

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

SB23-053 be amended as follows:

1 Amend printed bill, page 4, line 26, strike "**employees.**" and substitute
2 "**employees - definition.**".

3 Page 5, line 16, strike "OR".

4 Page 5, strike lines 17 and 18 and substitute:

5 "(II) DATA; INFORMATION, INCLUDING PERSONAL IDENTIFYING
6 INFORMATION, AS DEFINED IN SECTION 24-74-102 (1); OR MATTERS THAT
7 ARE REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR
8 REGULATIONS, THE STATE CONSTITUTION, OR STATE LAW OR RULES;

9 (III) TRADE SECRETS OR OTHER CONFIDENTIAL OR SENSITIVE
10 INFORMATION PROVIDED TO OR MADE ACCESSIBLE TO THE EMPLOYEE BY
11 A CONTRACTOR OR PROSPECTIVE CONTRACTOR OF THE EMPLOYEE'S
12 EMPLOYER DURING THE PROCUREMENT PROCESS OR WHILE THE
13 CONTRACTOR IS PROVIDING GOODS OR SERVICES TO THE EMPLOYEE'S
14 EMPLOYER IF THE PROTECTION OF SUCH INFORMATION IS NEEDED TO
15 ENSURE SUCCESSFUL PROCUREMENT OR PROVISION OF THE GOODS OR
16 SERVICES; OR

17 (IV) INFORMATION".

18 Page 6, line 14, strike "OR".

19 Page 6, strike lines 15 and 16 and substitute:

20 "(II) DATA; INFORMATION, INCLUDING PERSONAL IDENTIFYING
21 INFORMATION, AS DEFINED IN SECTION 24-74-102 (1); OR MATTERS THAT
22 ARE REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR
23 REGULATIONS, THE STATE CONSTITUTION, OR STATE LAW OR RULES;

24 (III) TRADE SECRETS OR OTHER CONFIDENTIAL OR SENSITIVE
25 INFORMATION PROVIDED TO OR MADE ACCESSIBLE TO THE EMPLOYEE BY
26 A CONTRACTOR OR PROSPECTIVE CONTRACTOR OF THE EMPLOYEE'S
27 EMPLOYER DURING THE PROCUREMENT PROCESS OR WHILE THE
28 CONTRACTOR IS PROVIDING GOODS OR SERVICES TO THE EMPLOYEE'S
29 EMPLOYER IF THE PROTECTION OF SUCH INFORMATION IS NEEDED TO
30 ENSURE SUCCESSFUL PROCUREMENT OR PROVISION OF THE GOODS OR
31 SERVICES; OR

32 (IV) INFORMATION".

33 Page 6, line 17, strike "MATTERS".

1 Page 7, after line 6 insert:

2 "(c) AN ACTION TO ENFORCE A PROVISION OF THIS SECTION SHALL
3 BE BROUGHT IN THE DISTRICT COURT FOR THE DISTRICT IN WHICH THE
4 EMPLOYEE IS PRIMARILY EMPLOYED.

5 (3) AS USED IN THIS SECTION, "CONDITION OF EMPLOYMENT"
6 MEANS AN EMPLOYMENT-RELATED POLICY, PRACTICE, REQUIREMENT, OR
7 RESTRICTION DICTATED BY AN EMPLOYER THAT AN INDIVIDUAL MUST
8 AGREE TO ABIDE BY IN ORDER TO BE HIRED BY OR RETAIN EMPLOYMENT
9 WITH THE EMPLOYER."

10 Page 7, line 10, strike "**definition.**" and substitute "**definitions.**".

11 Page 7, line 24, strike "AND".

12 Page 7, strike lines 25 and 26 and substitute:

13 "(II) DATA; INFORMATION, INCLUDING PERSONAL IDENTIFYING
14 INFORMATION, AS DEFINED IN SECTION 24-74-102 (1); OR MATTERS THAT
15 ARE REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR
16 REGULATIONS, THE STATE CONSTITUTION, OR STATE LAW OR RULES;

17 (III) TRADE SECRETS OR OTHER CONFIDENTIAL OR SENSITIVE
18 INFORMATION PROVIDED TO OR MADE ACCESSIBLE TO THE EMPLOYEE BY
19 A CONTRACTOR OR PROSPECTIVE CONTRACTOR OF THE EMPLOYEE'S
20 EMPLOYER DURING THE PROCUREMENT PROCESS OR WHILE THE
21 CONTRACTOR IS PROVIDING GOODS OR SERVICES TO THE EMPLOYEE'S
22 EMPLOYER IF THE PROTECTION OF SUCH INFORMATION IS NEEDED TO
23 ENSURE SUCCESSFUL PROCUREMENT OR PROVISION OF THE GOODS OR
24 SERVICES; OR

25 (IV) INFORMATION".

