

# An Act

SENATE BILL 24-113

BY SENATOR(S) Coleman and Exum, Bridges, Buckner, Cutter, Ginal, Hansen, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Priola, Rodriguez, Sullivan, Winter F., Zenzinger, Fenberg;  
also REPRESENTATIVE(S) Joseph and Willford, Bacon, Brown, Duran, Herod, Jodeh, Kipp, Ricks.

CONCERNING MEASURES TO MAKE YOUTH SPORTS SAFER.

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

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

## PART 4 YOUTH SPORTS ORGANIZATIONS

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

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

*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.*

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

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

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

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

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

(III) A LICENSED CHILD-CARE FACILITY;

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

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

**26.5-4-402. Organized youth athletic activities - abuse prevention training.** (1) (a) STARTING JULY 1, 2025, EACH YOUTH SPORTS ORGANIZATION SHALL REQUIRE EACH COACH TO ANNUALLY COMPLETE MANDATORY REPORTER TRAINING THAT ADHERES TO THE RECOMMENDATIONS OF THE MANDATORY REPORTER TRAINING TASK FORCE PURSUANT TO SECTION 19-3-304.2.

(b) EACH YOUTH SPORTS ORGANIZATION SHALL ENCOURAGE EACH COACH TO ANNUALLY COMPLETE AN ABUSE PREVENTION TRAINING PROGRAM

THAT INCLUDES THE FOLLOWING:

(I) PROHIBITED CONDUCT BY COACHES;

(II) APPROPRIATE ONE-ON-ONE INTERACTIONS BETWEEN PLAYERS AND COACHES;

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

(IV) HOW TO RESPOND TO DISCLOSURES OF SEXUAL ABUSE, CHILD ABUSE, OR REPORTS OF BEHAVIORS VIOLATING THE PROHIBITED CONDUCT POLICY DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION IN A SUPPORTIVE AND APPROPRIATE MANNER THAT MEETS THE MANDATED REPORTING REQUIREMENTS PURSUANT TO COLORADO STATUTES.

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

(II) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:

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

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

(III) A YOUTH SPORTS ORGANIZATION MAY ADOPT THE MODEL CODE OF CONDUCT POLICY MADE AVAILABLE BY THE DEPARTMENT PURSUANT TO SECTION 26.5-1-117.

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

(3) EACH YOUTH SPORTS ORGANIZATION SHALL POST THE NOTICE CREATED PURSUANT TO SECTION 6-1-736 ON ITS WEBSITE, AND IF THE YOUTH SPORTS ORGANIZATION DOES NOT HAVE A WEBSITE, IT SHALL PROVIDE THE

NOTICE TO THE PARENTS AND LEGAL GUARDIANS OF EACH PARTICIPANT.

**26.5-4-403. Background checks required.** (1) (a) A YOUTH SPORTS ORGANIZATION OPERATING IN THE STATE OF COLORADO SHALL REQUIRE ALL COACHES TO OBTAIN, PRIOR TO STARTING WORK, A CRIMINAL HISTORY RECORD CHECK BY A PRIVATE ENTITY REGULATED AS A CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., AND THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM. THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN TO THE EXTENT POSSIBLE WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401; A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED IN SECTION 16-22-102 (9); OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER STATE.

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

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

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

**ARTICLE 7.1**  
**Local Government-sponsored Youth Athletic**  
**Activity Requirements**

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

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

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

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

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

(1) (a) EACH LOCAL GOVERNMENT SHALL MAKE AVAILABLE A PROHIBITED CONDUCT POLICY RELATING TO YOUTH ATHLETIC ACTIVITIES.

(b) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:

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

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

(c) A LOCAL GOVERNMENT MAY ADOPT THE MODEL CODE OF CONDUCT POLICY MADE AVAILABLE BY THE DEPARTMENT PURSUANT TO SECTION 26.5-1-117.

(2) EACH LOCAL GOVERNMENT SHALL REQUIRE EACH OF ITS COACHES TO COMPLY WITH THE PROHIBITED CONDUCT POLICY CREATED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.

**29-7.1-103. Criminal history record check for paid coaches.**

(1)(a) PRIOR TO THE EMPLOYMENT OF ANY PERSON AS A COACH OF A YOUTH ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT, THE LOCAL GOVERNMENT SHALL REQUIRE A CRIMINAL HISTORY RECORD CHECK OF THE PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

(b) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF, PLED NOLO CONTENDERE TO, OR HAS RECEIVED A DEFERRED SENTENCE OR DEFERRED PROSECUTION FOR FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401; A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED IN SECTION 16-22-102 (9); OR A COMPARABLE OFFENSE COMMITTED IN ANY OTHER STATE.

(2) A PERSON WHO HAS BEEN CONVICTED OF, PLED NOLO CONTENDERE TO, OR RECEIVED A DEFERRED SENTENCE OR DEFERRED PROSECUTION FOR FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401; A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED IN SECTION 16-22-102; OR A OFFENSE COMMITTED IN ANY OTHER STATE IS DISQUALIFIED FROM EMPLOYMENT AS A COACH OF A YOUTH ATHLETIC ACTIVITY.

**29-7.1-104. Criminal history record checks - fees - reliance - not an open record.** (1) A LOCAL GOVERNMENT MAY CHARGE A PERSON ANY FEES FOR THE CRIMINAL HISTORY RECORD CHECK REQUIRED BY THIS ARTICLE 7.1.

(2) THIS ARTICLE 7.1 DOES NOT REQUIRE A SECOND OR SUBSEQUENT CRIMINAL HISTORY RECORD CHECK FOR A COACH WHO HAS HAD A CRIMINAL HISTORY RECORD CHECK PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE 7.1.

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

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

**SECTION 3.** In Colorado Revised Statutes, add 26.5-1-117 as follows:


**26.5-1-117. Youth sports organization model code of conduct.** THE DEPARTMENT SHALL MAKE AVAILABLE A YOUTH SPORTS ORGANIZATION MODEL CODE OF CONDUCT POLICY THAT ADDRESSES THE MATTERS DESCRIBED IN SECTION 26.5-4-402 (1)(b).

**SECTION 4.** In Colorado Revised Statutes, add 6-1-736 as follows:

**6-1-736. Organized youth athletic activities - notice of requirements.** THE ATTORNEY GENERAL SHALL DRAFT A NOTICE THAT EXPLAINS THE REQUIREMENTS OF PART 4 OF ARTICLE 4 OF TITLE 26.5 AND SHALL MAKE THE NOTICE AVAILABLE TO ALL YOUTH SPORTS ORGANIZATIONS, AS DEFINED IN SECTION 26.5-4-401, FOR A YOUTH SPORTS ORGANIZATION TO POST ON ITS WEBSITE OR PROVIDE TO PARENTS OR LEGAL GUARDIANS UNDER THE YOUTH SPORTS ORGANIZATION'S NAME.

**SECTION 5. 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



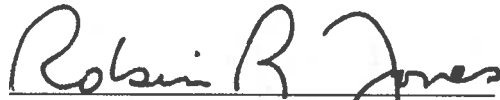
Steve Fenberg  
PRESIDENT OF  
THE SENATE



Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES



Cindi L. Markwell  
SECRETARY OF  
THE SENATE



Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED Friday May 17<sup>th</sup> 2024 at 7:30 pm  
(Date and Time)



Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO