

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0893.02 Alana Rosen x2606

HOUSE BILL 24-1247

---

HOUSE SPONSORSHIP

Bradley,

SENATE SPONSORSHIP

(None),

---

House Committees  
Education

Senate Committees

---

A BILL FOR AN ACT

101 CONCERNING MEASURES TO ENHANCE THE INTEGRITY OF DIGITAL  
102 EDUCATION MATERIALS IN PUBLIC SCHOOLS.

---

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>.)*

A public school contracting entity (entity) that executes a contract on or after July 1, 2024, with a vendor or provider of a curated digital research collection (collection) shall include in the terms of the contract a termination clause stating that the contract is materially breached and grounds for termination exist if, on 3 separate occasions, a collection is found to have advertisements, promotions, or embedded links or URLs

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.*

that contain material that is harmful to students or direct students to material that is harmful to students. A public school employee, contractor, or volunteer shall report, and students, parents, guardians, legal custodians, or community members (interested parties) may report, the material that is harmful to students to the entity. The report must include the name of the digital collection and the title of the document, the reference number, or keywords used to access the collection. The entity shall notify the vendor or provider and the department of education (department) of each reported incident. The vendor or provider must remove the material that is harmful to students within 3 business days after receiving notice.

The bill requires public schools to annually notify interested parties of the reporting procedures. Public schools may include information on their websites regarding how to make a report.

If a public school contracts or enters into an agreement with a public library that promotes a collection, the public school shall annually disclose the details of the contract or agreement by e-mail to the local school district board of education and parents, guardians, or legal custodians of students enrolled in the public school. If any material changes to the contract occur, the public school shall send an e-mail notification to the local school district board of education, parents, guardians, or legal custodians of students enrolled in the school.

The department is required to annually report to the general assembly on the number of reports that occur each year.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-1-135.4 as  
3 follows:

4 **22-1-135.4. Terms and conditions in public school contracts -**  
5 **curated digital research collections - definitions.** (1) AS USED IN THIS  
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "ADVERTISEMENT" MEANS THE ACT OF PROMOTING,  
8 PUBLISHING, DISSEMINATING, SOLICITING, OR CIRCULATING ONLINE  
9 IMAGES, TEXT, ARTICLES, VIDEOS, OR AUDIO COMMUNICATIONS INTENDED  
10 TO PROMOTE A PRODUCT, SERVICE, BUSINESS, OR INDUSTRY TO A STUDENT.

11 (b) "CURATED DIGITAL RESEARCH COLLECTION" OR "COLLECTION"

1 MEANS A COLLECTION OF FILES OR DATABASES THAT HAVE BEEN CURATED  
2 AND DIGITALLY PRESERVED AND ARE ACCESSIBLE ON THE INTERNET VIA  
3 AN INTERNET CONNECTION OR THROUGH SOFTWARE.

4 (c) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION  
5 CREATED IN SECTION 24-1-115.

6 (d) "EMBEDDED ELECTRONIC LINK OR UNIFORM RESOURCE  
7 LOCATOR" OR "EMBEDDED LINK OR URL" MEANS AN ELECTRONIC LINK OR  
8 URL PROVIDING DIRECT ACCESS FROM ONE DISTINCTIVELY MARKED  
9 PLACE, INCLUDING TEXTS OR IMAGES, TO ANOTHER IN THE SAME OR  
10 DIFFERENT DOCUMENT OR ANY EXTERNAL SOURCE, INCLUDING LINKS THAT  
11 ADVERTISE, PROMOTE, SOLICIT, OR SELL CONTENT, PRODUCTS, OR  
12 SERVICES.

13 (e) "HARMFUL TO STUDENTS" MEANS ANY PICTURE, IMAGE,  
14 GRAPHIC IMAGE FILE, OTHER VISUAL DEPICTION, ARTICLE, OR OTHER TEXT  
15 THAT:

16 (I) TAKEN AS A WHOLE AND WITH RESPECT TO STUDENTS,  
17 ENCOURAGES AN EXCESSIVE INTEREST IN SEXUAL MATTERS;

18 (II) DEPICTS, DESCRIBES, OR REPRESENTS IN A PATENTLY  
19 OFFENSIVE WAY WITH RESPECT TO WHAT IS SUITABLE FOR STUDENTS, AN  
20 ACTUAL OR SIMULATED SEXUAL ACT OR SEXUAL CONTACT, OR A LEWD  
21 EXHIBITION OF THE GENITALS; OR

22 (III) DEPICTS, DESCRIBES, OR REPRESENTS ILLICIT SUBSTANCES,  
23 ALCOHOL, TOBACCO, VAPE PENS, OR PSILOCYBIN.

