

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

REREVISED

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

LLS NO. 24-0491.01 Michael Dohr x4347

SENATE BILL 24-113

SENATE SPONSORSHIP

Coleman and Exum, Bridges, Buckner, Cutter, Fenberg, Ginal, Hansen, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Priola, Rodriguez, Sullivan, Winter F., Zenzinger

HOUSE SPONSORSHIP

Joseph and Willford, Bacon, Brown, Duran, Herod, Jodeh, Kipp, Ricks

Senate Committees

Education
Appropriations

House Committees

Education

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO MAKE YOUTH SPORTS SAFER.**

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 each public and private middle school, junior high school, and high school (school) and organization that operates a youth athletic activity to have each coach of a youth athletic activity complete an abuse prevention training program.

The bill requires the office of school safety (office) to develop a code of conduct for coaches, parents, spectators, and athletes, and requires coaches to comply with the code. A person may report a violation of the code by a coach to the office, and the office will forward

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.

HOUSE
3rd Reading Unamended
May 6, 2024

HOUSE
Amended 2nd Reading
May 5, 2024

SENATE
3rd Reading Unamended
April 19, 2024

SENATE
Amended 2nd Reading
April 18, 2024

the report to the appropriate school or organization. If a violation is established, the school or organization must forward the found violation to the office and the office shall determine whether the violator received adequate due process. If the office makes that determination, the office must include the found violation on the statewide list of found violations on its website.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 4 to article
3 4 of title 26.5 as follows:

4 **PART 4**

5 **YOUTH SPORTS ORGANIZATIONS**

6 **26.5-4-401. Definitions.** AS USED IN THIS PART 4, UNLESS THE
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "ABUSE" MEANS PHYSICAL OR MENTAL INJURY, SEXUAL ABUSE
9 OR EXPLOITATION, OR NEGLIGENT TREATMENT OF A CHILD.

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

16 (3) (a) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
17 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS
18 CORE FUNCTION, PROVIDES PERSONS WHO ARE LESS THAN EIGHTEEN YEARS
19 OF AGE THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE OR
20 RECREATIONAL SPORTING ACTIVITIES, WHETHER INDIVIDUALLY OR AS A
21 TEAM, BUT DOES NOT INCLUDE A SPORTING ACTIVITY THAT IS INCIDENTAL
22 TO A NONATHLETIC PROGRAM OR LESSON.

- 1 (b) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:
2 (I) A NEIGHBORHOOD YOUTH ORGANIZATION, AS DEFINED IN
3 SECTION 26.5-5-303;
4 (II) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES
5 KINDERGARTEN THROUGH TWELVE;
6 (III) A LICENSED CHILD-CARE FACILITY;
7 (IV) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR
8 (V) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY
9 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR
10 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS.

11 **26.5-4-402. Organized youth athletic activities - abuse**
12 **prevention training.** (1) (a) STARTING JULY 1, 2025, EACH YOUTH
13 SPORTS ORGANIZATION SHALL REQUIRE EACH COACH TO ANNUALLY
14 COMPLETE MANDATORY REPORTER TRAINING THAT ADHERES TO THE
15 RECOMMENDATIONS OF THE MANDATORY REPORTER TRAINING TASK
16 FORCE PURSUANT TO SECTION 19-3-304.2.

17 (b) EACH YOUTH SPORTS ORGANIZATION SHALL ENCOURAGE EACH
18 COACH TO ANNUALLY COMPLETE AN ABUSE PREVENTION TRAINING
19 PROGRAM THAT INCLUDES THE FOLLOWING:

- 20 (I) PROHIBITED CONDUCT BY COACHES;
21 (II) APPROPRIATE ONE-ON-ONE INTERACTIONS BETWEEN PLAYERS
22 AND COACHES;
23
24 (III) HOW TO RECOGNIZE AND APPROPRIATELY RESPOND TO AND
25 PREVENT BEHAVIORS THAT VIOLATE THE PROHIBITED CONDUCT POLICY
26 DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION; AND
27 (IV) HOW TO RESPOND TO DISCLOSURES OF SEXUAL ABUSE, CHILD

1 ABUSE, OR REPORTS OF BEHAVIORS VIOLATING THE PROHIBITED CONDUCT
2 POLICY DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION IN A
3 SUPPORTIVE AND APPROPRIATE MANNER THAT MEETS THE MANDATED
4 REPORTING REQUIREMENTS PURSUANT TO COLORADO STATUTES.

