

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 22-0134.01 Alana Rosen x2606

SENATE BILL 22-064

SENATE SPONSORSHIP

Zenzinger and Rankin, Bridges, Cooke, Coram, Fenberg, Fields, Garcia, Gardner, Ginal, Gonzales, Hansen, Hisey, Jaquez Lewis, Kirkmeyer, Lee, Lundeen, Moreno, Pettersen, Simpson, Story, Winter, Woodward

HOUSE SPONSORSHIP

McKean and Kipp,

Senate Committees
Education

House Committees
Public & Behavioral Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR NEIGHBORHOOD YOUTH**
102 **ORGANIZATIONS THAT PROVIDE SERVICES DESIGNED FOR THE**
103 **DEVELOPMENT OF YOUTH.**

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>.)

Under current law, a neighborhood youth organization (NYO) serves youth as young as 6 years of age and as old as 18 years of age. The bill lowers the minimum age of a youth member to 5 years of age.

The bill permits an NYO to create an electronic or written process to record the daily arrival and departure times of youth members in order

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

HOUSE
Amended 2nd Reading
March 2, 2022

SENATE
3rd Reading Unamended
February 14, 2022

SENATE
Amended 2nd Reading
February 11, 2022

to track attendance, assess the impact of programs and services on youth members, and ensure an NYO operates in the best interest and safety of youth members.

The bill requires that an NYO's programs and services must occur primarily in a facility the NYO leases or owns or has been granted use of or access to.

The bill requires an NYO to offer programs and services that are evidence- or research-based, age-appropriate, and foster supportive relationships with peers and adults while offering character and leadership development, academic supports, job skills training, behavioral health supports, health and nutrition services, and other critical resources and services that a community identifies as necessary. An NYO serves all children, youth, and families, but with a focus on programs and services that ensure affordable access for low-income populations.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-6-102, **amend**
3 (26)(a) and (41); and **add** (26.5) as follows:

4 **26-6-102. Definitions.** As used in this article 6, unless the context
5 otherwise requires:

6 (26) (a) "Neighborhood youth organization" means a nonprofit
7 organization that ~~is designed to serve youth as young as six years of age~~
8 ~~and as old as eighteen years of age and that operates primarily during~~
9 ~~times of the day when school is not in session and provides~~
10 ~~research-based, age-appropriate, and character-building activities~~
11 ~~designed exclusively for the development of youth from six to eighteen~~
12 ~~years of age. These activities shall occur primarily in a facility leased or~~
13 ~~owned by the neighborhood youth organization. The activities shall occur~~
14 ~~in an environment in which youth have written parental or legal guardian~~
15 ~~consent to become a youth member of the neighborhood youth~~
16 ~~organization and to arrive at and depart from the primary location of the~~
17 ~~activity on their own accord, without supervision by a parent, legal~~

1 ~~guardian, or organization.~~ PROVIDES PROGRAMS AND SERVICES, AS
2 DESCRIBED IN SECTION 26-6-103.7, TO CHILDREN, YOUTH, AND FAMILIES
3 THROUGH COMPREHENSIVE WRAPAROUND SUPPORTS TO ENSURE POSITIVE
4 GROWTH AND DEVELOPMENT DURING CHILDHOOD AND ADOLESCENCE,
5 AND IS DESIGNED TO SERVE YOUTH AS YOUNG AS FIVE YEARS OF AGE WHO
6 ARE ENROLLED IN KINDERGARTEN AND AS OLD AS EIGHTEEN YEARS OF
7 AGE.

8 (26.5) "NONPROFIT ORGANIZATION" MEANS AN ORGANIZATION
9 THAT IS EXEMPT FROM TAXATION PURSUANT TO SECTION 501 (c)(3) OF THE
10 FEDERAL "INTERNAL REVENUE CODE OF 1986", 26 U.S.C. SEC. 501, AS
11 AMENDED.

