

CHAPTER 449

GOVERNMENT - STATE

HOUSE BILL 21-1230

BY REPRESENTATIVE(S) Baisley and Titone, Bennett, Bird, Boesenecker, Hooton, Jackson, Jodeh, Lontine, McCormick, Mullica, Neville, Ortiz, Ricks, Snyder, Valdez A., Woodrow;
also SENATOR(S) Zenzinger and Woodward, Bridges, Buckner, Coram, Danielson, Ginal, Hansen, Kirkmeyer, Kolker, Lee, Moreno, Pettersen, Priola, Rankin, Simpson, Smallwood, Story.

AN ACT

CONCERNING CREATION OF A USER-FRIENDLY STATE INTERNET PORTAL RELATING TO STATE AGENCY RULES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 24-37.5-105, **add** (10) as follows:

24-37.5-105. Office - responsibilities - state search interface - rules - legislative declaration - definitions. (10) (a) **THE GENERAL ASSEMBLY HEREBY:**

(I) **FINDS THAT:**

(A) **RULES ADOPTED BY AGENCIES AFFECT MANY AREAS OF LIFE FOR COLORADO CITIZENS, INCLUDING WATER, AIR, FOOD, ENERGY, MOBILITY, EMPLOYMENT, AND HEALTH CARE;**

(B) **MAINTAINING A VIBRANT BUSINESS ECONOMY IN THE STATE IS A GOAL SHARED BY ALL COLORADANS; AND**

(C) **PUBLIC PARTICIPATION IN THE RULE-MAKING PROCESS PROMOTES FAIRNESS, ACCEPTABILITY, AND PUBLIC ACCOUNTABILITY AND CAN HELP FOSTER GREATER PUBLIC TRUST;**

(II) **DETERMINES THAT:**

(A) **ENGAGING THE ASSISTANCE OF LAWYERS, LOBBYISTS, AND TECHNICAL EXPERTS SHOULD NOT BE REQUIRED FOR COLORADANS TO ACCESS THE RULES THAT**

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.

AFFECT THEIR LIVES AND BUSINESSES;

(B) THE GENERAL ASSEMBLY CREATED THE ONLINE TRANSPARENCY TASK FORCE IN HOUSE BILL 20-1039, ENACTED IN 2020, TO RECOMMEND ONLINE TRANSPARENCY IMPROVEMENTS TO THE GENERAL ASSEMBLY; AND

(C) THE TASK FORCE FOUND THAT IT IS UNNECESSARILY BURDENSOME TO REQUIRE BOTH AGENCY AND PUBLIC USERS TO NAVIGATE WITHIN AND BETWEEN INDEPENDENT DEPARTMENTAL RESOURCES AND REINFORCED THAT ESTABLISHING A CLEAR, CENTRALIZED AGENCY RULE AND RULE-MAKING RESOURCE IS NECESSARY; AND

(III) DECLARES THAT THIS SUBSECTION (10) IS NECESSARY TO IMPROVE ACCESS TO STATE RULES FOR ALL COLORADANS AND TO MODERNIZE AND ENHANCE THE SEARCH FUNCTIONALITY AND TRANSPARENCY OF EXISTING WEB PLATFORMS, WHICH ARE SPREAD ACROSS MULTIPLE AGENCIES, BY CREATING A SINGLE, PUBLIC-FACING SEARCH INTERFACE FOR ACCESSING AGENCY RULES AND STATE RULE-MAKING THAT MEETS THE MINIMUM STANDARDS ESTABLISHED IN THIS SUBSECTION (10).

(b) STANDARDS FOR THE SEARCH INTERFACE MUST INCLUDE BUT ARE NOT LIMITED TO:

(I) A CENTRALIZED SEARCH INTERFACE FOR ACCESS TO ALL AGENCY RULE-MAKING THAT IS HIGHLY VISIBLE ON THE STATE'S MAIN WEBSITE AND THAT USES SEARCH ENGINE OPTIMIZATION TO ENABLE IT TO BE LOCATED ON THE INTERNET;

(II) AN OPTIMIZED, INTUITIVE, AND FULL-TEXT SEARCH ENGINE THAT IS CONTINUOUSLY OPTIMIZED TO INCREASE ACCURACY AND SEARCH SPEED AND PROVIDE ROBUST SEARCH RESULTS FOR USERS;

