

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

**INTRODUCED**

LLS NO. 25-0969.01 Caroline Martin x5902

**HOUSE BILL 25-1310**

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**HOUSE SPONSORSHIP**

**Titone and Weinberg,**

**SENATE SPONSORSHIP**

**Baisley and Marchman, Rodriguez**

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**House Committees**

State, Civic, Military, & Veterans Affairs

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING   ENHANCED   PURCHASING   TRANSPARENCY   FOR**  
102     **INFORMATION TECHNOLOGY PROCUREMENT.**

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**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 Technology Committee.** **Section 1** of the bill authorizes the joint technology committee to conduct an annual review of all rates that the office of information technology (office) charges when billing users for the office's services.

**Section 2** requires that budget requests submitted to the joint technology committee include:

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.

- Information and responses from a request for information for any budget request related to a major information technology project; and
- Formal market research for any budget request that is not related to a major information technology project.

**Section 3** provides that money in the information technology revolving fund, which the office expends to pay the costs of consolidation and information technology maintenance and upgrades, is no longer continuously appropriated to the office and instead is subject to annual appropriation by the general assembly.

**Section 4** repeals the office's ability to approve procurement contracts related to information technology resources on behalf of state agencies. The office may be a party to a procurement contract related to the procurement of information technology resources for a state agency if the state agency requests that the office be a party to the contract.

**Section 5** provides that state agencies are not required to obtain approval from the office before commencing work on a major information technology project or planning to make significant changes to the major information technology project or budget, and makes other conforming changes.

**Section 6** requires certain governmental bodies to issue a request for information prior to awarding a contract related to a major information technology project, and requires that the request for information be submitted to the joint technology committee as part of any budget request related to a major information technology project. Responses to a request for information related to a contract for a major information technology project must be presented to the joint technology committee if requested by the committee, and the committee shall meet in executive session to review the responses. **Section 6** also requires certain governmental bodies to conduct market research prior to awarding a contract related to an information technology project that is not a major information technology project, and requires the market research to be submitted to the joint technology committee as part of any budget request related to the project.

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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 (1)(e); and **add** (1)(f) as follows:

4 **2-3-1704. Powers and duties of the joint technology committee.**

5 (1) The committee oversees the office of information technology,

1 including but not limited to:

2 (e) The office of information technology's responsibilities related  
3 to the geographic information system as set forth in section 24-37.5-103  
4 (4); AND

5 (f) AN OPTIONAL ANNUAL REVIEW OF ALL RATES THAT THE OFFICE  
6 OF INFORMATION TECHNOLOGY CHARGES WHEN BILLING USERS OF THE  
7 OFFICE'S SERVICES. IF THE COMMITTEE REQUESTS TO REVIEW THE OFFICE'S  
8 RATES IN ACCORDANCE WITH THIS SECTION, THE COMMITTEE SHALL MEET  
9 IN EXECUTIVE SESSION TO DETERMINE WHETHER THE COMMITTEE WILL  
10 HEAR THE RATES PUBLICLY OR IN EXECUTIVE SESSION, AND THE OFFICE  
11 SHALL PRESENT THE RATES TO THE COMMITTEE.

12 **SECTION 2.** In Colorado Revised Statutes, 24-37-302, **amend**  
13 (1)(a.5)(I); and **add** (1)(a.5)(I.5) as follows:

14 **24-37-302. Responsibilities of the office of state planning and**  
15 **budgeting.** (1) The office of state planning and budgeting shall assist the  
16 governor in his or her responsibilities pertaining to the executive budget.  
17 Specifically, it shall:

18 (a.5) Design and prepare, in coordination with the staff of the joint  
19 technology committee of the general assembly, the forms and instructions  
20 to be used in preparation of all budget requests and supplemental budget  
21 requests submitted to the joint technology committee pursuant to section  
22 24-37-304 (1)(c.5). The staff of the joint technology committee shall  
23 make recommendations to the joint technology committee regarding such  
24 forms and instructions for the committee's approval. The forms and  
25 instructions shall require that budget requests submitted to the joint  
26 technology committee include:

