

CHAPTER 38

GOVERNMENT - STATE

HOUSE BILL 95-1301

BY REPRESENTATIVES Agler, Anderson, Dean, Morrison, Musgrave, and Reeser;
also SENATORS Schroeder, Mutzebaugh, and Tebedo.

AN ACT

CONCERNING AUTHORIZATION FOR ORGANIZATIONS TO RECEIVE INFORMATION FROM CRIMINAL RECORDS.

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

SECTION 1. Part 3 of article 72 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

24-72-305.3. Private access to criminal history records of volunteers and employees of charitable organizations. FOR THE PURPOSE OF COMPLYING WITH FEDERAL REQUIREMENTS, ANY PUBLIC OR PRIVATE NONPROFIT, NOT-FOR-PROFIT, OR VOLUNTEER ORGANIZATION MAY USE FINGERPRINTS TO ACCESS THROUGH THE COLORADO BUREAU OF INVESTIGATION, FOR COMPARISON PURPOSES, ARREST HISTORY RECORDS OF ANY PERSON WHO SEEKS EMPLOYMENT WITH, IS CURRENTLY EMPLOYED BY, OR VOLUNTEERS OR SEEKS TO VOLUNTEER WITH THE ORGANIZATION AND HAS OR MAY HAVE UNSUPERVISED ACCESS TO ANY CHILD FOR WHOM THE ORGANIZATION PROVIDES CARE. UNDER THIS SECTION, THE ORGANIZATION MAY ACCESS RECORDS THAT ARE MAINTAINED BY OR WITHIN THIS STATE AND ANY OTHER STATE OR TERRITORY OF THE UNITED STATES, ANY OTHER NATION, OR ANY AGENCY OR SUBDIVISION OF THE UNITED STATES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL BUREAU OF INVESTIGATION IN THE UNITED STATES DEPARTMENT OF JUSTICE. FOR THE PURPOSES OF THIS SECTION, THE COLORADO BUREAU OF INVESTIGATION IS THE AUTHORIZED AGENCY FOR ACCESS TO ARREST HISTORY RECORDS AS REQUIRED BY THE "NATIONAL CHILD PROTECTION ACT OF 1993", 42 U.S.C. SEC. 5119a.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 30, 1995