

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 25, 2024  
Date

Committee on Health & Human Services.

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

HB24-1080 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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.

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

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

12 (4) (a) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE  
13 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS  
14 CORE FUNCTION, PROVIDES PERSONS WHO ARE LESS THAN EIGHTEEN YEARS  
15 OF AGE THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE OR  
16 RECREATIONAL SPORTING ACTIVITIES, WHETHER INDIVIDUALLY OR AS A  
17 TEAM, BUT DOES NOT INCLUDE A SPORTING ACTIVITY THAT IS INCIDENTAL  
18 TO A NONATHLETIC PROGRAM OR LESSON.

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

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

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

24 (III) A LICENSED CHILD-CARE FACILITY;

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

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

29 **19-8-102. Organized youth athletic activities - CPR and first**  
30 **aid requirements.** (1) (a) EACH YOUTH SPORTS ORGANIZATION SHALL  
31 ENSURE THAT AT LEAST ONE ADULT WHO POSSESSES A CURRENT FIRST AID,  
32 CPR, AND AED CERTIFICATION IS PRESENT AT EACH YOUTH ATHLETIC  
33 ACTIVITY.

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

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

40 (I) IDENTIFYING SIGNS OF AND TREATING:

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

42 (B) EXTERNAL BLEEDING;

43 (C) MUSCULAR AND SKELETAL INJURIES; AND

1 (D) HEAD, NECK, AND SPINAL INJURIES; AND  
2 (II) CARDIOPULMONARY RESUSCITATION AND AUTOMATIC  
3 EXTERNAL DEFIBRILLATOR TRAINING.

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

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

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

33 (II) IF A COACH, EMPLOYEE, OR VOLUNTEER, INCLUDING A COACH  
34 OR VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ORGANIZATION  
35 ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, HAS LIVED  
36 OUTSIDE OF THE UNITED STATES FOR MORE THAN ONE HUNDRED EIGHTY  
37 DAYS IN THE PAST TEN YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY  
38 DAYS AFTER THE COACH'S OR VOLUNTEER'S LAST CRIMINAL HISTORY  
39 RECORD CHECK, THE COACH OR VOLUNTEER SHALL ALSO OBTAIN AN  
40 INTERNATIONAL CRIMINAL HISTORY RECORD CHECK THAT INCLUDES  
41 ALIASES OF THE EMPLOYEE OR VOLUNTEER, AND THAT, AT A MINIMUM,  
42 DISCLOSES SEXUAL OFFENSES AND FELONY CONVICTIONS; EXCEPT THAT,  
43 IF THE COACH OR VOLUNTEER IS IN THE COUNTRY ON AN INTERNATIONAL

1 WORK VISA, THEN THE COACH OR VOLUNTEER MAY PROVIDE THE CRIMINAL  
2 HISTORY RECORD CHECK THAT WAS CONDUCTED FOR THE VISA.

3 (III) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN  
4 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF  
5 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY  
6 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN  
7 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION  
8 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER  
9 STATE.

10 (b) (I) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A PERSON  
11 AS A COACH OR APPROVE A PERSON AS A VOLUNTEER AND SHALL  
12 TERMINATE A COACH OR REVOKE THE APPROVAL FOR A VOLUNTEER IF A  
13 CRIMINAL HISTORY RECORD CHECK OF THE PERSON PERFORMED PURSUANT  
14 TO SUBSECTION (1)(a) OF THIS SECTION SHOWS THAT THE PERSON HAS  
15 BEEN CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION  
16 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR  
17 AS DEFINED IN SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS  
18 DESCRIBED IN SECTION 18-1.3-406, OR ANY COMPARABLE OFFENSE  
19 COMMITTED IN ANOTHER STATE.

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

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

32 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A YOUTH  
33 SPORTS ORGANIZATION IS NOT REQUIRED TO PERFORM A CRIMINAL  
34 HISTORY RECORD CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE  
35 CAPACITY OF A COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS  
36 IN A PASSING, GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED  
37 BY THIS SUBSECTION (2)(b) MUST BE SUPERVISED AT ALL TIMES BY AN  
38 EMPLOYEE OR VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER  
39 OBTAINING A CRIMINAL HISTORY RECORD CHECK PURSUANT TO  
40 SUBSECTION (1) OF THIS SECTION.

41 (3) A YOUTH SPORTS ORGANIZATION MAY RELY ON THE RESULTS  
42 OF A CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND  
43 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A

1 PERSON TO ACT AS A VOLUNTEER.

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

4 **13-80-103.4. Limitation of actions - failure to perform a**  
5 **background check by a youth sports organization - injury to a child**  
6 **- definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT

7 OTHERWISE REQUIRES:

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

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

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

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

16 (e) "YOUTH SPORTS REQUIRED BACKGROUND CHECK" MEANS A  
17 BACKGROUND CHECK THAT COMPLIES WITH SECTION 19-8-103 OR  
18 29-7.1-102 OR 29-7.1-103.

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

23 (a) THE YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT,  
24 IN HIRING AN INDIVIDUAL TO WORK WITH CHILDREN OR IN A SETTING WITH  
25 CHILDREN, DID NOT PERFORM A YOUTH SPORTS REQUIRED BACKGROUND  
26 CHECK ON THE INDIVIDUAL, AND THE FAILURE TO CONDUCT THE REQUIRED  
27 BACKGROUND CHECK WAS THE RESULT OF THE YOUTH SPORTS  
28 ORGANIZATION'S OR LOCAL GOVERNMENT'S DELIBERATE INDIFFERENCE OR  
29 RECKLESS DISREGARD OF ITS OBLIGATION TO CONDUCT THE BACKGROUND  
30 CHECK AS PROVIDED BY LAW. ORDINARY NEGLIGENCE OR UNINTENTIONAL  
31 OVERSIGHT IS NOT SUFFICIENT.

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

38 (c) THE INDIVIDUAL WAS NOT REQUIRED TO OBTAIN A CRIMINAL  
39 HISTORY RECORD CHECK OR WAS UNABLE TO OBTAIN A CRIMINAL HISTORY  
40 RECORD CHECK AND THE YOUTH SPORTS ORGANIZATION OR LOCAL  
41 GOVERNMENT FAILED TO HAVE THE INDIVIDUAL SUPERVISED BY AN  
42 EMPLOYEE OR VOLUNTEER WHO WAS HIRED OR APPROVED AFTER  
43 OBTAINING A CRIMINAL HISTORY RECORD CHECK;

1 (d) THE INDIVIDUAL, AT THE TIME OF HIRING, WAS NOT ELIGIBLE  
2 TO BE HIRED PURSUANT TO SECTION 19-8-103 (1)(b), 29-7.1-102, OR  
3 29-7.1-103; AND

4 (e) THE INDIVIDUAL COMMITTED ONE OF THE FOLLOWING  
5 OFFENSES AGAINST A CHILD WITH WHOM THE INDIVIDUAL CAME IN  
6 CONTACT IN THE COURSE OF THE INDIVIDUAL'S EMPLOYMENT WITH THE  
7 YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT:

- 8 (I) SEXUAL ASSAULT AS DESCRIBED IN SECTION 18-3-402;
- 9 (II) SEXUAL OFFENSE AGAINST A CHILD;
- 10 (III) CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401; OR
- 11 (IV) A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406.

12 **SECTION 4.** In Colorado Revised Statutes, **add** article 7.1 to title  
13 29 as follows:

14 **ARTICLE 7.1**

15 **Local Government-sponsored Youth Athletic**  
16 **Activity Requirements**

17 **29-7.1-101. Definitions.** AS USED IN THIS ARTICLE 7.1, UNLESS  
18 THE CONTEXT OTHERWISE REQUIRES:

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

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

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

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

38 **29-7.1-102. Criminal history record check for paid coaches -**  
39 **CPR and first aid training.** (1) (a) (I) PRIOR TO THE EMPLOYMENT OF  
40 ANY PERSON AS A COACH OF A YOUTH ATHLETIC ACTIVITY BY A LOCAL  
41 GOVERNMENT, OR ANY COACH OR EMPLOYEE WHO ACCOMPANIES A YOUTH  
42 SPORTS ACTIVITY ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT  
43 STAYS, THE LOCAL GOVERNMENT SHALL REQUIRE A SEVEN-YEAR CRIMINAL

1 HISTORY RECORD CHECK OF THE PERSON BY A PRIVATE ENTITY REGULATED  
2 AS A CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681,  
3 ET SEQ., THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY  
4 CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A  
5 SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

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

19 (b) EACH JULY 1, THE LOCAL GOVERNMENT SHALL REQUIRE A  
20 CRIMINAL HISTORY RECORD CHECK IN CONFORMITY WITH THE PROVISIONS  
21 OF THIS SECTION OF EACH PERSON EMPLOYED AS A COACH OF A YOUTH  
22 ATHLETIC ACTIVITY WHO HAS NOT HAD A CRIMINAL HISTORY RECORD  
23 CHECK IN THE LAST THREE YEARS.

