

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0640.01 Rebecca Bayetti x4348

HOUSE BILL 25-1028

HOUSE SPONSORSHIP

Phillips and Zokaie,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MODIFICATIONS TO THE ADDRESS CONFIDENTIALITY
102 PROGRAM.

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 modifies the address confidentiality program (program), which is intended to protect the confidentiality of the actual address of a relocated protected health-care worker or a relocated victim of domestic violence, a sexual offense, human trafficking, or stalking. The modifications to the program are:

- Expanding the requirement to use a substitute address for

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.

a program participant from applying only to government agencies to applying to private entities, upon request of the program participant;

- Removing work and school addresses from the definition of actual address, such that an actual address only covers a residential address;
- Allowing a program participant to apply with their actual address and either a telephone number or an email address, rather than requiring a telephone number;
- Clarifying that entities and agencies must use a substitute address in the place of the name of a school or employer or for a program participant's home-based business, if requested;
- Increasing the court fine applied to convictions for certain offenses, which is used to fund the program, from \$28 to \$33 and expanding this fine by applying it to convictions for sexual assault and municipal offenses for domestic violence, stalking, sexual assault, and human trafficking;
- Creating a process to allow program participants to shield real property records from public inspection; and
- Allowing a criminal justice official or government agency that has requested and been approved for expedited disclosure of a program participant's actual address to share the actual address with a law enforcement agency for the purpose of conducting a welfare check.

The bill also makes technical and conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-2102, **amend**
3 (2); and **repeal** (3) as follows:

4 **24-30-2102. Legislative declaration.** (2) The general assembly
5 further finds and declares that the desired result of the "Address
6 Confidentiality Program Act" for the purpose of post-enactment review
7 is to establish a substitute address for a program participant that is used
8 ~~by state and local government agencies~~ whenever possible, to permit
9 STATE AND LOCAL GOVERNMENT agencies to have access to the
10 participant's actual address when appropriate, to establish a mail

1 forwarding system for program participants, and to ensure that there is
2 adequate funding to pay the program costs for all persons who apply to
3 the program.

4 ~~(3) The general assembly further declares that private entities,
5 including but not limited to private businesses, can help protect program
6 participants by seeking to prevent the disclosure of unique identifying
7 information that could jeopardize the safety of program participants. The
8 general assembly recognizes that a legitimate need for private entities to
9 request and have access to an individual's actual address often exists and
10 that the opportunity exists for private entities to partner with state and
11 local governmental agencies in the effort to protect the safety of program
12 participants.~~

13 **SECTION 2.** In Colorado Revised Statutes, 24-30-2103, **amend**
14 (1); and **add** (10.5), (10.6), (10.8), (11.5), and (15) as follows:

15 **24-30-2103. Definitions.** As used in this part 21, unless the
16 context otherwise requires:

17 (1) "Actual address" means a residential ~~work, or school~~ address
18 IN THE STATE OF COLORADO as specified on the individual's application
19 to be a program participant under this part 21, and includes the county,
20 voting precinct number, and any unique identifying information related
21 to the individual's residential ~~work, or school~~ address.

22 (10.5) "REAL PROPERTY ACP NOTICE" MEANS THE NOTICE
23 REQUIRED UNDER SECTION 24-30-2108.5 FOR A PROGRAM PARTICIPANT TO
24 REQUEST THE SHIELDING OF REAL PROPERTY RECORDS.

25 (10.6) "REAL PROPERTY RECORD" MEANS ANY PHYSICAL OR
26 ELECTRONIC RECORD OR DATA MAINTAINED BY A STATE OR LOCAL
27 GOVERNMENT AGENCY IN CONNECTION WITH LAND OR TAX RECORDS.

1 (10.8) "SEXUAL ASSAULT" MEANS AN ACT DESCRIBED IN PART 4 OF
2 ARTICLE 3 OF TITLE 18.

