

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 25-0270.01 Michael Dohr x4347

HOUSE BILL 25-1136

HOUSE SPONSORSHIP

Clifford and Bacon, Boesenecker, Duran, Lindsay, Mabrey, McCluskie, Sirota, Story

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Snyder and Frizell,

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A BILL FOR AN ACT

101 **CONCERNING MATTERS RELATED TO PEACE OFFICERS.**

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://leg.colorado.gov>.)

Law enforcement is required to report to the peace officers standards and training board (P.O.S.T. board) certain information related to peace officer conduct for inclusion in a searchable database. The bill requires the head of the law enforcement agency providing the report to certify the accuracy of the information in the report. The agency providing the report shall provide the P.O.S.T. board with all documents relevant to the discipline for which the officer was placed in the database upon request of the P.O.S.T. board. If a law enforcement agency refuses

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
April 22, 2025

HOUSE
3rd Reading Unamended
April 2, 2025

HOUSE
Amended 2nd Reading
April 1, 2025

to provide the records, the P.O.S.T. board may subpoena the records. If the court grants the subpoena, the court shall order the law enforcement agency to pay the P.O.S.T. board's attorney fees, costs, and fees related to the subpoena. The bill prohibits the P.O.S.T. board from including information in the database if the information is received from an agency that does not employ or has not employed the subject of the information. If an agency fails to report the information, the agency is subject to a fine or loss of P.O.S.T. board funding.

A peace officer who is included in the searchable database can appeal the officer's inclusion in the database. When a peace officer is added to the database, the P.O.S.T. board shall provide the peace officer with information about how to appeal that action. The bill requires the peace officer's disciplining law enforcement agency to provide the P.O.S.T. board with all documents relevant to the discipline for which the officer was placed in the database. If a law enforcement agency refuses to provide the records, the P.O.S.T. board may subpoena the records. If the court grants the subpoena, the court shall order the law enforcement agency to pay the P.O.S.T. board's attorney fees, costs, and fees related to the subpoena.

The bill gives the P.O.S.T. board director the authority to remove entries from the database that are in error.

Under current law, the P.O.S.T. board shall permanently revoke a peace officer's certification and record that information in the database if the officer is found civilly liable for the use of unlawful physical force or is found civilly liable for failure to intervene in the use of unlawful force and the incident resulted in serious bodily injury or death to another person. The bill gives the P.O.S.T. board the discretion to permanently revoke in those cases.

If a law enforcement agency is investigating a peace officer for an incident that could result in a database report, the law enforcement agency shall inform the peace officer of the agency's duty to report that information and the consequences of the reporting.

The bill prohibits a law enforcement agency from agreeing to a settlement with a peace officer that includes the agency agreeing to not report the information to the database.

Current law requires a law enforcement agency to provide a peace officer's personnel records when they receive a waiver for the records to another law enforcement agency that is considering employing the peace officer. A law enforcement agency or governmental agency that submits the waiver to another agency and does not receive the records shall report that fact to the P.O.S.T. board. The P.O.S.T. board shall contact the agency, and if the agency does not provide the disclosure within 6 calendar days, the P.O.S.T. board shall not provide the agency with P.O.S.T. board funding for a period of one year and the agency may be subject to fines.

The bill allows a person to maintain their P.O.S.T. certification if they are not working as a peace officer but are working for a law enforcement agency in a non-peace-officer role.

In 2024, the general assembly provided temporary peace officer status to administrators of judicial security. The bill makes the status permanent.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-31-303, **amend**
3 (1)(r) as follows:

4 **24-31-303. Duties - powers of the P.O.S.T. board - definition.**

5 (1) The P.O.S.T. board has the following duties:

6 (r) (I) Subject to available appropriations, beginning on January
7 1, 2022, to create and maintain a database ~~in a searchable format to be~~
8 ~~published on its website, containing information~~ related to a peace
9 officer's CONDUCT PURSUANT TO THE PROVISIONS OF SECTION 24-31-321.

10 ~~(A) Untruthfulness;~~

11 ~~(B) Three or more failures to follow P.O.S.T. board training~~
12 ~~requirements within ten consecutive years;~~

13 ~~(C) Revocation of the certification by the P.O.S.T. board,~~
14 ~~including the basis for the revocation;~~

15 ~~(D) Termination for cause by the peace officer's employer unless~~
16 ~~the termination is overturned or reversed by an appellate process. A~~
17 ~~notation must be placed next to the officer's name during the pendency of~~
18 ~~any appellate process.~~

19 ~~(E) Resignation or retirement while under investigation by the~~
20 ~~peace officer's employing law enforcement agency, a district attorney, or~~
21 ~~the attorney general that could result in being entered into the database in~~
22 ~~this subsection (1)(r);~~

1 ~~(F) Resignation or retirement following an incident that leads to~~
2 ~~the opening of an investigation within six months following the peace~~
3 ~~officer's resignation or retirement that could result in being entered into~~
4 ~~the database in this subsection (1)(r);~~

5 ~~(G) Being the subject of a criminal investigation for a crime that~~
6 ~~could result in revocation or suspension of certification pursuant to~~
7 ~~section 24-31-305 or 24-31-904 or the filing of criminal charges for such~~
8 ~~a crime. The investigating law enforcement agency shall notify the~~
9 ~~P.O.S.T. board of the investigation or filing of criminal charges as soon~~
10 ~~as practicable, in a manner prescribed in P.O.S.T. board rule, so long as~~
11 ~~such notification is unlikely to disrupt or impede an investigation.~~

12 ~~(H) Actions as described by the applicable statutory provision~~
13 ~~identifying the basis for the credibility disclosure notification as set forth~~
14 ~~in section 16-2.5-502 (2)(c)(I).~~

15 ~~(I) Law enforcement agencies shall report to the P.O.S.T. board~~
16 ~~the information required in this subsection (1)(r) in a format determined~~
17 ~~by the P.O.S.T. board. Failure to submit such information is subject to a~~
18 ~~fine set in rule by the P.O.S.T. board.~~

19 ~~(J) For purposes of this subsection (1)(r), "untruthfulness" means~~
20 ~~a peace officer knowingly made an untruthful statement concerning a~~
21 ~~material fact or knowingly omitted a material fact on an official criminal~~
22 ~~justice record, while testifying under oath, or during an internal affairs~~
23 ~~investigation or administrative investigation and disciplinary process.~~

24 ~~(K) Termination for cause.~~

25 **SECTION 2.** In Colorado Revised Statutes, **add** 24-31-321 as
26 follows:

27 **24-31-321. Peace officer conduct database - definition.** (1) THE

1 P.O.S.T. BOARD SHALL CREATE AND MAINTAIN A DATABASE IN A
2 SEARCHABLE FORMAT TO BE PUBLISHED ON ITS WEBSITE CONTAINING
3 INFORMATION RELATED TO A PEACE OFFICER'S:

4 (a) UNTRUTHFULNESS;

5 (b) THREE OR MORE FAILURES TO FOLLOW P.O.S.T. BOARD
6 TRAINING REQUIREMENTS WITHIN TEN CONSECUTIVE YEARS;

7 (c) REVOCATION OF THE CERTIFICATION BY THE P.O.S.T. BOARD,
8 INCLUDING THE BASIS FOR THE REVOCATION;

9 (d) TERMINATION FOR CAUSE BY THE PEACE OFFICER'S EMPLOYER;

10
11 (e) RESIGNATION OR RETIREMENT WHILE UNDER INVESTIGATION
12 BY THE PEACE OFFICER'S EMPLOYING ORGANIZATION OR ANOTHER LAW
13 ENFORCEMENT AGENCY IN WHICH THE ALLEGED MISCONDUCT, IF
14 SUSTAINED, WOULD MORE LIKELY THAN NOT RESULT IN BEING ENTERED
15 INTO THE DATABASE PURSUANT TO THIS SECTION;

