

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0018.01 Brita Darling x2241

HOUSE BILL 21-1015

HOUSE SPONSORSHIP

Carver and Tipper,

SENATE SPONSORSHIP

Lundeen and Ginal,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING SECURITY PROTECTIONS FOR CERTAIN CRIMINAL
102 JUSTICE SYSTEM PERSONNEL.

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>.)

Under current law, it is unlawful for a person to make available on the internet the personal information of a law enforcement official, as defined in statute, or a human services worker, as defined in statute, if the dissemination of the personal information poses an imminent and serious threat to the official's or the worker's safety or to the safety of the official's or the worker's immediate family. The bill extends the crime to

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

include certain employees and contractors of the department of corrections who have contact with persons in the custody of the department of corrections.

In addition, under current law, human services workers who meet certain requirements specified in statute may submit a written request to a state or local government official to remove personal information from public records that are available on the internet. The bill extends the same protection to law enforcement officials and to certain employees and contractors of the department of corrections.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-9-313, **amend** (1)
3 introductory portion, (1)(b), (1)(e), (2.7), and (2.8); and **add** (1)(f) and
4 (1)(g) as follows:

5 **18-9-313. Personal information on the internet - law**
6 **enforcement official - victims of domestic violence, sexual assault, and**
7 **stalking - protected persons - definitions.** (1) As used in this section,
8 UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (b) "Immediate family" means a law enforcement official's or
10 ~~human services worker's~~ PROTECTED PERSON'S spouse, child, or parent or
11 any other blood relative who lives in the same residence as the law
12 enforcement official or ~~human services worker~~ PROTECTED PERSON.

13 (e) "Personal information" means the home address, home
14 telephone number, personal mobile telephone number, pager number,
15 personal e-mail address, or a personal photograph of a law enforcement
16 official, participant in the address confidentiality program, or ~~human~~
17 ~~services worker~~ PROTECTED PERSON; directions to the home of a law
18 enforcement official, participant in the address confidentiality program,
19 or ~~human services worker~~ PROTECTED PERSON; or photographs of the
20 home or vehicle of a law enforcement official, participant in the address

1 confidentiality program, or ~~human services worker~~ PROTECTED PERSON.

2 (f) "PROTECTED PERSON" MEANS A HUMAN SERVICES WORKER OR
3 A PUBLIC SAFETY WORKER.

4 (g) "PUBLIC SAFETY WORKER" MEANS AN EMPLOYEE,
5 CONTRACTOR, OR AN EMPLOYEE OF A CONTRACTOR OF THE DEPARTMENT
6 OF CORRECTIONS WHO HAS CONTACT WITH PERSONS IN THE CUSTODY OF
7 THE DEPARTMENT OF CORRECTIONS OR WITH THE FAMILY OR ASSOCIATES
8 OF SUCH PERSONS.

9 (2.7) It is unlawful for a person to knowingly make available on
10 the internet personal information about a ~~human services worker~~
11 PROTECTED PERSON or the ~~human services worker's~~ PROTECTED PERSON'S
12 immediate family if the dissemination of personal information poses an
13 imminent and serious threat to the ~~human services worker's~~ PROTECTED
14 PERSON'S safety or the safety of the ~~human services worker's~~ PROTECTED
15 PERSON'S immediate family and the person making the information
16 available on the internet knows or reasonably should know of the
17 imminent and serious threat.

18 (2.8) (a) A ~~human services worker~~ LAW ENFORCEMENT OFFICIAL
19 OR A PROTECTED PERSON may submit a written request pursuant to
20 subsection (2.8)(b) of this section to a state or local government official
21 to remove personal information from records that are available on the
22 internet. If a state or local government official receives ~~such~~ THE written
23 request, then the state or local government official shall not knowingly
24 make available on the internet personal information about the ~~human~~
25 ~~services worker~~ LAW ENFORCEMENT OFFICIAL OR PROTECTED PERSON or
26 the ~~human services worker's~~ LAW ENFORCEMENT OFFICIAL'S OR
27 PROTECTED PERSON'S immediate family.

1 (b) A ~~human services worker's~~ LAW ENFORCEMENT OFFICIAL'S OR
2 PROTECTED PERSON'S written request to a state or local government
3 official to remove records that the official makes available on the internet
4 must include:

5 (I) Evidence that the person submitting the request is a ~~human~~
6 ~~services worker~~ LAW ENFORCEMENT OFFICIAL OR A PROTECTED PERSON,
7 as defined in subsection (1) of this section; and

8 (II) An affirmation stating under penalty of perjury that the person
9 SUBMITTING THE REQUEST has reason to believe that the dissemination of
10 the personal information contained in the records that the official makes
11 available on the internet poses an imminent and serious threat to the
12 ~~human services worker's~~ PERSON'S safety or the safety of the ~~human~~
13 ~~services worker's~~ PERSON'S immediate family.

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