3 (11.5) "SHIELDING" MEANS, WITH RESPECT TO A REAL PROPERTY
4 RECORD ACCEPTED FOR RECORDING BY A STATE OR LOCAL GOVERNMENT
5 AGENCY, TO REMOVE THE RECORD FROM PUBLIC INSPECTION AND TO
6 REMOVE THE RECORD TO A SEPARATE SECURE AREA TO WHICH PERSONS
7 WHO DO NOT HAVE A LEGITIMATE REASON FOR ACCESS ARE DENIED
8 ACCESS IN ACCORDANCE WITH SECTION 24-30-2108.5.

9 (15) "UNIQUE LOCATION INFORMATION" MEANS INFORMATION
10 THAT CAN BE USED TO LOCATE A PROGRAM PARTICIPANT, INCLUDING THE
11 PROGRAM PARTICIPANT'S PHONE NUMBER, EMAIL ADDRESS, SOCIAL
12 SECURITY NUMBER, DRIVER'S LICENSE OR STATE IDENTIFICATION NUMBER,
13 AND ACTUAL ADDRESS. "UNIQUE LOCATION INFORMATION" ALSO
14 INCLUDES A PROGRAM PARTICIPANT'S NAME WHEN THE NAME IS USED IN
15 CONNECTION WITH A LOCATION IDENTIFIER, SUCH AS A COUNTY OF
16 RESIDENCE.

17 **SECTION 3.** In Colorado Revised Statutes, 24-30-2104, **amend**
18 (1)(a) as follows:

19 **24-30-2104. Address confidentiality program - creation -**
20 **substitute address - uses - service by mail - application assistance**
21 **centers.** (1) There is created the address confidentiality program in the
22 department to protect the confidentiality of the actual address of a
23 relocated protected health-care worker or a relocated victim of domestic
24 violence, a sexual offense, human trafficking, or stalking and to prevent
25 the victim's assailants or potential assailants from finding the victim
26 through public records. Under the program, the executive director or the
27 executive director's designee shall:

1 (a) Designate a substitute address for a program participant that
2 shall be used by PERSONS AND state and local government agencies as set
3 forth in this part 21; and

4 **SECTION 4.** In Colorado Revised Statutes, 24-30-2105, **amend**
5 (3)(c) introductory portion, (3)(c)(III), and (3)(g); and **add** (3)(c)(V) and
6 (3)(c)(VI) as follows:

7 **24-30-2105. Filing and certification of applications -**
8 **authorization card.** (3) The application must be on a form prescribed by
9 the executive director or the executive director's designee and must
10 contain the following:

11 (c) ~~Evidence~~ SUPPORTING DOCUMENTATION that the applicant is
12 a PROTECTED HEALTH-CARE WORKER OR AN ACTUAL OR THREATENED
13 victim of domestic violence, a sexual offense, human trafficking, or
14 stalking, if applicable. This ~~evidence~~ SUPPORTING DOCUMENTATION may
15 include any of the following:

16 (III) Documentation from a sexual assault program if the applicant
17 is alleged to be a victim of a sexual offense; ~~or~~

18 (V) DOCUMENTATION SHOWING THAT THE APPLICANT HAS
19 PREVIOUSLY BEEN ENROLLED IN ANOTHER CONFIDENTIAL ADDRESS
20 PROGRAM; OR

21 (VI) DOCUMENTATION FROM A REPRODUCTIVE HEALTH-CARE
22 PROVIDER ENGAGED IN THE PROVISION, FACILITATION, OR PROMOTION OF
23 A LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION
24 12-30-121 (1)(d).

25 (g) The mailing address and telephone number OR EMAIL ADDRESS
26 where the applicant can be contacted by the executive director or ~~his or~~
27 ~~her~~ THE EXECUTIVE DIRECTOR'S designee;

1 **SECTION 5.** In Colorado Revised Statutes, 24-30-2106, **amend**
2 (2) as follows:

3 **24-30-2106. Change of name, address, telephone number, or**
4 **email address.** (2) A program participant shall notify the executive
5 director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee of a change in
6 address, EMAIL ADDRESS, or telephone number from the address, EMAIL
7 ADDRESS, or telephone number listed for the participant on the application
8 pursuant to the requirements set forth in section 24-30-2105 (3)(g) and
9 (3)(h) no later than seven days after the change occurs.

