

HB1255_L.015

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB26-1255 be amended as follows:

1 Amend reengrossed bill, page 5, line 6, strike "AND".

2 Page 5, line 14, strike "AGENCY." and substitute "AGENCY; AND".

3 Page 5, after line 14 insert:

4 "(c) REQUIRE A LAW ENFORCEMENT AGENCY THAT ACCESSES THE
5 STAFFED HOTLINE ESTABLISHED PURSUANT TO SUBSECTION (2)(b) OF THIS
6 SUBSECTION TO PROVIDE, PRIOR TO OR CONTEMPORANEOUSLY WITH ANY
7 REQUEST FOR USER INFORMATION OR SEARCH WARRANT COMPLIANCE, A
8 SWORN WRITTEN AFFIRMATION ATTESTING THAT:

9 (I) THE REQUEST IS NOT MADE IN CONNECTION WITH AN
10 INVESTIGATION INTO CONDUCT THAT CONSTITUTES LEGALLY PROTECTED
11 HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION 12-30-121 (1)(d); AND

12 (II) THE REQUESTING AGENCY HAS NOT RECEIVED, AND IS NOT
13 ACTING ON BEHALF OF, A REQUEST FROM AN OUT-OF-STATE LAW
14 ENFORCEMENT AUTHORITY SEEKING INFORMATION RELATED TO LEGALLY
15 PROTECTED HEALTH-CARE ACTIVITY UNDER COLORADO LAW. AN
16 OPERATOR THAT RECEIVES AN AFFIRMATION PURSUANT TO THIS
17 SUBSECTION (2)(c) SHALL RETAIN THE AFFIRMATION FOR AT LEAST THREE
18 YEARS."

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