

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 13-0628.01 Jane Ritter x4342

SENATE BILL 13-138

SENATE SPONSORSHIP

King,

HOUSE SPONSORSHIP

Garcia and McLachlan,

Senate Committees

Judiciary
Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING SCHOOL RESOURCE OFFICER PROGRAMS, AND, IN**
102 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

The bill defines "school resource officer" and "community partners" and expressly includes school resource officers as community partners for the purposes of school safety, readiness, and incident management. The school safety resource center is required to contract the services of a full-time grant writer and to create and provide templates

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.

HOUSE
3rd Reading Unamended
April 22, 2013

HOUSE
Amended 2nd Reading
April 19, 2013

SENATE
3rd Reading Unamended
March 13, 2013

SENATE
Amended 2nd Reading
March 12, 2013

and guidance to school districts and schools seeking school safety funding. The school safety resource center is also required to provide suggestions concerning training for school resource officers. The school safety resource center advisory board is increased from 13 to 14 members to reflect the addition of a school resource officer.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) School resource officers work in public safety and school
5 safety and serve as an important bridge between the two;

6 (b) School resource officers are committed to making safety for
7 all students and staff a priority in each public school in Colorado;

8 (c) As part of their mission, school resource officers are dedicated
9 to helping schools adopt, implement, review, and revise as necessary safe
10 school plans and internet safety plans;

11 (d) School resource officers support agreements with other state
12 agencies where the end goal is keeping the school environment safe; and

13 (e) Schools, in conjunction with school resource officers, assess
14 overall alignment and compliance with the national incident management
15 system, create and implement an all-hazard exercise program based on the
16 national incident management system, and determine action steps to
17 achieve and maintain the goals of the national incident management
18 system.

19 (2) The general assembly further finds and declares that:

20 (a) State or regional assistance in coordinating funding strategies
21 for school resource officer programs would provide consistency and also
22 benefit school districts and schools by creating efficiencies of time and
23 resources; and

1 (b) State technical assistance would help schools and school
2 districts develop and maintain successful school resource officer
3 programs.

4 **SECTION 2.** In Colorado Revised Statutes, 18-12-105.5, **amend**
5 (3) (e) as follows:

6 **18-12-105.5. Unlawfully carrying a weapon - unlawful**
7 **possession of weapons - school, college, or university grounds.** (3) It
8 shall not be an offense under this section if:

9 (e) The person is a SCHOOL RESOURCE OFFICER, AS DEFINED IN
10 SECTION 22-32-109.1 (g.5), C.R.S., OR A peace officer, as described in
11 section 16-2.5-101, C.R.S., when carrying a weapon in conformance with
12 the policy of the employing agency as provided in section 16-2.5-101 (2),
13 C.R.S.; or

14 **SECTION 3.** In Colorado Revised Statutes, 22-32-109.1, **amend**
15 (2) introductory portion, (4) (d) introductory portion, (4) (n), and (4) (o);
16 and **add** (1) (b.5), (1) (g.5), and (4) (p) as follows:

17 **22-32-109.1. Board of education - specific powers and duties**
18 **- safe school plan - conduct and discipline code - safe school reporting**
19 **requirements - school response framework - school resource officers**
20 **- definitions.** (1) **Definitions.** As used in this section, unless the context
21 otherwise requires:

22 (b.5) "COMMUNITY PARTNERS" MEANS, COLLECTIVELY, LOCAL
23 FIRE DEPARTMENTS, STATE AND LOCAL LAW ENFORCEMENT AGENCIES,
24 LOCAL 911 AGENCIES, INTEROPERABLE COMMUNICATIONS PROVIDERS, THE
25 SAFE2TELL PROGRAM DESCRIBED IN SECTION 16-15.8-103, C.R.S., LOCAL
26 EMERGENCY MEDICAL SERVICE PERSONNEL, LOCAL MENTAL HEALTH
27 ORGANIZATIONS, LOCAL PUBLIC HEALTH AGENCIES, LOCAL EMERGENCY

1 MANAGEMENT PERSONNEL, LOCAL OR REGIONAL HOMELAND SECURITY
2 PERSONNEL, AND SCHOOL RESOURCE OFFICERS.

3 (g.5) "SCHOOL RESOURCE OFFICER" MEANS A PEACE OFFICER, AS
4 DESCRIBED IN SECTION 16-2.5-101, C.R.S., WHO HAS SPECIALIZED
5 TRAINING, AS DESCRIBED IN SECTION 24-31-312, C.R.S., TO WORK WITH
6 SCHOOL STAFF AND STUDENTS AND WHO IS ASSIGNED TO A PUBLIC SCHOOL
7 OR CHARTER SCHOOL FOR THE PURPOSE OF CREATING A SAFE LEARNING
8 ENVIRONMENT AND RESPONDING TO ALL-HAZARD THREATS THAT MAY
9 IMPACT THE SCHOOL.