10 **SECTION 6.** In Colorado Revised Statutes, 24-30-2107, **amend**
11 (1)(b) and (3) as follows:

12 **24-30-2107. Certification cancellation - records.** (1) The
13 certification of a program participant shall be canceled under any of the
14 following circumstances:

15 (b) The program participant fails to notify the executive director
16 or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee of a change in the
17 participant's name, address, EMAIL ADDRESS, or telephone number listed
18 on the application pursuant to section 24-30-2106.

19 (3) An individual who ceases to be a program participant is
20 responsible for notifying persons who use the substitute address that the
21 designated substitute address is no longer valid. AN INDIVIDUAL WHO
22 CEASES TO BE A PROGRAM PARTICIPANT IS ALSO RESPONSIBLE FOR
23 NOTIFYING STATE OR LOCAL GOVERNMENT AGENCIES TO WHOM THE
24 INDIVIDUAL HAS SUBMITTED A REAL PROPERTY ACP NOTICE THAT THE
25 INDIVIDUAL IS NO LONGER A PROGRAM PARTICIPANT.

26 **SECTION 7.** In Colorado Revised Statutes, 24-30-2108, **amend**
27 (1), (2), (10) introductory portion, (10)(b), and (11) as follows:

1 **24-30-2108. Substitute address use.** (1) The program
2 participant, and not the executive director or ~~his or her~~ THE EXECUTIVE
3 DIRECTOR'S designee, is responsible for requesting that A PERSON OR state
4 or local government agency use the participant's substitute address as the
5 participant's residential, work, or school address for all purposes for
6 which the PERSON OR agency requires or requests such residential, work,
7 or school address.

8 (2) Except as otherwise provided in this section or unless the
9 executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee
10 grants a state or local government agency's request for a disclosure
11 pursuant to section 24-30-2110, when a program participant submits a
12 current and valid address confidentiality program authorization card to ~~the~~
13 A PERSON OR agency, the PERSON OR agency shall accept the substitute
14 address designation ~~by the executive director or his or her designee~~ on the
15 card as the participant's address to be used as the participant's residential,
16 work, or school address when creating a new public record, INCLUDING
17 IN PLACE OF THE NAME OF A SCHOOL OR EMPLOYER OR FOR THE
18 PARTICIPANT'S HOME-BASED BUSINESS. The substitute address ~~given to the~~
19 ~~agency shall be~~ IS the last-known address for the participant ~~used by the~~
20 ~~agency until such time that~~ the PERSON OR agency receives notification
21 pursuant to section 24-30-2107 (3). The PERSON OR agency may make a
22 photocopy of the card for ~~the~~ THEIR records ~~of the agency~~ and thereafter
23 shall immediately return the card to the program participant.

24 (10) Except as otherwise provided in this section, a program
25 participant's actual address, EMAIL ADDRESS, and telephone number
26 maintained by a PERSON OR state or local government agency or disclosed
27 by the executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S

1 designee is not a public record that is subject to inspection pursuant to ~~the~~
2 ~~provisions of part 2 of article 72 of this title~~ TITLE 24. This subsection
3 (10) ~~shall~~ DOES not apply: ~~to the following:~~

4 (b) If a program participant voluntarily requests that a ~~state or~~
5 ~~local government~~ PERSON OR agency use the participant's actual address.
6 ~~or voluntarily gives the actual address to the state or local government~~
7 ~~agency.~~

8 (11) For any public record created within ninety days prior to the
9 date that a program participant applied to be certified in the program, a
10 ~~state or local government~~ PERSON OR agency shall redact the actual
11 address from a public record or change the actual address to the substitute
12 address in the public record if a program participant who presents a
13 current and valid program authorization card requests THAT the PERSON
14 OR agency that maintains the public record to use the substitute address
15 instead of the actual address on the public record.

