

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

ENGROSSED

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

LLS NO. 26-0010.02 Owen Hatch x2698

SENATE BILL 26-120

SENATE SPONSORSHIP

Marchman and Wallace,

HOUSE SPONSORSHIP

Zokaie and Bradley,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING LAW ENFORCEMENT PROCEDURES RELATED TO MISSING**
102 **PERSONS.**

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 a person seeking certification or recertification from the peace officers standards and training board to undergo training on various missing person alerts active within the state. The department of public safety is required to create a missing person alert training program for persons seeking certification or recertification of their peace officer status.

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
Amended 2nd Reading
March 13, 2026

The bill allows a state institution of higher education (institution) to conduct a preliminary wellness assessment for no longer than 6 hours if a student is reported missing. If the student is not found within the 6-hour period, the institution does not conduct a preliminary wellness assessment, or if there is evidence of a credible risk to the student's safety, the institution shall notify the institution's police department, or the nearest law enforcement agency if the institution does not have its own police department, of the missing student.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-33.5-416.3
3 as follows:

4 **24-33.5-416.3. Missing persons alert training program -**
5 **requirements.**

6 (1) A PERSON SEEKING CERTIFICATION, OR RENEWAL OF AN
7 EXPIRED CERTIFICATION PURSUANT TO SECTION 24-31-305 (1.7), BY THE
8 PEACE OFFICERS STANDARDS AND TRAINING BOARD PURSUANT TO PART 3
9 OF ARTICLE 31 OF THIS TITLE 24 SHALL UNDERGO THE TRAINING RELATED
10 TO MISSING PERSONS ALERTS DESCRIBED IN THIS SECTION.

11 (2) THE DEPARTMENT == SHALL CREATE A TRAINING PROGRAM FOR
12 PEACE OFFICERS DESCRIBING THE STATE ALERTS RELATING TO MISSING
13 PERSONS, INCLUDING MISSING PERSON ALERTS PURSUANT TO SECTIONS
14 16-2.7-103, 24-33.5-415.7, 24-33.5-415.8, 24-33.5-415.9, AND
15 24-33.5-431, AND THE STATE EMERGENCY ALERT SYSTEM. PURSUANT TO
16 SECTION 24-31-319 (3), THE PEACE OFFICERS STANDARDS AND TRAINING
17 BOARD SHALL INCLUDE THE TRAINING PROGRAM IN THE BASIC OR RESERVE
18 PEACE OFFICER TRAINING CURRICULUM AND TRAINING REQUIRED TO
19 RENEW A PEACE OFFICER CERTIFICATION THAT EXPIRED. THE DEPARTMENT
20 IS NOT REQUIRED TO DELIVER OR ADMINISTER THE TRAINING REQUIRED
21 PURSUANT TO THIS SECTION.

1 **SECTION 2.** In Colorado Revised Statutes, 24-31-319, **add** (3)
2 as follows:

3 **24-31-319. Training related to missing indigenous persons -**
4 **development - missing persons alerts training.**

5 (3) THE P.O.S.T. BOARD SHALL INCLUDE IN THE BASIC OR RESERVE
6 PEACE OFFICER TRAINING CURRICULUM, AND THE TRAINING REQUIRED TO
7 RENEW A PEACE OFFICER CERTIFICATION THAT EXPIRED, TRAINING
8 CONCERNING MISSING PERSONS ALERTS CREATED BY THE DEPARTMENT OF
9 PUBLIC SAFETY PURSUANT TO SECTION 24-33.5-416.3.

10 **SECTION 3.** In Colorado Revised Statutes, 23-5-141, **add** (5) as
11 follows:

12 **23-5-141. Campus police information sharing - missing**
13 **student notifications to law enforcement - legislative declaration -**
14 **rules - definitions.**

15 (5) (a) IF A STUDENT, FAMILY MEMBER, LEGAL GUARDIAN,
16 FACULTY MEMBER, OR OTHER PERSON REPORTS TO AN INSTITUTION OF
17 HIGHER EDUCATION THAT A STUDENT ATTENDING THE INSTITUTION, WHO
18 WAS LAST KNOWN TO RESIDE IN THE STATE, IS MISSING OR CANNOT BE
19 LOCATED, THE INSTITUTION SHALL EITHER IMMEDIATELY NOTIFY LAW
20 ENFORCEMENT PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION
21 WITHOUT CONDUCTING A PRELIMINARY WELLNESS ASSESSMENT OR
22 CONDUCT A PRELIMINARY WELLNESS ASSESSMENT PURSUANT TO
23 SUBSECTION (5)(d) OF THIS SECTION AND DOCUMENT THE INFORMATION
24 DESCRIBED IN SUBSECTION (5)(f) OF THIS SECTION.

