

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

REVISED

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

LLS NO. 24-0712.01 Michael Dohr x4347

HOUSE BILL 24-1080

HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR YOUTH SPORTS PERSONNEL THAT**
102 **IMPROVE THE SAFETY OF THE PARTICIPANTS.**

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 clarifies that a director, coach, assistant coach, or athletic program personnel contracted by a private sports organization or program is a mandatory reporter.

An organization that operates a youth athletic activity (youth sports organization) is required to have each paid coach of the youth athletic activity have a current CPR education certification. A "youth sports

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

SENATE
Amended 2nd Reading
April 30, 2024

HOUSE
3rd Reading Unamended
February 26, 2024

HOUSE
Amended 2nd Reading
February 23, 2024

organization" means a private for-profit or not-for-profit organization that provides sports activities designed for the participation of youth 18 years of age or younger. "Youth sports organization" does not include K-12 schools or institutions of higher education.

All youth sports organization employees and volunteers who work directly with youth members, and any employee or volunteer who accompanies the youth sports organization on any trip that includes one or more overnight stays, must obtain a criminal history record check. A volunteer who is not acting in the capacity of a coach or manager, who only occasionally assists with the team, and who has an immediate family member participating in the youth sports organization is not required to obtain a criminal history record check. The bill creates a cause of action for failing to conduct a background check.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Local governments and youth sports organizations provide
5 opportunities to children to participate in organized sports;

6 (b) Those children are often coached by adults they and their
7 parents or legal guardians do not have a relationship with prior to
8 organized sports;

9 (c) Parents and legal guardians expect that their children will be
10 safe from adult harm when they are competing in organized sports;

11 (d) Ensuring that adults who coach youth sports have been vetted
12 to gauge whether they would potentially harm a child is an important step
13 in keeping kids safe while engaged in youth sports; and

14 (e) Therefore, it is a good business practice to require background
15 checks for employees and volunteers who are youth sports coaches.

16 **SECTION 2.** In Colorado Revised Statutes, add part 4 to article
17 4 of title 26.5 as follows:

18 PART 10

1 YOUTH SPORTS ORGANIZATIONS

2 26.5-4-401. Definitions. AS USED IN THIS ARTICLE 8, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "CHAPERONE" MEANS A PERSON WHO ACCOMPANIES A YOUTH
5 SPORTS ORGANIZATION IN AN OFFICIAL CAPACITY ON ANY TRIP THAT
6 INCLUDES ONE OR MORE OVERNIGHT STAYS.

7 (2) "COACH" MEANS A PERSON EMPLOYED AS OR VOLUNTEERING
8 AS A COACH, MANAGER, OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY
9 BUT DOES NOT INCLUDE OCCASIONAL ASSISTANCE WITH OR SUPPORT OF
10 THE YOUTH ATHLETIC ACTIVITY BY A PERSON, INCLUDING THE ACTION OF
11 OTHER VOLUNTEERS OR EMPLOYEES OF THE YOUTH SPORTS ORGANIZATION
12 IN A PASSING, GENERAL, OR NOMINAL MANNER.

13 (3) "EMPLOYMENT" MEANS ANY JOB OR POSITION IN WHICH ANY
14 PERSON MAY BE ENGAGED IN THE SERVICE OF A COACH OF A YOUTH
15 ATHLETIC ACTIVITY BY A YOUTH SPORTS ORGANIZATION FOR A SALARY OR
16 HOURLY WAGES, WHETHER FULL-TIME OR PART-TIME, AND WHETHER
17 TEMPORARY OR PERMANENT.

18 (4) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC
19 ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN
20 EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC
21 GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC
22 ACTIVITY" DOES NOT INCLUDE AN ATHLETIC ACTIVITY THAT IS INCIDENTAL
23 TO A NONATHLETIC PROGRAM OR A LESSON.

24 (5) (a) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
25 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS
26 CORE FUNCTION, PROVIDES PERSONS WHO ARE LESS THAN EIGHTEEN YEARS
27 OF AGE THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE OR

1 RECREATIONAL SPORTING ACTIVITIES, WHETHER INDIVIDUALLY OR AS A
2 TEAM, BUT DOES NOT INCLUDE A SPORTING ACTIVITY THAT IS INCIDENTAL
3 TO A NONATHLETIC PROGRAM OR LESSON.

