

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Feret

1 Amend printed bill, page 3, after line 1 insert:

2 "(5) "PERSONNEL FILES" HAS THE SAME MEANING AS SET FORTH IN
3 SECTION 24-72-202."

4 Renumber succeeding section accordingly.

5 Page 3, after line 3 insert:

6 "(7) "WORK PRODUCT" HAS THE SAME MEANING AS SET FORTH IN
7 SECTION 24-72-202."

8 Page 9, after line 15 insert:

9 "(b) (I) NOTWITHSTANDING SUBSECTION (2)(a)(I) OF THIS SECTION
10 TO THE CONTRARY, THE OMBUDSMAN SHALL NOT HAVE ACCESS TO:

11 (A) PERSONNEL FILES;

12 (B) WORK PRODUCT;

13 (C) INFORMATION, DOCUMENTS, OR RECORDS THAT MAY BE
14 PROTECTED BY AN AGENCY'S OR ENTITY'S ATTORNEY-CLIENT PRIVILEGE;
15 OR

16 (D) INFORMATION, DOCUMENTS, OR RECORDS THAT MAY BE
17 PROTECTED BY AN AGENCY'S DELIBERATIVE PROCESS PRIVILEGE.

18 (II) IF AN AGENCY OR ENTITY WITHHOLDS INFORMATION,
19 DOCUMENTS, OR RECORDS DESCRIBED IN SUBSECTION (2)(b)(I) OF THIS
20 SECTION FROM THE OMBUDSMAN, THE AGENCY OR ENTITY SHALL
21 COMMUNICATE TO THE OMBUDSMAN THAT THE INFORMATION,
22 DOCUMENTS, OR RECORDS WERE WITHHELD AND THE REASONS FOR
23 WITHHOLDING THE INFORMATION, DOCUMENTS, OR RECORDS."

24 Reletter succeeding paragraph accordingly.

25 Page 12, line 16, after "(a)" insert "(I)".

26 Page 12, after line 26 insert:

27 "(II) THE OMBUDSMAN SHALL NOT HAVE ACCESS TO INFORMATION,
28 DOCUMENTS, OR RECORDS DESCRIBED IN SECTION 19-3.3-103 (2)(b)(I)."

29 Page 12, line 27, after "(b)" insert "(I)".

30 Page 13, after line 10 insert:

31 "(II) THE OMBUDSMAN SHALL NOT HAVE ACCESS TO INFORMATION,
32 DOCUMENTS, OR RECORDS DESCRIBED IN SECTION 19-3.3-103 (2)(b)(I)."

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