



Legislative Council Staff

Research Note

Version: Final

Date: 6/2/2016

Bill Number

House Bill 16-1098

Sponsors

Representative Lawrence
Senator Newell

Short Title

School Discipline Reporting
Requirements

Research Analyst

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Status

This research note reflects the final version of the bill which became effective on April 15, 2016.

Summary

This bill modifies school discipline reporting requirements, requiring agencies of the Judicial Department to share information regarding expunged cases in juvenile delinquency proceedings with the Division of Criminal Justice in the Department of Public Safety for research purposes. The bill also exempts district attorneys from civil penalties required by law for sharing the names of students given criminal citations or issued tickets, summonses, or committing offenses occurring at a school, in a school vehicle, or at a school-sanctioned event. Additionally, the bill allows the Division of Criminal Justice to provide aggregate school-safety data to research or community-based organizations.

Background

Current law requires the Division of Criminal Justice to compile, analyze, and report data concerning arrests, summonses, tickets, and case dispositions for incidents reported on school property, in a school vehicle, or at a school-sanctioned event. The first report will be a retroactive report for the 2013-14 and 2014-15 school years, while subsequent reports will be prepared annually.

Legislation passed in 2015 required district attorneys to share the names of students given criminal citations with the Division of Criminal Justice, but other sections of state law imposed civil penalties for doing so. This bill corrected that discrepancy.

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House Action

House Education Committee (February 10, 2016). At the hearing, representatives of the Colorado District Attorneys Council, and the Department of Public Safety testified in support of the bill. Representatives of Padres y Jovenes Unidos spoke in opposition to certain provisions of the bill. The committee adopted amendment L.001, which removed civil penalties for district attorneys who share information with the Division of Criminal Justice for research purposes related to school discipline. The committee passed the bill, as amended.

House second reading (February 18, 2016). The House Committee of the Whole adopted the Education Committee report and passed amendment no. 2, which required the sharing of aggregate data with research or community organizations provided no privacy laws are violated. The House passed the bill, as amended.

House third reading (February 19, 2016). The House passed the bill with no further amendments.

Senate Action

Senate Education Committee (March 17, 2016). At the hearing, representatives of the Colorado District Attorneys' Council, the Colorado Criminal Defense Institute, the Department of Public Safety, the Division of Criminal Justice, and Padres y Jovenes Unidos spoke in support of the bill. The committee passed the bill with no amendments.

Senate second reading (March 22, 2016). The Senate Committee of the Whole passed the bill with no amendments.

Senate third reading (March 24, 2016). The Senate passed the bill with no amendments.