

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

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 22-0154.02 Alana Rosen x2606

**HOUSE BILL 22-1383**

**HOUSE SPONSORSHIP**

**Kipp and Holtorf**, Amabile, Bacon, Benavidez, Bernett, Bird, Boesenecker, Cutter, Exum, Herod, Hooton, Lindsay, Lontine, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Ricks, Titone, Valdez A., Weissman, Woodrow, Young

**SENATE SPONSORSHIP**

**Lee**, Fenberg, Kolker, Moreno, Story, Winter, Zenzinger

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

Judiciary

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**A BILL FOR AN ACT**

101 **CONCERNING INCREASING THE WORKFORCE BY REMOVING BARRIERS**  
102 **TO EMPLOYMENT OPPORTUNITIES FOR JUVENILES.**

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**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 requires the general assembly to make an appropriation from the general fund to the department of human services (department). The department shall use the appropriation to fund career and technical education and vocational training programs in designated youth facilities for juveniles in the custody of the department.

The bill prevents an employer from requiring an applicant for

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

SENATE  
3rd Reading Unamended  
May 6, 2022

SENATE  
2nd Reading Unamended  
May 5, 2022

HOUSE  
3rd Reading Unamended  
May 2, 2022

HOUSE  
Amended 2nd Reading  
April 29, 2022

employment of any age to disclose information related to an arrest, detention, processing, diversion, supervision, adjudication, or court disposition that occurred while the applicant was subject to the process and jurisdiction of the juvenile court. As a factor in determining any condition of employment, an employer shall not seek from any source any record related to an arrest, detention, processing, diversion, supervision, adjudication, or court disposition that occurred while the applicant was subject to the process and jurisdiction of the juvenile court, except for records that are publicly available and that are specifically related to the tasks or functions of the job. Records that are publicly available include juvenile offenses that constitute unlawful sexual behavior or a crime of violence. The bill does not apply to the screening of applicants who have direct contact with vulnerable persons.

The bill prohibits state or local agencies from denying or taking adverse action against an applicant who has been adjudicated for a delinquent act in a juvenile proceeding, but who is otherwise qualified for a license, certification, permit, or registration.

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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) The COVID-19 pandemic has led to extensive job loss and  
5 long-term economic impacts statewide;

6 (b) Increasing job skills training immediately will provide a  
7 positive and long-lasting benefit on the state's economy at a critical time  
8 in Colorado's recovery from the COVID-19 pandemic;

9 (c) In addition to providing for the care and supervision of a  
10 juvenile committed by the juvenile court to the custody of the department  
11 of human services, the department of human services also provides career  
12 and technical education and vocational training programs;

13 (d) Custody-based education and vocational training results in  
14 greater employment opportunities, higher wages, and a lower rate of  
15 recidivism;

16 (e) The department of human services' career and technical

1 education and vocational training programs increase workforce readiness  
2 in juveniles so they may transition out of the juvenile justice system into  
3 skilled employment;

4 (f) Expanding job skills and workforce readiness training for  
5 juveniles reduces future expenditures on social services programs and  
6 reincarceration, and will positively impact Colorado's long-term  
7 economic stability;

8 (g) Juvenile adjudications can negatively impact employment  
9 opportunities, and it is an important expansion of state policy that juvenile  
10 records do not impact employment decisions; and

11 (h) In creating employment opportunities for youth with  
12 involvement in the juvenile justice system, this act seeks to minimize  
13 hiring discrimination based on an applicant's past involvement in the  
14 juvenile justice system. The act does not limit the current application of  
15 section 19-1-304 (1)(b.5) or (5), Colorado Revised Statutes, as those  
16 provisions relate to specific information for certain offenses, including  
17 unlawful sexual behavior, crimes of violence, possession of a handgun,  
18 class 1, 2, 3, or 4 felonies, and crimes involving the use or possession of  
19 a weapon.

20 (2) Therefore, the general assembly declares that investing state  
21 dollars into career and technical education and vocational training  
22 programs for juveniles will enhance the department of human services'  
23 ability to improve outcomes for juveniles and the state and prohibiting the  
24 use of juvenile adjudication records in employment decisions will  
25 improve employment opportunities for Coloradans.

26 **SECTION 2.** In Colorado Revised Statutes, 19-2.5-1526, **add** (4)  
27 as follows:

1                   **19-2.5-1526. Facility rules - academic and vocational courses**

2   **- repeal.** (4) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE DEPARTMENT  
3   MAY SPEND MONEY APPROPRIATED TO THE DEPARTMENT BY THE GENERAL  
4   ASSEMBLY FROM THE GENERAL FUND IN HOUSE BILL 22-1329 TO EXPAND  
5   THE DEPARTMENT'S CAREER AND TECHNICAL EDUCATION AND  
6   VOCATIONAL TRAINING PROGRAMS IN DESIGNATED JUVENILE FACILITIES  
7   AS FOLLOWS:

