

HB1303_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB18-1303 be amended as follows:

1 Amend printed bill, page 2, line 21, strike "AND".

2 Page 2, strike lines 22 and 23.

3 Page 3, strike lines 1 through 15 and substitute:

4 "(b) THE YOUTH SPORTS ORGANIZATION DOES NOT HAVE THE
5 RIGHT TO CONTROL THE MEANS AND METHODS BY WHICH THE COACH
6 PROVIDES COACHING SERVICES. FOR THE PURPOSE OF DETERMINING
7 WHETHER THE YOUTH SPORTS ORGANIZATION IS EXERCISING CONTROL,
8 THE ANALYSIS TO DETERMINE IF THE COACH IS AN EMPLOYEE DOES NOT
9 INCLUDE ANY REQUIREMENT OF A YOUTH SPORTS GOVERNING BODY.

10 (c) THE COACH IS NOT ECONOMICALLY DEPENDENT ON INCOME
11 FROM PART-TIME YOUTH SPORTS COACHING OR IS EMPLOYED IN A
12 FULL-TIME COVERED EMPLOYMENT POSITION; AND

13 (d) THE SERVICES OF THE COACH MAY NOT BE TERMINATED
14 EXCEPT FOR BREACH OF THE AGREEMENT, FAILURE TO MEET THE
15 REQUIREMENTS OF A YOUTH COACH GOVERNING BODY, OR FAILURE TO
16 MEET GENERALLY ACCEPTED STANDARDS OF CONDUCT WITHIN THE
17 INDUSTRY.

18 (2) IF IT IS DEMONSTRATED TO THE DIVISION THAT THE
19 REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION ARE MET, THE COACH
20 SHALL BE CONSIDERED AN INDEPENDENT CONTRACTOR FOR THE PURPOSES
21 OF THIS SECTION AND NOT IN COVERED EMPLOYMENT OR ENTITLED TO ANY
22 BENEFITS IN ACCORDANCE WITH THE "COLORADO EMPLOYMENT SECURITY
23 ACT", ARTICLES 70 TO 82 OF THIS TITLE 8.

24 (3) AS USED IN THIS SECTION UNLESS THE CONTEXT OTHERWISE
25 REQUIRES:

26 (a) "NONPROFIT YOUTH SPORTS".

27 Page 3, after line 20 insert:

28 "(b) "COACH" MEANS AN INDIVIDUAL WHO:

29 (I) PERFORMS SERVICES PURSUANT TO A WRITTEN AND SIGNED
30 CONTRACT THAT COMPLIES WITH THE REQUIREMENTS SET FORTH IN THIS
31 SECTION; AND

32 (II) PERFORMS COACHING SERVICES FIFTEEN HOURS OR LESS IN
33 ANY CONSECUTIVE SEVEN-DAY PERIOD."

** ** ** ** **