

Public Comment Regarding SB 22-034

Dear Committee,

I am very pleased to see that something is being done about this obvious loop hole and vulnerability of county and state business records by unscrupulous actors. Please allow me to share with your committee my personal experience whereby I was victimized by an individual who submitted a fraudulent business entity filing through the CO Secretary of State, and the aftermath and damages that precipitated there from.

I founded Boulder Freeride a community outreach organization 2008 and have always maintained its annual filings with the Secretary of State in a timely manner. In the 2018 fiscal year, an individual from the Colorado University Ski and Snowboard Club "CUSS" club with offices on the CU Boulder Campus, intentionally submitted a change of address form without my authorization, changing both the address of the organization and the Director of the organization to their respective offices and directors. I was removed as Director of the organization. Essentially, my business was "hijacked" and I had not received any notice of the change.

Some months later, I was contacted by a law office in Boulder CO who was filing suit against the CUSS club for a serious injury one of their participants suffered during a membership event. Because my business entity, Boulder Freeride, had been 'hijacked' and had been wrongly reassigned to make it appear as if it were a pseudonym or sister corporation for the CUSS club at CU Boulder, my organization became a named Defendant to the law suit!! I had to invest hours of my time refuting any association with the CUSS club and I was harassed and repeatedly threatened by this law firm to accept service of the law suit. It's in fact entirely possible that this law firm proceeded with a law suit and has since obtained a default judgment that I am not aware of. Regardless, the experience was unduly burdensome and stressful and I was distracted and victimized by the aftermath and sequelae of this fraudulent activity.

I was able to trace the fraudulent activity to a certain individual who was at the time one of the executive board members of the CUSS club. Numerous attempts to reach this individual to ask him to correct this matter were ignored. Ultimately, I was required to amend both the address and named director at my own expense and had to bear this expense as well which simply added insult to injury.

I hope my experience bears relevance to the creation of this act and the important of necessary protections and prosecutions of bad actors who attempt to hijack other businesses for their own interests or gain, and that these persons are held accountable and prosecuted and are issued citations and forced to at least pay restitution to make their victims whole. Thank you.

Todd Towers, MD, JD

██████████