16 **SECTION 8.** In Colorado Revised Statutes, **add 24-30-2108.5** as
17 follows:

18 **24-30-2108.5. Shielding real property records.** (1) (a) A
19 PROGRAM PARTICIPANT WHO ACQUIRES AN OWNERSHIP INTEREST IN REAL
20 PROPERTY WHILE PARTICIPATING IN THE ADDRESS CONFIDENTIALITY
21 PROGRAM MAY REQUEST THAT A STATE OR LOCAL GOVERNMENT AGENCY
22 SHIELD THE PROGRAM PARTICIPANT'S REAL PROPERTY RECORDS
23 CONCERNING THAT PROPERTY.

24 (b) (I) A PROGRAM PARTICIPANT MAY REQUEST THE SHIELDING OF
25 A REAL PROPERTY RECORD PRIOR TO ITS RECORDING BY SUBMITTING TO A
26 STATE OR LOCAL GOVERNMENT AGENCY THE FOLLOWING DOCUMENTS:

27 (A) A REAL PROPERTY ACP NOTICE; AND

1 (B) THE REAL PROPERTY RECORD TO BE RECORDED THAT THE
2 PROGRAM PARTICIPANT SEEKS TO SHIELD.

3 (II) A REAL PROPERTY ACP NOTICE SUBMITTED PURSUANT TO THIS
4 SUBSECTION (1)(b) APPLIES TO:

5 (A) THE REAL PROPERTY RECORD SUBMITTED FOR RECORDING
6 WITH THE REAL PROPERTY ACP NOTICE; AND

7 (B) ANY OTHER REAL PROPERTY RECORD THAT CONCERNS THE
8 PROPERTY IDENTIFIED IN THE REAL PROPERTY ACP NOTICE AND IS
9 SUBMITTED TO THE AGENCY FOR RECORDING DURING THE PERIOD IN WHICH
10 THE PROGRAM PARTICIPANT BOTH HOLDS AN INTEREST IN THE PROPERTY
11 AND PARTICIPATES IN THE PROGRAM.

12 (c) (I) A PROGRAM PARTICIPANT MAY REQUEST THE SHIELDING OF
13 A REAL PROPERTY RECORD AFTER ITS RECORDING BY SUBMITTING TO A
14 STATE OR LOCAL GOVERNMENT AGENCY THE FOLLOWING DOCUMENTS:

15 (A) A REAL PROPERTY ACP NOTICE; AND

16 (B) SUFFICIENT INFORMATION TO IDENTIFY THE REAL PROPERTY
17 THAT IS THE SUBJECT OF THE RECORDS THAT THE PROGRAM PARTICIPANT
18 SEEKS TO SHIELD.

19 (II) A REAL PROPERTY ACP NOTICE SUBMITTED PURSUANT TO THIS
20 SUBSECTION (1)(c) APPLIES TO ANY REAL PROPERTY RECORD THAT:

21 (A) CONCERNS THE PROPERTY IDENTIFIED IN THE REAL PROPERTY
22 ACP NOTICE; AND

23 (B) IS OR HAS BEEN SUBMITTED TO THE AGENCY FOR RECORDING
24 DURING THE PERIOD IN WHICH THE PROGRAM PARTICIPANT BOTH HOLDS AN
25 INTEREST IN THE PROPERTY AND PARTICIPATES IN THE PROGRAM.

26 (d) A PROGRAM PARTICIPANT WHO REQUESTS TO HAVE A REAL
27 PROPERTY RECORD SHIELDED PURSUANT TO THIS SUBSECTION (1)(b) SHALL

1 NOT SUBMIT THE REAL PROPERTY RECORD FOR ELECTRONIC RECORDING
2 WITH THE STATE OR LOCAL GOVERNMENT AGENCY.

3 (2) A PROGRAM PARTICIPANT SHALL SUBMIT TO THE EXECUTIVE
4 DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE A COPY OF ANY REAL
5 PROPERTY ACP NOTICE SUBMITTED TO A STATE OR LOCAL GOVERNMENT
6 AGENCY PURSUANT TO SUBSECTION (1) OF THIS SECTION.

