

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB25-1098 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** 24-33.5-537 as
4 follows:

5 **24-33.5-537. Automated protection order notification system**
6 **- definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
7 OTHERWISE REQUIRES:

8 (a) "ADVOCATE" MEANS A PERSON WHOSE REGULAR OR
9 VOLUNTEER DUTIES INCLUDE SUPPORTING A PROTECTED PERSON.

10 (b) "IMMEDIATE FAMILY" MEANS A PROTECTED PERSON'S SPOUSE,
11 CHILD, OR PARENT, OR A BLOOD RELATIVE WHO LIVES IN THE SAME
12 RESIDENCE AS THE PROTECTED PERSON AND IS NOT A RESTRAINED PERSON.

13 (c) "INTERESTED PERSON" MEANS A LAW ENFORCEMENT OFFICER,
14 A JUDICIAL OFFICER, A DISTRICT ATTORNEY, OR AN ADVOCATE.

15 (d) "PROTECTED PERSON" MEANS THE PERSON IDENTIFIED IN A
16 PROTECTION ORDER AS THE PERSON FOR WHOSE BENEFIT THE PROTECTION
17 ORDER WAS ISSUED.

18 (e) "REGISTERED USER" MEANS A PROTECTED PERSON, PROTECTED
19 PERSON'S IMMEDIATE FAMILY, OR OTHER INTERESTED PERSONS WHO ARE
20 REGISTERED WITH THE AUTOMATED PROTECTION ORDER NOTIFICATION
21 SYSTEM ESTABLISHED IN SUBSECTION (2) OF THIS SECTION.

22 (f) "RESTRAINED PERSON" MEANS THE PERSON IDENTIFIED IN THE
23 PROTECTION ORDER AS THE PERSON PROHIBITED FROM ENGAGING IN
24 SPECIFIED ACTS.

25 (2) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION SHALL
26 ESTABLISH AN AUTOMATED PROTECTION ORDER NOTIFICATION SYSTEM TO
27 PROVIDE A PROTECTED PERSON, THE PROTECTED PERSON'S IMMEDIATE
28 FAMILY, AND OTHER INTERESTED PERSONS WITH INFORMATION RELATED
29 TO A PROTECTION ORDER ISSUED PURSUANT TO SECTION 18-1-1001 OR
30 ARTICLE 14 OF TITLE 13.

31 (3) THE AUTOMATED PROTECTION ORDER NOTIFICATION SYSTEM
32 MUST INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING INFORMATION, IF
33 AVAILABLE:

34 (a) THE DATE THE PROTECTION ORDER WAS SERVED OR WAS
35 ATTEMPTED TO BE SERVED;

36 (b) AN ADVANCE NOTICE OCCURRING ONE HUNDRED TWENTY DAYS
37 BEFORE AND AGAIN OCCURRING THIRTY DAYS BEFORE THE PROTECTION
38 ORDER EXPIRES;

39 (c) WHETHER A TEMPORARY OR PERMANENT EXTREME RISK
40 PROTECTION ORDER WAS ISSUED AGAINST THE RESTRAINED PERSON

1 PURSUANT TO ARTICLE 14.5 OF TITLE 13, AND IF SO, THE DATE THE
2 EXTREME RISK PROTECTION ORDER WAS SERVED OR WAS ATTEMPTED TO
3 BE SERVED;

4 (d) WHETHER THE RESTRAINED PERSON APPLIED FOR AND WAS
5 DENIED THE PURCHASE OR TRANSFER OF A FIREARM AS THE RESULT OF A
6 BACKGROUND CHECK; AND

7 (e) WHETHER THE RESTRAINED PERSON COMPLETED AND
8 SUBMITTED A FIREARM PURCHASE OR TRANSFER APPLICATION THAT
9 INDICATED THE RESTRAINED PERSON WAS INELIGIBLE TO POSSESS A
10 FIREARM PURSUANT TO STATE OR FEDERAL LAW.

