

**DRAFT BILL**  
**Recommended by the Statewide Internet Portal Authority**  
**To the Joint Technology Committee**  
**January 13, 2020**

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1 CONCERNING AN AMENDMENT TO THE DEFINITION OF "STATE AGENCY" IN  
 2 SECTION 24-37.7-101 THAT ENSURES THAT THE STATEWIDE INTERNET  
 3 PORTAL AUTHORITY IS AUTHORIZED TO SERVE ALL OF STATE GOVERNMENT.

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**Bill Summary**

When statutorily created in 2004, the statewide internet portal authority (SIPA) was charged with offering information technology products and services to local governments and "state agencies". At that time, SIPA's statute defined "state agency" to have the same meaning as the term was defined in section 24-37.5-102, a definition section in statutes that then governed the former office of information innovation and technology. That definition then defined "state agency" to mean "every state office, whether legislative, executive, or judicial, and all of its respective officers, departments, divisions, commissions, boards, bureaus, and institutions", excepting only "state-supported institutions of higher education, the department of higher education, the Colorado commission on higher education, or other instrumentality thereof".

Subsequent to SIPA's creation, however, the statutes that governed the former office of innovation and technology were amended to create the office of information technology (OIT), and the definition of "state agency" was narrowed to cover only the agencies to be served by OIT by excluding the legislative and judicial departments, the departments of law, state, and treasury, and state-supported institutions of higher education. The definition was further narrowed by legislation in 2019 that excluded the department of education. Because the definition of "state agency" in SIPA's statutes incorporated the same OIT definition, the narrowing of the definition of "state agency" in OIT's statutes had the unintended effect of narrowing the definition of "state agency" in SIPA's statute, thereby inadvertently narrowing the scope of state agencies that could obtain services from SIPA.

The bill restores the definition of "state agency" in SIPA's statutes to its original broad scope and also deletes the original exception for higher education institutions and agencies, since it was the original legislative intent for SIPA to serve state agencies generally, and the practice has been for SIPA to serve all state agencies, including higher education institutions and agencies.

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

4       **SECTION 1.** In Colorado Revised Statutes, 24-37.7-101, **amend** (1) as follows:  
 5       **24-37.7-101. Definitions.** (6) "State agency" ~~shall have the same meaning as provided~~  
 6 ~~in section 24-37.5-102(4)~~ MEANS EVERY INSTRUMENTALITY OF STATE GOVERNMENT,  
 7 INCLUDING BUT NOT LIMITED TO THE EXECUTIVE DEPARTMENT, THE LEGISLATIVE

1 DEPARTMENT, THE JUDICIAL DEPARTMENT, AND ALL OF THEIR RESPECTIVE DEPARTMENTS,  
2 DIVISIONS, COMMISSIONS, BOARDS, AUTHORITIES, BUREAUS, AND OFFICERS.

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