

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 25-0274.01 Michael Dohr x4347

**SENATE BILL 25-143**

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**SENATE SPONSORSHIP**

**Daugherty and Lundeen,**

**HOUSE SPONSORSHIP**

**Armagost and Carter,**

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**Senate Committees**  
Education

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE LIMITED USE OF FACIAL RECOGNITION SERVICES BY**  
102      **SCHOOLS.**

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**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>.)*

In current law there is a prohibition on schools contracting for facial recognition services that is set to repeal on July 1, 2025. The prohibition contains an exception for a contract executed prior to the date the prohibition became law or a renewal of that contract. The bill removes the repeal and creates new exceptions for contracts that are:

- In effect on the date the bill becomes law;

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.

- For a product, device, or software application that allows for analysis of facial features for educational purposes in conjunction with curricula; or
- For a product, device, or software application that allows for the analysis of facial features to identify a person who has made a significant threat against a school or the occupants of a school, to identify a missing student when there is a reasonable belief that the student is still on school grounds, or to identify an individual who has been ordered by the court to stay off school district property.

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

2           **SECTION 1.** In Colorado Revised Statutes, 22-32-150, **amend**  
3 (2)(a); **repeal** (4); and **add** (2)(c), (2)(d), and (2.5) as follows:

4           **22-32-150. Contracting for facial recognition service by**  
5 **schools prohibited - definition.** (2) The prohibition described in  
6 subsection (1) of this section does not apply to:

7           (a) ~~A contract that was executed before August 10, 2022,~~  
8 ~~including such a contract that is renewed after August 10, 2022; or~~ A  
9 CONTRACT IN EFFECT ON THE EFFECTIVE DATE OF THIS SENATE BILL  
10 25-\_\_\_\_;

11           (c) A CONTRACT WITH A SCHOOL SERVICE CONTRACT PROVIDER,  
12 AS DEFINED IN SECTION 22-16-103 (8), FOR THE PURCHASE OF A PRODUCT,  
13 DEVICE, OR SOFTWARE APPLICATION THAT ALLOWS FOR ANALYSIS OF  
14 FACIAL FEATURES FOR EDUCATIONAL PURPOSES IN CONJUNCTION WITH  
15 CURRICULA APPROVED BY THE LOCAL SCHOOL BOARD OF A SCHOOL  
16 DISTRICT AS DEFINED IN SECTION 22-5-103 (4); OR

17           (d) A CONTRACT WITH A SCHOOL SERVICE CONTRACT PROVIDER,  
18 AS DEFINED IN SECTION 22-16-103 (8), FOR THE PURCHASE OF A PRODUCT,  
19 DEVICE, OR SOFTWARE APPLICATION THAT ALLOWS FOR THE ANALYSIS OF  
20 FACIAL FEATURES UNDER THE FOLLOWING      CIRCUMSTANCES:

1 (I) A SCHOOL OFFICIAL OR LAW ENFORCEMENT OFFICER MAKES A  
2 DETERMINATION THAT AN INDIVIDUAL WHOSE FACIAL IMAGING HAS BEEN  
3 OBTAINED HAS MADE AN ARTICULABLE AND SIGNIFICANT THREAT AGAINST  
4 A SCHOOL OR THE OCCUPANTS OF A SCHOOL, AND THE USE OF FACIAL  
5 RECOGNITION TECHNOLOGY MAY ASSIST IN KEEPING THE SCHOOL AND  
6 OCCUPANTS SAFE;

7 (II) A STUDENT ABSCONDS FROM A SCHOOL CLASS, EVENT, OR  
8 PROGRAM OR IS OTHERWISE REPORTED AS LOST OR MISSING BY STUDENTS,  
9 PARENTS, TEACHERS, OR SCHOOL OFFICIALS, AND THERE IS A REASONABLE  
10 BELIEF THAT USING FACIAL RECOGNITION TECHNOLOGY MAY ASSIST IN  
11 FINDING THE LOST STUDENT BASED ON DATA THAT COULD INDICATE THE  
12 STUDENT'S PRESENCE, LOCATION, OR MOVEMENTS WITHIN OR AROUND  
13 SCHOOL GROUNDS; OR

14 (III) AN INDIVIDUAL HAS BEEN ORDERED BY THE COURT OR BY THE  
15 SCHOOL ADMINISTRATION TO STAY OFF SCHOOL DISTRICT PROPERTY, AND,  
16 BASED ON THREATENING OR HARASSING BEHAVIOR, AS DETERMINED BY A  
17 SCHOOL OFFICIAL OR LAW ENFORCEMENT OFFICER, THERE IS A  
18 REASONABLE BELIEF THAT THE INDIVIDUAL MAY ATTEMPT TO REENTER  
19 DISTRICT PROPERTY IN THE FUTURE.