16 (f) RESIGNATION OR RETIREMENT FOLLOWING AN INCIDENT THAT
17 LEADS TO THE OPENING OF AN INVESTIGATION BY THE PEACE OFFICER'S
18 EMPLOYING ORGANIZATION OR ANOTHER LAW ENFORCEMENT AGENCY IN
19 WHICH THE ALLEGED MISCONDUCT, IF SUSTAINED, WOULD MORE LIKELY
20 THAN NOT RESULT IN BEING ENTERED INTO THE DATABASE PURSUANT TO
21 THIS SECTION, WITHIN SIX MONTHS AFTER THE PEACE OFFICER'S
22 RESIGNATION OR RETIREMENT;

23 (g) RESIGNATION IN LIEU OF TERMINATION FOR CAUSE;

24 (h) BEING CHARGED WITH A CRIME THAT COULD RESULT IN
25 REVOCATION OR SUSPENSION OF CERTIFICATION PURSUANT TO SECTION
26 24-31-305 OR 24-31-904. THE EMPLOYING ORGANIZATION SHALL NOTIFY
27 THE P.O.S.T. BOARD OF THE FILING OF CRIMINAL CHARGES AS SOON AS

1 PRACTICABLE, IN A MANNER PRESCRIBED IN P.O.S.T. BOARD RULE. █

2 (i) ACTIONS AS DESCRIBED BY THE APPLICABLE STATUTORY
3 PROVISION IDENTIFYING THE BASIS FOR THE CREDIBILITY DISCLOSURE
4 NOTIFICATION AS SET FORTH IN SECTION 16-2.5-502 (2)(c)(I).

5 (2) IF A LAW ENFORCEMENT AGENCY REPORTS A PEACE OFFICER
6 PURSUANT TO EITHER SUBSECTION (1)(e) OR (1)(f) OF THIS SECTION, THE
7 PEACE OFFICER, UPON REQUEST, IS ENTITLED TO A SHOW CAUSE HEARING
8 WITH THE DIRECTOR OF THE P.O.S.T. BOARD OR THEIR DESIGNEE. THE
9 P.O.S.T. BOARD SHALL OBTAIN RECORDS FROM THE REPORTING
10 ORGANIZATION FOR THE PURPOSE OF THE SHOW CAUSE HEARING AND
11 SHALL PROVIDE ALL RECORDS PROVIDED BY THE REPORTING
12 ORGANIZATION TO THE APPELLANT PEACE OFFICER. PURSUANT TO THE
13 REQUIREMENTS OF THIS SECTION, THE RECORDS OF ANY EMPLOYING
14 ORGANIZATION, OR FORMERLY EMPLOYING ORGANIZATION, THAT ARE
15 SUBMITTED FOR REVIEW BY THE P.O.S.T. BOARD AND THE APPELLANT
16 PEACE OFFICER FOR THE PURPOSES OF THIS SHOW CAUSE HEARING REMAIN
17 THE PROPERTY OF THE REPORTING ORGANIZATION AND ARE NOT SUBJECT
18 TO PUBLIC RELEASE.

19 (3) (a) LAW ENFORCEMENT AGENCIES SHALL REPORT TO THE
20 P.O.S.T. BOARD THE INFORMATION REQUIRED IN SUBSECTION (1) OF THIS
21 SECTION IN A FORMAT DETERMINED BY THE P.O.S.T. BOARD. THE P.O.S.T.
22 BOARD SHALL NOT INCLUDE INFORMATION IN THE DATABASE IF THE
23 INFORMATION IS RECEIVED FROM AN AGENCY THAT DOES NOT EMPLOY OR
24 HAS NOT EMPLOYED THE PEACE OFFICER WHO IS THE SUBJECT OF THE
25 INFORMATION. NOTWITHSTANDING ANY OTHER PROVISION TO THE
26 CONTRARY, THE P.O.S.T. BOARD _____ MAY ENTER REPORTS INTO THE
27 DATABASE ON BEHALF OF AN ORGANIZATION. THE HEAD OF THE LAW