5 [REDACTED]
6 (2) (a) (I) EACH YOUTH SPORTS ORGANIZATION SHALL DEVELOP A
7 PROHIBITED CONDUCT POLICY RELATING TO YOUTH ATHLETIC ACTIVITIES.

8 (II) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:

9 (A) A LIST OF PROHIBITED CONDUCT BY PARENTS, SPECTATORS,
10 COACHES, AND ATHLETES AND A MANDATORY REPORTING POLICY FOR
11 ADULTS WHO HAVE KNOWLEDGE OF AN ACT OF PROHIBITED CONDUCT; AND

12 (B) A CODE OF CONDUCT FOR PARENTS, SPECTATORS, COACHES,
13 AND ATHLETES TO FOLLOW.

14 (III) A YOUTH SPORTS ORGANIZATION MAY ADOPT THE MODEL
15 CODE OF CONDUCT POLICY MADE AVAILABLE BY THE DEPARTMENT
16 PURSUANT TO SECTION 26.5-1-116.

17 (b) EACH YOUTH SPORTS ORGANIZATION SHALL REQUIRE EACH OF
18 ITS COACHES TO COMPLY WITH THE PROHIBITED CONDUCT POLICY
19 DEVELOPED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

20 [REDACTED]
21 (3) EACH YOUTH SPORTS ORGANIZATION SHALL POST THE NOTICE
22 CREATED PURSUANT TO SECTION 6-1-735 ON ITS WEBSITE, AND IF THE
23 YOUTH SPORTS ORGANIZATION DOES NOT HAVE A WEBSITE, IT SHALL
24 PROVIDE THE NOTICE TO THE PARENTS AND LEGAL GUARDIANS OF EACH
25 PARTICIPANT.

26 [REDACTED]
27 **26.5-4-403. Background checks required. (1) (a) A YOUTH**

1 SPORTS ORGANIZATION OPERATING IN THE STATE OF COLORADO SHALL
2 REQUIRE ALL COACHES TO OBTAIN, PRIOR TO STARTING WORK, A CRIMINAL
3 HISTORY RECORD CHECK BY A PRIVATE ENTITY REGULATED AS A
4 CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET
5 SEQ., AND THAT DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND
6 FELONY CONVICTIONS AND INCLUDES A SOCIAL SECURITY NUMBER TRACE
7 AND A SEARCH OF THE COLORADO JUDICIAL PUBLIC RECORDS ACCESS
8 SYSTEM. THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN TO THE
9 EXTENT POSSIBLE WHETHER THE PERSON BEING INVESTIGATED HAS BEEN
10 CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401;
11 A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED
12 IN SECTION 16-22-102 (9); OR A COMPARABLE OFFENSE COMMITTED IN
13 ANY OTHER STATE.

14 (b) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A COACH IF
15 A CRIMINAL HISTORY RECORD CHECK OF THE PERSON PERFORMED
16 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION SHOWS THAT THE
17 PERSON HAS BEEN CONVICTED OF, PLED NOLO CONTENDERE TO, OR HAS
18 RECEIVED A DEFERRED SENTENCE OR DEFERRED PROSECUTION FOR FELONY
19 CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401; A FELONY OFFENSE
20 INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED IN SECTION
21 16-22-102 (9); OR ANY COMPARABLE OFFENSE COMMITTED IN ANY OTHER
22 STATE.

