

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0647.01 Shelby Ross x4510

**SENATE BILL 25-129**

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**SENATE SPONSORSHIP**

**Cutter and Winter F.**, Amabile, Ball, Bridges, Danielson, Daugherty, Gonzales J., Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Rodriguez, Snyder, Sullivan, Weissman

**HOUSE SPONSORSHIP**

**Joseph and McCormick**, Bacon, Boesenecker, Brown, Camacho, Carter, Clifford, Espenoza, Froelich, Garcia, Gilchrist, Hamrick, Lieder, Lindstedt, Lukens, Mabrey, Martinez, Rydin, Smith, Stewart K., Stewart R., Story, Titone, Valdez, Velasco, Willford, Woodrow, Zokaie

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**Senate Committees**  
Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING PROTECTIONS RELATED TO A LEGALLY PROTECTED**  
102     **HEALTH-CARE ACTIVITY.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill clarifies that requirements for out-of-state telehealth providers do not alter or limit the rights and protections afforded to a person concerning a legally protected health-care activity.

Current law requires a prescription drug label to include the name of the prescribing practitioner. At the practitioner's request, the bill authorizes a prescription label for mifepristone, misoprostol, and the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

generic alternatives to those prescriptions to include only the name of the prescribing health-care practice instead of the name of the practitioner.

The bill requires any person requesting a subpoena to affirm under penalty of perjury that the subpoena:

- Is not related to, and any information obtained will not be used in, any investigation or proceeding that seeks to impose civil or criminal liability or professional sanctions against a person or entity that engaged in or attempted or intended to engage in a legally protected health-care activity or who provided insurance coverage for gender-affirming health-care services or reproductive health care; or
- Is related to such an investigation or proceeding, but the investigation or proceeding is brought under tort law or contract law by the person who engaged in or attempted or intended to engage in a legally protected health-care activity, gender-affirming health-care services, or reproductive health care, and is actionable in an equivalent or similar manner under Colorado law.

The bill prohibits any person residing in Colorado, or partnership, corporation, trust, or limited liability company that is located, headquartered, or has its principal place of business in Colorado (Colorado business) from responding to a civil, criminal, regulatory, or administrative inquiry, investigation, subpoena, or summons concerning an individual who engaged in or attempted or intended to engage in a legally protected health-care activity or concerning an entity that provides insurance coverage for gender-affirming health-care services or reproductive health care. A person or Colorado business may respond to an inquiry, investigation, subpoena, or summons after certain conditions are met.

If a person or entity brings an out-of-state civil or criminal action, or attempts to enforce any order or judgment issued in connection with an action, against another person or entity for engaging in or attempting or intending to engage in a legally protected health-care activity or for providing insurance coverage for gender-affirming health-care services or reproductive health care, the person or entity subject to the out-of-state civil or criminal action has a private right of action against the person or entity and may institute a civil action in district court within 3 years after the date of the alleged violation.

Current law authorizes a private person to arrest a person without a warrant upon reasonable information that the person is charged in another state with a crime punishable by death or imprisonment for a term exceeding one year. The bill creates an exception if the person is charged in another state for engaging in a legally protected health-care activity in Colorado.

Current law prohibits a public agency from expending government resources or providing information or data in furtherance of any out-of-state investigation or proceeding seeking to impose civil or criminal liability or professional sanction upon a person or entity for engaging in a legally protected health-care activity. The bill expands the prohibition to public entities, which includes state and local governments.

The bill grants the attorney general the authority to enforce the provisions of the bill.

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

2           **SECTION 1.** In Colorado Revised Statutes, 12-30-124, **add** (16)  
3       as follows:

4           **12-30-124. Out-of-state telehealth providers - registration -**  
5       **financial responsibility - discipline - emergency protocol - disclosures**  
6       **- prescriptions - rules - applicability - definitions.** (16) THIS SECTION  
7       DOES NOT ALTER OR LIMIT THE RIGHTS AND PROTECTIONS AFFORDED TO A  
8       PERSON CONCERNING A LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS  
9       DEFINED IN SECTION 12-30-121.

