

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
9/4/24

Bill 3

LLS NO. 25-0156.01 Sarah Lozano x3858

INTERIM COMMITTEE BILL

Water Resources and Agriculture Review Committee

BILL TOPIC: Wildlife Damage Protection of Personal Info

A BILL FOR AN ACT

101 **CONCERNING PROTECTION OF THE PERSONAL INFORMATION OF**
102 **PERSONS IMPACTED BY WILDLIFE DAMAGE.**

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/>.)

Water Resources and Agriculture Review Committee. Under current law, a person may file a claim with the division of parks and wildlife (division) for compensation for damages to property caused by wildlife, and the division must review and investigate that claim (claim procedures). The bill changes current law by requiring that the personal information of a claimant received by the division through the claim

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

procedures and proactive nonlethal measures is kept confidential and not disclosed pursuant to the "Colorado Open Records Act".

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Proposition 114, the ballot measure enacted in 2020 that
5 authorized the process to introduce gray wolves in Colorado, explicitly
6 required the state to fairly compensate owners for losses of livestock;

7 (b) To fulfill this obligation, the general assembly passed and the
8 governor signed into law Senate Bill 23-255, enacted in 2023, which
9 created a dedicated compensation fund to compensate owners for
10 depredation of livestock and working animals by gray wolves;

11 (c) Now that gray wolves have been released and are present in
12 Colorado, livestock and working animals have been killed by wolves,
13 entitling ranchers to compensation for the losses; and

14 (d) However, ranchers in the state have been reluctant to
15 participate in site assessments and file claims for compensation due to the
16 fear of their personal information being made public through open
17 records requests brought by individuals and organizations with the intent
18 of:

19 (I) Traveling to the rancher's home or business to view gray
20 wolves and other wildlife;

21 (II) Contacting the rancher directly; or

22 (III) Using the rancher's personal information to conduct other
23 invasions of the rancher's privacy.

24 (2) The general assembly therefore declares that:

25 (a) It is the intent of the state through the enactment of Proposition

1 114 and Senate Bill 23-255 to prevent future deprecations and fairly
2 compensate ranchers for their losses; and

3 (b) By protecting the personal information of compensation
4 claimants, more ranchers will be comfortable submitting depredation
5 claims to the division of parks and wildlife and participating in proactive
6 nonlethal measures, and the intent of Proposition 114 and Senate Bill
7 23-255 will be better fulfilled.

8 **SECTION 2.** In Colorado Revised Statutes, **add** 33-3-110.5 as
9 follows:

10 **33-3-110.5. Confidentiality of personal information -**

11 **definition.** (1) AS USED IN THIS SECTION, "PERSONAL INFORMATION"
12 MEANS:

- 13 (a) A CLAIMANT'S:
14 (I) NAME;
15 (II) PHONE NUMBER;
16 (III) HOME ADDRESS;
17 (IV) BUSINESS ADDRESS;
18 (V) PERSONAL E-MAIL ADDRESS; OR
19 (VI) BUSINESS E-MAIL ADDRESS; OR
20 (b) ANY OTHER INFORMATION THAT WOULD REVEAL THE IDENTITY
21 OF THE CLAIMANT OR THE CLAIMANT'S BUSINESS.

22 (2) THE PERSONAL INFORMATION OF A CLAIMANT THAT THE
23 DIVISION RECEIVES THROUGH THE CLAIM PROCEDURES DESCRIBED IN
24 SECTIONS 33-3-107 TO 33-3-110 AND PROACTIVE NONLETHAL MEASURES,
25 INCLUDING SITE ASSESSMENTS CONDUCTED BY STATE OFFICIALS AND
26 THIRD PARTIES TO PREVENT FUTURE DEPREDAION, IS CONFIDENTIAL AND
27 IS NOT SUBJECT TO DISCLOSURE PURSUANT TO THE "COLORADO OPEN
28 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

1 (3) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
2 CONTRARY, ANY CLAIMANT, OR AUTHORIZED DESIGNEE OR
3 REPRESENTATIVE OF THE CLAIMANT, THAT REQUESTS RECORDS
4 PERTAINING TO THE CLAIMANT'S OWN CLAIM PURSUANT TO THE
5 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, IS
6 ENTITLED TO RECEIVE THE RECORDS WITHOUT REGARD TO SUBSECTION (2)
7 OF THIS SECTION.

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