12 (41) "Youth member" means a youth who is ~~six~~ FIVE years of age
13 AND ENROLLED IN KINDERGARTEN OR WHO IS OLDER THAN FIVE YEARS OF
14 AGE AND UP TO ~~through~~ eighteen years of age whose parent or legal
15 guardian has provided written consent for the youth to participate in the
16 activities of a neighborhood youth organization. ~~and who pays the~~
17 ~~required dues of the neighborhood youth organization.~~


18 **SECTION 2.** In Colorado Revised Statutes, 26-6-103.7, **amend**
19 (3)(b), (3)(f), and (6); and **add** (2.5), (3)(h), (3)(i), (3.4), and (3.5) as
20 follows:

21 **26-6-103.7. Application of part - neighborhood youth**
22 **organizations - rules - licensing - duties and responsibilities -**
23 **definitions.** (2.5) THE NEIGHBORHOOD YOUTH ORGANIZATION'S
24 PROGRAMS AND SERVICES MUST OCCUR PRIMARILY IN A FACILITY THE
25 NEIGHBORHOOD YOUTH ORGANIZATION LEASES OR OWNS OR HAS BEEN
26 GRANTED USE OF OR ACCESS TO.

27 (3) A neighborhood youth organization licensed pursuant to this

1 section and operating in the state of Colorado shall have the following
2 duties and responsibilities:

3 (b) Prior to admitting an interested youth member into the
4 neighborhood youth organization, to require the youth member's parent
5 or legal guardian to sign a statement authorizing the youth member to
6 ~~arrive and depart from the organization without supervision by a parent,~~
7 ~~legal guardian, or the organization~~ PARTICIPATE IN THE PROGRAMS AND
8 SERVICES OF THE NEIGHBORHOOD YOUTH ORGANIZATION;

9 
10 (f) To require a youth member's parent or legal guardian to sign
11 a statement authorizing the neighborhood youth organization to provide
12 transportation prior to field trips or to and from the neighborhood youth
13 organization; ~~and~~

14 (h) TO OFFER PROGRAMS AND SERVICES THAT ARE EVIDENCE- OR
15 RESEARCH-BASED, AGE-APPROPRIATE, AND FOSTER SUPPORTIVE
16 RELATIONSHIPS WITH PEERS AND ADULTS WHILE OFFERING CHARACTER
17 AND LEADERSHIP DEVELOPMENT, ACADEMIC SUPPORTS, JOB SKILLS
18 TRAINING, BEHAVIORAL HEALTH SUPPORTS, HEALTH AND NUTRITION
19 SERVICES, AND OTHER CRITICAL RESOURCES AND SERVICES THAT A
20 COMMUNITY IDENTIFIES AS NECESSARY; AND

21 (i) TO SERVE ALL CHILDREN, YOUTH, AND FAMILIES, BUT WITH A
22 FOCUS ON PROGRAMS AND SERVICES THAT ENSURE AFFORDABLE ACCESS
23 FOR LOW-INCOME POPULATIONS.

24 (3.4) TO PROTECT THE SAFETY OF YOUTH MEMBERS, A
25 NEIGHBORHOOD YOUTH ORGANIZATION MAY CREATE AN ELECTRONIC OR
26 WRITTEN PROCESS TO RECORD THE DAILY ARRIVAL AND DEPARTURE TIMES
27 OF YOUTH MEMBERS IN ORDER TO:

1 (a) TRACK ATTENDANCE;

