

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB25-1195 be amended as follows:

1 Strike the State, Civic, Military, and Veterans Affairs Committee Report,
2 dated March 6, 2025, and substitute:

3 "Amend printed bill, strike everything below the enacting clause and
4 substitute:

5 "SECTION 1. In Colorado Revised Statutes, 24-72-204, **amend**
6 (3.5)(a), (3.5)(b), (3.5)(c) introductory portion, and (3.5)(e); and **add**
7 (3.5)(h) as follows:

8 **24-72-204. Allowance or denial of inspection - grounds -**
9 **procedure - appeal - definitions - repeal.** (3.5) (a) ~~Effective January 1,~~
10 ~~1992;~~ Any individual who meets the requirements of this subsection (3.5)
11 may request that ~~the address of such individual~~ THEIR ADDRESS included
12 in any public records concerning ~~that individual which~~ THEM THAT are
13 required to be made, maintained, or kept pursuant to ~~the following~~
14 ~~sections~~ SECTIONS 1-2-227, 1-2-301, OR 24-6-202 be kept confidential.

15 ~~(I) Sections 1-2-227 and 1-2-301, C.R.S.;~~

16 ~~(H) (Deleted by amendment, L. 2000, p. 1337, § 1, effective May~~
17 ~~30, 2000.)~~

18 ~~(HH) Section 24-6-202.~~

19 (b) (I) An individual may make the request of confidentiality
20 allowed by this subsection (3.5) if ~~such~~ THE individual IS A FIRST
21 RESPONDER OR IF THE INDIVIDUAL has reason to believe that ~~such~~ THE
22 individual, or any member of ~~such~~ THE individual's immediate family who
23 resides in the same household as ~~such~~ THE individual, will be exposed to
24 criminal harassment as prohibited in section 18-9-111, ~~C.R.S.~~; or
25 otherwise be in danger of bodily harm, if ~~such~~ THE individual's address
26 is not kept confidential in accordance with this subsection (3.5).

27 ~~(II) A request of confidentiality with respect to records described~~
28 ~~in subparagraph (I) of paragraph (a) of this subsection (3.5) shall be made~~
29 ~~in person in the office of~~ AN INDIVIDUAL MUST MAKE THE REQUEST FOR
30 CONFIDENTIALITY ALLOWED BY SUBSECTION (3.5)(a) OF THIS SECTION TO
31 the county clerk and recorder of the county where the individual making
32 the request resides. ~~Requests shall be made on application forms~~
33 ~~approved by the secretary of state, after consultation with county clerk~~
34 ~~and recorders~~ THE SECRETARY OF STATE SHALL APPROVE THE
35 APPLICATION FORM FOR A REQUEST FOR CONFIDENTIALITY. The
36 application form shall provide space for the applicant to provide ~~his or~~
37 ~~her~~ THEIR name and address, date of birth, and any other identifying
38 information determined by the secretary of state to be necessary to carry
39 out ~~the provisions of~~ this subsection (3.5). In addition, an affirmation

1 shall MUST be printed on the form, in the area immediately above a line
2 for the applicant's signature and the date, stating the following: "I swear
3 or affirm, under penalty of perjury, that I have reason to believe that I, or
4 a member of my immediate family who resides in my household, will be
5 exposed to criminal harassment, or otherwise be in danger of bodily harm,
6 if my address is not kept confidential OR THAT I AM OR HAVE BEEN A FIRST
7 RESPONDER OR AM OR HAVE BEEN THE SPOUSE OR CIVIL UNION PARTNER
8 OF A FIRST RESPONDER AND AM ELIGIBLE TO HAVE MY ADDRESS KEPT
9 CONFIDENTIAL PURSUANT TO SECTION 24-72-204 (3.5)." Immediately
10 below the signature line, there shall MUST be printed a notice, in a type
11 that is larger than the other information contained on the form, that the
12 applicant may be prosecuted for perjury in the second degree under
13 section 18-8-503 C.R.S., if the applicant signs such THE affirmation and
14 does not believe such THE affirmation to be true OR IS NOT OR HAS NOT
15 BEEN A FIRST RESPONDER OR THE SPOUSE OR CIVIL UNION PARTNER OF A
16 FIRST RESPONDER.

17 (III) ~~The county clerk and recorder of each county shall provide~~
18 ~~an opportunity for any individual to make the request of confidentiality~~
19 ~~allowed by this subsection (3.5) in person at the time such individual~~
20 ~~makes application to the county clerk and recorder to register to vote or~~
21 ~~to make any change in such individual's registration, and at any other time~~
22 ~~during normal business hours of the office of the county clerk and~~
23 ~~recorder. The county clerk and recorder shall forward a copy of each~~
24 ~~completed application to the secretary of state for purposes of the records~~
25 ~~maintained by him or her pursuant to subparagraph (I) of paragraph (a)~~
26 ~~of this subsection (3.5). The county clerk and recorder shall collect a~~
27 ~~processing fee in the amount of five dollars of which amount two dollars~~
28 ~~and fifty cents shall be transmitted to the secretary of state for the purpose~~
29 ~~of offsetting the secretary of state's costs of processing applications~~
30 ~~forwarded to the secretary of state pursuant to this subparagraph (III). All~~
31 ~~processing fees received by the secretary of state pursuant to this~~
32 ~~subparagraph (III) shall be transmitted to the state treasurer, who shall~~
33 ~~credit the same to the department of state cash fund~~ EACH COUNTY CLERK
34 AND RECORDER SHALL:

