

**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, AND, IN**
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

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.

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 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**

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

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

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

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

16 (II) THE PROHIBITED CONDUCT POLICY MUST INCLUDE:

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

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

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

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

1 (E) A PROCESS FOR ONLINE PUBLICATION OF THE STATEWIDE LIST
2 OF FOUND VIOLATIONS DEVELOPED PURSUANT TO SUBSECTION (2)(d) OF
3 THIS SECTION.

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

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

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

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

25 (d) THE ATTORNEY GENERAL SHALL POST IN A CONSPICUOUS PLACE
26 ON THE ATTORNEY GENERAL'S OFFICE'S WEBSITE A LINK TO A STATEWIDE
27 LIST OF FOUND VIOLATIONS VERIFIED BY THE ATTORNEY GENERAL'S OFFICE

1 PURSUANT TO SUBSECTION (2)(c)(III) OF THIS SECTION. THE LIST MUST BE
2 SEARCHABLE BY NAME OF VIOLATOR, DATE OF VIOLATION, AND YOUTH
3 SPORTS ORGANIZATION.

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

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

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

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

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

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

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

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

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

25 **26.5-5-304.5. Application of part - youth sports organizations**
26 **- background checks required - definitions. (1) NOTWITHSTANDING**
27 **ANY PROVISION OF THIS PART 3 TO THE CONTRARY, A YOUTH SPORTS**

1 ORGANIZATION THAT IS NOT LICENSED PURSUANT TO THIS PART 3 ON THE
2 EFFECTIVE DATE OF THIS SECTION IS SUBJECT ONLY TO THE REQUIREMENTS
3 OF THIS SECTION AND IS OTHERWISE EXEMPT FROM THE REQUIREMENTS OF
4 THIS PART 3.

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

22 (b) A YOUTH SPORTS ORGANIZATION SHALL NOT HIRE A PERSON AS
23 AN EMPLOYEE OR APPROVE A PERSON AS A VOLUNTEER IF A CRIMINAL
24 HISTORY RECORD CHECK OF THE PERSON PERFORMED PURSUANT TO
25 SUBSECTION (2)(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), OR A COMPARABLE OFFENSE COMMITTED IN ANY
2 OTHER STATE.

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

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

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

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

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

26 (c) (I) "YOUTH SPORTS ORGANIZATION" MEANS A PRIVATE
27 FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT, AS PART OF ITS

1 CORE FUNCTION, PROVIDES PERSONS WHO ARE EIGHTEEN YEARS OF AGE OR
2 YOUNGER THE OPPORTUNITY TO PARTICIPATE IN SCHEDULED COMPETITIVE
3 OR RECREATIONAL SPORTING EVENTS, WHETHER INDIVIDUALLY OR AS A
4 TEAM.

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

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

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

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

11 (D) 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 **SECTION 3.** In Colorado Revised Statutes, **add 6-1-735 as**
15 **follows:**

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

20 **SECTION 4. Appropriation.** For the 2024-25 state fiscal year,
21 **\$113,033 is appropriated to the department of law. This appropriation is**
22 **from the general fund and is based on an assumption that the department**
23 **will require an additional 0.7 FTE. To implement this act, the department**
24 **may use this appropriation for consumer protection and antitrust.**

25 **SECTION 5. Act subject to petition - effective date.** This act
26 **takes effect at 12:01 a.m. on the day following the expiration of the**
27 **ninety-day period after final adjournment of the general assembly; except**

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2024 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.