

SENATE JOURNAL
Sixty-fifth General Assembly
STATE OF COLORADO
Second Regular Session

28th Legislative Day Tuesday, February 7, 2006

Prayer By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado.

Pledge By Senator Isgar.

Call to Order By the President at 9:00 a.m.

Roll Call Present--34.
Excused--1; Mitchell.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Spence, reading of the Journal of February 6, 2006 was dispensed with and the Journal was approved as corrected by the Secretary.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB06-180 by Senator(s) Isgar; also Representative(s) Green--Concerning the premium rates charged for coverage under CoverColorado.
Business, Labor and Technology

THIRD READING OF BILLS -- FINAL PASSAGE

On Third Reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB06-074 by Senator(s) Shaffer; also Representative(s) Berens--Concerning the enforcement of county code requirements pertaining to land use.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	N	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	N	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Tochtrop and Tupa.

SB06-014 by Senator(s) Taylor, Hanna; also Representative(s) White, Coleman, Schultheis, Vigil-- Concerning the regulation of entities subject to the real estate commission.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Entz and Williams.

HB06-1012 by Representative(s) Ragsdale; also Senator(s) Johnson--Concerning absentee ballots.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Kester and Teck.

SB06-051 by Senator(s) Tupa; also Representative(s) Weissmann--Concerning benefits that may be accepted by certain public officials, and, in connection therewith, prohibiting certain public officials from accepting monetary gifts.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	N	Mitchell	E	Tochtrop	Y
Brophy	N	Isgar	N	Owen	Y	Traylor	Y
Dyer	N	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	N	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	N	Tapia	Y	Windels	Y
Grossman	Y	May R.	N	Taylor	N	President	Y
Hagedorn	Y	McElhany	Y	Teck	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was declared **passed**.

Co-sponsors added: Bacon, Groff, Grossman, Shaffer and Windels.

On motion of Senator Gordon, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills -- Consent Calendar (SB06-021, SB06-083, HB06-1014, SB06-107) of February 7 was laid over until Wednesday, February 8, 2006, retaining its place on the calendar.

Committee of the Whole On motion of Senator Evans, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills and Senator Evans was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB06-039 by Senator(s) Tochtrop, Entz, Taylor, Williams; also Representative(s) McGihon, Berens, Cerbo, McCluskey, Ragsdale, Vigil--Concerning the partial entry into the fire and police pension association defined benefit system by members of money purchase plans where all future eligible employees are required to participate in the defined benefit system.

Laid over until Wednesday, February 8, retaining its place on the calendar.

SB06-094 by Senator(s) Spence; also Representative(s) Lindstrom--Concerning the regulation of motor carriers by the public utilities commission.

Ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB06-097 by Senator(s) Williams, Kester, Johnson, Evans, Shaffer; also Representative(s) Berens, Todd, Green, Decker, Sullivan--Concerning reports related to incidents at licensed long-term care facilities.

Amendment No. 1, Health and Human Services Committee Amendment.
(Printed in Senate Journal, February 3, page 126 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

SB06-127 by Senator(s) Sandoval; also Representative(s) Madden--Concerning the provision of fresh produce in public schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 3, pages 126-127 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for Third Reading and Final Passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Evans, the Report of the Committee of the Whole was adopted and, a majority of all members elected to the Senate having voted in the affirmative, the following action was taken:

Passed on Second Reading: SB06-094, SB06-097 as amended, SB06-127 as amended.
Laid over until Wednesday, February 8: SB06-039.

CONSIDERATION OF RESOLUTIONS

HJR06-1010 by Representative(s) Massey, Balmer, Benefield, Berens, Buescher, Carroll M., Curry, Gallegos, Gardner, Green, Kerr, Knoedler, Lindstrom, Liston, McKinley, Penry, Riesberg, Solano, Soper, Sullivan, Todd, Witwer; also Senator(s) Shaffer, Traylor--Concerning civility in the Colorado General Assembly.

