

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 8, 2023
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB23-170 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 15 through 24 and substitute:
 - 2 "(2) "EDUCATOR" MEANS A TEACHER EMPLOYED TO INSTRUCT
 - 3 STUDENTS OR A SCHOOL ADMINISTRATOR IN A SCHOOL DISTRICT, PRIVATE
 - 4 SCHOOL,".

- 5 Page 3, after line 4 insert:
 - 6 "(4) "FACULTY MEMBER" MEANS A PRESIDENT, DEAN, PROFESSOR,
 - 7 ADMINISTRATOR, INSTRUCTOR, OR RESEARCH WORKER AT AN INSTITUTION
 - 8 OF HIGHER EDUCATION."

- 9 Renumber succeeding subsections accordingly.

- 10 Page 3, strike lines 25 through 27 and substitute:
 - 11 "(7) "LAW ENFORCEMENT OFFICER" MEANS A PEACE OFFICER THAT
 - 12 IS:".

- 13 Page 4, strike lines 1 through 10 and substitute:
 - 14 "(a) EMPLOYED BY A POLITICAL SUBDIVISION OF THE STATE AND
 - 15 CERTIFIED BY THE P.O.S.T BOARD PURSUANT TO SECTION 16-2.5-102;
 - 16 (b) AUTHORIZED BY SECTION 16-2.5-113 WHEN ASSISTANCE IS
 - 17 REQUESTED BY AN INDIVIDUAL OR ENTITY PURSUANT TO SECTION
 - 18 24-33.5-412;
 - 19 (c) AUTHORIZED BY SECTION 16-2.5-114 AND WHO INTERACTED
 - 20 WITH THE RESPONDENT IN THE SCOPE OF THE LAW ENFORCEMENT
 - 21 OFFICER'S OFFICIAL DUTIES;
 - 22 (d) EMPLOYED BY A DISTRICT ATTORNEY, DESIGNATED BY A
 - 23 DISTRICT ATTORNEY, AND AUTHORIZED BY SECTION 16-2.5-132 OR
 - 24 16-2.5-133;

1 (e) EMPLOYED BY THE DEPARTMENT OF LAW, DESIGNATED BY THE
2 ATTORNEY GENERAL, AND AUTHORIZED BY SECTION 16-2.5-128,
3 16-2.5-129, OR 16-2.5-130;

4 (f) AUTHORIZED BY SECTION 16-2.5-136, 16-2.5-137, OR
5 16-2.5-138;

6 (g) AUTHORIZED BY SECTION 16-2.5-120; OR

7 (h) AUTHORIZED BY SECTION 16-2.5-149."

8 Page 4, line 11, strike the second "LICENSED".

9 Page 4, line 11, after "A" insert "SCHOOL NURSE WHO HOLDS A CURRENT
10 NURSING LICENSE THROUGH THE DEPARTMENT OF REGULATORY AGENCIES
11 AND WHO HAS APPLIED FOR OR HOLDS A SPECIAL SERVICES LICENSE FROM
12 THE DEPARTMENT OF EDUCATION PURSUANT TO ARTICLE 60.5 OF TITLE 22
13 OR A".

14 Page 4, line 12, strike "PHYSICIAN'S" and substitute "PHYSICIAN".

15 Page 4, line 15, strike "PROVIDER." and substitute "PROVIDER, LICENSED
16 PURSUANT TO TITLE 12."

17 Page 4, line 17, before "SOCIAL" insert "LICENSED PROFESSIONAL".

18 Page 4, line 24, after "RESPECTIVELY;" insert "A SCHOOL COUNSELOR WHO
19 HOLDS A SPECIAL SERVICES PROVIDER LICENSE WITH A SCHOOL
20 COUNSELOR ENDORSEMENT ISSUED PURSUANT TO ARTICLE 60.5 OF TITLE
21 22 OR WHO IS OTHERWISE ENDORSED OR ACCREDITED BY A NATIONAL
22 ASSOCIATION TO PROVIDE SCHOOL COUNSELING SERVICES;"

23 Page 4, line 25, strike "PSYCHOTHERAPIST" and substitute
24 "PSYCHOTHERAPIST REGISTERED PURSUANT TO SECTION 12-245-703."

25 Page 32, line 8, after the period insert "THIS ARTICLE 14.5 DOES NOT
26 IMPOSE CRIMINAL OR CIVIL LIABILITY ON A PEACE OFFICER LAWFULLY
27 ENFORCING AN ORDER PURSUANT TO THIS ARTICLE 14.5.

28 (2) A PERSON WHO FILES A MALICIOUS OR FALSE PETITION FOR A
29 TEMPORARY EXTREME RISK PROTECTION ORDER OR AN EXTREME RISK
30 PROTECTION ORDER MAY BE SUBJECT TO CRIMINAL PROSECUTION FOR
31 THOSE ACTS.

32 (3) A FEDERALLY LICENSED FIREARMS DEALER OR LAW
33 ENFORCEMENT AGENCY THAT STORES A FIREARM AS PERMITTED BY THIS
34 ARTICLE 14.5 IS NOT CIVILLY LIABLE FOR ANY RESULTING DAMAGES TO
35 THE FIREARM, AS LONG AS SUCH DAMAGE DID NOT RESULT FROM THE

1 WILLFUL AND WRONGFUL ACT OR GROSS NEGLIGENCE OF THE PERSON OR
2 LAW ENFORCEMENT AGENCY STORING THE FIREARM."

3 Renumber succeeding subsections accordingly.

4 Page 36, after line 22 insert:

5 "SECTION 6. **No appropriation.** The general assembly has
6 determined that this act can be implemented within existing
7 appropriations, and therefore no separate appropriation of state money is
8 necessary to carry out the purposes of this act."

9 Renumber succeeding section accordingly.

** ** ** ** **