

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 18, 2018

Date

Committee on Education.

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

SB18-229 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 6 through 9.
- 2 Renumber succeeding subsections accordingly.
- 3 Page 2, line 11, strike "DEPARTMENT" and substitute "COLORADO BUREAU
4 OF INVESTIGATION".
- 5 Page 2, line 19, after "STUDENT." insert "THE STUDENT SHALL SUBMIT THE
6 FINGERPRINTS FOR THE PURPOSE OF OBTAINING A FINGERPRINT-BASED
7 CRIMINAL HISTORY RECORD CHECK THROUGH THE COLORADO BUREAU OF
8 INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION TO
9 DETERMINE WHETHER THE STUDENT HAS A CRIMINAL HISTORY. THE
10 STUDENT SHALL PAY TO THE COLORADO BUREAU OF INVESTIGATION THE
11 FEE ESTABLISHED BY THE BUREAU FOR CONDUCTING THE CRIMINAL
12 HISTORY RECORD CHECK. UPON COMPLETION OF THE CRIMINAL HISTORY
13 RECORD CHECK, THE BUREAU SHALL FORWARD THE RESULTS TO THE
14 DEPARTMENT."
- 15 Page 3, line 14, strike "EXPERIENCES AND TO WHICH THE" and substitute
16 "EXPERIENCES; AND".
- 17 Page 3, strike lines 15 through 17.
- 18 Page 3, after line 20 insert:

1 "(3) WHEN THE RESULTS OF A FINGERPRINT-BASED CRIMINAL
2 HISTORY RECORD CHECK OF A STUDENT PERFORMED PURSUANT TO THIS
3 SECTION REVEALS A RECORD OF ARREST WITHOUT A DISPOSITION, THE
4 DEPARTMENT SHALL PERFORM A NAME-BASED CRIMINAL HISTORY RECORD
5 CHECK OF THAT STUDENT."

6 Page 3, strike lines 21 through 26.

7 Page 3, strike line 27 and substitute:

8 "(4) (a) WITHIN SEVEN DAYS OF RECEIVING THE RESULTS OF A
9 CRIMINAL HISTORY RECORD CHECK CONDUCTED PURSUANT TO THIS
10 SECTION, THE DEPARTMENT SHALL PROVIDE THE RESULTS OF SUCH".

11 Renumber succeeding subsections accordingly.

12 Page 4, lines 1 and 2, strike "CHECK PERFORMED PURSUANT TO THIS
13 SECTION," and substitute "CHECK,".

14 Page 4, line 4, strike "THE SCHOOL DISTRICTS OR CHARTER" and substitute
15 "ANY SCHOOL DISTRICT OR CHARTER SCHOOL THAT HAS MADE AN INQUIRY
16 TO THE DEPARTMENT CONCERNING THE RESULTS OF A CRIMINAL HISTORY
17 RECORD CHECK OF A STUDENT WHO HAS BEEN PLACED IN THE SCHOOL
18 DISTRICT OR CHARTER SCHOOL FOR FIELD EXPERIENCES."

19 Page 4, strike lines 5 and 6.

20 Page 4, lines 7 and 8, strike "FOR A PERIOD OF THREE YEARS FROM THE
21 DATE OF THE INITIAL APPLICATION, THE STUDENT MAY" and substitute
22 "THE STUDENT SHALL".

23 Page 4, line 10, strike "EXPERIENCES AND TO" and substitute
24 "EXPERIENCES."

25 Page 4, strike lines 11 through 16.

26 Page 4, strike lines 22 and 23 and substitute "SCHOOL IDENTIFIED BY THE
27 STUDENT AS A SCHOOL DISTRICT OR CHARTER SCHOOL IN WHICH THE
28 STUDENT HAS BEEN PLACED FOR FIELD EXPERIENCES PURSUANT TO THIS
29 SECTION."

1 Page 4, strike lines 26 and 27 and substitute "ADMINISTRATION OF THIS
2 SECTION."

3 Page 5, after line 17 insert:

4 "(d) "NAME-BASED CRIMINAL HISTORY RECORD CHECK" MEANS A
5 BACKGROUND CHECK PERFORMED USING JUDICIAL DEPARTMENT RECORDS
6 THAT INCLUDES AN INDIVIDUAL'S CONVICTION AND FINAL DISPOSITION OF
7 CASE RECORDS."

8 Renumber succeeding paragraph accordingly.

9 Page 6, lines 1 and 2, strike "PROVIDED TO THE CHARTER SCHOOL THE
10 RESULTS OF" and substitute "SUBMITTED TO".

11 Page 6, lines 25 and 26, strike "PROVIDED TO THE SCHOOL DISTRICT THE
12 RESULTS OF" and substitute "SUBMITTED TO".

13 Page 7, line 14, strike "OR" and substitute "OR, IF THE APPLICANT HAS
14 CONTINUOUSLY RESIDED IN COLORADO SINCE SUBMITTING FINGERPRINTS
15 TO THE BUREAU, HAS PREVIOUSLY SUBMITTED FINGERPRINTS".

16 Page 8, line 5, after "CHECK" insert "OR A NAME-BASED CRIMINAL
17 HISTORY RECORD CHECK".

18 Page 8, line 9, after "CHECK" insert "OR A NAME-BASED CRIMINAL
19 HISTORY RECORD CHECK".

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