10           **SECTION 2.** In Colorado Revised Statutes, 12-280-124, **amend**  
11       (2) as follows:

12           **12-280-124. Labeling - rules - definitions.** (2) (a) Except as  
13       otherwise required by law, any drug dispensed pursuant to a prescription  
14       order must bear a label prepared and placed on or securely attached to the  
15       medicine container stating at least the name and address of the  
16       prescription drug outlet, the serial number and the date of the prescription  
17       or of its dispensing, the name of the drug dispensed unless otherwise  
18       requested by the practitioner, the name of the practitioner, the name of the  
19       patient, and, if stated in the prescription, the directions for use and  
20       cautionary statements, if any, contained in the prescription.

21           (b) NOTWITHSTANDING THE LABELING REQUIREMENTS DESCRIBED

1 IN SUBSECTION (2)(a) OF THIS SECTION, AT THE PRACTITIONER'S REQUEST,  
2 A PRESCRIPTION LABEL FOR MIFEPRISTONE, MISOPROSTOL, OR THE GENERIC  
3 ALTERNATIVES TO THOSE PRESCRIPTIONS MAY INCLUDE THE NAME OF THE  
4 PRESCRIBING HEALTH-CARE PRACTICE INSTEAD OF THE NAME OF THE  
5 PRACTITIONER.

6 **SECTION 3.** In Colorado Revised Statutes, **add** 13-1-140.1 as  
7 follows:

8 **13-1-140.1. Subpoena requirements - legally protected  
9 health-care activity - enforcement.** (1) **Affirmation required.** AN  
10 INDIVIDUAL REQUESTING A SUBPOENA SHALL AFFIRM UNDER PENALTY OF  
11 PERJURY THAT THE SUBPOENA:

12 (a) IS NOT RELATED TO, AND ANY INFORMATION OBTAINED AS A  
13 RESULT OF THE SUBPOENA WILL NOT BE USED IN, ANY INVESTIGATION OR  
14 PROCEEDING THAT SEEKS TO IMPOSE CIVIL OR CRIMINAL LIABILITY OR  
15 PROFESSIONAL SANCTIONS AGAINST AN INDIVIDUAL OR ENTITY THAT  
16 ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A LEGALLY  
17 PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION 12-30-121,  
18 OR THAT PROVIDED INSURANCE COVERAGE FOR GENDER-AFFIRMING  
19 HEALTH-CARE SERVICES, AS DEFINED IN SECTION 12-30-121, OR  
20 REPRODUCTIVE HEALTH CARE, AS DEFINED IN SECTION 25-6-402; OR

21 (b) IS RELATED TO AN INVESTIGATION OR PROCEEDING THAT SEEKS  
22 TO IMPOSE CIVIL OR CRIMINAL LIABILITY OR PROFESSIONAL SANCTIONS  
23 AGAINST AN INDIVIDUAL OR ENTITY THAT ENGAGED IN OR ATTEMPTED OR  
24 INTENDED TO ENGAGE IN A LEGALLY PROTECTED HEALTH-CARE ACTIVITY,  
25 AS DEFINED IN SECTION 12-30-121, OR THAT PROVIDED INSURANCE  
26 COVERAGE FOR GENDER-AFFIRMING HEALTH-CARE SERVICES, AS DEFINED  
27 IN SECTION 12-30-121, OR REPRODUCTIVE HEALTH CARE, AS DEFINED IN

1 SECTION 25-6-402, BUT THE INVESTIGATION OR PROCEEDING:  
2 (I) IS BROUGHT UNDER TORT LAW OR CONTRACT LAW;  
3 (II) IS ACTIONABLE IN AN EQUIVALENT OR SIMILAR MANNER UNDER  
4 COLORADO LAW; AND  
5 (III) IS BROUGHT BY THE INDIVIDUAL, OR THE INDIVIDUAL'S LEGAL  
6 REPRESENTATIVE, WHO RECEIVED GENDER-AFFIRMING HEALTH-CARE  
7 SERVICES OR REPRODUCTIVE HEALTH CARE.

8 (2) **Jurisdiction and penalty.** AN INDIVIDUAL WHO OMITS OR  
9 SUBMITS A FALSE AFFIRMATION PURSUANT TO SUBSECTION (1) OF THIS  
10 SECTION IS SUBJECT TO THE JURISDICTION OF COLORADO COURTS FOR ANY  
11 ACTION, PENALTIES, OR DAMAGES ARISING OUT OF THE OMISSION OR FALSE  
12 AFFIRMATION. THE COURT, UPON FINDING THE OMISSION OR FALSE  
13 AFFIRMATION WAS MADE INTENTIONALLY, KNOWINGLY, WILLFULLY, OR  
14 RECKLESSLY, SHALL IMPOSE A CIVIL PENALTY IN AN AMOUNT NOT TO  
15 EXCEED FIFTEEN THOUSAND DOLLARS FOR EACH VIOLATION, WHICH  
16 AMOUNT IS IN ADDITION TO ANY OTHER LEGAL OR EQUITABLE REMEDY  
17 LAWFULLY AVAILABLE.

18 (3) **Enforcement.** THE ATTORNEY GENERAL MAY BRING A CIVIL  
19 ACTION ON BEHALF OF THE STATE TO SEEK THE IMPOSITION OF DAMAGES,  
20 PENALTIES, AND ANY OTHER EQUITABLE REMEDIES AGAINST AN  
21 INDIVIDUAL WHO OMITS OR SUBMITS A FALSE AFFIRMATION PURSUANT TO  
22 SUBSECTION (1) OF THIS SECTION. THE ACTION MUST BE FILED WITHIN SIX  
23 YEARS AFTER THE DATE OF THE ALLEGED VIOLATION.

24 **SECTION 4.** In Colorado Revised Statutes, **add** 13-1-140.2 as  
25 follows:

26 **13-1-140.2. Responding to request for information or**  
27 **subpoena in connection with legally protected health-care activity -**

1       **exception - enforcement.** (1) **Response prohibited.** EXCEPT AS  
2       PROVIDED IN SUBSECTION (2) OF THIS SECTION, AN INDIVIDUAL RESIDING  
3       IN COLORADO, OR ANY PARTNERSHIP, CORPORATION, TRUST, OR LIMITED  
4       LIABILITY COMPANY THAT IS LOCATED, HEADQUARTERED, OR HAS ITS  
5       PRINCIPAL PLACE OF BUSINESS IN COLORADO, SHALL NOT RESPOND TO A  
6       CIVIL, CRIMINAL, REGULATORY, OR ADMINISTRATIVE INQUIRY,  
7       INVESTIGATION, SUBPOENA, OR SUMMONS CONCERNING AN INDIVIDUAL OR  
8       ENTITY WHO ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A  
9       LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION  
10      12-30-121, OR CONCERNING AN ENTITY THAT PROVIDES INSURANCE  
11      COVERAGE FOR GENDER-AFFIRMING HEALTH-CARE SERVICES, AS DEFINED  
12      IN SECTION 12-30-121, OR REPRODUCTIVE HEALTH CARE, AS DEFINED IN  
13      SECTION 25-6-402.

14       (2) **Exception.** NOTWITHSTANDING SUBSECTION (1) OF THIS  
15      SECTION TO THE CONTRARY, AN INDIVIDUAL RESIDING IN COLORADO, OR  
16      ANY PARTNERSHIP, CORPORATION, TRUST, OR LIMITED LIABILITY COMPANY  
17      THAT IS LOCATED, HEADQUARTERED, OR HAS ITS PRINCIPAL PLACE OF  
18      BUSINESS IN COLORADO, MAY RESPOND TO A CIVIL, CRIMINAL,  
19      REGULATORY, OR ADMINISTRATIVE INQUIRY, INVESTIGATION, SUBPOENA,  
20      OR SUMMONS IF:

21           (a) THE INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS  
22      CONTAINS OR IS ACCOMPANIED BY AN AFFIRMATION MADE UNDER THE  
23      PENALTY OF PERJURY ATTESTING THAT THE INQUIRY, INVESTIGATION,  
24      SUBPOENA, OR SUMMONS:

25           (I) IS NOT RELATED TO, AND ANY INFORMATION OBTAINED AS A  
26      RESULT OF THE SUBPOENA WILL NOT BE USED IN, ANY INVESTIGATION OR  
27      PROCEEDING THAT SEEKS TO IMPOSE CIVIL OR CRIMINAL LIABILITY OR