27 (I) Information from AND RESPONSES TO a request for information

1 issued pursuant to ~~section 24-103-201.5, or other formal market research~~  
2 ~~regarding the information technology budget request~~ SECTION  
3 24-103-201.5 (2.5)(a), WHICH MUST BE ISSUED AND INCLUDED WITH AN  
4 INFORMATION TECHNOLOGY BUDGET REQUEST THAT IS RELATED TO A  
5 MAJOR INFORMATION TECHNOLOGY PROJECT, AS DEFINED IN SECTION  
6 24-37.5-102 (19);

7 (I.5) FORMAL MARKET RESEARCH CONDUCTED PURSUANT TO  
8 SECTION 24-103-201.5 (2.5)(b), WHICH MUST BE CONDUCTED AND  
9 INCLUDED WITH AN INFORMATION TECHNOLOGY BUDGET REQUEST THAT  
10 IS NOT RELATED TO A MAJOR INFORMATION TECHNOLOGY PROJECT, AS  
11 DEFINED IN SECTION 24-37.5-102 (19);

12 **SECTION 3.** In Colorado Revised Statutes, 24-37.5-103, **amend**  
13 (3)(c) as follows:

14 **24-37.5-103. Office of information technology - creation -**  
15 **information technology revolving fund - geographic information**  
16 **system coordination.** (3) (c) All interest earned on the investment of  
17 money in the fund shall be credited to the fund. ~~Money in the revolving~~  
18 ~~fund shall be continuously appropriated to~~ SUBJECT TO ANNUAL  
19 APPROPRIATION BY THE GENERAL ASSEMBLY, the office of information  
20 technology MAY EXPEND MONEY FROM THE REVOLVING FUND to pay the  
21 costs of consolidation and information technology maintenance and  
22 upgrades. Any money credited to the revolving fund and unexpended and  
23 unencumbered at the end of any given fiscal year shall remain in the fund  
24 and shall not revert to the general fund.

25 **SECTION 4.** In Colorado Revised Statutes, 24-37.5-105, **amend**  
26 (6) as follows:

27 **24-37.5-105. Office - roles - responsibilities - state search**

1     **interface - rules - legislative declaration - definitions. (6) Technology**  
2     **purchasing.** The office ~~shall initiate the procurement of information~~  
3     ~~technology resources for state agencies and enter into agreements or~~  
4     ~~contracts on behalf of a state agency, multiple agencies, or the office, or~~  
5     MAY be a party to A procurement ~~contracts that are initiated by state~~  
6     ~~agencies. A state agency may initiate solicitations and contracts for~~  
7     ~~information technology resources only with prior approval of the~~  
8     ~~procurement official for the office, and must include provisions allowing~~  
9     ~~the office to enforce technology and security standards or conduct due~~  
10    ~~diligence or audits of the contractors. If the state agency does not receive~~  
11    ~~written approval or disapproval from the procurement official for the~~  
12    ~~office within thirty business days after submitting the procurement~~  
13    ~~request to the office for review, the state agency may assume that it has~~  
14    ~~received the prior approval of the office, as required by this subsection~~  
15    ~~(6), and is authorized to initiate the procurement or solicitation process~~  
16    CONTRACT RELATED TO THE PROCUREMENT OF INFORMATION  
17    TECHNOLOGY RESOURCES FOR A STATE AGENCY IF THE STATE AGENCY  
18    REQUESTS THAT THE OFFICE BE A PARTY TO THE CONTRACT. In connection  
19    with the procurement of information technology resources, the office  
20    shall ESTABLISH STANDARDS FOR:

21           (a) ~~Ensure information technology purchases adhere to standards~~  
22    ~~for Data technology, architecture, and security~~ RELATED TO INFORMATION  
23    TECHNOLOGY PROCUREMENT;

24           (b) ~~Establish special requirements for~~ Vendors of information  
25    technology services to state agencies and adapt standards as necessary for  
26    individual state agencies to comply with federal law; AND

27           (c) ~~Oversee information technology vendors on behalf of the state~~

1 and state agencies except when delegated to a state agency pursuant to  
2 section 24-37.5-105.4; and

3 (d) ~~If the office does not have oversight of an information~~  
4 ~~technology or services contract, ensure that the state agency with~~  
5 ~~oversight of the contract operates pursuant to section 24-37.5-105.4~~  
6 ~~regarding the delegation of authority.~~

7 (e) TECHNOLOGY AND SECURITY STANDARDS FOR THE PARTIES TO  
8 AN INFORMATION TECHNOLOGY PROCUREMENT CONTRACT.

