

SB25-129

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE McCormick

1 Amend the McCormick floor amendment (SB129_L.010), page 1, line 34,
2 strike "CARE." and substitute "CARE.

3 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
4 SHALL LIMIT THE DISCLOSURE OF PERSONALLY IDENTIFYING INFORMATION
5 TO THE MINIMUM AMOUNT NECESSARY TO ACCOMPLISH THE PUBLIC
6 HEALTH PURPOSE OF DISCLOSING THE INFORMATION.

7 (c) NOTWITHSTANDING THIS SUBSECTION (4) TO THE CONTRARY,
8 INFORMATION COLLECTED THAT HAS FEWER THAN TEN RECORDS MUST NOT
9 BE RELEASED UNDER ANY CIRCUMSTANCE.

10 (5) AN OFFICER, EMPLOYEE, OR AGENT OF THE DEPARTMENT OF
11 PUBLIC HEALTH AND ENVIRONMENT OR AN OFFICER, EMPLOYEE, OR AGENT
12 OF A COUNTY, DISTRICT, OR MUNICIPAL PUBLIC HEALTH AGENCY IS NOT
13 REQUIRED TO PARTICIPATE OR TESTIFY IN A JUDICIAL, EXECUTIVE,
14 LEGISLATIVE, OR OTHER PROCEEDING THAT CONCERNS THE EXISTENCE OR
15 CONTENT OF AN INDIVIDUAL REPORT.

16 (6) A PERSON WHO VIOLATES THIS SECTION BY RELEASING OR
17 DISCLOSING CONFIDENTIAL INFORMATION OR BY DISCLOSING
18 INFORMATION WITHOUT AUTHORIZATION COMMITS A DATA PRIVACY
19 BREACH AND IS SUBJECT TO THE PROVISIONS OF SECTION 24-74-107. EACH
20 UNAUTHORIZED DISCLOSURE OF INFORMATION CONSTITUTES A SEPARATE
21 OFFENSE.

22 **SECTION 12.** In Colorado Revised Statutes, **amend** 24-74-107
23 as follows:

24 **24-74-107. Data privacy breaches - accountability provisions.**
25 Any state agency employee who intentionally violates the provisions of
26 this article 74 OR SECTION 25-2-108.5 is subject to an injunction and is
27 liable for a civil penalty of not more than fifty thousand dollars for each
28 violation.

29 Renumber succeeding sections accordingly."

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