

CHAPTER 318

GOVERNMENT - STATE

HOUSE BILL 16-1014

BY REPRESENTATIVE(S) Williams, Kraft-Tharp, Rankin;
also SENATOR(S) Tate.

AN ACT

CONCERNING THE CREATION OF THE BUSINESS INTELLIGENCE CENTER PROGRAM WITHIN THE
DEPARTMENT OF STATE.

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

SECTION 1. In Colorado Revised Statutes, 2-3-1203, **add** (3) (mm) (II) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates on which the statutory authorization for the designated advisory committee is scheduled for repeal:

(mm) September 1, 2026:

(II) THE BUSINESS INTELLIGENCE CENTER ADVISORY PANEL CREATED IN SECTION 24-21-116 (4) (a), C.R.S.;

SECTION 2. In Colorado Revised Statutes, **add** 24-21-116 as follows:

24-21-116. Business intelligence center program - creation - public data - contests - legislative declaration - definitions - repeal. (1) (a) ~~THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:~~

(I) PUBLIC DATA IS A VALUABLE RESOURCE THAT CAN ASSIST BUSINESSES WITH STRATEGIC PLANNING AND DECISION-MAKING;

(II) STATE AGENCIES COLLECT VOLUMES OF PUBLIC BUSINESS AND ECONOMIC DATA, BUT THIS DATA IS OFTEN HELD IN LEGACY SYSTEMS OR DIFFICULT-TO-USE FORMATS AND MADE AVAILABLE ON DISPARATE WEBSITES;

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

(III) THE DATA WOULD BE MORE EASILY ACCESSIBLE IF IT WAS MADE AVAILABLE ON A SINGLE, PUBLICLY AVAILABLE PLATFORM, SUCH AS THE COLORADO INFORMATION MARKETPLACE;

(IV) THE DATA IS MORE VALUABLE IF IT IS MACHINE-READABLE AND FORMATTED IN A MANNER THAT ALLOWS FOR REFERENCE ACROSS DATA SETS;

(V) THE PRIVATE SECTOR CAN BE AN IMPORTANT PARTNER IN CREATING TOOLS THAT ANALYZE THE DATA FOR GREATER INSIGHT;

(VI) THE DEPARTMENT OF STATE, WHICH HAS EXPERTISE WITH A DIGITAL BUSINESS REGISTRY AND OTHER PUBLIC DATA, HAS RECEIVED APPROPRIATIONS IN THE ANNUAL GENERAL APPROPRIATIONS ACT AND SUCCESSFULLY OPERATED A BUSINESS INTELLIGENCE CENTER AS A PILOT PROJECT; AND

(VII) THE CONTINUATION OF THE BUSINESS INTELLIGENCE CENTER PROGRAM WILL PROVIDE BUSINESSES WITH GREATER ACCESS TO PUBLIC DATA, WHICH WILL FOSTER A BETTER BUSINESS ENVIRONMENT IN THE STATE.

(b) NOW, THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO CREATE A BUSINESS INTELLIGENCE CENTER PROGRAM IN STATE LAW TO STREAMLINE ACCESS TO PUBLIC DATA AND PROVIDE RESOURCES TO MAKE THE DATA MORE USEFUL.

(2) AS USED IN THIS SECTION:

(a) "ADVISORY BOARD" MEANS THE BUSINESS INTELLIGENCE CENTER ADVISORY BOARD CREATED IN PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF STATE.

(c) "PROGRAM" MEANS THE BUSINESS INTELLIGENCE CENTER PROGRAM CREATED IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION.

(d) "PUBLIC DATA" MEANS DATA COLLECTED BY A STATE AGENCY OR LOCAL GOVERNMENT THAT IS NOT REQUIRED BY LAW TO BE CONFIDENTIAL.

