

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
1.5.21

DRAFT

LLS NO. 21-0124.01 Brita Darling x2241

HOUSE BILL

HOUSE SPONSORSHIP

Caraveo,

SENATE SPONSORSHIP

Bridges and Lundeen,

BILL TOPIC: "Privacy Protections Public Health Dept Workers"

A BILL FOR AN ACT

101 CONCERNING RESTRICTIONS ON MAKING PUBLIC THE PERSONAL
102 INFORMATION OF CERTAIN PUBLIC HEALTH WORKERS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, it is unlawful for a person to make available on the internet personal information of a law enforcement official (official) or a human services worker (worker), or the official's or worker's family, if the dissemination of the personal information poses an imminent and serious threat to the official's or worker's safety or the safety of the official's or worker's family. A violation of this law is a class 1

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

misdemeanor.

Further, a worker meeting certain requirements specified in statute may submit a written request to a state or local government official to remove personal information from public records that are available on the internet.

The bill adds the same protections for public health workers, including employees, contractors, or employees of contractors of the department of public health and environment or of county or district public health agencies, who are engaged in public health duties.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-9-313, **amend** (1)
3 introductory portion, (1)(b), (1)(e), (2.7), and (2.8); and **add** (1)(f) and
4 (1)(g) as follows:

5 **18-9-313. Personal information on the internet - law**
6 **enforcement official - victims of domestic violence, sexual assault, and**
7 **stalking - other protected persons - definitions.** (1) As used in this
8 section, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (b) "Immediate family" means a law enforcement official's or
10 ~~human services worker's~~ PROTECTED PERSON'S spouse, child, or parent or
11 any other blood relative who lives in the same residence as the law
12 enforcement official or ~~human services worker~~ PROTECTED PERSON.

13 (e) "Personal information" means the home address, home
14 telephone number, personal mobile telephone number, pager number,
15 personal e-mail address, or a personal photograph of a law enforcement
16 official, participant in the address confidentiality program, or ~~human~~
17 ~~services worker~~ PROTECTED PERSON; directions to the home of a law
18 enforcement official, participant in the address confidentiality program,
19 or ~~human services worker~~ PROTECTED PERSON; or photographs of the
20 home or vehicle of a law enforcement official, participant in the address

1 confidentiality program, or ~~human services worker~~ PROTECTED PERSON.

2 (f) "PROTECTED PERSON" MEANS A HUMAN SERVICES WORKER OR
3 A PUBLIC HEALTH WORKER.

4 (g) "PUBLIC HEALTH WORKER" MEANS AN EMPLOYEE,
5 CONTRACTOR, OR EMPLOYEE OF A CONTRACTOR OF:

6 (I) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,
7 CREATED IN SECTION 25-1-102, WHO IS ENGAGED IN PUBLIC HEALTH
8 DUTIES, AS DESCRIBED IN SECTION 25-1.5-101; OR

9 (II) A COUNTY OR DISTRICT PUBLIC HEALTH AGENCY, AS DEFINED
10 IN SECTION 25-1-502, WHO IS ENGAGED IN PUBLIC HEALTH DUTIES, AS
11 DESCRIBED IN SECTION 25-1-506.

12 (2.7) It is unlawful for a person to knowingly make available on
13 the internet personal information about a ~~human services worker~~
14 PROTECTED PERSON or the ~~human services worker's~~ PROTECTED PERSON'S
15 immediate family if the dissemination of personal information poses an
16 imminent and serious threat to the ~~human services worker's~~ PROTECTED
17 PERSON'S safety or the safety of the ~~human services worker's~~ PROTECTED
18 PERSON'S immediate family and the person making the information
19 available on the internet knows or reasonably should know of the
20 imminent and serious threat.

21 (2.8) (a) A ~~human services worker~~ PROTECTED PERSON may
22 submit a written request pursuant to subsection (2.8)(b) of this section to
23 a state or local government official to remove personal information from
24 records that are available on the internet. If a state or local government
25 official receives ~~such~~ THE written request, then the state or local
26 government official shall not knowingly make available on the internet
27 personal information about the ~~human services worker~~ PROTECTED

1 PERSON or the ~~human services worker's~~ PROTECTED PERSON'S immediate
2 family.

3 (b) A ~~human services worker's~~ PROTECTED PERSON'S written
4 request to a state or local government official to remove records that the
5 official makes available on the internet must include:

6 (I) Evidence that the person submitting the request is a ~~human~~
7 ~~services worker~~ PROTECTED PERSON, as defined in subsection (1) of this
8 section; and

9 (II) An affirmation stating under penalty of perjury that the
10 PROTECTED person has reason to believe that the dissemination of the
11 personal information contained in the records that the official makes
12 available on the internet poses an imminent and serious threat to the
13 ~~human services worker's~~ PROTECTED PERSON'S safety or the safety of the
14 ~~human services worker's~~ PROTECTED PERSON'S immediate family.

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety.