

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

PREAMENDED

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

LLS NO. 05-0751.01 Michael Dohr

SENATE BILL 05-137

SENATE SPONSORSHIP

Grossman

HOUSE SPONSORSHIP

Paccione, and Frangas

Senate Committees

House Committees

Business, Labor and Technology

A BILL FOR AN ACT

101 **CONCERNING IDENTITY THEFT.**

Bill Summary

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

Permits a consumer to put a security freeze on his or her credit report. Allows the consumer to temporarily lift the freeze to allow a particular entity access to the credit report for the purpose of issuing or extending credit to the consumer. Requires the freeze to be maintained until the consumer specifically requests its removal.

Requires that a consumer be notified of the right to place a security freeze on his or her credit report each time the consumer receives a summary of the rights relating to credit reports.

Compels a consumer reporting agency to notify the consumer

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.

within 5 days after releasing credit information that was in violation of a security freeze.

Allows a consumer who had credit information released in violation of a security freeze to bring a private civil right of action against the consumer reporting agency that released the information in violation of the security freeze.

Prohibits a consumer reporting agency from furnishing a consumer's credit header to someone who does not have a permissible basis to obtain the consumer credit header.

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

2 **SECTION 1.** Title 12, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 14.7**

5 **Credit Report Security Freeze Act**

6 **12-14.7-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND
7 MAY BE CITED AS THE "CREDIT REPORT SECURITY FREEZE ACT".

8 **12-14.7-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
9 CONTEXT OTHERWISE REQUIRES:

10 (1) "CONSUMER" MEANS AN INDIVIDUAL.

11 (2) "CONSUMER REPORT" OR "CREDIT REPORT" SHALL HAVE THE
12 SAME MEANING AS SET FORTH IN SECTION 12-14.3-102 (3)., _____

13 _____
14 (3) "CONSUMER REPORTING AGENCY" SHALL HAVE THE SAME
15 MEANING AS SET FORTH IN SECTION 12-14.3-102 (4). _____

16 (4) "REVIEWING THE ACCOUNT" OR "ACCOUNT REVIEW" MEANS
17 ACTIVITIES RELATED TO ACCOUNT MAINTENANCE, MONITORING,
18 CREDIT-LINE INCREASES, AND ACCOUNT UPGRADES AND ENHANCEMENTS.

19 (5) "SECURITY FREEZE" MEANS A NOTICE, AT THE REQUEST OF A
20 CONSUMER AND SUBJECT TO CERTAIN EXCEPTIONS, THAT PROHIBITS A

1 CONSUMER REPORTING AGENCY FROM RELEASING ALL OR ANY PART OF
2 THE CONSUMER'S CREDIT REPORT OR ANY INFORMATION DERIVED FROM IT
3 WITHOUT THE EXPRESS AUTHORIZATION OF THE CONSUMER.

4 **12-14.7-103. Security freeze - timing - covered entities - cost.**

5 (1) A CONSUMER MAY ELECT TO PLACE A SECURITY FREEZE ON HIS OR HER
6 CREDIT REPORT BY:

7 (a) MAKING A REQUEST BY CERTIFIED MAIL;

8 (b) MAKING A REQUEST BY TELEPHONE AND PROVIDING CERTAIN
9 PERSONAL IDENTIFICATION; OR

10 (c) MAKING A REQUEST DIRECTLY TO A CONSUMER REPORTING
11 AGENCY THROUGH A SECURE ELECTRONIC MAIL CONNECTION IF SUCH A
12 CONNECTION IS MADE AVAILABLE BY THE AGENCY.

13 (2) (a) A CONSUMER REPORTING AGENCY SHALL PLACE A SECURITY
14 FREEZE ON A CONSUMER'S CREDIT REPORT NO LATER THAN FIVE BUSINESS
15 DAYS AFTER RECEIVING A WRITTEN OR TELEPHONE REQUEST FROM THE
16 CONSUMER PURSUANT TO PARAGRAPH (a) OR (b) OF SUBSECTION (1) OF
17 THIS SECTION OR THREE BUSINESS DAYS AFTER RECEIVING A SECURE
18 ELECTRONIC MAIL REQUEST PURSUANT TO PARAGRAPH (c) OF SUBSECTION
19 (1) OF THIS SECTION.

20 (b) THE CONSUMER REPORTING AGENCY SHALL SEND A WRITTEN
21 CONFIRMATION OF THE SECURITY FREEZE TO THE CONSUMER WITHIN FIVE
22 BUSINESS DAYS AFTER PLACING THE SECURITY FREEZE AND, AT THE SAME
23 TIME, SHALL PROVIDE THE CONSUMER WITH A UNIQUE PERSONAL
24 IDENTIFICATION NUMBER OR PASSWORD TO BE USED BY THE CONSUMER
25 WHEN PROVIDING AUTHORIZATION FOR THE RELEASE OF HIS OR HER CREDIT
26 TO A SPECIFIC PARTY OR FOR A SPECIFIC PERIOD OF TIME.

27 (3) IF THE CONSUMER CHOOSES TO ALLOW HIS OR HER CREDIT

1 REPORT TO BE ACCESSED BY A SPECIFIC PARTY OR FOR A SPECIFIC PERIOD
2 OF TIME WHILE A SECURITY FREEZE IS IN PLACE, HE OR SHE SHALL CONTACT
3 THE CONSUMER REPORTING AGENCY VIA TELEPHONE, CERTIFIED MAIL, OR
4 SECURE ELECTRONIC MAIL, TO REQUEST THAT THE SECURITY FREEZE BE
5 TEMPORARILY LIFTED, AND PROVIDE THE FOLLOWING:

6 (a) PROPER IDENTIFICATION;

7 (b) THE UNIQUE PERSONAL IDENTIFICATION NUMBER OR PASSWORD
8 PROVIDED BY THE CONSUMER REPORTING AGENCY PURSUANT TO
9 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION; AND

10 (c) THE NECESSARY INFORMATION REGARDING THE THIRD PARTY
11 WHO MAY RECEIVE THE CREDIT REPORT OR THE TIME PERIOD DURING
12 WHICH THE REPORT SHALL BE AVAILABLE TO USERS OF THE CREDIT
13 REPORT.

14 (4) A CONSUMER REPORTING AGENCY THAT RECEIVES A REQUEST
15 FROM A CONSUMER TO TEMPORARILY LIFT A SECURITY FREEZE ON A CREDIT
16 REPORT PURSUANT TO SUBSECTION (3) OF THIS SECTION SHALL COMPLY
17 WITH THE REQUEST NO LATER THAN THREE BUSINESS DAYS AFTER
18 RECEIVING THE REQUEST.

19 (5) (a) A CONSUMER REPORTING AGENCY SHALL ONLY REMOVE OR
20 TEMPORARILY LIFT A SECURITY FREEZE PLACED ON A CONSUMER'S CREDIT
21 REPORT UPON THE CONSUMER'S REQUEST PURSUANT TO:

22 (I) SUBSECTION (3) OR (7) OF THIS SECTION; OR

23 (II) IF THE CONSUMER'S CREDIT REPORT WAS FROZEN DUE TO A
24 MATERIAL MISREPRESENTATION OF FACT BY THE CONSUMER.

25 (b) IF A CONSUMER REPORTING AGENCY INTENDS TO REMOVE A
26 SECURITY FREEZE PLACED ON A CONSUMER'S CREDIT REPORT PURSUANT TO
27 SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (5), THE

1 CONSUMER REPORTING AGENCY SHALL NOTIFY THE CONSUMER IN WRITING
2 FIVE BUSINESS DAYS PRIOR TO REMOVING THE FREEZE ON THE CONSUMER'S
3 CREDIT REPORT.

4 (6) IF A THIRD PARTY REQUESTS ACCESS TO A CONSUMER CREDIT
5 REPORT ON WHICH A SECURITY FREEZE IS IN EFFECT FOR THE PURPOSE OF
6 RECEIVING, EXTENDING, OR OTHERWISE UTILIZING THE CREDIT THEREIN,
7 AND NOT FOR THE SOLE PURPOSE OF ACCOUNT REVIEW, THE CONSUMER
8 REPORTING AGENCY SHALL NOTIFY THE CONSUMER THAT AN ATTEMPT HAS
9 BEEN MADE TO ACCESS THE CREDIT REPORT.

