

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 11-0177.01 Bart Miller

**HOUSE BILL 11-1111**

**HOUSE SPONSORSHIP**

**Sonnenberg,**

**SENATE SPONSORSHIP**

**Jahn,**

**House Committees**

Agriculture, Livestock, & Natural Resources

**Senate Committees**

Agriculture, Natural Resources, and Energy

**A BILL FOR AN ACT**

101 **CONCERNING THE PROTECTION OF LIVESTOCK PRODUCER**  
102 **INFORMATION COLLECTED BY THE DEPARTMENT OF**  
103 **AGRICULTURE.**

**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>.)*

**Section 1** of the bill specifies that certain confidential commercial data collected by the department of agriculture on livestock producers may not be merged or shared with any other state, federal, or foreign government, industry partner, or other database that modifies the

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.*

SENATE  
3rd Reading Unam ended  
March 23, 2011

SENATE  
2nd Reading Unam ended  
March 22, 2011

HOUSE  
3rd Reading Unam ended  
February 22, 2011

HOUSE  
Am ended 2nd Reading  
February 21, 2011

provisions with respect to how this confidential commercial data may be disseminated.

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

2 **SECTION 1.** Article 57.9 of title 35, Colorado Revised Statutes,  
3 is amended BY THE ADDITION OF A NEW SECTION to read:

4 **35-57.9-104. Restrictions on information in databases.** ANY  
5 DATABASE CREATED BY THE DEPARTMENT THAT CONTAINS SPECIFIC  
6 OPERATIONAL DETAILS THAT CONSTITUTE CONFIDENTIAL COMMERCIAL  
7 DATA PURSUANT TO SECTION 24-72-204, C.R.S., SHALL NOT BE MERGED  
8 OR SHARED WITH ANY STATE, FEDERAL, OR FOREIGN GOVERNMENT,  
9 INDUSTRY PARTNER, OR OTHER DATABASE THAT WOULD MODIFY THE  
10 PROVISIONS WITH RESPECT TO HOW SPECIFIC OPERATIONAL DETAILS THAT  
11 CONSTITUTE CONFIDENTIAL COMMERCIAL DATA MAY BE DISSEMINATED  
12 PURSUANT TO SECTION 35-57.9-103. SUCH DATA INCLUDES OWNERSHIP,  
13 NUMBERS, LOCATIONS, AND MOVEMENTS OF LIVESTOCK; FINANCIAL  
14 INFORMATION; THE PURCHASE AND SALE OF LIVESTOCK; ACCOUNT  
15 NUMBERS OR UNIQUE IDENTIFIERS ISSUED BY GOVERNMENT OR PRIVATE  
16 ENTITIES; OPERATIONAL PROTOCOLS; AND PARTICIPATION IN AN  
17 ALL-HAZARDS SECURITY SYSTEM; EXCEPT THAT, DATA WITHIN ANY  
18 ALL-HAZARDS SECURITY SYSTEM MAY BE SHARED FOR RESPONSE TO OR  
19 PARTICIPATION IN ANY ALL-HAZARDS EVENT LIMITED TO THE SCOPE OF  
20 EACH INDIVIDUAL ALL-HAZARDS EVENT AND TO THE SCOPE OF ONLY THOSE  
21 AGENCIES DIRECTLY INVOLVED IN THE ALL-HAZARDS EVENT. AS USED IN  
22 THIS SECTION, "ALL-HAZARDS EVENT" MEANS THE OCCURRENCE OF ANY  
23 CATASTROPHIC EVENT OR INCIDENT THAT IS EITHER NATURAL, SUCH AS A  
24 BLIZZARD, FIRE, FLOOD, TORNADO, EARTHQUAKE, OR DISEASE OUTBREAK,  
25 OR MAN-MADE AND THAT COULD BE OF BIOLOGICAL, CHEMICAL,

1 RADIOLOGICAL, NUCLEAR, OR EXPLOSIVE ORIGIN.

2           **SECTION 2. Act subject to petition - effective date.** This act  
3 shall take effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly (August  
5 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a  
6 referendum petition is filed pursuant to section 1 (3) of article V of the  
7 state constitution against this act or an item, section, or part of this act  
8 within such period, then the act, item, section, or part shall not take effect  
9 unless approved by the people at the general election to be held in  
10 November 2012 and shall take effect on the date of the official  
11 declaration of the vote thereon by the governor.