NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 13-1182

BY REPRESENTATIVE(S) Levy, Duran, Gerou, Fields, Labuda, Melton, Pabon, Young;
also SENATOR(S) Lambert, Hodge, Steadman.

CONCERNING THE CREATION OF THE LEGISLATIVE DIGITAL POLICY ADVISORY COMMITTEE.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-80-114 as follows:

24-80-114. Legislative digital policy advisory committee - report - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADVISORY COMMITTEE" MEANS THE LEGISLATIVE DIGITAL POLICY ADVISORY COMMITTEE CREATED IN SUBSECTION (2) OF THIS SECTION.

(b) "ARCHIVED RECORDINGS" MEANS THE AUDIO RECORDS OF THE GENERAL ASSEMBLY'S LEGISLATIVE PROCEEDINGS FROM 1973 TO 2001 THAT ARE STORED BY THE DEPARTMENT OF PERSONNEL.

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

(c) "LEGAL MATERIAL" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-71.5-102 (2).

(d) "RECORD" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-71.5-102 (5).

(2) THE LEGISLATIVE DIGITAL POLICY ADVISORY COMMITTEE IS HEREBY CREATED. THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING INDIVIDUALS, OR THEIR DESIGNEES:

(a) THE STATE ARCHIVIST;

(b) THE LIBRARIAN OF THE SUPREME COURT LIBRARY;

(c) THE STATE LIBRARIAN;

(d) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL;

(e) THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES;

(f) THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES; AND

(g) THE SECRETARY OF THE SENATE.

(3) THE ADVISORY COMMITTEE SHALL DEVELOP A PLAN TO DIGITIZE THE ARCHIVED RECORDINGS THAT:

(a) DEFINES THE OPTIMAL DIGITAL AUDIO FILE FORMAT;

(b) IDENTIFIES POTENTIAL VENDORS AND THE COST TO THE STATE TO:

(I) DIGITIZE TAPED ARCHIVED RECORDINGS TO THE OPTIMAL DIGITAL AUDIO FILE FORMAT;

(II) MIGRATE DIGITAL ARCHIVED RECORDINGS TO THE OPTIMAL DIGITAL AUDIO FILE FORMAT; AND

(III) PROVIDE THE INFORMATION TECHNOLOGY SYSTEM FOR THE ONGOING ARCHIVAL STORAGE AND ACCESS;

(c) IDENTIFIES AND PRIORITIZES AT LEAST TWO FUNDING OPTIONS FOR THE PLAN, INCLUDING ANY GRANT OPPORTUNITIES OR LICENSING CONTRACTS;

(d) RECOMMENDS A POLICY FOR LIMITED-TERM STORAGE OF ARCHIVED RECORDINGS, PERPETUAL ARCHIVAL STORAGE, AND PUBLIC ACCESS TO ALL DIGITAL LEGISLATIVE AUDIO RECORDINGS; AND

(e) INCLUDES ANY OTHER INFORMATION THAT THE ADVISORY COMMITTEE DETERMINES TO BE RELEVANT.

(4) (a) THE ADVISORY COMMITTEE SHALL DEVELOP A PLAN FOR IMPLEMENTATION OF THE "UNIFORM ELECTRONIC LEGAL MATERIAL ACT", ARTICLE 71.5 OF THIS TITLE, FOR LEGISLATIVE ELECTRONIC RECORDS THAT:

(I) RECOMMENDS A POLICY FOR LIMITED-TERM LEGISLATIVE STORAGE, PERPETUAL ARCHIVAL STORAGE, AND PUBLIC ACCESS TO ELECTRONIC LEGISLATIVE RECORDS;

(II) IDENTIFIES POTENTIAL AUTHENTICATION SYSTEMS FOR AN ELECTRONIC RECORDS AUTHENTICATION SYSTEM, INCLUDING THE VENDORS AND THE COSTS TO THE STATE;

(III) RECOMMENDS THE BEST ELECTRONIC RECORDS AUTHENTICATION SYSTEM FOR THE STATE;

(IV) IDENTIFIES FUNDING OPTIONS FOR THE AUTHENTICATION SYSTEM; AND

(V) INCLUDES ANY OTHER INFORMATION THAT THE ADVISORY COMMITTEE DETERMINES TO BE RELEVANT.

(b) FOR PURPOSES OF THE PLAN IDENTIFIED IN THIS SECTION, THE ADVISORY COMMITTEE SHALL CONSIDER THE DIGITAL RECORDS OF LEGAL MATERIALS SPECIFIED IN SECTION 24-71.5-102 (2) AND ANY OTHER ITEMS THAT COULD BE LEGAL MATERIALS UNDER THE "UNIFORM ELECTRONIC LEGAL MATERIAL ACT", INCLUDING LEGISLATIVE AUDIO RECORDINGS.

(5) (a) NO LATER THAN NOVEMBER 1, 2013, THE ADVISORY COMMITTEE SHALL SUBMIT A REPORT TO THE COMMITTEE ON LEGAL

SERVICES AND THE JOINT BUDGET COMMITTEE THAT INCLUDES THE PLANS REQUIRED UNDER THIS SECTION.

(b) THE ADVISORY COMMITTEE IS EXEMPT FROM JOINT RULE NUMBER 24A (d) (2) OF THE SENATE AND HOUSE OF REPRESENTATIVES.

(6) (a) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2014.

(b) NOTWITHSTANDING SECTION 2-3-1203, C.R.S., THE ADVISORY COMMITTEE IS NOT SUBJECT TO THE REVIEW REQUIRED IN SECTION 2-3-1203, C.R.S., PRIOR TO REPEAL.

SECTION 2. 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.

Mark Ferrandino SPEAKER OF THE HOUSE OF REPRESENTATIVES	John P. Morse PRESIDENT OF THE SENATE
Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Cindi L. Markwell SECRETARY OF THE SENATE

APPROVED_____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO