

HB24-1080 be amended as follows:

1 Amend reengrossed bill, strike everything below the enacting clause and  
2 substitute:

3 **"SECTION 1. Legislative declaration.** (1) The general  
4 assembly finds and declares that:

5 (a) Local governments and youth sports organizations provide  
6 opportunities to children to participate in organized sports;

7 (b) Those children are often coached by adults they and their  
8 parents or legal guardians do not have a relationship with prior to  
9 organized sports;

10 (c) Parents and legal guardians expect that their children will be  
11 safe from adult harm when they are competing in organized sports;

12 (d) Ensuring that adults who coach youth sports have been vetted  
13 to gauge whether they would potentially harm a child is an important step  
14 in keeping kids safe while engaged in youth sports; and

15 (e) Therefore, it is a good business practice to require background  
16 checks for employees and volunteers who are youth sports coaches.

17 **SECTION 2.** In Colorado Revised Statutes, **add** article 8 to title  
18 19 as follows:

19 **ARTICLE 8**

20 **Youth Sports Organizations**

21 **19-8-101. Definitions.** AS USED IN THIS ARTICLE 8, UNLESS THE  
22 CONTEXT OTHERWISE REQUIRES:

23 (1) "COACH" MEANS A PERSON EMPLOYED AS OR VOLUNTEERING  
24 AS A COACH, MANAGER, OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY  
25 BUT DOES NOT INCLUDE OCCASIONAL ASSISTANCE WITH OR SUPPORT OF  
26 THE YOUTH ATHLETIC ACTIVITY BY A PERSON, INCLUDING THE ACTION OF  
27 OTHER VOLUNTEERS OR EMPLOYEES OF THE YOUTH SPORTS ORGANIZATION  
28 IN A PASSING, GENERAL, OR NOMINAL MANNER.

29 (2) "EMPLOYMENT" MEANS ANY JOB OR POSITION IN WHICH ANY  
30 PERSON MAY BE ENGAGED IN THE SERVICE OF A COACH OF A YOUTH  
31 ATHLETIC ACTIVITY BY A YOUTH SPORTS ORGANIZATION FOR A SALARY OR  
32 HOURLY WAGES, WHETHER FULL-TIME OR PART-TIME, AND WHETHER  
33 TEMPORARY OR PERMANENT.

34 (3) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC  
35 ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN  
36 EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC  
37 GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC  
38 ACTIVITY" DOES NOT INCLUDE AN ATHLETIC ACTIVITY THAT IS INCIDENTAL  
39 TO A NONATHLETIC PROGRAM OR A LESSON.

40 (4) (a) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE  
41 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS

1 CORE FUNCTION, PROVIDES PERSONS WHO ARE LESS THAN EIGHTEEN YEARS  
2 OF AGE THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE OR  
3 RECREATIONAL SPORTING ACTIVITIES, WHETHER INDIVIDUALLY OR AS A  
4 TEAM, BUT DOES NOT INCLUDE A SPORTING ACTIVITY THAT IS INCIDENTAL  
5 TO A NONATHLETIC PROGRAM OR LESSON.

6 (b) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:

7 (I) A NEIGHBORHOOD YOUTH ORGANIZATION AS DEFINED IN  
8 SECTION 26.5-5-303;

9 (II) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES  
10 KINDERGARTEN THROUGH TWELVE;

11 (III) A LICENSED CHILD-CARE FACILITY;

12 (IV) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR

13 (V) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY  
14 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR  
15 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS.

16 **19-8-102. Organized youth athletic activities - CPR and first**  
17 **aid requirements.** (1) (a) EACH YOUTH SPORTS ORGANIZATION SHALL  
18 ENSURE THAT AT LEAST ONE ADULT WHO POSSESSES A CURRENT FIRST AID,  
19 CPR, AND AED CERTIFICATION IS PRESENT AT EACH YOUTH ATHLETIC  
20 ACTIVITY.

21 (b) A YOUTH ATHLETIC ACTIVITY THAT IS CONDUCTED ENTIRELY  
22 BY VOLUNTEERS FOR TRAINING PURPOSES ONLY IS EXEMPT FROM THIS  
23 SECTION, BUT THE VOLUNTEERS ARE STRONGLY ENCOURAGED TO POSSESS  
24 A CURRENT FIRST AID, CPR, AND AED CERTIFICATION.

25 (2) (a) THE FIRST AID, CPR, AND AED EDUCATION COURSES  
26 REQUIRED BY SUBSECTION (1) OF THIS SECTION MUST INCLUDE:

27 (I) IDENTIFYING SIGNS OF AND TREATING:

28 (A) HEAT- AND COLD-RELATED CONDITIONS;

29 (B) EXTERNAL BLEEDING;

30 (C) MUSCULAR AND SKELETAL INJURIES; AND

31 (D) HEAD, NECK, AND SPINAL INJURIES; AND

32 (II) CARDIOPULMONARY RESUSCITATION AND AUTOMATIC  
33 EXTERNAL DEFIBRILLATOR TRAINING.

34 (b) EACH YOUTH SPORTS ORGANIZATION MAY DESIGNATE SPECIFIC  
35 EDUCATION COURSES AS SUFFICIENT TO MEET THE REQUIREMENTS OF  
36 SUBSECTION (1) OF THIS SECTION.

37 (3) NOTHING IN THIS ARTICLE 8 ABROGATES OR LIMITS THE  
38 PROTECTIONS APPLICABLE TO PUBLIC ENTITIES AND PUBLIC EMPLOYEES  
39 PURSUANT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT",  
40 ARTICLE 10 OF TITLE 24; VOLUNTEERS AND BOARD MEMBERS PURSUANT  
41 TO SECTIONS 13-21-115.7 AND 13-21-116; OR SKI AREA OPERATORS  
42 PURSUANT TO SECTIONS 33-44-112 AND 33-44-113.

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1           **19-8-103. Background checks required.** (1) (a) (I) A YOUTH  
2 SPORTS ORGANIZATION OPERATING IN THE STATE OF COLORADO SHALL  
3 REQUIRE ALL COACHES AND VOLUNTEERS WHO WORK DIRECTLY, OR WILL  
4 WORK DIRECTLY, WITH YOUTH, AND ANY COACH, EMPLOYEE, OR  
5 VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ORGANIZATION ON  
6 ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, TO OBTAIN,  
7 PRIOR TO STARTING THE WORK OR TAKING THE TRIP, AND EVERY THREE  
8 YEARS THEREAFTER, A SEVEN-YEAR CRIMINAL HISTORY RECORD CHECK  
9 THAT INCLUDES ALIASES OF THE EMPLOYEE OR VOLUNTEER, BY A PRIVATE  
10 ENTITY REGULATED AS A CONSUMER REPORTING AGENCY PURSUANT TO 15  
11 U.S.C. SEC. 1681, ET SEQ., AND THAT DISCLOSES, AT A MINIMUM, SEXUAL  
12 OFFENSES AND FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY  
13 NUMBER TRACE AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC  
14 RECORDS ACCESS SYSTEM. FOR A COACH OR VOLUNTEER WHO WAS HIRED  
15 OR APPROVED AS A COACH OR VOLUNTEER PRIOR TO THE EFFECTIVE DATE  
16 OF THIS SECTION, THE YOUTH SPORTS ORGANIZATION SHALL REQUIRE THE  
17 COACH OR VOLUNTEER TO OBTAIN A CRIMINAL HISTORY RECORD CHECK  
18 THAT CONFORMS TO THIS SECTION WITHIN SIX MONTHS AFTER THE  
19 EFFECTIVE DATE OF THIS SECTION.

20           (II) IF A COACH, EMPLOYEE, OR VOLUNTEER, INCLUDING A COACH  
21 OR VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ORGANIZATION  
22 ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, HAS LIVED  
23 OUTSIDE OF THE UNITED STATES FOR MORE THAN ONE HUNDRED EIGHTY  
24 DAYS IN THE PAST TEN YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY  
25 DAYS AFTER THE COACH'S OR VOLUNTEER'S LAST CRIMINAL HISTORY  
26 RECORD CHECK, THE COACH OR VOLUNTEER SHALL ALSO OBTAIN AN  
27 INTERNATIONAL CRIMINAL HISTORY RECORD CHECK THAT INCLUDES  
28 ALIASES OF THE EMPLOYEE OR VOLUNTEER, AND THAT, AT A MINIMUM,  
29 DISCLOSES SEXUAL OFFENSES AND FELONY CONVICTIONS; EXCEPT THAT,  
30 IF THE COACH OR VOLUNTEER IS IN THE COUNTRY ON AN INTERNATIONAL  
31 WORK VISA, THEN THE COACH OR VOLUNTEER MAY PROVIDE THE CRIMINAL  
32 HISTORY RECORD CHECK THAT WAS CONDUCTED FOR THE VISA.

