

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0286.01 Michael Dohr

**HOUSE BILL 11-1169**

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**HOUSE SPONSORSHIP**

**Levy,** Court, Fischer, Gardner B., Labuda, Lee, Looper, McCann, Peniston, Ryden, Waller,  
Wilson

**SENATE SPONSORSHIP**

**Heath,**

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**House Committees**  
Education

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING INFORMATION-SHARING AT COLORADO STATE**  
102 **INSTITUTIONS OF HIGHER EDUCATION.**

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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://www.leg.state.co.us/billsummaries>.)*

A Colorado state institution of higher education police department may share information regarding incidents that may pose risks to the campus community with certain designated institution administrators or a person who is the subject of a threat of physical violence. A person providing information in good faith to campus officials is immune from

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.*

civil liability.

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

2 **SECTION 1.** Article 5 of title 23, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW SECTION to read:

4 **23-5-141. Campus police information sharing.** (1) THE  
5 GENERAL ASSEMBLY FINDS AND DECLARES THAT:

6 (a) PROVIDING FOR THE SAFETY OF THE STUDENTS, FACULTY, AND  
7 STAFF OF COLORADO'S STATE INSTITUTIONS OF HIGHER EDUCATION IS AN  
8 IMPORTANT PRIORITY FOR THOSE INSTITUTIONS AND FOR THE STATE;

9 (b) UNFORTUNATE AND TRAGIC EVENTS AT EDUCATIONAL  
10 INSTITUTIONS WITHIN THE STATE AND AROUND THE NATION HAVE RAISED  
11 CONCERNS REGARDING CAMPUS SAFETY AT COLORADO'S INSTITUTIONS OF  
12 HIGHER EDUCATION; AND

13 (c) STATE INSTITUTION OF HIGHER EDUCATION POLICE  
14 DEPARTMENTS SHOULD BE AUTHORIZED TO SHARE WITH RESPONSIBLE  
15 ADMINISTRATORS INFORMATION REGARDING BEHAVIORS WHICH POSE A  
16 POTENTIAL RISK TO THE CAMPUS COMMUNITY IN ORDER TO MITIGATE SUCH  
17 RISK.

18 (2) FOR PURPOSES OF THIS SECTION:

19 (a) "CAMPUS BEHAVIORAL INTERVENTION TASK FORCE" MEANS  
20 ANY GROUP OF PERSONS THAT INCLUDES AT LEAST ONE ADMINISTRATOR  
21 LISTED IN SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (3) OF  
22 THIS SECTION AND IS APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF A  
23 STATE INSTITUTION OF HIGHER EDUCATION, OR HIS OR HER DESIGNEE, TO  
24 MONITOR AND MITIGATE RISKS TO CAMPUS SAFETY POSED BY INDIVIDUALS  
25 WHO DISPLAY CONCERNING BEHAVIORS.

1 (b) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE  
2 INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102  
3 (10) (a), A JUNIOR COLLEGE, AN AREA VOCATIONAL SCHOOL, THE AURARIA  
4 HIGHER EDUCATION CENTER, AN EDUCATION CENTER, OR A TECHNICAL  
5 COLLEGE.

6 (3) (a) A STATE INSTITUTION OF HIGHER EDUCATION POLICE  
7 DEPARTMENT MAY PROVIDE UNREDACTED INFORMATION, EXCEPT THAT  
8 THE VICTIM'S NAME AND IDENTIFYING INFORMATION SHALL BE REDACTED  
9 UNLESS THE VICTIM AGREES OTHERWISE IN WRITING, WHICH INFORMATION  
10 MAY INCLUDE BUT NEED NOT BE LIMITED TO POLICE REPORTS,  
11 REGARDING ANY INCIDENT WITHIN ITS JURISDICTION TO:

12 (I) THE DIRECTOR, OR DIRECTOR'S DESIGNEE, OF ANY CAMPUS  
13 PROGRAM OR UNIT WITH ADMINISTRATIVE RESPONSIBILITY FOR VICTIMS  
14 ASSISTANCE, MENTAL HEALTH SERVICES, UNIVERSITY HOUSING, STUDENT  
15 DISCIPLINE PROCESSES, OR STUDENT AFFAIRS; AND

16 (II) A CAMPUS BEHAVIORAL INTERVENTION TASK FORCE.

