

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0124.01 Brita Darling x2241

HOUSE BILL 21-1107

HOUSE SPONSORSHIP

Caraveo and Carver,

SENATE SPONSORSHIP

Bridges and Lundeen,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PROTECTIONS FOR CERTAIN PUBLIC HEALTH WORKERS.

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>.)

Under current law, it is unlawful for a person to make available on the internet personal information of a law enforcement official (official) or a human services worker (worker), or the official's or worker's family, if the dissemination of the personal information poses an imminent and serious threat to the official's or worker's safety or the safety of the official's or worker's family. A violation of this law is a class 1 misdemeanor.

Further, a worker meeting certain requirements specified in statute

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

may submit a written request to a state or local government official to remove personal information from public records that are available on the internet.

The bill adds the same protections for public health workers, including employees, contractors, or employees of contractors of the department of public health and environment, or of county or district public health agencies, who are engaged in public health duties, and for members of county or district boards of health, other than elected county commissioners.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-9-313, **amend** (1)
3 introductory portion, (1)(b), (1)(e), (2.7), and (2.8); and **add** (1)(f) and
4 (1)(g) as follows:

5 **18-9-313. Personal information on the internet - law**
6 **enforcement official - victims of domestic violence, sexual assault, and**
7 **stalking - other protected persons - definitions.** (1) As used in this
8 section, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (b) "Immediate family" means a law enforcement official's or
10 ~~human services worker's~~ PROTECTED PERSON'S spouse, child, or parent or
11 any other blood relative who lives in the same residence as the law
12 enforcement official or ~~human services worker~~ PROTECTED PERSON.

13 (e) "Personal information" means the home address, home
14 telephone number, personal mobile telephone number, pager number,
15 personal e-mail address, or a personal photograph of a law enforcement
16 official, participant in the address confidentiality program, or ~~human~~
17 ~~services worker~~ PROTECTED PERSON; directions to the home of a law
18 enforcement official, participant in the address confidentiality program,
19 or ~~human services worker~~ PROTECTED PERSON; or photographs of the
20 home or vehicle of a law enforcement official, participant in the address

1 confidentiality program, or ~~human services worker~~ PROTECTED PERSON.

2 (f) "PROTECTED PERSON" MEANS A HUMAN SERVICES WORKER OR
3 A PUBLIC HEALTH WORKER.

4 (g) "PUBLIC HEALTH WORKER" MEANS:

5 (I) AN EMPLOYEE, CONTRACTOR, OR EMPLOYEE OF A CONTRACTOR
6 OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, CREATED IN
7 SECTION 25-1-102, WHO IS ENGAGED IN PUBLIC HEALTH DUTIES, AS
8 DESCRIBED IN SECTION 25-1.5-101;

9 (II) AN EMPLOYEE, CONTRACTOR, OR EMPLOYEE OF A
10 CONTRACTOR OF A COUNTY OR DISTRICT PUBLIC HEALTH AGENCY, AS
11 DEFINED IN SECTION 25-1-502, WHO IS ENGAGED IN PUBLIC HEALTH
12 DUTIES, AS DESCRIBED IN SECTION 25-1-506; OR

13 (III) A MEMBER OF A COUNTY OR DISTRICT BOARD OF HEALTH,
14 OTHER THAN AN ELECTED COUNTY COMMISSIONER.

15 (2.7) It is unlawful for a person to knowingly make available on
16 the internet personal information about a ~~human services worker~~
17 PROTECTED PERSON or the ~~human services worker's~~ PROTECTED PERSON'S
18 immediate family if the dissemination of personal information poses an
19 imminent and serious threat to the ~~human services worker's~~ PROTECTED
20 PERSON'S safety or the safety of the ~~human services worker's~~ PROTECTED
21 PERSON'S immediate family and the person making the information
22 available on the internet knows or reasonably should know of the
23 imminent and serious threat.

24 (2.8) (a) A ~~human services worker~~ PROTECTED PERSON may
25 submit a written request pursuant to subsection (2.8)(b) of this section to
26 a state or local government official to remove personal information from
27 records that are available on the internet. If a state or local government

1 official receives ~~such~~ THE written request, then the state or local
2 government official shall not knowingly make available on the internet
3 personal information about the ~~human services worker~~ PROTECTED
4 PERSON or the ~~human services worker's~~ PROTECTED PERSON'S immediate
5 family.

6 (b) A ~~human services worker's~~ PROTECTED PERSON'S written
7 request to a state or local government official to remove records that the
8 official makes available on the internet must include:

9 (I) Evidence that the person submitting the request is a ~~human~~
10 ~~services worker~~ PROTECTED PERSON, as defined in subsection (1) of this
11 section; and

12 (II) An affirmation stating under penalty of perjury that the
13 PROTECTED person has reason to believe that the dissemination of the
14 personal information contained in the records that the official makes
15 available on the internet poses an imminent and serious threat to the
16 ~~human services worker's~~ PROTECTED PERSON'S safety or the safety of the
17 ~~human services worker's~~ PROTECTED PERSON'S immediate family.

18 **SECTION 2. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.