

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0836.01 Jennifer Berman x3286

HOUSE BILL 17-1175

HOUSE SPONSORSHIP

Hooton,

SENATE SPONSORSHIP

(None),

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DOMESTIC VIOLENCE AWARENESS TRAINING UNDER THE**
102 **"BARBER AND COSMETOLOGIST ACT".**

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 barbers, hairstylists, cosmetologists, estheticians, and nail technicians, as part of the requirement to renew their professional licenses, to take a one-time training course for one hour on domestic violence and sexual assault awareness. The bill does not impose a mandatory reporting requirement on these professionals and specifically grants them immunity from civil and criminal liability for reporting or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

failing to report potential domestic violence or sexual assault.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 12-8-114.7 as
3 follows:

4 **12-8-114.7. Domestic violence and sexual assault awareness**
5 **training - requirement - immunity - rules.** (1) (a) ON OR AFTER THE
6 EFFECTIVE DATE OF THIS SECTION, TO QUALIFY FOR THE FIRST RENEWAL OR
7 REINSTATEMENT OF A BARBER, HAIRSTYLIST, COSMETOLOGIST,
8 ESTHETICIAN, OR NAIL TECHNICIAN LICENSE PURSUANT TO SECTION
9 12-8-115, A LICENSEE SHALL OBTAIN ONE HOUR OF DOMESTIC VIOLENCE
10 AND SEXUAL ASSAULT AWARENESS TRAINING FROM A PROVIDER
11 DESIGNATED BY OR CONTRACTED WITH THE DIRECTOR UNDER SUBSECTION
12 (2) OF THIS SECTION.

13 (b) UPON SUBSEQUENT RENEWALS, LICENSEES MAY VOLUNTARILY
14 RECEIVE ONE HOUR OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT
15 AWARENESS TRAINING FROM A PROVIDER DESIGNATED BY OR CONTRACTED
16 WITH THE DIRECTOR UNDER SUBSECTION (2) OF THIS SECTION.

17 (c) A PERSON EXEMPT FROM THIS ARTICLE 8 UNDER SECTION
18 12-8-121 MAY VOLUNTARILY RECEIVE DOMESTIC VIOLENCE AND SEXUAL
19 ASSAULT AWARENESS TRAINING.

20 (d) NEITHER A PERSON LICENSED UNDER THIS ARTICLE 8 WHO
21 COMPLETES DOMESTIC VIOLENCE AND SEXUAL ASSAULT AWARENESS
22 TRAINING, NOR HIS OR HER EMPLOYER:

23 (I) IS SUBJECT TO MANDATORY REPORTING REQUIREMENTS UNDER
24 SECTION 19-3-304 OR 18-6.5-108; AND

25 (II) IS SUBJECT TO CIVIL OR CRIMINAL LIABILITY FOR ACTING IN

1 GOOD FAITH OR FAILING TO ACT ON INFORMATION OBTAINED DURING THE
2 COURSE OF EMPLOYMENT CONCERNING POTENTIAL DOMESTIC VIOLENCE
3 OR SEXUAL ASSAULT.

4 (2) THE DIRECTOR SHALL DESIGNATE THE PROVIDER OF THE
5 DOMESTIC VIOLENCE AND SEXUAL ASSAULT AWARENESS TRAINING AND
6 MAY CONTRACT WITH A THIRD PARTY TO CONDUCT THE TRAINING. THE
7 DIRECTOR MAY DETERMINE WHETHER LICENSEES MAY RECEIVE THE
8 TRAINING REMOTELY. THE DIRECTOR SHALL PRESCRIBE RULES RELATED TO
9 THE PROVISION OF THE DOMESTIC VIOLENCE AND SEXUAL ASSAULT
10 AWARENESS TRAINING, INCLUDING ESTABLISHING STANDARDS FOR AN
11 ACCEPTABLE TRAINING. IN PRESCRIBING RULES TO ESTABLISH STANDARDS
12 FOR AN ACCEPTABLE TRAINING, THE DIRECTOR, TO THE EXTENT
13 PRACTICABLE, SHALL CONSULT WITH ONE OR MORE STATEWIDE
14 ORGANIZATIONS WITH A PRIMARY PURPOSE OF SERVING VICTIMS OF
15 DOMESTIC VIOLENCE OR SEXUAL ASSAULT.

16 **SECTION 2. Act subject to petition - effective date -**
17 **applicability.** (1) This act takes effect June 30, 2018; except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within the ninety-day period after final adjournment of the general
21 assembly, then the act, item, section, or part will not take effect unless
22 approved by the people at the general election to be held in November
23 2018 and, in such case, will take effect on the date of the official
24 declaration of the vote thereon by the governor.

25 (2) This act applies to licenses for which renewal or reinstatement
26 is applied for on or after the applicable effective date of this act.