24 (f) "ILLICIT SUBSTANCE" HAS THE SAME MEANING AS  
25 "CONTROLLED SUBSTANCE" AS SET FORTH IN SECTION 18-18-102.

26 (g) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A  
27 DISTRICT CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE

1 30.5 OF THIS TITLE 22, AN INSTITUTE CHARTER SCHOOL AUTHORIZED  
2 PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, OR A BOARD OF  
3 COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE  
4 5 OF THIS TITLE 22.

5 (h) "PUBLIC SCHOOL CONTRACTING ENTITY" MEANS AN ENTITY  
6 THAT IS AUTHORIZED TO CONTRACT FOR THE DIRECT BENEFIT OF OR  
7 SUPPORT OF A PUBLIC SCHOOL AND ENTERS INTO A PUBLIC SCHOOL  
8 CONTRACT. "PUBLIC SCHOOL CONTRACTING ENTITY" INCLUDES A SCHOOL  
9 OF A SCHOOL DISTRICT, A DISTRICT CHARTER SCHOOL, AN INSTITUTE  
10 CHARTER SCHOOL, A SCHOOL DISTRICT, OR THE STATE CHARTER SCHOOL  
11 INSTITUTE.

12 (2) (a) FOR A CONTRACT THAT A PUBLIC SCHOOL CONTRACTING  
13 ENTITY EXECUTED ON OR AFTER JULY 1, 2024, FOR A CURATED DIGITAL  
14 RESEARCH COLLECTION THAT IS SCHOLARLY IN NATURE OR INTENDED TO  
15 SUPPLEMENT EDUCATIONAL GOALS AND IS USED BY A STUDENT, THE  
16 PUBLIC SCHOOL CONTRACTING ENTITY SHALL INCLUDE IN THE TERMS OF  
17 THE CONTRACT A TERMINATION CLAUSE STATING THAT THE CONTRACT IS  
18 MATERIALLY BREACHED AND GROUNDS FOR TERMINATION EXIST IF, AFTER  
19 THREE SEPARATE OCCASIONS, A COLLECTION IS FOUND TO HAVE  
20 ADVERTISEMENTS, PROMOTIONS, OR EMBEDDED LINKS OR URLS THAT  
21 CONTAINS MATERIAL THAT IS HARMFUL TO STUDENTS OR DIRECTS  
22 STUDENTS TO MATERIAL THAT IS HARMFUL TO STUDENTS.

23 (b) IF A COLLECTION IS FOUND TO HAVE ADVERTISEMENTS,  
24 PROMOTIONS, OR EMBEDDED LINKS OR URLS THAT CONTAIN MATERIAL  
25 THAT IS HARMFUL TO STUDENTS OR DIRECT STUDENTS TO MATERIAL THAT  
26 IS HARMFUL TO STUDENTS, A PUBLIC SCHOOL EMPLOYEE, CONTRACTOR, OR  
27 VOLUNTEER SHALL REPORT THE MATERIAL THAT IS HARMFUL TO STUDENTS

1 TO THE PUBLIC SCHOOL CONTRACTING ENTITY WHEN NOTIFIED OF THE  
2 ADVERTISEMENTS, PROMOTIONS, OR EMBEDDED LINKS OR URLS. A  
3 STUDENT; A STUDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN; OR A  
4 COMMUNITY MEMBER MAY REPORT THE MATERIAL THAT IS HARMFUL TO  
5 STUDENTS TO THE PUBLIC SCHOOL CONTRACTING ENTITY. THE REPORT  
6 MUST INCLUDE THE NAME OF THE COLLECTION AND DETAILS CONCERNING  
7 THE MATERIALS IDENTIFIED AS HARMFUL TO STUDENTS, WHICH MAY  
8 INCLUDE THE TITLE OF A DOCUMENT, A REFERENCE NUMBER, KEYWORDS  
9 USED TO ACCESS THE COLLECTION, OR A HARD COPY OR PHOTOGRAPH OF  
10 THE COLLECTION.

11 (c) THE PUBLIC SCHOOL CONTRACTING ENTITY SHALL NOTIFY THE  
12 VENDOR OR PROVIDER OF THE COLLECTION AND THE DEPARTMENT WITHIN  
13 ONE BUSINESS DAY AFTER RECEIVING NOTICE OF THE MATERIAL THAT IS  
14 HARMFUL TO STUDENTS REPORTED PURSUANT TO SUBSECTION (2)(b) OF  
15 THIS SECTION. THE PUBLIC SCHOOL CONTRACTING ENTITY SHALL INCLUDE  
16 THE INFORMATION REPORTED PURSUANT TO SUBSECTION (2)(b) OF THIS  
17 SECTION IN THE NOTIFICATION. THE VENDOR OR PROVIDER OF THE  
18 COLLECTION SHALL REMOVE THE MATERIAL THAT IS HARMFUL TO  
19 STUDENTS WITHIN THREE BUSINESS DAYS AFTER RECEIVING THE NOTICE  
20 FROM THE PUBLIC SCHOOL CONTRACTING ENTITY.