(e) "STATE AGENCY" MEANS ANY DEPARTMENT, COMMISSION, COUNCIL, BOARD, BUREAU, COMMITTEE, INSTITUTION OF HIGHER EDUCATION, AGENCY, OR OTHER GOVERNMENTAL UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

(3) THE BUSINESS INTELLIGENCE CENTER PROGRAM IS CREATED WITHIN THE DEPARTMENT OF STATE. THE PURPOSE OF THE PROGRAM IS TO STREAMLINE ACCESS TO PUBLIC DATA AND TO PROVIDE RESOURCES TO MAKE THE DATA MORE USEFUL. IN OPERATING THE PROGRAM, THE DEPARTMENT MAY:

(a) ASSIST STATE AGENCIES IN FORMATTING AND PUBLISHING DATA TO A PUBLICLY AVAILABLE PLATFORM IN A MACHINE-READABLE FORMAT;

(b) PROVIDE RESOURCES TO FACILITATE THE MORE EFFECTIVE USE OF PUBLIC DATA;

(c) SOLICIT FEEDBACK FROM THE BUSINESS COMMUNITY TO IDENTIFY THE TYPES OF PUBLIC DATA AND RESEARCH TOOLS THAT WOULD BE HELPFUL;

(d) CONDUCT PUBLIC CONTESTS TO DEVELOP APPLICATION SOFTWARE OR OTHER TOOLS TO HELP BUSINESSES EFFECTIVELY USE PUBLIC DATA, WHICH CONTESTS MAY INCLUDE CASH AWARDS AND OTHER INCENTIVES; AND

(e) ASSIST LOCAL GOVERNMENTS IN PUBLISHING PUBLIC DATA.

(4)(a) THE BUSINESS INTELLIGENCE CENTER ADVISORY BOARD IS CREATED IN THE DEPARTMENT TO ASSIST THE DEPARTMENT IN THE OPERATION OF THE PROGRAM.

(b) THE ADVISORY BOARD CONSISTS OF:

(I) THE SECRETARY OF STATE OR HIS OR HER DESIGNEE;

(II) A REPRESENTATIVE FROM THE GOVERNOR'S OFFICE;

(III) A REPRESENTATIVE FROM THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN SECTION 24-48.5-101;

(IV) A REPRESENTATIVE FROM THE OFFICE OF INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103;

(V) A REPRESENTATIVE FROM THE STATEWIDE INTERNET PORTAL AUTHORITY CREATED IN SECTION 24-37.7-102; AND

(VI) UP TO SIX ADDITIONAL REPRESENTATIVES WHOM THE SECRETARY OF STATE APPOINTS FROM STATE OR LOCAL GOVERNMENT, THE PRIVATE SECTOR, OR THE NONPROFIT COMMUNITY. THE SECRETARY OF STATE OR HIS OR HER DESIGNEE MAY ALSO INVITE ADDITIONAL REPRESENTATIVES TO ATTEND BOARD MEETINGS AND PARTICIPATE AS NON-VOTING MEMBERS.

(c) THE SECRETARY OF STATE OR HIS OR HER DESIGNEE SHALL CHAIR THE BOARD. THE BOARD SHALL MEET AT THE CHAIRPERSON'S DISCRETION. MEMBERS OF THE ADVISORY BOARD SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

(d) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2026. PRIOR TO SUCH REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE ADVISORY BOARD AS PROVIDED IN SECTION 2-3-1203, C.R.S.

(5) THE DEPARTMENT MAY CONTRACT WITH PUBLIC OR PRIVATE ENTITIES TO OPERATE ANY PART OF THE PROGRAM.

(6) A PUBLIC CONTEST CONDUCTED BY THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (e) OF SUBSECTION (3) OF THIS SECTION IS NOT SUBJECT TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE 24.

(7) A STATE AGENCY IS NOT REQUIRED TO PROVIDE ANY PUBLIC DATA TO THE DEPARTMENT UNDER THE PROGRAM. A STATE AGENCY'S PARTICIPATION IN THE

PROGRAM IS VOLUNTARY. IF A STATE AGENCY ACCEPTS THE DEPARTMENT'S ASSISTANCE, THE STATE AGENCY CONTROLS THE SCOPE, TIMELINE, AND FORMAT OF THE PUBLICATION OF THE PUBLIC DATA.

(8) THE SECRETARY OF STATE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR DIRECT AND INDIRECT PROGRAM COSTS. ANY STATE MONEY RECEIVED IN ACCORDANCE WITH THIS SUBSECTION (8) IS DEPOSITED INTO THE DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3) AND CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR DIRECT AND INDIRECT PROGRAM COSTS.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 10, 2016