1 ENFORCEMENT AGENCY PROVIDING THE REPORT SHALL CERTIFY THE
2 ACCURACY OF THE INFORMATION IN THE REPORT. A KNOWING OR WILLFUL
3 FAILURE TO SUBMIT THE INFORMATION OR CERTIFICATION OR A KNOWING
4 OR WILLFUL SUBMITTAL OF FALSE OR INACCURATE INFORMATION IS
5 SUBJECT TO A FINE IMPOSED BY THE P.O.S.T. BOARD. WHEN A FAILURE TO
6 SUBMIT THE INFORMATION OR CERTIFICATION OR SUBMITTAL OF FALSE OR
7 INACCURATE INFORMATION IS DETERMINED, THE P.O.S.T. BOARD SHALL
8 REFER THE MATTER TO THE APPROPRIATE DISTRICT ATTORNEY AND
9 REQUEST THE DISTRICT ATTORNEY TO CONDUCT A CRIMINAL
10 INVESTIGATION.

11 (b) AFTER RECEIVING A NOTIFICATION AND UPON REQUEST OF THE
12 P.O.S.T. BOARD, THE LAW ENFORCEMENT AGENCY PROVIDING THE REPORT
13 SHALL PROVIDE THE P.O.S.T. BOARD WITH ALL DOCUMENTS RELEVANT TO
14 THE INVESTIGATION OR CAUSE FOR WHICH THE OFFICER WAS PLACED IN
15 THE DATABASE. IF A LAW ENFORCEMENT AGENCY REFUSES TO PROVIDE
16 THE RECORDS PURSUANT TO THIS SUBSECTION (3), THE P.O.S.T. BOARD
17 MAY SUBPOENA THE RECORDS. IF THE COURT OR ADMINISTRATIVE LAW
18 JUDGE GRANTS THE SUBPOENA, AND SUBSEQUENTLY DOES NOT GRANT A
19 MOTION TO QUASH THE SUBPOENA, THE COURT MAY ORDER THE LAW
20 ENFORCEMENT AGENCY TO PAY THE P.O.S.T. BOARD'S ATTORNEY FEES,
21 COSTS, AND FEES RELATED TO THE SUBPOENA.

22 (c) IF THE P.O.S.T. BOARD RECEIVED INFORMATION REGARDING AN
23 INCIDENT INVOLVING A PEACE OFFICER THAT WOULD REQUIRE A REPORT
24 PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE ORGANIZATION
25 EMPLOYING THE PEACE OFFICER SHALL PROVIDE THE P.O.S.T. BOARD WITH
26 ALL DOCUMENTS RELEVANT TO THE INCIDENT UPON REQUEST OF THE
27 P.O.S.T. BOARD. IF A LAW ENFORCEMENT AGENCY REFUSES TO PROVIDE

1 THE RECORDS PURSUANT TO THIS SUBSECTION (3), THE P.O.S.T. BOARD
2 MAY SUBPOENA THE RECORDS. IF THE COURT OR ADMINISTRATIVE LAW
3 JUDGE GRANTS THE SUBPOENA, AND SUBSEQUENTLY DOES NOT GRANT A
4 MOTION TO QUASH THE SUBPOENA, THE COURT MAY ORDER THE LAW
5 ENFORCEMENT AGENCY TO PAY THE P.O.S.T. BOARD'S ATTORNEY FEES,
6 COSTS, AND FEES RELATED TO THE SUBPOENA.

7 (d) THE RECORDS OF ANY LAW ENFORCEMENT AGENCY THAT ARE
8 SUBMITTED FOR REVIEW BY THE P.O.S.T. BOARD FOR THE PURPOSES OF
9 THIS SUBSECTION (3) REMAIN THE PROPERTY OF THE REPORTING LAW
10 ENFORCEMENT AGENCY AND ARE NOT SUBJECT TO PUBLIC RELEASE BY THE
11 P.O.S.T. BOARD.

