

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REENGROSSED

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

LLS NO. 23-0645.01 Nicole Myers x4326

SENATE BILL 23-142

SENATE SPONSORSHIP

Bridges and Zenzinger, Kirkmeyer, Moreno

HOUSE SPONSORSHIP

Sirota and Bockenfeld, Bird

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE INFORMATION TECHNOLOGY CAPITAL**
102 **APPROPRIATION PROCESS FOR INFORMATION TECHNOLOGY**
103 **PROJECTS SUBMITTED TO THE GENERAL ASSEMBLY BY CERTAIN**
104 **STATE ENTITIES.**

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://leg.colorado.gov/>.)

Joint Budget Committee. Currently, with exceptions for the departments of law, state, and the treasury, an executive branch agency and, for a project that is state-funded only, a state-supported institution of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
February 9, 2023

SENATE
2nd Reading Unamended
February 8, 2023

higher education is required to submit a budget request for an information technology project to the joint technology committee (JTC) as part of the budget process. The JTC studies the information technology requests and makes recommendations to the joint budget committee (JBC) regarding the priority to be accorded to each request. In addition, the JBC may ask the JTC to review any budget request for an information technology project that was not required to be submitted to the JTC and instead was submitted directly to the JBC.

The bill clarifies that a review by the JTC as requested by the JBC may include a request for an information technology project submitted to the JBC by the legislative or judicial department, the department of law, the department of state, or the department of the treasury. The bill requires the JTC to oversee any such information technology project that receives an appropriation from the information technology account (account) within the capital construction fund.

The general assembly is currently authorized to make appropriations for information technology projects to state agencies and to institutions of higher education from the account. The bill clarifies that the general assembly may appropriate money in the account for information technology projects that are not subject to review by the JTC and instead are submitted directly to the JBC by the legislative or judicial department, the department of law, the department of state, or the department of the treasury.

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-3-1704, **amend**
3 (11)(b); and **add** (11)(f) as follows:

4 **2-3-1704. Powers and duties of the joint technology committee**
5 **- repeal.** (11) (b) The joint budget committee may seek the committee's
6 review of any operating budget request for information technology,
7 INCLUDING A REQUEST FOR WHICH THE GENERAL ASSEMBLY MAY MAKE AN
8 APPROPRIATION PURSUANT TO SECTION 24-75-302 (3.7)(b).

9 (f) THE COMMITTEE SHALL OVERSEE ANY INFORMATION
10 TECHNOLOGY PROJECT FOR WHICH THE GENERAL ASSEMBLY MAKES AN
11 APPROPRIATION PURSUANT TO SECTION 24-75-302 (3.7)(b). THE
12 LEGISLATIVE OR JUDICIAL DEPARTMENT, THE DEPARTMENT OF LAW, THE

1 DEPARTMENT OF STATE, OR THE DEPARTMENT OF THE TREASURY, AS
2 APPLICABLE, SHALL SUBMIT TO THE COMMITTEE ANY DATA, REPORTS, OR
3 INFORMATION REQUESTED BY THE COMMITTEE OR OTHERWISE NECESSARY
4 FOR THE COMMITTEE TO PERFORM ITS DUTIES PURSUANT TO THIS
5 SUBSECTION (11)(f).

6 **SECTION 2.** In Colorado Revised Statutes, 24-75-302, **amend**
7 (3.7) as follows:

8 **24-75-302. Capital construction fund - capital assessment fees**
9 **- calculation - information technology capital account.** (3.7) (a) There
10 is hereby created a special account within the capital construction fund
11 established pursuant to subsection (1) of this section to be known as the
12 information technology capital account. The account consists of any
13 ~~moneys~~ MONEY appropriated or transferred to the account by the general
14 assembly. The general assembly may appropriate ~~moneys~~ MONEY in the
15 account for information technology projects. The appropriation for
16 information technology projects must be set forth in a single line item as
17 a total sum. All unappropriated balances in the account at the close of any
18 fiscal year ~~must~~ remain in the account and ~~may~~ DO not revert to the
19 general fund. All unexpended or unencumbered ~~moneys~~ MONEY from an
20 information technology capital account appropriation to a state agency or
21 state institution of higher education for any fiscal year reverts to the
22 account at the end of the period for which the ~~moneys are~~ MONEY IS
23 appropriated. No portion of the unexpended balance of a state agency's or
24 state institution of higher education's information technology capital
25 account appropriation may be used by the state agency or the state
26 institution of higher education for any additional projects that are beyond
27 the scope or design of the original project without further approval by the

1 joint technology committee of ~~such~~ THE additional project. Anticipation
2 warrants or checks may be issued against the revenues of the account as
3 provided by law. All interest earned from the investment of ~~moneys~~
4 MONEY in the account must remain in and become part of the account.

5 (b) IN ADDITION TO APPROPRIATIONS FROM THE INFORMATION
6 TECHNOLOGY CAPITAL ACCOUNT THAT ARE AUTHORIZED PURSUANT TO
7 SUBSECTION (3.7)(a) OF THIS SECTION, THE GENERAL ASSEMBLY MAY
8 APPROPRIATE MONEY IN THE ACCOUNT FOR AN INFORMATION
9 TECHNOLOGY PROJECT THAT IS SUBMITTED TO THE GENERAL ASSEMBLY BY
10 THE LEGISLATIVE OR JUDICIAL DEPARTMENT, THE DEPARTMENT OF LAW,
11 THE DEPARTMENT OF STATE, OR THE DEPARTMENT OF THE TREASURY AS
12 AN OPERATING REQUEST PURSUANT TO SECTION 2-3-208. ANY
13 APPROPRIATION FROM THE ACCOUNT PURSUANT TO THIS SUBSECTION
14 (3.7)(b) IS SUBJECT TO THE REQUIREMENTS OF SUBSECTION (3.7)(a) OF
15 THIS SECTION.

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