

CHAPTER 215

GOVERNMENT - STATE

HOUSE BILL 21-1100

BY REPRESENTATIVE(S) Soper and Gonzales-Gutierrez, Bennett, Caraveo, Duran, Herod, Hooton, Jodeh, Kipp, Lontine, McCormick, Michaelson Jenet, Mullica, Ortiz, Pico, Ricks, Sirota, Valdez A., Will; also SENATOR(S) Bridges and Lundeen, Cooke, Gardner, Ginal, Hisey, Holbert, Jaquez Lewis, Moreno, Pettersen, Priola, Scott, Sonnenberg, Zenzinger.

AN ACT**CONCERNING THE ABILITY TO FILE DOCUMENTS ELECTRONICALLY WITH GOVERNMENTAL ENTITIES.**

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) In response to the COVID-19 pandemic, Coloradans have practiced social distancing, observed stay-at-home orders and recommendations, and taken other safety precautions to minimize exposure to the novel coronavirus;

(b) These precautions have highlighted the need to be able to file documents with government agencies electronically in order to allow Coloradans to take safety precautions while still carrying on necessary business and activities; and

(c) Even as the COVID-19 pandemic subsides, electronic filing and electronic publishing of information is an opportunity to modernize government operations, reduce waste, save the taxpayers time and money, and increase the accessibility of government services, information, and functions throughout the state.

(2) The general assembly further finds and declares that, in light of the benefits of electronic filing, it is in the interest of the state to study and determine how state and local government entities can increase the number and types of filings that can be filed electronically, the obstacles to making electronic filings more widely available, and what steps state and local governments can take to implement electronic filings.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. In Colorado Revised Statutes, **add** article 71.7 to title 24 as follows:

ARTICLE 71.7
Electronic Filing of Government Documents

24-71.7-101. Governmental entities - report to general assembly on electronic filings - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COMMITTEE" MEANS THE JOINT TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1702.

(b) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT OF THE STATE AS SET FORTH IN SECTION 24-1-110.

(c) "OFFICE" MEANS THE OFFICE OF INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103.

(2) ON OR BEFORE OCTOBER 15, 2021, THE OFFICE, IN PARTNERSHIP WITH EACH DEPARTMENT, SHALL FILE A REPORT WITH THE COMMITTEE CONCERNING EACH DEPARTMENT'S ELECTRONIC FILING CAPACITY. THE REPORT MUST INCLUDE, AT A MINIMUM, THE FOLLOWING INFORMATION:

(a) WHAT PROPORTION OF THE DOCUMENTS REQUIRED OR ALLOWED TO BE FILED WITH THE DEPARTMENT, INCLUDING EACH DIVISION, BOARD, OFFICE, OR OTHER SUBDIVISION WITHIN THE DEPARTMENT, CAN CURRENTLY BE FILED ELECTRONICALLY;

(b) WHAT ACTIONS WOULD BE REQUIRED TO ALLOW AT LEAST EIGHTY PERCENT OF THE DOCUMENTS ALLOWED OR REQUIRED TO BE FILED WITH THE DEPARTMENT TO BE FILED ELECTRONICALLY, INCLUDING THE ESTIMATED COSTS ASSOCIATED WITH SUCH ACTIONS;

(c) ANY OBSTACLES THE OFFICE OR THE DEPARTMENT WOULD FACE IMPLEMENTING ELECTRONIC FILING FOR AT LEAST EIGHTY PERCENT OF THE DOCUMENTS ALLOWED OR REQUIRED TO BE FILED WITH THE DEPARTMENT; AND

(d) ANY ADDITIONAL INFORMATION OR CONSIDERATIONS AFFECTING THE ABILITY OF THE OFFICE OR THE DEPARTMENT TO INCREASE THE NUMBER AND TYPE OF FILINGS THE DEPARTMENT CAN ACCEPT ELECTRONICALLY.

(3) ON OR BEFORE OCTOBER 15, 2021, THE GOVERNING BODY OF EACH COUNTY AND CITY AND COUNTY SHALL FILE A REPORT WITH THE COMMITTEE CONCERNING THE COUNTY'S ELECTRONIC FILING CAPACITY. THE REPORT MUST INCLUDE, AT A MINIMUM, THE FOLLOWING INFORMATION:

(a) WHAT PROPORTION OF THE DOCUMENTS REQUIRED OR ALLOWED TO BE FILED WITH THE COUNTY, INCLUDING EACH DEPARTMENT, DIVISION, AGENCY, BOARD, OFFICE, OR OTHER SUBDIVISION OF THE COUNTY, CAN CURRENTLY BE FILED

ELECTRONICALLY;

(b) WHAT ACTIONS WOULD BE REQUIRED TO ALLOW AT LEAST EIGHTY PERCENT OF THE DOCUMENTS ALLOWED OR REQUIRED TO BE FILED WITH THE COUNTY TO BE FILED ELECTRONICALLY, INCLUDING THE ESTIMATED COSTS ASSOCIATED WITH SUCH ACTIONS;

(c) ANY OBSTACLES THE COUNTY WOULD FACE IMPLEMENTING ELECTRONIC FILING FOR AT LEAST EIGHTY PERCENT OF THE DOCUMENTS ALLOWED OR REQUIRED TO BE FILED WITH THE COUNTY; AND

(d) ANY ADDITIONAL INFORMATION OR CONSIDERATIONS AFFECTING THE COUNTY'S ABILITY TO INCREASE THE NUMBER AND TYPE OF FILINGS THE COUNTY CAN ACCEPT ELECTRONICALLY.

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; 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 7, 2021