

CHAPTER 292

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 02-1113

BY REPRESENTATIVE(S) Stengel, Borodkin, Dean, Garcia, Jahn, Madden, Miller, Romanoff, Spradley, Stafford, Tapia, Veiga, Williams S., and Williams T.;
also SENATOR(S) Hagedorn.

AN ACT

CONCERNING THE CRIME OF POSTING THE PERSONAL INFORMATION OF A PEACE OFFICER ON THE INTERNET.

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

SECTION 1. Part 3 of article 9 of title 18, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

18-9-313. Peace officer personal information on the internet. (1) AS USED IN THIS SECTION:

(a) "IMMEDIATE FAMILY" MEANS A PEACE OFFICER'S SPOUSE, CHILD, OR PARENT OR ANY OTHER BLOOD RELATIVE WHO LIVES IN THE SAME RESIDENCE AS THE PEACE OFFICER.

(b) "PERSONAL INFORMATION" MEANS A PEACE OFFICER'S HOME ADDRESS, HOME TELEPHONE NUMBER, PAGER NUMBER, PERSONAL PHOTOGRAPH, DIRECTIONS TO THE PEACE OFFICER'S HOME, OR PHOTOGRAPHS OF THE PEACE OFFICER'S HOME OR VEHICLE.

(2) IT IS UNLAWFUL FOR A PERSON KNOWINGLY TO MAKE AVAILABLE ON THE INTERNET PERSONAL INFORMATION ABOUT A PEACE OFFICER LEVEL I, LEVEL IA, LEVEL II, OR LEVEL III, AS DEFINED IN SECTION 18-1-901 (3), IF THE DISSEMINATION OF THE PERSONAL INFORMATION POSES AN IMMINENT AND SERIOUS THREAT TO THE PEACE OFFICER'S SAFETY OR THE SAFETY OF THE PEACE OFFICER'S IMMEDIATE FAMILY AND THE PERSON MAKING THE INFORMATION AVAILABLE ON THE INTERNET KNOWS OR REASONABLY SHOULD KNOW OF THE IMMINENT AND SERIOUS THREAT.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(3) A VIOLATION OF SUBSECTION (2) OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2002, and shall apply to offenses committed on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 3, 2002