4 (b) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:

5 (I) A NEIGHBORHOOD YOUTH ORGANIZATION AS DEFINED IN
6 SECTION 26.5-5-303;

7 (II) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES
8 KINDERGARTEN THROUGH TWELVE;

9 (III) A LICENSED CHILD-CARE FACILITY;

10 (IV) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR

11 (V) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY
12 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR
13 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS.

14 **26.5-4-402. Organized youth athletic activities - CPR and first**
15 **aid requirements. (1) (a) EACH YOUTH SPORTS ORGANIZATION SHALL**
16 **ENSURE THAT AT LEAST ONE ADULT WHO POSSESSES A CURRENT FIRST AID,**
17 **CPR, AND AED CERTIFICATION IS PRESENT AT EACH YOUTH ATHLETIC**
18 **ACTIVITY.**

19 (b) A YOUTH ATHLETIC ACTIVITY THAT IS CONDUCTED ENTIRELY
20 BY VOLUNTEERS FOR TRAINING PURPOSES ONLY IS EXEMPT FROM THIS
21 SECTION, BUT THE VOLUNTEERS ARE STRONGLY ENCOURAGED TO POSSESS
22 A CURRENT FIRST AID, CPR, AND AED CERTIFICATION.

23 (2) (a) THE FIRST AID, CPR, AND AED EDUCATION COURSES
24 REQUIRED BY SUBSECTION (1) OF THIS SECTION MUST INCLUDE:

25 (I) IDENTIFYING SIGNS OF AND TREATING:

26 (A) HEAT- AND COLD-RELATED CONDITIONS;

27 (B) EXTERNAL BLEEDING;

1 (C) MUSCULAR AND SKELETAL INJURIES; AND

2 (D) HEAD, NECK, AND SPINAL INJURIES; AND

3 (II) CARDIOPULMONARY RESUSCITATION AND AUTOMATIC
4 EXTERNAL DEFIBRILLATOR TRAINING.

5 (b) EACH YOUTH SPORTS ORGANIZATION MAY DESIGNATE SPECIFIC
6 EDUCATION COURSES AS SUFFICIENT TO MEET THE REQUIREMENTS OF
7 SUBSECTION (1) OF THIS SECTION.

8 (3) NOTHING IN THIS ARTICLE 8 ABROGATES OR LIMITS THE
9 PROTECTIONS APPLICABLE TO PUBLIC ENTITIES AND PUBLIC EMPLOYEES
10 PURSUANT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
11 ARTICLE 10 OF TITLE 24; VOLUNTEERS AND BOARD MEMBERS PURSUANT
12 TO SECTIONS 13-21-115.7 AND 13-21-116; OR SKI AREA OPERATORS
13 PURSUANT TO SECTIONS 33-44-112 AND 33-44-113.

14 **26.5-4-403. Background checks required.** (1) (a) (I) A YOUTH
15 SPORTS ORGANIZATION OPERATING IN THE STATE OF COLORADO SHALL
16 REQUIRE ALL COACHES AND CHAPERONES WHO WORK DIRECTLY, OR WILL
17 WORK DIRECTLY, WITH YOUTH, TO OBTAIN, PRIOR TO STARTING THE WORK
18 OR TAKING THE TRIP, AND EVERY THREE YEARS THEREAFTER, A
19 SEVEN-YEAR CRIMINAL HISTORY RECORD CHECK THAT INCLUDES ALIASES
20 OF THE COACH OR CHAPERONE, BY A PRIVATE ENTITY REGULATED AS A
21 CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET
22 SEQ., AND THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND
23 FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE
24 AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS
25 SYSTEM. FOR A COACH OR CHAPERONE WHO WAS HIRED OR APPROVED AS
26 A COACH OR CHAPERONE PRIOR TO THE EFFECTIVE DATE OF THIS SECTION,
27 THE YOUTH SPORTS ORGANIZATION SHALL REQUIRE THE COACH OR

1 CHAPERONE TO OBTAIN A CRIMINAL HISTORY RECORD CHECK THAT
2 CONFORMS TO THIS SECTION WITHIN SIX MONTHS AFTER THE EFFECTIVE
3 DATE OF THIS SECTION.

