

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 26-0713.01 Christopher McMichael x4775

SENATE BILL 26-090

SENATE SPONSORSHIP

Carson and Snyder,

HOUSE SPONSORSHIP

Hartsook,

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING EXEMPTING CRITICAL INFRASTRUCTURE FROM THE**
102 **"CONSUMER REPAIR BILL OF RIGHTS ACT".**

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://leg.colorado.gov>.)

Under current law, consumers in Colorado have a right to repair all digital electronic equipment, which could include equipment that is considered critical infrastructure.

The bill exempts information technology equipment that is intended for use in critical infrastructure from Colorado's consumer right to repair laws. Critical infrastructure is defined as a system or asset,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

whether physical or virtual, so vital to the United States that the incapacity or destruction of the system or asset would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

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

2 **SECTION 1.** In Colorado Revised Statutes, 6-1-1502, **amend**
3 (1.7)(b); and **add** (1.4) as follows:

4 **6-1-1502. Definitions.**

5 As used in this part 15, unless the context otherwise requires:

6 (1.4) "CRITICAL INFRASTRUCTURE" HAS THE MEANING SET FORTH
7 IN 42 U.S.C. SEC. 5195c (e).

8 (1.7) (b) "Digital electronic equipment" or "digital equipment"
9 does not include:

10 (I) Agricultural equipment; ~~and~~

11 (II) Powered wheelchairs; OR

12 (III) INFORMATION TECHNOLOGY EQUIPMENT THAT IS INTENDED
13 FOR USE IN CRITICAL INFRASTRUCTURE.

14 **SECTION 2.** In Colorado Revised Statutes, 6-1-1504, **add** (3) as
15 follows:

16 **6-1-1504. Limitations - exemption for critical infrastructure.**

17 (3) NOTHING IN THIS PART 15 APPLIES TO INFORMATION
18 TECHNOLOGY EQUIPMENT THAT IS INTENDED FOR USE IN CRITICAL
19 INFRASTRUCTURE.

20 **SECTION 3. Safety clause.** The general assembly finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.