

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 17-0543.01 Kate Meyer x4348

HOUSE BILL 17-1113

HOUSE SPONSORSHIP

Willett and Arndt,

SENATE SPONSORSHIP

Scott,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ELECTRONIC PARTICIPATION IN COMMITTEE MEETINGS**
102 **DURING THE LEGISLATIVE INTERIM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill gives the executive committee of the legislative council the ability to consider, recommend, and establish policies regarding electronic participation by senators or representatives in committee meetings during the legislative interim.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
March 31, 2017

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Electronic participation in committee meetings by members of
5 the general assembly is currently prohibited, but that general prohibition
6 fails to account for technological advances or the reality that Colorado's
7 part-time legislature presents significant year-round demands on members
8 fulfilling various legislative obligations;

9 (b) Modern technology facilitates a verisimilitude of in-person
10 interaction, which technology Colorado has already successfully deployed
11 to permit remote testimony by the public at committee meetings;

12 (c) Rather than enshrine in black-letter law exhaustive criteria to
13 govern and circumscribe the use of electronic participation, the general
14 assembly entrusts the executive committee of the legislative council to
15 monitor members' electronic participation, if any is allowed, and to
16 develop and occasionally revisit policies so as to:

17 (I) Attain the equitable, secure, and orderly use of electronic
18 participation; and

19 (II) Ensure the access to, and quality of, legislative proceedings
20 for the public, especially inasmuch as the proceedings may incorporate
21 visual technology that allows electronically participating members to see
22 and be seen; and

23 (d) The general assembly therefore intends to enable the executive
24 committee of the legislative council to allow, in its discretion, electronic
25 participation in committee meetings during the legislative interim by
26 legislators in a manner that provides maximum flexibility for current and
27 future legislative leaders to implement, regulate, and refine the

1 parameters governing electronic participation.

2 (2) The general assembly further finds that a legislator
3 participating electronically is still entitled to compensation for attending
4 the meeting, but not for reimbursement of expenses.

5 **SECTION 2.** In Colorado Revised Statutes, 2-3-303, **add** (2)(h)
6 as follows:

7 **2-3-303. Functions - report - definitions.** (2) In addition to any
8 other powers and duties set forth in law, the executive committee of the
9 legislative council has the following powers and duties:

10 (h) (I) THE POWER TO ALLOW MEMBERS OF THE GENERAL
11 ASSEMBLY TO PARTICIPATE ELECTRONICALLY IN COMMITTEE MEETINGS
12 AND TO RECOMMEND AND DEVELOP POLICIES REGARDING ELECTRONIC
13 PARTICIPATION IF SO ALLOWED; EXCEPT THAT, IF ALLOWED, ELECTRONIC
14 PARTICIPATION MUST ONLY BE ALLOWED FOR COMMITTEE MEETINGS
15 OCCURRING DURING THE LEGISLATIVE INTERIM.

16 (II) A MEMBER PARTICIPATING ELECTRONICALLY IN A COMMITTEE
17 MEETING PURSUANT TO THIS SUBSECTION (2)(h) MUST BE COUNTED
18 TOWARD ESTABLISHING A QUORUM FOR ATTENDANCE PURPOSES, BUT NOT
19 TOWARD ESTABLISHING A QUORUM FOR VOTING PURPOSES. ONLY THOSE
20 MEMBERS ATTENDING IN PERSON ARE PERMITTED TO VOTE ON ANY
21 MATTER BEFORE THE COMMITTEE.

22 (III) A MEMBER PARTICIPATING ELECTRONICALLY IN A COMMITTEE
23 MEETING PURSUANT TO THIS SUBSECTION (2)(h) IS DEEMED TO BE IN
24 ATTENDANCE OF THAT COMMITTEE FOR THE PURPOSE OF RECEIVING
25 COMPENSATION TO WHICH THE MEMBER IS ENTITLED UNDER SECTION
26 2-2-307 (3). NOTWITHSTANDING SECTION 2-2-307 (3)(b), MEMBERS
27 PARTICIPATING ELECTRONICALLY ARE NOT ENTITLED TO REIMBURSEMENT

1 FOR ANY EXPENSES INCURRED IN CONNECTION WITH SUCH ELECTRONIC
2 PARTICIPATION.

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2018 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.