

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 12-0655.01 Kate Meyer x4348

SENATE BILL 12-143

SENATE SPONSORSHIP

Carroll,

HOUSE SPONSORSHIP

Pabon,

Senate Committees

Business, Labor and Technology
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE DEVELOPMENT OF A LOCAL BUSINESSES DATABASE**
102 **BY THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT.**

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://www.leg.state.co.us/billsummaries>.)

The bill directs the Colorado office of economic development (office) to create, by 2014, an electronic database of local businesses in Colorado. Such businesses are included in the database upon a business submitting certain information about the business, certifying that the business is a local business, and filing a fee with the office. A person may

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.

SENATE
Amended 2nd Reading
March 2, 2012

access the database free of charge.

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, determines, and declares that, according to the Colorado
4 Local First program of the Mile High Business Alliance:

5 (a) There are over five hundred thousand locally owned
6 businesses in Colorado that employ more than one million six hundred
7 thousand people and generate over ninety-eight billion dollars in
8 economic activity every year;

9 (b) With the state's current economic challenges, keeping these
10 locally owned businesses healthy is vital to ensure that the goods and
11 services that Coloradans need are provided;

12 (c) Small and locally owned businesses are more adaptable, more
13 innovative, and more responsible to our community than nonlocally
14 owned businesses;

15 (d) Because money spent at locally owned businesses recirculates
16 at least three times more in a community than money spent at nonlocally
17 owned businesses, actions to strengthen locally owned businesses directly
18 increases community economic activity, helping stabilize employment,
19 create jobs and local tax revenue, and otherwise bolster community
20 infrastructures;

21 (e) A shift of just ten percent of an individual's purchases from
22 nonlocal to local retailers could translate to a three billion dollar boost to
23 Colorado's economy over two months;

24 (f) New programs and strategies like the local businesses database
25 created by the Colorado office of economic development increase

1 economic resilience and address community needs; and

2 (g) By creating a database of local jobs, the state will empower
3 Colorado consumers to support the Colorado economy and create an
4 opportunity to provide more customers to Colorado local business.

5 **SECTION 2.** In Colorado Revised Statutes, 24-48.5-101, **add** (2)
6 (i) as follows:

7 **24-48.5-101. Colorado office of economic development -**
8 **creation.** (2) The Colorado office of economic development shall:

9 (i) CREATE AND OPERATE THE DATABASE OF LOCAL BUSINESSES
10 PURSUANT TO SECTION 24-48.5-114.

11 **SECTION 3.** In Colorado Revised Statutes, **add** 24-48.5-114 as
12 follows:

13 **24-48.5-114. Local businesses database - creation - fees - local**
14 **business database fund - creation - legislative declaration -**
15 **definitions.** (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES,
16 AND DECLARES THAT THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT
17 IS DIRECTED TO DEVELOP AN ELECTRONIC DATABASE OF LOCAL
18 BUSINESSES IN ORDER TO:

19 (a) ASSIST CONSUMERS IN THE STATE WHO WISH TO FIND AND
20 PATRONIZE LOCAL BUSINESSES;

21 (b) ALLOW SUCH BUSINESSES TO PUBLICIZE THEIR COLORADO
22 AFFILIATIONS; AND

23 (c) CONSONANT WITH THE OFFICE'S DUTIES, PROMOTE ECONOMIC
24 GROWTH THROUGH THE EXPANSION OF BUSINESSES IN THE STATE.

25 (2) AS USED IN THIS SECTION, "LOCAL BUSINESS" MEANS A
26 PRIVATELY-HELD BUSINESS HAVING ITS PRINCIPAL PLACE OF BUSINESS IN
27 COLORADO AND ORGANIZED UNDER THE LAWS OF THIS STATE.

1 (3) (a) (I) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT
2 SHALL CREATE AND MAINTAIN AN ELECTRONIC DATABASE OF LOCAL
3 BUSINESSES. THE DATABASE MUST BE ON-LINE AND OPERATIONAL BY
4 JANUARY 1, 2014.

