

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-0491.01 Michael Dohr x4347

SENATE BILL 24-113

SENATE SPONSORSHIP

Coleman and Exum, Bridges, Buckner, Cutter, Fenberg, Ginal, Hansen, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Priola, Rodriguez, Sullivan, Winter F., Zenzinger

HOUSE SPONSORSHIP

Joseph and Willford,

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO MAKE YOUTH SPORTS SAFER, AND, IN**
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 each public and private middle school, junior high school, and high school (school) and organization that operates a youth athletic activity to have each coach of a youth athletic activity complete an abuse prevention training program.

The bill requires the office of school safety (office) to develop a code of conduct for coaches, parents, spectators, and athletes, and

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

SENATE
3rd Reading Unamended
April 19, 2024

SENATE
Amended 2nd Reading
April 18, 2024

requires coaches to comply with the code. A person may report a violation of the code by a coach to the office, and the office will forward the report to the appropriate school or organization. If a violation is established, the school or organization must forward the found violation to the office and the office shall determine whether the violator received adequate due process. If the office makes that determination, the office must include the found violation on the statewide list of found violations on its website.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 SECTION 1. In Colorado Revised Statutes, add article 8 to title
3 19 as follows:

4 ARTICLE 8

5 Organized Youth Athletic Activities

6 19-8-101. Organized youth athletic activities - abuse
7 prevention training - definitions. (1) (a) (I) EACH YOUTH SPORTS
8 ORGANIZATION SHALL REQUIRE EACH COACH TO ANNUALLY COMPLETE AN
9 ABUSE PREVENTION TRAINING PROGRAM AS DESCRIBED IN SUBSECTION
10 (1)(a)(II) OF THIS SUBSECTION.

11 (II) THE ABUSE PREVENTION TRAINING PROGRAM REQUIRED BY
12 SUBSECTION (1)(a)(I) OF THIS SECTION MUST INCLUDE INFORMATION AND
13 TRAINING ON THE FOLLOWING:

14 (A) PROHIBITED CONDUCT BY COACHES;

15 (B) APPROPRIATE ONE-ON-ONE INTERACTIONS BETWEEN PLAYERS
16 AND COACHES;

17 (C) MANDATORY REPORTING REQUIREMENTS;

18 (D) HOW TO RECOGNIZE AND APPROPRIATELY RESPOND TO AND
19 PREVENT BEHAVIORS THAT VIOLATE THE PROHIBITED CONDUCT POLICY
20 DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION; AND

21 (E) HOW TO RESPOND TO DISCLOSURES OF SEXUAL ABUSE, CHILD

1 ABUSE, OR REPORTS OF BEHAVIORS VIOLATING THE PROHIBITED CONDUCT
2 POLICY DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION IN A
3 SUPPORTIVE AND APPROPRIATE MANNER THAT MEETS THE MANDATED
4 REPORTING REQUIREMENTS PURSUANT TO COLORADO STATUTES.

5 (b) A YOUTH SPORTS ORGANIZATION MAY DESIGNATE SPECIFIC
6 EDUCATION COURSES THAT MEET THE REQUIREMENTS OF SUBSECTION
7 (1)(a) OF THIS SECTION.

8 (c) UPON SUCCESSFUL COMPLETION OF THE ABUSE PREVENTION
9 TRAINING PROGRAM COURSE, A COACH SHALL SUBMIT EVIDENCE OF
10 COMPLETION TO THE COACH'S YOUTH SPORTS ORGANIZATION.

11 (d) EACH YOUTH SPORTS ORGANIZATION SHALL MAINTAIN
12 RECORDS OF THE COMPLETION EVIDENCE SUBMITTED PURSUANT TO
13 SUBSECTION (1)(c) OF THIS SECTION.

14 (2) (a) (I) EACH YOUTH SPORTS ORGANIZATION SHALL DEVELOP A
15 PROHIBITED CONDUCT POLICY RELATING TO YOUTH ATHLETIC ACTIVITIES.

