

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0821.01 Jane Ritter x4342

HOUSE BILL 17-1135

HOUSE SPONSORSHIP

Bridges,

SENATE SPONSORSHIP

Priola,

House Committees

Public Health Care & Human Services

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 CONCERNING THE PORTABILITY OF EMPLOYMENT BACKGROUND
102 CHECKS FOR A CHILD CARE WORKER WHO WORKS FOR THE
103 SAME COMMON OWNERSHIP ENTITY.

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>.)

The bill creates a new provision that allows a child care worker who is employed in a licensed facility that is wholly owned, operated, and controlled by a common ownership group or school district to use a single completed fingerprint-based criminal history record check and a check of the records and reports of child abuse or neglect maintained by the

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.

SENATE
2nd Reading Unamended
March 3, 2017

HOUSE
3rd Reading Unamended
February 21, 2017

HOUSE
2nd Reading Unamended
February 17, 2017

department of human services to satisfy the requirements of the necessary background checks if the employee also works for or transfers to another licensed facility that is owned, operated, or controlled by the same common ownership group or school district, provided all other requirements for employment are met.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6-107, **amend**
3 (1)(a)(I)(C.7) as follows:

4 **26-6-107. Investigations and inspections - local authority -**
5 **reports - rules.** (1) (a) (I) (C.7) Where two or more individually licensed
6 facilities are wholly owned, operated, and controlled by a common
7 ownership group or school district, a fingerprint-based criminal history
8 ~~records~~ RECORD check AND A CHECK OF THE RECORDS AND REPORTS OF
9 CHILD ABUSE OR NEGLECT MAINTAINED BY THE DEPARTMENT, completed
10 for one of the licensed facilities of the common ownership group or
11 school district pursuant to this section for any individual for whom such
12 a check is required under this part 1 may satisfy the ~~records~~ RECORD
13 check requirement for any other licensed facility under the same common
14 ownership group or school district. A new fingerprint-based criminal
15 history ~~records~~ RECORD check ~~shall not be~~ OR NEW CHECK OF THE
16 RECORDS AND REPORTS OF CHILD ABUSE OR NEGLECT MAINTAINED BY THE
17 DEPARTMENT IS NOT required of such an individual if the common
18 ownership group or school district maintains a central records
19 management system for employees of all its licensed facilities; takes
20 action as required pursuant to section 26-6-104 when informed of the
21 results of a fingerprint-based criminal history ~~records~~ RECORD check OR
22 CHECK OF THE RECORDS AND REPORTS OF CHILD ABUSE OR NEGLECT
23 MAINTAINED BY THE DEPARTMENT that requires action pursuant to this

1 part 1; and informs the department whenever an additional licensed
2 facility comes under or is no longer under its ownership or control.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2018 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.