

1 PROMULGATED PURSUANT TO SECTION 22-2-106 (4).

2 **SECTION 6.** In Colorado Revised Statutes, 22-32-146, **add** (2.5)
3 and (6) as follows:

4 **22-32-146. School use of on-site peace officers as school**
5 **resource officers - law enforcement arrest authority.**

6 (2.5) (a) NOTWITHSTANDING SECTION 16-3-102, A SCHOOL RESOURCE
7 OFFICER OR OTHER LAW ENFORCEMENT OFFICER SHALL NOT ARREST A
8 STUDENT OF THE SCHOOL, OR ISSUE A SUMMONS, TICKET, OR OTHER
9 NOTICE REQUIRING THE APPEARANCE OF A STUDENT OF THE SCHOOL IN
10 COURT OR AT A POLICE STATION FOR INVESTIGATION, FOR CONDUCT THAT
11 CONSTITUTES ANY OF THE FOLLOWING OFFENSES ALLEGEDLY COMMITTED
12 ON THE SCHOOL'S GROUNDS, IN A SCHOOL VEHICLE, OR AT A SCHOOL
13 ACTIVITY OR SANCTIONED EVENT:

14 (I) INTERFERENCE WITH STAFF, FACULTY, OR STUDENTS OF
15 EDUCATIONAL INSTITUTIONS, AS DESCRIBED IN SECTION 18-9-109 (1) TO
16 (3);

17 (II) DISORDERLY CONDUCT, AS DESCRIBED IN SECTION 18-9-106
18 (1)(a) TO (1)(d);

19 (III) THEFT, AS DESCRIBED IN SECTION 18-4-401, WHEN THE VALUE
20 OF THE THING INVOLVED IS LESS THAN THREE HUNDRED DOLLARS;

21 (IV) TRESPASS OR INTERFERENCE AT A PUBLIC BUILDING, AS
22 DESCRIBED IN SECTION 18-9-110, OR SECOND-DEGREE CRIMINAL TRESPASS
23 THAT INVOLVES ENTERING OR REMAINING IN A MOTOR VEHICLE OF
24 ANOTHER, AS DESCRIBED IN SECTION 18-4-503 (1)(c);

25 (V) CRIMINAL MISCHIEF, AS DESCRIBED IN SECTION 18-4-501,
26 WHEN THE AGGREGATE DAMAGE TO THE REAL OR PERSONAL PROPERTY IS
27 LESS THAN ONE THOUSAND DOLLARS;

- 1 (VI) GAMBLING, AS DESCRIBED IN SECTION 18-10-103;
- 2 (VII) LOITERING, AS DESCRIBED IN SECTION 18-9-112;
- 3 (VIII) HARASSMENT, AS DESCRIBED IN SECTION 18-9-111;
- 4 (IX) AN INCIDENT RELATING TO ALCOHOL, AS DESCRIBED IN
- 5 SECTION 18-13-122 (3)(a), 44-3-901 (1)(b), OR 44-3-904 (6);
- 6 (X) AN INCIDENT RELATING TO TOBACCO, AS DESCRIBED IN
- 7 SECTION 18-13-121;
- 8 (XI) ANY OFFENSE FOR POSSESSION OF MARIJUANA THAT IS
- 9 CLASSIFIED AS A MISDEMEANOR OR PETTY OFFENSE;
- 10 (XII) POSSESSION OF DRUG PARAPHERNALIA, AS DESCRIBED IN
- 11 SECTION 18-18-428, OR ILLEGAL POSSESSION OF MARIJUANA
- 12 PARAPHERNALIA BY AN UNDERAGE PERSON, AS DESCRIBED IN SECTION
- 13 18-13-122 (3)(c);
- 14 (XIII) MISDEMEANOR MENACING, AS DESCRIBED IN SECTION
- 15 18-3-206;
- 16 (XIV) OBSTRUCTING A PEACE OFFICER, FIREFIGHTER, EMERGENCY
- 17 MEDICAL SERVICE PROVIDER, RESCUE SPECIALIST, OR VOLUNTEER, AS
- 18 DESCRIBED IN SECTION 18-8-104, UNLESS THE STUDENT USES VIOLENCE IN
- 19 THE COMMISSION OF THE OFFENSE; AND
- 20 (XV) ANY OTHER ALLEGED VIOLATION OF THE "COLORADO
- 21 CRIMINAL CODE", TITLE 18, THAT IS CLASSIFIED AS A MISDEMEANOR OR
- 22 PETTY OFFENSE, OR ANY VIOLATION OF A MUNICIPAL CODE, WHEN THE
- 23 STUDENT DID NOT INFLICT SERIOUS BODILY INJURY ON ANOTHER PERSON
- 24 AND THE STUDENT DOES NOT CONTINUE TO POSE AN IMMINENT THREAT OF
- 25 SERIOUS BODILY INJURY TO ANOTHER PERSON.
- 26 (b) A SCHOOL RESOURCE OFFICER OR OTHER LAW ENFORCEMENT
- 27 OFFICER ACTING IN THE OFFICER'S OFFICIAL CAPACITY ON SCHOOL



1 GROUND, IN A SCHOOL VEHICLE, OR AT A SCHOOL ACTIVITY OR
2 SANCTIONED EVENT SHALL REPORT CONDUCT THAT CONSTITUTES ANY OF
3 THE OFFENSES DESCRIBED IN SUBSECTION (2.5)(a) OF THIS SECTION TO THE
4 PRINCIPAL OF THE SCHOOL OR ANY OTHER APPROPRIATE SCHOOL
5 PERSONNEL.

6 (6) A SCHOOL RESOURCE OFFICER OR A LAW ENFORCEMENT
7 OFFICER ACTING IN THE OFFICER'S OFFICIAL CAPACITY ON SCHOOL
8 GROUND, IN A SCHOOL VEHICLE, OR AT A SCHOOL ACTIVITY OR
9 SANCTIONED EVENT SHALL NOT USE HANDCUFFS ON AN ELEMENTARY
10 SCHOOL STUDENT.

11 **SECTION 7.** In Colorado Revised Statutes, add 22-32-146.1 as
12 follows:

13 **22-32-146.1. School resource officers - requirements -**
14 **evaluation.** (1) EACH SCHOOL DISTRICT THAT ELECTS TO CONTRACT FOR
15 ONE OR MORE SCHOOL RESOURCE OFFICERS ON SCHOOL GROUND SHALL
16 ADOPT A POLICY FOR SELECTING THE OFFICER OR OFFICERS. THE POLICY
17 FOR SELECTING A SCHOOL RESOURCE OFFICER, AT A MINIMUM, MUST
18 REQUIRE A CANDIDATE TO:

19 (a) DEMONSTRATE A RECORD OF EXPERIENCE DEVELOPING
20 POSITIVE RELATIONSHIPS WITH YOUTH, WHICH MAY INCLUDE
21 PARTICIPATION IN YOUTH OR COMMUNITY POLICING PROGRAMS;

22 (b) HAVE NO DISCIPLINARY ACTIONS OR SUBSTANTIATED
23 COMPLAINTS IN THE CANDIDATE'S SERVICE RECORD; AND

24 (c) VOLUNTARILY APPLY TO SERVE AS A SCHOOL RESOURCE
25 OFFICER.

26 (2) (a) EACH SCHOOL DISTRICT THAT ELECTS TO CONTRACT FOR
27 ONE OR MORE SCHOOL RESOURCE OFFICERS ON SCHOOL GROUND AND THE