On motion of Senator Shaffer, the resolution was read at length and **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	N	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

Co-sponsors added: Bacon, Entz, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Isgar, Keller, Sandoval, Takis, Tapia, Teck, Tochtrop, Tupa, Veiga, Williams and Windels.

SJR06-008 by Senator(s) Keller; also Representative(s) Boyd--Concerning recognizing the Colorado talking book library on its seventy-fifth anniversary.

Laid over until February 27, 2006, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Veiga, the following Governor's appointment was confirmed by a roll call vote:

**MEMBER OF THE
COLORADO RACING COMMISSION**

for a term expiring July 1, 2009:

David Lynn Hoffman of Westminster, Colorado, to serve as a Democrat from the Second Congressional District, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bacon	Y	Hanna	Y	Mitchell	E	Tochtrop	Y
Brophy	Y	Isgar	Y	Owen	Y	Traylor	Y
Dyer	Y	Johnson	Y	Sandoval	Y	Tupa	Y
Entz	Y	Jones	Y	Shaffer	Y	Veiga	Y
Evans	Y	Keller	Y	Spence	Y	Wiens	Y
Gordon	Y	Kester	Y	Takis	Y	Williams	Y
Groff	Y	Lamborn	Y	Tapia	Y	Windels	Y
Grossman	Y	May R.	Y	Taylor	Y	President	Y
Hagedorn	Y	McElhany	Y	Teck	Y		

COMMITTEE OF REFERENCE REPORTS

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB06-167** be referred to the Committee on State, Veterans, & Military Affairs with favorable recommendation.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB06-091** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute the following:

"**SECTION 1.** Article 13 of title 18, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

18-13-125. Telephone records - sale or purchase. (1) A

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PERSON COMMITS UNAUTHORIZED TRADING IN TELEPHONE RECORDS IF THE PERSON, WITHOUT LAWFUL AUTHORIZATION:

(a) KNOWINGLY PROCURES OR ATTEMPTS TO PROCURE A TELEPHONE RECORD;

(b) KNOWINGLY SELLS, BUYS, OFFERS TO SELL, OR OFFERS TO BUY A TELEPHONE RECORD;

(c) POSSESSES A TELEPHONE RECORD WITH THE INTENT TO USE SUCH RECORD, OR INFORMATION CONTAINED IN SUCH RECORD, TO HARM ANOTHER PERSON; OR

(d) RECEIVES A TELEPHONE RECORD OF A RESIDENT OF COLORADO KNOWING THAT SUCH RECORD WAS OBTAINED WITHOUT LAWFUL AUTHORIZATION OR BY FRAUD OR DECEPTION.

(2) FOR THE PURPOSES OF THIS SECTION:

(a) "LAWFUL AUTHORIZATION" MEANS AUTHORIZATION FROM THE PERSON TO WHOM THE TELEPHONE NUMBER IS ASSIGNED OR FROM THE PERSON WHO PURCHASES THE TELEPHONE SERVICE.

(b) "PROCURE" MEANS TO OBTAIN BY ANY MEANS, WITH OR WITHOUT CONSIDERATION.

(c) "TELEPHONE RECORD" MEANS INFORMATION RETAINED BY A TELECOMMUNICATIONS PROVIDER THAT RELATES TO THE NUMBER DIALED BY THE CUSTOMER OR SUBSCRIBER, TO THE NUMBER OF A PERSON WHO DIALED THE CUSTOMER, OR TO OTHER DATA THAT ARE TYPICALLY CONTAINED ON A CUSTOMER'S TELEPHONE BILL FOR EITHER WIRED OR WIRELESS TELEPHONE SERVICE, INCLUDING, WITHOUT LIMITATION, THE TIME A CALL WAS MADE, THE DURATION OF A CALL, OR THE CHARGES FOR A CALL.

(3) THIS SECTION SHALL NOT APPLY TO ACTS THAT VIOLATE SECTION 18-5-113.

