

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0117.01 Jerry Barry x4341

HOUSE BILL 25-1188

HOUSE SPONSORSHIP

Froelich,

SENATE SPONSORSHIP

Michaelson Jenet,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE RECOMMENDATIONS OF THE MANDATORY
102 REPORTER TASK FORCE.

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 specifies that child abuse or neglect must not be based solely upon a parent's or child's indigence, unavailability of accessible services, unhoused status, or disability.

For mandatory reporters, the bill:

- Requires reports to be submitted as soon as possible, but within 24 hours, after receiving information of child abuse

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.

or neglect; except that reports concerning young victims of dating violence or sexual assault must be made within 72 hours;

- Provides that reports are not required if the person:
 - Receives the information outside of the person's professional capacity that would require a report; or
 - Is connected to an attorney representing a party involved in a suspected child abuse or neglect case that would require a report under current law;
- Removes victim's advocates from the list of professions required to report child abuse or neglect;
- Prohibits reports based solely on a family's race, ethnicity, socioeconomic status, or disability; and
- Prohibits the delegation of the duty to report to a person who does not have firsthand knowledge of the suspected child abuse or neglect.

For entities that employ a mandatory reporter, the bill:

- Authorizes the entity to develop protocols for making the report if the protocols comply with state law and regulations; and
- Prohibits representatives of the entity from deterring or impeding a person from filing a report.

The bill requires a county department of human or social services (county department) to assign a referral identification number to each report of child abuse or neglect. If a mandatory reporter contacts a county department about a suspected child abuse or neglect report and the department gives the mandatory reporter the referral identification number of a related report that was previously filed, the mandatory reporter is not required to file a written report.

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

2 **SECTION 1. Legislative declaration.** (1) (a) The general
3 assembly finds that complete reporting of known or suspected child abuse
4 or neglect is a matter of public concern and that it is the intent of the
5 general assembly to protect the best interests of children in this state and
6 to offer protective services in order to prevent any further harm to
7 children suffering from abuse.

8 (b) The general assembly further finds that requiring people to

1 report known or suspected child abuse or neglect impacts the people
2 reporting, as well as children and families who are the subjects of the
3 reports. As a result of implicit bias, under-resourced communities,
4 communities of color, and persons with disabilities are disproportionately
5 impacted by the mandatory reporting system.

6 (2) (a) To address these impacts and additional issues, the general
7 assembly established the mandatory reporting task force in 2022, which
8 was charged with making findings and recommendations to clarify the
9 law and recommending changes to mandatory reporting procedures and
10 trainings.

11 (b) The task force found that:

12 (I) Colorado's mandatory reporting law and system for making
13 reports disproportionately impacts families of color, people with
14 disabilities, and under-resourced communities, resulting in some contacts
15 with child protection services that are unnecessary;

16 (II) Colorado's mandatory reporting law requires mandatory
17 reporters to report circumstances that may not involve the safety of
18 children;

19 (III) By forcing mandatory reporters to report all concerns through
20 the child abuse hotline, Colorado's mandatory reporting law requires
21 professionals to engage child protection services with families that do not
22 require their services;

23 (IV) Cases that do not involve concerns of child safety may not
24 get adequate attention because the system is overwhelmed by reports. A
25 lack of training perpetuates this issue.

26 (V) Colorado's mandatory reporting law may hinder certain
27 professionals from forming trusted relationships with children and

1 families.

2 (c) To address these issues, the task force issued 24
3 recommendations to the general assembly. The task force's
4 recommendations are intended to provide a comprehensive approach to
5 improving the mandatory reporting system, including clarifying the law,
6 standardizing practices and training, and creating alternative reporting
7 methods.

8 (d) Therefore, the general assembly finds and declares that the
9 first step in comprehensively improving the mandatory reporting system
10 is to implement the task force's recommendations to address clarity in the
11 law. These clarifications will serve as the foundation for further
12 improvements to the mandatory reporting system.

13 (e) The general assembly further declares that the task force's
14 continuum of recommendations must be implemented in whole to
15 effectively serve children and families.

