

**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. 25-0640.01 Rebecca Bayetti x4348

HOUSE BILL 25-1028

HOUSE SPONSORSHIP

Phillips and Zokaie,

SENATE SPONSORSHIP

(None),

House Committees

Judiciary
Finance

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:

6 (a) IN THE CASE OF AN ELECTRONIC RECORD OR DATA, TO REDACT
7 THE PROGRAM PARTICIPANT'S NAME FROM PUBLIC ACCESS; AND

8 (b) IN THE CASE OF A PHYSICAL RECORD, TO LIMIT PUBLIC ACCESS
9 TO THE RECORD IN ACCORDANCE WITH THE PROCESS DEVELOPED BY THE
10 EXECUTIVE DIRECTOR PURSUANT TO SECTION 24-30-2108.5 (6).

11 (15) "UNIQUE LOCATION INFORMATION" MEANS INFORMATION
12 THAT CAN BE USED TO LOCATE A PROGRAM PARTICIPANT, INCLUDING BUT
13 NOT LIMITED TO THE PROGRAM PARTICIPANT'S PHONE NUMBER, EMAIL
14 ADDRESS, SOCIAL SECURITY NUMBER, DRIVER'S LICENSE OR STATE
15 IDENTIFICATION NUMBER, AND ACTUAL ADDRESS. "UNIQUE LOCATION
16 INFORMATION" ALSO INCLUDES A PROGRAM PARTICIPANT'S NAME WHEN
17 THE NAME IS USED IN CONNECTION WITH A LOCATION IDENTIFIER, SUCH AS
18 A COUNTY OF RESIDENCE. NOTHING IN THIS DEFINITION ALTERS THE
19 REQUIREMENTS TO PARTICIPATE IN THE ADDRESS CONFIDENTIALITY
20 PROGRAM.

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

23 **24-30-2104. Address confidentiality program - creation -**
24 **substitute address - uses - service by mail - application assistance**
25 **centers.** (1) There is created the address confidentiality program in the
26 department to protect the confidentiality of the actual address of a
27 relocated protected health-care worker or a relocated victim of domestic

1 violence, a sexual offense, human trafficking, or stalking and to prevent
2 the victim's assailants or potential assailants from finding the victim
3 through public records. Under the program, the executive director or the
4 executive director's designee shall:

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

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

11 **24-30-2105. Filing and certification of applications -**
12 **authorization card.** (3) The application must be on a form prescribed by
13 the executive director or the executive director's designee and must
14 contain the following:

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

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

22 (V) DOCUMENTATION SHOWING THAT THE APPLICANT HAS
23 PREVIOUSLY BEEN ENROLLED IN ANOTHER CONFIDENTIAL ADDRESS
24 PROGRAM; OR

25 (VI) DOCUMENTATION FROM A REPRODUCTIVE HEALTH-CARE
26 PROVIDER ENGAGED IN THE PROVISION, FACILITATION, OR PROMOTION OF
27 A LEGALLY PROTECTED HEALTH-CARE ACTIVITY, AS DEFINED IN SECTION

1 12-30-121 (1)(d).

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

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

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

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

16 **24-30-2107. Certification cancellation - records.** (1) The
17 certification of a program participant shall be canceled under any of the
18 following circumstances:

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

23 (3) An individual who ceases to be a program participant is
24 responsible for notifying persons who use the substitute address that the
25 designated substitute address is no longer valid. AN INDIVIDUAL WHO
26 CEASES TO BE A PROGRAM PARTICIPANT IS ALSO RESPONSIBLE FOR
27 NOTIFYING STATE OR LOCAL GOVERNMENT AGENCIES TO WHOM THE

1 INDIVIDUAL HAS SUBMITTED A REAL PROPERTY ACP NOTICE THAT THE
2 INDIVIDUAL IS NO LONGER A PROGRAM PARTICIPANT.

3 **SECTION 7.** In Colorado Revised Statutes, 24-30-2108, **amend**
4 (1), (2), (10) introductory portion, (10)(b), and (11) as follows:

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

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

1 (10) Except as otherwise provided in this section, a program
2 participant's actual address, EMAIL ADDRESS, and telephone number
3 maintained by a PERSON OR state or local government agency or disclosed
4 by the executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S
5 designee is not a public record that is subject to inspection pursuant to ~~the~~
6 ~~provisions of~~ part 2 of article 72 of this ~~title~~ TITLE 24. This subsection
7 (10) ~~shall~~ DOES not apply: ~~to the following:~~

