

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 24-0893.02 Alana Rosen x2606

HOUSE BILL 24-1247

HOUSE SPONSORSHIP

Bradley and Winter T., Armagost, Bird, English, Lynch, McCluskie, Snyder, Weinberg

SENATE SPONSORSHIP

Smallwood and Van Winkle,

House Committees

Education
Appropriations

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.

HOUSE
3rd Reading Unamended
May 7, 2024

HOUSE
Amended 2nd Reading
May 6, 2024

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 **THAT**
10 **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 [REDACTED]
5 (c) "EMBEDDED ELECTRONIC LINK OR UNIFORM RESOURCE
6 LOCATOR" OR "EMBEDDED LINK OR URL" MEANS AN ELECTRONIC LINK OR
7 URL THAT DIRECTS USERS TO AN ADVERTISEMENT OR PROMOTION.

8 [REDACTED]
9 (d) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A
10 DISTRICT CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE
11 30.5 OF THIS TITLE 22, AN INSTITUTE CHARTER SCHOOL AUTHORIZED
12 PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, OR A BOARD OF
13 COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE
14 5 OF THIS TITLE 22.

15 (e) "PUBLIC SCHOOL CONTRACTING ENTITY" MEANS AN ENTITY
16 THAT IS AUTHORIZED TO CONTRACT FOR THE DIRECT BENEFIT OF OR
17 SUPPORT OF A PUBLIC SCHOOL AND ENTERS INTO A PUBLIC SCHOOL
18 CONTRACT. "PUBLIC SCHOOL CONTRACTING ENTITY" INCLUDES A SCHOOL
19 OF A SCHOOL DISTRICT, A DISTRICT CHARTER SCHOOL, AN INSTITUTE
20 CHARTER SCHOOL, A SCHOOL DISTRICT, OR THE STATE CHARTER SCHOOL
21 INSTITUTE.

22 (f) "VENDOR" MEANS A BUSINESS OR OTHER ORGANIZATION WITH
23 WHICH A PUBLIC SCHOOL CONTRACTING ENTITY CONTRACTS FOR A
24 PRODUCT OR SERVICE. "VENDOR" INCLUDES A SCHOOL SERVICE CONTRACT
25 PROVIDER.

26 (2) NOTWITHSTANDING ARTICLE 16 OF THIS TITLE 22, FOR A
27 CONTRACT THAT A PUBLIC SCHOOL CONTRACTING ENTITY ENTERS INTO

1 WITH A VENDOR OR RENEWS WITH A VENDOR ON OR AFTER JULY 1, 2024,
2 FOR A CURATED DIGITAL RESEARCH COLLECTION THAT IS SCHOLARLY IN
3 NATURE OR INTENDED TO SUPPLEMENT EDUCATIONAL GOALS AND IS USED
4 BY STUDENTS, THE PUBLIC SCHOOL CONTRACTING ENTITY SHALL INCLUDE
5 IN THE TERMS OF THE CONTRACT A TERMINATION CLAUSE STATING THAT
6 THE CONTRACT IS MATERIALLY BREACHED AND THAT GROUNDS FOR
7 TERMINATION OF THE CONTRACT EXIST IF THE COLLECTION CONTAINS
8 ADVERTISEMENTS, PROMOTIONS, OR EMBEDDED LINKS OR URLS. ALL
9 VENDORS MUST CERTIFY THAT CURATED DIGITAL RESEARCH COLLECTIONS
10 ARE FREE OF ADVERTISEMENTS, PROMOTIONS, OR EMBEDDED LINKS OR
11 URLS. IF A VENDOR VIOLATES THE TERMS OF THE CONTRACT PURSUANT
12 TO THIS SUBSECTION (2), THE PUBLIC SCHOOL CONTRACTING ENTITY IS
13 ENTITLED TO REIMBURSEMENT AND MAY PURSUE REMEDIES FOR BREACH
14 OF CONTRACT. ■ ■

15 **SECTION 2. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for
18 the support and maintenance of the departments of the state and state
19 institutions.