20 (2.5) (a) (I) IF A SCHOOL HAS A CONTRACT TO USE FACIAL  
21 RECOGNITION SERVICES PURSUANT TO THE EXEMPTION IN SUBSECTION  
22 (2)(c) OF THIS SECTION, THE SCHOOL OR CONTRACTOR SHALL NOT  
23 PROCESS:

24 (A) A STUDENT'S BIOMETRIC IDENTIFIER WITHOUT FIRST  
25 OBTAINING THE STUDENT'S CONSENT AND THE CONSENT OF THE STUDENT'S  
26 PARENT OR LEGAL GUARDIAN ON THE FORM DESCRIBED IN SUBSECTION  
27 (2.5)(a)(II) OF THIS SECTION;

1 (B) A STAFF MEMBER'S BIOMETRIC IDENTIFIER WITHOUT FIRST  
2 OBTAINING THE STAFF MEMBER'S CONSENT ON THE FORM DESCRIBED IN  
3 SUBSECTION (2.5)(a)(II) OF THIS SECTION; OR

4 (C) ANY OTHER INDIVIDUAL'S BIOMETRIC IDENTIFIER WITHOUT  
5 FIRST OBTAINING THE INDIVIDUAL'S CONSENT AND THE CONSENT OF THE  
6 INDIVIDUAL'S PARENT OR LEGAL GUARDIAN IF LEGALLY REQUIRED ON THE  
7 FORM DESCRIBED IN SUBSECTION (2.5)(a)(II) OF THIS SECTION.

8 (II) THE CONSENT FORM MUST:

9 (A) BE OPT-IN;

10 (B) BE STAND-ALONE FROM OTHER INFORMATION AND WAIVERS;

11 (C) INCLUDE A NOTICE THAT A BIOMETRIC IDENTIFIER IS BEING  
12 COLLECTED, WHAT THE BIOMETRIC IDENTIFIER WILL BE USED FOR, AND  
13 WHO WILL BE IN CONTROL OF THE BIOMETRIC IDENTIFIER; AND

14 (D) INCLUDE INFORMATION ABOUT THE RETENTION SCHEDULE OF  
15 THE BIOMETRIC IDENTIFIER.

16 (b) (I) IF A SCHOOL HAS A CONTRACT TO USE FACIAL RECOGNITION  
17 SERVICES PURSUANT TO THE EXEMPTION IN SUBSECTION (2)(d) OF THIS  
18 SECTION, THE SCHOOL SHALL PROVIDE NOTICE TO ALL STUDENTS, PARENTS  
19 AND LEGAL GUARDIANS, AND STAFF, AND SHALL POST NOTICES AT THE  
20 ENTRANCES TO SCHOOL GROUNDS THAT INDIVIDUALS MAY BE SUBJECT TO  
21 USE OF FACIAL RECOGNITION SERVICES ON SCHOOL GROUNDS.

22 (II) IF FACIAL RECOGNITION SERVICES ARE BEING USED FOR ANY OF  
23 THE CIRCUMSTANCES PURSUANT TO SUBSECTION (2)(d) OF THIS SECTION,  
24 THE FACIAL RECOGNITION SERVICES MUST ONLY BE USED TO IDENTIFY AND  
25 LOCATE THE SPECIFIC INDIVIDUAL OR INDIVIDUALS FOR THE EXEMPTED  
26 CIRCUMSTANCE AND TO IDENTIFY AND LOCATE A SPECIFIC INDIVIDUAL OR  
27 INDIVIDUALS WHOM THERE IS REASONABLE BELIEF WERE CONNECTED TO

1 THE EXEMPTED CIRCUMSTANCE.

2 (III) IF FACIAL RECOGNITION SERVICES ARE BEING USED FOR ANY  
3 OF THE CIRCUMSTANCES PURSUANT TO SUBSECTION (2)(d) OF THIS  
4 SECTION, THE FACIAL RECOGNITION SERVICES, ONCE ENABLED, MUST NOT  
5 BE USED FOR ANY OTHER PURPOSE DURING THAT TIME FRAME AND MUST  
6 BE DISABLED IMMEDIATELY UPON IDENTIFICATION AND DETERMINING THE  
7 LOCATION OF THE INDIVIDUAL OR INDIVIDUALS IN THE EXEMPTED  
8 CIRCUMSTANCE.

9 (IV) IN CIRCUMSTANCES DESCRIBED IN SUBSECTION (2)(d)(II) OF  
10 THIS SECTION, IF THE STUDENT HAS BEEN DETERMINED TO NO LONGER BE  
11 ON THE SCHOOL GROUNDS, THE FACIAL RECOGNITION SERVICES MUST BE  
12 DISABLED ONCE THE LOCATION OF THE STUDENT WHO EXITED THE SCHOOL  
13 GROUNDS HAS BEEN DETERMINED OR THE LAST KNOWN LOCATION OF THE  
14 STUDENT ON SCHOOL GROUNDS HAS BEEN DETERMINED.

