NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 13-138

BY SENATOR(S) King, Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder, Giron, Grantham, Guzman, Harvey, Heath, Hill, Hodge, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd, Ulibarri, Morse;
also REPRESENTATIVE(S) Garcia and McLachlan, Exum, Fields, Gardner, Hamner, Hullinghorst, Labuda, Landgraf, Lebsock, Mitsch Bush, Moreno, Pabon, Pettersen, Primavera, Rosenthal, Ryden, Schafer, Singer, Stephens, Williams, Wilson, Young, Ferrandino.

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

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

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

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

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

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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

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

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

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

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

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

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

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

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

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

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

(b.5) "COMMUNITY PARTNERS" MEANS, COLLECTIVELY, LOCAL FIRE DEPARTMENTS, STATE AND LOCAL LAW ENFORCEMENT AGENCIES, LOCAL 911 AGENCIES, INTEROPERABLE COMMUNICATIONS PROVIDERS, THE SAFE2TELL PROGRAM DESCRIBED IN SECTION 16-15.8-103, C.R.S., LOCAL EMERGENCY MEDICAL SERVICE PERSONNEL, LOCAL MENTAL HEALTH ORGANIZATIONS, LOCAL PUBLIC HEALTH AGENCIES, LOCAL EMERGENCY MANAGEMENT PERSONNEL, LOCAL OR REGIONAL HOMELAND SECURITY PERSONNEL, AND SCHOOL RESOURCE OFFICERS.

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

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

(4) **School response framework - school safety, readiness, and incident management plan.** Each board of education shall establish a school response framework that shall consist of policies described in this

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

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

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

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

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

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

24-33.5-1213.4. School all-hazard emergency planning and

response. (1) The school response framework created in section 22-32-109.1 (4), C.R.S., sets forth the framework for school emergency incident response and emergency preparedness, including emergency communications AND THE RESPONSIBILITIES OF SCHOOL RESOURCE OFFICERS. Pursuant to the school response framework, emergency response personnel are community partners with schools. As part of its duty to regularly inspect school buildings to ensure compliance with the fire code, the division, local fire departments, and certified fire inspectors may partner with schools in assessing each school's implementation of NIMS, ~~and~~ the interoperability of the school's emergency communications equipment with state and local emergency response agencies, AND THE IMPLEMENTATION OF A SCHOOL RESOURCE OFFICER PROGRAM.

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

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

(a) The most appropriate way to prevent and prepare for acts of violence and other emergencies that may occur on school campuses is to foster a cooperative effort by schools, SCHOOL RESOURCE OFFICERS, law enforcement agencies, emergency responders, behavioral health experts, parents, and community members to identify, gather, and apply the necessary resources; and

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

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

(i) (I) TO HIRE OR CONTRACT FOR THE SERVICES OF AN EMERGENCY RESPONSE CONSULTANT WITH EXPERIENCE IN LAW ENFORCEMENT AND SCHOOL SAFETY TO PROVIDE GUIDANCE FOR SCHOOLS, SCHOOL RESOURCE OFFICERS, AND OTHER COMMUNITY PARTNERS FOR SCHOOL BUILDING SAFETY ASSESSMENTS AND THE USE OF BEST PRACTICES FOR SCHOOL SECURITY, EMERGENCY PREPAREDNESS AND RESPONSE, INTEROPERABLE COMMUNICATIONS, AND OTHER PROVISIONS OF THE SCHOOL RESPONSE FRAMEWORK. THE EMERGENCY RESPONSE OUTREACH CONSULTANT SHALL

ALSO WORK WITH THE CENTER DIRECTOR AND SCHOOL OUTREACH CONSULTANT TO RESEARCH GRANT OPPORTUNITIES AND PROVIDE ASSISTANCE TO SCHOOLS SEEKING GRANTS FOR SCHOOL SAFETY AND EMERGENCY RESPONSE ASSISTANCE.

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

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

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

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

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

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

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

SECTION 9. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

John P. Morse PRESIDENT OF THE SENATE	Mark Ferrandino SPEAKER OF THE HOUSE OF REPRESENTATIVES
Cindi L. Markwell SECRETARY OF THE SENATE	Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

APPROVED_____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO