

SB204 L.016

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.SB15-204 be amended as follows:

1 Amend reengrossed bill, page 5, before line 3 insert:

2 "SECTION 5. In Colorado Revised Statutes, 19-3.3-101, amend  
3 (2) introductory portion as follows:4 **19-3.3-101. Legislative declaration.** (2) The general assembly  
5 further finds and declares that the establishment of the OFFICE OF THE  
6 child protection ombudsman program will:7 SECTION 6. In Colorado Revised Statutes, 19-3.3-103, amend  
8 (1) (a) (I) (B) and (1) (c) as follows:9 **19-3.3-103. Office of the child protection ombudsman - powers  
10 and duties - access to information - confidentiality - testimony -  
11 judicial review.** (1) The ombudsman has the following duties, at a  
12 minimum:13 (a) (I) (B) The ombudsman shall treat all complaints received  
14 pursuant to sub-subparagraph (A) of this subparagraph (I) as confidential,  
15 including the identities of complainants and individuals from whom  
16 information is acquired; except that disclosures may be permitted if the  
17 ombudsman deems it necessary to enable the ombudsman to perform his  
18 or her duties and to support any recommendations resulting from an  
19 investigation. Records relating to complaints received by the program  
20 OFFICE and the investigation of complaints are exempt from public  
21 disclosure pursuant to article 72 of title 24, C.R.S.22 (c) To report at least annually, pursuant to section 19-3.3-108,  
23 concerning the actions taken by the ombudsman with respect to the goals  
24 and duties of the program OFFICE.25 SECTION 7. In Colorado Revised Statutes, amend 19-3.3-104  
26 as follows:27 **19-3.3-104. Qualified immunity.** The ombudsman and employees  
28 or persons acting on behalf of the program shall be OFFICE ARE immune  
29 from suit and liability, either personally or in their official capacities, for  
30 any claim for damage to or loss of property, or for personal injury or other  
31 civil liability caused by or arising out of any actual or alleged act, error,  
32 or omission that occurred within the scope of employment, duties, or  
33 responsibilities pertaining to the program OFFICE, including but not  
34 limited to issuing reports or recommendations; except that nothing in this  
35 section shall be construed to protect such persons from suit or liability for  
36 damage, loss, injury, or liability caused by the intentional or willful and  
37 wanton misconduct of any such THAT person."

38 Renumber succeeding sections accordingly.

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