

CHAPTER 218

GENERAL ASSEMBLY

HOUSE BILL 17-1113

BY REPRESENTATIVE(S) Willett and Arndt, Buckner, Exum, Lee, Lundeen, Pettersen, Young, Herod, Hooton, Humphrey, Lontine, Rosenthal, Duran;
also SENATOR(S) Scott, Kerr.

AN ACT**CONCERNING ELECTRONIC PARTICIPATION IN COMMITTEE MEETINGS DURING THE LEGISLATIVE INTERIM.**

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

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

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

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

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

(I) Attain the equitable, secure, and orderly use of electronic participation, including whether it is feasible and desirable to allow electronically participating members to vote on matters before the committee or whether such members shall be counted for attendance purposes but prohibited from voting; and

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

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

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

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

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

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

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

(II) A MEMBER PARTICIPATING ELECTRONICALLY IN A COMMITTEE MEETING PURSUANT TO THIS SUBSECTION (2)(h) IS DEEMED TO BE IN ATTENDANCE OF THAT COMMITTEE FOR THE PURPOSE OF RECEIVING COMPENSATION TO WHICH THE MEMBER IS ENTITLED UNDER SECTION 2-2-307 (3). NOTWITHSTANDING SECTION 2-2-307 (3)(b), MEMBERS PARTICIPATING ELECTRONICALLY ARE NOT ENTITLED TO REIMBURSEMENT FOR ANY EXPENSES INCURRED IN CONNECTION WITH SUCH ELECTRONIC PARTICIPATION.

SECTION 3. 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.

Approved: May 24, 2017

Note: The signature date on the act incorrectly identifies that the governor signed the act on May 20, 2017. The governor's office filed a letter with the house of representatives identifying the correct signature date as May 24, 2017.