12 (4) (a) THE P.O.S.T. BOARD SHALL CREATE AN APPEAL PROCESS
13 FOR A PEACE OFFICER TO APPEAL THE OFFICER'S INCLUSION IN THE
14 DATABASE CREATED IN THIS SECTION. THE APPEAL MUST BE CONDUCTED
15 PURSUANT TO THE PROVISIONS OF THIS SECTION AND P.O.S.T. BOARD
16 RULES. THE P.O.S.T. BOARD SHALL GIVE CONSIDERATION TO AN OFFICER'S
17 WHISTLE BLOWER STATUS DURING THE APPEAL. WHEN A PEACE OFFICER
18 IS ADDED TO THE DATABASE, THE P.O.S.T. BOARD SHALL PROVIDE THE
19 PEACE OFFICER WITH INFORMATION ABOUT HOW TO APPEAL THAT ACTION
20 ON ITS WEBSITE. IF A PEACE OFFICER INITIATES AN APPEAL PURSUANT TO
21 THIS SUBSECTION (4), THE REPORTING AGENCY SHALL PROVIDE THE
22 P.O.S.T. BOARD WITH ALL DOCUMENTS RELEVANT TO THE DISCIPLINE FOR
23 WHICH THE OFFICER WAS PLACED IN THE DATABASE UPON REQUEST OF THE
24 P.O.S.T. BOARD. IF A LAW ENFORCEMENT AGENCY REFUSES TO PROVIDE
25 THE RECORDS PURSUANT TO THIS SUBSECTION (4), THE P.O.S.T. BOARD
26 MAY SUBPOENA THE RECORDS. IF THE COURT OR ADMINISTRATIVE LAW
27 JUDGE GRANTS THE SUBPOENA, AND SUBSEQUENTLY DOES NOT GRANT A

1 MOTION TO QUASH THE SUBPOENA, THE COURT MAY ORDER THE LAW
2 ENFORCEMENT AGENCY TO PAY THE P.O.S.T. BOARD'S ATTORNEY FEES,
3 COSTS, AND FEES RELATED TO THE SUBPOENA.

4 (b) THE RECORDS OF ANY LAW ENFORCEMENT AGENCY THAT ARE
5 SUBMITTED FOR REVIEW BY THE P.O.S.T. BOARD FOR THE PURPOSES OF
6 SUBSECTION (4)(a) OF THIS SECTION REMAIN THE PROPERTY OF THE
7 REPORTING LAW ENFORCEMENT AGENCY AND ARE NOT SUBJECT TO PUBLIC
8 RELEASE BY THE P.O.S.T. BOARD.

9 (c) IF A PEACE OFFICER APPEALS INCLUSION IN THE DATABASE
10 PURSUANT TO EITHER SUBSECTION (1)(e) OR (1)(f) OF THIS SECTION AND
11 THE PEACE OFFICER'S ORGANIZATION COMPLETED ITS INVESTIGATION OF
12 THE OFFICER'S CONDUCT AFTER THE OFFICER RESIGNED AND THE
13 ORGANIZATION CLEARED THE OFFICER, THE OFFICER MAY USE THAT
14 DETERMINATION IN THEIR APPEAL.

15 (5) IF A LAW ENFORCEMENT AGENCY REPORTS INFORMATION
16 REQUIRED PURSUANT TO SUBSECTION (1) OF THIS SECTION AND
17 SUBSEQUENTLY DETERMINES THE ENTRY WAS IN ERROR AND INFORMS THE
18 P.O.S.T. BOARD OF THE ERROR REGARDLESS OF WHEN THE ERROR
19 OCCURRED, THE P.O.S.T. BOARD SHALL REMOVE THE ENTRY FROM THE
20 DATABASE AFTER THE P.O.S.T. BOARD DETERMINES THE ENTRY WAS IN
21 ERROR.

22 (6) FOR PURPOSES OF THIS SECTION, "UNTRUTHFULNESS" MEANS
23 A PEACE OFFICER KNOWINGLY MADE AN UNTRUTHFUL STATEMENT
24 CONCERNING A MATERIAL FACT OR KNOWINGLY OMITTED A MATERIAL
25 FACT ON AN OFFICIAL CRIMINAL JUSTICE RECORD, WHILE TESTIFYING
26 UNDER OATH, OR DURING AN INTERNAL AFFAIRS INVESTIGATION OR
27 ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY PROCESS.

1 **SECTION 3.** In Colorado Revised Statutes, 24-31-904, **repeal**
2 (1)(a)(II) and (2)(a)(II); and **add** (1.5), (2.5), (5), and (6) as follows:

3 **24-31-904. Peace officer certification discipline.**

4 (1) (a) Notwithstanding any provision of law, the P.O.S.T. board shall
5 permanently revoke a peace officer's certification if:

6 (II) ~~The P.O.S.T. certified peace officer is found civilly liable for~~
7 ~~the use of unlawful physical force, or is found civilly liable for failure to~~
8 ~~intervene in the use of unlawful force and the incident resulted in serious~~
9 ~~bodily injury or death to another person;~~

10 (1.5) THE P.O.S.T. BOARD MAY PERMANENTLY REVOKE A PEACE
11 OFFICER'S CERTIFICATION IF THE P.O.S.T.-CERTIFIED PEACE OFFICER IS
12 FOUND CIVILLY LIABLE FOR THE USE OF EXCESSIVE OR UNCONSTITUTIONAL
13 PHYSICAL FORCE OR IS FOUND CIVILLY LIABLE FOR FAILURE TO INTERVENE
14 IN THE USE OF EXCESSIVE OR UNCONSTITUTIONAL FORCE, AND THE
15 INCIDENT RESULTED IN SERIOUS BODILY INJURY OR DEATH TO ANOTHER
16 PERSON.

17 (2) (a) Notwithstanding any provision of law, the P.O.S.T. board
18 shall suspend a peace officer's certification for at least a year if:

19 (II) ~~The P.O.S.T. certified peace officer is found civilly liable for~~
20 ~~the use or threatened use of unlawful physical force, or is found civilly~~
21 ~~liable for failure to intervene in the use of unlawful force and the incident~~
22 ~~did not result in serious bodily injury or death to another person;~~

23 (2.5) THE P.O.S.T. BOARD MAY SUSPEND A PEACE OFFICER'S
24 CERTIFICATION FOR AT LEAST ONE YEAR IF THE P.O.S.T.-CERTIFIED PEACE
25 OFFICER IS FOUND CIVILLY LIABLE FOR THE USE OF EXCESSIVE OR
26 UNCONSTITUTIONAL PHYSICAL FORCE OR IS FOUND CIVILLY LIABLE FOR
27 FAILURE TO INTERVENE IN THE USE OF EXCESSIVE OR UNCONSTITUTIONAL

1 FORCE, AND THE INCIDENT DID NOT RESULT IN SERIOUS BODILY INJURY OR
2 DEATH TO ANOTHER PERSON.

3 (5) IF A LAW ENFORCEMENT AGENCY IS INVESTIGATING A PEACE
4 OFFICER FOR AN INCIDENT THAT COULD RESULT IN A REPORT PURSUANT TO
5 SECTION 24-31-321 (1), THE LAW ENFORCEMENT AGENCY SHALL INFORM
6 THE PEACE OFFICER OF THE AGENCY'S DUTY TO REPORT THAT
7 INFORMATION AND THE CONSEQUENCES OF THE REPORTING.

8 (6) AN EMPLOYER SHALL NOT AGREE TO A SETTLEMENT WITH A
9 PEACE OFFICER THAT INCLUDES THE EMPLOYING ORGANIZATION AGREEING
10 TO NOT REPORT THE INFORMATION REQUIRED PURSUANT TO SECTION
11 24-31-321 (1).

12 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-115, **amend**
13 (1) as follows:

14 **24-33.5-115. Peace officer hiring - required use of waiver -**
15 **definitions.** (1) A state or local law enforcement agency, including
16 higher education law enforcement agencies and public transit law
17 enforcement agencies, shall require each candidate that ~~it interviews~~
18 RECEIVES A CONDITIONAL JOB OFFER for a peace officer position who has
19 been employed by another law enforcement agency or governmental
20 agency to execute a written waiver that explicitly authorizes each law
21 enforcement agency or governmental agency that has employed the
22 candidate to disclose the applicant's files, including internal affairs files,
23 to the state or local law enforcement agency and releases the interviewing
24 agency and each law enforcement agency or governmental agency that
25 employed the candidate from any liability related to the use and disclosure
26 of the files. A law enforcement agency or governmental agency may
27 disclose the applicant's files by either providing copies or allowing the

1 interviewing agency to review the files at the law enforcement agency's
2 office or governmental agency's office. A candidate who refuses to
3 execute the waiver shall not be considered for employment by the
4 interviewing agency. The agency interviewing the candidate shall, at least
5 twenty-one days prior to making the hiring decision, submit the waiver to
6 each law enforcement agency or governmental agency that has employed
7 the candidate. A state or local law enforcement agency or governmental
8 agency that receives such a waiver shall provide the disclosure to the
9 agency that is considering the candidate for employment not more than
10 twenty-one days after such receipt. A LAW ENFORCEMENT AGENCY OR
11 GOVERNMENTAL AGENCY THAT SUBMITS THE WAIVER TO ANOTHER
12 AGENCY AND DOES NOT RECEIVE THE DISCLOSURE SHALL REPORT THAT
13 FACT TO THE P.O.S.T. BOARD. UPON RECEIPT OF THE NOTICE, THE P.O.S.T.
14 BOARD MAY CONTACT THE AGENCY, AND IF THE AGENCY DOES NOT
15 PROVIDE THE DISCLOSURE WITHIN SIX CALENDAR DAYS, THE P.O.S.T.
16 BOARD SHALL NOT PROVIDE THE AGENCY WITH P.O.S.T. BOARD FUNDING
17 FOR A PERIOD OF ONE YEAR OR SHALL IMPOSE FINES THROUGH THE
18 ATTORNEY GENERAL PURSUANT TO SECTION 24-31-307 AND P.O.S.T.
19 BOARD RULE, OR BOTH.

20 **SECTION 5.** In Colorado Revised Statutes, 24-31-305, **amend**
21 (1.7) as follows:

22 **24-31-305. Certification - issuance - renewal - revocation -**
23 **rules - definition.** (1.7) (a) Unless revoked or voluntarily surrendered,
24 a basic certification or reserve certification issued pursuant to this part 3
25 is valid as long as the certificate holder is continuously serving as a peace
26 officer, ~~or~~ reserve peace officer, OR WORKS FOR A LAW ENFORCEMENT
27 AGENCY IN A NON-PEACE-OFFICER **ROLE AND MAINTAINS ANNUAL**

1 TRAINING REQUIREMENTS ESTABLISHED BY THE P.O.S.T. BOARD.

2 (b) If a basic or reserve certificate holder has not served as a peace
3 officer or reserve peace officer for a total of at least six months during
4 any consecutive three-year period, the certification automatically expires
5 at the end of such three-year period, unless the certificate holder is then
6 serving as a peace officer or reserve peace officer or had previously
7 voluntarily surrendered ~~his or her~~ THEIR certificate OR THEN WORKS FOR
8 A LAW ENFORCEMENT AGENCY IN A NON-PEACE-OFFICER ROLE.

9 (c) The P.O.S.T. board may ~~promulgate~~ ADOPT rules for the
10 renewal of certification that expired pursuant to ~~paragraph (b) of this~~
11 ~~subsection (1.7)~~ SUBSECTION (1.7)(b) OF THIS SECTION.

12 SECTION 6. In Colorado Revised Statutes, **amend** 16-2.5-152
13 as follows:

14 **16-2.5-152. Administrators of judicial security.** Administrators
15 of judicial security employed by the judicial department are peace officers
16 ~~WHILE ENGAGED IN THE PERFORMANCE OF THEIR DUTIES WHOSE PRIMARY~~
17 ~~AUTHORITY INCLUDES THE PROTECTION AND SECURITY OF THE JUDICIARY,~~
18 ~~JUDICIAL DEPARTMENT PERSONNEL, AND JUDICIAL FACILITIES AND WHO~~
19 ~~MAY COOPERATE WITH LOCAL LAW ENFORCEMENT AND~~ whose authority
20 includes the enforcement of all laws of the state of Colorado, and the
21 administrators of judicial security must be certified by the P.O.S.T. board.
22 ~~For the purpose of seeking peace officer status for additional personnel~~
23 ~~under the title of judicial security administrator, notwithstanding the~~
24 ~~provisions of section 16-2.5-201, additional administrators of judicial~~
25 ~~security are granted temporary peace officer status pending application~~
26 ~~and review by the P.O.S.T. board. Following review by the P.O.S.T.~~
27 ~~board pursuant to section 16-2.5-201 and upon a favorable~~

1 ~~recommendation for peace officer status from the P.O.S.T. board to the~~
2 ~~general assembly, temporary peace officer status for additional~~
3 ~~administrators is permanent. If the P.O.S.T. board does not recommend~~
4 ~~peace officer status for additional personnel under the title of judicial~~
5 ~~security administrator, the temporary peace officer status expires on June~~
6 ~~30, 2025, unless the general assembly provides otherwise. Any peace~~
7 ~~officer positions created pursuant to this section after January 1, 2025,~~
8 ~~shall be approved by the general assembly through a decision item in the~~
9 ~~judicial department's annual budget request.~~

10 **SECTION 7.** In Colorado Revised Statutes, **amend 16-2.5-102**
11 **as follows:**

12 **16-2.5-102. Certified peace officer - P.O.S.T. certification**
13 **required.** The following peace officers shall meet all the standards
14 imposed by law on a peace officer and shall be certified by the peace
15 officers standards and training board, referred to in this article as the
16 "P.O.S.T. board": A chief of police; a police officer; a sheriff; an
17 undersheriff; a deputy sheriff; a Colorado state patrol officer; a town
18 marshal; a deputy town marshal; a reserve police officer; a reserve deputy
19 sheriff; a reserve deputy town marshal; a police officer or reserve police
20 officer employed by a state institution of higher education; a Colorado
21 wildlife officer; a Colorado parks and recreation officer; a Colorado
22 police administrator or police officer employed by the Colorado mental
23 health institute at Pueblo; an attorney general criminal investigator; a
24 community parole officer; a public transit officer; a municipal court
25 marshal; ADMINISTRATORS OF JUDICIAL SECURITY; and the department of
26 corrections inspector general.

27 **SECTION 8.** In Colorado Revised Statutes, **amend 16-2.5-130**

1 as follows:

2 **16-2.5-130. P.O.S.T. director - P.O.S.T. board investigator.**

3 The director of the P.O.S.T. board, DEPUTY DIRECTOR, and a P.O.S.T.
4 board investigator are peace officers while engaged in the performance
5 of their duties whose primary authority shall include the enforcement of
6 laws and rules pertaining to the training and certification of peace officers
7 and shall include the enforcement of all laws of the state of Colorado and
8 who may be certified by the P.O.S.T. board.

9 **SECTION 9.** In Colorado Revised Statutes, 16-2.5-502, **repeal**
10 (3)(e) as follows:

11 **16-2.5-502. Peace officer credibility disclosures - policies and**
12 **procedures.** (3) On or before February 1, 2022, each district attorney
13 shall make available to the public the policies and procedures created and
14 implemented pursuant to subsection (2) of this section. The policies and
15 procedures must include, but need not be limited to, a process for a
16 district attorney to:

17 (e) ~~Remove any credibility disclosure notification records when~~
18 ~~appropriate and lawful.~~

19 **SECTION 10. Safety clause.** The general assembly finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety or for appropriations for
22 the support and maintenance of the departments of the state and state
23 institutions.