1 PROFESSIONAL SANCTIONS AGAINST AN INDIVIDUAL OR ENTITY THAT  
2 ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A LEGALLY  
3 PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION 12-30-121,  
4 OR THAT PROVIDED INSURANCE COVERAGE FOR GENDER-AFFIRMING  
5 HEALTH-CARE SERVICES, AS DEFINED IN SECTION 12-30-121, OR  
6 REPRODUCTIVE HEALTH CARE, AS DEFINED IN SECTION 25-6-402; OR

15 (A) IS BROUGHT UNDER TORT LAW OR CONTRACT LAW;

16 (B) IS ACTIONABLE IN AN EQUIVALENT OR SIMILAR MANNER UNDER  
17 COLORADO LAW; AND

18 (C) IS BROUGHT BY THE INDIVIDUAL, OR THE INDIVIDUAL'S LEGAL  
19 REPRESENTATIVE, WHO RECEIVED GENDER-AFFIRMING HEALTH-CARE  
20 SERVICES OR REPRODUCTIVE HEALTH CARE.

21 (b) THE INDIVIDUAL OR ENTITY THAT RECEIVED THE INQUIRY,  
22 INVESTIGATION, SUBPOENA, OR SUMMONS AND ACCOMPANYING  
23 AFFIRMATION DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION:

24 (I) NOTIFIES THE ATTORNEY GENERAL WITHIN SEVENTY-TWO  
25 HOURS AFTER RECEIVING THE INQUIRY, INVESTIGATION, SUBPOENA, OR  
26 SUMMONS; INDICATES IN THE NOTICE TO THE ATTORNEY GENERAL  
27 WHETHER THE INDIVIDUAL OR ENTITY INTENDS TO COMPLY WITH THE

1 INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS; AND PROVIDES A  
2 COPY OF THE INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS, AND  
3 ANY RELATED MATERIALS TO THE ATTORNEY GENERAL; AND

4 (II) NOTIFIES THE INDIVIDUAL OR ENTITY THAT PERFORMED,  
5 SOUGHT, RECEIVED, FACILITATED, OR OTHERWISE ENGAGED IN THE  
6 LEGALLY PROTECTED HEALTH-CARE ACTIVITY TO WHICH THE INQUIRY,  
7 INVESTIGATION, SUBPOENA, OR SUMMONS PERTAINS AT LEAST THIRTY  
8 DAYS BEFORE PROVIDING ANY RESPONSIVE INFORMATION, UNLESS  
9 OTHERWISE ORDERED BY A COURT OF THIS STATE; AND

10 (c) THIRTY DAYS HAVE PASSED SINCE THE INDIVIDUAL OR ENTITY  
11 NOTIFIED THE ATTORNEY GENERAL PURSUANT TO SUBSECTION (2)(b)(I) OF  
12 THIS SECTION.

13 (3) **Jurisdiction and penalty.** AN INDIVIDUAL OR ENTITY THAT  
14 VIOLATES THIS SECTION IS SUBJECT TO THE JURISDICTION OF COLORADO  
15 COURTS FOR ANY ACTION, PENALTIES, OR DAMAGES ARISING OUT OF THE  
16 VIOLATION. THE COURT, UPON FINDING THE VIOLATION WAS MADE  
17 INTENTIONALLY, KNOWINGLY, WILLFULLY, OR RECKLESSLY, SHALL IMPOSE  
18 A CIVIL PENALTY IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND  
19 DOLLARS FOR EACH VIOLATION, WHICH AMOUNT IS IN ADDITION TO ANY  
20 OTHER LEGAL OR EQUITABLE REMEDY LAWFULLY AVAILABLE.

