

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0495.01 Troy Bratton

SENATE BILL 09-122

SENATE SPONSORSHIP

Gibbs,

HOUSE SPONSORSHIP

Scanlan,

Senate Committees

Local Government and Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE RELEASE OF SECURITY ASSESSMENT REPORTS TO**
102 **THE COUNTY SHERIFF OF THE COUNTY IN WHICH A CRITICAL**
103 **STATE INFRASTRUCTURE IS LOCATED.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires the office of preparedness, security, and fire safety to notify and release the report of any security assessment conducted on any critical state infrastructure to the county sheriff of the county in which the critical state infrastructure is located.

Allows an exemption to the confidentiality requirements of security assessment reports, which exemption permits the county sheriff

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.

of the county in which the critical state infrastructure is located to inspect and obtain copies of such reports.

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

2 **SECTION 1.** 24-33.5-1602, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SUBSECTION to read:

4 **24-33.5-1602. Definitions.** As used in this part 16, unless the
5 context otherwise requires:

6 (3.5) "CRITICAL STATE INFRASTRUCTURE" MEANS PUBLICLY OR
7 PRIVATELY OWNED SYSTEMS AND ASSETS VITAL TO THE SECURITY,
8 ECONOMIC SECURITY, OR PUBLIC HEALTH OR SAFETY OF THE STATE.

9 "CRITICAL STATE INFRASTRUCTURE" INCLUDES:

10 (a) OIL AND GAS PRODUCTION, STORAGE, AND DELIVERY SYSTEMS;

11 (b) WATER SUPPLY SYSTEMS;

12 (c) TELECOMMUNICATIONS NETWORKS;

13 (d) ELECTRICAL POWER DELIVERY SYSTEMS;

14 (e) FINANCING AND BANKING SYSTEMS;

15 (f) EMERGENCY SERVICES, INCLUDING MEDICAL, POLICE, FIRE, AND
16 RESCUE SERVICES;

17 (g) TRANSPORTATION SYSTEMS AND SERVICES, INCLUDING
18 HIGHWAYS, MASS TRANSIT, AIRLINES, AND AIRPORTS; AND

19 (h) GOVERNMENT OPERATIONS THAT PROVIDE ESSENTIAL SERVICES
20 TO THE PUBLIC.

21 **SECTION 2.** 24-33.5-1611 (2), Colorado Revised Statutes, is
22 amended to read:

23 **24-33.5-1611. Assistance and assessment.** (2) (a) The office of
24 preparedness, security, and fire safety shall conduct security assessments
25 as needed to evaluate threats, risks, and compliance with security rules at

1 state facilities.

2 (b) IF THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY
3 CONDUCTS A SECURITY ASSESSMENT ON CRITICAL STATE
4 INFRASTRUCTURE, AS DEFINED IN SECTION 24-33.5-1602 (3.5), THE OFFICE
5 SHALL NOTIFY AND MAKE THE FINDINGS OF THE ASSESSMENT AVAILABLE
6 TO THE COUNTY SHERIFF OF THE COUNTY IN WHICH THE CRITICAL STATE
7 INFRASTRUCTURE IS LOCATED.

8 **SECTION 3.** 24-72-204 (2) (a) (VIII) (A), Colorado Revised
9 Statutes, is amended to read:

10 **24-72-204. Allowance or denial of inspection - grounds -**
11 **procedure - appeal - definitions.** (2) (a) The custodian may deny the
12 right of inspection of the following records, unless otherwise provided by
13 law, on the ground that disclosure to the applicant would be contrary to
14 the public interest:

15 (VIII) (A) Specialized details of security arrangements or
16 investigations. Nothing in this subparagraph (VIII) shall prohibit the
17 custodian from transferring records containing specialized details of
18 security arrangements or investigations to the office of preparedness,
19 security, and fire safety in the department of public safety, THE COUNTY
20 SHERIFF OF THE COUNTY IN WHICH CRITICAL STATE INFRASTRUCTURE IS
21 LOCATED PURSUANT TO SECTION 24-33.5-1611 (2) (b), the governing body
22 of any city, county, city and county, or other political subdivision of the
23 state, or any federal, state, or local law enforcement agency; except that
24 the custodian shall not transfer any record received from a
25 nongovernmental entity without the prior written consent of such entity
26 unless such information is already publicly available.

27 **SECTION 4. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.