

SB040\_L.008

## SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.SB17-040 be amended as follows:

1 Amend printed bill, page 3, line 9, strike "SEARCHED" and substitute  
2 "READ".

3 Page 4, after line 8 insert:

4 "SECTION 2. In Colorado Revised Statutes, 24-72-203, add  
5 (2)(c) as follows:

6 24-72-203. Public records open to inspection. (2) (c) IF THE  
7 CUSTODIAN HAS MADE THE REQUESTED RECORDS PUBLICLY AVAILABLE IN  
8 A STRUCTURED DATA FORMAT, THE CUSTODIAN MAY SATISFY THE  
9 REQUEST BY REDIRECTING THE REQUESTER, IN WRITING AND IN DETAIL, TO  
10 THE LOCATION OF THE RECORDS."

11 Renumber succeeding sections accordingly.

12 Page 4, line 27, strike "A" and substitute "AN ACCURATE".

13 Page 5, line 7, after "COPYRIGHT" insert "OR LICENSING".

14 Page 5, line 19, after "FORMAT" insert "OR ISSUE A DENIAL UNDER  
15 SECTION 24-72-204".

16 Page 6, line 2, strike "FORMAT." and substitute "FORMAT OR TO RELEASE  
17 METADATA."

18 Page 6, strike lines 3 through 9 and substitute:

19 "(4) WHEN A CUSTODIAN PRODUCES RECORDS IN A SEARCHABLE  
20 OR STRUCTURED FORMAT IN ACCORDANCE WITH SUBSECTION (1)(a) OF  
21 THIS SECTION, THE CHOICE OF FORMAT IS IN THE SOLE DISCRETION OF THE  
22 CUSTODIAN.

23 (5) FOR PURPOSES OF THIS SECTION, "ACCURATE COPY" MEANS A  
24 RECORD THAT IS A TRUE AND CORRECT REPRESENTATION OF THE ORIGINAL  
25 DATA AT THE TIME THE COPY IS GENERATED.

26 SECTION 4. In Colorado Revised Statutes, 24-72-204, amend  
27 (5); and add (2)(a)(X) and (9) as follows:

28 24-72-204. Allowance or denial of inspection - grounds -  
29 procedure - appeal - definitions. (2) (a) The custodian may deny the



1 right of inspection of the following records, unless otherwise provided by  
2 law, on the ground that disclosure to the applicant would be contrary to  
3 the public interest:

4 (X) SOFTWARE PROGRAMS; NETWORK AND SYSTEMS  
5 ARCHITECTURAL DESIGNS; SOURCE CODE; SOURCE DOCUMENTATION;  
6 INFORMATION IN TANGIBLE OR INTANGIBLE FORM RELATING TO RELEASED  
7 AND UNRELEASED SOFTWARE OR HARDWARE, DATABASE DESIGN  
8 STRUCTURES, DATABASE SCHEMA AND ARCHITECTURE, SECURITY  
9 STRUCTURES AND ARCHITECTURE, AND DATA STORED IN SUPPORT  
10 STRUCTURES; AGENCY ORIGINAL DESIGN IDEAS; NONPUBLIC BUSINESS  
11 POLICIES AND PRACTICES RELATING TO SOFTWARE DEVELOPMENT AND  
12 USE; AND THE TERMS AND CONDITIONS OF ANY ACTUAL OR PROPOSED  
13 LICENSE AGREEMENT OR OTHER AGREEMENT CONCERNING THE PRODUCTS  
14 AND LICENSING NEGOTIATIONS.

15 (5) Except as provided in subsection".

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