

## CHAPTER 418

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**CHILDREN AND DOMESTIC MATTERS**

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## SENATE BILL 10-066

BY SENATOR(S) Hudak, Carroll M., Steadman, Bacon, Boyd, Foster, Gibbs, Heath, Hodge, Kester, King K., Mitchell, Morse, Newell, Romer, Shaffer B., Spence, Tochtrop, Whitehead, Williams;  
also REPRESENTATIVE(S) Levy, Ryden, Apuan, Casso, Curry, Fischer, Hullinghorst, Kefalas, Labuda, Merrifield, Pace, Pommer, Schafer S., Todd.

**AN ACT****CONCERNING THE REQUIREMENT THAT CERTAIN PERSONS REPORT CHILD ABUSE OR NEGLECT.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** 19-3-304 (1), Colorado Revised Statutes, is amended to read:

**19-3-304. Persons required to report child abuse or neglect.** (1) (a) Except as otherwise provided by section 19-3-307, ~~and~~ sections 25-1-122 (4) (d) and 25-4-1404 (1) (d), C.R.S., AND PARAGRAPH (b) OF THIS SUBSECTION (1), any person specified in subsection (2) of this section who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions ~~which~~ THAT would reasonably result in abuse or neglect shall immediately upon receiving such information report or cause a report to be made of such fact to the county department or local law enforcement agency.

(b) THE REPORTING REQUIREMENT DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL NOT APPLY IF THE PERSON WHO IS OTHERWISE REQUIRED TO REPORT DOES NOT:

(I) LEARN OF THE SUSPECTED ABUSE OR NEGLECT UNTIL AFTER THE ALLEGED VICTIM OF THE SUSPECTED ABUSE OR NEGLECT IS EIGHTEEN YEARS OF AGE OR OLDER;  
AND

(II) HAVE REASONABLE CAUSE TO KNOW OR SUSPECT THAT THE PERPETRATOR OF THE SUSPECTED ABUSE OR NEGLECT:

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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.*

(A) HAS SUBJECTED ANY OTHER CHILD CURRENTLY UNDER EIGHTEEN YEARS OF AGE TO ABUSE OR NEGLECT OR TO CIRCUMSTANCES OR CONDITIONS THAT WOULD LIKELY RESULT IN ABUSE OR NEGLECT; OR

(B) IS CURRENTLY IN A POSITION OF TRUST, AS DEFINED IN SECTION 18-3-401 (3.5), C.R.S., WITH REGARD TO ANY CHILD CURRENTLY UNDER EIGHTEEN YEARS OF AGE.

**SECTION 2. 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: June 10, 2010