

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

ENGROSSED

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

LLS NO. 25-0234.01 Jery Payne x2157

SENATE BILL 25-052

SENATE SPONSORSHIP

Winter F. and Hinrichsen, Cutter

HOUSE SPONSORSHIP

Valdez and Lindsay, Froelich, Mauro, Boesenecker

Senate Committees

Transportation & Energy

House Committees

A BILL FOR AN ACT

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

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.

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.

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.