33           (III) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN  
34 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF  
35 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY  
36 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN  
37 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION  
38 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER  
39 STATE.

40           (b) (I) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A PERSON  
41 AS A COACH OR APPROVE A PERSON AS A VOLUNTEER AND SHALL  
42 TERMINATE A COACH OR REVOKE THE APPROVAL FOR A VOLUNTEER IF A  
43 CRIMINAL HISTORY RECORD CHECK OF THE PERSON PERFORMED PURSUANT

1 TO SUBSECTION (1)(a) OF THIS SECTION SHOWS THAT THE PERSON HAS  
2 BEEN CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION  
3 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR  
4 AS DEFINED IN SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS  
5 DESCRIBED IN SECTION 18-1.3-406, OR ANY COMPARABLE OFFENSE  
6 COMMITTED IN ANOTHER STATE.

7 (II) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(I) OF THIS  
8 SECTION, A PARENT, LEGAL GUARDIAN, OR OTHER IMMEDIATE FAMILY  
9 MEMBERS MUST NOT BE PREVENTED FROM VOLUNTEERING IN YOUTH  
10 ATHLETIC ACTIVITIES BASED ON PAST CRIMINAL HISTORY.

11 (2) (a) A PERSON, INCLUDING AN EMPLOYEE OR VOLUNTEER WHO  
12 TAKES PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT  
13 WHO IS NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK  
14 PURSUANT TO THIS SECTION OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY  
15 RECORD CHECK MUST AT ALL TIMES BE SUPERVISED BY AN EMPLOYEE OR  
16 VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A  
17 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS  
18 SECTION.

19 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A YOUTH  
20 SPORTS ORGANIZATION IS NOT REQUIRED TO PERFORM A CRIMINAL  
21 HISTORY RECORD CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE  
22 CAPACITY OF A COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS  
23 IN A PASSING, GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED  
24 BY THIS SUBSECTION (2)(b) MUST BE SUPERVISED AT ALL TIMES BY AN  
25 EMPLOYEE OR VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER  
26 OBTAINING A CRIMINAL HISTORY RECORD CHECK PURSUANT TO  
27 SUBSECTION (1) OF THIS SECTION.

28 (3) A YOUTH SPORTS ORGANIZATION MAY RELY ON THE RESULTS  
29 OF A CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND  
30 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A  
31 PERSON TO ACT AS A VOLUNTEER.

32 **SECTION 3.** In Colorado Revised Statutes, **add** 13-80-103.4 as  
33 follows:

34 **13-80-103.4. Limitation of actions - failure to perform a**  
35 **background check by a youth sports organization - injury to a child**  
36 **- definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
37 OTHERWISE REQUIRES:

38 (a) "CHILD" MEANS A PERSON WHO IS LESS THAN EIGHTEEN YEARS  
39 OF AGE.

40 (b) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH  
41 IN SECTION 29-7.1-101.

42 (c) "SEXUAL OFFENSE AGAINST A CHILD" INCLUDES ALL OFFENSES  
43 LISTED IN SECTION 18-3-411 (1).

1 (d) "YOUTH SPORTS ORGANIZATION" HAS THE SAME MEANING AS  
2 SET FORTH IN SECTION 19-8-101.

3 (e) "YOUTH SPORTS REQUIRED BACKGROUND CHECK" MEANS A  
4 BACKGROUND CHECK THAT COMPLIES WITH SECTION 19-8-103 OR  
5 29-7.1-102 OR 29-7.1-103.

6 (2) IN BRINGING A CIVIL ACTION FOR FAILURE TO PERFORM A  
7 YOUTH SPORTS REQUIRED BACKGROUND CHECK PURSUANT TO THIS  
8 SECTION, A PLAINTIFF SHALL MAKE A PRIMA FACIE SHOWING OF THE  
9 FOLLOWING FACTS AND CIRCUMSTANCES:

10 (a) THE YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT,  
11 IN HIRING AN INDIVIDUAL TO WORK WITH CHILDREN OR IN A SETTING WITH  
12 CHILDREN, DID NOT PERFORM A YOUTH SPORTS REQUIRED BACKGROUND  
13 CHECK ON THE INDIVIDUAL, AND THE FAILURE TO CONDUCT THE REQUIRED  
14 BACKGROUND CHECK WAS THE RESULT OF THE YOUTH SPORTS  
15 ORGANIZATION'S OR LOCAL GOVERNMENT'S DELIBERATE INDIFFERENCE OR  
16 RECKLESS DISREGARD OF ITS OBLIGATION TO CONDUCT THE BACKGROUND  
17 CHECK AS PROVIDED BY LAW. ORDINARY NEGLIGENCE OR UNINTENTIONAL  
18 OVERSIGHT IS NOT SUFFICIENT.