4 (II) IF A COACH OR CHAPERONE HAS LIVED OUTSIDE OF THE UNITED
5 STATES FOR MORE THAN ONE HUNDRED EIGHTY DAYS IN THE PAST TEN
6 YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY DAYS AFTER THE
7 COACH'S OR CHAPERONE'S LAST CRIMINAL HISTORY RECORD CHECK, THE
8 COACH OR CHAPERONE SHALL ALSO OBTAIN AN INTERNATIONAL CRIMINAL
9 HISTORY RECORD CHECK THAT INCLUDES ALIASES OF THE COACH OR
10 CHAPERONE, AND THAT, AT A MINIMUM, DISCLOSES SEXUAL OFFENSES AND
11 FELONY CONVICTIONS; EXCEPT THAT, IF THE COACH OR CHAPERONE IS IN
12 THE COUNTRY ON AN INTERNATIONAL WORK VISA, THEN THE COACH OR
13 CHAPERONE IS EXEMPT FROM THIS SUBSECTION (1)(a)(II).

14 (III) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN
15 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF
16 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY
17 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
18 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION
19 18-1.3-406, A CRIME LISTED IN SECTION 18-1.3-406 (2)(a)(II) OR A
20 COMPARABLE OFFENSE COMMITTED IN ANY OTHER STATE.

21 (b) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A PERSON AS
22 A COACH OR APPROVE A PERSON AS A CHAPERONE AND SHALL TERMINATE
23 A COACH OR REVOKE THE APPROVAL FOR A CHAPERONE IF A CRIMINAL
24 HISTORY RECORD CHECK OF THE PERSON PERFORMED PURSUANT TO
25 SUBSECTION (1)(a) OF THIS SECTION SHOWS THAT THE PERSON HAS BEEN
26 CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401,
27 A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED

1 IN SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION
2 18-1.3-406, A CRIME LISTED IN SECTION 18-1.3-406 (2)(a)(II) OR ANY
3 COMPARABLE OFFENSE COMMITTED IN ANOTHER STATE.

4 (2) (a) A PERSON, INCLUDING AN EMPLOYEE OR VOLUNTEER WHO
5 TAKES PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT
6 WHO IS NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK
7 PURSUANT TO THIS SECTION OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY
8 RECORD CHECK MUST AT ALL TIMES BE SUPERVISED BY A PERSON WHO HAS
9 BEEN HIRED OR APPROVED AFTER OBTAINING A CRIMINAL HISTORY RECORD
10 CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

11 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A YOUTH
12 SPORTS ORGANIZATION IS NOT REQUIRED TO PERFORM A CRIMINAL
13 HISTORY RECORD CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE
14 CAPACITY OF A COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS
15 IN A PASSING, GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED
16 BY THIS SUBSECTION (2)(b) MUST BE SUPERVISED AT ALL TIMES BY A
17 PERSON WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A
18 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS
19 SECTION.

20 (3) A YOUTH SPORTS ORGANIZATION MAY RELY ON THE RESULTS
21 OF A CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND
22 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A
23 PERSON TO ACT AS A CHAPERONE.

24 **SECTION 3.** In Colorado Revised Statutes, add 13-80-103.4 as
25 follows:

26 **13-80-103.4. Limitation of actions - failure to perform a**
27 **background check by a youth sports organization - injury to a child**

1 - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
2 OTHERWISE REQUIRES:

3 (a) "CHILD" MEANS A PERSON WHO IS LESS THAN EIGHTEEN YEARS
4 OF AGE.

5 (b) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH
6 IN SECTION 29-7.1-101.

7 (c) "SEXUAL OFFENSE AGAINST A CHILD" INCLUDES ALL OFFENSES
8 LISTED IN SECTION 18-3-411 (1).