25 (b) IF AN INSTITUTION OF HIGHER EDUCATION CONDUCTING A
26 PRELIMINARY WELLNESS ASSESSMENT DOES NOT LOCATE THE STUDENT
27 WITHIN SIX HOURS AFTER RECEIVING THE REPORT, THE INSTITUTION SHALL,

1 AT THE EXPIRATION OF THE SIX-HOUR PERIOD, NOTIFY THE INSTITUTION'S
2 POLICE DEPARTMENT. IF THE INSTITUTION DOES NOT CONDUCT A
3 PRELIMINARY WELLNESS ASSESSMENT OR AT ANY TIME DETERMINES THERE
4 IS CREDIBLE EVIDENCE OF RISK TO THE STUDENT'S SAFETY, THE
5 INSTITUTION SHALL IMMEDIATELY NOTIFY THE INSTITUTION'S POLICE
6 DEPARTMENT. IF THE INSTITUTION DOES NOT HAVE ITS OWN POLICE
7 DEPARTMENT, THE INSTITUTION SHALL MAKE THE NOTIFICATION REQUIRED
8 IN THIS SUBSECTION (5)(b) TO THE NEAREST LAW ENFORCEMENT AGENCY
9 WITH JURISDICTION OVER THE STUDENT'S CURRENT LOCAL ADDRESS ON
10 FILE WITH THE INSTITUTION, OR, IF NO CURRENT LOCAL ADDRESS IS ON
11 FILE, THE STUDENT'S PERMANENT ADDRESS ON FILE WITH THE INSTITUTION.
12 AFTER RECEIVING THE MISSING PERSON REPORT, THE INSTITUTION'S POLICE
13 DEPARTMENT OR NEAREST LAW ENFORCEMENT AGENCY SHALL FOLLOW
14 THE REPORTING REQUIREMENTS DESCRIBED IN SECTIONS 16-2.7-102 AND
15 16-2.7-103, AND ANY OTHER APPLICABLE PROCEDURE.

16 (c) (I) AN INSTITUTION OF HIGHER EDUCATION, AND AN EMPLOYEE
17 THEREOF, IS IMMUNE FROM CIVIL LIABILITY RELATED TO A MISSING
18 STUDENT IF THE INSTITUTION OR EMPLOYEE THEREOF WAS ACTING IN
19 GOOD FAITH PURSUANT TO THIS SUBSECTION (5).

20 (II) GOOD FAITH IMMUNITY FOR PUBLIC INSTITUTIONS PURSUANT
21 TO THIS SUBSECTION (5)(c) APPLIES IN ADDITION TO ANY IMMUNITY
22 PURSUANT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
23 ARTICLE 10 OF TITLE 24. GOOD FAITH IMMUNITY PURSUANT TO THIS
24 SUBSECTION (5)(c) APPLIES INDEPENDENTLY TO A PRIVATE INSTITUTION OF
25 HIGHER EDUCATION.

26 (III) AN INSTITUTION OF HIGHER EDUCATION CLAIMING GOOD
27 FAITH IMMUNITY PURSUANT TO THIS SUBSECTION (5)(c) BEARS THE

1 BURDEN OF ESTABLISHING THAT THE INSTITUTION INITIATED THE MINIMUM
2 WELLNESS ASSESSMENT STEPS REQUIRED PURSUANT TO SUBSECTION (5)(d)
3 OF THIS SECTION, WHICH MAY BE ESTABLISHED BY DOCUMENTATION
4 MAINTAINED PURSUANT TO SUBSECTION (5)(f) OF THIS SECTION.

