

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. 26-0531.01 Chelsea Princell x4335

HOUSE BILL 26-1142

HOUSE SPONSORSHIP

Taggart and Boesenecker, Espenoza

SENATE SPONSORSHIP

(None),

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CHILD ADVOCACY CENTERS IN CASES OF CHILD**
102 **MALTREATMENT.**

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>.)

The bill amends the definition of "child advocacy center" and establishes civil immunity for a board member, staff member, or volunteer of a child advocacy center that arises from the performance of the board member's, staff member's, or volunteer's duties if the board member's, staff member's, or volunteer's acts are in good faith.

The bill allows certain entities to share information under certain

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.

circumstances that is relevant to the protection of a child that is the subject of a child maltreatment case.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Colorado Child Advocacy Center Act".

4 **SECTION 2. Legislative declaration.** (1) The general assembly
5 finds that:

6 (a) Children who are victims of child maltreatment and children
7 who witness violent crimes deserve a coordinated, trauma-informed
8 response that prioritizes their safety, well-being, and healing;

9 (b) Child advocacy centers provide a proven, child-focused model
10 for the investigation, treatment, and prosecution of child maltreatment
11 through multidisciplinary collaboration with law enforcement, child
12 protective services, prosecutors, medical and mental health professionals,
13 and victim advocates;

14 (c) Colorado's statutes currently reference child advocacy centers
15 minimally and do not define what constitutes a child advocacy center or
16 its standards of practice;

17 (d) Establishing a clear statutory definition of a child advocacy
18 center and promoting consistent statewide practices will strengthen
19 Colorado's child protection network; and

20 (e) Clarifying confidentiality, information-sharing, and limited
21 immunity provisions for child advocacy center staff will encourage
22 collaboration while protecting children and families.

23 (2) Therefore, the general assembly declares that it is necessary to
24 enact the "Colorado Child Advocacy Center Act" to modernize the
25 statutory framework for children's advocacy centers, ensure statewide

1 consistency, and enhance a coordinated response to child maltreatment.

2 **SECTION 3.** In Colorado Revised Statutes, 19-1-103, **amend**
3 (23); and **add** (23.5) and (24.5) as follows:

4 **19-1-103. Definitions.**

5 As used in this title 19 or in the specified portion of this title 19,
6 unless the context otherwise requires:

7 (23) (a) "Child advocacy center", as used in part 3 of article 3 of
8 this title 19, means ~~a center that provides a comprehensive~~
9 ~~multidisciplinary team response to allegations of child abuse or neglect~~
10 ~~in a dedicated, child-friendly setting. The team response to allegations of~~
11 ~~child abuse or neglect includes but is not limited to technical assistance~~
12 ~~for forensic interviews, forensic medical examinations, mental health and~~
13 ~~related support services, consultation, training, and education.~~ AN
14 INDEPENDENT, CHILD-FOCUSED, AND TRAUMA-INFORMED FACILITY-BASED
15 CENTER THAT:

16 (I) IS IN GOOD STANDING WITH AN ACCREDITED STATE CHAPTER OF
17 A NATIONAL ASSOCIATION AND ACCREDITING BODY THAT PROVIDES
18 SUPPORT, ADVOCACY, QUALITY ASSURANCE, AND NATIONAL LEADERSHIP
19 FOR CHILD ADVOCACY CENTERS, WHICH STATE CHAPTER OVERSEES AND
20 PROVIDES GUIDANCE TO CHILD ADVOCACY CENTERS OPERATING IN THE
21 STATE; AND

22 (II) COORDINATES WITH REPRESENTATIVES FROM LAW
23 ENFORCEMENT AND CHILD PROTECTIVE SERVICES, PROSECUTORS, MENTAL
24 HEALTH PROFESSIONALS, MEDICAL PROFESSIONALS, FORENSIC
25 INTERVIEWERS, AND VICTIM ADVOCACY GROUPS TO ENSURE A SAFE,
26 COORDINATED, TRAUMA-INFORMED, AND MULTIDISCIPLINARY
27 INVESTIGATIVE RESPONSE TO A CHILD SUSPECTED TO BE A VICTIM OF CHILD

1 ABUSE AND THE CHILD'S CAREGIVERS AND TO DETERMINE WHAT SERVICES
2 NEED TO BE PROVIDED TO THE CHILD AND THE CHILD'S CAREGIVERS.

