

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

PREAMENDED

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

LLS NO. 24-0712.01 Michael Dohr x4347

HOUSE BILL 24-1080

HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR YOUTH SPORTS PERSONNEL THAT**
102 **IMPROVE THE SAFETY OF THE PARTICIPANTS.**

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 clarifies that a director, coach, assistant coach, or athletic program personnel contracted by a private sports organization or program is a mandatory reporter.

An organization that operates a youth athletic activity (youth sports organization) is required to have each paid coach of the youth athletic activity have a current CPR education certification. A "youth sports

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

HOUSE
3rd Reading Unamended
February 26, 2024

HOUSE
Amended 2nd Reading
February 23, 2024

organization" means a private for-profit or not-for-profit organization that provides sports activities designed for the participation of youth 18 years of age or younger. "Youth sports organization" does not include K-12 schools or institutions of higher education.

All youth sports organization employees and volunteers who work directly with youth members, and any employee or volunteer who accompanies the youth sports organization on any trip that includes one or more overnight stays, must obtain a criminal history record check. A volunteer who is not acting in the capacity of a coach or manager, who only occasionally assists with the team, and who has an immediate family member participating in the youth sports organization is not required to obtain a criminal history record check. The bill creates a cause of action for failing to conduct a background check.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Local governments and youth sports organizations provide
5 opportunities to children to participate in organized sports;

6 (b) Those children are often coached by adults they and their
7 parents or legal guardians do not have a relationship with prior to
8 organized sports;

9 (c) Parents and legal guardians expect that their children will be
10 safe from adult harm when they are competing in organized sports;

11 (d) Ensuring that adults who coach youth sports have been vetted
12 to gauge whether they would potentially harm a child is an important step
13 in keeping kids safe while engaged in youth sports; and

14 (e) Therefore, it is a good business practice to require background
15 checks for employees and volunteers who are youth sports coaches.

16 **SECTION 2.** In Colorado Revised Statutes, add article 8 to title
17 19 as follows:

18 **ARTICLE 8**

1 Youth Sports Organizations

2 19-8-101. Definitions. AS USED IN THIS ARTICLE 8, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "COACH" MEANS A PERSON EMPLOYED AS OR VOLUNTEERING
5 AS A COACH, MANAGER, OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY
6 BUT DOES NOT INCLUDE OCCASIONAL ASSISTANCE WITH OR SUPPORT OF
7 THE YOUTH ATHLETIC ACTIVITY BY A PERSON, INCLUDING THE ACTION OF
8 OTHER VOLUNTEERS OR EMPLOYEES OF THE YOUTH SPORTS ORGANIZATION
9 IN A PASSING, GENERAL, OR NOMINAL MANNER.

10 (2) "EMPLOYMENT" MEANS ANY JOB OR POSITION IN WHICH ANY
11 PERSON MAY BE ENGAGED IN THE SERVICE OF A COACH OF A YOUTH
12 ATHLETIC ACTIVITY BY A YOUTH SPORTS ORGANIZATION FOR A SALARY OR
13 HOURLY WAGES, WHETHER FULL-TIME OR PART-TIME, AND WHETHER
14 TEMPORARY OR PERMANENT.

15 (3) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC
16 ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN
17 EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC
18 GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC
19 ACTIVITY" DOES NOT INCLUDE AN ATHLETIC ACTIVITY THAT IS INCIDENTAL
20 TO A NONATHLETIC PROGRAM OR A LESSON.

21 (4) (a) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
22 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS
23 CORE FUNCTION, PROVIDES PERSONS WHO ARE LESS THAN EIGHTEEN YEARS
24 OF AGE THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE OR
25 RECREATIONAL SPORTING ACTIVITIES, WHETHER INDIVIDUALLY OR AS A
26 TEAM, BUT DOES NOT INCLUDE A SPORTING ACTIVITY THAT IS INCIDENTAL
27 TO A NONATHLETIC PROGRAM OR LESSON.