15 (c) A SCHOOL OR SCHOOL CONTRACTOR IN POSSESSION OF  
16 BIOMETRIC IDENTIFIERS SHALL NOT RETAIN EACH INDIVIDUAL'S BIOMETRIC  
17 IDENTIFIER FOR LONGER THAN EIGHTEEN MONTHS.

18 (4) ~~This section is repealed, effective July 1, 2025.~~

19 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-529, **amend**  
20 (2)(a); **repeal** (4); and **add** (2)(c), (2)(d), and (2.5) as follows:

21 **22-30.5-529. Contracting for facial recognition service by**  
22 **institute charter schools prohibited - definition.** (2) The prohibition  
23 described in subsection (1) of this section does not apply to:

24 (a) ~~A contract that was executed before August 10, 2022,~~  
25 ~~including such a contract that is renewed after August 10, 2022; or~~ A  
26 CONTRACT IN EFFECT ON THE EFFECTIVE DATE OF THIS SENATE BILL  
27 25-\_\_\_\_;

1 (c) A CONTRACT WITH A SCHOOL SERVICE CONTRACT PROVIDER,  
2 AS DEFINED IN SECTION 22-16-103 (8), FOR THE PURCHASE OF A PRODUCT,  
3 DEVICE, OR SOFTWARE APPLICATION THAT ALLOWS FOR ANALYSIS OF  
4 FACIAL FEATURES FOR EDUCATIONAL PURPOSES IN CONJUNCTION WITH  
5 CURRICULA APPROVED BY THE CHARTER SCHOOL BOARD; OR

6 (d) A CONTRACT WITH A SCHOOL SERVICE CONTRACT PROVIDER,  
7 AS DEFINED IN SECTION 22-16-103 (8), FOR THE PURCHASE OF A PRODUCT,  
8 DEVICE, OR SOFTWARE APPLICATION THAT ALLOWS FOR THE ANALYSIS OF  
9 FACIAL FEATURES UNDER THE FOLLOWING \_\_\_ CIRCUMSTANCES:

10 (I) A SCHOOL OFFICIAL OR LAW ENFORCEMENT OFFICER MAKES A  
11 DETERMINATION THAT AN INDIVIDUAL WHOSE FACIAL IMAGING HAS BEEN  
12 OBTAINED HAS MADE AN ARTICULABLE AND SIGNIFICANT THREAT AGAINST  
13 A SCHOOL OR THE OCCUPANTS OF A SCHOOL, AND THE USE OF FACIAL  
14 RECOGNITION TECHNOLOGY MAY ASSIST IN KEEPING THE SCHOOL AND  
15 OCCUPANTS SAFE;

16 (II) A STUDENT ABSCONDS FROM A SCHOOL CLASS, EVENT, OR  
17 PROGRAM OR IS OTHERWISE REPORTED AS LOST OR MISSING BY STUDENTS,  
18 PARENTS, TEACHERS, OR SCHOOL OFFICIALS, AND THERE IS A REASONABLE  
19 BELIEF THAT USING FACIAL RECOGNITION TECHNOLOGY MAY ASSIST IN  
20 FINDING THE LOST STUDENT BASED ON DATA THAT COULD INDICATE THE  
21 STUDENT'S PRESENCE, LOCATION, OR MOVEMENTS WITHIN OR AROUND  
22 SCHOOL GROUNDS; OR

23 (III) AN INDIVIDUAL HAS BEEN ORDERED BY THE COURT OR BY THE  
24 SCHOOL ADMINISTRATION TO STAY OFF SCHOOL DISTRICT PROPERTY, AND,  
25 BASED ON THREATENING OR HARASSING BEHAVIOR, AS DETERMINED BY A  
26 SCHOOL OFFICIAL OR LAW ENFORCEMENT OFFICER, THERE IS A  
27 REASONABLE BELIEF THAT THE INDIVIDUAL MAY ATTEMPT TO REENTER

1 DISTRICT PROPERTY IN THE FUTURE.

2 (2.5) (a) (I) IF A SCHOOL HAS A CONTRACT TO USE FACIAL  
3 RECOGNITION SERVICES PURSUANT TO THE EXEMPTION IN SUBSECTION  
4 (2)(c) OF THIS SECTION, THE SCHOOL OR SCHOOL CONTRACTOR SHALL NOT  
5 PROCESS:

6 (A) A STUDENT'S BIOMETRIC IDENTIFIER WITHOUT FIRST  
7 OBTAINING THE STUDENT'S CONSENT AND THE CONSENT OF THE STUDENT'S  
8 PARENT OR LEGAL GUARDIAN ON THE FORM DESCRIBED IN SUBSECTION  
9 (2.5)(a)(II) OF THIS SECTION;

