

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 23-1196

BY REPRESENTATIVE(S) Lieder, Bacon, Bird, Boesenecker, Brown, Daugherty, deGruy Kennedy, Dickson, Duran, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Joseph, Kipp, Lindsay, Lindstedt, Mabrey, Michaelson Jenet, Ortiz, Parenti, Ricks, Sharbini, Snyder, Story, Titone, Velasco, Vigil, Weissman, Willford, Woodrow, McCluskie;
also SENATOR(S) Sullivan, Buckner, Cutter, Ginal, Hinrichsen, Jaquez Lewis, Kolker, Moreno, Mullica, Winter F.

CONCERNING CLARIFYING THAT WORKERS' COMPENSATION IS NOT THE EXCLUSIVE REMEDY FOR PERSONS AGGRIEVED BY VIOLATIONS OF THE "COLORADO YOUTH EMPLOYMENT OPPORTUNITY ACT OF 1971".

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

SECTION 1. In Colorado Revised Statutes, **amend** 8-12-117 as follows:

8-12-117. Remedies for violations - workers' compensation - remedies at law and in equity. (1) All minors, whether lawfully or unlawfully employed, ~~shall be~~ ARE subject to the rights and remedies of the "Workers' Compensation Act of Colorado", articles 40 to 47 of this title

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.

TITLE 8, if the employer is included within the meaning of section 8-40-203.

(2) PERSONS AGGRIEVED BY VIOLATIONS OF THIS ARTICLE 12 MAY PURSUE REMEDIES AT LAW AND IN EQUITY, INCLUDING REMEDIES IN TORT, AND REMEDIES UNDER THE "WORKERS' COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF THIS TITLE 8, IF:

(a) AN INJURY OCCURS TO A MINOR DURING A WEEK WHEN THE EMPLOYER INTENTIONALLY REQUIRED THE MINOR TO WORK HOURS IN VIOLATION OF THOSE ALLOWED BY THIS ARTICLE 12; OR

(b) AN INJURY OCCURS TO A MINOR WHILE THE MINOR WAS ENGAGING IN WORK PROHIBITED BY THIS ARTICLE 12.

(3) ECONOMIC DAMAGES FOR CLAIMS IN TORT RECOVERED BY A PARTY AGGRIEVED BY A VIOLATION OF THIS ARTICLE 12 AGAINST THE EMPLOYER OF A MINOR PURSUANT TO SUBSECTION (2) OF THIS SECTION MUST BE REDUCED BY THE AMOUNT OF COMPENSATION AND BENEFITS THAT THE MINOR OR THE MINOR'S DEPENDENTS RECEIVED FOR THE SAME HARM THROUGH THE EMPLOYER'S WORKERS' COMPENSATION INSURANCE POLICY PURSUANT TO ARTICLES 40 TO 47 OF THIS TITLE 8.

SECTION 2. Effective date - applicability. This act takes effect July 1, 2023, and applies to violations committed on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO