

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 21-0018.01 Brita Darling x2241

**HOUSE BILL 21-1015**

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**HOUSE SPONSORSHIP**

**Carver and Tipper,**

**SENATE SPONSORSHIP**

**Lundeen and Ginal,**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING SECURITY PROTECTIONS FOR CERTAIN CRIMINAL**  
102     **JUSTICE SYSTEM PERSONNEL.**

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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://leg.colorado.gov>.)*

Under current law, it is unlawful for a person to make available on the internet the personal information of a law enforcement official, as defined in statute, or a human services worker, as defined in statute, if the dissemination of the personal information poses an imminent and serious threat to the official's or the worker's safety or to the safety of the official's or the worker's immediate family. The bill extends the crime to

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

include certain employees and contractors of the department of corrections who have contact with persons in the custody of the department of corrections.

In addition, under current law, human services workers who meet certain requirements specified in statute may submit a written request to a state or local government official to remove personal information from public records that are available on the internet. The bill extends the same protection to law enforcement officials and to certain employees and contractors of the department of corrections.

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

2           **SECTION 1.** In Colorado Revised Statutes, 18-9-313, **amend** (1)  
3     introductory portion, (1)(b), (1)(e), (2.7), (2.8), and (3); **repeal** (1)(c) and  
4     (2); and **add** (1)(b.5), (1)(d.5), (1)(e.5), (1)(f), (1)(f.6), and (1)(g) as  
5     follows:

6           **18-9-313. Personal information on the internet - [redacted] victims of**  
7     **domestic violence, sexual assault, and stalking - protected persons -**  
8     **definitions.** (1) As used in this section, UNLESS THE CONTEXT OTHERWISE  
9     REQUIRES:

10           (b) "Immediate family" means a ~~law enforcement official's or~~  
11     ~~human services worker's~~ PROTECTED PERSON'S spouse, child, or parent or  
12     any other blood relative who lives in the same residence as the ~~law~~  
13     ~~enforcement official or human services worker~~ PROTECTED PERSON.

14           (b.5) "JUDGE" HAS THE SAME MEANING AS DEFINED BY SECTION  
15     18-8-615 (3).

16           (c) "Law enforcement official" means a peace officer as described  
17     in section 16-2.5-101, a judge as defined by section 18-8-615 (3), or a  
18     prosecutor, as defined in section 18-8-616 (3).

19           (d.5) "PEACE OFFICER" HAS THE SAME MEANING AS DESCRIBED IN  
20     SECTION 16-2.5-101.

11 (e.5) "PROSECUTOR" HAS THE SAME MEANING AS DEFINED IN  
12 SECTION 18-8-616 (3).

(f) "PROTECTED PERSON" MEANS A HUMAN SERVICES WORKER, A JUDGE, A PEACE OFFICER, A PROSECUTOR, A PUBLIC DEFENDER, OR A PUBLIC SAFETY WORKER.

16 (f.6) "PUBLIC DEFENDER" MEANS AN ATTORNEY EMPLOYED BY THE  
17 OFFICE OF THE STATE PUBLIC DEFENDER CREATED IN SECTION 21-1-101, OR  
18 AN ATTORNEY EMPLOYED BY THE OFFICE OF ALTERNATE DEFENSE  
19 COUNSEL CREATED IN SECTION 21-2-101.

20 (g) "PUBLIC SAFETY WORKER" MEANS AN EMPLOYEE,  
21 CONTRACTOR, OR AN EMPLOYEE OF A CONTRACTOR OF THE DEPARTMENT  
22 OF CORRECTIONS WHO HAS CONTACT WITH PERSONS IN THE CUSTODY OF  
23 THE DEPARTMENT OF CORRECTIONS OR WITH THE FAMILY OR ASSOCIATES  
24 OF SUCH PERSONS.

25 (2) It is unlawful for a person to knowingly make available on the  
26 internet personal information about a law enforcement official or the  
27 official's immediate family member, if the dissemination of the personal

1 information poses an imminent and serious threat to the law enforcement  
2 official's safety or the safety of the law enforcement official's immediate  
3 family and the person making the information available on the internet  
4 knows or reasonably should know of the imminent and serious threat.

5 (2.7) It is unlawful for a person to knowingly make available on  
6 the internet personal information about a ~~human services worker~~ PROTECTED PERSON  
7 or the ~~human services worker's~~ PROTECTED PERSON'S immediate family if the dissemination of personal information poses an  
8 imminent and serious threat to the ~~human services worker's~~ PROTECTED PERSON'S safety or the safety of the ~~human services worker's~~ PROTECTED  
9 PERSON'S immediate family and the person making the information available on the internet knows or reasonably should know of the  
10 imminent and serious threat.

11 (2.8) (a) A ~~human services worker~~ PROTECTED PERSON may  
12 submit a written request pursuant to subsection (2.8)(b) of this section to  
13 a state or local government official to remove personal information from  
14 records that are available on the internet. If a state or local government  
15 official receives ~~such~~ THE written request, then the state or local government  
16 official shall not knowingly make available on the internet  
17 personal information about the ~~human services worker~~ PROTECTED PERSON or the ~~human services worker's~~ PROTECTED PERSON'S  
18 immediate family.

19 (b) A ~~human services worker's~~ PROTECTED PERSON'S written  
20 request to a state or local government official to remove records that the  
21 official makes available on the internet must include:

22 (I) Evidence that the person submitting the request is a ~~human~~  
23 ~~services worker~~ PROTECTED PERSON, as defined in subsection (1) of

1 this section; and

2 (II) An affirmation stating under penalty of perjury that the person  
3 SUBMITTING THE REQUEST has reason to believe that the dissemination of  
4 the personal information contained in the records that the official makes  
5 available on the internet poses an imminent and serious threat to the  
6 ~~human services worker's~~ PERSON'S safety or the safety of the ~~human~~  
7 ~~services worker's~~ PERSON'S immediate family.

8 (3) A violation of ~~subsections (2) and~~ SUBSECTION (2.7) of this  
9 section is a class 1 misdemeanor.

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