

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0491.01 Michael Dohr x4347

SENATE BILL 24-113

SENATE SPONSORSHIP

Coleman and Exum,

HOUSE SPONSORSHIP

(None),

Senate Committees

Education
Appropriations

House Committees

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.

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** article 8 to title
3 **19** as follows:

4 **ARTICLE 8**

5 **Organized Youth Athletic Activities**

6 **19-8-101. Organized youth athletic activities - abuse**
7 **prevention training - definitions.** (1) (a) (I) EACH YOUTH SPORTS
8 **ORGANIZATION SHALL REQUIRE EACH COACH TO ANNUALLY COMPLETE AN**
9 **ABUSE PREVENTION TRAINING PROGRAM AS DESCRIBED IN SUBSECTION**
10 **(1)(a)(II) OF THIS SUBSECTION.**

11 **(II) THE ABUSE PREVENTION TRAINING PROGRAM REQUIRED BY**
12 **SUBSECTION (1)(a)(I) OF THIS SECTION MUST INCLUDE INFORMATION AND**
13 **TRAINING ON THE FOLLOWING:**

14 **(A) PROHIBITED CONDUCT BY COACHES;**

15 **(B) APPROPRIATE ONE-ON-ONE INTERACTIONS BETWEEN PLAYERS**
16 **AND COACHES;**

17 **(C) MANDATORY REPORTING REQUIREMENTS;**

18 **(D) HOW TO RECOGNIZE AND APPROPRIATELY RESPOND TO AND**
19 **PREVENT BEHAVIORS THAT VIOLATE THE PROHIBITED CONDUCT POLICY**
20 **DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION; AND**

21 **(E) HOW TO RESPOND TO DISCLOSURES OF SEXUAL ABUSE, CHILD**
22 **ABUSE, OR REPORTS OF BEHAVIORS VIOLATING THE PROHIBITED CONDUCT**

1 POLICY DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION IN A
2 SUPPORTIVE AND APPROPRIATE MANNER THAT MEETS THE MANDATED
3 REPORTING REQUIREMENTS PURSUANT TO COLORADO STATUTES.

4 (b) A YOUTH SPORTS ORGANIZATION MAY DESIGNATE SPECIFIC
5 EDUCATION COURSES THAT MEET THE REQUIREMENTS OF SUBSECTION
6 (1)(a) OF THIS SECTION.

7 (c) UPON SUCCESSFUL COMPLETION OF THE ABUSE PREVENTION
8 TRAINING PROGRAM COURSE, A COACH SHALL SUBMIT EVIDENCE OF
9 COMPLETION TO THE COACH'S YOUTH SPORTS ORGANIZATION.

10 (d) EACH YOUTH SPORTS ORGANIZATION SHALL MAINTAIN
11 RECORDS OF THE COMPLETION EVIDENCE SUBMITTED PURSUANT TO
12 SUBSECTION (1)(c) OF THIS SECTION.

13 (2) (a) (I) EACH YOUTH SPORTS ORGANIZATION SHALL DEVELOP A
14 PROHIBITED CONDUCT POLICY RELATING TO YOUTH ATHLETIC ACTIVITIES.

15 (II) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:

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

19 (B) A CODE OF CONDUCT FOR PARENTS, SPECTATORS, COACHES,
20 AND ATHLETES TO FOLLOW;

21 (C) A SYSTEM FOR REPORTING VIOLATIONS OF THE PROHIBITED
22 CONDUCT POLICY OR CODE OF CONDUCT TO THE YOUTH SPORTS
23 ORGANIZATION;

24 (D) A PROCESS FOR INVESTIGATIONS, DUE PROCESS
25 REQUIREMENTS, AND SANCTIONS FOR VIOLATIONS OF THE PROHIBITED
26 CONDUCT POLICY OR CODE OF CONDUCT; AND

27 (E) A PROCESS FOR ONLINE PUBLICATION OF THE STATEWIDE LIST

1 OF FOUND VIOLATIONS DEVELOPED PURSUANT TO SUBSECTION (2)(d) OF
2 THIS SECTION.

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

6 (c) (I) EACH YOUTH SPORTS ORGANIZATION SHALL CREATE AN
7 ONLINE REPORTING PORTAL FOR VIOLATIONS BY A COACH OF THE
8 PROHIBITED CONDUCT POLICY DEVELOPED PURSUANT TO SUBSECTION
9 (2)(a) OF THIS SECTION. UPON RECEIPT OF A REPORTED VIOLATION, THE
10 YOUTH SPORTS ORGANIZATION SHALL INVESTIGATE THE REPORT.

11 (II) IF, AFTER INVESTIGATION, THE YOUTH SPORTS ORGANIZATION
12 DETERMINES THERE WAS A VIOLATION OF THE PROHIBITED CONDUCT
13 POLICY, THE YOUTH SPORTS ORGANIZATION SHALL BAN THE COACH FROM
14 THE ORGANIZATION AND REPORT THE VIOLATION TO THE ATTORNEY
15 GENERAL'S OFFICE.

16 (III) UPON RECEIPT OF A NOTICE OF A FOUND VIOLATION PURSUANT
17 TO SUBSECTION (2)(c)(II) OF THIS SECTION, THE ATTORNEY GENERAL
18 SHALL REVIEW THE DETERMINATION AND RECORD, AND, IF THE ATTORNEY
19 GENERAL DETERMINES THAT THE VIOLATOR RECEIVED ADEQUATE DUE
20 PROCESS DURING THE INVESTIGATION AND DETERMINATION, THE
21 ATTORNEY GENERAL SHALL INCLUDE THE FOUND VIOLATION ON THE
22 STATEWIDE LIST OF FOUND VIOLATIONS PURSUANT TO SUBSECTION (2)(d)
23 OF THIS SECTION.

24 (d) THE ATTORNEY GENERAL SHALL POST IN A CONSPICUOUS PLACE
25 ON THE ATTORNEY GENERAL'S OFFICE'S WEBSITE A LINK TO A STATEWIDE
26 LIST OF FOUND VIOLATIONS VERIFIED BY THE ATTORNEY GENERAL'S OFFICE
27 PURSUANT TO SUBSECTION (2)(c)(III) OF THIS SECTION. THE LIST MUST BE

1 SEARCHABLE BY NAME OF VIOLATOR, DATE OF VIOLATION, AND YOUTH
2 SPORTS ORGANIZATION.

3 (3) AS USED IN THIS ARTICLE 8, UNLESS THE CONTEXT OTHERWISE
4 REQUIRES:

5 (a) "ABUSE" MEANS PHYSICAL OR MENTAL INJURY, SEXUAL ABUSE
6 OR EXPLOITATION, OR NEGLIGENT TREATMENT OF A CHILD.

7 (b) (I) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
8 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS
9 CORE FUNCTION, PROVIDES PERSONS WHO ARE EIGHTEEN YEARS OF AGE OR
10 YOUNGER THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE
11 OR RECREATIONAL SPORTING EVENTS, WHETHER INDIVIDUALLY OR AS A
12 TEAM.

13 (II) "YOUTH SPORTS ORGANIZATION" DOES NOT INCLUDE:

14 (A) A NEIGHBORHOOD YOUTH ORGANIZATION AS DEFINED IN
15 SECTION 26.5-5-303;

16 (B) A PUBLIC OR PRIVATE SCHOOL SERVING ANY OF GRADES
17 KINDERGARTEN THROUGH TWELVE;

18 (C) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR

19 (D) AN ORGANIZATION THAT MERELY PROVIDES THE OPPORTUNITY
20 TO PARTICIPATE IN AN UNSUPERVISED, UNSCHEDULED COMPETITIVE OR
21 RECREATIONAL SPORTING EVENT ON A WALK-IN BASIS.

22 **SECTION 2.** In Colorado Revised Statutes, **add 26.5-5-304.5** as
23 follows:

24 **26.5-5-304.5. Application of part - youth sports organizations**
25 **- background checks required - definitions.** (1) **NOTWITHSTANDING**
26 **ANY PROVISION OF THIS PART 3 TO THE CONTRARY, A YOUTH SPORTS**
27 **ORGANIZATION THAT IS NOT LICENSED PURSUANT TO THIS PART 3 ON THE**

1 EFFECTIVE DATE OF THIS SECTION IS SUBJECT ONLY TO THE REQUIREMENTS
2 OF THIS SECTION AND IS OTHERWISE EXEMPT FROM THE REQUIREMENTS OF
3 THIS PART 3.

4 (2) (a) A YOUTH SPORTS ORGANIZATION OPERATING IN THE STATE
5 OF COLORADO SHALL REQUIRE ALL EMPLOYEES AND VOLUNTEERS WHO
6 WORK DIRECTLY, OR WILL WORK DIRECTLY, WITH YOUTH MEMBERS, AND
7 ANY EMPLOYEE OR VOLUNTEER WHO ACCOMPANIES THE YOUTH SPORTS
8 ORGANIZATION ON ANY TRIP THAT INCLUDES ONE OR MORE OVERNIGHT
9 STAYS, TO OBTAIN, PRIOR TO STARTING THE WORK OR TAKING THE TRIP,
10 AND EVERY THREE YEARS THEREAFTER, A CRIMINAL HISTORY RECORD
11 CHECK BY A PRIVATE ENTITY REGULATED AS A CONSUMER REPORTING
12 AGENCY PURSUANT TO 15 U.S.C. SEC. 1681, ET SEQ., THAT DISCLOSES, AT
13 A MINIMUM, SEXUAL OFFENDERS AND FELONY CONVICTIONS AND
14 INCLUDES A SOCIAL SECURITY NUMBER TRACE AND A SEARCH OF THE
15 COLORADO JUDICIAL PUBLIC RECORDS ACCESS SYSTEM. THE CRIMINAL
16 HISTORY RECORD CHECK MUST ASCERTAIN WHETHER THE PERSON BEING
17 INVESTIGATED HAS BEEN CONVICTED OF FELONY CHILD ABUSE AS
18 SPECIFIED IN SECTION 18-6-401, A FELONY OFFENSE INVOLVING UNLAWFUL
19 SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9), OR A
20 COMPARABLE OFFENSE COMMITTED IN ANY OTHER STATE.

21 (b) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A PERSON AS
22 AN EMPLOYEE OR APPROVE A PERSON AS A VOLUNTEER IF A CRIMINAL
23 HISTORY RECORD CHECK OF THE PERSON PERFORMED PURSUANT TO
24 SUBSECTION (2)(a) OF THIS SECTION SHOWS THAT THE PERSON HAS BEEN
25 CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401,
26 A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED
27 IN SECTION 16-22-102 (9), OR A COMPARABLE OFFENSE COMMITTED IN ANY

1 OTHER STATE.

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

9 (b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A YOUTH
10 SPORTS ORGANIZATION IS NOT REQUIRED TO PERFORM A CRIMINAL
11 HISTORY RECORD CHECK ON A VOLUNTEER WHO IS NOT ACTING IN THE
12 CAPACITY OF A COACH OR MANAGER, ONLY OCCASIONALLY ASSISTS WITH
13 THE TEAM, AND WHO HAS AN IMMEDIATE FAMILY MEMBER PARTICIPATING
14 IN THE YOUTH SPORTS ORGANIZATION. A VOLUNTEER DESCRIBED BY THIS
15 SUBSECTION (3)(b) MUST BE SUPERVISED AT ALL TIMES BY AN EMPLOYEE
16 OR VOLUNTEER WHO HAS BEEN HIRED OR APPROVED AFTER OBTAINING A
17 CRIMINAL HISTORY RECORD CHECK PURSUANT TO SUBSECTION (2) OF THIS
18 SECTION.

19 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "EMPLOYEE" MEANS A PAID EMPLOYEE OF A YOUTH SPORTS
22 ORGANIZATION WHO IS EIGHTEEN YEARS OF AGE OR OLDER.

23 (b) "VOLUNTEER" MEANS A PERSON WHO VOLUNTEERS TO ASSIST
24 A YOUTH SPORTS ORGANIZATION.

25 (c) (I) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
26 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS
27 CORE FUNCTION, PROVIDES PERSONS WHO ARE EIGHTEEN YEARS OF AGE OR

1 YOUNGER THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE
2 OR RECREATIONAL SPORTING EVENTS, WHETHER INDIVIDUALLY OR AS A
3 TEAM.

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

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

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

9 (C) A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION; OR

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

13 SECTION 3. In Colorado Revised Statutes, add 6-1-735 as
14 follows:

15 6-1-735. Organized youth athletic activities - unfair trade
16 practice. A YOUTH SPORTS ORGANIZATION AS DEFINED IN SECTION
17 19-8-101 (3) ENGAGES IN AN UNFAIR TRADE PRACTICE WHEN THE YOUTH
18 SPORTS ORGANIZATION FAILS TO COMPLY WITH SECTION 19-8-101.

19 SECTION 4. Act subject to petition - effective date. This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly; except
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V
23 of the state constitution against this act or an item, section, or part of this
24 act within such period, then the act, item, section, or part will not take
25 effect unless approved by the people at the general election to be held in
26 November 2024 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.