

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE deGruy Kennedy

1 Amend reengrossed bill, page 17, after line 25 insert:

2 "(d) (I) AN INVESTOR-OWNED GAS UTILITY MAY DESIGNATE ANY
3 MAP OR ASSOCIATED INFORMATION PROVIDED PURSUANT TO THIS
4 SUBSECTION (3) AS CONTAINING CRITICAL INFRASTRUCTURE
5 INFORMATION. IF THE COMMISSION DETERMINES THAT THE DESIGNATED
6 MAP OR ASSOCIATED INFORMATION DOES NOT CONTAIN CRITICAL
7 INFRASTRUCTURE INFORMATION, THE INVESTOR-OWNED GAS UTILITY MAY
8 APPEAL THE COMMISSION'S DETERMINATION IN A COURT OF COMPETENT
9 JURISDICTION BY FILING THE APPEAL WITHIN TEN DAYS AFTER THE
10 COMMISSION'S DETERMINATION.

11 (II) IF THE COMMISSION DETERMINES THAT THE DISCLOSURE OF
12 THE DESIGNATED MAP OR ASSOCIATED INFORMATION MAY EXPOSE OR
13 CREATE VULNERABILITY TO CRITICAL INFRASTRUCTURE FACILITIES OR
14 SYSTEMS, THE COMMISSION:

15 (A) SHALL LIMIT ACCESS TO THE DESIGNATED MAP OR ASSOCIATED
16 INFORMATION TO INDIVIDUALS AT STATE AGENCIES THAT ARE PARTIES TO
17 THE PROCEEDING IN WHICH THE MAP OR ASSOCIATED INFORMATION WAS
18 PROVIDED; AND

19 (B) EXCEPT AS PROVIDED IN SUBSECTION (3)(d)(II)(A) OF THIS
20 SECTION, SHALL NOT PROVIDE THE DESIGNATED MAP OR ASSOCIATED
21 INFORMATION TO ANY PERSONS AND MAY ORDER THE INVESTOR-OWNED
22 GAS UTILITY TO PROVIDE A PUBLIC REDACTED VERSION OF THE MAP OR
23 ASSOCIATED INFORMATION THAT INCLUDES A GENERAL DESCRIPTION OF
24 THE INFORMATION WITHOUT DETAILED LOCATION INFORMATION.

25 (III) A CUSTODIAN, AS DEFINED IN SECTION 24-72-202 (1.1), SHALL
26 NOT RELEASE A MAP OR ASSOCIATED INFORMATION FOR WHICH THE
27 COMMISSION HAS LIMITED ACCESS PURSUANT TO SUBSECTION (3)(d)(II) OF
28 THIS SECTION IN RESPONSE TO ANY REQUEST TO INSPECT PUBLIC RECORDS
29 PURSUANT TO THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE
30 72 OF TITLE 24."

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