

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

HB20-1297 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, 19-3-304, **amend**
4 (1)(a) as follows:

5 **19-3-304. Persons required to report child abuse or neglect.**
6 (1) (a) Except as otherwise provided by ~~section 19-3-307, section~~
7 ~~25-1-122 (4)(d), C.R.S., and paragraph (b) of this subsection (1)~~
8 ~~SECTIONS 19-3-103 (3), 19-3-307, AND 25-1-122 (4)(d) AND SUBSECTION~~
9 ~~(1)(b) OF THIS SECTION, any person specified in subsection (2) of this~~
10 ~~section who has reasonable cause to know or suspect that a child has been~~
11 ~~subjected to abuse or neglect or who has observed the child being~~
12 ~~subjected to circumstances or conditions that would reasonably result in~~
13 ~~abuse or neglect shall immediately upon receiving such information~~
14 ~~report or cause a report to be made of such fact to the county department,~~
15 ~~the local law enforcement agency, or through the child abuse reporting~~
16 ~~hotline system as set forth in section 26-5-111. C.R.S.~~

17 **SECTION 2.** In Colorado Revised Statutes, 19-3-103, **add** (3) as
18 follows:

19 **19-3-103. Child not neglected - when.** (3) REFUSING AN
20 IMMUNIZATION ON THE GROUNDS OF MEDICAL, RELIGIOUS, OR PERSONAL
21 BELIEF CONSIDERATIONS, AS SET FORTH IN SECTION 25-4-903, OR OPTING
22 TO EXCLUDE IMMUNIZATION NOTIFICATION INFORMATION FROM THE
23 IMMUNIZATION TRACKING SYSTEM ESTABLISHED IN SECTION 25-4-2403 (7)
24 BY ITSELF DOES NOT CONSTITUTE CHILD ABUSE OR NEGLECT BY A PARENT
25 OR LEGAL GUARDIAN FOR THE PURPOSES OF THIS ARTICLE 3.

26 **SECTION 3.** In Colorado Revised Statutes, 25-4-2403, **amend**
27 (7) as follows:

28 **25-4-2403. Department of public health and environment -**
29 **powers and duties - immunization tracking system - definitions -**
30 **rules.** (7) An individual or a parent or legal guardian who consents to the
31 immunization of an infant, child, or student pursuant to part 9 or 17 of
32 this ~~article~~ ARTICLE 4 or this part 24 may exclude immunization
33 information from the immunization tracking system. The individual,
34 parent, or legal guardian may remove such immunization information
35 from the immunization tracking system at any time. The department of
36 public health and environment shall ensure that the process to exclude
37 immunization information from the system is readily available and not
38 burdensome. The physician, licensed health care practitioner, clinic,
39 hospital, or county, district, or municipal public health agency shall
40 inform the individual, parent, or legal guardian of the option to exclude

1 such information from such system and the potential benefits of inclusion
2 in such system. In addition, the physician, licensed health care
3 practitioner, clinic, hospital, or county, district, or municipal public health
4 agency shall inform such parent or legal guardian of a minor individual
5 of the option to refuse an immunization on the grounds of medical,
6 religious, or personal belief considerations pursuant to section 25-4-903.
7 Neither refusing an immunization on the grounds of medical, religious,
8 or personal belief considerations pursuant to section 25-4-903 nor opting
9 to exclude immunization notification information from the immunization
10 tracking system ~~shall~~, by itself ~~constitute~~ CONSTITUTES child abuse or
11 neglect by a parent or legal guardian FOR THE PURPOSES OF PART 3 OF
12 ARTICLE 3 OF TITLE 19.

13 **SECTION 4. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2020 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.".

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