

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1090

BY REPRESENTATIVE(S) Luck and Martinez, Mabrey, Bacon, Boesenecker, Bradley, Brooks, Clifford, Duran, English, Goldstein, Hamrick, Jackson, Joseph, Lieder, Lindsay, Lukens, Marshall, Nguyen, Slauch, Soper, Stewart K., Velasco, Woodrow, Zokaie, McCluskie; also SENATOR(S) Gonzales J., Amabile, Benavidez, Exum, Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Rodriguez, Snyder, Wallace, Coleman.

CONCERNING TEACHER LICENSING REQUIREMENTS.

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

SECTION 1. In Colorado Revised Statutes, 22-60.5-103, **amend** (2)(a); and **add** (2)(d) as follows:

22-60.5-103. Applicants - licenses - authorizations - submittal of form and fingerprints - failure to comply constitutes grounds for denial - definition.

(2) (a) On a form provided by the department of education, an applicant shall certify, under penalty of perjury, either:

(I) That ~~he has never~~ **THEY HAVE NOT** been convicted of committing:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(A) ~~Any~~ A felony, ~~or~~ REGARDLESS OF THE DATE OF CONVICTION;

(B) A misdemeanor FOR WHICH, AS AN ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION;

(C) ~~but not including~~ ANY OTHER MISDEMEANOR IF THE APPLICATION IS SUBMITTED IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION FOR THE MISDEMEANOR, EXCLUDING any misdemeanor traffic offense or traffic infraction; or

(D) A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION; OR

(II) That ~~he has~~ THEY HAVE been convicted of committing ~~any~~ A felony; ~~or~~ A misdemeanor ~~but not including~~ FOR WHICH, AS AN ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION; ANY OTHER MISDEMEANOR IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION, EXCLUDING any misdemeanor traffic offense or traffic infraction; OR A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION. ~~Such certification~~ EACH CONVICTION IN THESE FOUR CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall specify ~~such~~ THE felony or misdemeanor for which THE APPLICANT WAS convicted, the date of ~~such~~ THE conviction, and the court entering the judgment of conviction.

(2) (d) THIS SUBSECTION (2) DOES NOT ALTER THE DEPARTMENT'S OBLIGATION TO EVALUATE CRIMINAL CONVICTIONS IN ACCORDANCE WITH SECTION 24-5-101.

SECTION 2. In Colorado Revised Statutes, 22-2-119.3, **amend**

(2)(a); and **add (2.5)** as follows:

22-2-119.3. Department of education - educator preparation program students - record check - fee - definitions.

(2) (a) On a form provided by the department OF EDUCATION, the student shall certify, under penalty of perjury, either:

(I) That ~~he or she has never~~ THEY HAVE NOT been convicted of committing:

(A) ~~Any~~ A felony, ~~or~~ REGARDLESS OF THE DATE OF CONVICTION;

(B) A misdemeanor FOR WHICH, AS AN ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION;

(C) ~~but not including~~ ANY OTHER MISDEMEANOR IF THE APPLICATION IS SUBMITTED IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION FOR THE MISDEMEANOR, EXCLUDING any misdemeanor traffic offense or traffic infraction; or

(D) A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION; OR

(II) That ~~he or she has~~ THEY HAVE been convicted of committing ~~any~~ A felony; ~~or~~ A misdemeanor ~~but not including~~ FOR WHICH, AS AN ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION; ANY OTHER MISDEMEANOR IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION, EXCLUDING any misdemeanor traffic offense or traffic infraction; OR ANY MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b) REGARDLESS OF THE DATE OF CONVICTION. ~~Such certification~~ EACH CONVICTION IN THESE FOUR CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall specify

~~such~~ THE felony or misdemeanor for which THE APPLICANT WAS convicted, the date of ~~such~~ THE conviction, and the court entering the judgment of conviction.

(2.5) SUBSECTION (2) OF THIS SECTION DOES NOT ALTER THE DEPARTMENT'S OBLIGATION TO EVALUATE CRIMINAL CONVICTIONS IN ACCORDANCE WITH SECTION 24-5-101.

SECTION 3. In Colorado Revised Statutes, 22-30.5-110.7, **amend** (2); and **add** (2.5) as follows:

22-30.5-110.7. Fingerprint-based criminal history record checks - charter school employees - procedures - exceptions - definitions.

(2) On a form provided by the charter school, an applicant to whom an offer of employment is extended shall certify, under penalty of perjury, either:

(a) That ~~he or she has never~~ THEY HAVE NOT been convicted of committing:

(I) ~~Any~~ A felony, ~~or~~ REGARDLESS OF THE DATE OF CONVICTION;

(II) A misdemeanor FOR WHICH, AS AN ELEMENT OF THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION;

(III) ~~but not including~~ ANY OTHER MISDEMEANOR IF THE APPLICATION IS SUBMITTED IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION FOR THE MISDEMEANOR, EXCLUDING any misdemeanor traffic offense or traffic infraction; or

(IV) A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION; OR

(b) That ~~he or she has~~ THEY HAVE been convicted of committing a felony; ~~or~~ A misdemeanor ~~but not including~~ FOR WHICH, AS AN ELEMENT OF

THE OFFENSE, THE VICTIM WAS AN AT-RISK PERSON, AS DEFINED IN SECTION 18-6.5-102, OR A CHILD WHO WAS UNDER EIGHTEEN YEARS OLD, REGARDLESS OF THE DATE OF CONVICTION; ANY OTHER MISDEMEANOR IN THE SEVEN YEARS AFTER THE DATE OF THE DISPOSITION OF THE CONVICTION, EXCLUDING any misdemeanor traffic offense or traffic infraction; OR A MISDEMEANOR ENUMERATED AS GROUNDS FOR DENIAL, ANNULMENT, SUSPENSION, OR REVOCATION OF A LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION PURSUANT TO SECTION 22-60.5-107 (2)(b), REGARDLESS OF THE DATE OF CONVICTION. ~~The certification~~ EACH CONVICTION IN THESE FOUR CATEGORIES MUST BE LISTED IN THE CERTIFICATION. FOR EACH CONVICTION LISTED IN THE CERTIFICATION, THE APPLICANT shall specify the felony or misdemeanor for which the applicant was convicted, the date of the conviction, and the court entering the judgment of conviction.

(2.5) SUBSECTION (2) OF THIS SECTION DOES NOT ALTER THE DEPARTMENT'S OBLIGATION TO EVALUATE CRIMINAL CONVICTIONS IN ACCORDANCE WITH SECTION 24-5-101.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO