

## CHAPTER 194

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**CHILDREN AND DOMESTIC MATTERS**


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**HOUSE BILL 17-1185**

BY REPRESENTATIVE(S) Singer, Buckner, Danielson, Exum, Ginal, Gray, Herod, Hooton, Kennedy, Kraft-Tharp, Lontine, Melton, Michaelson Jenet, Mitsch Bush, Pabon, Pettersen, Valdez, Young, Duran;  
 also SENATOR(S) Smallwood, Aguilar, Baumgardner, Court, Donovan, Fenberg, Fields, Guzman, Jahn, Jones, Kagan, Kefalas, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Tate, Todd, Williams A., Grantham.

**AN ACT****CONCERNING REPORTS OF SUSPECTED CHILD ABUSE OR NEGLECT.**

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

**SECTION 1.** In Colorado Revised Statutes, 19-1-307, **amend** (2)(e.5)(I) introductory portion, (2)(e.5)(I)(N), (2)(e.5)(I)(O), and (2)(e.5)(II) introductory portion; and **add** (2)(e.5)(I)(P) as follows:

**19-1-307. Dependency and neglect records and information - access - fee - rules - records and reports fund - misuse of information - penalty. (2) Records and reports - access to certain persons - agencies.** Except as otherwise provided in section 19-1-303, only the following persons or agencies shall be given access to child abuse or neglect records and reports:

(e.5) (I) A mandatory reporter specified in this ~~subparagraph (I)~~ **SUBSECTION (2)(e.5)(I)** who is and continues to be officially and professionally involved in the ongoing care of the child who was the subject of the report, but only with regard to information that the mandatory reporter has a need to know in order to fulfill his or her professional and official role in maintaining the child's safety. A county department shall request written affirmation from a mandatory reporter stating that the reporter continues to be officially and professionally involved in the ongoing care of the child who was the subject of the report and describing the nature of the involvement, unless the county department has actual knowledge that the mandatory reporter continues to be officially and professionally involved in the ongoing care of the child who was the subject of the report. This ~~subparagraph (I)~~ **SUBSECTION (2)(e.5)(I)** applies to:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(N) Educators providing services through a federal special supplemental nutrition program for women, infants, and children, as provided for in 42 U.S.C. sec. 1786; ~~and~~

(O) A person who is registered as a psychologist candidate pursuant to section 12-43-304 (7), ~~C.R.S.~~; marriage and family therapist candidate pursuant to section 12-43-504 (5), ~~C.R.S.~~; or licensed professional counselor candidate pursuant to section 12-43-603 (5), ~~C.R.S.~~; or who is described in section 12-43-215; ~~C.R.S.~~ AND

(P) OFFICIALS OR EMPLOYEES OF COUNTY DEPARTMENTS OF HEALTH, HUMAN SERVICES, OR SOCIAL SERVICES.

(II) Within ~~thirty~~ SIXTY calendar days after receipt of a report of suspected child abuse or neglect from a mandatory reporter specified in ~~subparagraph (I) of this paragraph (e.5)~~ SUBSECTION (2)(e.5)(I) OF THIS SECTION, a county department shall provide the following information to the mandatory reporter for the purpose of assisting the mandatory reporter in his or her professional and official role in maintaining the child's safety:

**SECTION 2.** In Colorado Revised Statutes, 19-3-304, **amend** (2)(jj) and (2)(kk); and **add** (2)(ll) as follows:

**19-3-304. Persons required to report child abuse or neglect.** (2) Persons required to report such abuse or neglect or circumstances or conditions include any:

(jj) Person who is registered as a psychologist candidate pursuant to section 12-43-304 (7), ~~C.R.S.~~; marriage and family therapist candidate pursuant to section 12-43-504 (5), ~~C.R.S.~~; or licensed professional counselor candidate pursuant to section 12-43-603 (5), ~~C.R.S.~~; or who is described in section 12-43-215; ~~C.R.S.~~; and

(kk) Emergency medical service providers, as defined in sections 25-3.5-103 (8) and 25-3.5-103 (12), ~~C.R.S.~~; and certified pursuant to part 2 of article 3.5 of title 25; ~~C.R.S.~~ AND

(ll) OFFICIALS OR EMPLOYEES OF COUNTY DEPARTMENTS OF HEALTH, HUMAN SERVICES, OR SOCIAL SERVICES.

**SECTION 3. Act subject to petition - effective date.** This act takes effect December 31, 2017; 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 the ninety-day period after final adjournment of the general assembly, 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 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 3, 2017