

HOUSE COMMITTEE OF REFERENCE REPORT

	April 4, 2025
Chair of Committee	Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB25-1195 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and
2 substitute:
- 3 "SECTION 1. In Colorado Revised Statutes, 24-72-204, **amend**
4 (3.5)(a), (3.5)(b), (3.5)(c) introductory portion, and (3.5)(e); and **add**
5 (3.5)(h) as follows:
- 6 **24-72-204. Allowance or denial of inspection - grounds -**
7 **procedure - appeal - definitions - repeal.** (3.5) (a) ~~Effective January 1,~~
8 ~~1992,~~ Any individual who meets the requirements of this subsection (3.5)
9 may request that ~~the address of such individual~~ THEIR ADDRESS included
10 in any public records concerning ~~that individual which~~ THEM THAT are
11 required to be made, maintained, or kept pursuant to ~~the following~~
12 ~~sections~~ SECTIONS 1-2-227, 1-2-301, OR 24-6-202 be kept confidential.
- 13 ~~(I) Sections 1-2-227 and 1-2-301, C.R.S.;~~
14 ~~(II) (Deleted by amendment, L. 2000, p. 1337, § 1, effective May~~
15 ~~30, 2000.)~~
- 16 ~~(III) Section 24-6-202.~~
- 17 (b) (I) An individual may make the request of confidentiality
18 allowed by this subsection (3.5) if ~~such~~ THE individual IS A FIRST
19 RESPONDER OR IF THE INDIVIDUAL has reason to believe that ~~such~~ THE
20 individual, or any member of ~~such~~ THE individual's immediate family who
21 resides in the same household as ~~such~~ THE individual, will be exposed to
22 criminal harassment as prohibited in section 18-9-111, ~~C.R.S.~~, or
23 otherwise be in danger of bodily harm, if ~~such~~ THE individual's address
24 is not kept confidential in accordance with this subsection (3.5).
- 25 (II) ~~A request of confidentiality with respect to records described~~
26 ~~in subparagraph (I) of paragraph (a) of this subsection (3.5) shall be made~~
27 ~~in person in the office of~~ AN INDIVIDUAL MUST MAKE THE REQUEST FOR
28 CONFIDENTIALITY ALLOWED BY SUBSECTION (3.5)(a) OF THIS SECTION TO

1 the county clerk and recorder of the county where the individual making
2 the request resides. ~~Requests shall be made on application forms~~
3 ~~approved by the secretary of state, after consultation with county clerk~~
4 ~~and recorders~~ THE SECRETARY OF STATE SHALL APPROVE THE
5 APPLICATION FORM FOR A REQUEST FOR CONFIDENTIALITY. The
6 application form shall provide space for the applicant to provide ~~his or~~
7 ~~her~~ THEIR name and address, date of birth, and any other identifying
8 information determined by the secretary of state to be necessary to carry
9 out ~~the provisions of~~ this subsection (3.5). In addition, an affirmation
10 ~~shall~~ MUST be printed on the form, in the area immediately above a line
11 for the applicant's signature and the date, stating the following: "I swear
12 or affirm, under penalty of perjury, that I have reason to believe that I, or
13 a member of my immediate family who resides in my household, will be
14 exposed to criminal harassment, or otherwise be in danger of bodily harm,
15 if my address is not kept confidential OR THAT I AM OR HAVE BEEN A FIRST
16 RESPONDER OR AM OR HAVE BEEN THE SPOUSE OR CIVIL UNION PARTNER
17 OF A FIRST RESPONDER AND AM ELIGIBLE TO HAVE MY ADDRESS KEPT
18 CONFIDENTIAL PURSUANT TO SECTION 24-72-204 (3.5)." Immediately
19 below the signature line, there ~~shall~~ MUST be printed a notice, in a type
20 that is larger than the other information contained on the form, that the
21 applicant may be prosecuted for perjury in the second degree under
22 section 18-8-503 C.R.S., if the applicant signs ~~such~~ THE affirmation and
23 does not believe ~~such~~ THE affirmation to be true OR IS NOT OR HAS NOT
24 BEEN A FIRST RESPONDER OR THE SPOUSE OR CIVIL UNION PARTNER OF A
25 FIRST RESPONDER.

26 (III) ~~The county clerk and recorder of each county shall provide~~
27 ~~an opportunity for any individual to make the request of confidentiality~~
28 ~~allowed by this subsection (3.5) in person at the time such individual~~
29 ~~makes application to the county clerk and recorder to register to vote or~~
30 ~~to make any change in such individual's registration, and at any other time~~
31 ~~during normal business hours of the office of the county clerk and~~
32 ~~recorder. The county clerk and recorder shall forward a copy of each~~
33 ~~completed application to the secretary of state for purposes of the records~~
34 ~~maintained by him or her pursuant to subparagraph (I) of paragraph (a)~~
35 ~~of this subsection (3.5). The county clerk and recorder shall collect a~~
36 ~~processing fee in the amount of five dollars of which amount two dollars~~
37 ~~and fifty cents shall be transmitted to the secretary of state for the purpose~~
38 ~~of offsetting the secretary of state's costs of processing applications~~
39 ~~forwarded to the secretary of state pursuant to this subparagraph (III). All~~
40 ~~processing fees received by the secretary of state pursuant to this~~
41 ~~subparagraph (III) shall be transmitted to the state treasurer, who shall~~
42 ~~credit the same to the department of state cash fund~~ EACH COUNTY CLERK
43 AND RECORDER SHALL:

