

CHAPTER 21

PUBLIC UTILITIES

SENATE BILL 25-052

BY SENATOR(S) Winter F. and Hinrichsen, Cutter, Ball, Exum, Gonzales J., Jodeh, Kipp, Michaelson Jenet, Snyder, Sullivan, Weissman, Coleman;
also REPRESENTATIVE(S) Valdez and Lindsay, Froelich, Mauro, Boesenecker, Bacon, Lieder, Lindstedt, Titone.

AN ACT**CONCERNING THE CONFIDENTIALITY OF INFORMATION RELATED TO THE REGULATION OF RAILROAD OPERATIONS.**

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

SECTION 1. In Colorado Revised Statutes, **amend** 40-18-104 as follows:

40-18-104. Confidential investigative reports - rules. ~~Investigative reports of the commission compiled under this article shall be confidential and shall not be discoverable nor used as evidence in any court or administrative action~~ THE COMMISSION MAY ADOPT RULES MAKING ONGOING INVESTIGATIONS, AS DESCRIBED IN SECTION 24-72-204 (2)(a)(IX), OR SECURITY INFORMATION, AS DESCRIBED IN SECTION 24-72-204 (2)(a)(VIII), CONFIDENTIAL. IF THE COMMISSION ADOPTS THE CONFIDENTIALITY RULES, THE RULES MUST NOT MAKE FINAL REPORTS OF INVESTIGATIONS CONFIDENTIAL AND MUST REQUIRE THE TIMELY RELEASE OF INFORMATION IF PUBLIC KNOWLEDGE OF THE INFORMATION WOULD PROTECT THE PUBLIC SAFETY, HEALTH, OR WELFARE.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 20, 2025

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.