

1 PROTOCOL ADDRESS ASSIGNED TO EACH CUSTOMER OF THE INTERNET
2 ACCESS PROVIDER. THE INFORMATION MAINTAINED BY AN INTERNET
3 ACCESS PROVIDER PURSUANT TO THIS SUBSECTION (1) SHALL REMAIN
4 CONFIDENTIAL, EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (2) AND
5 (3) OF THIS SECTION.

6 (2) A LAW ENFORCEMENT AGENCY THAT SEEKS ACCESS TO THE
7 INFORMATION MAINTAINED BY AN INTERNET ACCESS PROVIDER PURSUANT
8 TO SUBSECTION (1) OF THIS SECTION FOR USE IN A CRIMINAL
9 INVESTIGATION INVOLVING UNLAWFUL SEXUAL CONDUCT MAY REQUEST
10 A COURT ORDER REQUIRING THE INTERNET ACCESS PROVIDER TO RELEASE
11 THE INFORMATION TO THE LAW ENFORCEMENT AGENCY. THE INTERNET
12 ACCESS PROVIDER SHALL RELEASE THE INFORMATION TO THE LAW
13 ENFORCEMENT AGENCY WITHIN TEN DAYS AFTER SERVICE OF THE COURT
14 ORDER ON THE INTERNET ACCESS PROVIDER. IF THE INTERNET ACCESS
15 PROVIDER DEMONSTRATES THAT, FOR BONA FIDE TECHNICAL REASONS, IT
16 CANNOT COMPLY WITH THE COURT ORDER WITHIN TEN DAYS, IT SHALL
17 COMPLY WITH THE COURT ORDER AS SOON AS POSSIBLE.

18 (3) A LAW ENFORCEMENT AGENCY MAY REQUEST A COURT ORDER
19 TO REQUIRE AN INTERNET ACCESS PROVIDER TO PRESERVE FOR UP TO AN
20 ADDITIONAL NINETY DAYS THE INFORMATION MAINTAINED PURSUANT TO
21 SUBSECTION (1) OF THIS SECTION WITH RESPECT TO A SPECIFIED
22 COLORADO CUSTOMER AND TO RELEASE SAID INFORMATION TO THE LAW
23 ENFORCEMENT AGENCY FOR USE IN A CRIMINAL INVESTIGATION
24 INVOLVING UNLAWFUL SEXUAL CONDUCT. THE INTERNET ACCESS
25 PROVIDER SHALL COMPLY WITH THE COURT ORDER UPON RECEIPT OF THE
26 ORDER.

27 **6-2.7-103. Internet protocol addresses - failure to retain or**
28 **release - civil penalty.** (1) AN INTERNET SERVICE PROVIDER THAT FAILS
29 TO COMPLY WITH THE REQUIREMENTS SPECIFIED IN SECTION 6-2.7-102
30 SHALL BE LIABLE FOR PAYMENT OF A CIVIL PENALTY OF UP TO TWO
31 THOUSAND FIVE HUNDRED DOLLARS FOR EACH INCIDENCE OF
32 NONCOMPLIANCE; EXCEPT THAT THE INTERNET SERVICE PROVIDER SHALL
33 BE LIABLE FOR PAYMENT OF UP TO TEN THOUSAND DOLLARS FOR THE
34 THIRD AND EACH SUBSEQUENT INCIDENCE OF NONCOMPLIANCE THAT
35 OCCURS WITHIN A TWELVE-MONTH PERIOD. THE STATE ATTORNEY
36 GENERAL IS AUTHORIZED TO BRING SUIT IN A COURT OF COMPETENT
37 JURISDICTION FOR ENFORCEMENT OF THE PROVISIONS OF SECTION
38 6-2.7-102.



1 (2) EXCEPT AS PROVIDED IN SUBSECTION (1) OF THIS SECTION, AN
2 INTERNET SERVICE PROVIDER'S FAILURE TO COMPLY WITH THE
3 REQUIREMENTS SPECIFIED IN SECTION 6-2.7-102 SHALL NOT RESULT IN
4 FURTHER CIVIL, CRIMINAL, OR OTHER LIABILITY.

5 **6-2.7-104. Applicability of article.** THE PROVISIONS OF THIS
6 ARTICLE SHALL TAKE EFFECT OCTOBER 1, 2006, AND SHALL APPLY TO
7 INTERNET PROTOCOL ADDRESSES ASSIGNED ON OR AFTER SAID DATE."

8 Renumber succeeding section accordingly.

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