1 (A) MAKE THE CONFIDENTIALITY REQUEST APPLICATION FORMS
2 AVAILABLE IN THEIR OFFICE;

3 (B) PROVIDE THE CONFIDENTIALITY REQUEST APPLICATION FORMS
4 TO INTERESTED PERSONS BY UNITED STATES MAIL, EMAIL DELIVERY, OR
5 FACSIMILE TRANSMISSION, IF REQUESTED;

6 (C) PERMIT INDIVIDUALS TO SUBMIT COMPLETED AND SIGNED
7 CONFIDENTIALITY REQUEST APPLICATION FORMS BY UNITED STATES MAIL,
8 PERSONAL DELIVERY, EMAIL DELIVERY, OR FACSIMILE TRANSMISSION; AND

9 (D) PROCESS AN INDIVIDUAL'S REQUEST FOR CONFIDENTIALITY
10 PURSUANT TO THIS SUBSECTION (3.5) WITHOUT IMPOSING A PROCESSING
11 FEE OR ANY OTHER CHARGE.

12 ~~(IV) The secretary of state shall provide an opportunity for any~~
13 ~~individual to make the request of confidentiality allowed by paragraph (a)~~
14 ~~of this subsection (3.5), with respect to the records described in~~
15 ~~subparagraph (HH) of paragraph (a) of this subsection (3.5). The secretary~~
16 ~~of state may charge a processing fee, not to exceed five dollars, for each~~
17 ~~such request. All processing fees collected by the secretary of state~~
18 ~~pursuant to this subparagraph (IV) or subparagraph (HH) of this paragraph~~
19 ~~(b) shall be transmitted to the state treasurer, who shall credit the same to~~
20 ~~the department of state cash fund.~~

21 ~~(V) Notwithstanding the amount specified for any fee in~~
22 ~~subparagraph (HH) or (IV) of this paragraph (b), the secretary of state by~~
23 ~~rule or as otherwise provided by law may reduce the amount of one or~~
24 ~~more of the fees credited to the department of state cash fund if necessary~~
25 ~~pursuant to section 24-75-402 (3), to reduce the uncommitted reserves of~~
26 ~~the fund to which all or any portion of one or more of the fees is credited.~~
27 ~~After the uncommitted reserves of the fund are sufficiently reduced, the~~
28 ~~secretary of state by rule or as otherwise provided by law may increase~~
29 ~~the amount of one or more of the fees as provided in section 24-75-402~~
30 ~~(4).~~

31 (c) The custodian of any records described in subsection (3.5)(a)
32 of this section that concern an individual who has made a request of FOR
33 confidentiality pursuant to this subsection (3.5) and paid any required
34 processing fee shall deny the right of inspection of the individual's
35 address contained in such records on the ground that disclosure would be
36 contrary to the public interest; except that the custodian shall allow the
37 inspection of the records by the individual, by any person authorized in
38 writing by that individual, and by any individual employed by one of the
39 following entities who makes a request to the custodian to inspect the
40 records and who provides evidence satisfactory to the custodian that the
41 inspection is reasonably related to the authorized purpose of the
42 employing entity:

43 (e) No A person shall NOT make any false statement in requesting

1 any information pursuant to ~~paragraph (a) or (b) of this subsection (3.5)~~
2 SUBSECTION (3.5)(c) OR (3.5)(d) OF THIS SECTION.

3 (h) AS USED IN THIS SUBSECTION (3.5), UNLESS THE CONTEXT
4 OTHERWISE REQUIRES, "FIRST RESPONDER" MEANS AN ELECTOR, AS
5 DEFINED IN SECTION 1-1-104 (12), WHO IS OR WHO HAS BEEN ONE OF THE
6 FOLLOWING:

7 (I) A PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101;

8 (II) A FIREFIGHTER, AS DEFINED IN SECTION 29-5-203 (10);

9 (III) A VOLUNTEER FIREFIGHTER, AS DEFINED IN SECTION
10 31-30-1102 (9)(a);

11 (IV) AN EMERGENCY MEDICAL SERVICE PROVIDER, AS DEFINED IN
12 SECTION 25-3.5-103 (8);

13 (V) AN EMERGENCY COMMUNICATIONS SPECIALIST, AS DEFINED IN
14 SECTION 29-11-101 (10.5);

15 (VI) THE SPOUSE OR CIVIL UNION PARTNER OF AN INDIVIDUAL
16 SPECIFIED IN SUBSECTION (3.5)(h)(I), (3.5)(h)(II), (3.5)(h)(III),
17 (3.5)(h)(IV), OR (3.5)(h)(V) OF THIS SECTION.

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

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