26 Page 8, line 18, strike "AND".

27 Page 8, strike lines 19 and 20 and substitute:

28 "(II) DATA; INFORMATION, INCLUDING PERSONAL IDENTIFYING
29 INFORMATION, AS DEFINED IN SECTION 24-74-102 (1); OR MATTERS THAT
30 ARE REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR
31 REGULATIONS, THE STATE CONSTITUTION, OR STATE LAW OR RULES;

32 (III) TRADE SECRETS OR OTHER CONFIDENTIAL OR SENSITIVE
33 INFORMATION PROVIDED TO OR MADE ACCESSIBLE TO THE EMPLOYEE BY
34 A CONTRACTOR OR PROSPECTIVE CONTRACTOR OF THE EMPLOYEE'S
35 EMPLOYER DURING THE PROCUREMENT PROCESS OR WHILE THE

1 CONTRACTOR IS PROVIDING GOODS OR SERVICES TO THE EMPLOYEE'S
2 EMPLOYER IF THE PROTECTION OF SUCH INFORMATION IS NEEDED TO
3 ENSURE SUCCESSFUL PROCUREMENT OR PROVISION OF THE GOODS OR
4 SERVICES; OR
5 (IV) INFORMATION".

6 Page 9, strike line 9 and substitute:

7 "(c) AN ACTION TO ENFORCE A PROVISION OF THIS SECTION SHALL
8 BE BROUGHT IN THE DISTRICT COURT FOR THE DISTRICT IN WHICH THE
9 EMPLOYEE IS PRIMARILY EMPLOYED.
10 (3) AS USED IN THIS SECTION:
11 (a) "CONDITION OF EMPLOYMENT" MEANS AN EMPLOYMENT-
12 RELATED POLICY, PRACTICE, REQUIREMENT, OR RESTRICTION DICTATED BY
13 AN EMPLOYER THAT AN INDIVIDUAL MUST AGREE TO ABIDE BY IN ORDER
14 TO BE HIRED BY OR RETAIN EMPLOYMENT WITH THE EMPLOYER.
15 (b) "THE STATE" INCLUDES WITHOUT".

16 Page 9, line 19, strike "**definition.**" and substitute "**definitions.**".

17 Page 10, line 7, strike "OR".

18 Page 10, strike lines 8 and 9 and substitute:

19 "(II) DATA; INFORMATION, INCLUDING PERSONAL IDENTIFYING
20 INFORMATION, AS DEFINED IN SECTION 24-74-102 (1); OR MATTERS THAT
21 ARE REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR
22 REGULATIONS, THE STATE CONSTITUTION, OR STATE LAW OR RULES;
23 (III) TRADE SECRETS OR OTHER CONFIDENTIAL OR SENSITIVE
24 INFORMATION PROVIDED TO OR MADE ACCESSIBLE TO THE EMPLOYEE BY
25 A CONTRACTOR OR PROSPECTIVE CONTRACTOR OF THE EMPLOYEE'S
26 EMPLOYER DURING THE PROCUREMENT PROCESS OR WHILE THE
27 CONTRACTOR IS PROVIDING GOODS OR SERVICES TO THE EMPLOYEE'S
28 EMPLOYER IF THE PROTECTION OF SUCH INFORMATION IS NEEDED TO
29 ENSURE SUCCESSFUL PROCUREMENT OR PROVISION OF THE GOODS OR
30 SERVICES; OR
31 (IV) INFORMATION".

32 Page 11, line 2, strike "OR".

33 Page 11, strike lines 3 and 4 and substitute:

34 "(II) DATA; INFORMATION, INCLUDING PERSONAL IDENTIFYING

1 INFORMATION, AS DEFINED IN SECTION 24-74-102 (1); OR MATTERS THAT
2 ARE REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR
3 REGULATIONS, THE STATE CONSTITUTION, OR STATE LAW OR RULES;
4 (III) TRADE SECRETS OR OTHER CONFIDENTIAL OR SENSITIVE
5 INFORMATION PROVIDED TO OR MADE ACCESSIBLE TO THE EMPLOYEE BY
6 A CONTRACTOR OR PROSPECTIVE CONTRACTOR OF THE EMPLOYEE'S
7 EMPLOYER DURING THE PROCUREMENT PROCESS OR WHILE THE
8 CONTRACTOR IS PROVIDING GOODS OR SERVICES TO THE EMPLOYEE'S
9 EMPLOYER IF THE PROTECTION OF SUCH INFORMATION IS NEEDED TO
10 ENSURE SUCCESSFUL PROCUREMENT OR PROVISION OF THE GOODS OR
11 SERVICES; OR
12 (IV) INFORMATION".

13 Page 11, strike line 21 and substitute:

14 "(c) AN ACTION TO ENFORCE A PROVISION OF THIS SECTION SHALL
15 BE BROUGHT IN THE DISTRICT COURT FOR THE DISTRICT IN WHICH THE
16 EMPLOYEE IS PRIMARILY EMPLOYED.
17 (3) AS USED IN THIS SECTION:
18 (a) "CONDITION OF EMPLOYMENT" MEANS AN
19 EMPLOYMENT-RELATED POLICY, PRACTICE, REQUIREMENT, OR
20 RESTRICTION DICTATED BY AN EMPLOYER THAT AN INDIVIDUAL MUST
21 AGREE TO ABIDE BY IN ORDER TO BE HIRED BY OR RETAIN EMPLOYMENT
22 WITH THE EMPLOYER.
23 (b) "LOCAL GOVERNMENT" MEANS A".

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