

CHAPTER 142

**PROFESSIONS AND OCCUPATIONS**

**SENATE BILL 93-12**

BY SENATORS Gallagher, Bishop, Martinez, Casey, and Hopper;  
also REPRESENTATIVES Ratterree, Anderson, Kerns, Thiebaut, R. Hernandez, Lawrence, and Martin.

**AN ACT**

**CONCERNING A CRIMINAL PENALTY FOR DISCLOSING CONFIDENTIAL INFORMATION OF THE COLORADO LIMITED GAMING CONTROL COMMISSION.**

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

**SECTION 1.** 12-47.1-527, Colorado Revised Statutes, 1991 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-47.1-527. Records - confidentiality - exceptions.** (4) (a) ANY PERSON WHO DISCLOSES CONFIDENTIAL RECORDS OR INFORMATION IN VIOLATION OF THE PROVISIONS OF THIS SECTION COMMITS A CLASS 1 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1-106, C.R.S. ANY CRIMINAL PROSECUTION PURSUANT TO THE PROVISIONS OF THIS SECTION MUST BE BROUGHT WITHIN FIVE YEARS FROM THE DATE THE VIOLATION OCCURRED.

(b) IF THE PERSON WHO VIOLATES THIS SECTION IS AN OFFICER OR EMPLOYEE OF THE STATE, IN ADDITION TO ANY OTHER PENALTIES OR SANCTIONS, SUCH PERSON SHALL BE SUBJECT TO DISMISSAL IF THE PROCEDURES IN SECTION 24-50-125, C.R.S., ARE FOLLOWED.

(c) IF THE PERSON VIOLATING SUCH PROVISIONS IS A PRESENT EMPLOYEE OR OFFICER OF THE STATE WHO OBTAINED THE CONFIDENTIAL RECORDS OR INFORMATION DURING SUCH EMPLOYMENT, THEN IN ANY CIVIL ACTION, THE SUBJECT OF WHICH INCLUDES THE RELEASE OF SUCH CONFIDENTIAL RECORDS OR INFORMATION, SUCH PERSON SHALL BE LIABLE FOR TREBLE DAMAGES TO ANY INJURED PARTY.

(d) IF THE PERSON VIOLATING SUCH PROVISIONS IS A FORMER EMPLOYEE OR OFFICER OF THE STATE WHO OBTAINED THE CONFIDENTIAL RECORDS OR INFORMATION

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

DURING SUCH EMPLOYMENT, AND IF SUCH PERSON EXECUTED A WRITTEN STATEMENT WITH THE STATE AGREEING TO BE HELD TO THE CONFIDENTIALITY STANDARDS EXPRESSED IN THIS SUBSECTION (4), THEN IN ANY CIVIL ACTION, THE SUBJECT OF WHICH INCLUDES THE RELEASE OF SUCH RECORDS OR INFORMATION AFTER LEAVING STATE EMPLOYMENT, THE FORMER EMPLOYEE OR OFFICER SHALL BE LIABLE FOR TREBLE DAMAGES TO ANY INJURED PARTY.

**SECTION 2. Effective date - applicability.** This act shall take effect July 1, 1993, and shall apply to acts committed on or after said date.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 26, 1993