21 (4) **Enforcement.** (a) IF THE ATTORNEY GENERAL HAS REASON TO  
22 BELIEVE AN INDIVIDUAL OR ENTITY INTENDS TO COMPLY OR HAS COMPLIED  
23 WITH AN INQUIRY, INVESTIGATION, SUBPOENA, OR SUMMONS CONCERNING  
24 AN INDIVIDUAL WHO ENGAGED IN OR ATTEMPTED OR INTENDED TO  
25 ENGAGE IN A LEGALLY PROTECTED HEALTH-CARE ACTIVITY,  
26 GENDER-AFFIRMING HEALTH-CARE SERVICES, OR REPRODUCTIVE HEALTH  
27 CARE IN VIOLATION OF THIS SECTION, THE ATTORNEY GENERAL MAY BRING

1       A CIVIL ACTION ON BEHALF OF THE STATE TO ENFORCE THIS SECTION,  
2       INCLUDING, BUT NOT LIMITED TO, A MOTION FOR AN ORDER ENJOINING  
3       ONGOING AND FUTURE VIOLATIONS OF THIS SECTION. THE ATTORNEY  
4       GENERAL MAY SEEK ALL AVAILABLE LEGAL AND EQUITABLE REMEDIES.  
5       THE ACTION MUST BE FILED WITHIN SIX YEARS AFTER THE DATE OF THE  
6       ALLEGED VIOLATION.

7                   (b) THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION ON  
8       BEHALF OF THE STATE TO SEEK THE IMPOSITION OF A CIVIL PENALTY  
9       AGAINST AN INDIVIDUAL OR ENTITY THAT KNOWINGLY, WILLFULLY, OR  
10      RECKLESSLY OMITS OR SUBMITS A FALSE AFFIRMATION PURSUANT TO  
11      SUBSECTION (2)(a) OF THIS SECTION. THE ACTION MUST BE FILED WITHIN  
12      SIX YEARS AFTER THE DATE OF THE ALLEGED VIOLATION.

13                   (5) **Declaratory relief.** (a) AN INDIVIDUAL RESIDING IN  
14      COLORADO, OR A PARTNERSHIP, CORPORATION, TRUST, OR LIMITED  
15      LIABILITY COMPANY THAT RECEIVES OR IS SERVED WITH A CIVIL,  
16      CRIMINAL, REGULATORY, OR ADMINISTRATIVE INQUIRY, INVESTIGATION,  
17      SUBPOENA, OR SUMMONS CONCERNING AN INDIVIDUAL OR ENTITY THAT  
18      ENGAGED IN OR ATTEMPTED OR INTENDED TO ENGAGE IN A LEGALLY  
19      PROTECTED HEALTH-CARE ACTIVITY, OR THAT PROVIDED INSURANCE  
20      COVERAGE FOR GENDER-AFFIRMING HEALTH-CARE SERVICES OR  
21      REPRODUCTIVE HEALTH CARE MAY FILE A CIVIL ACTION SEEKING  
22      DECLARATORY RELIEF, OR ANY OTHER RELIEF DEEMED NECESSARY AND  
23      PROPER BY THE COURT, STATING THAT THIS SECTION PROHIBITS  
24      COMPLIANCE WITH THE INQUIRY, INVESTIGATION, SUBPOENA, OR  
25      SUMMONS. UPON TIMELY APPLICATION, THE ATTORNEY GENERAL MAY  
26      INTERVENE IN A CIVIL ACTION FILED PURSUANT TO THIS SUBSECTION  
27      (5)(a).

5 (c) IF THE PARTY INITIATING AN ACTION PURSUANT TO THIS  
6 SUBSECTION (5) PREVAILS, THE COURT SHALL AWARD REASONABLE COSTS  
7 AND ATTORNEY FEES.

8 (d) AN ACTION BROUGHT PURSUANT TO THIS SUBSECTION (5) MUST  
9 BE FILED WITHIN ONE YEAR AFTER THE DATE THE INQUIRY,  
10 INVESTIGATION, SUBPOENA, OR SUMMONS WAS RECEIVED.

17 (7) THIS SECTION DOES NOT PROHIBIT:

23 (b) COMPLIANCE WITH A VALID, COURT-ISSUED SUBPOENA OR  
24 WARRANT THAT IS ISSUED IN COMPLIANCE WITH SUBSECTION (2) OF THIS  
25 SECTION OR IN RESPONSE TO THE WRITTEN REQUEST OF AN INDIVIDUAL  
26 WHO IS THE SUBJECT OF AN INVESTIGATION OR PROCEEDING.

27 (8) ANY INFORMATION LAWFULLY OBTAINED PURSUANT TO THIS

1 SECTION MUST NOT BE DISCLOSED TO ANY PERSON, AGENCY, OR  
2 DEPARTMENT OUTSIDE COLORADO UNLESS OTHERWISE AUTHORIZED  
3 PURSUANT TO STATE LAW.