7 (3) (a) A STATE OR LOCAL GOVERNMENT AGENCY OR AN
8 EMPLOYEE OF AN AGENCY SHALL NOT DISCLOSE UNIQUE LOCATION
9 INFORMATION RELATED TO PROPERTY FOR WHICH A REAL PROPERTY ACP
10 NOTICE HAS BEEN SUBMITTED TO THE AGENCY UNLESS THE PROGRAM
11 PARTICIPANT CONSENTS TO THE DISCLOSURE IN WRITING OR THE
12 DISCLOSURE IS PERMITTED PURSUANT TO SECTION 24-30-2110 OR
13 24-30-2111 OR SUBSECTION (3)(b) OF THIS SECTION.

14 (b) (I) UPON REQUEST, THE EXECUTIVE DIRECTOR OR THE
15 EXECUTIVE DIRECTOR'S DESIGNEE MAY AUTHORIZE DISCLOSURE OF
16 UNIQUE LOCATION INFORMATION OR REAL PROPERTY RECORDS THAT HAVE
17 BEEN SHIELDED. THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S
18 DESIGNEE MAY AUTHORIZE DISCLOSURE PURSUANT TO THIS SUBSECTION
19 (3)(b) ONLY FOR THE PURPOSE OF PERFORMING A TITLE EXAMINATION AND
20 ONLY AFTER THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S
21 DESIGNEE CONFIRMS THAT THE PROPERTY SUBJECT TO THE TITLE
22 EXAMINATION IS THE PROPERTY IDENTIFIED IN THE REAL PROPERTY ACP
23 NOTICE OF A CURRENT PROGRAM PARTICIPANT.

24 (II) AN INDIVIDUAL SUBMITTING A REQUEST FOR DISCLOSURE
25 PURSUANT TO THIS SUBSECTION (3)(b) SHALL INCLUDE THE FOLLOWING IN
26 THE REQUEST:

27 (A) THE NAME, TITLE, ADDRESS, AND AFFILIATED ORGANIZATION,

1 IF APPLICABLE, OF THE INDIVIDUAL REQUESTING THE DISCLOSURE;

2 (B) THE INDIVIDUAL'S PURPOSE FOR REQUESTING THE DISCLOSURE;

3 (C) THE INDIVIDUAL'S RELATIONSHIP TO THE PROGRAM

4 PARTICIPANT, IF ANY;

5 (D) A LEGAL DESCRIPTION OF THE PROPERTY SUBJECT TO THE

6 TITLE EXAMINATION;

7 (E) AN ACKNOWLEDGMENT THAT THE INDIVIDUAL WILL TREAT AS

8 CONFIDENTIAL ALL UNIQUE LOCATION INFORMATION DISCLOSED TO THE

9 INDIVIDUAL AND WILL USE THE INFORMATION ONLY FOR THE PURPOSES

10 IDENTIFIED IN THE REQUEST;

11 (F) THE INDIVIDUAL'S SIGNATURE; AND

12 (G) ANY OTHER INFORMATION REQUIRED BY THE EXECUTIVE

13 DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

14 (III) THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S

15 DESIGNEE SHALL PROVIDE A WRITTEN RESPONSE APPROVING OR DENYING

16 A REQUEST SUBMITTED PURSUANT TO THIS SUBSECTION (3)(b) WITHIN TWO

17 BUSINESS DAYS AFTER RECEIVING THE REQUEST.

18 (4) (a) THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S

19 DESIGNEE SHALL MAKE A REAL PROPERTY ACP NOTICE FORM AVAILABLE

20 TO PROGRAM PARTICIPANTS. THE REAL PROPERTY ACP NOTICE FORM

21 MUST INCLUDE:

22 (I) THE FULL LEGAL NAME OF THE PROGRAM PARTICIPANT,

23 INCLUDING THEIR MIDDLE NAME;

24 (II) THE PROGRAM PARTICIPANT'S ADDRESS CONFIDENTIALITY

25 PROGRAM AUTHORIZATION NUMBER;

26 (III) THE SUBSTITUTE ADDRESS;

27 (IV) A DESCRIPTION OF THE PROPERTY THAT IS THE SUBJECT OF

1 THE REAL PROPERTY RECORDS THAT THE PROGRAM PARTICIPANT
2 REQUESTS TO SHIELD; AND

3 (V) THE PROGRAM PARTICIPANT'S SIGNATURE.

4 (b) A REAL PROPERTY ACP NOTICE IS NOT A PUBLIC RECORD FOR
5 PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE
6 72 OF THIS TITLE 24.

7 (5) NOTHING IN THIS SECTION PROHIBITS A STATE OR LOCAL
8 GOVERNMENT AGENCY OR AN EMPLOYEE OF AN AGENCY FROM RETURNING
9 AN ORIGINAL DEED, INSTRUMENT, OR OTHER REAL PROPERTY RECORD TO
10 THE INDIVIDUAL WHO SUBMITTED THE RECORD FOR RECORDING.

11 **SECTION 9.** In Colorado Revised Statutes, 24-30-2109, **amend**
12 (1) introductory portion, (1)(a), (4), and (5) as follows:

13 **24-30-2109. Disclosure of actual address prohibited.** (1) The
14 executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee is
15 prohibited from disclosing any address, EMAIL ADDRESS, or telephone
16 number of a program participant other than the substitute address
17 designated by the executive director or ~~his or her~~ THE EXECUTIVE
18 DIRECTOR'S designee, except under any of the following circumstances:

19 (a) The information is required by direction of a court order
20 pursuant to section 24-30-2111. However, ~~any~~ A person to whom a
21 program participant's address, EMAIL ADDRESS, or telephone number has
22 been disclosed shall not disclose the address, EMAIL ADDRESS, or
23 telephone number to any other person unless permitted to do so by order
24 of the court.

25 (4) ~~No~~ A person shall NOT knowingly and intentionally obtain a
26 program participant's actual address, EMAIL ADDRESS, or telephone
27 number from the executive director or ~~his or her~~ THE EXECUTIVE

1 DIRECTOR'S designee or an agency knowing that the person is not
2 authorized to obtain the address information.

3 (5) ~~No~~ AN employee of the executive director or ~~his or her~~ THE
4 EXECUTIVE DIRECTOR'S designee or of an agency shall NOT knowingly and
5 intentionally disclose a program participant's actual address, EMAIL
6 ADDRESS, or telephone number unless the disclosure is permissible by
7 law. This subsection (5) only applies when an employee obtains a
8 participant's actual address, EMAIL ADDRESS, or telephone number during
9 the course of the employee's official duties and, at the time of disclosure,
10 the employee has specific knowledge that the actual address, EMAIL
11 ADDRESS, or telephone number disclosed belongs to a participant.

12 **SECTION 10.** In Colorado Revised Statutes, 24-30-2110, **amend**
13 (12) as follows:

14 **24-30-2110. Request for disclosure.** (12) Notwithstanding any
15 other provision of this section, the executive director or ~~his or her~~ THE
16 EXECUTIVE DIRECTOR'S designee shall establish an expedited process for
17 disclosure to be used by a criminal justice official or agency for situations
18 where disclosure is required pursuant to a criminal justice trial, hearing,
19 proceeding, or investigation involving a program participant OR TO
20 CONDUCT A WELFARE CHECK ON A PROGRAM PARTICIPANT. An official or
21 agency receiving information pursuant to this subsection (12) shall certify
22 to the executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S
23 designee that the official or agency has a system in place to protect the
24 confidentiality of a participant's actual address from the public and from
25 personnel who are not involved in the WELFARE CHECK, trial, hearing,
26 proceeding, or investigation. WHEN DISCLOSURE IS REQUESTED FOR THE
27 PURPOSE OF CONDUCTING A WELFARE CHECK ON A PROGRAM PARTICIPANT,

