

CHAPTER 273

GOVERNMENT - STATE

SENATE BILL 14-166

BY SENATOR(S) Carroll and Rivera, Aguilar, Cadman, Crowder, Heath, Herpin, Jahn, Johnston, Jones, Kefalas, Kerr, King, Newell, Nicholson, Roberts, Schwartz, Tochtrop, Todd;
 also REPRESENTATIVE(S) Tyler and Garcia, Buckner, Exum, Fields, Fischer, Hullinghorst, Labuda, Lebsock, Lee, Mitsch Bush, Pabon, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Schafer, Singer, Young.

AN ACT

CONCERNING THE DEVELOPMENT OF MOBILE APPLICATION SOFTWARE IN THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT THAT USERS MAY ACCESS TO IDENTIFY LOCAL BUSINESSES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-48.5-122 as follows:

24-48.5-122. Local business mobile application software - creation - legislative declaration - definitions. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT IS DIRECTED TO CONTRACT FOR THE DEVELOPMENT OF LOCAL BUSINESS MOBILE APPLICATION SOFTWARE IN ORDER TO:

- (a) ASSIST CONSUMERS IN THE STATE WHO WISH TO FIND AND PATRONIZE LOCAL BUSINESSES;
- (b) ALLOW SUCH BUSINESSES TO PUBLICIZE THEIR COLORADO AFFILIATIONS; AND
- (c) CONSISTENT WITH THE OFFICE'S DUTIES, PROMOTE ECONOMIC GROWTH THROUGH THE EXPANSION OF BUSINESSES IN THE STATE.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (a) "LOCAL BUSINESS" MEANS A BUSINESS THAT IS OWNED, LOCATED, OR HEADQUARTERED IN, OR MANUFACTURES IN, COLORADO.

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

(b) "OFFICE" MEANS THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN THIS PART 1.

(3) (a) THE OFFICE SHALL CONTRACT FOR THE CREATION, MANAGEMENT, OPERATION, AND MAINTENANCE WITHIN THE OFFICE OF MOBILE APPLICATION SOFTWARE TO BE KNOWN AS THE "BY COLORADO APP", WHICH SOFTWARE ENABLES USERS TO LEARN ABOUT LOCAL BUSINESSES THAT ELECT TO PARTICIPATE IN THE SOFTWARE.

(b) THE SOFTWARE DEVELOPED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3) MUST BE OPERATIONAL ON OR BEFORE JANUARY 1, 2015.

(c) THE OFFICE SHALL MAKE THE LOCAL BUSINESS MOBILE APPLICATION SOFTWARE SEARCHABLE BY THE TYPES OF GOODS OR SERVICES OFFERED, LOCATION, THE TYPE OF COLORADO AFFILIATION DESCRIBED UNDER PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION THAT QUALIFIES THE BUSINESSES AS A "LOCAL BUSINESS", AND ANY OTHER FACTORS THE OFFICE DEEMS APPROPRIATE.

(d) THE OFFICE SHALL MAKE THE DATA IN THE LOCAL BUSINESS MOBILE APPLICATION DATABASE AVAILABLE TO OTHER APPLICATION DEVELOPERS. IN SO DOING, THE OFFICE SHALL TAKE ALL APPROPRIATE STEPS TO MAINTAIN THE SECURITY OF THE DATABASE AND THE INFORMATION USED THEREIN.

(e) THE OFFICE MAY REGISTER A TRADEMARK WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE OR FILE A TRADEMARK WITH THE COLORADO SECRETARY OF STATE FOR THE "BY COLORADO APP" DEVELOPED UNDER THIS SECTION.

(4) THE OFFICE IS AUTHORIZED TO ACCEPT AND EXPEND GIFTS, GRANTS, AND DONATIONS FOR INFORMATION TECHNOLOGY COSTS INCURRED IN CREATING, MANAGING, OPERATING, AND MAINTAINING THE MOBILE APPLICATION SOFTWARE DEVELOPED PURSUANT TO THIS SECTION. THE GENERAL ASSEMBLY FINDS THAT THE IMPLEMENTATION OF THIS SECTION IS NOT ENTIRELY DEPENDENT ON THE RECEIPT OF ANY GIFTS, GRANTS, AND DONATIONS.

SECTION 2. Appropriation - adjustments to 2014 long bill. (1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act to the controlled maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased by \$86,600.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of \$86,600, or so much thereof as may be necessary, to be allocated to economic development programs to contract for the creation of the Colorado mobile software application.

(3) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of \$85,000, or so much thereof as may be necessary, for allocation to the office of information technology to procure the

services of an information technology contractor related to the implementation of this act. Said sum is from reappropriated funds received from economic development programs out of the appropriation made in subsection (3) of this section.

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: May 29, 2014