16 **SECTION 2.** In Colorado Revised Statutes, 19-3-304, **amend**
17 (1)(a) and (2) introductory portion; **repeal** (2)(w); and **add** (1)(c), (1)(d),
18 (3.2), and (3.3) as follows:

19 **19-3-304. Persons required to report child abuse or neglect.**

20 (1) (a) Except as otherwise provided by section 19-3-307, section
21 25-1-122 (4)(d), ~~C.R.S.~~, and ~~paragraph (b) of this subsection (1), any~~
22 ~~SUBSECTIONS (1)(b) AND (1)(c) OF THIS SECTION,~~ A person specified in
23 subsection (2) of this section who has reasonable cause to know or
24 suspect that a child has been subjected to abuse or neglect or who has
25 observed the child being subjected to circumstances or conditions that
26 would reasonably result in abuse or neglect shall immediately upon
27 receiving ~~such~~ THE information report or cause a report to be made of

1 ~~such~~ THE fact AS SOON AS REASONABLY POSSIBLE, BUT NO LATER THAN
2 TWENTY-FOUR HOURS AFTER RECEIVING THE INFORMATION, to the county
3 department, the local law enforcement agency, or through the child abuse
4 reporting hotline system as set forth in section 26-5-111. ~~C.R.S.~~

5 (c) THE REPORTING REQUIREMENT DESCRIBED IN SUBSECTION
6 (1)(a) OF THIS SECTION DOES NOT APPLY IF THE PERSON:

7 (I) LEARNS OF THE SUSPECTED ABUSE OR NEGLECT OUTSIDE OF THE
8 PERSON'S PROFESSIONAL CAPACITY THAT WOULD REQUIRE THE PERSON TO
9 MAKE A REPORT PURSUANT TO THIS SECTION; OR

10 (II) IS EMPLOYED BY, AN AGENT OF, OR A CONTRACTOR FOR ANY
11 ATTORNEY WHO IS PROVIDING LEGAL SERVICES.

12 (d) (I) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, A
13 PERSON SPECIFIED IN SUBSECTION (2) OF THIS SECTION WHO HAS
14 KNOWLEDGE, OR REASONABLE CAUSE TO KNOW OR SUSPECT, THAT A
15 YOUTH AT LEAST FIFTEEN YEARS OF AGE BUT UNDER EIGHTEEN YEARS OF
16 AGE IS THE VICTIM OF TEEN DATING VIOLENCE, AS DEFINED IN SECTION
17 26-7.5-102, OR A SEX OFFENSE, AS DEFINED IN SECTION 18-1.3-1003, NOT
18 INVOLVING INTRAFAMILIAL ABUSE, SHALL MAKE THE REPORT REQUIRED BY
19 THIS SECTION WITHIN SEVENTY-TWO HOURS AFTER ACQUIRING THE
20 INFORMATION.

21 (II) THE REPORT REQUIRED BY SUBSECTION (1)(d)(I) OF THIS
22 SECTION MUST BE MADE TO LOCAL LAW ENFORCEMENT.

23 (2) Persons required to report ~~such~~ THE abuse or neglect or
24 circumstances or conditions include ~~any~~ A:

25 (w) ~~Victim's advocate, as defined in section 13-90-107 (1)(k)(H);~~
26 ~~C.R.S.;~~

27 (3.2) A PERSON SPECIFIED IN SUBSECTION (2) OR (3) OF THIS

1 SECTION SHALL NOT MAKE A REPORT SOLELY DUE TO A FAMILY'S OR
2 CHILD'S RACE, ETHNICITY, SOCIOECONOMIC STATUS, OR DISABILITY
3 STATUS. IN ADDITION, THE REPORTING REQUIREMENT DESCRIBED IN
4 SUBSECTION (1)(a) OF THIS SECTION DOES NOT APPLY IF THE BASIS FOR THE
5 REPORT ARISES FROM CONCERNS SOLELY DUE TO ANY OF THE FOLLOWING
6 CRITERIA:

7 (a) SOCIOECONOMIC STATUS, WHICH INCLUDES FACTORS SUCH AS
8 INADEQUATE HOUSING, FURNISHINGS, INCOME, OR CLOTHING; OR

9 (b) DISABILITY.