4 **SECTION 5.** In Colorado Revised Statutes, 13-21-133, **amend**  
5 (1) as follows:

6 **13-21-133. Out-of-state civil action against a person or entity**  
7 **prohibited - legally protected health-care activity - out-of-state civil**  
8 **judgment.** (1) (a) It is against the public policy of this state for the law  
9 of another state to authorize a person to bring a civil action against  
10 another person or entity for engaging or attempting or intending to engage  
11 in a legally protected health-care activity, as defined in section 12-30-121,  
12 (1)(d), or for providing insurance coverage for gender-affirming  
13 health-care services, as defined in section 12-30-121, (1)(e), or  
14 reproductive health care, as defined in section 25-6-402. (4).

15 (b) (I) IF A PERSON OR ENTITY BRINGS AN OUT-OF-STATE CIVIL OR  
16 CRIMINAL ACTION, OR ATTEMPTS TO ENFORCE ANY ORDER OR JUDGMENT  
17 ISSUED IN CONNECTION WITH ANY SUCH ACTION, AGAINST ANOTHER  
18 PERSON OR ENTITY FOR ENGAGING IN OR ATTEMPTING OR INTENDING TO  
19 ENGAGE IN A LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED  
20 IN SECTION 12-30-121, OR FOR PROVIDING INSURANCE COVERAGE FOR  
21 GENDER-AFFIRMING HEALTH-CARE SERVICES, AS DEFINED IN SECTION  
22 12-30-121, OR REPRODUCTIVE HEALTH CARE, AS DEFINED IN SECTION  
23 25-6-402, THE PERSON OR ENTITY SUBJECT TO THE OUT-OF-STATE CIVIL OR  
24 CRIMINAL ACTION HAS A PRIVATE RIGHT OF ACTION AGAINST THE PERSON  
25 OR ENTITY AND, WITHIN SIX YEARS AFTER THE DATE THE OUT-OF-STATE  
26 ACTION IS COMMENCED, OR IF THE PERSON OR ENTITY IS ATTEMPTING TO  
27 ENFORCE AN OUT-OF-STATE ORDER OR JUDGMENT, SIX YEARS AFTER THE

1       DATE ENFORCEMENT IS ATTEMPTED, MAY INSTITUTE A CIVIL ACTION IN  
2       DISTRICT COURT FOR INJUNCTIVE RELIEF; ACTUAL DAMAGES, INCLUDING  
3       THE AMOUNT OF ANY JUDGMENT ISSUED IN CONNECTION WITH THE  
4       OUT-OF-STATE ACTION, ALONG WITH ANY EXPENSES, COSTS, OR  
5       REASONABLE ATTORNEY FEES INCURRED IN CONNECTION WITH THE  
6       OUT-OF-STATE ACTION AND CIVIL ACTION FILED PURSUANT TO THIS  
7       SECTION; AND ANY OTHER APPROPRIATE REMEDY.

8               (II)    THE ATTORNEY GENERAL MAY INTERVENE IN ANY  
9       OUT-OF-STATE ACTION BROUGHT AGAINST THE STATE PURSUANT TO THIS  
10      SUBSECTION (1)(b).

11               **SECTION 6.** In Colorado Revised Statutes, **amend** 16-19-115 as  
12      follows:

13               **16-19-115. Arrest without warrant.** EXCEPT IN CASES ARISING  
14      PURSUANT TO SECTION 16-19-107 (2), the arrest of a person may be  
15      lawfully made ~~also~~ by any peace officer or a private person without a  
16      warrant upon reasonable information that the accused stands charged in  
17      the courts of a state with a crime punishable by death or imprisonment for  
18      a term exceeding one year. ~~When so arrested~~ The accused must be taken  
19      before a judge with all practicable speed, and A complaint must be made  
20      against ~~him~~ THE PERSON under oath setting forth the ~~ground~~ GROUNDS for  
21      arrest as in section 16-19-114; and thereafter ~~his~~ THE ACCUSED'S answer  
22      ~~shall~~ MUST be heard as if ~~he~~ THE ACCUSED had been arrested on a warrant.

