

CHAPTER 88

AGRICULTURE

HOUSE BILL 11-1111

BY REPRESENTATIVE(S) Sonnenberg, Becker, Brown, Gerou, Pace, Priola, Vigil;
also SENATOR(S) Jahn, Grantham, Harvey, King S., Lambert, Lundberg, Roberts, White.

AN ACT

**CONCERNING THE PROTECTION OF LIVESTOCK PRODUCER INFORMATION COLLECTED BY THE
DEPARTMENT OF AGRICULTURE.**

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

SECTION 1. Article 57.9 of title 35, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

35-57.9-104. Restrictions on information in databases. ANY DATABASE CREATED BY THE DEPARTMENT THAT CONTAINS SPECIFIC OPERATIONAL DETAILS THAT CONSTITUTE CONFIDENTIAL COMMERCIAL DATA PURSUANT TO SECTION 24-72-204, C.R.S., SHALL NOT BE MERGED OR SHARED WITH ANY STATE, FEDERAL, OR FOREIGN GOVERNMENT, INDUSTRY PARTNER, OR OTHER DATABASE THAT WOULD MODIFY THE PROVISIONS WITH RESPECT TO HOW SPECIFIC OPERATIONAL DETAILS THAT CONSTITUTE CONFIDENTIAL COMMERCIAL DATA MAY BE DISSEMINATED PURSUANT TO SECTION 35-57.9-103. SUCH DATA INCLUDES OWNERSHIP, NUMBERS, LOCATIONS, AND MOVEMENTS OF LIVESTOCK; FINANCIAL INFORMATION; THE PURCHASE AND SALE OF LIVESTOCK; ACCOUNT NUMBERS OR UNIQUE IDENTIFIERS ISSUED BY GOVERNMENT OR PRIVATE ENTITIES; OPERATIONAL PROTOCOLS; AND PARTICIPATION IN AN ALL-HAZARDS SECURITY SYSTEM; EXCEPT THAT DATA WITHIN ANY ALL-HAZARDS SECURITY SYSTEM MAY BE SHARED FOR RESPONSE TO OR PARTICIPATION IN ANY ALL-HAZARDS EVENT LIMITED TO THE SCOPE OF EACH INDIVIDUAL ALL-HAZARDS EVENT AND TO THE SCOPE OF ONLY THOSE AGENCIES DIRECTLY INVOLVED IN THE ALL-HAZARDS EVENT. AS USED IN THIS SECTION, "ALL-HAZARDS EVENT" MEANS THE OCCURRENCE OF ANY CATASTROPHIC EVENT OR INCIDENT THAT IS EITHER NATURAL, SUCH AS A BLIZZARD, FIRE, FLOOD, TORNADO, EARTHQUAKE, OR DISEASE OUTBREAK, OR MAN-MADE AND THAT COULD BE OF BIOLOGICAL, CHEMICAL, RADIOLOGICAL, NUCLEAR, OR EXPLOSIVE ORIGIN.

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. Act subject to petition - effective date. 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 (August 10, 2011, if adjournment sine die is on May 11, 2011); 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 shall not take effect unless approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 6, 2011