

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 25-0234.01 Jery Payne x2157

**SENATE BILL 25-052**

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**SENATE SPONSORSHIP**

**Winter F. and Hinrichsen**, Cutter, Ball, Coleman, Exum, Gonzales J., Jodeh, Kipp,  
Michaelson Jenet, Snyder, Sullivan, Weissman

**HOUSE SPONSORSHIP**

**Valdez and Lindsay**, Froelich, Mauro, Boesenecker

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**Senate Committees**

Transportation & Energy

**House Committees**

Transportation, Housing & Local Government

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**A BILL FOR AN ACT**

101      **CONCERNING THE CONFIDENTIALITY OF INFORMATION RELATED TO**  
102      **THE REGULATION OF RAILROAD OPERATIONS.**

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**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/>.)*

**Transportation Legislation Review Committee.** Current law requires investigative reports of railroads made for the public utilities commission to be kept confidential. The bill repeals this requirement and replaces it with a grant of rule-making authority to make ongoing investigations and security information confidential. The confidentiality rules must not make final reports of investigations confidential and must

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

HOUSE  
2nd Reading Unamended  
February 27, 2025

SENATE  
3rd Reading Unamended  
February 4, 2025

SENATE  
Amended 2nd Reading  
February 3, 2025

require the timely release of information if public knowledge of the information would protect the public safety, health, or welfare.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 40-18-104 as  
3 follows:

4 **40-18-104. Confidential investigative reports - rules.**

5 ~~Investigative reports of the commission compiled under this article shall~~  
6 ~~be confidential and shall not be discoverable nor used as evidence in any~~  
7 ~~court or administrative action~~ THE COMMISSION MAY ADOPT RULES  
8 MAKING ONGOING INVESTIGATIONS, AS DESCRIBED IN SECTION 24-72-204  
9 (2)(a)(IX), OR SECURITY INFORMATION, AS DESCRIBED IN SECTION  
10 24-72-204 (2)(a)(VIII), CONFIDENTIAL. IF THE COMMISSION ADOPTS THE  
11 CONFIDENTIALITY RULES, THE RULES MUST NOT MAKE FINAL REPORTS OF  
12 INVESTIGATIONS CONFIDENTIAL AND MUST REQUIRE THE TIMELY RELEASE  
13 OF INFORMATION IF PUBLIC KNOWLEDGE OF THE INFORMATION WOULD  
14 PROTECT THE PUBLIC SAFETY, HEALTH, OR WELFARE.

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