

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0519.01 Jane Ritter x4342

**SENATE BILL 17-028**

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**SENATE SPONSORSHIP**

**Gardner,**

**HOUSE SPONSORSHIP**

**Nordberg,**

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**Senate Committees**

Health & Human Services  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE PROMOTION OF HEALTHY FAMILIES THROUGH THE**  
102               **SHARING OF INFORMATION RELATED TO INVESTIGATIONS OF**  
103               **CHILD ABUSE OR NEGLECT BETWEEN DEPARTMENTS OF HUMAN**  
104               **SERVICES AND MILITARY INSTALLATIONS WHEN A PERSON**  
105               **AFFILIATED WITH THE MILITARY INSTALLATION IS INVOLVED**  
106               **WITH THE INVESTIGATION, AND, IN CONNECTION THEREWITH,**  
107               **MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

The bill requires the state department of human services (state department) and county departments of human or social services (county departments) to provide notice and to collect and share information with the command authority of national military installations regarding any report received of known or suspected instances of child abuse or neglect in which the person having custody or control of the child is a member of the armed forces or a spouse, significant other, or family member of the member of the armed forces assigned to that military installation.

The state department and county departments may enter into memorandums of understanding with military installations establishing protocols for the sharing of information and for collaboration on the investigations into child abuse or neglect by a member of the armed forces or a spouse, significant other, or family member of the member of the armed forces.

The state board of human services shall promulgate rules related to the collection and sharing of information.

The bill allows designated authorities at the military base of assignment or installation for the member of the armed forces or a spouse, significant other, or family member of the member of the armed forces to have access to reports of child abuse or neglect.

Reports of known or suspected child abuse or neglect must include the military affiliation of any person who has custody or control of the child who is the subject of the investigation of child abuse or neglect, if such individual is a member of the armed forces or a spouse, significant other, or family member of the member of the armed forces.

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

2           **SECTION 1.** In Colorado Revised Statutes, 19-1-302, **add** (1)(f)  
3 as follows:

4           **19-1-302. Legislative declaration.** (1) (f) (I) THE GENERAL  
5 ASSEMBLY FURTHER RECOGNIZES THE NEED FOR THE COMMAND  
6 AUTHORITY OF MILITARY INSTALLATIONS UNDER THE UNITED STATES  
7 SECRETARY OF DEFENSE TO RECEIVE NOTICE AND INFORMATION  
8 REGARDING ANY REPORT THAT IS ASSIGNED FOR AN ASSESSMENT BY THE  
9 STATE DEPARTMENT OF HUMAN SERVICES OR A COUNTY DEPARTMENT       
10 OF KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE OR NEGLECT IN

1 WHICH THE PERSON HAVING CARE OF THE CHILD IN QUESTION IS A MEMBER  
2 OF THE ARMED FORCES OR A SPOUSE, OR A SIGNIFICANT OTHER OR FAMILY  
3 MEMBER RESIDING IN THE HOME OF THE MEMBER OF THE ARMED FORCES.  
4 THE GENERAL ASSEMBLY RECOGNIZES THE NEED FOR THE STATE  
5 DEPARTMENT OF HUMAN SERVICES AND COUNTY DEPARTMENTS TO  
6 COLLECT INFORMATION CONCERNING THE MILITARY AFFILIATION OF THE  
7 INDIVIDUAL HAVING CUSTODY OR CONTROL OF A CHILD WHO IS THE  
8 SUBJECT OF AN INVESTIGATION OF CHILD ABUSE OR NEGLECT. ==

