

CHAPTER 68

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 26-1090

BY REPRESENTATIVE(S) Luck and Martinez, Mabrey, Bacon, Boesenecker, Bradley, Brooks, Clifford, Duran, English, Goldstein, Hamrick, Jackson, Joseph, Lieder, Lindsay, Lukens, Marshall, Nguyen, Slaugh, Soper, Stewart K., Velasco, Woodrow, Zokaie, McCluskie;
also SENATOR(S) Gonzales J., Amabile, Benavidez, Exum, Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Rodriguez, Snyder, Wallace, Coleman.

AN ACT**CONCERNING TEACHER LICENSING REQUIREMENTS.**

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); and **add** (2)(d) 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 WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION;

(C) ~~but not including~~ ANY OTHER MISDEMEANOR IF THE APPLICATION IS SUBMITTED IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION FOR THE MISDEMEANOR, EXCLUDING ~~any misdemeanor traffic offense or traffic infraction~~; or

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(D) A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION; 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 SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION; ANY OTHER MISDEMEANOR IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION, EXCLUDING ~~any misdemeanor traffic offense or traffic infraction~~; OR A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION. ~~Such certification~~ EACH CONVICTION IN THESE FOUR CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall specify ~~such~~ the felony or misdemeanor for which THE APPLICANT WAS CONVICTED, the date of ~~such~~ THE conviction, and the court entering the judgment of conviction.

(2)(d) THIS SUBSECTION (2) DOES NOT ALTER THE DEPARTMENT'S OBLIGATION TO EVALUATE CRIMINAL CONVICTIONS IN ACCORDANCE WITH SECTION 24-5-101.

SECTION 2. In Colorado Revised Statutes, 22-2-119.3, **amend** (2)(a); and **add** (2.5) as follows:

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

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

(I) That ~~he or she 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 WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION;

(C) ~~but not including~~ ANY OTHER MISDEMEANOR IF THE APPLICATION IS SUBMITTED IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION FOR THE MISDEMEANOR, EXCLUDING ~~any misdemeanor traffic offense or traffic infraction~~; or

(D) A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION; OR

(II) That ~~he or she 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 SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION; ANY OTHER MISDEMEANOR IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION, EXCLUDING ~~any misdemeanor traffic offense or traffic infraction~~; OR ANY MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b) REGARDLESS OF THE DATE OF CONVICTION. ~~Such certification~~ EACH CONVICTION IN THESE FOUR CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall specify ~~such~~ THE felony or misdemeanor for which THE APPLICANT WAS CONVICTED, the date of ~~such~~ THE conviction, and the court entering the judgment of conviction.

(2.5) SUBSECTION (2) OF THIS SECTION DOES NOT ALTER THE DEPARTMENT'S OBLIGATION TO EVALUATE CRIMINAL CONVICTIONS IN ACCORDANCE WITH SECTION 24-5-101.

SECTION 3. In Colorado Revised Statutes, 22-30.5-110.7, **amend** (2); and **add** (2.5) as follows:

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

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

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

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

(II) 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 WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION;

(III) ~~but not including~~ ANY OTHER MISDEMEANOR IF THE APPLICATION IS SUBMITTED IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION FOR THE MISDEMEANOR, EXCLUDING ~~any misdemeanor traffic offense or traffic infraction~~; or

(IV) A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION; OR

(b) That ~~he or she has~~ THEY HAVE been convicted of committing 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 SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION; ANY OTHER MISDEMEANOR IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION, EXCLUDING ~~any misdemeanor traffic offense or~~

traffic infraction; OR A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION. ~~The certification~~ EACH CONVICTION IN THESE FOUR CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall specify the felony or misdemeanor for which the applicant was convicted, the date of the conviction, and the court entering the judgment of conviction.

(2.5) SUBSECTION (2) OF THIS SECTION DOES NOT ALTER THE DEPARTMENT'S OBLIGATION TO EVALUATE CRIMINAL CONVICTIONS IN ACCORDANCE WITH SECTION 24-5-101.

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

Approved: April 20, 2026