

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Joseph

1 Amend the Education Committee Report, dated April 25, 2024, page 1,  
2 strike lines 1 and 2 and substitute:

3 "Amend reengrossed bill, page 2, strike lines 2 through 5 and substitute:

4 **"SECTION 1.** In Colorado Revised Statutes, **add** part 4 to article  
5 4 of title 26.5 as follows:

6 **PART 4**

7 **YOUTH SPORTS ORGANIZATIONS**

8 **26.5-4-401. Definitions.** AS USED IN THIS PART 4, UNLESS THE  
9 CONTEXT OTHERWISE REQUIRES:

10 (1) "ABUSE" MEANS PHYSICAL OR MENTAL INJURY, SEXUAL ABUSE  
11 OR EXPLOITATION, OR NEGLIGENT TREATMENT OF A CHILD.

12 (2) "COACH" MEANS A PERSON EMPLOYED AS A COACH, MANAGER,  
13 OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY BUT DOES NOT INCLUDE  
14 OCCASIONAL ASSISTANCE WITH OR SUPPORT OF THE YOUTH ATHLETIC  
15 ACTIVITY BY A PERSON, INCLUDING THE ACTION OF OTHER VOLUNTEERS OR  
16 EMPLOYEES OF THE YOUTH SPORTS ORGANIZATION IN A PASSING,  
17 GENERAL, OR NOMINAL MANNER.

18 (3) (a) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE  
19 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS  
20 CORE FUNCTION, PROVIDES PERSONS WHO ARE LESS THAN EIGHTEEN YEARS  
21 OF AGE THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE OR  
22 RECREATIONAL SPORTING ACTIVITIES, WHETHER INDIVIDUALLY OR AS A  
23 TEAM, BUT DOES NOT INCLUDE A SPORTING ACTIVITY THAT IS INCIDENTAL  
24 TO A NONATHLETIC PROGRAM OR LESSON.

25 (b) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:

26 (I) A NEIGHBORHOOD YOUTH ORGANIZATION, AS DEFINED IN  
27 SECTION 26.5-5-303;

28 (II) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES  
29 KINDERGARTEN THROUGH TWELVE;

30 (III) A LICENSED CHILD-CARE FACILITY;

31 (IV) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR

32 (V) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY  
33 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR  
34 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS."

35 Page 2, line 6, strike "**19-8-101.**" and substitute "**26.5-4-402.**".

36 Page 2, strike lines 7 through 13 and substitute "**prevention training.**"

- 1 (1) (a) STARTING JULY 1, 2025, EACH YOUTH SPORTS ORGANIZATION  
2 SHALL REQUIRE EACH COACH TO ANNUALLY COMPLETE MANDATORY  
3 REPORTER TRAINING THAT ADHERES TO THE RECOMMENDATIONS OF THE  
4 MANDATORY REPORTER TRAINING TASK FORCE PURSUANT TO SECTION  
5 19-3-304.2.
- 6 (b) EACH YOUTH SPORTS ORGANIZATION SHALL ENCOURAGE EACH  
7 COACH TO ANNUALLY COMPLETE AN ABUSE PREVENTION TRAINING  
8 PROGRAM THAT INCLUDES THE FOLLOWING:".
- 9 Page 2, line 14, strike "(A)" and substitute "(I)".
- 10 Page 2, line 15, strike "(B)" and substitute "(II)".
- 11 Page 2, strike line 17.
- 12 Page 2, line 18, strike "(D)" and substitute "(III)".
- 13 Page 2, line 21, strike "(E)" and substitute "(IV)".
- 14 Page 3, strike lines 5 through 13.
- 15 Page 3, line 19, after "CONDUCT;" insert "AND".
- 16 Page 3, line 21, strike "FOLLOW;" and substitute "FOLLOW.".
- 17 Page 3, strike lines 22 through 27 and substitute:  
18 "(III) A YOUTH SPORTS ORGANIZATION MAY ADOPT THE MODEL  
19 CODE OF CONDUCT POLICY MADE AVAILABLE BY THE DEPARTMENT  
20 PURSUANT TO SECTION 26.5-1-116.".
- 21 Page 4, strike lines 4 through 12.
- 22 Page 4, strike lines 18 through 27.
- 23 Strike pages 5 through 7 and substitute:  
24 **"26.5-4-403. Background checks required. (1) (a) A YOUTH**  
25 **SPORTS ORGANIZATION OPERATING IN THE STATE OF COLORADO SHALL**  
26 **REQUIRE ALL COACHES TO OBTAIN, PRIOR TO STARTING WORK, A CRIMINAL**  
27 **HISTORY RECORD CHECK BY A PRIVATE ENTITY REGULATED AS A**  
28 **CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET**  
29 **SEQ., AND THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND**  
30 **FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE**  
31 **AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS**

1 SYSTEM. THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN TO THE  
2 EXTENT POSSIBLE WHETHER THE PERSON BEING INVESTIGATED HAS BEEN  
3 CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401;  
4 A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED  
5 IN SECTION 16-22-102 (9); OR A COMPARABLE OFFENSE COMMITTED IN  
6 ANY OTHER STATE.

7 (b) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A COACH IF  
8 A CRIMINAL HISTORY RECORD CHECK OF THE PERSON PERFORMED  
9 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION SHOWS THAT THE  
10 PERSON HAS BEEN CONVICTED OF, PLED NOLO CONTENDERE TO, OR HAS  
11 RECEIVED A DEFERRED SENTENCE OR DEFERRED PROSECUTION FOR FELONY  
12 CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401; A FELONY OFFENSE  
13 INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED IN SECTION  
14 16-22-102 (9); OR ANY COMPARABLE OFFENSE COMMITTED IN ANY OTHER  
15 STATE.

16 (2) A YOUTH SPORTS ORGANIZATION MAY RELY ON THE RESULTS  
17 OF A CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND  
18 EMPLOYMENT DECISIONS AND IS IMMUNE FROM CIVIL LIABILITY UNLESS  
19 THE YOUTH SPORTS ORGANIZATION KNOWS THE INFORMATION IS FALSE OR  
20 ACTS WITH RECKLESS DISREGARD CONCERNING THE VERACITY OF SUCH  
21 INFORMATION.

22 **SECTION 2.** In Colorado Revised Statutes, **add** article 7.1 to title  
23 29 as follows:

## 24 **ARTICLE 7.1**

### 25 **Local Government-sponsored Youth Athletic** 26 **Activity Requirements**

27 **29-7.1-101. Definitions.** AS USED IN THIS ARTICLE 7.1, UNLESS  
28 THE CONTEXT OTHERWISE REQUIRES:

29 (1) "COACH" MEANS A PERSON EMPLOYED AS A COACH, MANAGER,  
30 OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY BUT DOES NOT INCLUDE  
31 OCCASIONAL ASSISTANCE WITH OR SUPPORT OF THE YOUTH ATHLETIC  
32 ACTIVITY BY A PERSON, INCLUDING THE ACTION OF OTHER VOLUNTEERS OR  
33 EMPLOYEES OF THE LOCAL GOVERNMENT IN A PASSING, GENERAL, OR  
34 NOMINAL MANNER.

35 (2) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH  
36 IN SECTION 29-1-102.

37 (3) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC  
38 ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN  
39 EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC  
40 GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC  
41 ACTIVITY" DOES NOT INCLUDE TRAVEL OR TRIPS NOT ORGANIZED OR  
42 SUPERVISED BY THE LOCAL GOVERNMENT.

43 **29-7.1-102. Organized youth athletic activities - code of**

1 **conduct.** (1) (a) EACH LOCAL GOVERNMENT SHALL MAKE AVAILABLE A  
2 PROHIBITED CONDUCT POLICY RELATING TO YOUTH ATHLETIC ACTIVITIES.  
3 (b) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:  
4 (I) A LIST OF PROHIBITED CONDUCT BY PARENTS, SPECTATORS,  
5 COACHES, AND ATHLETES AND A MANDATORY REPORTING POLICY FOR  
6 ADULTS WHO HAVE KNOWLEDGE OF AN ACT OF PROHIBITED CONDUCT; AND  
7 (II) A CODE OF CONDUCT FOR PARENTS, SPECTATORS, COACHES,  
8 AND ATHLETES TO FOLLOW;  
9 (c) A LOCAL GOVERNMENT MAY ADOPT THE MODEL CODE OF  
10 CONDUCT POLICY MADE AVAILABLE BY THE DEPARTMENT PURSUANT TO  
11 SECTION 26.5-1-116.  
12 (2) EACH LOCAL GOVERNMENT SHALL REQUIRE EACH OF ITS  
13 COACHES TO COMPLY WITH THE PROHIBITED CONDUCT POLICY CREATED  
14 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.  
15 **29-7.1-103. Criminal history record check for paid coaches.**  
16 (1) (a) PRIOR TO THE EMPLOYMENT OF ANY PERSON AS A COACH OF A  
17 YOUTH ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT, THE LOCAL  
18 GOVERNMENT SHALL REQUIRE A CRIMINAL HISTORY RECORD CHECK OF  
19 THE PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER  
20 REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT  
21 DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS  
22 AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE  
23 COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.  
24 (b) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN  
25 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF,  
26 PLED NOLO CONTENDERE TO, OR HAS RECEIVED A DEFERRED SENTENCE OR  
27 DEFERRED PROSECUTION FOR FELONY CHILD ABUSE AS SPECIFIED IN  
28 SECTION 18-6-401; A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL  
29 BEHAVIOR, AS DEFINED IN SECTION 16-22-102 (9); OR A COMPARABLE  
30 OFFENSE COMMITTED IN ANY OTHER STATE.  
31 (2) A PERSON WHO HAS BEEN CONVICTED OF, PLED NOLO  
32 CONTENDERE TO, OR RECEIVED A DEFERRED SENTENCE OR DEFERRED  
33 PROSECUTION FOR FELONY CHILD ABUSE AS SPECIFIED IN SECTION  
34 18-6-401; A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR,  
35 AS DEFINED IN SECTION 16-22-102; OR A OFFENSE COMMITTED IN ANY  
36 OTHER STATE IS DISQUALIFIED FROM EMPLOYMENT AS A COACH OF A  
37 YOUTH ATHLETIC ACTIVITY.  
38 **29-7.1-104. Criminal history record checks - fees - reliance -**  
39 **not an open record.** (1) A LOCAL GOVERNMENT MAY CHARGE A PERSON  
40 ANY FEES FOR THE CRIMINAL HISTORY RECORD CHECK REQUIRED BY THIS  
41 ARTICLE 7.1.  
42 (2) THIS ARTICLE 7.1 DOES NOT REQUIRE A SECOND OR  
43 SUBSEQUENT CRIMINAL HISTORY RECORD CHECK FOR A COACH WHO HAS

1 HAD A CRIMINAL HISTORY RECORD CHECK PRIOR TO THE EFFECTIVE DATE  
2 OF THIS ARTICLE 7.1.

3 (3) A LOCAL GOVERNMENT MAY RELY ON THE RESULTS OF THE  
4 CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND  
5 EMPLOYMENT DECISIONS AND IS IMMUNE FROM CIVIL LIABILITY UNLESS  
6 THE LOCAL GOVERNMENT KNOWS THE INFORMATION IS FALSE OR ACTS  
7 WITH RECKLESS DISREGARD CONCERNING THE VERACITY OF SUCH  
8 INFORMATION.

9 (4) ANY INFORMATION RECEIVED BY A LOCAL GOVERNMENT ON  
10 THE CRIMINAL HISTORY RECORD CHECK FOR A COACH AS REQUIRED BY  
11 THIS ARTICLE 7.1 IS NOT SUBJECT TO THE PROVISIONS OF PART 2 OF  
12 ARTICLE 72 OF TITLE 24.

13 **SECTION 3.** In Colorado Revised Statutes, **add** 26.5-1-116 as  
14 follows:

15 **26.5-1-116. Youth sports organization model code of conduct.**  
16 THE DEPARTMENT SHALL MAKE AVAILABLE A YOUTH SPORTS  
17 ORGANIZATION MODEL CODE OF CONDUCT POLICY THAT ADDRESSES THE  
18 MATTERS DESCRIBED IN SECTION 26.5-4-402 (1)(b).".

19 Renumber succeeding sections accordingly.

20 Page 8, line 5, strike "SECTIONS 19-8-101 AND 26.5-5-304.5" and  
21 substitute "PART 4 OF ARTICLE 4 OF TITLE 26.5".

22 Page 8, line 7, strike "19-8-101 (4)" and substitute "26.5-4-401".".

\*\* \*\*\* \*\* \*\*\* \*\*