8 (b) If a program participant voluntarily requests that a ~~state or~~
9 ~~local government~~ PERSON OR agency use the participant's actual address.
10 ~~or voluntarily gives the actual address to the state or local government~~
11 ~~agency.~~

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

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

22 **24-30-2108.5. Confidentiality of real property records of**
23 **program participants - use of nominee - shielding - rules.**

24 (1) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, IF AUTHORIZED
25 PURSUANT TO THIS SECTION, A PROGRAM PARTICIPANT MAY ACQUIRE OR
26 TRANSFER AN INTEREST IN REAL PROPERTY IN THE STATE IN THE NAME OF
27 A NOMINEE. A PROGRAM PARTICIPANT MAY APPLY TO THE EXECUTIVE

1 DIRECTOR OR THEIR DESIGNEE FOR AUTHORIZATION TO HOLD AN INTEREST
2 IN REAL PROPERTY IN THE NAME OF A NOMINEE. THE PROGRAM
3 PARTICIPANT MUST SUBMIT THE APPLICATION ON A FORM APPROVED BY
4 THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE, WHICH MUST INCLUDE:

5 (I) THE PARTICIPANT'S FULL LEGAL NAME, INCLUDING MIDDLE
6 NAME, AND ANY OTHER NAMES THE PARTICIPANT USED IN THE PREVIOUS
7 TEN YEARS;

8 (II) THE PARTICIPANT'S SUBSTITUTE ADDRESS;

9 (III) THE LEGAL DESCRIPTION AND STREET ADDRESS OF THE REAL
10 PROPERTY TO BE HELD IN THE NAME OF THE NOMINEE;

11 (IV) THE NAME OF THE NOMINEE IN WHOM THE INTEREST IN REAL
12 PROPERTY MAY BE HELD; AND

13 (V) THE PARTICIPANT'S SIGNATURE.

14 (b) IF THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE FINDS THAT
15 THE APPLICATION IS COMPLETE AND THAT THE NOMINEE MEETS THE
16 QUALIFICATIONS TO BE A NOMINEE AS ESTABLISHED BY RULE, THE
17 EXECUTIVE DIRECTOR OR THEIR DESIGNEE SHALL ISSUE TO THE
18 PARTICIPANT A CARD AUTHORIZING THE PARTICIPANT TO USE THE NAME
19 OF THE NOMINEE IN ACQUIRING OR TRANSFERRING REAL PROPERTY IN THE
20 STATE. THE EXECUTIVE DIRECTOR SHALL ADOPT RULES ESTABLISHING
21 MINIMUM QUALIFICATIONS TO BE A NOMINEE PURSUANT TO THIS SECTION.

22 (c) THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE SHALL
23 MAINTAIN A LIST OF THE PARTICIPANTS RECEIVING AUTHORIZATION
24 PURSUANT TO THIS SECTION. THE LIST MUST INCLUDE FOR EACH
25 PARTICIPANT:

26 (I) THE PARTICIPANT'S FULL LEGAL NAME;

27 (II) THE NAME OF THE PARTICIPANT'S AUTHORIZED NOMINEE; AND

1 (III) THE LEGAL DESCRIPTION AND STREET ADDRESS OF THE REAL
2 PROPERTY HELD IN THE NAME OF THE NOMINEE.

3 (2) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, IF
4 AUTHORIZED PURSUANT TO THIS SECTION, A PROGRAM PARTICIPANT WHO
5 HOLDS AN OWNERSHIP INTEREST IN REAL PROPERTY AT THE TIME THEY
6 ENTER THE ADDRESS CONFIDENTIALITY PROGRAM MAY REQUEST THAT A
7 STATE OR LOCAL GOVERNMENT AGENCY SHIELD THE PROGRAM
8 PARTICIPANT'S EXISTING REAL PROPERTY RECORDS CONCERNING THAT
9 PROPERTY. A PROGRAM PARTICIPANT MAY REQUEST THE SHIELDING OF A
10 REAL PROPERTY RECORD AFTER ITS RECORDING BY SUBMITTING TO A
11 STATE OR LOCAL GOVERNMENT AGENCY:

- 12 (I) A REAL PROPERTY ACP NOTICE; AND
- 13 (II) SUFFICIENT INFORMATION TO IDENTIFY THE REAL PROPERTY
14 THAT IS THE SUBJECT OF THE RECORDS THAT THE PROGRAM PARTICIPANT
15 SEEKS TO SHIELD.

16 (b) A REAL PROPERTY ACP NOTICE SUBMITTED PURSUANT TO THIS
17 SUBSECTION (2) APPLIES TO ANY REAL PROPERTY RECORD THAT CONCERNS
18 THE PROPERTY IDENTIFIED IN THE REAL PROPERTY ACP NOTICE.

19 (c) A PROGRAM PARTICIPANT SHALL SUBMIT TO THE EXECUTIVE
20 DIRECTOR OR THEIR DESIGNEE A COPY OF ANY REAL PROPERTY ACP
21 NOTICE SUBMITTED TO A STATE OR LOCAL GOVERNMENT AGENCY
22 PURSUANT TO THIS SUBSECTION (2).

23 (d) THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE SHALL MAKE A
24 REAL PROPERTY ACP NOTICE FORM AVAILABLE TO PROGRAM
25 PARTICIPANTS. THE REAL PROPERTY ACP NOTICE FORM MUST INCLUDE:

- 26 (I) THE FULL LEGAL NAME OF THE PROGRAM PARTICIPANT,
27 INCLUDING THEIR MIDDLE NAME;

1 (II) THE PROGRAM PARTICIPANT'S ADDRESS CONFIDENTIALITY
2 PROGRAM AUTHORIZATION NUMBER;

3 (III) THE SUBSTITUTE ADDRESS;

4 (IV) A DESCRIPTION OF THE PROPERTY THAT IS THE SUBJECT OF
5 THE REAL PROPERTY RECORDS THAT THE PROGRAM PARTICIPANT
6 REQUESTS TO SHIELD; AND

7 (V) THE PROGRAM PARTICIPANT'S SIGNATURE.

8 (e) A REAL PROPERTY ACP NOTICE IS NOT A PUBLIC RECORD FOR
9 PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE
10 72 OF THIS TITLE 24.

11 (3) (a) (I) EXCEPT AS AUTHORIZED PURSUANT TO SUBSECTION
12 (3)(b) OF THIS SECTION, THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE
13 SHALL NOT DISCLOSE THAT A PROGRAM PARTICIPANT IS AUTHORIZED TO
14 USE THE NAME OF A NOMINEE PURSUANT TO SUBSECTION (1) OF THIS
15 SECTION AND SHALL NOT DISCLOSE ANY INFORMATION ON THE LIST
16 MAINTAINED PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION.

17 (II) EXCEPT AS AUTHORIZED PURSUANT TO SUBSECTION (3)(b) OF
18 THIS SECTION, A STATE OR LOCAL GOVERNMENT AGENCY OR AN EMPLOYEE
19 OF AN AGENCY SHALL NOT DISCLOSE A PROGRAM PARTICIPANT'S NAME IN
20 RELATION TO A SHIELDED ELECTRONIC REAL PROPERTY RECORD AND
21 SHALL NOT DISCLOSE UNIQUE LOCATION INFORMATION RELATED TO A
22 SHIELDED PHYSICAL REAL PROPERTY RECORD.

23 (b) THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE MAY DISCLOSE
24 THAT A PARTICIPANT IS AUTHORIZED TO USE THE NAME OF A NOMINEE
25 PURSUANT TO SUBSECTION (1) OF THIS SECTION OR MAY AUTHORIZE
26 DISCLOSURE OF UNIQUE LOCATION INFORMATION OR REAL PROPERTY
27 RECORDS THAT HAVE BEEN SHIELDED PURSUANT TO SUBSECTION (2) OF

1 THIS SECTION IF:

2 (I) THE PROGRAM PARTICIPANT EXPRESSLY CONSENTS TO THE
3 DISCLOSURE IN WRITING FOR THE PURPOSES THAT THE PARTICIPANT
4 SPECIFIES IN WRITING;

5 (II) THE DISCLOSURE IS REQUIRED PURSUANT TO A COURT ORDER;

6 (III) THE DISCLOSURE IS AUTHORIZED PURSUANT TO THE PROCESS
7 DEVELOPED BY THE EXECUTIVE DIRECTOR PURSUANT TO SUBSECTION (6)
8 OF THIS SECTION; OR

