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

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

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.

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

SECTION 1. In Colorado Revised Statutes, 24-37.7-101, amend (1) as follows:

24-37.7-101. Definitions. (6) "State agency" shall have the same meaning as provided
in section 24-37.5-102(4) means every instrumentality of state government,
including but not limited to the executive department, the legislative
DEPARTMENT, THE JUDICIAL DEPARTMENT, AND ALL OF THEIR RESPECTIVE DEPARTMENTS,

DIVISIONS, COMMISSIONS, BOARDS, AUTHORITIES, BUREAUS, AND OFFICERS.

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