

CHAPTER 154

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 14-1095

BY REPRESENTATIVE(S) Kagan and Gardner, Court, Exum, Foote, Hullinghorst, Lee, McCann, Murray, Pabon, Pettersen, Rosenthal, Salazar, Schafer, Tyler;
also SENATOR(S) Newell, Herpin, King, Lambert, Todd.

AN ACT

CONCERNING THE COLORADO BUREAU OF INVESTIGATION'S AUTHORITY TO INVESTIGATE COMPUTER CRIME, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 24-33.5-412, **add** (8) as follows:

24-33.5-412. Functions of bureau - legislative review - interagency cooperation with reporting functions - processing time for criminal history record checks - computer crime. (8) (a) THE BUREAU HAS THE AUTHORITY TO CONDUCT CRIMINAL INVESTIGATIONS RELATING TO COMPUTER CRIME VIOLATIONS PURSUANT TO SECTION 18-5.5-102, C.R.S., WHEN VIOLATIONS ARE REPORTED OR INVESTIGATIONS REQUESTED BY LAW ENFORCEMENT OFFICIALS OR THE GOVERNOR OR WHEN VIOLATIONS ARE DISCOVERED BY THE BUREAU. ALL INVESTIGATIONS CONDUCTED BY THE BUREAU MUST BE IN COOPERATION AND COORDINATION WITH LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AUTHORITIES, SUBJECT TO THE PROVISIONS OF SECTION 24-33.5-410.

(b) THE BUREAU SHALL DEVELOP AND COLLECT INFORMATION WITH REGARD TO COMPUTER CRIME IN AN EFFORT TO IDENTIFY, CHARGE, AND PROSECUTE CRIMINAL OFFENDERS AND ENTERPRISES THAT UNLAWFULLY ACCESS AND EXPLOIT COMPUTER SYSTEMS AND NETWORKS, IMPACT FUNCTIONALITY, AND ACCESS SENSITIVE DATA AND SHALL REPORT SUCH INFORMATION TO THE APPROPRIATE LAW ENFORCEMENT ORGANIZATIONS. THE BUREAU MUST ALSO PROVIDE AWARENESS TRAINING AND INFORMATION CONCERNING CYBER-SECURITY AND SECURITY RISKS TO THE INFORMATION TECHNOLOGY CRITICAL INFRASTRUCTURE INDUSTRY.

(c) THE BUREAU SHALL PREPARE REPORTS AT LEAST ANNUALLY CONCERNING ANY

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

ACTIVITIES OF COMPUTER CRIME IN COLORADO FOR USE BY LOCAL OR FEDERAL LAW ENFORCEMENT OFFICIALS OR THE GOVERNOR. THE REPORTS ARE AVAILABLE FOR PUBLIC INSPECTION UNLESS THE MATERIAL IN THE REPORTS IS EXEMPT UNDER ARTICLE 72 OF THIS TITLE.

(d) THE DIRECTOR OF THE BUREAU MAY ENTER INTO ANY CONTRACT THAT IS NECESSARY TO CARRY OUT THE DUTIES AND RESPONSIBILITIES SET FORTH IN THIS SUBSECTION (8).

SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2014, the sum of \$174,357 and 1.8 FTE, or so much thereof as may be necessary, to be allocated to laboratory and investigative services for the implementation of this act as follows:

- (a) \$140,641 and 1.8 FTE for personal services; and
- (b) \$33,716 for operating expenses and related costs.

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: May 9, 2014