(4) (a) THIS SECTION SHALL NOT PROHIBIT A PEACE OFFICER, A LAW ENFORCEMENT AGENCY, OR AN EMPLOYEE OR AGENT OF A LAW ENFORCEMENT AGENCY FROM OBTAINING TELEPHONE RECORDS IN THE PERFORMANCE OF THEIR DUTIES AS AUTHORIZED BY LAW.

(b) THIS SECTION SHALL NOT PROHIBIT A TELECOMMUNICATIONS PROVIDER FROM OBTAINING, USING, DISCLOSING, OR PERMITTING ACCESS TO A TELEPHONE RECORD WHEN SUCH ACCESS:

(I) IS OTHERWISE AUTHORIZED BY LAW;

(II) IS NECESSARY TO PROVIDE SERVICES OR TO PROTECT THE RIGHTS AND PROPERTY OF THE TELECOMMUNICATIONS PROVIDER;

(III) PROTECTS USERS OF THE SERVICE AND OTHER TELECOMMUNICATIONS PROVIDERS FROM FRAUDULENT, ABUSIVE, OR UNLAWFUL USE OF OR SUBSCRIPTION TO SUCH SERVICE;

(IV) IS MADE TO A GOVERNMENT ENTITY IF THE TELECOMMUNICATIONS PROVIDER REASONABLY BELIEVES THAT AN EMERGENCY INVOLVING IMMEDIATE DANGER OF SERIOUS PHYSICAL INJURY TO ANY PERSON JUSTIFIES DISCLOSURE OF THE INFORMATION;

(V) IS MADE TO THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN OR ITS SUCCESSOR ENTITY AND CONCERNS A REPORT SUBMITTED UNDER 42 U.S.C. SEC. 13032.

(c) THIS SECTION SHALL NOT BE CONSTRUED TO IMPLY THAT TELEPHONE RECORDS BELONG TO A PERSON OTHER THAN THE TELECOMMUNICATIONS PROVIDER THAT MAINTAINS THEM.

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(5) UNAUTHORIZED TRADING IN TELEPHONE RECORDS IS A CLASS 1 MISDEMEANOR.

(6) (a) ALL REAL AND PERSONAL PROPERTY USED OR INTENDED FOR USE IN THE COURSE OF, DERIVED FROM, OR REALIZED THROUGH A VIOLATION OF THIS ARTICLE THAT IS NOT OWNED BY OR OWED TO A VICTIM OF UNAUTHORIZED TRADING IN TELEPHONE RECORDS SHALL BE SUBJECT TO FORFEITURE TO THE STATE. A DISTRICT ATTORNEY OR THE ATTORNEY GENERAL MAY COMMENCE FORFEITURE PROCEEDINGS WITH REGARD TO SUCH PROPERTY IN ACCORDANCE WITH THIS SUBSECTION (6).

(b) IN AN ACTION BROUGHT UNDER THIS SECTION, THE DISTRICT COURT MAY ENTER SUCH INJUNCTIONS, PROHIBITIONS, OR RESTRAINING ORDERS, OR TAKE SUCH ACTIONS, INCLUDING THE ACCEPTANCE OF SATISFACTORY PERFORMANCE BONDS, IN CONNECTION WITH ANY PROPERTY OR OTHER INTEREST SUBJECT TO FORFEITURE UNDER THIS SUBSECTION (6), AS THE COURT MAY DEEM PROPER.

(c) UPON CONVICTION OF A PERSON UNDER THIS SECTION, THE DISTRICT COURT SHALL AUTHORIZE THE DISTRICT ATTORNEY OR THE ATTORNEY GENERAL TO SEIZE ALL PROPERTY OR OTHER INTEREST DECLARED SUBJECT TO FORFEITURE UNDER THIS SECTION UPON SUCH TERMS AND CONDITIONS AS THE COURT SHALL DEEM PROPER. THE STATE SHALL DISPOSE OF THE PROPERTY OR OTHER INTEREST SEIZED UNDER THIS SECTION AS SOON AS FEASIBLE, MAKING DUE PROVISION FOR THE RIGHTS OF INNOCENT PERSONS. IF A PROPERTY RIGHT OR OTHER INTEREST IS NOT EXERCISABLE OR TRANSFERABLE FOR VALUE BY THE STATE, IT SHALL EXPIRE AND SHALL NOT REVERT TO THE CONVICTED PERSON. THE DISPOSITION OF SEIZED PROPERTY SHALL BE AS FOLLOWS:

