY CREATE AND APPOINT NONVOTING ADVISORY BOARDS OR PANELS AS NECESSARY COMPRISED OF MEMBERS OF THE GENERAL PUBLIC, SUBSCRIBERS, PROFESSIONAL ASSOCIATIONS, SUBJECT MATTER EXPERTS, STATE AGENCY CHIEF INFORMATION OFFICERS, ACADEMIC GROUPS AND INSTITUTIONS, AND INDIVIDUALS WITH KNOWLEDGE OF AND INTEREST IN AREAS OF NETWORKING, ELECTRONIC MAIL, PUBLIC INFORMATION ACCESS, GATEWAY SERVICES, ADD-ON SERVICES, AND ELECTRONIC FILING OF INFORMATION FROM WHICH THE COMMISSION MAY SEEK ADVICE ON THE ESTABLISHMENT AND MAINTENANCE OF THE STATEWIDE INTERNET PORTAL.

(6) STATE AGENCIES SHALL COOPERATE WITH THE COMMISSION ON INFORMATION MANAGEMENT BY MAKING PUBLIC INFORMATION AVAILABLE TO THE COMMISSION UPON TERMS MUTUALLY AGREED UPON BY THE COMMISSION AND ANY SUCH STATE AGENCY. STATE AGENCIES THAT PURSUE THE IMPLEMENTATION OF E-COMMERCE

PROJECTS THAT ARE SEPARATE FROM THE STATEWIDE INTERNET PORTAL SHALL ENSURE THAT SUCH PROJECTS COMPLY WITH THE STANDARDS ADOPTED BY THE COMMISSION AND CONTAIN A PROCESS BY WHICH THE PROJECT MAY BE INTEGRATED WITH THE STATEWIDE INTERNET PORTAL.

(7) THE COMMISSION ON INFORMATION MANAGEMENT MAY PROMULGATE RULES THAT ARE NECESSARY TO IMPLEMENT AND OPERATE THE STATEWIDE INTERNET PORTAL. SUCH RULES SHALL BE PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE.

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

Approved: June 5, 2003