

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0156.01 Sarah Lozano x3858

SENATE BILL 25-038

SENATE SPONSORSHIP

Roberts, Bridges, Marchman, Pelton B., Simpson

HOUSE SPONSORSHIP

McCluskie, Martinez, McCormick

Senate Committees

Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTION OF THE PERSONAL INFORMATION OF**
102 **PERSONS IMPACTED BY WILDLIFE DAMAGE.**

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/>.)

Water Resources and Agriculture Review Committee. Under current law, a person may file a claim with the division of parks and wildlife (division) for compensation for damages to property caused by wildlife, and the division must review and investigate that claim (claim procedures). The bill changes current law by requiring that the personal information of a claimant received by the division through the claim

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

procedures and proactive nonlethal measures is kept confidential and not disclosed pursuant to the "Colorado Open Records Act".

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Proposition 114, the ballot measure enacted in 2020 that
5 authorized the process to introduce gray wolves in Colorado, explicitly
6 required the state to fairly compensate owners for losses of livestock
7 caused by gray wolves in addition to losses of livestock caused by other
8 wildlife;

9 (b) To fulfill this obligation, the general assembly passed and the
10 governor signed into law Senate Bill 23-255, enacted in 2023, which,
11 along with funding sources that exist for damages resulting from other
12 types of wildlife, created a dedicated compensation fund to compensate
13 owners for depredation of livestock and working animals by gray wolves;

14 (c) Now that gray wolves have been released and are present in
15 Colorado, along with depredation by other wildlife, livestock and
16 working animals have been killed by wolves, entitling ranchers to
17 compensation for the losses; and

18 (d) However, ranchers in the state have been reluctant to
19 participate in site assessments and file claims for compensation due to the
20 fear of their personal information being made public through open
21 records requests brought by individuals and organizations with the intent
22 of:

23 (I) Traveling to the rancher's home or business to view gray
24 wolves and other wildlife;

25 (II) Contacting the rancher directly; or

1 (III) Using the rancher's personal information to conduct other
2 invasions of the rancher's privacy.

3 (2) The general assembly therefore declares that:

4 (a) It is the intent of the state through the enactment of Proposition
5 114 and Senate Bill 23-255 to prevent future depredations and fairly
6 compensate ranchers for their losses; and

7 (b) By protecting the personal information of compensation
8 claimants, more ranchers will be comfortable submitting depredation
9 claims to the division of parks and wildlife and participating in proactive
10 nonlethal measures, and the intent of Proposition 114 and Senate Bill
11 23-255 will be better fulfilled.

12 **SECTION 2.** In Colorado Revised Statutes, **add** 33-3-110.5 as
13 follows:

14 **33-3-110.5. Confidentiality of personal information -**
15 **definition.** (1) AS USED IN THIS SECTION, "PERSONAL INFORMATION"
16 MEANS:

17 (a) A CLAIMANT'S:

18 (I) NAME;

19 (II) PHONE NUMBER;

20 (III) HOME ADDRESS;

21 (IV) BUSINESS ADDRESS;

22 (V) PERSONAL EMAIL ADDRESS; OR

23 (VI) BUSINESS EMAIL ADDRESS; OR

24 (b) ANY OTHER INFORMATION THAT WOULD REVEAL THE IDENTITY
25 OF THE CLAIMANT OR THE CLAIMANT'S BUSINESS.

26 (2) THE PERSONAL INFORMATION OF A CLAIMANT THAT THE
27 DIVISION RECEIVES THROUGH THE CLAIM PROCEDURES DESCRIBED IN

1 SECTIONS 33-3-107 TO 33-3-110 AND PROACTIVE NONLETHAL MEASURES,
2 INCLUDING SITE ASSESSMENTS CONDUCTED BY STATE OFFICIALS AND
3 THIRD PARTIES TO PREVENT FUTURE DEPREDATION, IS CONFIDENTIAL AND
4 IS NOT SUBJECT TO DISCLOSURE PURSUANT TO THE "COLORADO OPEN
5 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

6 (3) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
7 CONTRARY, ANY CLAIMANT, OR AUTHORIZED DESIGNEE OR
8 REPRESENTATIVE OF THE CLAIMANT, THAT REQUESTS RECORDS
9 PERTAINING TO THE CLAIMANT'S OWN CLAIM PURSUANT TO THE
10 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, IS
11 ENTITLED TO RECEIVE THE RECORDS WITHOUT REGARD TO SUBSECTION (2)
12 OF THIS SECTION.

13 **SECTION 3. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2026 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.