

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0628.01 Jane Ritter x4342

**SENATE BILL 13-138**

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**SENATE SPONSORSHIP**

**King,**

**HOUSE SPONSORSHIP**

**Garcia and McLachlan,**

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**Senate Committees**

Judiciary  
Education  
Appropriations

**House Committees**

Education  
Appropriations

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**A BILL FOR AN ACT**

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

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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>.)*

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.*

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.

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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 \$57,815 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.