10 (2) **Safe school plan.** In order to provide a learning environment
11 that is safe, conducive to the learning process, and free from unnecessary
12 disruption, following consultation with the school district accountability
13 committee and school accountability committees, parents, teachers,
14 administrators, students, student councils where available, and, where
15 appropriate, the community at large, each school district board of
16 education shall adopt and implement a safe school plan, or review and
17 revise, as necessary in response to any relevant data collected by the
18 school district, any existing plans or policies already in effect. In addition
19 to the aforementioned parties, each school district board of education, in
20 adopting and implementing its safe school plan, may consult with victims
21 advocacy organizations, school psychologists, and local law enforcement
22 agencies, AND COMMUNITY PARTNERS. The plan, at a minimum, shall
23 include the following:

24 (4) **School response framework - school safety, readiness, and**
25 **incident management plan.** Each board of education shall establish a
26 school response framework that shall consist of policies described in this
27 subsection (4). By satisfying the requirements of this subsection (4), a

1 school or school district shall be in compliance with the national incident
2 management system, referred to in this subsection (4) as "NIMS",
3 developed by the federal emergency management agency. At a minimum,
4 the policies shall require:

5 (d) Each school district, on or before July 1, 2009, to start to
6 develop a school safety, readiness, and incident management plan,
7 including, to the extent possible, emergency communications, that
8 coordinates with any statewide or local emergency operation plans. In
9 developing the plan, a school district may collaborate with ~~local fire~~
10 ~~departments, state and local law enforcement agencies, local 911~~
11 ~~agencies, interoperable communications providers, the safe2tell program~~
12 ~~described in section 16-15.8-103, C.R.S., local emergency medical~~
13 ~~service personnel, local mental health organizations, local public health~~
14 ~~agencies, local emergency management personnel, and local or regional~~
15 ~~homeland security personnel, which entities are collectively referred to in~~
16 ~~this subsection (4) as "community partners"~~ COMMUNITY PARTNERS. The
17 school safety, readiness, and incident management plan shall, at a
18 minimum, identify for each public school in the school district:

19 (n) Each school district to coordinate with community partners to
20 assess overall alignment and compliance with NIMS; identify
21 requirements already met; establish a baseline for NIMS compliance; and
22 determine action steps, including developing a plan and timeline, to
23 achieve and maintain all NIMS goals; and

24 (o) Each school district to develop a timeline and strategy for
25 compliance with the requirements of this subsection (4) and to
26 strategically plan, schedule, and conduct all activities with community
27 partners; AND

1 (p) SCHOOL RESOURCE OFFICERS TO BE FAMILIAR WITH THE
2 SCHOOL RESPONSE FRAMEWORK OUTLINED IN THIS SUBSECTION (4), THE
3 ALL-HAZARD EXERCISE PROGRAM, AND THE INTEROPERABLE
4 COMMUNICATIONS OF THE SCHOOL TO WHICH HE OR SHE IS ASSIGNED.

5 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1213.4,
6 **amend** (1) as follows:

7 **24-33.5-1213.4. School all-hazard emergency planning and**
8 **response.** (1) The school response framework created in section
9 22-32-109.1 (4), C.R.S., sets forth the framework for school emergency
10 incident response and emergency preparedness, including emergency
11 communications AND THE RESPONSIBILITIES OF SCHOOL RESOURCE
12 OFFICERS. Pursuant to the school response framework, emergency
13 response personnel are community partners with schools. As part of its
14 duty to regularly inspect school buildings to ensure compliance with the
15 fire code, the division, local fire departments, and certified fire inspectors
16 may partner with schools in assessing each school's implementation of
17 NIMS, ~~and~~ the interoperability of the school's emergency
18 communications equipment with state and local emergency response
19 agencies, AND THE IMPLEMENTATION OF A SCHOOL RESOURCE OFFICER
20 PROGRAM.

