

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0696.01 Ed DeCecco x4216

HOUSE BILL 13-1182

HOUSE SPONSORSHIP

Levy, Duran, Gerou

SENATE SPONSORSHIP

Lambert, Hodge, Steadman

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE LEGISLATIVE DIGITAL POLICY**
102 **ADVISORY COMMITTEE.**

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>.)

Joint Budget Committee. The bill establishes the legislative digital policy advisory committee (advisory committee). The advisory committee consists of the state archivist, the librarian of the supreme court library, the state librarian, the director of research of the legislative council staff, the director of the office of legislative legal services, the

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.

chief clerk of the house of representatives, and the secretary of the senate, or any of their designees. The advisory committee is required to develop plans relating to:

- ! Converting existing archived recordings of legislative proceedings into a digital format; and
- ! Implementation of the "Uniform Electronic Legal Material Act".

The advisory committee is required to report its findings to the committee on legal services and the joint budget committee by November 1, 2013.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-80-114 as
3 follows:

4 **24-80-114. Legislative digital policy advisory committee -**
5 **report - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "ADVISORY COMMITTEE" MEANS THE LEGISLATIVE DIGITAL
8 POLICY ADVISORY COMMITTEE CREATED IN SUBSECTION (2) OF THIS
9 SECTION.

10 (b) "ARCHIVED RECORDINGS" MEANS THE AUDIO RECORDS OF THE
11 GENERAL ASSEMBLY'S LEGISLATIVE PROCEEDINGS FROM 1973 TO 2001
12 THAT ARE STORED BY THE DEPARTMENT OF PERSONNEL.

13 (c) "LEGAL MATERIAL" HAS THE SAME MEANING AS SET FORTH IN
14 SECTION 24-71.5-102 (2).

15 (d) "RECORD" HAS THE SAME MEANING AS SET FORTH IN SECTION
16 24-71.5-102 (5).

17 (2) THE LEGISLATIVE DIGITAL POLICY ADVISORY COMMITTEE IS
18 HEREBY CREATED. THE ADVISORY COMMITTEE CONSISTS OF THE
19 FOLLOWING INDIVIDUALS, OR THEIR DESIGNEES:

20 (a) THE STATE ARCHIVIST;

- 1 (b) THE LIBRARIAN OF THE SUPREME COURT LIBRARY;
- 2 (c) THE STATE LIBRARIAN;
- 3 (d) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL;
- 4 (e) THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES;
- 5 (f) THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES; AND
- 6 (g) THE SECRETARY OF THE SENATE.

7 (3) THE ADVISORY COMMITTEE SHALL DEVELOP A PLAN TO
8 DIGITIZE THE ARCHIVED RECORDINGS THAT:

- 9 (a) DEFINES THE OPTIMAL DIGITAL AUDIO FILE FORMAT;
 - 10 (b) IDENTIFIES POTENTIAL VENDORS AND THE COST TO THE STATE
- 11 TO:

12 (I) DIGITIZE TAPED ARCHIVED RECORDINGS TO THE OPTIMAL
13 DIGITAL AUDIO FILE FORMAT;

14 (II) MIGRATE DIGITAL ARCHIVED RECORDINGS TO THE OPTIMAL
15 DIGITAL AUDIO FILE FORMAT; AND

16 (III) PROVIDE THE INFORMATION TECHNOLOGY SYSTEM FOR THE
17 ONGOING ARCHIVAL STORAGE AND ACCESS;

18 (c) IDENTIFIES AND PRIORITIZES AT LEAST TWO FUNDING OPTIONS
19 FOR THE PLAN, INCLUDING ANY GRANT OPPORTUNITIES OR LICENSING
20 CONTRACTS;

21 (d) RECOMMENDS A POLICY FOR LIMITED-TERM STORAGE OF
22 ARCHIVED RECORDINGS, PERPETUAL ARCHIVAL STORAGE, AND PUBLIC
23 ACCESS TO ALL DIGITAL LEGISLATIVE AUDIO RECORDINGS; AND

24 (e) INCLUDES ANY OTHER INFORMATION THAT THE ADVISORY
25 COMMITTEE DETERMINES TO BE RELEVANT.

26 (4) (a) THE ADVISORY COMMITTEE SHALL DEVELOP A PLAN FOR
27 IMPLEMENTATION OF THE "UNIFORM ELECTRONIC LEGAL MATERIAL

1 ACT", ARTICLE 71.5 OF THIS TITLE, FOR LEGISLATIVE ELECTRONIC
2 RECORDS THAT:

3 (I) RECOMMENDS A POLICY FOR LIMITED-TERM LEGISLATIVE
4 STORAGE, PERPETUAL ARCHIVAL STORAGE, AND PUBLIC ACCESS TO
5 ELECTRONIC LEGISLATIVE RECORDS;

6 (II) IDENTIFIES POTENTIAL AUTHENTICATION SYSTEMS FOR AN
7 ELECTRONIC RECORDS AUTHENTICATION SYSTEM, INCLUDING THE
8 VENDORS AND THE COSTS TO THE STATE;

9 (III) RECOMMENDS THE BEST ELECTRONIC RECORDS
10 AUTHENTICATION SYSTEM FOR THE STATE;

11 (IV) IDENTIFIES FUNDING OPTIONS FOR THE AUTHENTICATION
12 SYSTEM; AND

13 (V) INCLUDES ANY OTHER INFORMATION THAT THE ADVISORY
14 COMMITTEE DETERMINES TO BE RELEVANT.

15 (b) FOR PURPOSES OF THE PLAN IDENTIFIED IN THIS SECTION, THE
16 ADVISORY COMMITTEE SHALL CONSIDER THE DIGITAL RECORDS OF LEGAL
17 MATERIALS SPECIFIED IN SECTION 24-71.5-102 (2) AND ANY OTHER ITEMS
18 THAT COULD BE LEGAL MATERIALS UNDER THE "UNIFORM ELECTRONIC
19 LEGAL MATERIAL ACT", INCLUDING LEGISLATIVE AUDIO RECORDINGS.

20 (5) (a) NO LATER THAN NOVEMBER 1, 2013, THE ADVISORY
21 COMMITTEE SHALL SUBMIT A REPORT TO THE COMMITTEE ON LEGAL
22 SERVICES AND THE JOINT BUDGET COMMITTEE THAT INCLUDES THE PLANS
23 REQUIRED UNDER THIS SECTION.

24 (b) THE ADVISORY COMMITTEE IS EXEMPT FROM JOINT RULE
25 NUMBER 24A (d) (2) OF THE SENATE AND HOUSE OF REPRESENTATIVES.

26 (6) (a) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2014.

27 (b) NOTWITHSTANDING SECTION 2-3-1203, C.R.S., THE ADVISORY

1 COMMITTEE IS NOT SUBJECT TO THE REVIEW REQUIRED IN SECTION
2 2-3-1203, C.R.S., PRIOR TO REPEAL.

3 **SECTION 2. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.