

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 14-0723.01 Michael Dohr x4347

HOUSE BILL 14-1095

HOUSE SPONSORSHIP

Kagan and Gardner,

SENATE SPONSORSHIP

Newell,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE COLORADO BUREAU OF INVESTIGATION'S**
102 **AUTHORITY TO INVESTIGATE COMPUTER CRIME, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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://www.leg.state.co.us/billsummaries>.)

The bill requires the Colorado bureau of investigation (bureau) to:
! Conduct criminal investigations relating to computer crime;
! Develop and collect information with regard to computer crime in an effort to identify, charge, and prosecute

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.

HOUSE
Amended 2nd Reading
April 4, 2014

criminal offenders and enterprises that unlawfully access and exploit computer systems and networks and report such information to the appropriate law enforcement organizations. The bureau must also provide awareness training and information concerning cyber-security and security risks to the information technology critical infrastructure industry.

- ! Prepare annual reports concerning any activities of computer crime in Colorado for use by local or federal law enforcement officials or the governor.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-412, **add** (8)
3 as follows:

4 **24-33.5-412. Functions of bureau - legislative review -**
5 **interagency cooperation with reporting functions - processing time**
6 **for criminal history record checks - computer crime.** (8) (a) THE
7 BUREAU HAS THE AUTHORITY TO CONDUCT CRIMINAL INVESTIGATIONS
8 RELATING TO COMPUTER CRIME VIOLATIONS PURSUANT TO SECTION
9 18-5.5-102, C.R.S., WHEN VIOLATIONS ARE REPORTED OR INVESTIGATIONS
10 REQUESTED BY LAW ENFORCEMENT OFFICIALS OR THE GOVERNOR OR
11 WHEN VIOLATIONS ARE DISCOVERED BY THE BUREAU. ALL
12 INVESTIGATIONS CONDUCTED BY THE BUREAU MUST BE IN COOPERATION
13 AND COORDINATION WITH LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT
14 AUTHORITIES, SUBJECT TO THE PROVISIONS OF SECTION 24-33.5-410.

15 (b) THE BUREAU SHALL DEVELOP AND COLLECT INFORMATION
16 WITH REGARD TO COMPUTER CRIME IN AN EFFORT TO IDENTIFY, CHARGE,
17 AND PROSECUTE CRIMINAL OFFENDERS AND ENTERPRISES THAT
18 UNLAWFULLY ACCESS AND EXPLOIT COMPUTER SYSTEMS AND NETWORKS,
19 IMPACT FUNCTIONALITY, AND ACCESS SENSITIVE DATA AND SHALL REPORT
20 SUCH INFORMATION TO THE APPROPRIATE LAW ENFORCEMENT

1 ORGANIZATIONS. THE BUREAU MUST ALSO PROVIDE AWARENESS TRAINING
2 AND INFORMATION CONCERNING CYBER-SECURITY AND SECURITY RISKS
3 TO THE INFORMATION TECHNOLOGY CRITICAL INFRASTRUCTURE
4 INDUSTRY.

5 (c) THE BUREAU SHALL PREPARE REPORTS AT LEAST ANNUALLY
6 CONCERNING ANY ACTIVITIES OF COMPUTER CRIME IN COLORADO FOR USE
7 BY LOCAL OR FEDERAL LAW ENFORCEMENT OFFICIALS OR THE GOVERNOR.
8 THE REPORTS ARE AVAILABLE FOR PUBLIC INSPECTION UNLESS THE
9 MATERIAL IN THE REPORTS IS EXEMPT UNDER ARTICLE 72 OF THIS TITLE.

10 (d) THE DIRECTOR OF THE BUREAU MAY ENTER INTO ANY
11 CONTRACT THAT IS NECESSARY TO CARRY OUT THE DUTIES AND
12 RESPONSIBILITIES SET FORTH IN THIS SUBSECTION (8).

13 **SECTION 2. Appropriation.** In addition to any other
14 appropriation, there is hereby appropriated, out of any moneys in the
15 general fund, not otherwise appropriated, to the department of public
16 safety, for the fiscal year beginning July 1, 2014, the sum of \$174,357 and
17 1.8 FTE, or so much thereof as may be necessary, to be allocated to
18 laboratory and investigative services for the implementation of this act as
19 follows:

20 (a) \$140,641 and 1.8 FTE for personal services; and

21 (b) \$33,716 for operating expenses and related costs.

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