

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

May 1, 2018
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB18-1418 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, strike line 3 and substitute "(2), (3)(c), (4),".
- 2 Page 2, line 4, strike "portion;" and substitute "portion, and (4)(b);".
- 3 Page 2, strike lines 6 through 17.
- 4 Page 3, strike lines 1 through 4 and substitute:
 - 5 **"24-5-101. Effect of criminal conviction on employment rights.**
 - 6 (2) (a) Whenever any state or local agency is required to make a".
- 7 Page 5, after line 17 insert:
 - 8 "(b) Whether there is a direct relationship between the conviction
 - 9 and the position's duties and responsibilities and the bearing, if any, the
 - 10 conviction may have on the applicant's fitness or ability to perform one
 - 11 or more such duties and responsibilities, including whether the conviction
 - 12 was for unlawful sexual behavior as listed in section 16-22-102 (9);
 - 13 ~~C.R.S.~~, and whether the duties of employment would place a coworker or
 - 14 the public in a vulnerable position; AND WHETHER THE APPLICANT WILL
 - 15 BE DIRECTLY RESPONSIBLE FOR THE CARE OF INDIVIDUALS SUSCEPTIBLE TO
 - 16 ABUSE OR MISTREATMENT BECAUSE OF THE INDIVIDUAL'S
 - 17 CIRCUMSTANCES, INCLUDING THE INDIVIDUAL'S AGE, DISABILITY, FRAILITY,
 - 18 MENTAL HEALTH DISORDER, DEVELOPMENTAL DISABILITY, OR ILL
 - 19 HEALTH;".

- 1 Page 6, strike lines 13 through 15 and substitute "DISQUALIFICATION."
- 2 Page 7, line 5, strike "SUCCESSFULLY COMPLETES" and substitute "IS NO
- 3 LONGER SERVING".
- 4 Page 7, line 15, strike "OR STATE".
- 5 Page 7, after line 16 insert:
- 6 "SECTION 4. **Effective date.** This act takes effect upon passage;
- 7 except that section 2 of the act takes effect November 1, 2018."
- 8 Renumber succeeding section accordingly.

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