



ELECTRONIC  
RECORDING  
TECHNOLOGY  
BOARD

# Grant Application

updated January 20, 2020

### *Background*

In the state of Colorado, a one-dollar per document technology fee was implemented in the early 2000's to aid County offices across the state in funding technological advancements in recording. As a result, Colorado was the first multi-jurisdictional state in the nation to adopt e-Recording across the state.

In the spring of 2014, a working group made up of real estate, lending, legal professionals as well as counties conducted a statewide needs assessment and a request for information to evaluate the state of recording systems in Colorado.

In the spring of 2016, legislation was passed and this board and a funding structure were created from Senate Bill 16-115.

### *Our Vision*

To create, support, and maintain a statewide land records environment that promotes accessibility and consistency for the public in an efficient and user-friendly manner.

### *Our Mission*

To develop, maintain, improve, replace, or preserve land records systems in our state.

### *Business Purpose*

The business purpose of the board is to develop and modernize electronic filing systems throughout the state as defined in 24-21-402 (2).

### *Our Core Goals*

- Assure the security, accuracy, and preservation of public records required to be maintained by a Clerk and Recorder.
- Assure that the sequence in which documents are received by a clerk and recorder is accurately reflected to the greatest extent practicable.
- Provide for online public access to public documents while maintaining the privacy of personal identifying information when applicable.
- Assure that electronic filing systems used in different counties are similar so as to facilitate the submission and searching of electronic records.
- Maintain the privacy of personal identifying information, online public access to which is not necessary to the proper functioning of land title records or other public records required to be maintained by a clerk and recorder 24-21-403 (1) (b)

### *Our Objectives*

1. Develop a strategic plan that incorporates the core goals and establish the administration of the Electronic Recording Technology Fund and Board.
2. Determine functionality standards for an electronic filing system that supports the core goals.
3. Issue a Request for Proposal (RFP) for electronic filing systems, equipment and software that the counties may choose to acquire.
4. Develop best practices for an electronic filing system.
5. Provide training to Clerk and Recorders related to electronic filing systems.
6. Develop a grant program, prepare reports and promulgate any necessary rule-making.
7. Develop subcommittees and project timelines for implementation.

### *Board Members*

**Susan Corliss** Kit Carson County Clerk and Recorder

Representing County Clerk & Recorders

**Gary Zimmerman** Sr. Programs Director, Colorado Secretary of State Representing Secretary of State

**George Stern** Jefferson County Clerk and Recorder

**Angela Myers** Larimer County Clerk and Recorder

**Charles Calvin** Calvin Law Firm

**Kim Bonner** Routt County Clerk and Recorder

**Scott Stucky**

**Robert Howe** Title Company of the Rockies

**Susan Corliss** Kit Carson County Clerk and Recorder

**Gilbert Ortiz** Pueblo County Clerk and Recorder

Representing County Clerk & Recorders

Representing County Clerk & Recorders

Representing Colorado Bar Association

Representing County Clerk & Recorders

Representing Mortgage Lending Industry

Representing Title Industry

Representing County Clerk & Recorders

Representing County Clerk & Recorders

### *Who is eligible for grants?*

Any Colorado County Clerk and Recorder.

### *What projects are available for grants?*

Any project that establishes, maintains, improves or replaces a County Electronic Filing System as defined in 24-21-404 (2).

For the purpose of this grant application defined in 24-21-401:

- (1) "Board" means the Electronic Recording Technology Board created in Section 24-21-402 (1)
- (2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- (3) "Electronic Filing System" means the document management system used by a Clerk and Recorder to comply with the statutory requirements set forth in part 4 of article 10 of title 30 C.R.S., for:
  - (a) Electronic documents received for recording or filing in the Clerk and Recorder's office; and
  - (b) Paper documents received for recording or filing in the Clerk and Recorder's office that are converted from paper, microfilm, or microfiche into an electronic format.
- (4) "Fund" means the Electronic Recording Technology Fund created in section 24-21-404 (1).

### *Deadline and Important Application Process Reminders*

Grants will be considered on a monthly basis. In order to be considered for a grant, please submit your completed application via the on-line application or downloadable PDF at [www.ertb.org](http://www.ertb.org) by the first business day of the month. PDF applications can be emailed to [ERTB.Grants@sos.state.co.us](mailto:ERTB.Grants@sos.state.co.us). Counties will be notified by a grant award letter within 60 days and will be asked to sign a grant agreement. Please direct any questions about the application to [ertbexecutivedirector@gmail.com](mailto:ertbexecutivedirector@gmail.com).

Quotes/bids that support the grant-funding amount being requested must be included. Similar detail regarding past expenditures must be provided if reimbursement is being requested. For digitization and indexing, make sure that bids include the number of pages and/or documents to be digitized and/or indexed. In order to improve a county's application, the county is encouraged but is not required to submit "letters of support" for the grant. It is recommended that these letters come from various sources, including (but not limited) to county government officials, industry partners or customers, chambers of commerce, or business leaders, etc.