10 (7) A SECURITY FREEZE SHALL REMAIN IN PLACE UNTIL THE
11 CONSUMER REQUESTS THAT THE SECURITY FREEZE BE REMOVED. A
12 CONSUMER REPORTING AGENCY SHALL REMOVE A SECURITY FREEZE
13 WITHIN THREE BUSINESS DAYS AFTER RECEIVING A REQUEST FOR REMOVAL
14 FROM THE CONSUMER, WHO PROVIDES BOTH OF THE FOLLOWING:

15 (a) PROPER IDENTIFICATION; AND

16 (b) THE UNIQUE PERSONAL IDENTIFICATION NUMBER OR PASSWORD
17 PROVIDED BY THE CONSUMER REPORTING AGENCY PURSUANT TO
18 PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION.

19 (8) A CONSUMER REPORTING AGENCY SHALL REQUIRE PROPER
20 IDENTIFICATION OF THE PERSON MAKING A REQUEST TO PLACE OR REMOVE
21 A SECURITY FREEZE.

22 (9) A CONSUMER REPORTING AGENCY SHALL NOT SUGGEST OR
23 OTHERWISE STATE OR IMPLY TO A THIRD PARTY THAT THE CONSUMER'S
24 SECURITY FREEZE REFLECTS A NEGATIVE CREDIT SCORE, HISTORY, REPORT,
25 OR RATING.

26 (10) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE
27 USE OF A CONSUMER CREDIT REPORT BY ANY OF THE FOLLOWING:

1 (a) A PERSON, OR THE PERSON'S SUBSIDIARY, AFFILIATE, AGENT, OR
2 ASSIGNEE, WITH WHICH THE CONSUMER HAS OR, PRIOR TO ASSIGNMENT,
3 HAD AN ACCOUNT, CONTRACT, OR DEBTOR-CREDITOR RELATIONSHIP FOR
4 THE PURPOSES OF REVIEWING THE ACCOUNT OR COLLECTING THE
5 FINANCIAL OBLIGATION OWING FOR THE ACCOUNT, CONTRACT, OR DEBT;

6 (b) A SUBSIDIARY, AFFILIATE, AGENT, ASSIGNEE, OR PROSPECTIVE
7 ASSIGNEE OF A PERSON TO WHOM ACCESS HAS BEEN GRANTED UNDER
8 SUBSECTION (3) OF THIS SECTION FOR PURPOSES OF FACILITATING THE
9 EXTENSION OF CREDIT OR OTHER PERMISSIBLE USE;

10 (c) A PERSON ACTING PURSUANT TO A COURT ORDER, WARRANT,
11 OR SUBPOENA;

12 (d) A STATE OR LOCAL AGENCY THAT ADMINISTERS A PROGRAM
13 FOR ESTABLISHING AND ENFORCING CHILD SUPPORT OBLIGATIONS;

14 (e) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING OR
15 ITS AGENTS OR ASSIGNEES ACTING TO INVESTIGATE FRAUD;

16 (f) THE DEPARTMENT OF HUMAN SERVICES OR ITS AGENTS OR
17 ASSIGNEES ACTING TO INVESTIGATE FRAUD;

18 (g) THE DEPARTMENT OF REVENUE OR ITS AGENTS OR ASSIGNEES
19 ACTING TO INVESTIGATE OR COLLECT DELINQUENT TAXES OR UNPAID
20 COURT ORDERS OR TO FULFILL ITS OTHER STATUTORY RESPONSIBILITIES;

21 (h) A PERSON FOR THE PURPOSES OF PRESCREENING AS DEFINED BY
22 THE "FAIR CREDIT REPORTING ACT", 15 U.S.C. SEC. 1681, ET SEQ.;