3 (b) "CHILD ADVOCACY CENTER" DOES NOT INCLUDE A
4 HEALTH-CARE INSTITUTION OR A HEALTH-CARE PROFESSIONAL, AS THOSE
5 TERMS ARE DEFINED IN SECTION 13-64-202.

6 (23.5) "CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM"
7 MEANS A GROUP OF PROFESSIONALS WHO WORK COLLABORATIVELY WITH
8 A CHILD ADVOCACY CENTER ON BEHALF OF CHILDREN SERVED BY A CHILD
9 ADVOCACY CENTER TO SHARE INFORMATION TO INFORM THE
10 INVESTIGATION AND PROSECUTION OF CHILD MALTREATMENT AND TO
11 COORDINATE SERVICES IN RESPONSE TO REPORTS OF CHILD
12 MALTREATMENT. A CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM
13 MUST INCLUDE, AT A MINIMUM, THE FOLLOWING PROFESSIONALS:

- 14 (a) A MEMBER OF A LAW ENFORCEMENT AGENCY;
- 15 (b) A DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY;
- 16 (c) A MEMBER OF THE DEPARTMENT'S CHILD PROTECTIVE SERVICES
17 UNIT;
- 18 (d) A LOCAL MENTAL HEALTH PROVIDER;
- 19 (e) A LOCAL HEALTH-CARE PROVIDER;
- 20 (f) A VICTIM ADVOCATE; AND
- 21 (g) CHILD ADVOCACY CENTER STAFF.

22 (24.5) "CHILD MALTREATMENT" MEANS CONDUCT THAT INVOLVES
23 SEXUAL OR PHYSICAL ABUSE OF A CHILD, NEGLECT OF A CHILD, HUMAN
24 TRAFFICKING OF A CHILD, OR EXPLOITATION OF A CHILD.

25 **SECTION 4.** In Colorado Revised Statutes, **add** 19-3-319 as
26 follows:

27 **19-3-319. Child advocacy centers - information sharing - civil**

1 **immunity.**

2 (1)(a) THE COUNTY DEPARTMENT MAY SHARE INFORMATION THAT
3 IS RELEVANT TO THE PROTECTION OF A CHILD WHO IS THE SUBJECT OF A
4 CHILD MALTREATMENT CASE WITH THE CHILD ADVOCACY CENTER
5 MULTIDISCIPLINARY TEAM WORKING ON BEHALF OF THE CHILD.

6 (b) MEMBERS OF A CHILD ADVOCACY CENTER MULTIDISCIPLINARY
7 TEAM MAY SHARE INFORMATION THAT IS RELEVANT TO THE PROTECTION
8 OF A CHILD WHO IS THE SUBJECT OF A CHILD MALTREATMENT CASE AMONG
9 THE CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM AND THE
10 COUNTY DEPARTMENT.

11 (c) ANY INFORMATION SHARED AMONG COUNTY DEPARTMENTS
12 AND CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM MEMBERS
13 PURSUANT TO SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION MUST:

14 (I) REMAIN CONFIDENTIAL, EXCEPT WHEN DISCLOSURE IS
15 REQUIRED BY LAW, INCLUDING THE COLORADO RULES OF JUVENILE
16 PROCEDURE;

17 (II) BE WITHHELD FROM PUBLIC INSPECTION; AND

18 (III) ONLY BE USED TO THE EXTENT NECESSARY FOR THE COUNTY
19 DEPARTMENT OR CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM TO
20 PERFORM ITS DUTIES.

