

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 27, 2010  
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB10-1401 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 3, strike "A NEW SUBSECTION" and  
2 substitute "THE FOLLOWING NEW SUBSECTIONS".

3 Page 3, strike lines 2 through 9 and substitute:

4 "(1.5) (a) "COLLABORATION, OFFICE PRODUCTIVITY, AND  
5 ELECTRONIC MAIL SOFTWARE" OR "COPE" MEANS SOFTWARE THAT IS  
6 DELIVERED VIA AN SAAS MODEL AND OFFERED AS A SPECIFIC SERVICE BY  
7 THE STATEWIDE INTERNET PORTAL AUTHORITY OR ANY PRIVATE SECTOR  
8 PROVIDER OF INFORMATION TECHNOLOGY RESOURCES.

9 (b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE JULY 1, 2014.

10 (3.5) (a) "SOFTWARE AS A SERVICE" OR "SAAS" MEANS A MODEL OF  
11 SOFTWARE DEPLOYMENT VIA THE INTERNET THAT:

12 (I) ALLOWS A CUSTOMER TO USE THE SOFTWARE AS A SERVICE ON  
13 DEMAND THROUGH A SUBSCRIPTION OR A PAY-AS-YOU-GO MODEL;

14 (II) DOES NOT REQUIRE THE USER TO PURCHASE HARDWARE OR  
15 SOFTWARE DIRECTLY TO RUN AN INFORMATION TECHNOLOGY APPLICATION  
16 SINCE THE APPLICATION IS ACCESSIBLE VIA THE INTERNET; AND

17 (III) MAY BE UTILIZED FOR VARIOUS INFORMATION TECHNOLOGY  
18 APPLICATIONS, INCLUDING BUT NOT LIMITED TO ELECTRONIC MAIL, VIDEO

1 CONFERENCING, INSTANT MESSAGING, OFFICE PRODUCTIVITY  
2 APPLICATIONS, AND ELECTRONIC CALENDARING.

3 (b) THIS SUBSECTION (3.5) IS REPEALED, EFFECTIVE JULY 1, 2014."

4 Page 3, line 13, after "COPE" insert "SERVICES".

5 Page 3, line 19, after "COPE" insert "SERVICE".

6 Page 3, line 21, after "COPE" insert "SERVICES".

7 Page 3, line 24, after "COPE" insert "SERVICES".

8 Page 4, line 1, strike "IS" and substitute "SERVICES ARE".

9 Page 4, line 12, after "COPE" insert "SERVICES".

10 Page 5, strike lines 8 through 15 and substitute:

11 **"24-37.7-114. Financial and performance audits.** (1) (a) IF A  
12 FINANCIAL AUDIT OF THE AUTHORITY IS CONDUCTED BY AN INDEPENDENT  
13 CERTIFIED PUBLIC ACCOUNTANT PURSUANT TO A CONTRACT WITH THE  
14 AUTHORITY, ANY STATEMENTS, RECORDS, SCHEDULES, WORKING PAPERS,  
15 AND MEMORANDA PREPARED BY THE CERTIFIED PUBLIC ACCOUNTANT  
16 SHALL BE MADE AVAILABLE TO THE STATE AUDITOR'S OFFICE AND SHALL  
17 BE KEPT CONFIDENTIAL UNLESS A MAJORITY OF THE MEMBERS OF THE  
18 LEGISLATIVE AUDIT COMMITTEE VOTE TO OPEN SUCH DOCUMENTS.

19 (b) THE STATE AUDITOR MAY, AT HIS OR HER DISCRETION,  
20 CONDUCT OR CAUSE TO BE CONDUCTED PERFORMANCE AUDITS  
21 COMMENCING ON OR AFTER MAY 1, 2011, OF THE AUTHORITY TO  
22 DETERMINE WHETHER THE AUTHORITY IS EFFECTIVELY AND EFFICIENTLY  
23 FULFILLING ITS STATUTORY OBLIGATIONS. THE STATE AUDITOR SHALL  
24 CONSIDER INPUT AND RECOMMENDATIONS FOR THE AUTHORITY AND THE  
25 BOARD DURING THE PLANNING PROCESS FOR ANY SUCH AUDIT SO AS TO  
26 MINIMIZE THE IMPACTS ON THE AUTHORITY'S STAFF, PLANNING, AND  
27 PROJECT SCHEDULES AND TO NOT CONFLICT WITH THE FINANCIAL AUDIT  
28 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1)."

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