- 1 (b) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:
2 (I) A NEIGHBORHOOD YOUTH ORGANIZATION AS DEFINED IN
3 SECTION 26.5-5-303;
4 (II) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES
5 KINDERGARTEN THROUGH TWELVE;
6 (III) A LICENSED CHILD-CARE FACILITY;
7 (IV) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR
8 (V) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY
9 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR
10 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS.

11 **19-8-102. Organized youth athletic activities - CPR and first**
12 **aid requirements.** (1) (a) EACH YOUTH SPORTS ORGANIZATION SHALL
13 ENSURE THAT AT LEAST ONE ADULT WHO POSSESSES A CURRENT FIRST AID,
14 CPR, AND AED CERTIFICATION IS PRESENT AT EACH YOUTH ATHLETIC
15 ACTIVITY.

16 (b) A YOUTH ATHLETIC ACTIVITY THAT IS CONDUCTED ENTIRELY
17 BY VOLUNTEERS FOR TRAINING PURPOSES ONLY IS EXEMPT FROM THIS
18 SECTION, BUT THE VOLUNTEERS ARE STRONGLY ENCOURAGED TO POSSESS
19 A CURRENT FIRST AID, CPR, AND AED CERTIFICATION.

20 (2) (a) THE FIRST AID, CPR, AND AED EDUCATION COURSES
21 REQUIRED BY SUBSECTION (1) OF THIS SECTION MUST INCLUDE:

- 22 (I) IDENTIFYING SIGNS OF AND TREATING:
23 (A) HEAT- AND COLD-RELATED CONDITIONS;
24 (B) EXTERNAL BLEEDING;
25 (C) MUSCULAR AND SKELETAL INJURIES; AND
26 (D) HEAD, NECK, AND SPINAL INJURIES; AND
27 (II) CARDIOPULMONARY RESUSCITATION AND AUTOMATIC

1 EXTERNAL DEFIBRILLATOR TRAINING.

2 (b) EACH YOUTH SPORTS ORGANIZATION MAY DESIGNATE SPECIFIC
3 EDUCATION COURSES AS SUFFICIENT TO MEET THE REQUIREMENTS OF
4 SUBSECTION (1) OF THIS SECTION.

5 (3) NOTHING IN THIS ARTICLE 8 ABROGATES OR LIMITS THE
6 PROTECTIONS APPLICABLE TO PUBLIC ENTITIES AND PUBLIC EMPLOYEES
7 PURSUANT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
8 ARTICLE 10 OF TITLE 24; VOLUNTEERS AND BOARD MEMBERS PURSUANT
9 TO SECTIONS 13-21-115.7 AND 13-21-116; OR SKI AREA OPERATORS
10 PURSUANT TO SECTIONS 33-44-112 AND 33-44-113.

11 **19-8-103. Background checks required. (1) (a) (I) A YOUTH**
12 **SPORTS ORGANIZATION OPERATING IN THE STATE OF COLORADO SHALL**
13 **REQUIRE ALL COACHES AND VOLUNTEERS WHO WORK DIRECTLY, OR WILL**
14 **WORK DIRECTLY, WITH YOUTH, AND ANY COACH, EMPLOYEE, OR**
15 **VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ORGANIZATION ON**
16 **ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, TO OBTAIN,**
17 **PRIOR TO STARTING THE WORK OR TAKING THE TRIP, AND EVERY THREE**
18 **YEARS THEREAFTER, A SEVEN-YEAR CRIMINAL HISTORY RECORD CHECK**
19 **THAT INCLUDES ALIASES OF THE EMPLOYEE OR VOLUNTEER, BY A PRIVATE**
20 **ENTITY REGULATED AS A CONSUMER REPORTING AGENCY PURSUANT TO 15**
21 **U.S.C. SEC. 1681, ET SEQ., AND THAT DISCLOSES, AT A MINIMUM, SEXUAL**
22 **OFFENSES AND FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY**
23 **NUMBER TRACE AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC**
24 **RECORDS ACCESS SYSTEM. FOR A COACH OR VOLUNTEER WHO WAS HIRED**
25 **OR APPROVED AS A COACH OR VOLUNTEER PRIOR TO THE EFFECTIVE DATE**
26 **OF THIS SECTION, THE YOUTH SPORTS ORGANIZATION SHALL REQUIRE THE**
27 **COACH OR VOLUNTEER TO OBTAIN A CRIMINAL HISTORY RECORD CHECK**

1 THAT CONFORMS TO THIS SECTION WITHIN SIX MONTHS AFTER THE
2 EFFECTIVE DATE OF THIS SECTION.

3 (II) IF A COACH, EMPLOYEE, OR VOLUNTEER, INCLUDING A COACH
4 OR VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ORGANIZATION
5 ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, HAS LIVED
6 OUTSIDE OF THE UNITED STATES FOR MORE THAN ONE HUNDRED EIGHTY
7 DAYS IN THE PAST TEN YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY
8 DAYS AFTER THE COACH'S OR VOLUNTEER'S LAST CRIMINAL HISTORY
9 RECORD CHECK, THE COACH OR VOLUNTEER SHALL ALSO OBTAIN AN
10 INTERNATIONAL CRIMINAL HISTORY RECORD CHECK THAT INCLUDES
11 ALIASES OF THE EMPLOYEE OR VOLUNTEER, AND THAT, AT A MINIMUM,
12 DISCLOSES SEXUAL OFFENSES AND FELONY CONVICTIONS; EXCEPT THAT,
13 IF THE COACH OR VOLUNTEER IS IN THE COUNTRY ON AN INTERNATIONAL
14 WORK VISA, THEN THE COACH OR VOLUNTEER MAY PROVIDE THE CRIMINAL
15 HISTORY RECORD CHECK THAT WAS CONDUCTED FOR THE VISA.

16 (III) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN
17 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF
18 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY
19 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
20 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION
21 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER
22 STATE.

23 (b)(I) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A PERSON
24 AS A COACH OR APPROVE A PERSON AS A VOLUNTEER AND SHALL
25 TERMINATE A COACH OR REVOKE THE APPROVAL FOR A VOLUNTEER IF A
26 CRIMINAL HISTORY RECORD CHECK OF THE PERSON PERFORMED PURSUANT
27 TO SUBSECTION (1)(a) OF THIS SECTION SHOWS THAT THE PERSON HAS

1 BEEN CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION
2 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR
3 AS DEFINED IN SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS
4 DESCRIBED IN SECTION 18-1.3-406, OR ANY COMPARABLE OFFENSE
5 COMMITTED IN ANOTHER STATE.

6 (II) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(I) OF THIS
7 SECTION, A PARENT, LEGAL GUARDIAN, OR OTHER IMMEDIATE FAMILY
8 MEMBERS MUST NOT BE PREVENTED FROM VOLUNTEERING IN YOUTH
9 ATHLETIC ACTIVITIES BASED ON PAST CRIMINAL HISTORY.

10 (2) (a) A PERSON, INCLUDING AN EMPLOYEE OR VOLUNTEER WHO
11 TAKES PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT
12 WHO IS NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK
13 PURSUANT TO THIS SECTION OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY
14 RECORD CHECK MUST AT ALL TIMES BE SUPERVISED BY AN EMPLOYEE OR
15 VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A
16 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS
17 SECTION.

18 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A YOUTH
19 SPORTS ORGANIZATION IS NOT REQUIRED TO PERFORM A CRIMINAL
20 HISTORY RECORD CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE
21 CAPACITY OF A COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS
22 IN A PASSING, GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED
23 BY THIS SUBSECTION (2)(b) MUST BE SUPERVISED AT ALL TIMES BY AN
24 EMPLOYEE OR VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER
25 OBTAINING A CRIMINAL HISTORY RECORD CHECK PURSUANT TO
26 SUBSECTION (1) OF THIS SECTION.