21 (2) (a) A CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM
22 MEMBER WHO PARTICIPATES IN GOOD FAITH IN TEAM DISCUSSIONS BY
23 PROVIDING INFORMATION ABOUT A CHILD WHOSE CASE IS BEING REVIEWED
24 BY A CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM IS IMMUNE
25 FROM ANY CIVIL OR CRIMINAL LIABILITY FOR DISCLOSURE OF
26 INFORMATION WITHIN THE CONTEXT OF THE CHILD ADVOCACY CENTER
27 MULTIDISCIPLINARY TEAM, UNLESS THE DISCLOSURE OF INFORMATION WAS

1 DUE TO GROSS NEGLIGENCE, WANTON CONDUCT, OR INTENTIONAL
2 WRONGDOING.

3 (b) A BOARD MEMBER, STAFF MEMBER, OR VOLUNTEER OF A CHILD
4 ADVOCACY CENTER IS IMMUNE FROM CIVIL LIABILITY ARISING FROM THE
5 INVESTIGATION OF CHILD MALTREATMENT OR DISCLOSURE OF
6 INFORMATION WITHIN THE CONTEXT OF THE CHILD ADVOCACY CENTER
7 MULTIDISCIPLINARY TEAM FOR THE BENEFIT OF THE CHILD ADVOCACY
8 CENTER IF THE PERSON'S ACTS WERE REASONABLE AND PERFORMED IN
9 GOOD FAITH. IMMUNITY EXTENDED PURSUANT TO THIS SUBSECTION (2)(b)
10 DOES NOT EXTEND TO ACTS OF GROSS NEGLIGENCE, WANTON
11 MISCONDUCT, OR INTENTIONAL WRONGDOING ARISING OUT OF THE
12 INVESTIGATION OF CHILD MALTREATMENT OR DISCLOSURE OF
13 INFORMATION WITHIN THE CONTEXT OF THE CHILD ADVOCACY CENTER
14 MULTIDISCIPLINARY TEAM FOR THE BENEFIT OF THE CHILD ADVOCACY
15 CENTER. IMMUNITY EXTENDED PURSUANT TO THIS SUBSECTION (2)(b)
16 DOES NOT EXTEND TO ACTIONS THAT CONSTITUTE MEDICAL NEGLIGENCE,
17 AS GOVERNED BY THE "HEALTH CARE AVAILABILITY ACT" IN PART 1 OF
18 ARTICLE 64 OF TITLE 13, OR ACTIONS GOVERNED BY THE "PREMISES
19 LIABILITY ACT" IN PART 1 OF ARTICLE 21 OF PART 13.

20 SECTION 5. In Colorado Revised Statutes, 18-3-505, amend
21 (1)(b)(XXI) as follows:

22 **18-3-505. Human trafficking council - created - duties - repeal.**

23 (1) (b) The membership of the council must reflect, to the extent
24 possible, representation of urban and rural areas of the state and a balance
25 of expertise, both governmental and nongovernmental, in issues relating
26 to human trafficking. The council must include members with expertise
27 in child welfare and human services to address the unique needs of child

1 victims, including those child victims who are involved in the child
2 welfare system. The membership of the council consists of the following
3 persons, appointed as follows:

4 (XXI) A representative of a child advocacy center, AS DEFINED IN
5 SECTION 19-1-103;

6 **SECTION 6.** In Colorado Revised Statutes, 24-1.9-102.3, **amend**
7 (2)(e) as follows:

8 **24-1.9-102.3. Duties of individualized service and support**
9 **teams.**

10 (2) The information form for children created in section
11 24-1.9-102.7, or any other form created by the local collaborative
12 management program, may be used by multiple agencies to refer a child
13 to a local collaborative management program in accordance with the local
14 collaborative management program's memorandum of understanding.
15 Such agencies include, but are not limited to:

16 (e) A child advocacy center, AS DEFINED IN SECTION 19-1-103; and

17 **SECTION 7. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2026 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.