

CHAPTER 153

HEALTH AND ENVIRONMENT

HOUSE BILL 21-1107

BY REPRESENTATIVE(S) Caraveo and Carver, Bacon, Bernett, Bird, Cutter, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jodeh, Kennedy, Kipp, Lontine, Lynch, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Pico, Ricks, Roberts, Sirota, Snyder, Tipper, Titone, Valdez A., Valdez D., Weissman, Woodrow, Young, Garnett; also SENATOR(S) Bridges and Lundeen, Buckner, Cooke, Danielson, Fenberg, Gardner, Ginal, Jaquez Lewis, Kolker, Lee, Liston, Moreno, Pettersen, Story, Winter, Garcia.

AN ACT**CONCERNING PROTECTIONS FOR CERTAIN PUBLIC HEALTH WORKERS.**

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

SECTION 1. In Colorado Revised Statutes, 18-9-313, **amend** (1) introductory portion, (1)(b), (1)(e), (2.7), and (2.8); and **add** (1)(f) and (1)(g) as follows:

18-9-313. Personal information on the internet - law enforcement official - victims of domestic violence, sexual assault, and stalking - other protected persons - definitions. (1) As used in this section, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(b) "Immediate family" means a law enforcement official's or ~~human services worker's~~ PROTECTED PERSON'S spouse, child, or parent or any other blood relative who lives in the same residence as the law enforcement official or ~~human services worker~~ PROTECTED PERSON.

(e) "Personal information" means the home address, home telephone number, personal mobile telephone number, pager number, personal e-mail address, or a personal photograph of a law enforcement official, participant in the address confidentiality program, or ~~human services worker~~ PROTECTED PERSON; directions to the home of a law enforcement official, participant in the address confidentiality program, or ~~human services worker~~ PROTECTED PERSON; or photographs of the home or vehicle of a law enforcement official, participant in the address confidentiality program, or ~~human services worker~~ PROTECTED PERSON.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(f) "PROTECTED PERSON" MEANS A HUMAN SERVICES WORKER OR A PUBLIC HEALTH WORKER.

(g) "PUBLIC HEALTH WORKER" MEANS:

(I) AN EMPLOYEE, CONTRACTOR, OR EMPLOYEE OF A CONTRACTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, CREATED IN SECTION 25-1-102, WHO IS ENGAGED IN PUBLIC HEALTH DUTIES, AS DESCRIBED IN SECTION 25-1.5-101;

(II) AN EMPLOYEE, CONTRACTOR, OR EMPLOYEE OF A CONTRACTOR OF A COUNTY OR DISTRICT PUBLIC HEALTH AGENCY, AS DEFINED IN SECTION 25-1-502, WHO IS ENGAGED IN PUBLIC HEALTH DUTIES, AS DESCRIBED IN SECTION 25-1-506; OR

(III) A MEMBER OF A COUNTY OR DISTRICT BOARD OF HEALTH, OTHER THAN AN ELECTED COUNTY COMMISSIONER.

(2.7) It is unlawful for a person to knowingly make available on the internet personal information about a ~~human services worker~~ PROTECTED PERSON or the ~~human services worker's~~ PROTECTED PERSON'S immediate family if the dissemination of personal information poses an imminent and serious threat to the ~~human services worker's~~ PROTECTED PERSON'S safety or the safety of the ~~human services worker's~~ PROTECTED PERSON'S immediate family and the person making the information available on the internet knows or reasonably should know of the imminent and serious threat.

(2.8) (a) A ~~human services worker~~ PROTECTED PERSON may submit a written request pursuant to subsection (2.8)(b) of this section to a state or local government official to remove personal information from records that are available on the internet. If a state or local government official receives ~~such~~ THE written request, then the state or local government official shall not knowingly make available on the internet personal information about the ~~human services worker~~ PROTECTED PERSON or the ~~human services worker's~~ PROTECTED PERSON'S immediate family.

(b) A ~~human services worker's~~ PROTECTED PERSON'S written request to a state or local government official to remove records that the official makes available on the internet must include:

(I) Evidence that the person submitting the request is a ~~human services worker~~ PROTECTED PERSON, as defined in subsection (1) of this section; and

(II) An affirmation stating under penalty of perjury that the person SUBMITTING THE REQUEST has reason to believe that the dissemination of the personal information contained in the records that the official makes available on the internet poses an imminent and serious threat to the ~~human services worker's~~ PERSON'S safety or the safety of the ~~human services worker's~~ PERSON'S immediate family.

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, or safety.

Approved: May 18, 2021