

MEMO

TO: House State, Civic, Military & Veterans Affairs Committee
FROM: The Arc of Colorado | Meredith Henry, Senior Policy Associate, mhenry@thearcofco.org
RE: **SB25-077, Concerning Modifications to the “Colorado Open Records Act”**
DATE: Monday, March 10, 2025

Thank you, Madam Chair and members of the Committee, for the opportunity to submit written testimony. My name is Meredith Henry, and I am the Senior Policy and Advocacy Associate at The Arc of Colorado. For those who may not be familiar, The Arc of Colorado is one of 15 Arc chapters statewide. We work to promote and protect the rights of individuals with intellectual and developmental disabilities (IDD), and to support their full inclusion in the community.

I would also like to thank the sponsors of this bill, Rep. Soper and Rep. Carter, for their collaboration with The Arc of Colorado in amending SB25-077. Their efforts have brought us to a neutral position on this bill.

The Colorado Open Records Act (CORA) is an essential tool for disability rights advocates, as it fosters transparency, accountability, and policy change. CORA helps ensure compliance with important laws like the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA). Access to CORA allows advocates to identify systemic issues and potential rights violations, which is crucial for improving systems and supports for individuals with IDD.

However, none of the CORA policies we reviewed included provisions on fee reductions or waivers. The current CORA statute permits custodians to reduce or waive fees when requests serve a public purpose, and we believe these fee reductions should be applied consistently.

To improve the bill, we recommend adding the following language: “The written policy must also include the custodian’s process and eligibility criteria for requesting a fee reduction or waiver.” Additionally, we suggest referencing the existing statute, 24-72-205(4), which states: “Fee reductions and waivers shall be uniformly applied among persons who are similarly situated.”

In conclusion, CORA is a vital tool that empowers the disability community. It provides advocates with critical information to make informed decisions about disability rights and resources, helping to build stronger networks for collective advocacy.

Thank you for your time and consideration.