9 (d) "YOUTH SPORTS ORGANIZATION" HAS THE SAME MEANING AS
10 SET FORTH IN SECTION 26.5-4-401.

11 (e) "YOUTH SPORTS REQUIRED BACKGROUND CHECK" MEANS A
12 BACKGROUND CHECK THAT COMPLIES WITH SECTION 26.5-4-403 OR
13 29-7.1-102 OR 29-7.1-103.

14 (2) IN BRINGING A CIVIL ACTION FOR FAILURE TO PERFORM A
15 YOUTH SPORTS REQUIRED BACKGROUND CHECK PURSUANT TO THIS
16 SECTION, A PLAINTIFF SHALL MAKE A PRIMA FACIE SHOWING OF THE
17 FOLLOWING FACTS AND CIRCUMSTANCES:

18 (a) THE YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT,
19 IN HIRING AN INDIVIDUAL TO WORK WITH CHILDREN OR IN A SETTING WITH
20 CHILDREN, DID NOT PERFORM A YOUTH SPORTS REQUIRED BACKGROUND
21 CHECK ON THE INDIVIDUAL, AND THE FAILURE TO CONDUCT THE REQUIRED
22 BACKGROUND CHECK WAS THE RESULT OF THE YOUTH SPORTS
23 ORGANIZATION'S OR LOCAL GOVERNMENT'S DELIBERATE INDIFFERENCE OR
24 RECKLESS DISREGARD OF ITS OBLIGATION TO CONDUCT THE BACKGROUND
25 CHECK AS PROVIDED BY LAW. ORDINARY NEGLIGENCE OR UNINTENTIONAL
26 OVERSIGHT IS NOT SUFFICIENT.

27 (b) THE YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT,

1 IN HIRING AN INDIVIDUAL TO WORK WITH CHILDREN OR IN A SETTING WITH
2 CHILDREN, PERFORMED A YOUTH SPORTS REQUIRED BACKGROUND CHECK
3 OF THE INDIVIDUAL, AND THE REQUIRED BACKGROUND CHECK SHOWED
4 THAT THE INDIVIDUAL WAS INELIGIBLE TO BE HIRED OR APPROVED
5 PURSUANT TO SECTION 26.5-4-403 (1)(b), 29-7.1-102, OR 29-7.1-103;

6 (c) THE INDIVIDUAL WAS NOT REQUIRED TO OBTAIN A CRIMINAL
7 HISTORY RECORD CHECK OR WAS UNABLE TO OBTAIN A CRIMINAL HISTORY
8 RECORD CHECK AND THE YOUTH SPORTS ORGANIZATION OR LOCAL
9 GOVERNMENT FAILED TO HAVE THE INDIVIDUAL SUPERVISED BY AN
10 EMPLOYEE OR VOLUNTEER WHO WAS HIRED OR APPROVED AFTER
11 OBTAINING A CRIMINAL HISTORY RECORD CHECK;

12 (d) THE INDIVIDUAL, AT THE TIME OF HIRING, WAS NOT ELIGIBLE
13 TO BE HIRED PURSUANT TO SECTION 26.5-4-403 (1)(b), 29-7.1-102, OR
14 29-7.1-103; AND

15 (e) THE INDIVIDUAL COMMITTED ONE OF THE FOLLOWING
16 OFFENSES AGAINST A CHILD WITH WHOM THE INDIVIDUAL CAME IN
17 CONTACT IN THE COURSE OF THE INDIVIDUAL'S EMPLOYMENT WITH THE
18 YOUTH SPORTS ORGANIZATION OR LOCAL GOVERNMENT:

- 19 (I) SEXUAL ASSAULT AS DESCRIBED IN SECTION 18-3-402;
- 20 (II) SEXUAL OFFENSE AGAINST A CHILD;
- 21 (III) CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401; OR
- 22 (IV) A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406.

