

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 10, 2023  
Date

Committee on State, Civic, Military, & Veterans Affairs.

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

SB23-053 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 8, after line 20 insert:

2           "(4) A NONDISCLOSURE AGREEMENT MAY NOT PROHIBIT THE  
3 RELEASE OF INFORMATION REQUIRED TO BE RELEASED UNDER THE  
4 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24."

5 Renumber succeeding subsection accordingly.

6 Page 10, after line 6 insert:

7           "(VII) INFORMATION AND MATTERS RELATED TO STATE ACTIVE  
8 DUTY ORDERS OF NATIONAL GUARD SOLDIERS AND AIRMEN AND  
9 PERSONNEL DISPUTES SUBJECT TO THE JURISDICTION OF THE UNITED  
10 STATES DEPARTMENT OF DEFENSE;"

11 Renumber succeeding subparagraphs accordingly.

12 Page 11, after line 18 insert:

13           "(VII) INFORMATION AND MATTERS RELATED TO STATE ACTIVE  
14 DUTY ORDERS OF NATIONAL GUARD SOLDIERS AND AIRMEN AND  
15 PERSONNEL DISPUTES SUBJECT TO THE JURISDICTION OF THE UNITED  
16 STATES DEPARTMENT OF DEFENSE;"

17 Renumber succeeding subparagraphs accordingly.

18 Page 12, after line 26 insert:

1           "(4) A NONDISCLOSURE AGREEMENT MUST STATE THAT STATE  
2 EMPLOYEES ARE PROTECTED FROM RETALIATION FOR DISCLOSURE OF  
3 INFORMATION ABOUT STATE AGENCIES THAT ARE WORKING OUTSIDE THE  
4 PUBLIC INTEREST IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 50.5  
5 OF TITLE 24.

6           (5) A NONDISCLOSURE AGREEMENT MAY NOT PROHIBIT THE  
7 RELEASE OF INFORMATION REQUIRED TO BE RELEASED UNDER THE  
8 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24."

9           Renumber succeeding subsection accordingly.

10          Page 15, line 1, after "OR" insert "CRIMINAL".

11          Page 16, line 16, after "OR" insert "CRIMINAL".

12          Page 17, after line 15 insert:

13               "(4) A NONDISCLOSURE AGREEMENT MAY NOT PROHIBIT THE  
14 RELEASE OF INFORMATION REQUIRED TO BE RELEASED UNDER THE  
15 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24."

16          Renumber succeeding subsection accordingly.

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