21 **SECTION 5.** In Colorado Revised Statutes, 24-33.5-1801,
22 **amend** (2) (a) as follows:

23 **24-33.5-1801. Legislative declaration.** (2) The general assembly
24 further finds that:

25 (a) The most appropriate way to prevent and prepare for acts of
26 violence and other emergencies that may occur on school campuses is to
27 foster a cooperative effort by schools, SCHOOL RESOURCE OFFICERS, law

1 enforcement agencies, emergency responders, behavioral health experts,
2 parents, and community members to identify, gather, and apply the
3 necessary resources; and

4 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1803, **add**
5 (3) (i), (3) (j), and (3) (k) as follows:

6 **24-33.5-1803. School safety resource center - created - duties**
7 **- repeal.** (3) The center has the following duties:

8 (i) (I) TO HIRE OR CONTRACT FOR THE SERVICES OF AN EMERGENCY
9 RESPONSE CONSULTANT WITH EXPERIENCE IN LAW ENFORCEMENT AND
10 SCHOOL SAFETY TO PROVIDE GUIDANCE FOR SCHOOLS, SCHOOL RESOURCE
11 OFFICERS, AND OTHER COMMUNITY PARTNERS FOR SCHOOL BUILDING
12 SAFETY ASSESSMENTS AND THE USE OF BEST PRACTICES FOR SCHOOL
13 SECURITY, EMERGENCY PREPAREDNESS AND RESPONSE, INTEROPERABLE
14 COMMUNICATIONS, AND OTHER PROVISIONS OF THE SCHOOL RESPONSE
15 FRAMEWORK. THE EMERGENCY RESPONSE OUTREACH CONSULTANT SHALL
16 ALSO WORK WITH THE CENTER DIRECTOR AND SCHOOL OUTREACH
17 CONSULTANT TO RESEARCH GRANT OPPORTUNITIES AND PROVIDE
18 ASSISTANCE TO SCHOOLS SEEKING GRANTS FOR SCHOOL SAFETY AND
19 EMERGENCY RESPONSE ASSISTANCE.

20 (II) THIS PARAGRAPH (i) IS REPEALED, EFFECTIVE JULY 1, 2018.

21 (j) TO PROVIDE INFORMATION AND RESOURCES RELATING TO THE
22 DEVELOPMENT AND MAINTENANCE OF SCHOOL RESOURCE OFFICER
23 PROGRAMS, AS DETERMINED BY THE CENTER, TO THE DIVISION OF FIRE
24 PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY FOR
25 DISTRIBUTION TO SCHOOL DISTRICTS AND SCHOOLS PURSUANT TO SECTION
26 24-33.5-1213.4 AND TO LAW ENFORCEMENT AGENCIES AND OTHER
27 COMMUNITY PARTNERS, AS DESCRIBED IN SECTION 22-32-109.1, C.R.S.;

1 AND

2 (k) TO PROVIDE SUGGESTIONS FOR SCHOOL RESOURCE OFFICER
3 TRAINING TO THE PEACE OFFICERS STANDARDS AND TRAINING BOARD,
4 PURSUANT TO SECTION 24-31-312.

5 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-1804,
6 **amend** (2) (a) introductory portion; and **add** (2) (a) (XIV) as follows:

7 **24-33.5-1804. School safety resource center advisory board -**
8 **created - repeal.** (2) (a) The advisory board shall consist of not less than
9 ~~thirteen~~ FOURTEEN members, each of whom shall be appointed to a term
10 of two years as follows:

11 (XIV) ONE MEMBER MUST BE A SCHOOL RESOURCE OFFICER, AS
12 DEFINED IN SECTION 22-32-109.1 (1), C.R.S., AND BE APPOINTED BY THE
13 EXECUTIVE DIRECTOR IN CONSULTATION WITH A STATEWIDE ASSOCIATION
14 REPRESENTING SCHOOL RESOURCE OFFICERS.

15 **SECTION 8. Appropriation.** In addition to any other
16 appropriation, there is hereby appropriated, out of any moneys in the
17 general fund not otherwise appropriated, to the department of public
18 safety, for the fiscal year beginning July 1, 2013, the sum of \$68,398 and
19 1.0 FTE, or so much thereof as may be necessary, for allocation to the
20 school safety resource center related to the implementation of this act.

21 **SECTION 9. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.