27 (3) A YOUTH SPORTS ORGANIZATION MAY RELY ON THE RESULTS

1 OF A CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND
2 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A
3 PERSON TO ACT AS A VOLUNTEER.

4 **SECTION 3.** In Colorado Revised Statutes, **add 13-80-103.4** as
5 follows:

6 **13-80-103.4. Limitation of actions - failure to perform a**
7 **background check by a youth sports organization - injury to a child**
8 **- definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
9 OTHERWISE REQUIRES:

10 (a) "CHILD" MEANS A PERSON WHO IS LESS THAN EIGHTEEN YEARS
11 OF AGE.

12 (b) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH
13 IN SECTION 29-7.1-101.

14 (c) "SEXUAL OFFENSE AGAINST A CHILD" INCLUDES ALL OFFENSES
15 LISTED IN SECTION 18-3-411 (1).

16 (d) "YOUTH SPORTS ORGANIZATION" HAS THE SAME MEANING AS
17 SET FORTH IN SECTION 19-8-101.

18 (e) "YOUTH SPORTS REQUIRED BACKGROUND CHECK" MEANS A
19 BACKGROUND CHECK THAT COMPLIES WITH SECTION 19-8-103 OR
20 29-7.1-102 OR 29-7.1-103.

21 (2) IN BRINGING A CIVIL ACTION FOR FAILURE TO PERFORM A
22 YOUTH SPORTS REQUIRED BACKGROUND CHECK PURSUANT TO THIS
23 SECTION, A PLAINTIFF SHALL MAKE A PRIMA FACIE SHOWING OF THE
24 FOLLOWING FACTS AND CIRCUMSTANCES:

25 (a) THE YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT,
26 IN HIRING AN INDIVIDUAL TO WORK WITH CHILDREN OR IN A SETTING WITH
27 CHILDREN, DID NOT PERFORM A YOUTH SPORTS REQUIRED BACKGROUND

1 CHECK ON THE INDIVIDUAL, AND THE FAILURE TO CONDUCT THE REQUIRED
2 BACKGROUND CHECK WAS THE RESULT OF THE YOUTH SPORTS
3 ORGANIZATION'S OR LOCAL GOVERNMENT'S DELIBERATE INDIFFERENCE OR
4 RECKLESS DISREGARD OF ITS OBLIGATION TO CONDUCT THE BACKGROUND
5 CHECK AS PROVIDED BY LAW. ORDINARY NEGLIGENCE OR UNINTENTIONAL
6 OVERSIGHT IS NOT SUFFICIENT.

7 (b) THE YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT,
8 IN HIRING AN INDIVIDUAL TO WORK WITH CHILDREN OR IN A SETTING WITH
9 CHILDREN, PERFORMED A YOUTH SPORTS REQUIRED BACKGROUND CHECK
10 OF THE INDIVIDUAL, AND THE REQUIRED BACKGROUND CHECK SHOWED
11 THAT THE INDIVIDUAL WAS INELIGIBLE TO BE HIRED OR APPROVED
12 PURSUANT TO SECTION 19-8-103 (1)(b), 29-7.1-102, OR 29-7.1-103;

13 (c) THE INDIVIDUAL WAS NOT REQUIRED TO OBTAIN A CRIMINAL
14 HISTORY RECORD CHECK OR WAS UNABLE TO OBTAIN A CRIMINAL HISTORY
15 RECORD CHECK AND THE YOUTH SPORTS ORGANIZATION OR LOCAL
16 GOVERNMENT FAILED TO HAVE THE INDIVIDUAL SUPERVISED BY AN
17 EMPLOYEE OR VOLUNTEER WHO WAS HIRED OR APPROVED AFTER
18 OBTAINING A CRIMINAL HISTORY RECORD CHECK;

19 (d) THE INDIVIDUAL, AT THE TIME OF HIRING, WAS NOT ELIGIBLE
20 TO BE HIRED PURSUANT TO SECTION 19-8-103 (1)(b), 29-7.1-102, OR
21 29-7.1-103; AND

22 (e) THE INDIVIDUAL COMMITTED ONE OF THE FOLLOWING
23 OFFENSES AGAINST A CHILD WITH WHOM THE INDIVIDUAL CAME IN
24 CONTACT IN THE COURSE OF THE INDIVIDUAL'S EMPLOYMENT WITH THE
25 YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT:

26 (I) SEXUAL ASSAULT AS DESCRIBED IN SECTION 18-3-402;

27 (II) SEXUAL OFFENSE AGAINST A CHILD;

1 (III) CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401; OR
2 (IV) A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406.

