

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 3, 2011
Date

Committee on Health and Human Services.

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

SB11-034 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, after line 9 insert:

2 "SECTION 2. 19-1-307 (2) (e.5) (I) (L) and (2) (e.5) (I) (M),
3 Colorado Revised Statutes, are amended, and the said 19-1-307 (2) (e.5)
4 (I) is further amended BY THE ADDITION OF A NEW
5 SUB-SUBPARAGRAPH, to read:

6 **19-1-307. Dependency and neglect records and information -**
7 **access - fee - rules - records and reports fund - misuse of information**
8 **- penalty. (2) Records and reports - access to certain persons -**
9 **agencies.** Except as otherwise provided in section 19-1-303, only the
10 following persons or agencies shall be given access to child abuse or
11 neglect records and reports:

12 (e.5) (I) A mandatory reporter specified in this subparagraph (I)
13 who is and continues to be officially and professionally involved in the
14 ongoing care of the child who was the subject of the report, but only with
15 regard to information that the mandatory reporter has a need to know in
16 order to fulfill his or her professional and official role in maintaining the
17 child's safety. A county department may request written affirmation from
18 a mandatory reporter stating that the reporter continues to be officially
19 and professionally involved in the ongoing care of the child who was the
20 subject of the report and describing the nature of the involvement. This
21 subparagraph (I) shall apply to:

22 (L) Victim's advocates, as defined in section 13-90-107 (1) (k)
23 (II), C.R.S.; and

1 (M) Clergy members, as defined in section 19-3-304 (2) (aa) (III);
2 AND
3 (N) EDUCATORS PROVIDING SERVICES THROUGH A FEDERAL
4 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND
5 CHILDREN, AS PROVIDED FOR IN 42 U.S.C. SEC. 1786."

6 Page 2, strike lines 10 through 14 and substitute:

7 "SECTION 3. **Effective date.** This act shall take effect January
8 1, 2012.

9 SECTION 4. **Act subject to petition - effective date.** This act
10 shall take effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part shall not take effect
16 unless approved by the people at the general election to be held in
17 November 2012 and shall take effect on the date of the official
18 declaration of the vote thereon by the governor."

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