(I) PERSONAL PROPERTY THAT IS REQUIRED BY LAW TO BE DESTROYED, OR THE POSSESSION OF WHICH IS ILLEGAL, OR THAT, IN THE OPINION OF THE COURT, IS NOT PROPERLY THE SUBJECT OF A SALE MAY BE DESTROYED PURSUANT TO A WARRANT FOR THE DESTRUCTION OF PERSONAL PROPERTY, ISSUED BY THE DISTRICT COURT, DIRECTED TO THE SHERIFF, AND RETURNED BY THE SHERIFF UPON EXECUTION. THE DISTRICT COURT SHALL STAY THE EXECUTION OF A WARRANT DURING THE PERIOD IN WHICH THE PROPERTY IS USED AS EVIDENCE IN A PENDING CRIMINAL OR CIVIL PROCEEDING.

(II) PERSONAL PROPERTY SEIZED AND FORFEITED UNDER THIS SECTION SHALL BE SOLD BY THE SHERIFF IN THE MANNER PROVIDED FOR SALES ON EXECUTION. IN LIEU OF ORDERING THE SALE OF SUCH PROPERTY, THE COURT MAY, IF IT FINDS THAT THE PROPERTY CAN BE USED BY A LAW ENFORCEMENT AGENCY, ORDER IT DELIVERED TO A LAW ENFORCEMENT AGENCY FOR SUCH USE.

(III) THE DISTRICT COURT SHALL ENTER A PERMANENT ORDER OF ABATEMENT CONCERNING ANY REAL PROPERTY. THE ORDER OF ABATEMENT SHALL DIRECT THE SHERIFF TO SELL ANY BUILDING AND THE LAND UPON WHICH IT IS FIXED, TO THE EXTENT OF THE INTEREST, DIRECT OR INDIRECT, OWNED BY A PERSON CONVICTED UNDER THIS SECTION. THE SALE SHALL BE PUBLIC AND SHALL COMPLY WITH THE LAW GOVERNING THE SALE OF PROPERTY UPON EXECUTION.

(d) THE PROCEEDS REALIZED FROM THE FORFEITURE PROCEEDINGS CONDUCTED PURSUANT TO THIS SUBSECTION (6) SHALL BE APPLIED AS FOLLOWS:

(I) TO THE FEES AND COSTS OF SALE;

(II) TO THE COSTS AND EXPENSES OF INVESTIGATION AND PROSECUTION;

(III) TO THE GENERAL FUND OF THE STATE.

SECTION 2. Part 1 of article 21 of title 13, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

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13-21-122.5. Civil liability for trading in telephone records.

(1) IN ADDITION TO ANY OTHER REMEDIES PROVIDED UNDER THIS ARTICLE, A PERSON WHO SUFFERS DAMAGES AS A RESULT OF A VIOLATION OF SECTION 18-13-125, C.R.S., SHALL HAVE A PRIVATE CIVIL RIGHT OF ACTION AGAINST THE PERPETRATOR WHO COMMITTED THE CRIME, REGARDLESS OF WHETHER THE PERPETRATOR WAS CONVICTED OF THE CRIME. IN SUCH ACTION, THE PLAINTIFF SHALL BE ENTITLED TO ACTUAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, DAMAGE TO REPUTATION OR CREDIT RATING, PUNITIVE DAMAGES, AND ATTORNEY FEES AND COSTS. IF SUCH DAMAGES ARE LESS THAN FIVE THOUSAND DOLLARS PER TELEPHONE RECORD, THE PLAINTIFF SHALL BE ENTITLED TO STATUTORY DAMAGES OF FIVE THOUSAND DOLLARS PER TELEPHONE RECORD PROCURED, BOUGHT, SOLD, POSSESSED, OR RECEIVED IN VIOLATION OF SECTION 18-13-125, C.R.S.

