

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

June 2, 2021

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB21-190 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 8, after line 27 insert:

2 "(22) "PSEUDONYMOUS DATA" MEANS PERSONAL DATA THAT CAN
3 NO LONGER BE ATTRIBUTED TO A SPECIFIC INDIVIDUAL WITHOUT THE USE
4 OF ADDITIONAL INFORMATION IF THE ADDITIONAL INFORMATION IS KEPT
5 SEPARATELY AND IS SUBJECT TO TECHNICAL AND ORGANIZATIONAL
6 MEASURES TO ENSURE THAT THE PERSONAL DATA ARE NOT ATTRIBUTED
7 TO A SPECIFIC INDIVIDUAL."

8 Renumber succeeding subsections accordingly.

9 Page 13, line 27, strike "LAW;" and substitute "LAW, INCLUDING
10 IMPLEMENTING RULES, REGULATIONS, OR EXEMPTIONS;"

11 Page 14, after line 19 insert:

12 "(o) DATA MAINTAINED BY THE STATE, THE JUDICIAL DEPARTMENT
13 OF THE STATE, OR A COUNTY, CITY AND COUNTY, OR MUNICIPALITY IF THE
14 DATA IS COLLECTED, MAINTAINED, DISCLOSED, COMMUNICATED, AND
15 USED AS AUTHORIZED BY STATE AND FEDERAL LAW FOR NONCOMMERCIAL
16 PURPOSES. THIS SUBSECTION (2)(o) DOES NOT EFFECT ANY OTHER
17 EXEMPTION AVAILABLE UNDER THIS PART 13."

18 Reletter succeeding paragraphs accordingly.

- 1 Page 15, line 12, after "DEFEND" insert "ACTUAL OR ANTICIPATED".
- 2 Page 15, line 22, strike "CONSUMER," and substitute "CONSUMER OR THE
3 PARENT OR GUARDIAN OF A CHILD,".
- 4 Page 21, line 25, strike "DATA," and substitute "DATA FOR ONE OR MORE
5 OF THE PURPOSES SPECIFIED IN SUBSECTION (1)(a)(I) OF THIS SECTION,".
- 6 Page 22, line 25, strike "JANUARY" and substitute "JULY".
- 7 Page 22, line 26, strike "JANUARY" and substitute "JULY".
- 8 Page 27, after line 18 insert:
- 9 "(3) THE RIGHTS CONTAINED IN SECTION 6-1-1306 (1)(b) TO (1)(e)
10 DO NOT APPLY TO PSEUDONYMOUS DATA IF THE CONTROLLER CAN
11 DEMONSTRATE THAT THE INFORMATION NECESSARY TO IDENTIFY THE
12 CONSUMER IS KEPT SEPARATELY AND IS SUBJECT TO EFFECTIVE TECHNICAL
13 AND ORGANIZATIONAL CONTROLS THAT PREVENT THE CONTROLLER FROM
14 ACCESSING THE INFORMATION.".
- 15 Page 28, lines 24 and 25, strike "THE CONSUMER HAS EXERCISED THE
16 RIGHT TO OPT OUT PURSUANT TO THIS PART 13 OR".
- 17 Page 32, after line 15 insert:
- 18 "(b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE
19 1, NOTHING IN THIS PART 13 SHALL BE CONSTRUED AS PROVIDING THE
20 BASIS FOR, OR BEING SUBJECT TO, A PRIVATE RIGHT OF ACTION FOR
21 VIOLATIONS OF THIS PART 13 OR ANY OTHER LAW.".
- 22 Reletter succeeding paragraphs accordingly.
- 23 Page 32, line 25, strike "(1)(c)" and substitute "(1)(d)".
- 24 Page 33, line 10, strike "DECEMBER 31," and substitute "JULY 1," and
25 strike "MAY" and substitute "SHALL".
- 26 Page 33, line 17, strike "SHALL" and substitute "MAY".
- 27 Page 34, line 27, strike "(1)(b)." and substitute "(1)(c).".



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