23 **SECTION 4.** In Colorado Revised Statutes, **add** article 7.1 to title
24 29 as follows:

25 **ARTICLE 7.1**
26 **Local Government-sponsored Youth Athletic**
27 **Activity Requirements**

1 **29-7.1-101. Definitions. AS USED IN THIS ARTICLE 7.1, UNLESS**
2 THE CONTEXT OTHERWISE REQUIRES:

3 (1) "CHAPERONE" MEANS A PERSON WHO ACCOMPANIES A YOUTH
4 ATHLETIC ACTIVITY IN AN OFFICIAL CAPACITY ON ANY TRIP THAT
5 INCLUDES ONE OR MORE OVERNIGHT STAYS.

6 (2) "COACH" MEANS A PERSON EMPLOYED AS OR VOLUNTEERING
7 AS A COACH, MANAGER, OR SUPERVISOR OF A YOUTH ATHLETIC ACTIVITY
8 BUT DOES NOT INCLUDE OCCASIONAL ASSISTANCE WITH OR SUPPORT OF
9 THE YOUTH ATHLETIC ACTIVITY BY A PERSON, INCLUDING THE ACTION OF
10 OTHER VOLUNTEERS OR EMPLOYEES OF THE LOCAL GOVERNMENT IN A
11 PASSING, GENERAL, OR NOMINAL MANNER.

12 (3) "EMPLOYMENT" MEANS ANY JOB OR POSITION IN WHICH ANY
13 PERSON MAY BE ENGAGED IN THE SERVICE OF A COACH OF A YOUTH
14 ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT FOR SALARY OR HOURLY
15 WAGES, WHETHER FULL TIME OR PART TIME, AND WHETHER TEMPORARY
16 OR PERMANENT.

17 (4) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH
18 IN SECTION 29-1-102.

19 (5) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC
20 ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN
21 EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC
22 GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC
23 ACTIVITY" DOES NOT INCLUDE AN ATHLETIC ACTIVITY THAT IS INCIDENTAL
24 TO A NONATHLETIC PROGRAM OR A LESSON.

25 **29-7.1-102. Criminal history record check for paid coaches -**
26 **CPR and first aid training. (1) (a) (I) PRIOR TO THE EMPLOYMENT OF**
27 **ANY PERSON AS A COACH OF OR APPROVAL AS A CHAPERONE FOR A YOUTH**

1 ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT, THE LOCAL GOVERNMENT
2 SHALL REQUIRE A SEVEN-YEAR CRIMINAL HISTORY RECORD CHECK OF THE
3 PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER REPORTING
4 AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT DISCLOSES, AT
5 A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS AND INCLUDES
6 A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE COLORADO
7 JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

8 (II) IF A COACH OR CHAPERONE HAS LIVED OUTSIDE OF THE UNITED
9 STATES FOR MORE THAN ONE HUNDRED EIGHTY DAYS IN THE PAST TEN
10 YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY DAYS AFTER THE
11 COACH'S OR CHAPERONE'S LAST CRIMINAL HISTORY RECORD CHECK WAS
12 CONDUCTED, THE COACH OR CHAPERONE SHALL ALSO OBTAIN AN
13 INTERNATIONAL CRIMINAL HISTORY RECORD CHECK, INCLUDING ALIASES
14 OF THE COACH OR CHAPERONE, THAT, AT A MINIMUM, DISCLOSES SEXUAL
15 OFFENSES AND FELONY CONVICTIONS; EXCEPT THAT, IF THE COACH OR
16 CHAPERONE IS IN THE COUNTRY ON AN INTERNATIONAL WORK VISA, THEN
17 THE COACH OR CHAPERONE IS EXEMPT FROM THIS SUBSECTION (1)(a)(II).

18 (b) EACH JULY 1, THE LOCAL GOVERNMENT SHALL REQUIRE A
19 CRIMINAL HISTORY RECORD CHECK IN CONFORMITY WITH THE PROVISIONS
20 OF THIS SECTION OF EACH PERSON EMPLOYED AS A COACH OF A YOUTH
21 ATHLETIC ACTIVITY WHO HAS NOT HAD A CRIMINAL HISTORY RECORD
22 CHECK IN THE LAST THREE YEARS.