2 (b) ASSESS THE IMPACT OF PROGRAMS AND SERVICES ON YOUTH

3 MEMBERS; AND

4 (c) ENSURE THE NEIGHBORHOOD YOUTH ORGANIZATION OPERATES

5 IN THE BEST INTEREST AND SAFETY OF YOUTH MEMBERS.

6 (3.5) (a) TO PROTECT THE SAFETY OF YOUTH MEMBERS, EACH

7 NEIGHBORHOOD YOUTH ORGANIZATION SHALL MAINTAIN A COMPLETE SET

8 OF RECORDS FOR YOUTH MEMBERS AND PERSONNEL. EACH

9 NEIGHBORHOOD YOUTH ORGANIZATION SHALL MAINTAIN THE

10 CONFIDENTIALITY OF THE FOLLOWING RECORDS, AND SUCH RECORDS ARE

11 NOT SUBJECT TO REVIEW BY THE PUBLIC:

12 (I) INFORMATION IDENTIFYING A YOUTH MEMBER OR A YOUTH

13 MEMBER'S FAMILY;

14 (II) SCHOLASTIC, HEALTH, AND SOCIAL OR PSYCHOLOGICAL

15 RECORDS, WHICH ARE AVAILABLE ONLY TO THE YOUTH MEMBER TO WHOM

16 THE RECORDS PERTAIN OR THE YOUTH MEMBER'S PARENT OR LEGAL

17 GUARDIAN;

18 (III) PERSONAL REFERENCES FOR PERSONNEL AS REQUESTED BY

19 THE STATE DEPARTMENT; AND

20 (IV) REPORTS AND RECORDS RECEIVED FROM OTHER AGENCIES,

21 INCLUDING POLICE AND CHILD PROTECTION INVESTIGATION REPORTS.

22 (b) IF A CENTRAL ADMINISTRATIVE FACILITY RETAINS RECORDS IN

23 A CENTRAL FILE FOR MORE THAN ONE NEIGHBORHOOD YOUTH

24 ORGANIZATION, DUPLICATE COPIES OF THE INFORMATION DESCRIBED IN

25 SUBSECTIONS (3)(e) AND (3.5)(a) OF THIS SECTION FOR YOUTH MEMBERS

26 AND PERSONNEL MUST ALSO BE MAINTAINED AT THE NEIGHBORHOOD

27 YOUTH ORGANIZATION LOCATION THAT THE YOUTH MEMBER ATTENDS

1 AND TO WHICH THE STAFF MEMBER IS ASSIGNED.

2 (c) EACH NEIGHBORHOOD YOUTH ORGANIZATION OR CENTRAL
3 ADMINISTRATIVE FACILITY SHALL MAINTAIN ALL REQUIRED RECORDS FOR
4 AT LEAST THREE YEARS, INCLUDING CONFIDENTIAL RECORDS.

5 (d) NOTWITHSTANDING SUBSECTION (3.5)(a) OF THIS SECTION TO
6 THE CONTRARY, EACH NEIGHBORHOOD YOUTH ORGANIZATION OR
7 CENTRAL ADMINISTRATIVE FACILITY SHALL MAKE THE RECORDS OF
8 PERSONNEL OR YOUTH MEMBERS AVAILABLE UPON REQUEST TO
9 AUTHORIZED PERSONNEL OF THE STATE DEPARTMENT PURSUANT TO
10 SECTION 19-1-307 (2)(j.7).

11 (e) NEIGHBORHOOD YOUTH ORGANIZATIONS SHALL COOPERATE
12 WITH ALL STATE AND LOCAL INVESTIGATIONS REGARDING INCIDENTS,
13 INCLUDING BUT NOT LIMITED TO LICENSING VIOLATIONS, CHILD ABUSE,
14 AND INCIDENTS AFFECTING THE HEALTH, SAFETY, AND WELFARE OF YOUTH
15 MEMBERS.

16 (f) RECORDS CONCERNING THE LICENSING OF NEIGHBORHOOD
17 YOUTH ORGANIZATION FACILITIES AND AGENCIES ARE OPEN TO THE
18 PUBLIC. A PERSON WHO WISHES TO REVIEW A RECORD MUST SUBMIT A
19 WRITTEN REQUEST TO THE STATE DEPARTMENT.

20

21 (6) The governing board of each licensed neighborhood youth
22 organization shall adopt minimum standards for operating the licensed
23 neighborhood youth organization, including but not limited to ~~standards~~
24 ~~concerning staff, staff training, health and safety, and mechanisms for~~
25 ~~assessing and enforcing the licensed neighborhood youth organization's~~
26 ~~compliance with the standards adopted~~ STANDARDS REGARDING
27 OPERATIONS; HEALTH AND SAFETY; FINANCIAL RESPONSIBILITIES; AND

1 PERSONNEL. THE PERSONNEL STANDARDS MUST ADDRESS EMPLOYEE AND
2 VOLUNTEER SCREENING PRACTICES, TRAINING PRACTICES, INSURANCE
3 COVERAGE, AND REGULAR ASSESSMENT PRACTICES FOR THE HEALTH AND
4 SAFETY OF YOUTH, FACILITIES, AND CHILD ABUSE PREVENTION, WHICH
5 MAY INCLUDE MANDATED REPORTING REQUIREMENTS, AUDITS, AND FEES.

6



7 **SECTION 3. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety.