



## SB22-169

**SHORT TITLE:** Sensitive Species Data and Public Records

**LONG TITLE:** Concerning the nondisclosure of sensitive species information under the "Colorado Open Records Act".

**SPONSORS:** Senator Donovan/Representative Will and Hooton

**COMMITTEES:** Senate Agriculture & Natural Resources Committee and House Agriculture, Livestock & Water Committee

**PURPOSE OF THE BILL:** To allow the Colorado Division of Parks and Wildlife (CPW) to deny CORA requests relating to the location of sensitive plant or animal species to protect the species, particularly where endangered. The bill specifically allows denial of the location of an individual animal or group of animals, an individual animal or group of animals breeding grounds or nesting habitat, or a plant species identified as a Colorado plant of greatest conservation need in Colorado's state wildlife action plan.

**PROPOSERS OF THE BILL:** CPW

**POTENTIAL STAKEHOLDERS:** Hunters, anglers, photographers, wildlife managers, researchers, Wildlife Commission, Attorney General's office

**BACKGROUND:** CPW has seen a huge increase of CORA requests regarding location of wildlife, particularly large game animals and other species that are a matter of curiosity.

**Is the bill necessary this year?** There are no deadlines

**How does the bill change current law?** It excludes sensitive species from the definition of public information in the Colorado Open Records Act, thereby allowing the CPW the discretion to deny the request.

**How is the bill implemented?** CPW receives 400 request per year for data maintained by the department, some being extremely specific as to the location of the species. The department could deny the request for the exact location to protect the plant or animal.

**Practical Impact:** Will the denial lead to litigation?

**Does the bill affect prior appropriations?** No

**Fiscal Impact:** The bill to minimally impact the workload of the agency, although the Fiscal Note did not discuss potential litigation of a denial.