9 (IV) THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE RECEIVES A
10 REQUEST FOR INFORMATION REGARDING THE PARTICIPANT'S REAL
11 PROPERTY RECORDS FOR THE PURPOSE OF PERFORMING A BONA FIDE TITLE
12 EXAMINATION. THE REQUEST MUST INCLUDE:

13 (A) THE NAME, TITLE, ADDRESS, AND AFFILIATED ORGANIZATION,
14 IF APPLICABLE, OF THE PERSON REQUESTING THE INFORMATION;

15 (B) THE PURPOSE FOR REQUESTING THE INFORMATION;

16 (C) THE REQUESTOR'S RELATIONSHIP, IF ANY, TO THE PROGRAM
17 PARTICIPANT WHO IS THE SUBJECT OF THE REQUEST;

18 (D) THE LEGAL DESCRIPTION OF THE REAL PROPERTY THAT IS
19 SUBJECT TO THE TITLE EXAMINATION;

20 (E) THE REQUESTOR'S SIGNATURE; AND

21 (F) ANY OTHER INFORMATION REQUIRED BY RULE OF THE
22 EXECUTIVE DIRECTOR OR THEIR DESIGNEE.

23 (c) (I) THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE SHALL
24 PROVIDE A WRITTEN RESPONSE APPROVING OR DENYING A REQUEST
25 RECEIVED PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION WITHIN TWO
26 BUSINESS DAYS AFTER RECEIVING THE REQUEST.

27 (II) IN RESPONDING TO AN APPROVED BONA FIDE REQUEST

1 PURSUANT TO SUBSECTION (3)(b)(IV) OF THIS SECTION REGARDING USE OF
2 AN AUTHORIZED NOMINEE, THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE
3 SHALL RESPOND BY AN AFFIRMATION IN WRITING THAT THE REAL
4 PROPERTY THAT IS THE SUBJECT OF THE TITLE EXAMINATION IS OR IS NOT
5 OWNED BY THE PROGRAM PARTICIPANT AND HELD IN THE NAME OF THE
6 PARTICIPANT'S AUTHORIZED NOMINEE. A PERSON EXAMINING A TITLE MAY
7 RELY CONCLUSIVELY ON THE INFORMATION CONTAINED IN A WRITTEN
8 AFFIRMATION FROM THE EXECUTIVE DIRECTOR OR THEIR DESIGNEE.

9 (4) INFORMATION DISCLOSED PURSUANT TO THIS SECTION MAY BE
10 USED ONLY FOR THE PURPOSES AUTHORIZED IN THIS SECTION AND MAY
11 NOT BE FURTHER DISCLOSED TO ANY OTHER PERSON. A PERSON WHO
12 RECEIVES INFORMATION PURSUANT TO THIS SECTION SHALL ESTABLISH
13 PROCEDURES TO PROTECT THE INFORMATION FROM FURTHER DISCLOSURE.

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

18 (6) THE EXECUTIVE DIRECTOR SHALL ADOPT RULES ESTABLISHING
19 THE PROCESS FOR SHIELDING A PHYSICAL REAL PROPERTY RECORD
20 PURSUANT TO THIS SECTION. THE RULES MUST ESTABLISH A PROCESS BY
21 WHICH A SHIELDED PHYSICAL REAL PROPERTY RECORD IS PROTECTED
22 FROM PUBLIC ACCESS AND MUST ALSO ESTABLISH A PROCESS FOR
23 GRANTING ACCESS TO A SHIELDED PHYSICAL REAL PROPERTY RECORD
24 AFTER CONSULTATION WITH THE PROGRAM DIRECTOR.

25

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

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

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

13 (4) ~~No~~ A person shall NOT knowingly and intentionally obtain a
14 program participant's actual address, EMAIL ADDRESS, or telephone
15 number from the executive director or ~~his or her~~ THE EXECUTIVE
16 DIRECTOR'S designee or an agency knowing that the person is not
17 authorized to obtain the address information.

18 (5) ~~No~~ AN employee of the executive director or ~~his or her~~ THE
19 EXECUTIVE DIRECTOR'S designee or of an agency shall NOT knowingly and
20 intentionally disclose a program participant's actual address, EMAIL
21 ADDRESS, or telephone number unless the disclosure is permissible by
22 law. This subsection (5) only applies when an employee obtains a
23 participant's actual address, EMAIL ADDRESS, or telephone number during
24 the course of the employee's official duties and, at the time of disclosure,
25 the employee has specific knowledge that the actual address, EMAIL
26 ADDRESS, or telephone number disclosed belongs to a participant.