5 (II) IN ORDER TO REDUCE THE COSTS OF IMPLEMENTING THIS
6 SECTION, TO THE EXTENT POSSIBLE, THE COLORADO OFFICE OF ECONOMIC
7 DEVELOPMENT SHALL INTEGRATE THE DATABASE OF LOCAL BUSINESSES
8 INTO ANY EXISTING DATABASES OR PROJECTS ADMINISTERED BY THE
9 OFFICE AND OTHERWISE INCORPORATE, UTILIZE, OR APPLY EXISTING
10 INFORMATION TECHNOLOGY AND OTHER RESOURCES TO THE
11 DEVELOPMENT AND MAINTENANCE OF THE DATABASE OF LOCAL
12 BUSINESSES.

13 (b) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL
14 MAKE THE DATABASE OF LOCAL BUSINESSES SEARCHABLE BY THE TYPES
15 OF GOODS OR SERVICES OFFERED, THE LOCATIONS OF EACH BUSINESS
16 LISTED IN THE DATABASE, AND ANY OTHER FACTOR THE OFFICE DEEMS
17 APPROPRIATE.

18 (4) (a) IF A LOCAL BUSINESS WISHES TO BE INCLUDED IN THE
19 DATABASE CREATED IN SUBSECTION (3) OF THIS SECTION, THE BUSINESS
20 MUST ELECTRONICALLY ACCESS THE APPROPRIATE ON-LINE SITE CREATED
21 BY THE OFFICE, ENTER THE INFORMATION THAT WILL BE INCLUDED IN THE
22 LISTING, AND PAY A FILING FEE. AT THAT TIME, THE BUSINESS SHALL ALSO
23 CERTIFY THAT IT IS A LOCAL BUSINESS. THE INFORMATION SUBMITTED
24 MAY INCLUDE THE PERCENTAGE OF THE BUSINESS' WORKFORCE THAT IS
25 LOCATED IN COLORADO.

26 (b) THE FEE PAID BY A LOCAL BUSINESS PURSUANT TO PARAGRAPH
27 (a) OF THIS SUBSECTION (4) ENTITLES THE LOCAL BUSINESS TO BE

1 INCLUDED IN THE DATABASE FOR TWELVE MONTHS.

2 (5) A PERSON MAY ACCESS THE DATABASE TO VIEW THE LISTINGS
3 THEREIN FREE OF CHARGE.

4 (6) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL
5 ALSO DEVELOP DOWNLOADABLE MOBILE APPLICATION SOFTWARE THAT A
6 PERSON MAY UTILIZE TO ACCESS THE CONTENTS OF THE DATABASE
7 CREATED IN SUBSECTION (3) OF THIS SECTION.

8 (7) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT IS
9 AUTHORIZED TO ACCEPT AND EXPEND GIFTS, GRANTS, AND DONATIONS
10 FOR INFORMATION TECHNOLOGY COSTS INCURRED IN ESTABLISHING AND
11 MAINTAINING THE DATABASE CREATED IN SUBSECTION (3) OF THIS
12 SECTION.

13 (8) ALL FEES COLLECTED PURSUANT TO PARAGRAPH (a) OF
14 SUBSECTION (4) OF THIS SECTION, ALL GIFTS, GRANTS, AND DONATIONS
15 RECEIVED PURSUANT TO SUBSECTION (7) OF THIS SECTION, AND ANY
16 OTHER MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY FOR THE
17 PURPOSES OF THIS SECTION SHALL BE TRANSMITTED TO THE STATE
18 TREASURER, WHO SHALL CREDIT THE SAME TO THE LOCAL BUSINESS
19 DATABASE FUND, WHICH FUND IS HEREBY CREATED. ALL MONEYS
20 CREDITED TO THE FUND AND ALL INTEREST EARNED ON THE INVESTMENT
21 OF MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE
22 TRANSFERRED OR CREDITED TO ANY OTHER FUND. THE GENERAL
23 ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS FROM THE FUND TO THE
24 COLORADO OFFICE OF ECONOMIC DEVELOPMENT FOR DIRECT AND
25 INDIRECT EXPENSES INCURRED IN CARRYING OUT THE PURPOSES OF THIS
26 SECTION.

27 **SECTION 4. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2012 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.