

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0108.01 Jery Payne

HOUSE BILL 10-1011

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HOUSE SPONSORSHIP

**Kerr J.**, McNulty, Miklosi, Primavera

SENATE SPONSORSHIP

**Schultheis**, Carroll M., Mitchell, Tochtrop

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**House Committees**  
Finance

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING AUTHORIZATION FOR THE DEPARTMENT OF REVENUE TO  
102 OBTAIN FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
103 CHECKS FOR EMPLOYMENT PURPOSES.

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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://www.leg.state.co.us/billsummaries>.)*

**Legislative Audit Committee.** Authorizes the department of revenue to obtain fingerprint-based criminal history record checks for current and prospective department employees with access to driver's licenses and state identification cards or personal identifying information.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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

2           **SECTION 1.** Part 2 of article 1 of title 42, Colorado Revised  
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
4 read:

5           **42-1-224. Criminal history check.** THE DEPARTMENT MAY  
6 SUBMIT FINGERPRINTS OF AN EMPLOYEE OR PROSPECTIVE EMPLOYEE TO  
7 THE COLORADO BUREAU OF INVESTIGATION TO OBTAIN A  
8 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK IF THE  
9 EMPLOYEE'S DUTIES DO OR WILL PROVIDE THEM WITH ACCESS TO  
10 COLORADO DRIVER'S LICENSES AND IDENTIFICATION CARDS ISSUED  
11 PURSUANT TO ARTICLE 2 OF THIS TITLE OR PERSONAL IDENTIFYING  
12 INFORMATION COLLECTED OR STORED BY THE DEPARTMENT OR ANY  
13 DEPARTMENT SYSTEM USED TO COLLECT OR STORE PERSONAL IDENTIFYING  
14 INFORMATION. THE DEPARTMENT SHALL REQUIRE ALL SUCH EMPLOYEES  
15 HIRED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION TO OBTAIN A  
16 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK PRIOR TO  
17 PERFORMING THEIR OFFICIAL DUTIES, AND SHALL REQUIRE ALL EMPLOYEES  
18 HIRED BEFORE THE EFFECTIVE DATE OF THIS SECTION TO OBTAIN A  
19 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK BY JULY 1, 2011.  
20 THE DEPARTMENT MAY USE THIS INFORMATION TO MAKE EMPLOYMENT  
21 DECISIONS CONCERNING SUCH EMPLOYEES. UPON RECEIPT OF  
22 FINGERPRINTS AND PAYMENT FOR THE COSTS, THE COLORADO BUREAU OF  
23 INVESTIGATION SHALL CONDUCT A STATE AND NATIONAL  
24 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK UTILIZING  
25 RECORDS OF THE COLORADO BUREAU OF INVESTIGATION AND THE  
26 FEDERAL BUREAU OF INVESTIGATION. THE DEPARTMENT SHALL BE THE

1 AUTHORIZED AGENCY TO RECEIVE INFORMATION REGARDING THE RESULT  
2 OF THE NATIONAL CRIMINAL HISTORY RECORD CHECK. THE COLORADO  
3 BUREAU OF INVESTIGATION SHALL CHARGE THE DEPARTMENT A FEE FOR  
4 RECORD CHECKS CONDUCTED PURSUANT TO THIS SECTION. THE  
5 COLORADO BUREAU OF INVESTIGATION SHALL SET SUCH FEE AT A LEVEL  
6 SUFFICIENT TO COVER THE DIRECT AND INDIRECT COSTS OF PROCESSING  
7 REQUESTS MADE PURSUANT TO THIS SECTION. MONEYS COLLECTED BY  
8 THE BUREAU PURSUANT TO THIS SECTION SHALL BE SUBJECT TO ANNUAL  
9 APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE ADMINISTRATION OF  
10 THIS SECTION.

11 **SECTION 2. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.