11 (4) THE COLORADO BUREAU OF INVESTIGATION IN THE DIVISION
12 SHALL MAKE THE INFORMATION DESCRIBED IN SUBSECTION (3) OF THIS
13 SECTION AVAILABLE TO THE DIVISION FOR THE PURPOSE OF PROVIDING THE
14 INFORMATION TO A PROTECTED PERSON, THE PROTECTED PERSON'S
15 IMMEDIATE FAMILY, OR OTHER INTERESTED PERSONS PURSUANT TO
16 SUBSECTION (2) OF THIS SECTION.

17 (5) THE AUTOMATED PROTECTION ORDER NOTIFICATION SYSTEM
18 MUST DISSEMINATE THE INFORMATION DESCRIBED IN SUBSECTION (3) OF
19 THIS SECTION TO REGISTERED USERS IN ENGLISH AND SPANISH THROUGH
20 A TELEPHONE CALL, EMAIL, TEXT MESSAGE, OR MOBILE PHONE
21 APPLICATION.

22 (6) THE DIVISION MAY CONTRACT WITH A THIRD-PARTY ENTITY TO
23 PROVIDE THE FUNCTIONALITY FOR THE AUTOMATED PROTECTION ORDER
24 NOTIFICATION SYSTEM. THE THIRD-PARTY ENTITY MUST BE ABLE TO:

25 (a) OPERATE A SUPPORT CENTER THAT IS OPEN TWENTY-FOUR
26 HOURS A DAY, SEVEN DAYS A WEEK;

27 (b) SEND EMAILS AND TEXT MESSAGES TO REGISTERED USERS
28 THROUGH A MOBILE PHONE APPLICATION;

29 (c) PROVIDE SPANISH INTERPRETATION SERVICES; AND

30 (d) PROVIDE DIRECTORY OR CONTACT INFORMATION FOR
31 AVAILABLE SUPPORTIVE RESOURCES, INCLUDING, BUT NOT LIMITED TO,
32 HOUSING, HEALTH CARE AND BEHAVIORAL HEALTH CARE, DOMESTIC
33 VIOLENCE VICTIM ASSISTANCE, AND FINANCIAL ASSISTANCE.

34 (7) THE COLORADO BUREAU OF INVESTIGATION, THE DIVISION,
35 AND THE THIRD-PARTY ENTITY, IF ONE WAS CONTRACTED PURSUANT TO
36 SUBSECTION (6) OF THIS SECTION, SHALL IMPLEMENT ANY NECESSARY
37 DATA-SHARING STANDARDS IN ORDER TO PROTECT DATA FROM BEING
38 TRANSFERRED FROM THE COLORADO BUREAU OF INVESTIGATION AND THE
39 DIVISION TO THE CONTRACTED THIRD-PARTY ENTITY.

40 (8) THE AUTOMATED PROTECTION ORDER NOTIFICATION SYSTEM
41 MUST BE COMPATIBLE WITH THE STATE'S EXISTING AUTOMATED VICTIM
42 NOTIFICATION SYSTEM DESCRIBED IN SECTION 24-4.1-303 (15)(c).

43 (9) A PUBLIC ENTITY, AS DEFINED IN SECTION 24-10-103, IS

1 IMMUNE FROM LIABILITY IN ANY CIVIL ACTION BASED ON THE PUBLIC
2 ENTITY'S RELEASE OF INFORMATION OR THE FAILURE TO RELEASE
3 INFORMATION RELATED TO THE AUTOMATED PROTECTION ORDER
4 NOTIFICATION SYSTEM AS LONG AS THE RELEASE OR FAILURE TO RELEASE
5 WAS NOT THE RESULT OF GROSS NEGLIGENCE.

6 (10) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS,
7 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
8 PURPOSES OF THIS SECTION.

9 **SECTION 2. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly; except
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V
13 of the state constitution against this act or an item, section, or part of this
14 act within such period, then the act, item, section, or part will not take
15 effect unless approved by the people at the general election to be held in
16 November 2026 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor."

18 Page 1, line 102, strike "VICTIM".

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