

**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. 21-0513.01 Pierce Lively x2059

HOUSE BILL 21-1111

HOUSE SPONSORSHIP

McKean, Amabile, Bernett, Bird, Carver, Duran, Gonzales-Gutierrez, Gray, Hooton, McCluskie, McCormick, Mullica, Pelton, Pico, Ricks, Roberts, Snyder, Titone, Valdez A., Valdez D., Van Beber, Van Winkle

SENATE SPONSORSHIP

Bridges and Gonzales,

House Committees

State, Civic, Military, & Veterans Affairs
Finance

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE POSSESSION OF CERTAIN PERSONAL INFORMATION**
102 **BY GOVERNMENTAL ENTITIES.**

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>.)

The bill requires a governmental entity that maintains, owns, or licenses computerized data that includes certain personal information about any Colorado residents, or a governmental entity that uses a third-party service provider to maintain computerized data that includes certain personal information, to give notice to those Colorado residents every 90 days.

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.*

HOUSE
3rd Reading Unamended
May 28, 2021

HOUSE
Amended 2nd Reading
May 27, 2021

The notice must give Colorado residents the option to either assent to the governmental entity possessing the Colorado resident's personal information or request that the governmental entity dispose of any paper or electronic documents containing the Colorado resident's personal identifying information.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 24-37.5-118** as
3 follows:

4 **24-37.5-118. Study of personally identifiable information -**
5 **authority of chief information officer - report to joint technology**
6 **committee - definitions - repeal.** (1) THE CHIEF INFORMATION OFFICER
7 SHALL CONVENE AN ADVISORY GROUP TO STUDY WHERE PERSONALLY
8 IDENTIFIABLE INFORMATION IS STORED BY STATE AGENCIES THROUGHOUT
9 COLORADO, TO STUDY ENTITIES THAT HAVE ACCESS TO PERSONALLY
10 IDENTIFIABLE INFORMATION STORED BY STATE AGENCIES, AND TO
11 DETERMINE THE COSTS AND PROCESSES NECESSARY TO CENTRALIZE THE
12 STORAGE AND PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.

13 (2) THE ADVISORY GROUP CONSISTS OF:

14 (a) THE MEMBERS OF THE GOVERNMENT DATA ADVISORY BOARD
15 CREATED IN SECTION 24-37.5-703;

16 (b) ONE MEMBER WHO REPRESENTS THE ATTORNEY GENERAL'S
17 OFFICE, APPOINTED BY THE ATTORNEY GENERAL; AND

18 (c) ANY NUMBER OF MEMBERS WHO ARE PERSONALLY
19 IDENTIFIABLE INFORMATION EXPERTS SELECTED AND APPOINTED BY THE
20 CHIEF INFORMATION OFFICER.

21 (3) ON OR BEFORE JANUARY 1, 2023, THE ADVISORY GROUP SHALL
22 COMPLETE ITS WORK AND PRESENT TO THE JOINT TECHNOLOGY
23 COMMITTEE A SUMMARY OF THE ADVISORY GROUP'S FINDINGS, INCLUDING,

1 IF APPROPRIATE, PROPOSALS FOR LEGISLATION.

2 (4) AS USED IN THIS SECTION:

3 (a) "PERSONALLY IDENTIFIABLE INFORMATION" MEANS
4 INFORMATION THAT MAY BE USED, ALONG OR IN CONJUNCTION WITH ANY
5 OTHER INFORMATION, TO IDENTIFY A SPECIFIC INDIVIDUAL, INCLUDING BUT
6 NOT LIMITED TO A NAME; A DATE OF BIRTH; A PLACE OF BIRTH; A SOCIAL
7 SECURITY NUMBER OR TAX IDENTIFICATION NUMBER; A PASSWORD OR
8 PASS CODE; AN OFFICIAL GOVERNMENT-ISSUED DRIVER'S LICENSE OR
9 IDENTIFICATION CARD NUMBER; INFORMATION CONTAINED IN AN
10 EMPLOYMENT AUTHORIZATION DOCUMENT; INFORMATION CONTAINED IN
11 A PERMANENT RESIDENT CARD; VEHICLE REGISTRATION INFORMATION; A
12 LICENSE PLATE NUMBER; A PHOTOGRAPH, ELECTRONICALLY STORED
13 PHOTOGRAPH, OR DIGITIZED IMAGE; A FINGERPRINT; A RECORD OF A
14 PHYSICAL FEATURE, A PHYSICAL CHARACTERISTIC, A BEHAVIORAL
15 CHARACTERISTIC, OR HANDWRITING; A GOVERNMENT PASSPORT NUMBER;
16 A HEALTH INSURANCE IDENTIFICATION NUMBER; AN EMPLOYER, STUDENT,
17 OR MILITARY IDENTIFICATION NUMBER; A FINANCIAL TRANSACTION
18 DEVICE; A SCHOOL OR EDUCATIONAL INSTITUTION ATTENDED; A SOURCE
19 OF INCOME; MEDICAL INFORMATION; BIOMETRIC DATA; FINANCIAL AND
20 TAX RECORDS; HOME OR WORK ADDRESSES OR OTHER CONTACT
21 INFORMATION; FAMILY OR EMERGENCY CONTACT INFORMATION; STATUS
22 AS A RECIPIENT OF PUBLIC ASSISTANCE OR AS A CRIME VICTIM; RACE;
23 ETHNICITY; NATIONAL ORIGIN; IMMIGRATION OR CITIZENSHIP STATUS;
24 SEXUAL ORIENTATION; GENDER IDENTITY; PHYSICAL DISABILITY;
25 INTELLECTUAL AND DEVELOPMENTAL DISABILITY; OR RELIGION.

26 (b) "STATE AGENCY" MEANS ANY DEPARTMENT, COMMISSION,
27 COUNCIL, BOARD, BUREAU, COMMITTEE, INSTITUTION OF HIGHER

1 EDUCATION, AGENCY, OR OTHER GOVERNMENTAL UNIT OF THE EXECUTIVE,
2 JUDICIAL, OR LEGISLATIVE BRANCH OF STATE GOVERNMENT.

3 (5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2024.

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within such period, then the act, item, section, or part will not take
10 effect unless approved by the people at the general election to be held in
11 November 2022 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.