

SB21-131

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Gonzales

1 Amend printed bill, page 10, line 14, strike "(7)(a)" and substitute "(7)(a),
2 (7)(b)(I), and (7)(b)(IV)".

3 Page 11, after line 2 insert:

4 "(b) Notwithstanding subsection (7)(a) of this section, only upon
5 obtaining a completed requester release form under section 42-1-206
6 (1)(b), the department may allow inspection of the information referred
7 to in subsection (7)(a) of this section for the following uses:

8 (I) For use by any government agency, including any court or law
9 enforcement agency, in carrying out its functions, or any private person
10 or entity acting on behalf of a federal, state, or local agency in carrying
11 out its functions; EXCEPT THAT THIS SUBSECTION (7)(b)(I) DOES NOT
12 APPLY TO A REQUEST MADE FOR THE PURPOSE OF INVESTIGATING FOR,
13 PARTICIPATING IN, COOPERATING WITH, OR ASSISTING IN FEDERAL
14 IMMIGRATION ENFORCEMENT, INCLUDING ENFORCEMENT OF CIVIL
15 IMMIGRATION LAWS, 8 U.S.C. SEC. 1325, AND 8 U.S.C. SEC. 1326, EXCEPT
16 AS REQUIRED BY FEDERAL OR STATE LAW OR AS REQUIRED TO COMPLY
17 WITH A COURT-ISSUED SUBPOENA, WARRANT, OR ORDER;

18 (IV) For use in connection with any civil, criminal, administrative,
19 or arbitral proceeding in any federal, state, or local court or agency or
20 before any self-regulatory body, including the service of process,
21 investigation in anticipation of litigation, and the execution or
22 enforcement of judgments and orders, or pursuant to an order of a federal,
23 state, or local court; EXCEPT THAT THIS SUBSECTION (7)(b)(IV) DOES NOT
24 APPLY TO A REQUEST MADE FOR THE PURPOSE OF INVESTIGATING FOR,
25 PARTICIPATING IN, COOPERATING WITH, OR ASSISTING IN FEDERAL
26 IMMIGRATION ENFORCEMENT, INCLUDING ENFORCEMENT OF CIVIL
27 IMMIGRATION LAWS, 8 U.S.C. SEC. 1325, AND 8 U.S.C. SEC. 1326, EXCEPT
28 AS REQUIRED BY FEDERAL OR STATE LAW OR AS REQUIRED TO COMPLY
29 WITH A COURT-ISSUED SUBPOENA, WARRANT, OR ORDER;"

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