(2) IF A TELECOMMUNICATIONS CARRIER ESTABLISHES REASONABLE PROTECTIONS AND PROCEDURES AGAINST A THIRD PARTY GAINING ACCESS TO ITS RECORDS AND HAS NOT NEGLIGENTLY ALLOWED ACCESS TO ITS RECORDS, THE CARRIER SHALL NOT BE LIABLE FOR DAMAGES IN A CLAIM BASED, IN WHOLE OR IN PART, ON ACTS OF THIRD PARTIES THAT VIOLATE SECTION 18-13-125, C.R.S.

SECTION 3. Effective date - applicability. This act shall take effect July 1, 2006, and shall apply to offenses committed on or after said date.

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

Judiciary

After consideration on the merits, the Committee recommends that **SB06-108** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 20, strike "BY THE JUVENILE FACILITY IN WHICH THE";

line 21, strike "JUVENILE HAS BEEN PLACED OR";

line 22, strike "PAROLE; AND" and substitute "PAROLE, WHICH SHALL TAKE INTO CONSIDERATION THE RESULTS OF AN OBJECTIVE RISK ASSESSMENT CONDUCTED BY THE DEPARTMENT OF HUMAN SERVICES AND SHALL BE BASED UPON RESEARCHED FACTORS THAT HAVE BEEN DEMONSTRATED TO BE CORRELATIVE TO RISK TO THE COMMUNITY; AND";

line 26, after "CITIZENSHIP.", add "IF THE JUVENILE'S PLAN OF ACTION INCLUDES AN INTENT TO ENLIST IN MILITARY SERVICE, THE PLAN SHALL SPECIFY THE INTERIM STEPS THAT THE JUVENILE WILL TAKE PRIOR TO ENTERING MILITARY SERVICE."

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB06-109** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute the following:

SECTION 1. Part 6 of article 4 of title 10, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

10-4-616.5. Statistics on effect of credit scoring - report to public - repeal. (1) THE COMMISSIONER OF INSURANCE SHALL COLLECT DATA FROM PROPERTY AND CASUALTY INSURERS TO DETERMINE WHETHER THERE EXISTS A CORRELATION BETWEEN THE CREDIT SCORING RESULTS OF

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POLICYHOLDERS AND RISK. IN COLLECTING SUCH INFORMATION, THE COMMISSIONER SHALL PRESERVE THE ANONYMITY OF INSURERS AND POLICYHOLDERS. THE COMMISSIONER SHALL MAKE AVAILABLE TO THE PUBLIC THE RESULTS OF THE DATA COLLECTED UNDER THIS SECTION AND THE CONCLUSIONS DRAWN THEREFROM AS SOON AS PRACTICABLE, BUT NO LATER THAN MARCH 31, 2007.

(2) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2008.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 10, 2005, if adjournment sine die is on May 11, 2005); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor."

Page 1, line 102, strike "PURPOSES." and substitute "PURPOSES, AND, IN CONNECTION THEREWITH, REQUIRING THE COMMISSIONER OF INSURANCE TO COLLECT AND MAKE AVAILABLE TO THE PUBLIC DATA THAT WOULD SUPPORT SUCH A PROHIBITION."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB06-126** be referred to the Committee of the Whole with favorable recommendation, and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Printed: SB06-174, 175, 176, 177, 178, and 179; SJR06-008.
Correctly Engrossed: SB06-014, 051, and 074; SJR06-007.
Correctly Reengrossed: SB06-005, 032, 041, 053, 056, 062, 070, 084, 095, and 113.
Correctly Revised: HB06-1012.

On motion of Senator Gordon, the Senate adjourned until 9:00 a.m., Wednesday, February 8, 2006.

Approved:

Joan Fitz-Gerald
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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