21 (d) IF A COLLECTION IS FOUND TO HAVE ADVERTISEMENTS,  
22 PROMOTIONS, OR EMBEDDED LINKS OR URLS THAT CONTAIN MATERIAL  
23 THAT IS HARMFUL TO STUDENTS OR DIRECT A STUDENT TO MATERIAL THAT  
24 IS HARMFUL TO STUDENTS WHILE THE STUDENT USES THE COLLECTION AT  
25 SCHOOL, THE PUBLIC SCHOOL SHALL NOTIFY THE STUDENT'S PARENT,  
26 GUARDIAN, OR LEGAL CUSTODIAN WITHIN ONE BUSINESS DAY AFTER IT IS  
27 DISCOVERED THE MATERIAL WAS FOUND WHILE A STUDENT USED THE

1 COLLECTION AT SCHOOL.

2 (3) A PUBLIC SCHOOL SHALL ANNUALLY NOTIFY PUBLIC SCHOOL  
3 EMPLOYEES, CONTRACTORS, OR VOLUNTEERS; STUDENTS, PARENTS,  
4 GUARDIANS, OR LEGAL CUSTODIANS; AND COMMUNITY MEMBERS THAT  
5 COLLECTIONS ARE REQUIRED TO BE FREE OF ADVERTISEMENTS,  
6 PROMOTIONS, OR EMBEDDED LINKS OR URLS THAT CONTAIN MATERIAL  
7 THAT IS HARMFUL TO STUDENTS OR DIRECT STUDENTS TO MATERIAL THAT  
8 IS HARMFUL TO STUDENTS. THE NOTIFICATION MUST INCLUDE THAT PUBLIC  
9 SCHOOL EMPLOYEES, CONTRACTORS, OR VOLUNTEERS SHALL REPORT, AND  
10 THAT STUDENTS, PARENTS, GUARDIANS, LEGAL CUSTODIANS, OR  
11 COMMUNITY MEMBERS MAY REPORT, TO THE PUBLIC SCHOOL  
12 CONTRACTING ENTITY IF THEY DISCOVER ADVERTISEMENTS, PROMOTIONS,  
13 OR EMBEDDED LINKS OR URLS IN THE COLLECTION THAT CONTAIN  
14 MATERIAL THAT IS HARMFUL TO STUDENTS OR DIRECT STUDENTS TO  
15 MATERIAL THAT IS HARMFUL TO STUDENTS. THE PUBLIC SCHOOL MAY  
16 INCLUDE INFORMATION ON ITS WEBSITE REGARDING HOW TO MAKE A  
17 REPORT.

18 (4) IF A PUBLIC SCHOOL CONTRACTS OR ENTERS INTO AN  
19 AGREEMENT WITH A PUBLIC LIBRARY, AS DEFINED IN SECTION 24-90-103,  
20 THAT PROMOTES A COLLECTION, THE PUBLIC SCHOOL SHALL ANNUALLY  
21 DISCLOSE THE DETAILS OF THE CONTRACT OR AGREEMENT WITH THE  
22 PUBLIC LIBRARY BY E-MAIL TO THE LOCAL SCHOOL DISTRICT BOARD OF  
23 EDUCATION, PARENTS, GUARDIANS, OR LEGAL CUSTODIANS OF STUDENTS  
24 ENROLLED IN THE SCHOOL. IF ANY CHANGES TO THE CONTRACT OCCUR,  
25 THE PUBLIC SCHOOL SHALL SEND AN E-MAIL NOTIFICATION THAT  
26 DESCRIBES ANY MATERIAL CHANGES TO THE LOCAL SCHOOL DISTRICT  
27 BOARD OF EDUCATION, PARENTS, GUARDIANS, OR LEGAL CUSTODIANS OF

1 STUDENTS ENROLLED IN THE SCHOOL.

2 (5) (a) ON OR BEFORE JANUARY 15, 2025, AND EVERY JANUARY 15  
3 THEREAFTER, THE DEPARTMENT SHALL REPORT THE NUMBER OF REPORTS  
4 RECEIVED PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION TO THE  
5 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE  
6 SENATE, OR THEIR SUCCESSOR COMMITTEES.

7 (b) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
8 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN  
9 SUBSECTION (5)(a) OF THIS SECTION CONTINUES INDEFINITELY.

10 **SECTION 2. Safety clause.** The general assembly finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, or safety or for appropriations for  
13 the support and maintenance of the departments of the state and state  
14 institutions.