

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 23, 2012
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB12-1036 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike line 13 and substitute "law enforcement
2 purpose, INCLUDING RECORDS OF ONGOING CIVIL OR ADMINISTRATIVE
3 INVESTIGATIONS THAT FOCUS ON A PERSON OR PERSONS OUTSIDE OF THE
4 INVESTIGATING AGENCY AND ARE CONDUCTED BY THE STATE OR ITS
5 EXECUTIVE DEPARTMENTS IN FURTHERANCE OF THEIR STATUTORY
6 AUTHORITY TO PROTECT THE PUBLIC HEALTH, WELFARE, OR SAFETY;
7 EXCEPT THAT, WITH RESPECT TO CIVIL OR ADMINISTRATIVE
8 INVESTIGATIONS THAT HAVE CONCLUDED BECAUSE NO FURTHER
9 INVESTIGATION, DISCIPLINE, OR OTHER AGENCY RESPONSE IS WARRANTED,
10 NOTHING IN THIS SUBSECTION (2) REQUIRES THE CUSTODIAN TO DISCLOSE
11 THE NAME OR OTHER PERSONAL IDENTIFYING OR FINANCIAL INFORMATION
12 OF WITNESSES, TARGETS OF SUCH CLOSED INVESTIGATIONS, OR ANY
13 RECORDS EXEMPT PURSUANT TO ANY OTHER LAW."

14 Page 2, strike lines 14 through 23 and substitute:

15 "SECTION 2. **Applicability.** The provisions of this act apply to
16 cases arising on or after August 19, 2011, and nothing in this act shall be
17 interpreted in any way as evidence of legislative intent in cases arising
18 prior to said date.

19 SECTION 3. **Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety."

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