

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 20-0664.01 Brita Darling x2241

SENATE BILL 20-016

SENATE SPONSORSHIP

Rankin,

HOUSE SPONSORSHIP

(None),

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING AMENDING THE EXISTING PARENT NOTIFICATION LAW TO**
102 **REQUIRE NOTIFICATION OF CHARGES BROUGHT AGAINST PUBLIC**
103 **SCHOOL EMPLOYEES RELATING TO THE PROVISION OF ILLEGAL**
104 **SUBSTANCES TO STUDENTS.**

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>.)

Under existing law, a school district, charter school, or board of cooperative services notifies parents of students enrolled in a school if an employee working in the school or who had contact with students is

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

charged with certain felony offenses relating to violence, drugs, or unlawful sexual behavior.

The bill adds the following offenses to the parent notification requirements:

- ! Any violation that involves the sale, dispensing, distribution, or transfer to a student of certain controlled substances, marijuana, or marijuana concentrates; and
- ! Unlawfully providing any alcohol beverage to a student or contributing to the delinquency of a minor relating to providing any alcohol beverage to a student.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-1-130, **amend**
3 (3)(b)(V) and (3)(b)(VI); and **add** (2)(d), (3)(b)(VII), and (7) as follows:

4 **22-1-130. Notice to parents of alleged criminal conduct by**
5 **school employees - legislative declaration - definitions.** (2) As used in
6 this section, unless the context otherwise requires:

7 (d) "STUDENT" MEANS A STUDENT FOR WHOM A LOCAL EDUCATION
8 PROVIDER MUST PROVIDE NOTICE TO THE STUDENT'S PARENT PURSUANT TO
9 SUBSECTION (4) OF THIS SECTION.

10 (3) (b) The local education provider shall notify parents, as
11 provided in subsection (4) of this section, if an employee is charged, as
12 that term is defined in section 16-1-104 (6), with:

13 (V) Felony indecent exposure, as described in section 18-7-302;
14 **or**

15 (VI) (A) A felony drug offense described in part 4 of article 18 of
16 title 18 that is a level 1 or level 2 drug felony; OR

17 (B) ANY VIOLATION OF PART 4 OF ARTICLE 18 OF TITLE 18 IN
18 WHICH IT IS ALLEGED THAT THE UNDERLYING FACTUAL BASIS INCLUDES
19 THE SALE, DISPENSING, DISTRIBUTION, OR TRANSFER TO A STUDENT OF A
20 SCHEDULE I, II, III, OR IV CONTROLLED SUBSTANCE, MARIJUANA, OR

1 MARIJUANA CONCENTRATE; OR

2 (VII) A VIOLATION OF SECTION 44-3-901 (1)(b), RELATING TO
3 PROVIDING ANY ALCOHOL BEVERAGE TO A STUDENT UNDER THE AGE OF
4 TWENTY-ONE, OR CONTRIBUTING TO THE DELINQUENCY OF A MINOR, AS
5 DESCRIBED IN SECTION 18-6-701, RELATING TO PROVIDING ANY ALCOHOL
6 BEVERAGE TO A STUDENT WHO IS A MINOR.

7 (7) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO SCHOOL
8 PERSONNEL WHO ARE IN COMPLIANCE WITH THE PROVISIONS OF SECTION
9 22-1-119.3 RELATING TO THE POSSESSION AND ADMINISTRATION OF
10 MEDICAL MARIJUANA.

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2020 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.