8           (I) PURCHASING VOCATIONAL PROGRAM EQUIPMENT AND  
9   OUTDOOR STORAGE STRUCTURES TO ADVANCE THE SKILLS OF JUVENILES  
10   IN CAREERS THAT JUVENILES CAN MAINTAIN ONCE RELEASED FROM THE  
11   CUSTODY OF THE DEPARTMENT;

12          (II) UPDATING EXISTING PHYSICAL SPACE FOR LEARNING AND  
13   REPLACING OUTDATED VOCATIONAL AND TECHNICAL EQUIPMENT;

14          (III) CONTRACTING WITH COLORADO STATE UNIVERSITY - PUEBLO,  
15   AS ESTABLISHED IN SECTION 23-31.5-101, AND OTHER INSTITUTIONS OF  
16   HIGHER EDUCATION, AS APPROPRIATE, FOR MOBILE LEARNING LABS; AND

17          (IV) UPDATING TECHNOLOGY AND COMPUTER EQUIPMENT FOR  
18   EDUCATION PROGRAMMING EXPANSION.

19           ■  
20          (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2024.

21           **SECTION 3.** In Colorado Revised Statutes, **amend** 19-2.5-108  
22   as follows:

23           **19-2.5-108. Effect of proceedings - definition.** (1) An  
24   adjudication or proceeding pursuant to this article 2.5 IS NOT EQUIVALENT  
25   TO AN ADULT CONVICTION OF A CRIMINAL OFFENSE AND must not impose  
26   any civil disability upon a juvenile or disqualify OR PREJUDICE the  
27   juvenile from holding any position under the state personnel system or

1 submitting any governmental or military service application or receiving  
2 any governmental or military service appointment or from holding public  
3 office.

4 (2) (a) AN EMPLOYER, WHETHER A PUBLIC ENTITY OR PRIVATE  
5 INDIVIDUAL OR ENTITY, SHALL NOT ASK AN APPLICANT FOR EMPLOYMENT  
6 OF ANY AGE TO DISCLOSE INFORMATION RELATED TO AN ARREST,  
7 DETENTION, PROCESSING, DIVERSION, SUPERVISION, ADJUDICATION, OR  
8 COURT DISPOSITION THAT OCCURRED WHILE THE APPLICANT WAS SUBJECT  
9 TO THE PROCESS AND JURISDICTION OF THE JUVENILE COURT AND AN  
10 APPLICANT OF ANY AGE IS NOT REQUIRED TO DISCLOSE SUCH INFORMATION  
11 IN RESPONSE TO ANY EMPLOYER INQUIRY.

12  
13 (b) NOTHING IN THIS SECTION LIMITS PUBLIC ACCESS TO  
14 INFORMATION AS SET FORTH IN SECTION 19-1-304 (1)(b.5) OR (5).

15 (c) THE PROVISIONS OF THIS SUBSECTION (2) DO NOT APPLY TO THE  
16 SCREENING OF APPLICANTS WHO HAVE DIRECT CONTACT WITH  
17 VULNERABLE PERSONS PURSUANT TO SECTION 27-90-111 OR THE  
18 SCREENING OF APPLICANTS REQUIRED BY LICENSED CHILD CARE CENTERS  
19 PURSUANT TO SECTION 26-6-905 OR 26.5-5-309.

20 (d) THE PROVISIONS OF THIS SUBSECTION (2) DO NOT APPLY TO  
21 ANY LAW ENFORCEMENT AGENCY OF THE STATE OR TO ANY POLITICAL  
22 SUBDIVISION.

23 (e) AS USED IN THIS SUBSECTION (2), A "CONDITION OF  
24 EMPLOYMENT" MEANS HIRING, PROMOTION, TERMINATION, PARTICIPATING  
25 IN AN APPRENTICESHIP TRAINING PROGRAM, OR A TRAINING PROGRAM  
26 THAT LEADS TO EMPLOYMENT.

27 **SECTION 4.** In Colorado Revised Statutes, 24-5-101, **amend**

1 (2)(b)(III) and (2)(b)(IV); and **add** (2)(b)(V) as follows:

2 **24-5-101. Effect of criminal conviction on employment rights.**

3 (2) (b) In evaluating an applicant, an agency shall comply with  
4 subsection (4) of this section and shall not use the determination of the  
5 following information as a basis for denial or taking adverse action  
6 against any applicant otherwise qualified:

7 (III) The applicant has been convicted of a criminal offense but  
8 records of the conviction have been sealed or expunged; ~~or~~

9 (IV) A court has issued an order of collateral relief specific to the  
10 credential sought by the applicant; OR

11 (V) THE APPLICANT HAS BEEN ADJUDICATED FOR COMMITTING A  
12 DELINQUENT ACT IN A JUVENILE PROCEEDING.

13 **SECTION 5. 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; except  
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
17 of the state constitution against this act or an item, section, or part of this  
18 act within such period, then the act, item, section, or part will not take  
19 effect unless approved by the people at the general election to be held in  
20 November 2022 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.