23 (2) A YOUTH SPORTS ORGANIZATION MAY RELY ON THE RESULTS
24 OF A CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND
25 EMPLOYMENT DECISIONS AND IS IMMUNE FROM CIVIL LIABILITY UNLESS
26 THE YOUTH SPORTS ORGANIZATION KNOWS THE INFORMATION IS FALSE OR
27 ACTS WITH RECKLESS DISREGARD CONCERNING THE VERACITY OF SUCH

1 INFORMATION.

2 **SECTION 2.** In Colorado Revised Statutes, **add** article 7.1 to title
3 29 as follows:

4 **ARTICLE 7.1**

5 **Local Government-sponsored Youth Athletic**

6 **Activity Requirements**

7 **29-7.1-101. Definitions.** AS USED IN THIS ARTICLE 7.1, UNLESS
8 THE CONTEXT OTHERWISE REQUIRES:

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

15 (2) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH
16 IN SECTION 29-1-102.

17 (3) "YOUTH ATHLETIC ACTIVITY" MEANS AN ORGANIZED ATHLETIC
18 ACTIVITY IN WHICH THE MAJORITY OF THE PARTICIPANTS ARE LESS THAN
19 EIGHTEEN YEARS OF AGE AND ARE ENGAGING IN AN ORGANIZED ATHLETIC
20 GAME, COMPETITION, OR TRAINING PROGRAM. "YOUTH ATHLETIC
21 ACTIVITY" DOES NOT INCLUDE TRAVEL OR TRIPS NOT ORGANIZED OR
22 SUPERVISED BY THE LOCAL GOVERNMENT.

23 **29-7.1-102. Organized youth athletic activities - code of**
24 **conduct.** (1) (a) EACH LOCAL GOVERNMENT SHALL MAKE AVAILABLE A
25 PROHIBITED CONDUCT POLICY RELATING TO YOUTH ATHLETIC ACTIVITIES.

26 (b) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:

27 (I) A LIST OF PROHIBITED CONDUCT BY PARENTS, SPECTATORS,

1 COACHES, AND ATHLETES AND A MANDATORY REPORTING POLICY FOR
2 ADULTS WHO HAVE KNOWLEDGE OF AN ACT OF PROHIBITED CONDUCT; AND

3 (II) A CODE OF CONDUCT FOR PARENTS, SPECTATORS, COACHES,
4 AND ATHLETES TO FOLLOW;

5 (c) A LOCAL GOVERNMENT MAY ADOPT THE MODEL CODE OF
6 CONDUCT POLICY MADE AVAILABLE BY THE DEPARTMENT PURSUANT TO
7 SECTION 26.5-1-116.

8 (2) EACH LOCAL GOVERNMENT SHALL REQUIRE EACH OF ITS
9 COACHES TO COMPLY WITH THE PROHIBITED CONDUCT POLICY CREATED
10 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.

11 **29-7.1-103. Criminal history record check for paid coaches.**

12 (1) (a) PRIOR TO THE EMPLOYMENT OF ANY PERSON AS A COACH OF A
13 YOUTH ATHLETIC ACTIVITY BY A LOCAL GOVERNMENT, THE LOCAL
14 GOVERNMENT SHALL REQUIRE A CRIMINAL HISTORY RECORD CHECK OF
15 THE PERSON BY A PRIVATE ENTITY REGULATED AS A CONSUMER
16 REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT
17 DISCLOSES, AT A MINIMUM, SEXUAL OFFENSES AND FELONY CONVICTIONS
18 AND INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE
19 COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM.

