

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

January 30, 2025
Date

Committee on Agriculture & Natural Resources.

After consideration on the merits, the Committee recommends the following:

SB25-038 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, lines 7 and 8, strike "compensation
2 claimants," and substitute "people that make compensation claims,".
- 3 Page 3, after line 11 insert:
4 **"SECTION 2.** In Colorado Revised Statutes, 24-72-204, **add**
5 (3)(a)(XXIV) as follows:
6 **24-72-204. Allowance or denial of inspection - grounds -**
7 **procedure - appeal - definitions - repeal.** (3) (a) The custodian shall
8 deny the right of inspection of the following records, unless otherwise
9 provided by law; except that the custodian shall make any of the
10 following records, other than letters of reference concerning employment,
11 licensing, or issuance of permits, available to the person in interest in
12 accordance with this subsection (3):
13 (XXIV) RECORDS THAT ARE NOT SUBJECT TO DISCLOSURE
14 PURSUANT TO SECTION 33-3-110.5".
- 15 Renumber succeeding sections accordingly.
- 16 Page 3, line 15, after "(1)" insert "(a)".
- 17 Page 3, line 17, strike "(a)" and substitute "(I)".
- 18 Page 3, line 18, strike "(I)" and substitute "(A)".
- 19 Page 3, line 19, strike "(II)" and substitute "(B)".
- 20 Page 3, line 20, strike "(III)" and substitute "(C)".
- 21 Page 3, line 21, strike "(IV)" and substitute "(D)".

1 Page 3, line 22, strike "(V)" and substitute "(E)".

2 Page 3, line 23, strike "(VI)" and substitute "(F)".

3 Page 3, line 24, strike "(b)" and substitute "(II)".

4 Page 3, after line 25 insert:

5 "(b) "PERSONAL INFORMATION" DOES NOT INCLUDE INFORMATION
6 ABOUT NONLETHAL PREDATOR-LIVESTOCK CONFLICT MINIMIZATION
7 MEASURES USED BY OR RECOMMENDED TO A PERSON, OR A SUMMARY OR
8 AGGREGATED DATA RELATED TO SUCH INFORMATION, SO LONG AS THE
9 INFORMATION OR SUMMARY OR AGGREGATED DATA DOES NOT REVEAL
10 THE IDENTITY OF THE PERSON OR THE PERSON'S BUSINESS."

11 Page 4, strike lines 1 through 3 and substitute "SECTIONS 33-3-107 TO
12 33-3-110 AND SITE ASSESSMENTS CONDUCTED BY STATE OFFICIALS AND
13 THIRD PARTIES TO PREVENT FUTURE DEPREDATION AND ANY PERSONAL OR
14 OTHERWISE IDENTIFYING INFORMATION ASSOCIATED WITH THE USE OF
15 PROACTIVE NONLETHAL PREDATOR-LIVESTOCK CONFLICT MINIMIZATION
16 MEASURES IS CONFIDENTIAL AND".

17 Page 4, after line 5 insert:

18 "(3) NOTHING IN THIS SECTION PROHIBITS THE DISCLOSURE OF
19 NONIDENTIFYING INFORMATION REGARDING COUNTY-LEVEL DATA
20 HIGHLIGHTING THE NUMBER OR DOLLAR AMOUNT OF CLAIMS MADE TO THE
21 DIVISION, THE NUMBER OF CLAIMS MADE TO THE DIVISION THAT WERE
22 SETTLED AND THE MONETARY AMOUNTS OF THOSE SETTLEMENTS, THE
23 NUMBER OF CLAIMS MADE TO THE DIVISION THAT ARE PENDING AT THE
24 TIME OF A REQUEST FOR DISCLOSURE, AND THE NUMBER OF CLAIMS MADE
25 TO THE DIVISION THAT WERE DENIED AND THE REASONS FOR DENIAL.

26 (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
27 CONTRARY, IF A PERSON, OR AN AUTHORIZED DESIGNEE OR
28 REPRESENTATIVE OF THE PERSON, TAKES ACTIONS OR MAKES STATEMENTS
29 THAT LEAD TO THE PERSON'S PERSONAL INFORMATION BECOMING
30 PUBLICLY KNOWN, THE PERSONAL INFORMATION IS NOT CONFIDENTIAL
31 AND IS SUBJECT TO DISCLOSURE PURSUANT TO THE "COLORADO OPEN
32 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

33 (5) A PERSON SHALL NOT BRING OR MAINTAIN A PRIVATE ACTION,
34 AT LAW OR IN EQUITY, CHALLENGING THE DIVISION'S DETERMINATION
35 THAT A PERSON, OR AN AUTHORIZED DESIGNEE OR REPRESENTATIVE OF
36 THE PERSON, HAS TAKEN ACTIONS OR MADE STATEMENTS THAT LED TO
37 THE PERSON'S PERSONAL INFORMATION BECOMING PUBLICLY KNOWN."

- 1 Renumber succeeding subsection accordingly.
- 2 Page 4, lines 6 and 7, strike "NOTWITHSTANDING ANY PROVISION OF THIS
3 SECTION TO THE CONTRARY, ANY" and substitute "ANY".
- 4 Strike "CLAIMANT'S" and substitute "PERSON'S" on: **Page 3**, lines 17 and
5 25; and **Page 4**, line 9.
- 6 Strike "CLAIMANT" and substitute "PERSON" on: **Page 3**, lines 25 and 26;
7 and **Page 4**, lines 7 and 8.

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