

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 09-0947.01 Michael Dohr

HOUSE BILL 09-1316

HOUSE SPONSORSHIP

Solano, King S.

SENATE SPONSORSHIP

Shaffer B.,

House Committees
Judiciary

Senate Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING PUBLIC DISSEMINATION OF PERSONAL INFORMATION OF**
102 **A PERSON WORKING IN THE CRIMINAL JUSTICE SYSTEM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Makes it a crime to post the personal information of a judge, magistrate, or prosecutor on the internet if the dissemination of the information poses an imminent and serious safety threat.

Permits a peace officer, judge, magistrate, or prosecutor to request that a public record containing his or her address or telephone number be kept confidential if the person has reason to believe he or she or his or her family could be the victim of harassment or in danger of bodily harm.

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

SENATE
3rd Reading Unamended
April 28, 2009

SENATE
Amended 2nd Reading
April 27, 2009

HOUSE
3rd Reading Unamended
April 3, 2009

HOUSE
Amended 2nd Reading
April 2, 2009

Allows a peace officer, judge, magistrate, or prosecutor to request that a real property record be kept confidential if the person has reason to believe he or she or his or her family could be the victim of harassment or in danger of bodily harm. Describes the process for making the request. Permits the custodian of the record to charge a processing fee for the request.

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

2 **SECTION 1.** 18-9-313 (1) and (2), Colorado Revised Statutes,
3 are amended to read:

4 **18-9-313. Personal information on the internet - law**
5 **enforcement official.** (1) As used in this section:

6 (a) "Immediate family" means a ~~peace officer's~~ LAW
7 ENFORCEMENT OFFICIAL'S spouse, child, or parent or any other blood
8 relative who lives in the same residence as the ~~peace officer~~ LAW
9 ENFORCEMENT OFFICIAL.

10 (a.5) "LAW ENFORCEMENT OFFICIAL" MEANS A PEACE OFFICER AS
11 DESCRIBED IN SECTION 16-2.5-101, C.R.S., A JUDGE AS DEFINED BY
12 SECTION 18-8-615, (3), OR A PROSECUTOR.

13 (b) "Personal information" means a ~~peace officer's~~ LAW
14 ENFORCEMENT OFFICIAL'S home address, home telephone number,
15 PERSONAL MOBILE TELEPHONE NUMBER, pager number, PERSONAL E-MAIL
16 ADDRESS, personal photograph, directions to the ~~peace officer's~~ LAW
17 ENFORCEMENT OFFICIAL'S home, or photographs of the ~~peace officer's~~
18 LAW ENFORCEMENT OFFICIAL'S OR THE OFFICIAL'S IMMEDIATE FAMILY
19 MEMBER'S home or vehicle.

20 (2) It is unlawful for a person TO knowingly to make available on
21 the internet personal information about a ~~peace officer as described in~~
22 ~~section 16-2.5-101, C.R.S.,~~ LAW ENFORCEMENT OFFICIAL OR THE

1 OFFICIAL'S IMMEDIATE FAMILY MEMBER, if the dissemination of the
2 personal information poses an imminent and serious threat to the peace
3 officer's LAW ENFORCEMENT OFFICIAL'S safety or the safety of the peace
4 officer's LAW ENFORCEMENT OFFICIAL'S immediate family and the person
5 making the information available on the internet knows or reasonably
6 should know of the imminent and serious threat.

7 [REDACTED]

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