### *Conditions for Receiving Grants*

Before applying for any grant funds, please read the following conditions that will be included (but not limited to) as part of your grant agreement:

- Counties will cooperate with the Electronic Recording Technology Executive Director and Board and in its statutory reporting requirements.
- Any vendor contracts must include training on any equipment being purchased.
- Counties agree to participate in recording best practices, as defined in 24-21-403 (3) (d).

- If grant funds are not used in the first year, counties must submit to the Electronic Recording Technology Board a request for approval regarding how and when the funds will be spent. The Electronic Recording Technology Board will respond within 60 days. All funds must be expended by June 30, 2022.
- Counties will be required to provide proof of purchase by a signed contract or paid invoice for any new purchase along with a completed audit form to be provided. Audit forms must be completed within 30 days of receipt. These can be emailed to [ERTB.Grants@sos.state.co.us](mailto:ERTB.Grants@sos.state.co.us).
- Counties must be current and timely on their transmission of Recording Technology Fees to the Fund beginning at the start date of the ERTB grant process in 2017 and thereafter. Counties may submit comments to the Electronic Recording Technology Board for exceptions due to factors outside their control.
- The County agrees to maintain recordkeeping that provides a complete audit trail of funds received and expended, and the County agrees to cooperate and participate in any audits conducted under authority of the Electronic Recording Technology Board or the Colorado State Auditor. The County must maintain an accounting system and financial records that accurately account for the receipt and disbursement of Grant Funds. For this purpose, the county may use either general ledger fund accounting that tracks Grant Funds separately from other County funds, or use a tracking spreadsheet. All payments and expenditures must be tracked. Each expenditure must be classified by budget category, such as Personnel, Supplies and Operating, Travel, Equipment and Professional Services. All financial records must be supported by source documentation (such as invoices, time sheets, etc.).
- Counties may apply for reimbursement of funds that have already been expended if the expenditure establishes, maintains, improves or replaces a County Electronic Filing System as defined in 24-21-404 (2) and meets the core goals listed on Page 2. Additionally, expenditure of funds must have taken place after the effective date of SB 16-115. Counties must provide proof of purchase.
- Counties may apply for funding to hire temporary staff for the completion of a specific project if the project establishes, maintains, improves or replaces a County Electronic Filing System as defined in 24-21-404 (2) and meets the core goals listed on Page 2. Counties must provide a closed quote and a statement of work.
- Counties may apply for funds more than one time.
- Any applications that are not completely filled out will be returned to the county and can be resubmitted once completed. All application questions should be answered, even if they do not pertain to the specific grant request. Part of the Board function is to gather information about hardware and software used by counties.
- Counties should include any invoices or proposals if applicable.
- The Electronic Recording Technology Board reserves the right to partially fund a grant request.
- County tiers in the application refers to the classes listed in statute 30-1-101 and provided below:

30-1-101. Classification of counties - fixing fees

(1) For the purpose of fixing fees, chargeable and to be collected by county and other officers, and for no other purpose, the several counties of this state are divided into five classes, which classes shall be known as the first, second, third, fourth, and fifth, as follows:

- (a) The city and county of Denver is a county of the first class;
- (b) The counties of Adams, Arapahoe, Boulder, Douglas, El Paso, Jefferson, Pueblo, and Weld are counties of the second class;
- (c) The counties of Delta, Garfield, Larimer, Las Animas, Logan, Mesa, Montezuma, Montrose, Morgan, and Otero are counties of the third class;
- (d) The counties of Alamosa, Archuleta, Bent, city and county of Broomfield, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Crowley, Eagle, Elbert, Fremont, Gilpin, Gunnison, Huerfano, Kit Carson, Lake, La Plata, Lincoln, Ouray, Park, Phillips, Prowers, Rio Grande, Routt, Saguache, San Miguel, Sedgwick, Teller, Washington, and Yuma are counties of the fourth class;
- (e) The counties of Baca, Custer, Dolores, Grand, Hinsdale, Jackson, Kiowa, Mineral, Moffat, Pitkin, Rio Blanco, San Juan, and Summit are counties of the fifth class.

## ELECTRONIC RECORDING TECHNOLOGY FUND GRANT APPLICATION CHECKLIST

- Complete the entire application regardless of whether it applies to a specific grant request. Incomplete applications will be returned to the county and can be resubmitted once completed.
- Include any bids, invoices or proposals that are applicable to the grant application. For digitization and indexing, make sure that bids include the number of pages and/or documents to be digitized and/or indexed.
- Do not include any requests that would include funding past the expiration of the Electronic Recording Technology Fund on June 30, 2022.
- Grants can only be awarded for goods or services that fall under the statutory definition of “electronic filing system” in 24-21-401.