19 (b) THE YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT,  
20 IN HIRING AN INDIVIDUAL TO WORK WITH CHILDREN OR IN A SETTING WITH  
21 CHILDREN, PERFORMED A YOUTH SPORTS REQUIRED BACKGROUND CHECK  
22 OF THE INDIVIDUAL, AND THE REQUIRED BACKGROUND CHECK SHOWED  
23 THAT THE INDIVIDUAL WAS INELIGIBLE TO BE HIRED OR APPROVED  
24 PURSUANT TO SECTION 19-8-103 (1)(b), 29-7.1-102, OR 29-7.1-103;

25 (c) THE INDIVIDUAL WAS NOT REQUIRED TO OBTAIN A CRIMINAL  
26 HISTORY RECORD CHECK OR WAS UNABLE TO OBTAIN A CRIMINAL HISTORY  
27 RECORD CHECK AND THE YOUTH SPORTS ORGANIZATION OR LOCAL  
28 GOVERNMENT FAILED TO HAVE THE INDIVIDUAL SUPERVISED BY AN  
29 EMPLOYEE OR VOLUNTEER WHO WAS HIRED OR APPROVED AFTER  
30 OBTAINING A CRIMINAL HISTORY RECORD CHECK;

31 (d) THE INDIVIDUAL, AT THE TIME OF HIRING, WAS NOT ELIGIBLE  
32 TO BE HIRED PURSUANT TO SECTION 19-8-103 (1)(b), 29-7.1-102, OR  
33 29-7.1-103; AND

34 (e) THE INDIVIDUAL COMMITTED ONE OF THE FOLLOWING  
35 OFFENSES AGAINST A CHILD WITH WHOM THE INDIVIDUAL CAME IN  
36 CONTACT IN THE COURSE OF THE INDIVIDUAL'S EMPLOYMENT WITH THE  
37 YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT:

38 (I) SEXUAL ASSAULT AS DESCRIBED IN SECTION 18-3-402;  
39 (II) SEXUAL OFFENSE AGAINST A CHILD;  
40 (III) CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401; OR  
41 (IV) A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406.

42 **SECTION 4.** In Colorado Revised Statutes, **add** article 7.1 to title  
43 29 as follows:

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**ARTICLE 7.1**  
**Local Government-sponsored Youth Athletic**  
**Activity Requirements**

**29-7.1-101. Definitions.** AS USED IN THIS ARTICLE 7.1, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COACH" MEANS A PERSON EMPLOYED AS OR VOLUNTEERING AS A COACH, MANAGER, OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY BUT DOES NOT INCLUDE OCCASIONAL ASSISTANCE WITH OR SUPPORT OF THE YOUTH ATHLETIC ACTIVITY BY A PERSON, INCLUDING THE ACTION OF OTHER VOLUNTEERS OR EMPLOYEES OF THE LOCAL GOVERNMENT IN A PASSING, GENERAL, OR NOMINAL MANNER.

(2) "EMPLOYMENT" MEANS ANY JOB OR POSITION IN WHICH ANY PERSON MAY BE ENGAGED IN THE SERVICE OF A COACH OF A YOUTH ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT FOR SALARY OR HOURLY WAGES, WHETHER FULL TIME OR PART TIME, AND WHETHER TEMPORARY OR PERMANENT.

(3) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH IN SECTION 29-1-102.

(4) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC ACTIVITY" DOES NOT INCLUDE AN ATHLETIC ACTIVITY THAT IS INCIDENTAL TO A NONATHLETIC PROGRAM OR A LESSON.

**29-7.1-102. Criminal history record check for paid coaches - CPR and first aid training.** (1) (a) (I) PRIOR TO THE EMPLOYMENT OF ANY PERSON AS A COACH OF A YOUTH ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT, OR ANY COACH OR EMPLOYEE WHO ACCOMPANIES A YOUTH SPORTS ACTIVITY ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, THE LOCAL GOVERNMENT SHALL REQUIRE A SEVEN-YEAR CRIMINAL HISTORY RECORD CHECK OF THE PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