3 **SECTION 4.** In Colorado Revised Statutes, **add** article 7.1 to title
4 29 as follows:

5 **ARTICLE 7.1**
6 **Local Government-sponsored Youth Athletic**
7 **Activity Requirements**

8 **29-7.1-101. Definitions.** AS USED IN THIS ARTICLE 7.1, UNLESS
9 THE CONTEXT OTHERWISE REQUIRES:

10 (1) "COACH" MEANS A PERSON EMPLOYED AS OR VOLUNTEERING
11 AS A COACH, MANAGER, OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY
12 BUT DOES NOT INCLUDE OCCASIONAL ASSISTANCE WITH OR SUPPORT OF
13 THE YOUTH ATHLETIC ACTIVITY BY A PERSON, INCLUDING THE ACTION OF
14 OTHER VOLUNTEERS OR EMPLOYEES OF THE LOCAL GOVERNMENT IN A
15 PASSING, GENERAL, OR NOMINAL MANNER.

16 (2) "EMPLOYMENT" MEANS ANY JOB OR POSITION IN WHICH ANY
17 PERSON MAY BE ENGAGED IN THE SERVICE OF A COACH OF A YOUTH
18 ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT FOR SALARY OR HOURLY
19 WAGES, WHETHER FULL TIME OR PART TIME, AND WHETHER TEMPORARY
20 OR PERMANENT.

21 (3) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH
22 IN SECTION 29-1-102.

23 (4) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC
24 ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN
25 EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC
26 GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC
27 ACTIVITY" DOES NOT INCLUDE AN ATHLETIC ACTIVITY THAT IS INCIDENTAL

1 TO A NONATHLETIC PROGRAM OR A LESSON.

2 **29-7.1-102. Criminal history record check for paid coaches -**
3 **CPR and first aid training. (1) (a) (I) PRIOR TO THE EMPLOYMENT OF**
4 **ANY PERSON AS A COACH OF A YOUTH ATHLETIC ACTIVITY BY A LOCAL**
5 **GOVERNMENT, OR ANY COACH OR EMPLOYEE WHO ACCOMPANIES A YOUTH**
6 **SPORTS ACTIVITY ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT**
7 **STAYS, THE LOCAL GOVERNMENT SHALL REQUIRE A SEVEN-YEAR CRIMINAL**
8 **HISTORY RECORD CHECK OF THE PERSON BY A PRIVATE ENTITY REGULATED**
9 **AS A CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681,**
10 **ET SEQ., THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY**
11 **CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A**
12 **SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.**

13 **(II) IF A COACH OR EMPLOYEE, INCLUDING A COACH OR EMPLOYEE**
14 **WHO ACCOMPANIES THE YOUTH SPORTS ACTIVITY ON ANY TRIP THAT**
15 **INCLUDES ONE OR MORE OVERNIGHT STAYS, HAS LIVED OUTSIDE OF THE**
16 **UNITED STATES FOR MORE THAN ONE HUNDRED EIGHTY DAYS IN THE PAST**
17 **TEN YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY DAYS AFTER THE**
18 **COACH'S OR EMPLOYEE'S LAST CRIMINAL HISTORY RECORD CHECK WAS**
19 **CONDUCTED, THE COACH OR EMPLOYEE SHALL ALSO OBTAIN AN**
20 **INTERNATIONAL CRIMINAL HISTORY RECORD CHECK, INCLUDING ALIASES**
21 **OF THE COACH OR EMPLOYEE, THAT, AT A MINIMUM, DISCLOSES SEXUAL**
22 **OFFENSES AND FELONY CONVICTIONS; EXCEPT THAT, IF THE COACH OR**
23 **EMPLOYEE IS IN THE COUNTRY ON AN INTERNATIONAL WORK VISA, THEN**
24 **THE COACH OR EMPLOYEE MAY PROVIDE THE BACKGROUND CHECK THAT**
25 **WAS CONDUCTED FOR THE VISA.**