10 (3.3) (a) A PERSON SPECIFIED IN SUBSECTION (2) OF THIS SECTION
11 SHALL NOT DELEGATE THE DUTY TO MAKE THE REPORT REQUIRED BY
12 SUBSECTION (1)(a) OF THIS SECTION TO ANOTHER PERSON WHO DOES NOT
13 HAVE FIRSTHAND KNOWLEDGE OF THE SUSPECTED CHILD ABUSE OR
14 NEGLECT.

15 (b) AN ENTITY THAT EMPLOYS A PERSON SPECIFIED IN SUBSECTION
16 (2) OR (2.5) OF THIS SECTION MAY DEVELOP PROTOCOLS REGARDING THE
17 PROCESS FOR MAKING THE REPORT REQUIRED BY SUBSECTION (1)(a) OF
18 THIS SECTION. THE PROTOCOLS MUST COMPLY WITH STATE LAW AND
19 REGULATIONS. REPRESENTATIVES OF THE ENTITY SHALL NOT DETER OR
20 IMPEDE A PERSON FROM FILING A REPORT REQUIRED BY SUBSECTION (1)(a)
21 OF THIS SECTION.

22 **SECTION 3.** In Colorado Revised Statutes, 19-3-307, **amend** (1)
23 and (4) as follows:

24 **19-3-307. Reporting procedures - definitions.** (1) (a) Reports
25 of known or suspected child abuse or neglect made pursuant to this ~~article~~
26 ~~shall~~ ARTICLE 3 MUST be made ~~immediately~~ AS SOON AS PRACTICABLE,
27 BUT NO LATER THAN TWENTY-FOUR HOURS AFTER RECEIVING THE

1 INFORMATION, to the county department, the local law enforcement
2 agency, or through the child abuse reporting hotline system as set forth in
3 section 26-5-111. C.R.S., and shall be followed promptly by a written
4 report prepared by those persons required to report. The county
5 department shall submit a report of confirmed child abuse or neglect
6 within sixty days of AFTER receipt of the report to the state department in
7 a manner prescribed by the state department.

8 (b) A COUNTY DEPARTMENT SHALL ATTACH A REFERRAL
9 IDENTIFICATION NUMBER TO EACH REPORT OF KNOWN OR SUSPECTED
10 CHILD ABUSE OR NEGLECT IT RECEIVES. IF A PERSON REQUIRED TO SUBMIT
11 A REPORT PURSUANT TO THIS PART 3 CONTACTS A COUNTY DEPARTMENT
12 ABOUT AN INCIDENT OR SITUATION FOR WHICH THE COUNTY DEPARTMENT
13 HAS ALREADY RECEIVED A REPORT, THE COUNTY DEPARTMENT MAY
14 PROVIDE THE PERSON WITH THE REFERRAL IDENTIFICATION NUMBER OF
15 THE EARLIER REPORT. A PERSON REQUIRED TO SUBMIT A REPORT
16 PURSUANT TO THIS PART 3 WHO RECEIVES A REFERRAL IDENTIFICATION
17 NUMBER FROM A COUNTY DEPARTMENT IS NOT REQUIRED TO MAKE A
18 REPORT PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AND IS DEEMED
19 TO HAVE FULFILLED THEIR LEGAL REPORTING RESPONSIBILITY.

20 (4) A written report, INCLUDING A REPORT VOLUNTARILY MADE,
21 from persons or officials required by this part 3 to report known or
22 suspected child abuse or neglect shall be IS admissible as evidence in any
23 A proceeding relating to child abuse, subject to the limitations of section
24 19-1-307.

25 **SECTION 4. Effective date.** This act takes effect September 1,
26 2025; except that section 19-3-304 (2)(w), Colorado Revised Statutes, as
27 repealed in section 2 of this act, this section 4, and section 5 of this act

1 take effect upon passage.

2 **SECTION 5. Safety clause.** The general assembly finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety or for appropriations for
5 the support and maintenance of the departments of the state and state
6 institutions.