23 (i) A PERSON OR ENTITY ADMINISTERING A CREDIT FILE
24 MONITORING SUBSCRIPTION SERVICE TO WHICH THE CONSUMER HAS
25 SUBSCRIBED; =

26 (j) A PERSON OR ENTITY FOR THE PURPOSE OF PROVIDING A
27 CONSUMER WITH A COPY OF HIS OR HER CREDIT REPORT UPON THE

1 CONSUMER'S REQUEST; OR

2 (k) A PERSON REQUESTING THE CONSUMER'S CREDIT REPORT FOR
3 USE BY AN INSURANCE BUSINESS TO SET A RATE OR UNDERWRITE FOR
4 INSURANCE PURPOSES PURSUANT TO SECTION 12-14.3-103.

5 (11) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
6 THIS SUBSECTION (11), A CONSUMER SHALL NOT BE CHARGED FOR ANY
7 SECURITY FREEZE SERVICES, INCLUDING BUT NOT LIMITED TO THE
8 PLACEMENT OR LIFTING OF A SECURITY FREEZE.

9 (b) IF A CONSUMER FAILS TO RETAIN THE ORIGINAL PERSONAL
10 IDENTIFICATION NUMBER PROVIDED BY THE CONSUMER REPORTING
11 AGENCY, THE AGENCY SHALL NOT CHARGE THE CONSUMER FOR A
12 ONE-TIME REISSUE OF THE SAME OR A NEW PERSONAL IDENTIFICATION
13 NUMBER. THE CONSUMER REPORTING AGENCY MAY CHARGE THE
14 CONSUMER NO MORE THAN FIVE DOLLARS FOR SUBSEQUENT INSTANCES OF
15 LOSS AND REISSUANCE OR REPLACEMENT OF THE PERSONAL
16 IDENTIFICATION NUMBER.

17 (12) THE FOLLOWING PERSONS ARE NOT REQUIRED TO PLACE A
18 SECURITY FREEZE ON A CONSUMER REPORT PURSUANT TO THIS SECTION:

19 (a) A CHECK SERVICES COMPANY THAT ISSUES REPORTS ON
20 INCIDENTS OF FRAUD OR AUTHORIZATIONS FOR THE PURPOSE OF
21 APPROVING OR PROCESSING NEGOTIABLE INSTRUMENTS, ELECTRONIC FUND
22 TRANSFERS, OR SIMILAR METHODS OF PAYMENT;

23 (b) A DEPOSIT ACCOUNT INFORMATION SERVICE COMPANY THAT
24 ISSUES REPORTS REGARDING ACCOUNT DISCLOSURE DUE TO FRAUD,
25 SUBSTANTIAL OVERDRAFTS, AUTOMATED TELLER MACHINE ABUSE, OR
26 SIMILAR NEGATIVE INFORMATION REGARDING A CONSUMER TO INQUIRING
27 BANKS OR FINANCIAL INSTITUTION; AND

1 (c) A FRAUD PREVENTION SERVICES COMPANY ISSUING REPORTS TO
2 PREVENT OR INVESTIGATE FRAUD.

3 **12-14.7-104. Notice of rights.** (1) AT ANY TIME THAT A
4 CONSUMER IS REQUIRED TO RECEIVE A SUMMARY OF RIGHTS REQUIRED
5 UNDER SECTION 609 OF THE "FAIR CREDIT REPORTING ACT" OR UNDER
6 STATE LAW, THE FOLLOWING NOTICE SHALL BE INCLUDED:

7 STATE CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE.

8 YOU MAY OBTAIN A SECURITY FREEZE ON YOUR
9 CREDIT REPORT AT NO CHARGE TO PROTECT YOUR PRIVACY
10 AND ENSURE THAT CREDIT IS NOT GRANTED IN YOUR NAME
11 WITHOUT YOUR KNOWLEDGE. YOU HAVE A RIGHT TO PLACE
12 A SECURITY FREEZE ON YOUR CREDIT REPORT PURSUANT TO
13 STATE LAW.

