

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 4, 2010

Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB10-1044 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 3, strike "THE FOLLOWING NEW
- 2 SUBSECTIONS" and substitute "A NEW SUBSECTION".

- 3 Page 3, strike lines 2 and 3.

- 4 Page 3, line 5, after "THAT" insert "IS DESIGNED TO SERVE YOUTH AS
- 5 YOUNG AS SIX YEARS OF AGE AND AS OLD AS EIGHTEEN YEARS OF AGE AND
- 6 THAT".

- 7 Page 3, line 7, strike "AGE-APPROPRIATE" and substitute
- 8 "AGE-APPROPRIATE, AND CHARACTER-BUILDING".

- 9 Page 3, strike lines 11 and 12.

- 10 Page 3, line 14, after "CONSENT" insert "TO BECOME A YOUTH MEMBER OF
- 11 THE NEIGHBORHOOD YOUTH ORGANIZATION AND".

- 12 Page 3, line 18, after "OPERATED" insert "BY".

- 13 Page 3, line 19, strike "DEPARTMENTS." and substitute "DEPARTMENTS OR
- 14 FACILITIES THAT ARE CURRENTLY LICENSED AS CHILD CARE CENTERS AS
- 15 DEFINED IN SUBSECTION (1.5) OF THIS SECTION."

- 16 Page 3, strike lines 20 through 22.

- 1 Page 3, after line 22 insert:
- 2 "(13) "YOUTH MEMBER" MEANS A YOUTH WHO IS SIX YEARS OF
3 AGE THROUGH 18 YEARS OF AGE WHOSE PARENT OR LEGAL GUARDIAN HAS
4 PROVIDED WRITTEN CONSENT FOR THE YOUTH TO PARTICIPATE IN THE
5 ACTIVITIES OF A NEIGHBORHOOD YOUTH ORGANIZATION AND WHO PAYS
6 THE REQUIRED DUES OF THE NEIGHBORHOOD YOUTH ORGANIZATION."
- 7 Page 3, line 27, strike "**responsibilities.**" and substitute "**responsibilities**
8 **- definitions.**".
- 9 Page 4, line 11, after "LICENSE." add "THE RULES SHALL NOT CONCERN
10 STAFF-TO-YOUTH RATIOS."
- 11 Page 4, line 27, after "YOUTH" insert "MEMBER".
- 12 Page 5, line 1, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
- 13 Page 5, line 2, after "YOUTH" insert "MEMBER".
- 14 Page 5, line 12, after "YOUTH" insert "MEMBER".
- 15 Page 5, line 15, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
- 16 Page 5, line 16, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
- 17 Page 5, line 18, strike "YOUTH;" and substitute "YOUTH MEMBER;".
- 18 Page 5, line 20, strike "YOUTH;" and substitute "YOUTH MEMBER;".
- 19 Page 5, line 22, after "YOUTH" insert "MEMBER".
- 20 Page 5, line 23, strike "YOUTH'S" and substitute "YOUTH MEMBER'S".
- 21 Page 5, line 25, after "TRANSPORTATION" insert "PRIOR" and strike the
22 first "AND" and substitute "OR".
- 23 Page 6, line 2, strike "EMPLOYEE, VOLUNTEER, OR APPLICANT FOR AN" and
24 substitute "EMPLOYEE AND VOLUNTEER".
- 25 Page 6, line 3, strike "EMPLOYEE OR VOLUNTEER POSITION".

- 1 Page 6, line 4, after "YOUTH" insert "MEMBERS".
- 2 Page 6, strike lines 6 and 7 and substitute "EMPLOYEES AND VOLUNTEERS
3 WHO WORK DIRECTLY WITH OR WILL WORK DIRECTLY WITH YOUTH
4 MEMBERS FIVE".
- 5 Page 6, strike lines 13 through 19 and substitute "INVESTIGATED HAS
6 BEEN CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION
7 18-6-401, C.R.S., OR A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL
8 BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9), C.R.S. THE
9 NEIGHBORHOOD YOUTH ORGANIZATION SHALL NOT HIRE A PERSON AS AN
10 EMPLOYEE OR APPROVE A PERSON AS A VOLUNTEER AFTER CONFIRMATION
11 OF SUCH A CRIMINAL HISTORY."
- 12 Page 6, strike lines 26 and 27 and substitute "HAS BEEN CONVICTED OF
13 FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401, C.R.S., OR A
14 FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED
15 IN SECTION 16-22-102 (9), C.R.S. THE NEIGHBORHOOD YOUTH
16 ORGANIZATION SHALL NOT HIRE A PERSON AS AN EMPLOYEE OR APPROVE
17 A PERSON AS A VOLUNTEER AFTER CONFIRMATION OF SUCH A CRIMINAL
18 HISTORY."
- 19 Page 7, strike lines 1 through 5.
- 20 Page 7, strike lines 12 through 19 and substitute "APPROPRIATE TO
21 DETERMINE WHETHER THE EMPLOYEE OR VOLUNTEER HAS BEEN
22 CONVICTED OF FELONY CHILD ABUSE AS SPECIFIED IN SECTION 18-6-401,
23 C.R.S., OR A FELONY OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR
24 AS DEFINED IN SECTION 16-22-102 (9), C.R.S. THE NEIGHBORHOOD
25 YOUTH ORGANIZATION SHALL NOT HIRE A PERSON AS AN EMPLOYEE OR
26 APPROVE A PERSON AS A VOLUNTEER AFTER CONFIRMATION OF SUCH A
27 CRIMINAL HISTORY."
- 28 Page 7, line 20, after "CHECK" insert "BY A PRIVATE ENTITY REGULATED
29 AS A CONSUMER REPORTING AGENCY PURSUANT TO 15 U.S.C. SEC. 1681
30 ET SEQ."
- 31 Page 7, line 22, strike "TRACE AND" and substitute "TRACE,".
- 32 Page 7, line 23, strike "CHECK." and substitute "CHECK, AND A STATE OR
33 COUNTY CRIMINAL FILE SEARCH."

1 Page 7, strike lines 24 through 27 and substitute "THE PERSON BEING
2 INVESTIGATED HAS BEEN CONVICTED OF FELONY CHILD ABUSE AS
3 SPECIFIED IN SECTION 18-6-401, C.R.S., OR A FELONY OFFENSE INVOLVING
4 UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9),
5 C.R.S. THE NEIGHBORHOOD YOUTH ORGANIZATION SHALL NOT HIRE A
6 PERSON AS AN EMPLOYEE OR APPROVE A PERSON AS A VOLUNTEER AFTER
7 CONFIRMATION OF SUCH A CRIMINAL HISTORY."

8 Strike page 8.

9 Page 9, strike lines 1 through 3.

10 Renumber succeeding subsections accordingly.

11 Page 9, line 16, after "YOUTH" insert "MEMBERS".

12 Page 9, after line 16 insert:

13 "(8) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
14 REQUIRES:

15 (a) "EMPLOYEE" MEANS A PAID EMPLOYEE OF A NEIGHBORHOOD
16 YOUTH ORGANIZATION WHO IS EIGHTEEN YEARS OF AGE OR OLDER.

17 (b) "VOLUNTEER MEANS A PERSON WHO VOLUNTEERS HIS OR HER
18 ASSISTANCE TO A NEIGHBORHOOD YOUTH ORGANIZATION AND WHO IS
19 EIGHTEEN YEARS OF AGE OR OLDER."

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