17 (b) A STATE INSTITUTION OF HIGHER EDUCATION POLICE  
18 DEPARTMENT MAY PROVIDE TO A PERSON WHO IS THE FOCUS OF A SPECIFIC  
19 THREAT OF PHYSICAL VIOLENCE INFORMATION REGARDING ANY INCIDENT  
20 WITHIN ITS JURISDICTION THAT IS NECESSARY TO PROTECT THE PERSON  
21 WHO IS THE FOCUS OF THE THREAT.

22 (c) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-72-304 (4),  
23 27-65-121, OR 27-81-113, C.R.S., TO THE CONTRARY, THE  
24 AUTHORIZATION TO SHARE INFORMATION ESTABLISHED BY THIS SECTION  
25 SPECIFICALLY INCLUDES BUT IS NOT LIMITED TO INFORMATION REGARDING  
26 SEXUAL ASSAULTS, EMERGENCY MENTAL HEALTH HOLDS, AND  
27 PROTECTIVE CUSTODY FOR ALCOHOL OR DRUG DETOXIFICATION. ANY

1 PERSON RECEIVING INFORMATION REGARDING SEXUAL ASSAULTS,  
2 EMERGENCY MENTAL HEALTH HOLDS, AND PROTECTIVE CUSTODY FOR  
3 ALCOHOL OR DRUG DETOXIFICATION PURSUANT TO THIS SECTION SHALL  
4 MAKE ALL REASONABLE EFFORTS TO ENSURE THE INFORMATION IS NOT  
5 DISSEMINATED BEYOND WHAT IS NECESSARY.

6 (4) A FACULTY MEMBER, STAFF MEMBER, OR STUDENT OF THE  
7 CAMPUS DISCLOSING INFORMATION TO A CAMPUS BEHAVIORAL  
8 INTERVENTION TASK FORCE WHILE ACTING UNDER A GOOD-FAITH  
9 BELIEF THAT THE DISCLOSURE IS NECESSARY TO PROTECT THE HEALTH,  
10 SAFETY, OR WELL-BEING OF ANY PERSON, OR TO PROTECT THE PROPERTY  
11 OF ANY PERSON OR OF THE INSTITUTION, SHALL NOT BE LIABLE IN ANY  
12 CIVIL ACTION FOR DISCLOSING THE INFORMATION. THE IMMUNITY  
13 PROVIDED IN THIS SECTION DOES NOT NULLIFY OR RESCIND ANY  
14 STATUTORY DUTY OF CONFIDENTIALITY BY A LICENSED PROFESSIONAL OR  
15 VICTIM'S ADVOCATE PURSUANT TO SECTION 13-90-107 (1) (k), C.R.S., OR  
16 ANY STATUTORY DUTY TO WARN AND PROTECT SPECIFIED IN SECTION  
17 13-21-117, C.R.S.

18 **SECTION 2.** 24-72-304 (4), Colorado Revised Statutes, is  
19 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

20 **24-72-304. Inspection of criminal justice records.** (4) (d) THE  
21 PROVISIONS OF THIS SUBSECTION (4) SHALL NOT APPLY TO THE SHARING OF  
22 INFORMATION BY A STATE INSTITUTION OF HIGHER EDUCATION POLICE  
23 DEPARTMENT TO AUTHORIZED UNIVERSITY ADMINISTRATORS PURSUANT  
24 TO SECTION 23-5-141, C.R.S.

25 **SECTION 3.** 27-65-121, Colorado Revised Statutes, is amended  
26 BY THE ADDITION OF A NEW SUBSECTION to read:

27 **27-65-121. Records.** (5) NOTHING IN THIS SECTION SHALL BE

1 CONSTRUED TO PROHIBIT OR LIMIT THE SHARING OF INFORMATION BY A  
2 STATE INSTITUTION OF HIGHER EDUCATION POLICE DEPARTMENT TO  
3 AUTHORIZED UNIVERSITY ADMINISTRATORS PURSUANT TO SECTION  
4 23-5-141, C.R.S.

5 **SECTION 4.** 27-81-113, Colorado Revised Statutes, is amended  
6 BY THE ADDITION OF A NEW SUBSECTION to read:

7 **27-81-113. Records of alcoholics and intoxicated persons.**

8 (3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT OR  
9 LIMIT THE SHARING OF INFORMATION BY A STATE INSTITUTION OF HIGHER  
10 EDUCATION POLICE DEPARTMENT TO AUTHORIZED UNIVERSITY  
11 ADMINISTRATORS PURSUANT TO SECTION 23-5-141, C.R.S.

12 **SECTION 5. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.