23 (c) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN
24 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF
25 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY
26 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
27 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION

1 18-1.3-406, A CRIME LISTED IN SECTION 18-1.3-406 (2)(a)(II) OR A
2 COMPARABLE OFFENSE COMMITTED IN ANY OTHER STATE.

3 (2) A PERSON CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED
4 IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL
5 BEHAVIOR AS DEFINED IN SECTION 16-22-102, A CRIME OF VIOLENCE AS
6 DESCRIBED IN SECTION 18-1.3-406, A CRIME LISTED IN SECTION 18-1.3-406
7 (2)(a)(II) OR A COMPARABLE CHILD ABUSE OR UNLAWFUL SEXUAL
8 BEHAVIOR OFFENSE COMMITTED IN ANY OTHER STATE IS DISQUALIFIED
9 FROM EMPLOYMENT AS A COACH OF A YOUTH ATHLETIC ACTIVITY.

10 (3) A PERSON, INCLUDING A COACH WHO TAKES PART IN THE
11 ACTIVITIES OF A YOUTH SPORTS ACTIVITY BUT WHO IS NOT REQUIRED TO
12 OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT TO THIS SECTION
13 OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY RECORD CHECK SHALL AT
14 ALL TIMES BE SUPERVISED BY A COACH WHO HAS BEEN HIRED OR
15 APPROVED AFTER OBTAINING A CRIMINAL HISTORY RECORD CHECK
16 PURSUANT TO SUBSECTION (1) OF THIS SECTION.

17 (4) A PERSON WHO ACTS AS AN EMPLOYED COACH OF A YOUTH
18 ATHLETIC ACTIVITY SHALL POSSESS A CURRENT FIRST AID, CPR, AND AED
19 CERTIFICATION AS DESCRIBED IN SECTION 26.5-4-402 (2).

20 **29-7.1-103. Criminal history record check for volunteer**
21 **coaches - CPR and first aid training.** (1) (a) (I) PRIOR TO THE START OF
22 ANY PERSON AS A VOLUNTEER COACH OF A YOUTH ATHLETIC ACTIVITY BY
23 A LOCAL GOVERNMENT, THE LOCAL GOVERNMENT SHALL REQUIRE A
24 SEVEN-YEAR CRIMINAL HISTORY RECORD CHECK OF THE PERSON BY A
25 PRIVATE ENTITY REGULATED AS A CONSUMER REPORTING AGENCY
26 PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT DISCLOSES, AT A
27 MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS AND INCLUDES A

1 SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE COLORADO
2 JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

3 (II) IF A VOLUNTEER COACH HAS LIVED OUTSIDE OF THE UNITED
4 STATES FOR MORE THAN ONE HUNDRED EIGHTY DAYS IN THE PAST TEN
5 YEARS OR FOR MORE THAN ONE HUNDRED EIGHTY DAYS AFTER THE
6 VOLUNTEER COACH'S LAST CRIMINAL HISTORY RECORD CHECK WAS
7 CONDUCTED, THE VOLUNTEER COACH SHALL ALSO OBTAIN AN
8 INTERNATIONAL CRIMINAL HISTORY RECORD CHECK, INCLUDING ALIASES
9 OF THE VOLUNTEER COACH, THAT, AT A MINIMUM, DISCLOSES SEXUAL
10 OFFENSES AND FELONY CONVICTIONS; EXCEPT THAT, IF THE VOLUNTEER
11 COACH IS IN THE COUNTRY ON AN INTERNATIONAL WORK VISA, THEN THE
12 VOLUNTEER COACH IS EXEMPT FROM THIS SUBSECTION (1)(a)(II).

13 (b) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN
14 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF
15 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, A FELONY
16 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
17 SECTION 16-22-102 (9), A CRIME OF VIOLENCE AS DESCRIBED IN SECTION
18 18-1.3-406, A CRIME LISTED IN SECTION 18-1.3-406 (2)(a)(II) OR A
19 COMPARABLE OFFENSE COMMITTED IN ANY OTHER STATE.