27 **SECTION 10.** In Colorado Revised Statutes, 24-30-2110, **amend**

1 (12) as follows:

2 **24-30-2110. Request for disclosure.** (12) Notwithstanding any
3 other provision of this section, the executive director or ~~his or her~~ THE
4 EXECUTIVE DIRECTOR'S designee shall establish an expedited process for
5 disclosure to be used by a criminal justice official or agency for situations
6 where disclosure is required pursuant to a criminal justice trial, hearing,
7 proceeding, or investigation involving a program participant OR TO
8 CONDUCT A WELFARE CHECK ON A PROGRAM PARTICIPANT. An official or
9 agency receiving information pursuant to this subsection (12) shall certify
10 to the executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S
11 designee that the official or agency has a system in place to protect the
12 confidentiality of a participant's actual address from the public and from
13 personnel who are not involved in the WELFARE CHECK, trial, hearing,
14 proceeding, or investigation. WHEN DISCLOSURE IS REQUESTED FOR THE
15 PURPOSE OF CONDUCTING A WELFARE CHECK ON A PROGRAM PARTICIPANT,
16 THE REQUESTING OFFICIAL OR AGENCY MAY DISCLOSE THE PARTICIPANT'S
17 NAME AND ACTUAL ADDRESS TO ANOTHER LAW ENFORCEMENT AGENCY AS
18 NECESSARY TO CONDUCT THE WELFARE CHECK.

19 **SECTION 11.** In Colorado Revised Statutes, 24-30-2114, **amend**
20 (1), (2) introductory portion, (2)(b), (2)(c), and (5); and **add** (2)(a.7) and
21 (2)(d) as follows:

22 **24-30-2114. Surcharge - collection and distribution - address**
23 **confidentiality program surcharge fund - creation - definitions.**

24 (1) On and after July 1, 2007, BUT BEFORE JULY 1, 2025, each ~~person~~
25 INDIVIDUAL who is convicted of ~~the crimes~~ A CRIME set forth in
26 subsection (2) of this section shall be required to pay a surcharge of
27 twenty-eight dollars to the clerk of the court for the judicial district in

1 which the conviction occurs. ON AND AFTER JULY 1, 2025, EACH
2 INDIVIDUAL WHO IS CONVICTED OF A CRIME SET FORTH IN SUBSECTION (2)
3 OF THIS SECTION SHALL BE REQUIRED TO PAY A SURCHARGE OF
4 THIRTY-THREE DOLLARS TO THE CLERK OF THE COURT FOR THE JUDICIAL
5 DISTRICT IN WHICH THE CONVICTION OCCURS.

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

8 (a.7) SEXUAL ASSAULT;

9 (b) A crime, the underlying factual basis of which has been found
10 by the court on the record to include an act of domestic violence; ~~or~~

11 (c) Criminal attempt, conspiracy, or solicitation to commit the
12 crimes set forth in subsections (2)(a), (2)(a.5), (2)(a.6), and (2)(b) of this
13 section; OR

14 (d) A VIOLATION OF A MUNICIPAL ORDINANCE PROHIBITING
15 STALKING, HUMAN TRAFFICKING, SEXUAL ASSAULT, OR AN ACT OF
16 DOMESTIC VIOLENCE.

17 (5) The court may waive all or any portion of the surcharge
18 required by this section if the court finds that ~~a person~~ AN INDIVIDUAL
19 subject to the surcharge is indigent or financially unable to pay all or any
20 portion of the surcharge. The court may waive only that portion of the
21 surcharge that the court finds that the ~~person~~ INDIVIDUAL is financially
22 unable to pay.

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

25 **1-2-213. Registration at driver's license examination facilities.**

26 (2) (e) The department of revenue, through its local driver's license
27 examination facilities, shall ~~notify~~ INFORM a program participant, as

1 defined in section 24-30-2103 (9), ~~C.R.S.~~, who submits a current and
2 valid address confidentiality program authorization card ~~of the provisions~~
3 ~~of section 24-30-2108 (4), C.R.S., and inform the participant~~ about how
4 ~~he or she~~ THE PARTICIPANT may use a substitute address, as defined in
5 section 24-30-2103 (14), ~~C.R.S.~~, on the driver's license or identification
6 card.

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

8 **SECTION 14. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.