1 THE REQUESTING OFFICIAL OR AGENCY MAY DISCLOSE THE PARTICIPANT'S
2 NAME AND ACTUAL ADDRESS TO ANOTHER LAW ENFORCEMENT AGENCY AS
3 NECESSARY TO CONDUCT THE WELFARE CHECK.

4 **SECTION 11.** In Colorado Revised Statutes, 24-30-2114, **amend**
5 (1), (2) introductory portion, (2)(b), (2)(c), and (5); and **add** (2)(a.7) and
6 (2)(d) as follows:

7 **24-30-2114. Surcharge - collection and distribution - address**
8 **confidentiality program surcharge fund - creation - definitions.**

9 (1) On and after July 1, 2007, BUT BEFORE JULY 1, 2025, each ~~person~~
10 INDIVIDUAL who is convicted of ~~the crimes~~ A CRIME set forth in
11 subsection (2) of this section shall be required to pay a surcharge of
12 twenty-eight dollars to the clerk of the court for the judicial district in
13 which the conviction occurs. ON AND AFTER JULY 1, 2025, EACH
14 INDIVIDUAL WHO IS CONVICTED OF A CRIME SET FORTH IN SUBSECTION (2)
15 OF THIS SECTION SHALL BE REQUIRED TO PAY A SURCHARGE OF
16 THIRTY-THREE DOLLARS TO THE CLERK OF THE COURT FOR THE JUDICIAL
17 DISTRICT IN WHICH THE CONVICTION OCCURS.

18 (2) The following crimes ~~shall be~~ ARE subject to the surcharge set
19 forth in subsection (1) of this section:

- 20 (a.7) SEXUAL ASSAULT;
- 21 (b) A crime, the underlying factual basis of which has been found
22 by the court on the record to include an act of domestic violence; ~~or~~
- 23 (c) Criminal attempt, conspiracy, or solicitation to commit the
24 crimes set forth in subsections (2)(a), (2)(a.5), (2)(a.6), and (2)(b) of this
25 section; OR
- 26 (d) A VIOLATION OF A MUNICIPAL ORDINANCE PROHIBITING
27 STALKING, HUMAN TRAFFICKING, SEXUAL ASSAULT, OR AN ACT OF

1 DOMESTIC VIOLENCE.

2 (5) The court may waive all or any portion of the surcharge
3 required by this section if the court finds that ~~a person~~ AN INDIVIDUAL
4 subject to the surcharge is indigent or financially unable to pay all or any
5 portion of the surcharge. The court may waive only that portion of the
6 surcharge that the court finds that the ~~person~~ INDIVIDUAL is financially
7 unable to pay.

8 **SECTION 12.** In Colorado Revised Statutes, 1-2-213, **amend**
9 (2)(e) as follows:

10 **1-2-213. Registration at driver's license examination facilities.**

11 (2) (e) The department of revenue, through its local driver's license
12 examination facilities, shall ~~notify~~ INFORM a program participant, as
13 defined in section 24-30-2103 (9), ~~C.R.S.~~, who submits a current and
14 valid address confidentiality program authorization card ~~of the provisions~~
15 ~~of section 24-30-2108 (4), C.R.S., and inform the participant~~ about how
16 ~~he or she~~ THE PARTICIPANT may use a substitute address, as defined in
17 section 24-30-2103 (14), ~~C.R.S.~~, on the driver's license or identification
18 card.

19 **SECTION 13. Effective date.** This act takes effect July 1, 2025.

20 **SECTION 14. Safety clause.** The general assembly finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety or for appropriations for
23 the support and maintenance of the departments of the state and state
24 institutions.