14 THE SECURITY FREEZE WILL PROHIBIT A CONSUMER
15 REPORTING AGENCY FROM RELEASING ANY INFORMATION IN
16 YOUR CREDIT REPORT WITHOUT YOUR EXPRESS
17 AUTHORIZATION OR APPROVAL.

18 THE SECURITY FREEZE IS DESIGNED TO PREVENT
19 CREDIT, LOANS, AND SERVICES FROM BEING APPROVED IN
20 YOUR NAME WITHOUT YOUR CONSENT. WHEN YOU PLACE A
21 SECURITY FREEZE ON YOUR CREDIT REPORT, WITHIN FIVE
22 BUSINESS DAYS YOU WILL BE PROVIDED A PERSONAL
23 IDENTIFICATION NUMBER OR PASSWORD TO USE IF YOU
24 CHOOSE TO REMOVE THE SECURITY FREEZE ON YOUR CREDIT
25 REPORT OR TO TEMPORARILY AUTHORIZE THE RELEASE OF
26 YOUR CREDIT REPORT TO A SPECIFIC PARTY OR PARTIES OR
27 FOR A PERIOD OF TIME AFTER THE SECURITY FREEZE IS IN

1 PLACE. TO PROVIDE THAT AUTHORIZATION, YOU MUST
2 CONTACT THE CONSUMER REPORTING AGENCY AND PROVIDE
3 ALL OF THE FOLLOWING: THE UNIQUE PERSONAL
4 IDENTIFICATION NUMBER OR PASSWORD PROVIDED BY THE
5 CONSUMER REPORTING AGENCY; PROPER IDENTIFICATION TO
6 VERIFY YOUR IDENTITY; AND THE PROPER INFORMATION
7 REGARDING THE THIRD PARTY OR PARTIES WHO ARE TO
8 RECEIVE THE CREDIT REPORT OR THE PERIOD OF TIME FOR
9 WHICH THE REPORT SHALL BE AVAILABLE TO USERS OF THE
10 CREDIT REPORT.

11 A CONSUMER REPORTING AGENCY THAT RECEIVES A
12 REQUEST FROM A CONSUMER TO TEMPORARILY LIFT A
13 SECURITY FREEZE ON A CREDIT REPORT SHALL COMPLY WITH
14 THE REQUEST NO LATER THAN THREE BUSINESS DAYS AFTER
15 RECEIVING THE REQUEST.

16 A SECURITY FREEZE DOES NOT APPLY TO
17 CIRCUMSTANCES WHERE YOU HAVE AN EXISTING ACCOUNT
18 RELATIONSHIP AND A COPY OF YOUR REPORT IS REQUESTED
19 BY YOUR EXISTING CREDITOR OR ITS AGENTS OR AFFILIATES
20 FOR CERTAIN TYPES OF ACCOUNT REVIEW, COLLECTION,
21 FRAUD CONTROL OR SIMILAR ACTIVITIES.

22 YOU SHOULD BE AWARE THAT USING A SECURITY
23 FREEZE TO TAKE CONTROL OVER WHO GAINS ACCESS TO THE
24 PERSONAL AND FINANCIAL INFORMATION IN YOUR CREDIT
25 REPORT MAY DELAY, INTERFERE WITH, OR PROHIBIT THE
26 TIMELY APPROVAL OF ANY SUBSEQUENT REQUEST OR
27 APPLICATION YOU MAKE REGARDING NEW LOANS, CREDIT,

1 MORTGAGE, INSURANCE, GOVERNMENT SERVICES OR
2 PAYMENTS, RENTAL HOUSING, EMPLOYMENT, INVESTMENT,
3 LICENSE, CELLULAR PHONE, UTILITIES, DIGITAL SIGNATURE,
4 INTERNET CREDIT CARD TRANSACTION, OR OTHER SERVICES,
5 INCLUDING AN EXTENSION OF CREDIT AT THE POINT OF SALE.