5 (d) (I) FOR PURPOSES OF THIS SUBSECTION (5), A PRELIMINARY
6 WELLNESS ASSESSMENT INCLUDES, AT A MINIMUM, THE FOLLOWING STEPS
7 CONDUCTED IN GOOD FAITH AND DOCUMENTED PURSUANT TO SUBSECTION
8 (5)(f) OF THIS SECTION:

9 (A) A DIGITAL CONTACT ATTEMPT;

10 (B) A RESIDENTIAL VERIFICATION, IF THE INSTITUTION HAS
11 INSTITUTION-CONTROLLED HOUSING; AND

12 (C) AN ACADEMIC AND SOCIAL INQUIRY.

13 (II) IF AN INSTITUTION CONDUCTS A PRELIMINARY WELLNESS
14 ASSESSMENT PURSUANT TO THIS SUBSECTION (5) AND DOES NOT LOCATE
15 THE STUDENT WITHIN SIX HOURS, THE INSTITUTION MUST CONDUCT AN
16 EMERGENCY CONTACT ATTEMPT.

17 (III) AN INSTITUTION OF HIGHER EDUCATION MAY CONDUCT THE
18 STEPS LISTED IN SUBSECTION (5)(d)(I) OF THIS SECTION SIMULTANEOUSLY
19 IF THE INSTITUTION DEEMS IT NECESSARY.

20 (IV) THIS SUBSECTION (5)(d) DOES NOT PREVENT AN INSTITUTION
21 OF HIGHER EDUCATION FROM ESTABLISHING ADDITIONAL PRELIMINARY
22 WELLNESS ASSESSMENT STEPS.

23 (V) (A) AN INSTITUTION OF HIGHER EDUCATION IS NOT DEEMED TO
24 HAVE FAILED TO CONDUCT A PRELIMINARY WELLNESS ASSESSMENT
25 SOLELY BECAUSE, DUE TO CIRCUMSTANCES BEYOND THE INSTITUTION'S
26 REASONABLE CONTROL, ONE OR MORE OF STEPS OF THE PRELIMINARY
27 WELLNESS ASSESSMENT COULD NOT BE COMPLETED WITHIN THE SIX-HOUR

1 PERIOD REQUIRED PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION.

2 (B) AN INSTITUTION OF HIGHER EDUCATION SHALL DOCUMENT THE
3 REASON FOR EACH UNCOMPLETED STEP REQUIRED PURSUANT TO
4 SUBSECTION (5)(f) OF THIS SECTION.

5 (e) (I) AN INSTITUTION OF HIGHER EDUCATION SHALL ADOPT AND
6 PUBLISH A PRELIMINARY WELLNESS ASSESSMENT POLICY THAT DEFINES,
7 AT A MINIMUM:

8 (A) THE CATEGORIES OF INSTITUTIONAL EMPLOYEES OR AGENTS
9 WHO ARE AUTHORIZED TO CONDUCT A RESIDENTIAL VERIFICATION
10 PURSUANT TO SUBSECTION (5)(d)(I)(B) OF THIS SECTION, WHICH MUST
11 INCLUDE AT LEAST ONE CATEGORY OF EMPLOYEE OR AGENT AVAILABLE
12 OUTSIDE OF REGULAR BUSINESS HOURS;

13 (B) THE INSTITUTION OF HIGHER EDUCATION'S PROCESS FOR
14 ESCALATING A MISSING PERSON REPORT TO AN EMPLOYEE RESPONSIBLE
15 FOR INITIATING A PRELIMINARY WELLNESS ASSESSMENT;

16 (C) THE INSTITUTION OF HIGHER EDUCATION'S RECORD-KEEPING
17 SYSTEM REQUIRED PURSUANT TO SUBSECTION (5)(f) OF THIS SECTION; AND

18 (D) ADDITIONAL PRELIMINARY WELLNESS ASSESSMENT STEPS AS
19 ESTABLISHED BY AN INSTITUTION.

20 (II) AN INSTITUTION OF HIGHER EDUCATION SHALL MAKE ITS
21 PRELIMINARY WELLNESS ASSESSMENT POLICY PUBLICLY AVAILABLE ON
22 THE INSTITUTION'S WEBSITE AND SHALL REVIEW AND UPDATE THE POLICY
23 AT LEAST ONCE EVERY THREE YEARS.