20 (b) THE CRIMINAL HISTORY RECORD CHECK MUST ASCERTAIN
21 WHETHER THE PERSON BEING INVESTIGATED HAS BEEN CONVICTED OF,
22 PLED NOLO CONTENDERE TO, OR HAS RECEIVED A DEFERRED SENTENCE OR
23 DEFERRED PROSECUTION FOR FELONY CHILD ABUSE AS SPECIFIED IN
24 SECTION 18-6-401; A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL
25 BEHAVIOR, AS DEFINED IN SECTION 16-22-102 (9); OR A COMPARABLE
26 OFFENSE COMMITTED IN ANY OTHER STATE.

27 (2) A PERSON WHO HAS BEEN CONVICTED OF, PLED NOLO

1 CONTENDERE TO, OR RECEIVED A DEFERRED SENTENCE OR DEFERRED
2 PROSECUTION FOR FELONY CHILD ABUSE AS SPECIFIED IN SECTION
3 18-6-401; A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR,
4 AS DEFINED IN SECTION 16-22-102; OR A OFFENSE COMMITTED IN ANY
5 OTHER STATE IS DISQUALIFIED FROM EMPLOYMENT AS A COACH OF A
6 YOUTH ATHLETIC ACTIVITY.

7 **29-7.1-104. Criminal history record checks - fees - reliance -**
8 **not an open record.** (1) A LOCAL GOVERNMENT MAY CHARGE A PERSON
9 ANY FEES FOR THE CRIMINAL HISTORY RECORD CHECK REQUIRED BY THIS
10 ARTICLE 7.1.

11 (2) THIS ARTICLE 7.1 DOES NOT REQUIRE A SECOND OR
12 SUBSEQUENT CRIMINAL HISTORY RECORD CHECK FOR A COACH WHO HAS
13 HAD A CRIMINAL HISTORY RECORD CHECK PRIOR TO THE EFFECTIVE DATE
14 OF THIS ARTICLE 7.1.

15 (3) A LOCAL GOVERNMENT MAY RELY ON THE RESULTS OF THE
16 CRIMINAL HISTORY RECORD CHECK WHEN MAKING HIRING AND
17 EMPLOYMENT DECISIONS AND IS IMMUNE FROM CIVIL LIABILITY UNLESS
18 THE LOCAL GOVERNMENT KNOWS THE INFORMATION IS FALSE OR ACTS
19 WITH RECKLESS DISREGARD CONCERNING THE VERACITY OF SUCH
20 INFORMATION.

21 (4) ANY INFORMATION RECEIVED BY A LOCAL GOVERNMENT ON
22 THE CRIMINAL HISTORY RECORD CHECK FOR A COACH AS REQUIRED BY
23 THIS ARTICLE 7.1 IS NOT SUBJECT TO THE PROVISIONS OF PART 2 OF
24 ARTICLE 72 OF TITLE 24.


25 **SECTION 3.** In Colorado Revised Statutes, **add** 26.5-1-116 as
26 follows:

27 **26.5-1-116. Youth sports organization model code of conduct.**

1 THE DEPARTMENT SHALL MAKE AVAILABLE A YOUTH SPORTS
2 ORGANIZATION MODEL CODE OF CONDUCT POLICY THAT ADDRESSES THE
3 MATTERS DESCRIBED IN SECTION 26.5-4-402 (1)(b).

4 SECTION 4. In Colorado Revised Statutes, add 6-1-735 as
5 follows:

6 6-1-735. Organized youth athletic activities - notice of
7 requirements. THE ATTORNEY GENERAL SHALL DRAFT A NOTICE THAT
8 EXPLAINS THE REQUIREMENTS OF PART 4 OF ARTICLE 4 OF TITLE 26.5 AND
9 SHALL MAKE THE NOTICE AVAILABLE TO ALL YOUTH SPORTS
10 ORGANIZATIONS, AS DEFINED IN SECTION 26.5-4-401, FOR A YOUTH SPORTS
11 ORGANIZATION TO POST ON ITS WEBSITE OR PROVIDE TO PARENTS OR
12 LEGAL GUARDIANS UNDER THE YOUTH SPORTS ORGANIZATION'S NAME.

13 

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