

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB24-191 be amended as follows:

- 1 Amend printed bill, page 2, line 17, strike "TWENTY-TWO" and substitute
2 "TWENTY-THREE".
- 3 Page 2, strike line 23 and substitute "OF THE COUNTY DEPARTMENT;".
- 4 Page 2, line 25, strike "BACKGROUND" and substitute "CRIMINAL HISTORY
5 RECORD".
- 6 Page 3, line 1, strike "SECTION 24-33.5-424" and substitute "SUBSECTION
7 (5) OF THIS SECTION".
- 8 Page 3, line 17, strike "BACKGROUND CHECK" and substitute "CRIMINAL
9 HISTORY RECORD CHECK CONDUCTED PURSUANT TO SUBSECTION (5) OF
10 THIS SECTION".
- 11 Page 4, line 3, strike "BACKGROUND CHECK;" and substitute "CRIMINAL
12 HISTORY RECORD CHECK IN COMPLIANCE WITH SUBSECTION (5) OF THIS
13 SECTION;".
- 14 Page 4, after line 5, insert:

15 "(5) (a) BEFORE AN INDIVIDUAL MAY OPERATE A HOST HOME
16 PURSUANT TO THIS SECTION, THE INDIVIDUAL MUST UNDERGO
17 FINGERPRINTING PERFORMED BY A LOCAL LAW ENFORCEMENT AGENCY OR
18 THIRD PARTY APPROVED BY THE COLORADO BUREAU OF INVESTIGATION.
19 THE INDIVIDUAL MUST PAY THE COSTS ASSOCIATED WITH THE
20 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK.
21 (b) AFTER TAKING THE INDIVIDUAL'S FINGERPRINTS, THE LOCAL
22 LAW ENFORCEMENT AGENCY OR THIRD PARTY APPROVED BY THE
23 COLORADO BUREAU OF INVESTIGATION SHALL SUBMIT THE COMPLETE SET
24 OF THE INDIVIDUAL'S FINGERPRINTS TO THE COLORADO BUREAU OF
25 INVESTIGATION FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED
26 CRIMINAL HISTORY RECORD CHECK.
27 (c) IF A THIRD PARTY APPROVED BY THE COLORADO BUREAU OF
28 INVESTIGATION CONDUCTS THE FINGERPRINTING, THE INDIVIDUAL'S
29 FINGERPRINTS MAY BE CAPTURED ELECTRONICALLY USING COLORADO
30 BUREAU OF INVESTIGATION-APPROVED LIVESCAN EQUIPMENT. THE THIRD
31 PARTY APPROVED BY THE COLORADO BUREAU OF INVESTIGATION MUST
32 NOT KEEP THE INDIVIDUAL'S INFORMATION COLLECTED FOR THE PURPOSE
33 OF CONDUCTING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK
34 FOR MORE THAN THIRTY DAYS, UNLESS OTHERWISE REQUESTED BY THE

1 INDIVIDUAL.

2 (d) THE COLORADO BUREAU OF INVESTIGATION SHALL USE THE
3 INDIVIDUAL'S FINGERPRINTS TO CONDUCT A CRIMINAL HISTORY RECORD
4 CHECK USING THE COLORADO BUREAU OF INVESTIGATION'S RECORDS. THE
5 COLORADO BUREAU OF INVESTIGATION MUST SEND THE INDIVIDUAL'S
6 FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR THE
7 PURPOSE OF CONDUCTING A FEDERAL FINGERPRINT-BASED CRIMINAL
8 HISTORY RECORD CHECK. THE COLORADO BUREAU OF INVESTIGATION,
9 INDIVIDUAL, STATE DEPARTMENT, AND ENTITY CONDUCTING THE
10 FINGERPRINTING MUST COMPLY WITH THE FEDERAL BUREAU OF
11 INVESTIGATION'S REQUIREMENTS TO CONDUCT A FINGERPRINT-BASED
12 CRIMINAL HISTORY RECORD CHECK.

13 (e) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN THE
14 RESULTS OF ITS FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK
15 TO THE STATE DEPARTMENT AND THE STATE DEPARTMENT IS AUTHORIZED
16 TO RECEIVE THE RESULTS OF THE FEDERAL BUREAU OF INVESTIGATION'S
17 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE STATE
18 DEPARTMENT MUST USE THE INFORMATION FROM THE FINGERPRINT-BASED
19 CRIMINAL HISTORY RECORD CHECK TO INVESTIGATE AND DETERMINE
20 WHETHER AN INDIVIDUAL IS QUALIFIED TO OPERATE A HOST HOME
21 PURSUANT TO THIS SECTION.

22 (f) IF THE RESULTS OF AN INDIVIDUAL'S FINGERPRINT-BASED
23 CRIMINAL HISTORY RECORD CHECK PERFORMED PURSUANT TO THIS
24 SUBSECTION (5) REVEAL A RECORD OF ARRESTS WITHOUT A DISPOSITION,
25 THE ORGANIZATION OPERATING A HOST HOME PROGRAM MUST REQUIRE
26 THE INDIVIDUAL TO SUBMIT TO A NAME-BASED JUDICIAL RECORD CHECK,
27 AS DEFINED IN SECTION 22-2-119.3."

28 Renumber succeeding subsections accordingly.

29 Page 4, line 20, strike "TWENTY-TWO" and substitute "TWENTY-THREE".

30 Page 4, line 25, strike "TWENTY-TWO" and substitute "TWENTY-THREE".

31 Page 5, line 12, strike "TWENTY-ONE" and substitute "TWENTY-THREE".

32 Page 5, after line 13, insert:

33 "(7) A LICENSED FOSTER CARE HOME APPROVED AS A LICENSED
34 HOST FAMILY HOME SHALL NOT ACCEPT A YOUTH FOR PLACEMENT ~~UNDER~~
35 PURSUANT TO THIS SECTION IF THERE ARE ANY FOSTER CHILDREN
36 CURRENTLY PLACED IN THAT HOME.

37 (8) NOTHING IN THIS SECTION APPLIES TO HOST HOMES PROVIDING
38 RESIDENTIAL SERVICES TO ADULTS WITH INTELLECTUAL AND

- 1 DEVELOPMENTAL DISABILITIES."
- 2 Renumber succeeding subsection accordingly.

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