(III) AN APPLICATION PROGRAMMING INTERFACE THAT ENABLES QUANTIFIABLE RESEARCH ON STATE RULES;

(IV) A PUBLIC COMMENT PROCESS THAT DIRECTS USERS TOWARD THE OPEN COMMENT PROCESS ON THE RESPECTIVE AGENCIES' WEBSITES WHEN AVAILABLE;

(V) AN INTEGRATED, SUBSCRIBABLE CALENDAR OF ALL AGENCIES' RULE-MAKING HEARINGS;

(VI) A FULLY RESPONSIVE DESIGN THAT IS COMPATIBLE WITH MOBILE AND TABLET DEVICES; AND

(VII) COMPLIANCE WITH SECTION 24-85-103, THE FEDERAL "AMERICANS DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, AND SECTION 508 OF THE FEDERAL "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 794d, AS AMENDED, TO MAKE THE SEARCH INTERFACE ACCESSIBLE TO PEOPLE WITH DISABILITIES.

(c) TO FACILITATE OPERATION OF THE SEARCH INTERFACE, THE SECRETARY OF STATE SHALL PROVIDE TO THE OFFICE INFORMATION ACCESS TO THE CODE OF COLORADO REGULATIONS AND COLORADO REGISTER. TO FACILITATE OPERATION OF

THE SEARCH INTERFACE, ALL OTHER AGENCIES SHALL PROVIDE TO THE OFFICE ACCESS TO THEIR DATABASES AND INFORMATION SOURCES THAT CONTAIN INFORMATION FOR RULE-MAKING PROCEEDINGS. THE OFFICE SHALL DEVELOP THE SEARCH INTERFACE AS SPECIFIED IN THIS SUBSECTION (10). THE SECRETARY OF STATE SHALL ADVISE THE OFFICE IN THE DEVELOPMENT OF THE SEARCH INTERFACE AS NECESSARY AND UPON REQUEST. THE OFFICE SHALL MAKE THE SEARCH INTERFACE AVAILABLE FOR USE BY JUNE 30, 2022; EXCEPT THAT, IF AN UNFORESEEN TECHNOLOGICAL IMPEDIMENT PREVENTS ACHIEVEMENT OF THIS DEADLINE, THE OFFICE SHALL:

(I) IDENTIFY THE IMPEDIMENT, IDENTIFY A PROPOSED SOLUTION, AND EXECUTE NECESSARY STEPS TO RESOLVE THE IMPEDIMENT WITHIN EXISTING APPROPRIATIONS;

(II) NOTIFY THE JOINT TECHNOLOGY COMMITTEE OF THE GENERAL ASSEMBLY IN WRITING THAT IT WILL NOT MEET THE DEADLINE AND INCLUDE IN THE NOTICE A DESCRIPTION OF THE IMPEDIMENT, THE INDIVIDUAL TASKS COMPRISING THE PROPOSED SOLUTION, AND THE ANTICIPATED COMPLETION DATE; AND

(III) APPEAR BEFORE THE JOINT TECHNOLOGY COMMITTEE AT THE FIRST PRACTICABLE OPPORTUNITY AFTER JUNE 30, 2022, TO DISCUSS THE IMPLEMENTATION OF THE SEARCH INTERFACE.

(d) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SUBSECTION (10).

(e) AS USED IN THIS SUBSECTION (10), "AGENCY" HAS THE MEANING ESTABLISHED IN SECTION 24-4-102 (3).

SECTION 2. Appropriation. (1) For the 2021-22 state fiscal year, \$368,194 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from the general fund and is based on the assumption that the office will require an additional 2.1 FTE. To implement this act, the office may use this appropriation for enterprise solutions.

(2) For the 2021-22 state fiscal year, \$108,718 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) \$69,000 for use by the information technology division for personal services;

(b) \$1,795 for use by the information technology division for operating expenses;

(c) \$32,573 for use by the business and licensing division for personal services, which amount is based on an assumption that the division will require an additional 0.7 FTE; and

(d) \$5,350 for use by the business and licensing division for operating expenses.

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, or safety.

Approved: July 6, 2021