

SB17-040

HOUSE FLOOR AMENDMENT

Third Reading

BY REPRESENTATIVES Arndt and Lundeen

1 Amend revised bill, page 5, strike lines 11 through 13 and substitute
2 "(2)(a)(VIII)(A), (3)(a)(I), and (5) as follows:

3 **24-72-204. Allowance or denial of inspection - grounds -**
4 **procedure - appeal - definitions.** (2) (a) The custodian may deny the
5 right of inspection of the following records, unless otherwise provided by
6 law, on the ground that disclosure to the applicant would be contrary to
7 the public interest:

8 (VIII) (A) Specialized details of EITHER security arrangements or
9 investigations OR THE PHYSICAL AND CYBER ASSETS OF CRITICAL
10 INFRASTRUCTURE, INCLUDING THE SPECIFIC ENGINEERING,
11 VULNERABILITY, DETAILED DESIGN INFORMATION, PROTECTIVE MEASURES,
12 EMERGENCY RESPONSE PLANS, OR SYSTEM OPERATIONAL DATA OF SUCH
13 ASSETS THAT WOULD BE USEFUL TO A PERSON IN PLANNING AN ATTACK ON
14 CRITICAL INFRASTRUCTURE BUT THAT DOES NOT SIMPLY PROVIDE THE
15 GENERAL LOCATION OF SUCH INFRASTRUCTURE. **Nothing in this**
16 ~~subparagraph (VIII)~~ SUBSECTION (2)(a)(VIII) prohibits the custodian from
17 transferring records containing specialized details of EITHER security
18 arrangements or investigations OR THE PHYSICAL AND CYBER ASSETS OF
19 CRITICAL INFRASTRUCTURE to the division of homeland security and
20 emergency management in the department of public safety, the governing
21 body of any city, county, city and county, or other political subdivision of
22 the state, or any federal, state, or local law enforcement agency; except
23 that the custodian shall not transfer any record received from a
24 nongovernmental entity without the prior written consent of the entity
25 unless such information is already publicly available.

26 (3) (a) The custodian shall deny the".

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