

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB23-1019 be amended as follows:

1 Amend printed bill, page 7, after line 22 insert:

2 "SECTION 8. In Colorado Revised Statutes, **repeal** 24-72-401
3 as follows:

4 **24-72-401. Commission on judicial discipline - confidentiality**
5 **of records and procedures.** ~~The record of an investigation conducted by~~
6 ~~the commission on judicial discipline or by masters appointed by the~~
7 ~~supreme court at the request of the commission shall contain all papers~~
8 ~~filed with and all proceedings before the commission or the masters. The~~
9 ~~record shall be confidential and shall remain confidential after filing with~~
10 ~~the supreme court. A recommendation of the commission for the removal~~
11 ~~or retirement of a justice or judge shall not be confidential after it is filed~~
12 ~~with the supreme court.~~

13 **SECTION 9.** In Colorado Revised Statutes, **repeal** 24-72-402 as
14 follows:

15 **24-72-402. Violation - penalty.** ~~Any member of the commission,~~
16 ~~any master appointed by the supreme court, or anyone providing~~
17 ~~assistance to such commission or such masters who willfully and~~
18 ~~knowingly discloses the contents of any paper filed with, or any~~
19 ~~proceeding before, such commission or such masters, or willfully and~~
20 ~~knowingly discloses the contents of any recommendation of the~~
21 ~~commission before such recommendation is filed with the supreme court~~
22 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be~~
23 ~~punished by a fine of not more than five hundred dollars. This section~~
24 ~~shall not apply to any necessary communication between the members of~~
25 ~~the commission or the masters appointed by the supreme court or anyone~~
26 ~~employed to aid such commission or such masters in the filing or~~
27 ~~documentation of any paper filed with, or any proceedings before, such~~
28 ~~commission or such masters or the preparation of the recommendation of~~
29 ~~such commission.~~

30 **SECTION 10.** In Colorado Revised Statutes, 42-4-1301, **amend**
31 (6)(c)(IV) as follows:

32 **42-4-1301. Driving under the influence - driving while**
33 **impaired - driving with excessive alcoholic content - definitions -**
34 **penalties.** (6) (c) (IV) The department of public health and environment
35 may release nonpersonal identifying information from the database in
36 accordance with sections 24-72-101 to ~~24-72-402~~, C.R.S. ~~24-72-309~~."

37 Renumber succeeding section accordingly.

38 Page 8, line 7, strike "23-____" and substitute "23-1001".

39 Page 8, line 9, strike "23-____" and substitute "23-1001".

40 Page 8, line 11, strike "7, and 8" and substitute "2, and 7".

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