24 (f) (I) AN INSTITUTION OF HIGHER EDUCATION THAT CONDUCTS A
25 PRELIMINARY WELLNESS ASSESSMENT PURSUANT TO SUBSECTION (5)(a) OF
26 THIS SECTION SHALL MAINTAIN CONTEMPORANEOUS WRITTEN
27 DOCUMENTATION OF THE ASSESSMENT, INCLUDING:

1 (A) THE DATE AND TIME THE MISSING PERSON REPORT WAS
2 RECEIVED AND THE NAME AND ROLE OF THE EMPLOYEE WHO RECEIVED IT;

3 (B) THE DATE, TIME, METHOD, AND OUTCOME OF EACH CONTACT
4 ATTEMPT MADE PURSUANT TO SUBSECTION (5)(d)(I) OF THIS SECTION;

5 (C) THE NAME AND ROLE OF EACH INSTITUTIONAL EMPLOYEE OR
6 AGENT WHO PARTICIPATED IN THE PRELIMINARY WELLNESS ASSESSMENT;

7 (D) THE REASON ANY STEP OF THE PRELIMINARY WELLNESS
8 ASSESSMENT WAS NOT COMPLETED WITHIN THE SIX-HOUR PERIOD
9 REQUIRED PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION, IF
10 APPLICABLE; AND

11 (E) THE DATE AND TIME A MISSING PERSON REPORT IS MADE TO
12 THE INSTITUTION'S POLICE DEPARTMENT OR THE NEAREST LAW
13 ENFORCEMENT AGENCY.

14 (II) AN INSTITUTION OF HIGHER EDUCATION SHALL RETAIN THE
15 RECORDS REQUIRED PURSUANT TO THIS SUBSECTION (5)(f) FOR A MINIMUM
16 OF THREE YEARS AFTER THE MISSING PERSON REPORT WAS RECEIVED BY
17 THE INSTITUTION OF HIGHER EDUCATION, AND THE RECORDS MUST BE
18 AVAILABLE TO A LAW ENFORCEMENT AGENCY UPON REQUEST.

19 (III) AN INSTITUTION OF HIGHER EDUCATION SHALL MAKE THE
20 RECORDS REQUIRED PURSUANT TO THIS SUBSECTION (5)(f) AVAILABLE
21 UPON REQUEST, CONSISTENT WITH APPLICABLE FEDERAL AND STATE
22 STUDENT PRIVACY LAWS, TO THE PERSON DESIGNATED BY THE STUDENT
23 AS THE STUDENT'S EMERGENCY CONTACT IN THE STUDENT'S OFFICIAL
24 INSTITUTIONAL RECORD IF THE STUDENT HAS NOT BEEN LOCATED WITHIN
25 THIRTY DAYS AFTER THE INSTITUTION RECEIVES A MISSING PERSON
26 REPORT. THE PERMISSIBLE DISCLOSURE MUST BE MADE SOLELY FOR THE
27 PURPOSE OF INFORMING THE STUDENT'S EMERGENCY CONTACT OF THE

1 INSTITUTION'S EFFORTS TO LOCATE THE STUDENT.

2 (g) (I) CONDUCTING A PRELIMINARY WELLNESS ASSESSMENT
3 PURSUANT TO SUBSECTION (5)(d) OF THIS SECTION IS A PERMISSIBLE
4 DISCLOSURE CONSISTENT WITH APPLICABLE FEDERAL AND STATE STUDENT
5 PRIVACY LAWS, LIMITED TO INFORMATION REASONABLY NECESSARY TO
6 LOCATE THE STUDENT, AND DOES NOT CONSTITUTE A VIOLATION OF A
7 STATE STUDENT PRIVACY LAW.

8 (II) A DISCLOSURE MADE AS PART OF A PRELIMINARY WELLNESS
9 ASSESSMENT MUST BE LIMITED TO INFORMATION REASONABLY NECESSARY
10 TO LOCATE THE STUDENT AND MUST NOT BE USED FOR ANY OTHER
11 PURPOSE.

12 (h) AS USED IN THIS SUBSECTION (5), UNLESS THE CONTEXT
13 OTHERWISE REQUIRES:

14 (I) "ACADEMIC AND SOCIAL INQUIRY" MEANS A QUERY BY AN
15 INSTITUTION OF AVAILABLE FACULTY MEMBERS AND RESIDENTIAL STAFF
16 ABOUT THE STUDENT'S MOST RECENTLY KNOWN ATTENDANCE, LIMITED TO
17 INFORMATION REASONABLY NECESSARY TO DETERMINE THE STUDENT'S
18 LOCATION, CONSISTENT WITH THE PERMISSIBLE DISCLOSURE PROVISIONS
19 OF SUBSECTION (5)(g) OF THIS SECTION.

20 (II) "CIRCUMSTANCES BEYOND THE INSTITUTION'S REASONABLE
21 CONTROL" MEANS AN UNFORESEEABLE SITUATION, OR A SITUATION THE
22 INSTITUTION OF HIGHER EDUCATION IS UNABLE TO ADEQUATELY RESPOND
23 TO, INCLUDING, BUT NOT LIMITED TO:

24 (A) THE UNAVAILABILITY OF FACULTY OR STAFF OUTSIDE OF
25 REGULAR BUSINESS HOURS;

26 (B) THE STUDENT'S RESIDENCE BEING LOCATED OFF CAMPUS OR
27 OUTSIDE THE INSTITUTION'S PHYSICAL JURISDICTION; AND

1 (C) AN INCORRECT, DISCONNECTED, OR UNANSWERED EMERGENCY
2 CONTACT.

3 (III) "DIGITAL CONTACT ATTEMPT" MEANS AN ATTEMPT BY THE
4 INSTITUTION OF HIGHER EDUCATION TO CONTACT THE STUDENT THROUGH
5 ALL INSTITUTION-PROVIDED COMMUNICATIONS AVAILABLE TO THE
6 INSTITUTION, INCLUDING, BUT NOT LIMITED TO, AN INSTITUTIONAL EMAIL,
7 STUDENT PORTAL SYSTEM, AND ANY PERSONAL CONTACT INFORMATION
8 THE STUDENT HAS PROVIDED TO THE INSTITUTION FOR EMERGENCY
9 NOTIFICATION PURPOSES.

10 (IV) "EMERGENCY CONTACT ATTEMPT" MEANS AN ATTEMPT BY
11 THE INSTITUTION TO REACH THE STUDENT'S EMERGENCY CONTACT PERSON
12 LISTED IN THE STUDENT'S OFFICIAL INSTITUTIONAL RECORD.

13 (V) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION"
14 MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN
15 SECTION 23-18-102 (10)(a); A LOCAL DISTRICT COLLEGE, AS DEFINED IN
16 SECTION 23-71-102 (1)(a); AN AREA TECHNICAL COLLEGE, AS DEFINED IN
17 SECTION 23-60-103 (1); A PRIVATE COLLEGE OR UNIVERSITY, AS DEFINED
18 IN SECTION 23-2-102; AND A PRIVATE OCCUPATIONAL SCHOOL, AS DEFINED
19 IN SECTION 23-2-102.

20 (VI) "REGULAR BUSINESS HOURS" MEANS THE HOURS DURING
21 WHICH THE INSTITUTION OF HIGHER EDUCATION'S ADMINISTRATIVE
22 OFFICES ARE REGULARLY OPEN FOR BUSINESS, AS PUBLISHED IN THE
23 INSTITUTION'S OFFICIAL ACADEMIC CALENDAR.

24 (VII) "RESIDENTIAL VERIFICATION" MEANS A PHYSICAL CHECK OF
25 THE STUDENT'S RESIDENCE IF THE STUDENT RESIDES IN
26 INSTITUTION-CONTROLLED HOUSING BY AN AUTHORIZED REPRESENTATIVE
27 OF THE INSTITUTION, AS DEFINED BY THE INSTITUTION'S PUBLISHED

1 PRELIMINARY WELLNESS ASSESSMENT POLICY REQUIRED PURSUANT TO
2 SUBSECTION (5)(e) OF THIS SECTION.

3 **SECTION 4. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2026 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.