35 (A) MAKE THE CONFIDENTIALITY REQUEST APPLICATION FORMS
36 AVAILABLE IN THEIR OFFICE;

37 (B) PROVIDE THE CONFIDENTIALITY REQUEST APPLICATION FORMS
38 TO INTERESTED PERSONS BY UNITED STATES MAIL, EMAIL DELIVERY, OR
39 FACSIMILE TRANSMISSION, IF REQUESTED;

40 (C) PERMIT INDIVIDUALS TO SUBMIT COMPLETED AND SIGNED
41 CONFIDENTIALITY REQUEST APPLICATION FORMS BY UNITED STATES MAIL,
42 PERSONAL DELIVERY, EMAIL DELIVERY, OR FACSIMILE TRANSMISSION; AND

43 (D) PROCESS AN INDIVIDUAL'S REQUEST FOR CONFIDENTIALITY

1 PURSUANT TO THIS SUBSECTION (3.5) WITHOUT IMPOSING A PROCESSING
2 FEE OR ANY OTHER CHARGE.

3 ~~(IV) The secretary of state shall provide an opportunity for any~~
4 ~~individual to make the request of confidentiality allowed by paragraph (a)~~
5 ~~of this subsection (3.5), with respect to the records described in~~
6 ~~subparagraph (III) of paragraph (a) of this subsection (3.5). The secretary~~
7 ~~of state may charge a processing fee, not to exceed five dollars, for each~~
8 ~~such request. All processing fees collected by the secretary of state~~
9 ~~pursuant to this subparagraph (IV) or subparagraph (III) of this paragraph~~
10 ~~(b) shall be transmitted to the state treasurer, who shall credit the same to~~
11 ~~the department of state cash fund.~~

12 ~~(V) Notwithstanding the amount specified for any fee in~~
13 ~~subparagraph (III) or (IV) of this paragraph (b), the secretary of state by~~
14 ~~rule or as otherwise provided by law may reduce the amount of one or~~
15 ~~more of the fees credited to the department of state cash fund if necessary~~
16 ~~pursuant to section 24-75-402 (3), to reduce the uncommitted reserves of~~
17 ~~the fund to which all or any portion of one or more of the fees is credited.~~
18 ~~After the uncommitted reserves of the fund are sufficiently reduced, the~~
19 ~~secretary of state by rule or as otherwise provided by law may increase~~
20 ~~the amount of one or more of the fees as provided in section 24-75-402~~
21 ~~(4).~~

22 (c) The custodian of any records described in subsection (3.5)(a)
23 of this section that concern an individual who has made a request of FOR
24 confidentiality pursuant to this subsection (3.5) and paid any required
25 processing fee shall deny the right of inspection of the individual's
26 address contained in such records on the ground that disclosure would be
27 contrary to the public interest; except that the custodian shall allow the
28 inspection of the records by the individual, by any person authorized in
29 writing by that individual, and by any individual employed by one of the
30 following entities who makes a request to the custodian to inspect the
31 records and who provides evidence satisfactory to the custodian that the
32 inspection is reasonably related to the authorized purpose of the
33 employing entity:

34 (e) ~~No~~ A person shall NOT make any false statement in requesting
35 any information pursuant to ~~paragraph (a) or (b) of this subsection (3.5)~~
36 SUBSECTION (3.5)(c) OR (3.5)(d) OF THIS SECTION.

37 (h) AS USED IN THIS SUBSECTION (3.5), UNLESS THE CONTEXT
38 OTHERWISE REQUIRES, "FIRST RESPONDER" MEANS AN ELECTOR, AS
39 DEFINED IN SECTION 1-1-104 (12), WHO IS OR WHO HAS BEEN ONE OF THE
40 FOLLOWING:

- 41 (I) A PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101;
- 42 (II) A FIREFIGHTER, AS DEFINED IN SECTION 29-5-203 (10);
- 43 (III) A VOLUNTEER FIREFIGHTER, AS DEFINED IN SECTION

1 31-30-1102 (9)(a);
2 (IV) AN EMERGENCY MEDICAL SERVICE PROVIDER, AS DEFINED IN
3 SECTION 25-3.5-103 (8);
4 (V) AN EMERGENCY COMMUNICATIONS SPECIALIST, AS DEFINED IN
5 SECTION 29-11-101 (10.5);
6 (VI) THE SPOUSE OR CIVIL UNION PARTNER OF AN INDIVIDUAL
7 SPECIFIED IN SUBSECTION (3.5)(h)(I), (3.5)(h)(II), (3.5)(h)(III),
8 (3.5)(h)(IV), OR (3.5)(h)(V) OF THIS SECTION.
9 **SECTION 2. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly; except
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V
13 of the state constitution against this act or an item, section, or part of this
14 act within such period, then the act, item, section, or part will not take
15 effect unless approved by the people at the general election to be held in
16 November 2026 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor."."

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