

## SB23-296

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Bacon

1 Amend reengrossed bill, page 14, after line 19, insert:

2 "(7) A COMPLAINT THAT IS UNSUBSTANTIATED IS CONFIDENTIAL  
3 AND NOT SUBJECT TO DISCLOSURE PURSUANT TO THE "COLORADO OPEN  
4 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, AND MUST NOT SERVE  
5 AS A BASIS FOR DISCIPLINE, DISMISSAL, TERMINATION, OR ANY  
6 EMPLOYMENT REFERENCE OR LICENSING ACTION UNLESS THE CONDUCT  
7 ESTABLISHES OF PATTERN OF THE SAME OR SIMILAR BEHAVIOR."

8 Page 15, after line 1, insert:

9 "SECTION 4. In Colorado Revised Statutes, 24-72-202, **amend**  
10 (6)(b)(XIV) and (6)(b)(XV); **add** (6)(b)(XVI) as follows:

11 **24-72-202. Definitions.** As used in this part 2, unless the context  
12 otherwise requires:

13 (6) (b) "Public records" does not include:

14 (XIV) Pursuant to the "Colorado Partnership for Quality Jobs and  
15 Services Act", part 11 of article 50 of this title 24, records created in  
16 compliance with the requirements of a state employee partnership agreement as  
17 specified in section 24-50-1111 (3)(d) and documents created in connection  
18 with the dispute resolution process for an employee partnership agreement as  
19 specified in section 24-50-1113 (2)(e); ~~or~~

20 (XV) Granular coverage data, as defined in and submitted to the office  
21 of information technology pursuant to section 24-37.5-119 (9)(m); OR

22 (XVI) A COMPLAINT OF HARASSMENT OR DISCRIMINATION, AS  
23 DESCRIBED IN SECTION 22-1-140, THAT IS UNSUBSTANTIATED AND ALL  
24 RECORDS RELATED TO THE UNSUBSTANTIATED COMPLAINT, INCLUDING  
25 RECORDS OF AN INVESTIGATION INTO THE COMPLAINT."

26 Renumber succeeding section accordingly.

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