

  
*Colorado Legislative Council Staff Fiscal Note*  
**FINAL**  
**FISCAL NOTE**

**Drafting Number:** LLS 12-0148  
**Prime Sponsor(s):** Rep. Gardner B.  
 Sen. Carroll

**Date:** July 25, 2012  
**Bill Status:** Signed into Law  
**Fiscal Analyst:** Alex Schatz (303-866-4375)

**TITLE:** CONCERNING THE "UNIFORM ELECTRONIC LEGAL MATERIAL ACT", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
<b>State Revenue</b>		
<b>State Expenditures</b>		
Cash Funds		
Department of State Cash Fund	\$198,912	
<b>FTE Position Change</b>		
<b>Effective Date:</b> The bill was signed into law by the Governor on April 26, 2012, and takes effect August 8, 2012, assuming no referendum petition is filed. Official publication of electronic legal materials must include authentication and comply with other terms of the uniform act by March 31, 2014.		
<b>Appropriation Summary for FY 2012-2013:</b> See State Appropriations section.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

This bill adopts the Uniform Electronic Legal Material Act, as recommended by the **Colorado Commission on Uniform State Laws**. The Act establishes procedures for the publication and authentication of certain state legal material that is available officially or exclusively through electronic media. For the purposes of the Act, legal material is defined and limited to the Colorado Constitution; the Colorado Revised Statutes (CRS); Colorado Session Laws; and rules promulgated by state agencies, as published in the Code of Colorado Regulations (CCR). Authentication is a method for a person accessing legal material to verify that the electronic record is an accurate copy of the official record of the agency responsible for its publication.

The bill also includes a presumption that official legal materials in other states that have adopted the Uniform Electronic Legal Material Act are accurate. Comments from the National Conference of Commissioners on Uniform State Laws must be included in the published version of the Act.

## **State Expenditures**

**The bill increases costs for information technology services to the Department of State by \$198,912 in FY 2012-13.** The Code of Colorado Regulations is the only publication subject to the bill, as it is published officially and exclusively in an electronic format by the Department of State. The department's computer systems must be modified to enable authentication consistent with accepted standards. Authentication requires functionality to handle electronic signatures or hash values, or to allow the electronic document to be reproduced in a way that provides a clear indication of the integrity of the content. The current CCR computer system does not support any appropriate functionality to implement the bill. Using a contract information technology vendor familiar with the department's system, modifications to implement the bill will require approximately 2,688 hours of computer programming and \$198,912 from the Department of State Cash Fund.

The General Assembly, through the Revisor of Statutes in the Office of Legislative Legal Services, is the publisher of the Colorado Constitution, the Colorado Revised Statutes, and the Colorado Session Laws. By statute, the official publication of these legal materials is in a print media (e.g., book) format. There is no cost increase related to publications that are the responsibility of the General Assembly.

## **State Appropriations**

The bill includes an appropriations clause to the Department of State for \$198,912 cash funds from the Department of State Cash Fund in FY 2012-13.

## **Departments Contacted**

Judicial  
Office of Legislative Legal Services  
Legislative Council Staff  
Governor

Secretary of State  
Law  
Office of Information Technology  
Personnel and Administration