6 A SECURITY FREEZE MAY SLOW YOUR APPLICATIONS FOR
7 _____ YOU SHOULD PLAN AHEAD AND LIFT A SECURITY
8 FREEZE EITHER COMPLETELY IF YOU ARE SHOPPING AROUND,
9 OR SPECIFICALLY FOR A CERTAIN CREDITOR A FEW DAYS
10 BEFORE ACTUALLY APPLYING FOR NEW CREDIT.

11 YOU HAVE A RIGHT TO BRING A CIVIL ACTION
12 AGAINST A PERSON OR AGENCY WHO VIOLATES YOUR
13 RIGHTS UNDER THE CREDIT REPORTING LAWS. THE ACTION
14 CAN BE BROUGHT AGAINST A CONSUMER REPORTING
15 AGENCY OR A USER OF YOUR CREDIT REPORT.

16 **12-14.7-105. Violations - penalties.** (1) IF A CONSUMER
17 REPORTING AGENCY ERRONEOUSLY, INTENTIONALLY OR
18 UNINTENTIONALLY, VIOLATES THE SECURITY FREEZE BY RELEASING CREDIT
19 INFORMATION THAT HAS BEEN PLACED UNDER A SECURITY FREEZE, THE
20 AFFECTED CONSUMER IS ENTITLED TO:

21 (a) NOTIFICATION FROM THE CONSUMER REPORTING AGENCY
22 WITHIN FIVE BUSINESS DAYS AFTER RELEASE OF THE INFORMATION,
23 INCLUDING SPECIFICITY AS TO THE INFORMATION RELEASED AND THE
24 THIRD-PARTY RECIPIENT OF THE INFORMATION;

25 (b) FILE A COMPLAINT WITH THE FEDERAL TRADE COMMISSION AND
26 THE STATE ATTORNEY GENERAL; AND

27 (c) FILE A CIVIL ACTION AGAINST THE CONSUMER REPORTING

1 AGENCY AND RECOVER:

2 (I) INJUNCTIVE RELIEF TO PREVENT OR RESTRAIN FURTHER
3 VIOLATIONS OF THE SECURITY FREEZE; AND

4 (II) A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED TEN
5 THOUSAND DOLLARS FOR EACH VIOLATION PLUS ANY DAMAGES AVAILABLE
6 UNDER OTHER CIVIL LAWS AND REASONABLE EXPENSES, COURT COSTS,
7 INVESTIGATIVE COSTS, AND ATTORNEY FEES.

8 (2) EACH VIOLATION OF A SECURITY FREEZE SHALL BE COUNTED AS
9 A SEPARATE INCIDENT FOR PURPOSES OF IMPOSING PENALTIES UNDER THIS
10 SECTION.

11 **SECTION 2.** Part 1 of article 14.3 of title 12, Colorado Revised
12 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
13 read:

14 **12-14.3-110. Providing consumer credit header.** (1) A
15 CONSUMER REPORTING AGENCY SHALL NOT FURNISH A CONSUMER'S
16 CREDIT HEADER INFORMATION TO A PERSON OR AGENCY UNLESS THE
17 PERSON OR AGENCY SEEKS TO OBTAIN THE CONSUMER'S CREDIT REPORT
18 FOR A PERMISSIBLE PURPOSE UNDER THE "FAIR CREDIT REPORTING ACT",
19 15 U.S.C. SEC. 1681 (b).

20 (2) FOR PURPOSES OF THIS SECTION, "CREDIT HEADER
21 INFORMATION" MEANS THE WRITTEN, ORAL, OR OTHER COMMUNICATION
22 OF INFORMATION BY A CONSUMER REPORTING AGENCY REGARDING THE
23 SOCIAL SECURITY NUMBER OF A CONSUMER, OR ANY DERIVATIVE THEREOF,
24 AND OTHER PERSONAL IDENTIFYING INFORMATION OF A CONSUMER THAT
25 IS DERIVED USING NONPUBLIC PERSONAL INFORMATION, EXCEPT THE
26 NAME, ADDRESS, AND TELEPHONE NUMBER OF A CONSUMER IF ALL ARE
27 LISTED IN A RESIDENTIAL TELEPHONE DIRECTORY AVAILABLE IN THE

1 LOCALITY OF THE CONSUMER.

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