10 (B) A STAFF MEMBER'S BIOMETRIC IDENTIFIER WITHOUT FIRST  
11 OBTAINING THE STAFF MEMBER'S CONSENT ON THE FORM DESCRIBED IN  
12 SUBSECTION (2.5)(a)(II) OF THIS SECTION; OR

13 (C) ANY OTHER INDIVIDUAL'S BIOMETRIC IDENTIFIER WITHOUT  
14 FIRST OBTAINING THE INDIVIDUAL'S CONSENT AND THE CONSENT OF THE  
15 INDIVIDUAL'S PARENT OR LEGAL GUARDIAN IF LEGALLY REQUIRED ON THE  
16 FORM DESCRIBED IN SUBSECTION (2.5)(a)(II) OF THIS SECTION; AND

17 (II) THE CONSENT FORM MUST:

18 (A) BE OPT-IN;

19 (B) BE STAND-ALONE FROM OTHER INFORMATION AND WAIVERS;

20 (C) INCLUDE A NOTICE THAT A BIOMETRIC IDENTIFIER IS BEING  
21 COLLECTED, WHAT THE BIOMETRIC IDENTIFIER WILL BE USED FOR, AND  
22 WHO WILL BE IN CONTROL OF THE BIOMETRIC IDENTIFIER; AND

23 (D) INCLUDE INFORMATION ABOUT THE RETENTION SCHEDULE OF  
24 THE BIOMETRIC IDENTIFIER.

25 (b) (I) IF A SCHOOL HAS A CONTRACT TO USE FACIAL RECOGNITION  
26 SERVICES PURSUANT TO THE EXEMPTION IN SUBSECTION (2)(d) OF THIS  
27 SECTION, THE SCHOOL SHALL PROVIDE A NOTICE TO ALL STUDENTS,

1 PARENTS AND LEGAL GUARDIANS, AND STAFF, AND SHALL POST NOTICES  
2 AT THE ENTRANCES TO SCHOOL GROUNDS THAT INDIVIDUALS MAY BE  
3 SUBJECT TO USE OF FACIAL RECOGNITION SERVICES ON SCHOOL GROUNDS.

4 (II) IF FACIAL RECOGNITION SERVICES ARE BEING USED FOR ANY OF  
5 THE CIRCUMSTANCES PURSUANT TO SUBSECTION (2)(d) OF THIS SECTION,  
6 THE FACIAL RECOGNITION SERVICES MUST ONLY BE USED TO IDENTIFY AND  
7 LOCATE THE SPECIFIC INDIVIDUAL OR INDIVIDUALS FOR THE EXEMPTED  
8 CIRCUMSTANCE AND TO IDENTIFY AND LOCATE A SPECIFIC INDIVIDUAL OR  
9 INDIVIDUALS WHOM THERE IS REASONABLE BELIEF WERE CONNECTED TO  
10 THE EXEMPTED CIRCUMSTANCE.

11 (III) IF FACIAL RECOGNITION SERVICES ARE BEING USED FOR ANY  
12 OF THE CIRCUMSTANCES PURSUANT TO SUBSECTION (2)(d) OF THIS  
13 SECTION, THE FACIAL RECOGNITION SERVICES, ONCE ENABLED, MUST NOT  
14 BE USED FOR ANY OTHER PURPOSE DURING THAT TIME FRAME AND MUST  
15 BE DISABLED IMMEDIATELY UPON IDENTIFICATION AND DETERMINING THE  
16 LOCATION OF THE INDIVIDUAL OR INDIVIDUALS IN THE EXEMPTED  
17 CIRCUMSTANCE.

18 (IV) IN THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (2)(d)(II)  
19 OF THIS SECTION, IF THE STUDENT HAS BEEN DETERMINED TO NO LONGER  
20 BE ON THE SCHOOL GROUNDS, THE FACIAL RECOGNITION SERVICES MUST  
21 BE DISABLED ONCE THE LOCATION OF THE STUDENT WHO EXITED THE  
22 SCHOOL GROUNDS HAS BEEN DETERMINED OR THE LAST KNOWN LOCATION  
23 OF THE STUDENT ON SCHOOL GROUNDS HAS BEEN DETERMINED.

24 (c) A SCHOOL OR SCHOOL CONTRACTOR IN POSSESSION OF  
25 BIOMETRIC IDENTIFIERS SHALL NOT RETAIN EACH INDIVIDUAL'S BIOMETRIC  
26 IDENTIFIER FOR LONGER THAN EIGHTEEN MONTHS.

27 (4) ~~This section is repealed, effective July 1, 2025.~~



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