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HOUSE BILL 09-1316

BY REPRESENTATIVE(S) Solano, King S., Acree, Baumgardner, Benefield, Frangas, Gardner B., Kerr J., Labuda, Primavera, Scanlan, Schafer S., Todd, Vigil, Carroll T.;
also SENATOR(S) Shaffer B., Heath, Kester, King K., Kopp, Morse, Newell, Penry, Tochtrop, Williams.

CONCERNING PUBLIC DISSEMINATION OF PERSONAL INFORMATION OF A
PERSON WORKING IN THE CRIMINAL JUSTICE SYSTEM.

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

SECTION 1. 18-9-313 (1) and (2), Colorado Revised Statutes, are amended to read:

18-9-313. Personal information on the internet - law enforcement official. (1) As used in this section:

(a) "Immediate family" means a ~~peace officer's~~ LAW ENFORCEMENT OFFICIAL'S spouse, child, or parent or any other blood relative who lives in the same residence as the ~~peace officer~~ LAW ENFORCEMENT OFFICIAL.

(a.5) "LAW ENFORCEMENT OFFICIAL" MEANS A PEACE OFFICER AS DESCRIBED IN SECTION 16-2.5-101, C.R.S., A JUDGE AS DEFINED BY SECTION

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

18-8-615, (3), OR A PROSECUTOR.

(b) "Personal information" means a ~~peace officer's~~ LAW ENFORCEMENT OFFICIAL'S home address, home telephone number, PERSONAL MOBILE TELEPHONE NUMBER, pager number, PERSONAL E-MAIL ADDRESS, personal photograph, directions to the ~~peace officer's~~ LAW ENFORCEMENT OFFICIAL'S home, or photographs of the ~~peace officer's~~ LAW ENFORCEMENT OFFICIAL'S OR THE OFFICIAL'S IMMEDIATE FAMILY MEMBER'S home or vehicle.

(2) It is unlawful for a person TO knowingly ~~to~~ make available on the internet personal information about a ~~peace officer as described in section 16-2.5-101, C.R.S.,~~ LAW ENFORCEMENT OFFICIAL OR THE OFFICIAL'S IMMEDIATE FAMILY MEMBER, if the dissemination of the personal information poses an imminent and serious threat to the ~~peace officer's~~ LAW ENFORCEMENT OFFICIAL'S safety or the safety of the ~~peace officer's~~ LAW ENFORCEMENT OFFICIAL'S immediate family and the person making the information available on the internet knows or reasonably should know of the imminent and serious threat.

SECTION 2. 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.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO