

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0390.02 Chuck Brackney x2295

HOUSE BILL 13-1112

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HOUSE SPONSORSHIP

Lawrence,

SENATE SPONSORSHIP

Scheffel,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING REQUESTS FOR OPEN RECORDS ACCESS TO DATA  
102 COLLECTED BY MONITORING CAMERAS.

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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://www.leg.state.co.us/billsummaries>.)*

The bill says that video or still images obtained by monitoring cameras, such as traffic webcams, may not be released under an open records request, except to the person of interest in the records. The bill also defines "monitoring camera".

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-72-204, **amend** (3)  
3 (a) introductory portion and (3) (a) (XXI); and **add** (3) (a) (XXII) as  
4 follows:

5           **24-72-204. Allowance or denial of inspection - grounds -**  
6 **procedure - appeal - definitions.** (3) (a) The custodian shall ~~deny the~~  
7 ~~right of inspection of~~ NOT PRODUCE the following records, unless  
8 otherwise provided by law; except that any of the following records, other  
9 than letters of reference concerning employment, licensing, or issuance of  
10 permits, ~~shall be~~ ARE available to the person in interest under this  
11 subsection (3):

12           (XXI) All records, including ~~but not limited to~~, analyses and maps,  
13 compiled or maintained pursuant to statute or rule by the department of  
14 natural resources or its divisions that are based on information related to  
15 private lands and THAT identify or allow to be identified any specific  
16 Colorado landowners or lands; except that summary or aggregated data  
17 that do not specifically identify individual landowners or specific parcels  
18 of land ~~shall~~ ARE not ~~be~~ subject to this subparagraph (XXI);

19           (XXII) (A) ALL VIDEO OR STILL IMAGES FROM A MONITORING  
20 CAMERA, EXCLUDING IMAGES OF ANY PERSON ALLEGEDLY COMMITTING OR  
21 ATTEMPTING TO COMMIT A CRIME. VIDEO IMAGES OR IDENTIFYING  
22 INFORMATION, INCLUDING A LICENSE PLATE, OF A POTENTIAL VICTIM,  
23 WITNESS, BYSTANDER, OR OTHER NONPARTICIPANT IN ALLEGED CRIMINAL  
24 ACTIVITY MAY BE PRODUCED ONLY WITH THE WRITTEN CONSENT OF THE  
25 PERSON IN INTEREST OR THAT PERSON'S PARENT OR GUARDIAN OR THE  
26 WRITTEN AUTHORIZATION OF A PEACE OFFICER, DISTRICT ATTORNEY,

1 JUDGE, OR FIRE CHIEF, OR THAT OFFICIAL'S DESIGNEE, FOR CRIMINAL  
2 JUSTICE OR LIFE SAFETY PURPOSES.

3 (B) AS USED IN THIS SUBPARAGRAPH (XXII), "MONITORING  
4 CAMERA" MEANS A DIGITAL VIDEO CAMERA, VIDEO TAPE CAMERA, FILM  
5 CAMERA, PHOTO RADAR RECORDER, TOLL COLLECTION DEVICE,  
6 AUTOMATED VEHICLE IDENTIFICATION SYSTEM, OR OTHER IMAGE  
7 RECORDING DEVICE INTENDED TO CAPTURE MOVING OR STILL PICTURES OR  
8 IMAGES ON A ROUTINE BASIS OR FOR SECURITY OR OTHER PURPOSES,  
9 INCLUDING MONITORING OR RECORDING TRAFFIC, WEATHER CONDITIONS,  
10 OFFICE ACTIVITIES, TRANSIT FACILITIES, PARKING GARAGES, SPORTS  
11 VENUES, SCHOOLS, DAY CARE CENTERS, HOSPITALS OR OTHER MEDICAL  
12 FACILITIES, RECREATIONAL FACILITIES, PLAYGROUNDS, SWIMMING POOLS,  
13 OR UTILITY FACILITIES.

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