26 **(b) EACH JULY 1, THE LOCAL GOVERNMENT SHALL REQUIRE A**
27 **CRIMINAL HISTORY RECORD CHECK IN CONFORMITY WITH THE PROVISIONS**

1 OF THIS SECTION OF EACH PERSON EMPLOYED AS A COACH OF A YOUTH
2 ATHLETIC ACTIVITY WHO HAS NOT HAD A CRIMINAL HISTORY RECORD
3 CHECK IN THE LAST THREE YEARS.

4 (c) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN
5 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF
6 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY
7 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
8 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION
9 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER
10 STATE.

11 (2) A PERSON CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED
12 IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL
13 BEHAVIOR AS DEFINED IN SECTION 16-22-102, A CRIME OF VIOLENCE AS
14 DESCRIBED IN SECTION 18-1.3-406, OR A COMPARABLE CHILD ABUSE OR
15 UNLAWFUL SEXUAL BEHAVIOR OFFENSE COMMITTED IN ANY OTHER STATE
16 IS DISQUALIFIED FROM EMPLOYMENT AS A COACH OF A YOUTH ATHLETIC
17 ACTIVITY.

18 (3) A PERSON, INCLUDING A COACH WHO TAKES PART IN THE
19 ACTIVITIES OF A YOUTH SPORTS ACTIVITY BUT WHO IS NOT REQUIRED TO
20 OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT TO THIS SECTION
21 OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY RECORD CHECK SHALL AT
22 ALL TIMES BE SUPERVISED BY A COACH OR VOLUNTEER WHO HAS BEEN
23 HIRED OR APPROVED AFTER OBTAINING A CRIMINAL HISTORY RECORD
24 CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

25 (4) A PERSON WHO ACTS AS AN EMPLOYED COACH OF A YOUTH
26 ATHLETIC ACTIVITY SHALL POSSESS A CURRENT FIRST AID, CPR, AND AED
27 CERTIFICATION AS DESCRIBED IN SECTION 19-8-102 (2).

1 **29-7.1-103. Criminal history record check for volunteer**
2 **coaches - CPR and first aid training.** (1) (a) (I) PRIOR TO THE START OF
3 ANY PERSON AS A VOLUNTEER COACH OF A YOUTH ATHLETIC ACTIVITY BY
4 A LOCAL GOVERNMENT, INCLUDING ANY VOLUNTEER COACH OR
5 VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS ACTIVITY ON ANY
6 TRIP THAT INCLUDES ONE OR MORE OVERNIGHT STAYS, THE LOCAL
7 GOVERNMENT SHALL REQUIRE A SEVEN-YEAR CRIMINAL HISTORY RECORD
8 CHECK OF THE PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER
9 REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT
10 DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS
11 AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE
12 COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

13 (II) IF A VOLUNTEER COACH OR VOLUNTEER, INCLUDING A
14 VOLUNTEER COACH OR VOLUNTEER WHO ACCOMPANIES THE YOUTH
15 SPORTS ACTIVITY ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT
16 STAYS, HAS LIVED OUTSIDE OF THE UNITED STATES FOR MORE THAN ONE
17 HUNDRED EIGHTY DAYS IN THE PAST TEN YEARS OR FOR MORE THAN ONE
18 HUNDRED EIGHTY DAYS AFTER THE VOLUNTEER COACH'S OR VOLUNTEER'S
19 LAST CRIMINAL HISTORY RECORD CHECK WAS CONDUCTED, THE COACH OR
20 VOLUNTEER SHALL ALSO OBTAIN AN INTERNATIONAL CRIMINAL HISTORY
21 RECORD CHECK, INCLUDING ALIASES OF THE COACH OR VOLUNTEER, THAT,
22 AT A MINIMUM, DISCLOSES SEXUAL OFFENSES AND FELONY CONVICTIONS;
23 EXCEPT THAT, IF THE VOLUNTEER COACH OR VOLUNTEER IS IN THE
24 COUNTRY ON AN INTERNATIONAL WORK VISA, THEN THE COACH OR
25 VOLUNTEER MAY PROVIDE THE BACKGROUND CHECK THAT WAS
26 CONDUCTED FOR THE VISA.

27 (b) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN

1 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF
2 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY
3 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
4 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION
5 18-1.3-406, OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER
6 STATE.

7 (2) (a) A PERSON CONVICTED OF FELONY CHILD ABUSE AS
8 SPECIFIED IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL
9 SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102, A CRIME OF
10 VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, OR A COMPARABLE CHILD
11 ABUSE OR UNLAWFUL SEXUAL BEHAVIOR OFFENSE COMMITTED IN ANY
12 OTHER STATE IS DISQUALIFIED FROM ACTING AS AN UNSUPERVISED
13 VOLUNTEER COACH OF A YOUTH ATHLETIC ACTIVITY.

14 (b) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,
15 A PARENT, LEGAL GUARDIAN, OR OTHER IMMEDIATE FAMILY MEMBERS
16 MUST NOT BE PREVENTED FROM VOLUNTEERING IN YOUTH ATHLETIC
17 ACTIVITIES BASED ON PAST CRIMINAL HISTORY.

18 (3) (a) A PERSON, INCLUDING A COACH OR VOLUNTEER WHO TAKES
19 PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT WHO IS
20 NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT
21 TO THIS SECTION OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY RECORD
22 CHECK MUST AT ALL TIMES BE SUPERVISED BY A COACH OR VOLUNTEER
23 WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A CRIMINAL
24 HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

25 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A LOCAL
26 GOVERNMENT IS NOT REQUIRED TO PERFORM A CRIMINAL HISTORY RECORD
27 CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE CAPACITY OF A

1 COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS IN A PASSING,
2 GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED BY THIS
3 SUBSECTION (3)(b) SHALL BE SUPERVISED AT ALL TIMES BY A COACH OR
4 VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A
5 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS
6 SECTION.

7 (4) A PERSON WHO ACTS AS A VOLUNTEER COACH OF A YOUTH
8 ATHLETIC ACTIVITY SHALL POSSESS A CURRENT FIRST AID, CPR, AND AED
9 CERTIFICATION AS DESCRIBED IN SECTION 19-8-102 (2).

10 **29-7.1-104. Criminal history record checks - fees - reliance -**
11 **not an open record.** (1) A LOCAL GOVERNMENT MAY CHARGE A PERSON
12 ANY FEES FOR THE CRIMINAL HISTORY RECORD CHECK REQUIRED BY THIS
13 ARTICLE 7.1.

14 (2) THIS ARTICLE 7.1 DOES NOT REQUIRE A SECOND OR
15 SUBSEQUENT CRIMINAL HISTORY RECORD CHECK FOR A COACH OR
16 VOLUNTEER COACH PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE 7.1.

17 (3) A LOCAL GOVERNMENT MAY RELY ON THE RESULTS OF THE
18 CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND
19 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A
20 PERSON TO ACT AS A VOLUNTEER COACH.

21 (4) ANY INFORMATION RECEIVED BY A LOCAL GOVERNMENT ON
22 THE CRIMINAL HISTORY RECORD CHECK FOR A COACH OR VOLUNTEER
23 COACH AS REQUIRED BY THIS ARTICLE 7.1 IS NOT SUBJECT TO THE
24 PROVISIONS OF PART 2 OF ARTICLE 72 OF TITLE 24.

25 **SECTION 5. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2024 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.