

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 10-0108.01 Jery Payne

HOUSE BILL 10-1011

HOUSE SPONSORSHIP

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

SENATE SPONSORSHIP

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

House Committees

Finance

Senate Committees

Finance

Appropriations

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.

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.*

SENATE  
2nd Reading Unamended  
March 23, 2010

HOUSE  
3rd Reading Unamended  
February 12, 2010

HOUSE  
Amended 2nd Reading  
February 10, 2010

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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 IN ORDER TO  
13 ISSUE DRIVER'S LICENSES OR IDENTIFICATION CARDS. THE DEPARTMENT  
14 OF REVENUE SHALL REQUIRE ALL SUCH EMPLOYEES HIRED ON OR AFTER  
15 THE EFFECTIVE DATE OF THIS SECTION TO OBTAIN A FINGERPRINT-BASED  
16 CRIMINAL HISTORY RECORD CHECK PRIOR TO PERFORMING THEIR OFFICIAL  
17 DUTIES, AND SHALL REQUIRE ALL SUCH EMPLOYEES HIRED BEFORE THE  
18 EFFECTIVE DATE OF THIS SECTION TO OBTAIN A FINGERPRINT-BASED  
19 CRIMINAL HISTORY RECORD CHECK BY JULY 1, 2011. THE DEPARTMENT  
20 MAY USE THIS INFORMATION TO MAKE EMPLOYMENT DECISIONS  
21 CONCERNING SUCH EMPLOYEES. UPON RECEIPT OF FINGERPRINTS AND  
22 PAYMENT FOR THE COSTS, THE COLORADO BUREAU OF INVESTIGATION  
23 SHALL CONDUCT A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL  
24 HISTORY RECORD CHECK UTILIZING RECORDS OF THE COLORADO BUREAU  
25 OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION. THE  
26 DEPARTMENT SHALL BE THE AUTHORIZED AGENCY TO RECEIVE

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

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