9 (II) TO FURTHER THE FULFILLMENT OF THESE NEEDS, THE STATE  
10 DEPARTMENT OF HUMAN SERVICES AND COUNTY DEPARTMENTS SHOULD  
11 BE ABLE TO ENTER INTO MEMORANDUMS OF UNDERSTANDING WITH THE  
12 COMMAND AUTHORITY OF MILITARY INSTALLATIONS. THE MEMORANDUMS  
13 OF UNDERSTANDING MAY ESTABLISH PROTOCOLS FOR THE SHARING OF  
14 INFORMATION RELATED TO ASSESSMENTS OF KNOWN OR SUSPECTED  
15 INSTANCES OF CHILD ABUSE OR NEGLECT AND FOR COLLABORATION ON  
16 THE OVERSIGHT OF CHILD ABUSE OR NEGLECT INVESTIGATIONS INVOLVING  
17 A MEMBER OF THE ARMED FORCES OR A SPOUSE, OR A SIGNIFICANT OTHER  
18 OR FAMILY MEMBER RESIDING IN THE HOME OF THE MEMBER OF THE  
19 ARMED FORCES.

20 (III) THE GENERAL ASSEMBLY, HOWEVER, RECOGNIZES THAT ANY  
21 SHARING OF SUCH INFORMATION IS CRITICAL FOR AN AWARENESS OF THE  
22 RESPONSIBILITY OF THE INVOLVED AGENCIES AND MILITARY  
23 INSTALLATIONS THAT RECEIVE OR PROVIDE THE INFORMATION THAT IT BE  
24 USED ONLY FOR ITS INTENDED AND LIMITED PURPOSE AS AUTHORIZED BY  
25 LAW AND THAT THE CONFIDENTIAL NATURE OF THE INFORMATION MUST BE  
26 PRESERVED.

27 (IV) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS

1 DESIRABLE TO AUTHORIZE AND ENCOURAGE OPEN COMMUNICATION  
2 BETWEEN THE STATE DEPARTMENT OF HUMAN SERVICES, COUNTY  
3 DEPARTMENTS, AND COMMAND AUTHORITY OF MILITARY INSTALLATIONS  
4 TO BETTER SERVE CHILDREN AND FAMILIES OF COLORADO.

5 **SECTION 2.** In Colorado Revised Statutes, 19-1-303, **add** (2.6)  
6 as follows:

7 **19-1-303. General provisions - delinquency and dependency**  
8 **and neglect cases - exchange of information - civil penalty - rules -**  
9 **definitions.** (2.6) (a) THE STATE DEPARTMENT OF HUMAN SERVICES AND  
10 COUNTY DEPARTMENTS:

11 (I) SHALL COLLECT INFORMATION CONCERNING THE MILITARY  
12 AFFILIATION OF ANY PERSON WHO HAS CUSTODY OR CONTROL OF A CHILD  
13 WHO IS THE SUBJECT OF AN INVESTIGATION OF CHILD ABUSE OR NEGLECT;

14 (II) SHALL PROVIDE NOTICE AND INFORMATION TO THE COMMAND  
15 AUTHORITY OF MILITARY INSTALLATIONS UNDER THE UNITED STATES  
16 SECRETARY OF DEFENSE REGARDING ANY REPORT RECEIVED OF KNOWN OR  
17 SUSPECTED INSTANCES OF CHILD ABUSE OR NEGLECT THAT IS ASSIGNED  
18 FOR AN ASSESSMENT AND IN WHICH THE PERSON HAVING CUSTODY OR  
19 CONTROL OF THE CHILD IS A MEMBER OF THE ARMED FORCES OR A SPOUSE,  
20 OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE HOME OF  
21 THE MEMBER OF THE ARMED FORCES ASSIGNED TO THAT MILITARY  
22 INSTALLATION; AND

23 (III) MAY ENTER INTO MEMORANDUMS OF UNDERSTANDING WITH  
24 THE COMMAND AUTHORITY OF MILITARY INSTALLATIONS ESTABLISHING  
25 PROTOCOLS FOR THE SHARING OF INFORMATION AND FOR COLLABORATION  
26 ON THE OVERSIGHT OF INVESTIGATIONS INVOLVING A MEMBER OF THE  
27 ARMED FORCES OR A SPOUSE, OR A SIGNIFICANT OTHER OR FAMILY

1 MEMBER RESIDING IN THE HOME OF THE MEMBER OF THE ARMED FORCES.  
2 THE MILITARY INSTALLATION RECEIVING INFORMATION SHALL ENSURE IT  
3 IS USED ONLY FOR ITS INTENDED AND LIMITED PURPOSE AS AUTHORIZED BY  
4 LAW AND THAT THE CONFIDENTIAL NATURE OF THE INFORMATION IS  
5 PRESERVED.

6 (b) THE STATE BOARD OF HUMAN SERVICES SHALL ADOPT RULES  
7 CONCERNING THE IMPLEMENTATION OF THIS SUBSECTION (2.6).

8 **SECTION 3.** In Colorado Revised Statutes, 19-1-307, **amend** (2)  
9 introductory portion; and **add** (2)(w) as follows:

10 **19-1-307. Dependency and neglect records and information -**  
11 **access - fee - rules - records and reports fund - misuse of information**  
12 **- penalty. (2) Records and reports - access to certain persons -**  
13 **agencies.** Except as otherwise provided in section 19-1-303, only the  
14 following persons or agencies shall ~~be given~~ HAVE access to child abuse  
15 or neglect records and reports:

16 (w) THE DESIGNATED AUTHORITIES AT THE MILITARY BASE OF  
17 ASSIGNMENT OR INSTALLATION FOR A MEMBER OF THE ARMED FORCES OR  
18 A SPOUSE, OR A SIGNIFICANT OTHER OR FAMILY MEMBER RESIDING IN THE  
19 HOME OF THE MEMBER OF THE ARMED FORCES WHO IS THE INDIVIDUAL  
20 RESPONSIBLE FOR THE ABUSED OR NEGLECTED CHILD. THE AUTHORITIES  
21 MAY BE DESIGNATED IN A MEMORANDUM OF UNDERSTANDING AS  
22 DESCRIBED AND AUTHORIZED IN SECTION 19-1-303 (2.6).

23 **SECTION 4.** In Colorado Revised Statutes, 19-3-307, **amend** (2)  
24 introductory portion; and **add** (2)(i) as follows:

25 **19-3-307. Reporting procedures. (2) Such reports, when**  
26 **possible, shall** REPORTS OF KNOWN OR SUSPECTED CHILD ABUSE OR  
27 NEGLECT MADE PURSUANT TO THIS ARTICLE 3 MUST include the following

1 information WHENEVER POSSIBLE:

2 (i) THE MILITARY AFFILIATION OF THE INDIVIDUAL WHO HAS  
3 CUSTODY OR CONTROL OF THE CHILD WHO IS THE SUBJECT OF THE  
4 INVESTIGATION OF CHILD ABUSE OR NEGLECT, IF SUCH INDIVIDUAL IS A  
5 MEMBER OF THE ARMED FORCES OR A SPOUSE, OR A SIGNIFICANT OTHER OR  
6 FAMILY MEMBER RESIDING IN THE HOME OF THE MEMBER OF THE ARMED  
7 FORCES. THIS INFORMATION SHALL BE SHARED WITH THE APPROPRIATE  
8 MILITARY INSTALLATION AUTHORITIES PURSUANT TO THE REQUIREMENTS  
9 SET FORTH IN SECTIONS 19-1-303 (2.6) AND 19-1-307 (2)(w).

10 **SECTION 5. Appropriation.** (1) For the 2017-18 state fiscal  
11 year, \$12,960 is appropriated to the department of human services for use  
12 by the office of information technology services for Colorado trails. This  
13 appropriation is from the general fund. To implement this act, the  
14 department may use this appropriation for the purchase of information  
15 technology services.

16 (2) For the 2017-18 state fiscal year, \$12,960 is appropriated to  
17 the office of the governor for use by the office of information technology.  
18 This appropriation is from reappropriated funds received from the  
19 department of human services under subsection (1) of this section. To  
20 implement this act, the office may use this appropriation to provide  
21 information technology services for the department of human services.

22 **SECTION 6. Act subject to petition - effective date.** This act  
23 takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect  
2 unless approved by the people at the general election to be held in  
3 November 2018 and, in such case, will take effect on the date of the  
4 official declaration of the vote thereon by the governor.