

CHAPTER 31

**EDUCATION - PUBLIC SCHOOLS**

**SENATE BILL 93-2**

BY SENATORS Peterson, Johnson, and Mendez;  
also REPRESENTATIVES Reeser, Armstrong, R. Hernandez, Keller, Knox, Lyle, Rupert, Shoemaker, and Tanner.

**AN ACT**

**CONCERNING FINGERPRINTING OF SCHOOL DISTRICT EMPLOYEES.**

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

**SECTION 1.** 22-32-109.8 (10), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

**22-32-109.8. Applicants selected for noncertificated positions - submittal of form and fingerprints - prohibition against employing persons failing to comply.** (10) (a) The provisions of this section shall not apply to any person who is enrolled as a student in any school district and who is applying to the same school district in which such student is enrolled for a position of employment for which a certificate or letter of authorization issued pursuant to article 60 of this title is not required.

(b) THE FINGERPRINTS REQUIRED BY THIS SECTION SHALL NOT BE REQUIRED OF ANY PERSON WHO:

(I) HAS SUBMITTED A SET OF FINGERPRINTS PURSUANT TO SUBSECTION (1) OF THIS SECTION TO ANY SCHOOL DISTRICT IN THE STATE OF COLORADO DURING THE TWO-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF RECEIPT OF WRITTEN NOTIFICATION REQUESTING FINGERPRINTS; AND

(II) HAS CONSENTED BY WRITTEN NOTICE TO THE TRANSFER OF A COPY OF THE PREVIOUSLY SUBMITTED SET OF FINGERPRINTS TO THE REQUESTING DISTRICT FOR PROCESSING UNDER THIS SECTION.

**SECTION 2.** 22-32-109.9 (1) (a) (I), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**22-32-109.9. Certificated personnel - submittal of fingerprints.** (1) (a) (I) If any school district finds good cause to believe that any certificated personnel employed by such school district on or after January 1, 1991, has been convicted of any felony or misdemeanor, but not including any misdemeanor traffic offense or traffic infractions, subsequent to such employment, such school district may require such person to submit a complete set of fingerprints taken by a qualified law enforcement agency UNLESS SUCH PERSON HAS SUBMITTED A SET OF FINGERPRINTS TO ANY SCHOOL DISTRICT IN THE STATE OF COLORADO PURSUANT TO THIS SECTION DURING THE TWO-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF RECEIPT OF WRITTEN NOTIFICATION REQUESTING FINGERPRINTS AND HAS CONSENTED BY WRITTEN NOTICE TO THE TRANSFER OF A COPY OF THE PREVIOUSLY SUBMITTED SET OF FINGERPRINTS TO THE REQUESTING DISTRICT. Said fingerprints OR WRITTEN NOTICE OF CONSENT shall be submitted within twenty days of receipt of written notification from such school district.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 26, 1993