

## CHAPTER 134

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**GOVERNMENT - STATE**


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**HOUSE BILL 08-1076**

BY REPRESENTATIVE(S) Ferrandino, Carroll M., Carroll T., Gallegos, McGihon, Todd, Looper, and Stafford;  
also SENATOR(S) Gordon, Cadman, and Schultheis.

**AN ACT****CONCERNING FEES FOR COPIES OF CRIMINAL JUSTICE RECORDS.**

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

**SECTION 1.** 24-72-306 (1), Colorado Revised Statutes, is amended, and the said 24-72-306 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**24-72-306. Copies, printouts, or photographs of criminal justice records - fees authorized.** (1) Criminal justice agencies may assess reasonable fees, not to exceed actual costs, including but not limited to personnel and equipment, for the search, retrieval, and ~~copying~~ REDACTION of criminal justice records REQUESTED PURSUANT TO THIS PART 3 and may waive fees at their discretion. IN ADDITION, CRIMINAL JUSTICE AGENCIES MAY CHARGE A FEE NOT TO EXCEED TWENTY-FIVE CENTS PER STANDARD PAGE FOR A COPY OF A CRIMINAL JUSTICE RECORD OR A FEE NOT TO EXCEED THE ACTUAL COST OF PROVIDING A COPY, PRINTOUT, OR PHOTOGRAPH OF A CRIMINAL JUSTICE RECORD IN A FORMAT OTHER THAN A STANDARD PAGE. Where fees for certified copies or other copies, printouts, or photographs of ~~such~~ CRIMINAL JUSTICE records are specifically prescribed by law, such specific fees shall apply. Where the criminal justice agency is an agency or department of any county or municipality, the amount of such fees shall be established by the governing body of the county or municipality IN ACCORDANCE WITH THIS SUBSECTION (1).

(3) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO DISCOVERY MATERIALS THAT A CRIMINAL JUSTICE AGENCY IS REQUIRED TO PROVIDE IN A CRIMINAL CASE PURSUANT TO RULE 16 OF THE COLORADO RULES OF CRIMINAL PROCEDURE.

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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.*

**SECTION 2. Effective date - applicability.** (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to requests for copies of criminal justice records submitted on or after the applicable effective date of this act.

Approved: April 14, 2008