

An Act

HOUSE BILL 26-1142

BY REPRESENTATIVE(S) Taggart and Boesenecker, Espenoza, Bacon, Bradley, Caldwell, Clifford, Duran, Froelich, Garcia Sander, Gilchrist, Goldstein, Gonzalez R., Hamrick, Keltie, Lieder, Lindsay, Lukens, McCormick, Nguyen, Rutinel, Sirota, Slaugh, Smith, Stewart K., Stewart R., Story, Suckla, Weinberg, Woog, McCluskie;
also SENATOR(S) Roberts and Ball, Benavidez, Bright, Cutter, Daugherty, Exum, Gonzales J., Jodeh, Kipp, Kolker, Mullica, Rodriguez, Snyder, Wallace, Weissman, Coleman.

CONCERNING CHILD ADVOCACY CENTERS IN CASES OF CHILD
MALTREATMENT.

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

SECTION 1. Short title. The short title of this act is the "Colorado Child Advocacy Center Act".

SECTION 2. Legislative declaration. (1) The general assembly finds that:

(a) Children who are victims of child maltreatment and children who witness violent crimes deserve a coordinated, trauma-informed response

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

that prioritizes their safety, well-being, and healing;

(b) Child advocacy centers provide a proven, child-focused model for the investigation, treatment, and prosecution of child maltreatment through multidisciplinary collaboration with law enforcement, child protective services, prosecutors, medical and mental health professionals, and victim advocates;

(c) Colorado's statutes currently reference child advocacy centers minimally and do not define what constitutes a child advocacy center or its standards of practice;

(d) Establishing a clear statutory definition of a child advocacy center and promoting consistent statewide practices will strengthen Colorado's child protection network; and

(e) Clarifying confidentiality, information-sharing, and limited immunity provisions for child advocacy center staff will encourage collaboration while protecting children and families.

(2) Therefore, the general assembly declares that it is necessary to enact the "Colorado Child Advocacy Center Act" to modernize the statutory framework for children's advocacy centers, ensure statewide consistency, and enhance a coordinated response to child maltreatment.

SECTION 3. In Colorado Revised Statutes, 19-1-103, **amend** (23) as follows:

19-1-103. Definitions.

As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(23) (a) "Child advocacy center", as used in part 3 of article 3 of this title 19, means ~~a center that provides a comprehensive multidisciplinary team response to allegations of child abuse or neglect in a dedicated, child-friendly setting. The team response to allegations of child abuse or neglect includes but is not limited to technical assistance for forensic interviews, forensic medical examinations, mental health and related support services, consultation, training, and education.~~ AN INDEPENDENT,

CHILD-FOCUSED, AND TRAUMA-INFORMED FACILITY-BASED CENTER THAT:

(I) IS IN GOOD STANDING WITH AN ACCREDITED STATE CHAPTER OF A NATIONAL ASSOCIATION AND ACCREDITING BODY THAT PROVIDES SUPPORT, ADVOCACY, QUALITY ASSURANCE, AND NATIONAL LEADERSHIP FOR CHILD ADVOCACY CENTERS, WHICH STATE CHAPTER OVERSEES AND PROVIDES GUIDANCE TO CHILD ADVOCACY CENTERS OPERATING IN THE STATE; AND

(II) COORDINATES WITH REPRESENTATIVES FROM LAW ENFORCEMENT AND CHILD PROTECTIVE SERVICES, PROSECUTORS, MENTAL HEALTH PROFESSIONALS, MEDICAL PROFESSIONALS, FORENSIC INTERVIEWERS, AND VICTIM ADVOCACY GROUPS TO ENSURE A SAFE, COORDINATED, TRAUMA-INFORMED, AND MULTIDISCIPLINARY INVESTIGATIVE RESPONSE TO A CHILD SUSPECTED TO BE A VICTIM OF CHILD ABUSE AND THE CHILD'S CAREGIVERS AND TO DETERMINE WHAT SERVICES NEED TO BE PROVIDED TO THE CHILD AND THE CHILD'S CAREGIVERS.

(b) "CHILD ADVOCACY CENTER" DOES NOT INCLUDE A HEALTH-CARE INSTITUTION OR A HEALTH-CARE PROFESSIONAL, AS THOSE TERMS ARE DEFINED IN SECTION 13-64-202.

SECTION 4. In Colorado Revised Statutes, **add** 19-3-319 as follows:

19-3-319. Child advocacy centers - information sharing - civil immunity - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM" MEANS A GROUP OF PROFESSIONALS WHO WORK COLLABORATIVELY WITH A CHILD ADVOCACY CENTER ON BEHALF OF CHILDREN SERVED BY A CHILD ADVOCACY CENTER TO SHARE INFORMATION TO INFORM THE INVESTIGATION AND PROSECUTION OF CHILD MALTREATMENT AND TO COORDINATE SERVICES IN RESPONSE TO REPORTS OF CHILD MALTREATMENT. A CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM MUST INCLUDE, AT A MINIMUM, THE FOLLOWING PROFESSIONALS:

- (I) A MEMBER OF A LAW ENFORCEMENT AGENCY;
- (II) A DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY;
- (III) A MEMBER OF THE DEPARTMENT'S CHILD PROTECTIVE SERVICES UNIT;
- (IV) A LOCAL MENTAL HEALTH PROVIDER;
- (V) A LOCAL HEALTH-CARE PROVIDER;
- (VI) A VICTIM ADVOCATE; AND
- (VII) CHILD ADVOCACY CENTER STAFF.