24 (c) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN  
25 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF  
26 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY  
27 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN  
28 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION  
29 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER  
30 STATE.

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

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

1 CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

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

5 **29-7.1-103. Criminal history record check for volunteer**  
6 **coaches - CPR and first aid training.** (1) (a) (I) PRIOR TO THE START OF  
7 ANY PERSON AS A VOLUNTEER COACH OF A YOUTH ATHLETIC ACTIVITY BY  
8 A LOCAL GOVERNMENT, INCLUDING ANY VOLUNTEER COACH OR  
9 VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ACTIVITY ON ANY  
10 TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, THE LOCAL  
11 GOVERNMENT SHALL REQUIRE A SEVEN-YEAR CRIMINAL HISTORY RECORD  
12 CHECK OF THE PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER  
13 REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT  
14 DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS  
15 AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE  
16 COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

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

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

38 (2) (a) A PERSON CONVICTED OF FELONY CHILD ABUSE AS  
39 SPECIFIED IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL  
40 SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102, A CRIME OF  
41 VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, OR A COMPARABLE CHILD  
42 ABUSE OR UNLAWFUL SEXUAL BEHAVIOR OFFENSE COMMITTED IN ANY  
43 OTHER STATE IS DISQUALIFIED FROM ACTING AS AN UNSUPERVISED



1 VOLUNTEER COACH OF A YOUTH ATHLETIC ACTIVITY.  
2 (b) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,  
3 A PARENT, LEGAL GUARDIAN, OR OTHER IMMEDIATE FAMILY MEMBERS  
4 MUST NOT BE PREVENTED FROM VOLUNTEERING IN YOUTH ATHLETIC  
5 ACTIVITIES BASED ON PAST CRIMINAL HISTORY.  
6 (3) (a) A PERSON, INCLUDING A COACH OR VOLUNTEER WHO TAKES  
7 PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT WHO IS  
8 NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT  
9 TO THIS SECTION OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY RECORD  
10 CHECK MUST AT ALL TIMES BE SUPERVISED BY A COACH OR VOLUNTEER  
11 WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A CRIMINAL  
12 HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.  
13 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A LOCAL  
14 GOVERNMENT IS NOT REQUIRED TO PERFORM A CRIMINAL HISTORY RECORD  
15 CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE CAPACITY OF A  
16 COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS IN A PASSING,  
17 GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED BY THIS  
18 SUBSECTION (3)(b) SHALL BE SUPERVISED AT ALL TIMES BY A COACH OR  
19 VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A  
20 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS  
21 SECTION.  
22 (4) A PERSON WHO ACTS AS A VOLUNTEER COACH OF A YOUTH  
23 ATHLETIC ACTIVITY SHALL POSSESS A CURRENT FIRST AID, CPR, AND AED  
24 CERTIFICATION AS DESCRIBED IN SECTION 19-8-102 (2).  
25 **29-7.1-104. Criminal history record checks - fees - reliance -**  
26 **not an open record.** (1) A LOCAL GOVERNMENT MAY CHARGE A PERSON  
27 ANY FEES FOR THE CRIMINAL HISTORY RECORD CHECK REQUIRED BY THIS  
28 ARTICLE 7.1.  
29 (2) THIS ARTICLE 7.1 DOES NOT REQUIRE A SECOND OR  
30 SUBSEQUENT CRIMINAL HISTORY RECORD CHECK FOR A COACH OR  
31 VOLUNTEER COACH PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE 7.1.  
32 (3) A LOCAL GOVERNMENT MAY RELY ON THE RESULTS OF THE  
33 CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND  
34 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A  
35 PERSON TO ACT AS A VOLUNTEER COACH.  
36 (4) ANY INFORMATION RECEIVED BY A LOCAL GOVERNMENT ON  
37 THE CRIMINAL HISTORY RECORD CHECK FOR A COACH OR VOLUNTEER  
38 COACH AS REQUIRED BY THIS ARTICLE 7.1 IS NOT SUBJECT TO THE  
39 PROVISIONS OF PART 2 OF ARTICLE 72 OF TITLE 24.  
40 **SECTION 5. Act subject to petition - effective date.** This act  
41 takes effect at 12:01 a.m. on the day following the expiration of the  
42 ninety-day period after final adjournment of the general assembly; except  
43 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this  
2 act within such period, then the act, item, section, or part will not take  
3 effect unless approved by the people at the general election to be held in  
4 November 2024 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor."

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