16 (II) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:

17 (A) A LIST OF PROHIBITED CONDUCT BY PARENTS, SPECTATORS,
18 COACHES, AND ATHLETES AND A MANDATORY REPORTING POLICY FOR
19 ADULTS WHO HAVE KNOWLEDGE OF AN ACT OF PROHIBITED CONDUCT;

20 (B) A CODE OF CONDUCT FOR PARENTS, SPECTATORS, COACHES,
21 AND ATHLETES TO FOLLOW;

22 (C) A SYSTEM FOR REPORTING VIOLATIONS OF THE PROHIBITED
23 CONDUCT POLICY OR CODE OF CONDUCT TO THE YOUTH SPORTS
24 ORGANIZATION; AND

25 (D) A PROCESS FOR INVESTIGATIONS, DUE PROCESS
26 REQUIREMENTS, AND SANCTIONS FOR VIOLATIONS OF THE PROHIBITED
27 CONDUCT POLICY OR CODE OF CONDUCT;

1 (b) EACH YOUTH SPORTS ORGANIZATION SHALL REQUIRE EACH OF
2 ITS COACHES TO COMPLY WITH THE PROHIBITED CONDUCT POLICY
3 DEVELOPED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

4 (c) (I) EACH YOUTH SPORTS ORGANIZATION SHALL CREATE AN
5 ONLINE REPORTING PORTAL FOR VIOLATIONS BY A COACH OF THE
6 PROHIBITED CONDUCT POLICY DEVELOPED PURSUANT TO SUBSECTION
7 (2)(a) OF THIS SECTION. UPON RECEIPT OF A REPORTED VIOLATION, THE
8 YOUTH SPORTS ORGANIZATION SHALL INVESTIGATE THE REPORT.

9 (II) IF, AFTER INVESTIGATION, THE YOUTH SPORTS ORGANIZATION
10 DETERMINES THERE WAS A VIOLATION OF THE PROHIBITED CONDUCT
11 POLICY, THE YOUTH SPORTS ORGANIZATION SHALL BAN THE COACH FROM
12 THE ORGANIZATION.

13 (3) EACH YOUTH SPORTS ORGANIZATION SHALL POST THE NOTICE
14 CREATED PURSUANT TO SECTION 6-1-735 ON ITS WEBSITE, AND IF THE
15 YOUTH SPORTS ORGANIZATION DOES NOT HAVE A WEBSITE, IT SHALL
16 PROVIDE THE NOTICE TO THE PARENTS AND LEGAL GUARDIANS OF EACH
17 PARTICIPANT.

18 (4) AS USED IN THIS ARTICLE 8, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES:

20 (a) "ABUSE" MEANS PHYSICAL OR MENTAL INJURY, SEXUAL ABUSE
21 OR EXPLOITATION, OR NEGLIGENT TREATMENT OF A CHILD.

22 (b) (I) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
23 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS
24 CORE FUNCTION, PROVIDES PERSONS WHO ARE EIGHTEEN YEARS OF AGE OR
25 YOUNGER THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE
26 OR RECREATIONAL SPORTING EVENTS, WHETHER INDIVIDUALLY OR AS A
27 TEAM.

- 1 (II) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:
2 (A) A NEIGHBORHOOD YOUTH ORGANIZATION AS DEFINED IN
3 SECTION 26.5-5-303;
4 (B) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES
5 KINDERGARTEN THROUGH TWELVE;
6 (C) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR
7 (D) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY
8 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR
9 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS.

10 **SECTION 2.** In Colorado Revised Statutes, **add 26.5-5-304.5** as
11 follows:

12 **26.5-5-304.5. Application of part - youth sports organizations**
13 **- background checks required - definitions.** (1) **NOTWITHSTANDING**
14 **ANY PROVISION OF THIS PART 3 TO THE CONTRARY, A YOUTH SPORTS**
15 **ORGANIZATION THAT IS NOT LICENSED PURSUANT TO THIS PART 3 ON THE**
16 **EFFECTIVE DATE OF THIS SECTION IS SUBJECT ONLY TO THE REQUIREMENTS**
17 **OF THIS SECTION AND IS OTHERWISE EXEMPT FROM THE REQUIREMENTS OF**
18 **THIS PART 3.**

19 (2) (a) **A YOUTH SPORTS ORGANIZATION OPERATING IN THE STATE**
20 **OF COLORADO SHALL REQUIRE ALL EMPLOYEES AND VOLUNTEERS WHO**
21 **WORK DIRECTLY, OR WILL WORK DIRECTLY, WITH YOUTH MEMBERS, AND**
22 **ANY EMPLOYEE OR VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS**
23 **ORGANIZATION ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT**
24 **STAYS, TO OBTAIN, PRIOR TO STARTING THE WORK OR TAKING THE TRIP,**
25 **AND EVERY THREE YEARS THEREAFTER, A CRIMINAL HISTORY RECORD**
26 **CHECK BY A PRIVATE ENTITY REGULATED AS A CONSUMER REPORTING**
27 **AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT DISCLOSES, AT**

1 A MINIMUM, SEXUAL OFFENDERS AND FELONY CONVICTIONS AND
2 INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE
3 COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM. THE CRIMINAL
4 HISTORY RECORD CHECK MUST ASCERTAIN WHETHER THE PERSON BEING
5 INVESTIGATED HAS BEEN CONVICTED OF FELONY CHILD ABUSE AS
6 SPECIFIED IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL
7 SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9), OR A
8 COMPARABLE OFFENSE COMMITTED IN ANY OTHER STATE.

9 (b) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A PERSON AS
10 AN EMPLOYEE OR APPROVE A PERSON AS A VOLUNTEER IF A CRIMINAL
11 HISTORY RECORD CHECK OF THE PERSON PERFORMED PURSUANT TO
12 SUBSECTION (2)(a) OF THIS SECTION SHOWS THAT THE PERSON HAS BEEN
13 CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401,
14 A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED
15 IN SECTION 16-22-102 (9), OR A COMPARABLE OFFENSE COMMITTED IN ANY
16 OTHER STATE.

17 (3) (a) A PERSON, INCLUDING AN EMPLOYEE OR VOLUNTEER, WHO
18 TAKES PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT
19 WHO IS NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK
20 PURSUANT TO SUBSECTION (2) OF THIS SECTION MUST, AT ALL TIMES, BE
21 SUPERVISED BY AN EMPLOYEE OR VOLUNTEER WHO HAS BEEN HIRED OR
22 APPROVED AFTER OBTAINING A CRIMINAL HISTORY RECORD CHECK
23 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

24 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A YOUTH
25 SPORTS ORGANIZATION IS NOT REQUIRED TO PERFORM A CRIMINAL
26 HISTORY RECORD CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE
27 CAPACITY OF A COACH OR MANAGER, ONLY OCCASIONALLY ASSISTS WITH

1 THE TEAM, AND WHO HAS AN IMMEDIATE FAMILY MEMBER PARTICIPATING
2 IN THE YOUTH SPORTS ORGANIZATION. A VOLUNTEER DESCRIBED BY THIS
3 SUBSECTION (3)(b) MUST BE SUPERVISED AT ALL TIMES BY AN EMPLOYEE
4 OR VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A
5 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (2) OF THIS
6 SECTION.

7 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9 (a) "EMPLOYEE" MEANS A PAID EMPLOYEE OF A YOUTH SPORTS
10 ORGANIZATION WHO IS EIGHTEEN YEARS OF AGE OR OLDER.

11 (b) "VOLUNTEER" MEANS A PERSON WHO VOLUNTEERS TO ASSIST
12 A YOUTH SPORTS ORGANIZATION.

13 (c) (I) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
14 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS
15 CORE FUNCTION, PROVIDES PERSONS WHO ARE EIGHTEEN YEARS OF AGE OR
16 YOUNGER THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE
17 OR RECREATIONAL SPORTING EVENTS, WHETHER INDIVIDUALLY OR AS A
18 TEAM.

19 (II) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:

20 (A) A NEIGHBORHOOD YOUTH ORGANIZATION AS DEFINED IN
21 SECTION 26.5-5-303;

22 (B) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES
23 KINDERGARTEN THROUGH TWELVE;

24 (C) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR

25 (D) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY
26 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR
27 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS.

1 SECTION 3. In Colorado Revised Statutes, add 6-1-735 as
2 follows:

3 6-1-735. Organized youth athletic activities - notice of
4 requirements. THE ATTORNEY GENERAL SHALL DRAFT A NOTICE THAT
5 EXPLAINS THE REQUIREMENTS OF SECTIONS 19-8-101 AND 26.5-5-304.5
6 AND SHALL MAKE THE NOTICE AVAILABLE TO ALL YOUTH SPORTS
7 ORGANIZATIONS, AS DEFINED IN SECTION 19-8-101 (4), FOR A YOUTH
8 SPORTS ORGANIZATION TO POST ON ITS WEBSITE OR PROVIDE TO PARENTS
9 OR LEGAL GUARDIANS UNDER THE YOUTH SPORTS ORGANIZATION'S NAME.

10 SECTION 4. Appropriation. For the 2024-25 state fiscal year,
11 \$113,033 is appropriated to the department of law. This appropriation is
12 from the general fund and is based on an assumption that the department
13 will require an additional 0.7 FTE. To implement this act, the department
14 may use this appropriation for consumer protection and antitrust.

15 SECTION 5. Act subject to petition - effective date. This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2024 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.