20 (2) (a) A PERSON CONVICTED OF FELONY CHILD ABUSE AS
21 SPECIFIED IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL
22 SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102, A CRIME OF
23 VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, A CRIME LISTED IN
24 SECTION 18-1.3-406 (2)(a)(II) OR A COMPARABLE CHILD ABUSE OR
25 UNLAWFUL SEXUAL BEHAVIOR OFFENSE COMMITTED IN ANY OTHER STATE
26 IS DISQUALIFIED FROM ACTING AS AN UNSUPERVISED VOLUNTEER COACH
27 OF A YOUTH ATHLETIC ACTIVITY.

1 (b) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,
2 A PARENT, LEGAL GUARDIAN, OR OTHER IMMEDIATE FAMILY MEMBERS
3 MUST NOT BE PREVENTED FROM VOLUNTEERING IN YOUTH ATHLETIC
4 ACTIVITIES BASED ON PAST CRIMINAL HISTORY.

5 (3)(a) A PERSON, INCLUDING A COACH OR VOLUNTEER WHO TAKES
6 PART IN THE ACTIVITIES OF A YOUTH SPORTS ORGANIZATION BUT WHO IS
7 NOT REQUIRED TO OBTAIN A CRIMINAL HISTORY RECORD CHECK PURSUANT
8 TO THIS SECTION OR IS UNABLE TO OBTAIN A CRIMINAL HISTORY RECORD
9 CHECK MUST AT ALL TIMES BE SUPERVISED BY A COACH OR VOLUNTEER
10 WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A CRIMINAL
11 HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

12 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A LOCAL
13 GOVERNMENT IS NOT REQUIRED TO PERFORM A CRIMINAL HISTORY RECORD
14 CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE CAPACITY OF A
15 COACH OR MANAGER AND ONLY OCCASIONALLY ASSISTS IN A PASSING,
16 GENERAL, OR NOMINAL MANNER. A VOLUNTEER DESCRIBED BY THIS
17 SUBSECTION (3)(b) SHALL BE SUPERVISED AT ALL TIMES BY A VOLUNTEER
18 COACH WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A CRIMINAL
19 HISTORY RECORD CHECK PURSUANT TO SUBSECTION (1) OF THIS SECTION.

20 (4) A PERSON WHO ACTS AS A VOLUNTEER COACH OF A YOUTH
21 ATHLETIC ACTIVITY SHALL POSSESS A CURRENT FIRST AID, CPR, AND AED
22 CERTIFICATION AS DESCRIBED IN SECTION 26.5-4-402 (2).

23 **29-7.1-104. Criminal history record checks - fees - reliance -**
24 **not an open record.** (1) A LOCAL GOVERNMENT MAY CHARGE A PERSON
25 ANY FEES FOR THE CRIMINAL HISTORY RECORD CHECK REQUIRED BY THIS
26 ARTICLE 7.1.

27 (2) THIS ARTICLE 7.1 DOES NOT REQUIRE A SECOND OR

1 SUBSEQUENT CRIMINAL HISTORY RECORD CHECK FOR A COACH OR
2 VOLUNTEER COACH PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE 7.1.

3 (3) A LOCAL GOVERNMENT MAY RELY ON THE RESULTS OF THE
4 CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND
5 EMPLOYMENT DECISIONS AND WHEN MAKING THE DECISION TO ALLOW A
6 PERSON TO ACT AS A VOLUNTEER COACH.

7 (4) ANY INFORMATION RECEIVED BY A LOCAL GOVERNMENT ON
8 THE CRIMINAL HISTORY RECORD CHECK FOR A COACH OR VOLUNTEER
9 COACH AS REQUIRED BY THIS ARTICLE 7.1 IS NOT SUBJECT TO THE
10 PROVISIONS OF PART 2 OF ARTICLE 72 OF TITLE 24.

11 **SECTION 5. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly; except
14 that, if a referendum petition is filed pursuant to section 1 (3) of article V
15 of the state constitution against this act or an item, section, or part of this
16 act within such period, then the act, item, section, or part will not take
17 effect unless approved by the people at the general election to be held in
18 November 2024 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.