

HOUSE COMMITTEE OF REFERENCE REPORT

February 20, 2025

Chair of Committee

Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB25-1158 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 7, strike lines 5 through 27 and substitute:
2 "SECTION 2. In Colorado Revised Statutes, 22-1-135, **amend**
3 (1) introductory portion and (2)(d) introductory portion; and **add** (1)(b.5),
4 (1)(b.6), (2)(d)(IV), and (4) as follows:
5 **22-1-135. Terms and conditions in public school contracts -**
6 **definitions.** (1) As used in this section, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:
8 (b.5) "CURATED DIGITAL RESEARCH COLLECTION" MEANS A
9 COLLECTION OF MEDIA, FILES, OR DATABASES THAT HAVE BEEN CURATED
10 AND DIGITALLY PRESERVED AND ARE ACCESSIBLE ON THE INTERNET VIA
11 AN INTERNET CONNECTION OR THROUGH SOFTWARE.
12 (b.6) "EMBEDDED LINK OR UNIFORM RESOURCE LOCATOR" OR
13 "EMBEDDED LINK OR URL" MEANS AN ELECTRONIC LINK OR URL THAT
14 DIRECTS USERS TO AN ADVERTISEMENT OR A PROMOTION.
15 (2) (d) A public school contract must include provisions, and if
16 ~~such~~ THE provisions are nonetheless inadvertently or otherwise omitted,
17 ~~shall be~~ IS deemed to include provisions, that:
18 (IV) (A) REQUIRE THAT A CONTRACT IS MATERIALLY BREACHED
19 AND THAT GROUNDS FOR TERMINATION OF THE CONTRACT EXIST IF THE
20 CONTRACTOR'S CURATED DIGITAL RESEARCH COLLECTION CONTAINS
21 ADVERTISEMENTS, PROMOTIONS, OR EMBEDDED LINKS OR URLS AND THE
22 CONTRACTOR IS NOTIFIED OF THE ADVERTISEMENT, PROMOTION, OR
23 EMBEDDED LINK OR URL; AND
24 (B) REQUIRE THE CONTRACTOR TO INDEMNIFY, HOLD HARMLESS,
25 AND ASSUME LIABILITY ON BEHALF OF THE PUBLIC SCHOOL CONTRACTING
26 ENTITY, THE PUBLIC SCHOOL, AND THE PUBLIC SCHOOL'S EMPLOYEES AND
27 AGENTS FOR ALL COSTS, EXPENSES, CLAIMS, DAMAGES, LIABILITIES, COURT
28 AWARDS, ATTORNEY FEES, AND RELATED COSTS, AND ANY OTHER

1 AMOUNTS INCURRED BY A PUBLIC SCHOOL CONTRACTING ENTITY IN
2 RELATION TO A CONTRACTOR'S NONCOMPLIANCE WITH THE PROHIBITION
3 OF ADVERTISEMENTS, PROMOTIONS, OR EMBEDDED LINKS OR URLS IN A
4 CURATED DIGITAL RESEARCH COLLECTION.

5 (4) BEGINNING IN THE 2026-27 SCHOOL YEAR, A SCHOOL OF A
6 SCHOOL DISTRICT, A BOARD OF COOPERATIVE SERVICES, A DISTRICT
7 CHARTER SCHOOL, OR AN INSTITUTE CHARTER SCHOOL SHALL ANNUALLY
8 NOTIFY PARENTS THAT CURATED DIGITAL RESEARCH COLLECTIONS ARE
9 REQUIRED TO BE FREE OF ADVERTISEMENTS, PROMOTIONS, OR EMBEDDED
10 LINKS OR URLS AS SET FORTH IN SUBSECTION (2)(d) OF THIS SECTION."

11 Strike pages 8 through 10.

12 Page 11, strike lines 1 through 9.

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