23               **SECTION 7.** In Colorado Revised Statutes, 24-31-101, **amend**  
24      (1)(i)(XXII); and **add** (1)(i)(XXIV), (1)(i)(XXV), and (1)(i)(XXVI) as  
25      follows:

26               **24-31-101. Powers and duties of attorney general.** (1) The  
27      attorney general:

(i) May independently initiate and bring civil and criminal actions to enforce state laws, including actions brought pursuant to:

- (XXII) Part 14 of article 12 of title 38; and
- (XXIV) SECTION 13-1-140.1;
- (XXV) SECTION 13-1-140.2; AND
- (XXVI) ARTICLE 116 OF TITLE 24.

**SECTION 8.** In Colorado Revised Statutes, **amend** 24-116-101 as follows:

9                   **24-116-101. Prohibition on providing information or**  
10                   **expending government resources - legally protected health-care**  
11                   **activity.** A public ~~agency~~ ENTITY, AS DEFINED IN SECTION 24-10-103, or  
12                   employee, appointee, officer, official, or any other person acting on  
13                   behalf of a public ~~agency~~ ENTITY, shall not provide any information or  
14                   expend or use time, money, facilities, property, equipment, personnel, or  
15                   other resources in furtherance of any out-of-state investigation, OR, TO  
16                   THE EXTENT CONSTITUTIONALLY PERMISSIBLE, ANY FEDERAL  
17                   INVESTIGATION or proceeding seeking to impose civil or criminal liability  
18                   or professional sanction upon a person or entity for engaging in a legally  
19                   protected health-care activity, as defined in section 12-30-121. (1)(d).

20                   **SECTION 9.** In Colorado Revised Statutes, 24-116-102, amend  
21                   (1) and (2) as follows:

22                   **24-116-102. Prohibition on assisting another state - legally**  
23                   **protected health-care activity.** (1) A state ~~agency or executive~~  
24 ~~department~~ PUBLIC ENTITY, AS DEFINED IN SECTION 24-10-103, shall not  
25 provide information or data, including patient medical records,  
26 patient-level data, or related billing information, or expend time, money,  
27 facilities, property, equipment, personnel, or other resources for the

1 purpose of assisting or furthering an investigation or proceeding initiated  
2 in or by another state, OR, TO THE EXTENT CONSTITUTIONALLY  
3 PERMISSIBLE, INITIATED BY THE FEDERAL GOVERNMENT, that seeks to  
4 impose criminal or civil liability or professional sanction upon a person  
5 or entity for engaging in a legally protected health-care activity, as  
6 defined in section 12-30-121. (1)(d).

7 (2) Notwithstanding subsection (1) of this section, ~~an agency or~~  
8 ~~executive department~~ A PUBLIC ENTITY may provide information or  
9 assistance in connection with an investigation or proceeding in response  
10 to a written request from the subject of the investigation or proceeding.

11 **SECTION 10.** In Colorado Revised Statutes, **add 24-116-103** as  
12 follows:

13 **24-116-103. Enforcement by the attorney general.** THE  
14 ATTORNEY GENERAL HAS THE SOLE DISCRETION TO ENFORCE ANY ACTION  
15 BROUGHT PURSUANT TO THIS ARTICLE 116 AND ANY RELATED LEGAL  
16 ACTION BROUGHT ON BEHALF OF THE STATE.

17 **SECTION 11.** In Colorado Revised Statutes, **add 25-2-108.5** as  
18 follows:

19 **25-2-108.5. Reports of induced terminations of pregnancy.**  
20 THE STATE REGISTRAR SHALL NOT COLLECT OR PUBLISH REPORTS OF  
21 INDUCED TERMINATIONS OF PREGNANCY.

22 **SECTION 12. Severability.** If any provision of this act or the  
23 application of this act to any person or circumstance is held invalid, the  
24 invalidity does not affect other provisions or applications of the act that  
25 can be given effect without the invalid provision or application, and to  
26 this end the provisions of this act are declared to be severable.

27 **SECTION 13. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate  
2 preservation of the public peace, health, or safety or for appropriations for  
3 the support and maintenance of the departments of the state and state  
4 institutions.