(II) IF A COACH OR EMPLOYEE, INCLUDING A COACH OR EMPLOYEE WHO ACCOMPANIES THE YOUTH SPORTS ACTIVITY ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, HAS LIVED OUTSIDE OF THE UNITED STATES FOR MORE THAN ONE HUNDRED EIGHTY DAYS IN THE PAST TEN YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY DAYS AFTER THE COACH'S OR EMPLOYEE'S LAST CRIMINAL HISTORY RECORD CHECK WAS CONDUCTED, THE COACH OR EMPLOYEE SHALL ALSO OBTAIN AN INTERNATIONAL CRIMINAL HISTORY RECORD CHECK, INCLUDING ALIASES

1 OF THE COACH OR EMPLOYEE, THAT, AT A MINIMUM, DISCLOSES SEXUAL  
2 OFFENSES AND FELONY CONVICTIONS; EXCEPT THAT, IF THE COACH OR  
3 EMPLOYEE IS IN THE COUNTRY ON AN INTERNATIONAL WORK VISA, THEN  
4 THE COACH OR EMPLOYEE MAY PROVIDE THE BACKGROUND CHECK THAT  
5 WAS CONDUCTED FOR THE VISA.

6 (b) EACH JULY 1, THE LOCAL GOVERNMENT SHALL REQUIRE A  
7 CRIMINAL HISTORY RECORD CHECK IN CONFORMITY WITH THE PROVISIONS  
8 OF THIS SECTION OF EACH PERSON EMPLOYED AS A COACH OF A YOUTH  
9 ATHLETIC ACTIVITY WHO HAS NOT HAD A CRIMINAL HISTORY RECORD  
10 CHECK IN THE LAST THREE YEARS.

11 (c) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN  
12 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF  
13 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY  
14 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN  
15 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION  
16 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER  
17 STATE.

18 (2) A PERSON CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED  
19 IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL  
20 BEHAVIOR AS DEFINED IN SECTION 16-22-102, A CRIME OF VIOLENCE AS  
21 DESCRIBED IN SECTION 18-1.3-406, OR A COMPARABLE CHILD ABUSE OR  
22 UNLAWFUL SEXUAL BEHAVIOR OFFENSE COMMITTED IN ANY OTHER STATE  
23 IS DISQUALIFIED FROM EMPLOYMENT AS A COACH OF A YOUTH ATHLETIC  
24 ACTIVITY.

25 (3) A PERSON, INCLUDING A COACH WHO TAKES PART IN THE  
26 ACTIVITIES OF A YOUTH SPORTS ACTIVITY BUT WHO IS NOT REQUIRED TO  
27 OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT TO THIS SECTION  
28 OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY RECORD CHECK SHALL AT  
29 ALL TIMES BE SUPERVISED BY A COACH OR VOLUNTEER WHO HAS BEEN  
30 HIRED OR APPROVED AFTER OBTAINING A CRIMINAL HISTORY RECORD  
31 CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

32 (4) A PERSON WHO ACTS AS AN EMPLOYED COACH OF A YOUTH  
33 ATHLETIC ACTIVITY SHALL POSSESS A CURRENT FIRST AID, CPR, AND AED  
34 CERTIFICATION AS DESCRIBED IN SECTION 19-8-102 (2).

35 **29-7.1-103. Criminal history record check for volunteer**  
36 **coaches - CPR and first aid training.** (1) (a) (I) PRIOR TO THE START OF  
37 ANY PERSON AS A VOLUNTEER COACH OF A YOUTH ATHLETIC ACTIVITY BY  
38 A LOCAL GOVERNMENT, INCLUDING ANY VOLUNTEER COACH OR  
39 VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ACTIVITY ON ANY  
40 TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, THE LOCAL  
41 GOVERNMENT SHALL REQUIRE A SEVEN-YEAR CRIMINAL HISTORY RECORD  
42 CHECK OF THE PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER  
43 REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT

1 DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS  
2 AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE  
3 COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

4 (II) IF A VOLUNTEER COACH OR VOLUNTEER, INCLUDING A  
5 VOLUNTEER COACH OR VOLUNTEER WHO ACCOMPANIES THE YOUTH  
6 SPORTS ACTIVITY ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT  
7 STAYS, HAS LIVED OUTSIDE OF THE UNITED STATES FOR MORE THAN ONE  
8 HUNDRED EIGHTY DAYS IN THE PAST TEN YEARS OR FOR MORE THAN ONE  
9 HUNDRED EIGHTY DAYS AFTER THE VOLUNTEER COACH'S OR VOLUNTEER'S  
10 LAST CRIMINAL HISTORY RECORD CHECK WAS CONDUCTED, THE COACH OR  
11 VOLUNTEER SHALL ALSO OBTAIN AN INTERNATIONAL CRIMINAL HISTORY  
12 RECORD CHECK, INCLUDING ALIASES OF THE COACH OR VOLUNTEER, THAT,  
13 AT A MINIMUM, DISCLOSES SEXUAL OFFENSES AND FELONY CONVICTIONS;  
14 EXCEPT THAT, IF THE VOLUNTEER COACH OR VOLUNTEER IS IN THE  
15 COUNTRY ON AN INTERNATIONAL WORK VISA, THEN THE COACH OR  
16 VOLUNTEER MAY PROVIDE THE BACKGROUND CHECK THAT WAS  
17 CONDUCTED FOR THE VISA.

18 (b) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN  
19 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF  
20 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY  
21 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN  
22 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION  
23 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER  
24 STATE.

25 (2) (a) A PERSON CONVICTED OF FELONY CHILD ABUSE AS  
26 SPECIFIED IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL  
27 SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102, A CRIME OF  
28 VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, OR A COMPARABLE CHILD  
29 ABUSE OR UNLAWFUL SEXUAL BEHAVIOR OFFENSE COMMITTED IN ANY  
30 OTHER STATE IS DISQUALIFIED FROM ACTING AS AN UNSUPERVISED  
31 VOLUNTEER COACH OF A YOUTH ATHLETIC ACTIVITY.

32 (b) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,  
33 A PARENT, LEGAL GUARDIAN, OR OTHER IMMEDIATE FAMILY MEMBERS  
34 MUST NOT BE PREVENTED FROM VOLUNTEERING IN YOUTH ATHLETIC  
35 ACTIVITIES BASED ON PAST CRIMINAL HISTORY.

36 (3) (a) A PERSON, INCLUDING A COACH OR VOLUNTEER WHO TAKES  
37 PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT WHO IS  
38 NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT  
39 TO THIS SECTION OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY RECORD  
40 CHECK MUST AT ALL TIMES BE SUPERVISED BY A COACH OR VOLUNTEER  
41 WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A CRIMINAL  
42 HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

43 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A LOCAL



1 GOVERNMENT IS NOT REQUIRED TO PERFORM A CRIMINAL HISTORY RECORD  
2 CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE CAPACITY OF A  
3 COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS IN A PASSING,  
4 GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED BY THIS  
5 SUBSECTION (3)(b) SHALL BE SUPERVISED AT ALL TIMES BY A COACH OR  
6 VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A  
7 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS  
8 SECTION.

9 (4) A PERSON WHO ACTS AS A VOLUNTEER COACH OF A YOUTH  
10 ATHLETIC ACTIVITY SHALL POSSESS A CURRENT FIRST AID, CPR, AND AED  
11 CERTIFICATION AS DESCRIBED IN SECTION 19-8-102 (2).

12 **29-7.1-104. Criminal history record checks - fees - reliance -**  
13 **not an open record.** (1) A LOCAL GOVERNMENT MAY CHARGE A PERSON  
14 ANY FEES FOR THE CRIMINAL HISTORY RECORD CHECK REQUIRED BY THIS  
15 ARTICLE 7.1.

16 (2) THIS ARTICLE 7.1 DOES NOT REQUIRE A SECOND OR  
17 SUBSEQUENT CRIMINAL HISTORY RECORD CHECK FOR A COACH OR  
18 VOLUNTEER COACH PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE 7.1.

19 (3) A LOCAL GOVERNMENT MAY RELY ON THE RESULTS OF THE  
20 CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND  
21 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A  
22 PERSON TO ACT AS A VOLUNTEER COACH.

23 (4) ANY INFORMATION RECEIVED BY A LOCAL GOVERNMENT ON  
24 THE CRIMINAL HISTORY RECORD CHECK FOR A COACH OR VOLUNTEER  
25 COACH AS REQUIRED BY THIS ARTICLE 7.1 IS NOT SUBJECT TO THE  
26 PROVISIONS OF PART 2 OF ARTICLE 72 OF TITLE 24.

27 **SECTION 5. Act subject to petition - effective date.** This act  
28 takes effect at 12:01 a.m. on the day following the expiration of the  
29 ninety-day period after final adjournment of the general assembly; except  
30 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
31 of the state constitution against this act or an item, section, or part of this  
32 act within such period, then the act, item, section, or part will not take  
33 effect unless approved by the people at the general election to be held in  
34 November 2024 and, in such case, will take effect on the date of the  
35 official declaration of the vote thereon by the governor."

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