9 **SECTION 5.** In Colorado Revised Statutes, 24-37.5-105.2,  
10 **amend** (2)(b), (2)(c), (5), and (6) as follows:

11 **24-37.5-105.2. State agencies - information technology -**  
12 **responsibilities.** (2) In connection with any major information  
13 technology project that a state agency plans to undertake, the state agency  
14 shall:

15 (b) Before commencing work on the major information  
16 technology project, submit the plan to the office; ~~and obtain approval~~  
17 ~~from the office~~

18 (c) If the state agency plans to make significant changes to the  
19 major information technology project or budget, consult with the office  
20 regarding the changes ~~and obtain the office's approval of the changes~~  
21 before commencing work on the changes; and

22 (5) For security purposes, a state agency ~~shall include~~ MAY  
23 REQUEST THAT the office JOIN as a party to ~~all contracts or agreements~~ A  
24 CONTRACT OR AGREEMENT for information technology goods, services,  
25 or systems.

26 (6) A state agency shall hold authority and be responsible for  
27 projects managed by the state agency. ~~when the office is involved only as~~

1 ~~a party to the contract or a party to the agreement with a vendor,~~  
2 ~~contractor, or other party~~

3 **SECTION 6.** In Colorado Revised Statutes, 24-103-201.5, **add**  
4 (2.5) and (5) as follows:

5 **24-103-201.5. Market research - request for information.**

6 (2.5) (a) A GOVERNMENTAL BODY THAT IS ALSO A STATE AGENCY AS  
7 DEFINED IN SECTION 24-37.5-102 (28) SHALL ISSUE A REQUEST FOR  
8 INFORMATION PRIOR TO AWARDING A CONTRACT RELATED TO A MAJOR  
9 INFORMATION TECHNOLOGY PROJECT, AS DEFINED IN SECTION 24-37.5-102  
10 (19). INFORMATION FROM AND RESPONSES TO THE REQUEST FOR  
11 INFORMATION MUST BE SUBMITTED AS PART OF ANY BUDGET REQUEST  
12 RELATED TO A MAJOR INFORMATION TECHNOLOGY PROJECT IN  
13 ACCORDANCE WITH SECTION 24-37-302 (1)(a.5)(I).

14 (b) A GOVERNMENTAL BODY THAT IS ALSO A STATE AGENCY AS  
15 DEFINED IN SECTION 24-37.5-102 (28) SHALL CONDUCT MARKET RESEARCH  
16 PRIOR TO AWARDING A CONTRACT RELATED TO AN INFORMATION  
17 TECHNOLOGY PROJECT THAT IS NOT A MAJOR INFORMATION TECHNOLOGY  
18 PROJECT, AS DEFINED IN SECTION 24-37.5-102 (19). THE MARKET  
19 RESEARCH MUST BE SUBMITTED AS PART OF ANY BUDGET REQUEST  
20 RELATED TO AN INFORMATION TECHNOLOGY PROJECT THAT IS NOT A  
21 MAJOR INFORMATION TECHNOLOGY PROJECT IN ACCORDANCE WITH  
22 SECTION 24-37-302 (1)(a.5)(I.5).

23 (5) NOTWITHSTANDING SUBSECTION (4) OF THIS SECTION,  
24 RESPONSES TO A REQUEST FOR INFORMATION RELATED TO A CONTRACT  
25 FOR A MAJOR INFORMATION TECHNOLOGY PROJECT, AS DEFINED IN  
26 SECTION 24-37.5-102 (19), MUST BE PRESENTED TO THE JOINT  
27 TECHNOLOGY COMMITTEE IF REQUESTED BY THE COMMITTEE. THE

1 COMMITTEE SHALL MEET IN EXECUTIVE SESSION TO REVIEW THE  
2 RESPONSES.

3       **SECTION 7. Safety clause.** The general assembly finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, or safety or for appropriations for  
6 the support and maintenance of the departments of the state and state  
7 institutions.