

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0610.01 Lindy Schaible x4215

HOUSE BILL 26-1090

HOUSE SPONSORSHIP

Luck and Martinez, Mabrey

SENATE SPONSORSHIP

Gonzales J.,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TEACHER LICENSING REQUIREMENTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires that:

- An applicant for a teacher license disclose all misdemeanor convictions, regardless of the date of conviction, except misdemeanor traffic offenses or traffic infractions;
- An applicant for an initial teacher license complete a program of preparation or an alternative teacher program; and
- An applicant for a professional teacher license complete an

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

induction program.

The bill requires that an applicant disclose a misdemeanor conviction committed against an at-risk person or a child, regardless of the date of conviction, but does not require that an applicant disclose a misdemeanor conviction that occurred more than 7 years ago, unless it was committed against an at-risk person or a child.

The bill requires that the department of education waive the program of preparation and alternative teacher program requirements and induction program requirement for applicants with a minimum of 2 years of private school teaching experience in Colorado.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 22-60.5-103, **amend** (2)(a) as follows:

22-60.5-103. Applicants - licenses - authorizations - submittal of form and fingerprints - failure to comply constitutes grounds for denial - definition.

(2) (a) On a form provided by the department of education, an applicant shall certify, under penalty of perjury, either:

(I) That ~~he has never~~ THEY HAVE NOT been convicted of committing:

(A) ~~Any~~ A felony, ~~or~~ REGARDLESS OF THE DATE OF CONVICTION;

(B) A misdemeanor FOR WHICH, AS AN ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102, OR A CHILD, REGARDLESS OF THE DATE OF CONVICTION; OR

(C) ~~but not including~~ ANY OTHER MISDEMEANOR IN THE SEVEN YEARS BEFORE THE DATE OF THE APPLICATION, EXCLUDING any misdemeanor traffic offense or traffic infraction; or

(II) That ~~he has~~ THEY HAVE been convicted of committing ~~any~~ A felony or A misdemeanor ~~but not including~~ FOR WHICH, AS AN ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN

1 SECTION 18-6.5-102, OR A CHILD, REGARDLESS OF THE DATE OF
2 CONVICTION, OR ANY OTHER MISDEMEANOR IN THE SEVEN YEARS BEFORE
3 THE DATE OF THE APPLICATION, EXCLUDING any misdemeanor traffic
4 offense or traffic infraction. ~~Such certification~~ EACH CONVICTION IN
5 THESE THREE CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR
6 EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall
7 specify ~~such~~ THE felony or misdemeanor for which THE APPLICANT WAS
8 convicted, the date of ~~such~~ THE conviction, and the court entering the
9 judgment of conviction.

10 (III) AS USED IN THIS SUBSECTION (2), UNLESS THE CONTEXT
11 OTHERWISE REQUIRES, "CHILD" MEANS A PERSON UNDER EIGHTEEN YEARS
12 OLD.

13 
14 **SECTION 2.** In Colorado Revised Statutes, 22-2-119.3, **amend**
15 (2)(a); and **add** (6)(a.5) as follows:

16 **22-2-119.3. Department of education - educator preparation**
17 **program students - record check - fee - definitions.**

18 (2) (a) On a form provided by the department OF EDUCATION, the
19 student shall certify, under penalty of perjury, either:

20 (I) That ~~he or she has never~~ THEY HAVE NOT been convicted of
21 committing:

22 (A) ~~Any~~ A felony, ~~or~~ REGARDLESS OF THE DATE OF CONVICTION;

23 (B) A misdemeanor FOR WHICH, AS AN ELEMENT OF THE OFFENSE,
24 THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102,
25 OR A CHILD, REGARDLESS OF THE DATE OF CONVICTION; OR

26 (C) ~~but not including~~ ANY OTHER MISDEMEANOR IN THE SEVEN
27 YEARS BEFORE THE APPLICATION, EXCLUDING any misdemeanor traffic

1 offense or traffic infraction; or

2 (II) That ~~he or she has~~ THEY HAVE been convicted of committing
3 ~~any~~ A felony or A misdemeanor ~~but not including~~ FOR WHICH, AS AN
4 ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS
5 DEFINED IN SECTION 18-6.5-102, OR A CHILD, REGARDLESS OF THE DATE
6 OF CONVICTION, OR ANY OTHER MISDEMEANOR IN THE SEVEN YEARS
7 BEFORE THE DATE OF THE APPLICATION, EXCLUDING any misdemeanor
8 traffic offense or traffic infraction. ~~Such certification~~ EACH CONVICTION
9 IN THESE THREE CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR
10 EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall
11 specify ~~such~~ THE felony or misdemeanor for which THE APPLICANT WAS
12 convicted, the date of ~~such~~ THE conviction, and the court entering the
13 judgment of conviction.

14 (6) As used in this section, unless the context otherwise requires:

15 (a.5) "CHILD" MEANS A PERSON UNDER EIGHTEEN YEARS OLD.

16 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-110.7,
17 **amend** (2) and (8) as follows:

18 **22-30.5-110.7. Fingerprint-based criminal history record**
19 **checks - charter school employees - procedures - exceptions -**
20 **definitions.**

21 (2) On a form provided by the charter school, an applicant to
22 whom an offer of employment is extended shall certify, under penalty of
23 perjury, either:

24 (a) That ~~he or she has never~~ THEY HAVE NOT been convicted of
25 committing:

26 (I) ~~Any~~ A felony, ~~or~~ REGARDLESS OF THE DATE OF CONVICTION;

27 (II) A misdemeanor FOR WHICH, AS AN ELEMENT OF THE OFFENSE,

1 THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102,
2 OR A CHILD, REGARDLESS OF THE DATE OF CONVICTION; OR

3 (III) ~~but not including~~ ANY OTHER MISDEMEANOR IN THE SEVEN
4 YEARS BEFORE THE APPLICATION, EXCLUDING any misdemeanor traffic
5 offense or traffic infraction; or

6 (b) That ~~he or she has~~ THEY HAVE been convicted of committing
7 any A felony or A misdemeanor ~~but not including~~ FOR WHICH, AS AN
8 ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS
9 DEFINED IN SECTION 18-6.5-102, OR A CHILD, REGARDLESS OF THE DATE
10 OF CONVICTION, OR ANY OTHER MISDEMEANOR IN THE SEVEN YEARS
11 BEFORE THE DATE OF THE APPLICATION, EXCLUDING any misdemeanor
12 traffic offense or traffic infraction. ~~Such certification~~ EACH CONVICTION
13 IN THESE THREE CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR
14 EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall
15 specify the felony or misdemeanor for which the applicant was convicted,
16 the date of the conviction, and the court entering the judgment of
17 conviction.

18 (8) ~~For purposes of~~ AS USED IN this section, UNLESS THE CONTEXT
19 OTHERWISE REQUIRES:

20 (a) "CHILD" MEANS A PERSON UNDER EIGHTEEN YEARS OLD.

21 ~~(a)~~ (b) "Convicted" means a conviction by a jury or by a court and
22 shall also include INCLUDES the forfeiture of any bail, bond, or other
23 security deposited to secure appearance by a person charged with a felony
24 or misdemeanor, the payment of a fine, a plea of guilty, a plea of nolo
25 contendere, and the imposition of a deferred or suspended sentence by the
26 court.

27 ~~(b)~~ (c) "Position of employment" means any job or position in

1 which a person may be engaged in the service of a charter school for
2 salary or hourly wages, whether full time or part time and whether
3 temporary or permanent.

4 **SECTION 4. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2026 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.