(b) "CHILD MALTREATMENT" MEANS CONDUCT THAT INVOLVES SEXUAL OR PHYSICAL ABUSE OF A CHILD, NEGLECT OF A CHILD, HUMAN TRAFFICKING OF A CHILD, OR EXPLOITATION OF A CHILD.

(2) (a) THE COUNTY DEPARTMENT MAY SHARE INFORMATION THAT IS RELEVANT TO THE PROTECTION OF A CHILD WHO IS THE SUBJECT OF A CHILD MALTREATMENT CASE WITH THE CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM WORKING ON BEHALF OF THE CHILD.

(b) MEMBERS OF A CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM MAY SHARE INFORMATION THAT IS RELEVANT TO THE PROTECTION OF A CHILD WHO IS THE SUBJECT OF A CHILD MALTREATMENT CASE AMONG THE CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM AND THE COUNTY DEPARTMENT.

(c) ANY INFORMATION SHARED AMONG COUNTY DEPARTMENTS AND CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM MEMBERS PURSUANT TO SUBSECTIONS (2)(a) AND (2)(b) OF THIS SECTION MUST:

- (I) REMAIN CONFIDENTIAL, EXCEPT WHEN DISCLOSURE IS REQUIRED BY LAW, INCLUDING THE COLORADO RULES OF JUVENILE PROCEDURE;
- (II) BE WITHHELD FROM PUBLIC INSPECTION; AND
- (III) ONLY BE USED TO THE EXTENT NECESSARY FOR THE COUNTY

DEPARTMENT OR CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM TO PERFORM ITS DUTIES.

(3) (a) A CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM MEMBER WHO PARTICIPATES IN GOOD FAITH IN TEAM DISCUSSIONS BY PROVIDING INFORMATION ABOUT A CHILD WHOSE CASE IS BEING REVIEWED BY A CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM IS IMMUNE FROM ANY CIVIL OR CRIMINAL LIABILITY FOR DISCLOSURE OF INFORMATION WITHIN THE CONTEXT OF THE CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM, UNLESS THE DISCLOSURE OF INFORMATION WAS DUE TO GROSS NEGLIGENCE, WANTON CONDUCT, OR INTENTIONAL WRONGDOING.

(b) A BOARD MEMBER, STAFF MEMBER, OR VOLUNTEER OF A CHILD ADVOCACY CENTER IS IMMUNE FROM CIVIL LIABILITY ARISING FROM THE INVESTIGATION OF CHILD MALTREATMENT OR DISCLOSURE OF INFORMATION WITHIN THE CONTEXT OF THE CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM FOR THE BENEFIT OF THE CHILD ADVOCACY CENTER IF THE PERSON'S ACTS WERE REASONABLE AND PERFORMED IN GOOD FAITH. IMMUNITY EXTENDED PURSUANT TO THIS SUBSECTION (3)(b) DOES NOT EXTEND TO ACTS OF GROSS NEGLIGENCE, WANTON MISCONDUCT, OR INTENTIONAL WRONGDOING ARISING OUT OF THE INVESTIGATION OF CHILD MALTREATMENT OR DISCLOSURE OF INFORMATION WITHIN THE CONTEXT OF THE CHILD ADVOCACY CENTER MULTIDISCIPLINARY TEAM FOR THE BENEFIT OF THE CHILD ADVOCACY CENTER. IMMUNITY EXTENDED PURSUANT TO THIS SUBSECTION (3)(b) DOES NOT EXTEND TO ACTIONS THAT CONSTITUTE MEDICAL NEGLIGENCE, AS GOVERNED BY THE "HEALTH CARE AVAILABILITY ACT" IN PART 1 OF ARTICLE 64 OF TITLE 13, OR ACTIONS GOVERNED BY THE "PREMISES LIABILITY ACT" IN PART 1 OF ARTICLE 21 OF PART 13.

SECTION 5. In Colorado Revised Statutes, 18-3-505, **amend** (1)(b)(XXI) as follows:

18-3-505. Human trafficking council - created - duties - repeal.

(1) (b) The membership of the council must reflect, to the extent possible, representation of urban and rural areas of the state and a balance of expertise, both governmental and nongovernmental, in issues relating to human trafficking. The council must include members with expertise in child welfare and human services to address the unique needs of child victims, including those child victims who are involved in the child welfare

system. The membership of the council consists of the following persons, appointed as follows:

(XXI) A representative of a child advocacy center, AS DEFINED IN SECTION 19-1-103;

SECTION 6. In Colorado Revised Statutes, 24-1.9-102.3, **amend** (2)(e) as follows:

24-1.9-102.3. Duties of individualized service and support teams.

(2) The information form for children created in section 24-1.9-102.7, or any other form created by the local collaborative management program, may be used by multiple agencies to refer a child to a local collaborative management program in accordance with the local collaborative management program's memorandum of understanding. Such agencies include, but are not limited to:

(e) A child advocacy center, AS DEFINED IN SECTION 19-1-103; and

SECTION 7. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO