

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 15-0800.01 Michael Dohr x4347

HOUSE BILL 15-1296

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A BILL FOR AN ACT

101 **CONCERNING CREATION OF A TASK FORCE TO STUDY CAMPUS SEXUAL**
102 **ASSAULT POLICIES.**

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://www.leg.state.co.us/billsummaries>.)

The bill creates a higher education sexual assault task force. The task force includes students, administrators, victim advocates, and higher education law enforcement officers. The task force will study affirmative consent and other sexual assault policies.

The task force shall submit a report to the department of higher education and the general assembly by July 1, 2016.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) The state of Colorado is home to over 470 colleges and
5 universities, educating a total population of approximately 400,000
6 students annually;

7 (b) Colleges and universities serve Colorado by providing higher
8 education to today's and tomorrow's leaders and contributing to the
9 greater good of society;

10 (c) Sexual assault is a social problem that must be addressed;

11 (d) Sexual activity without consent has been recognized as
12 particularly problematic between and among traditional college-aged
13 individuals;

14 (e) An institution of higher education has a duty to investigate and
15 adjudicate sexual misconduct that affects students' educational
16 opportunities and must discharge that duty regardless of any criminal
17 investigation or prosecution that local law enforcement might pursue;

18 (f) Institutions of higher education have confronted challenges in
19 drafting appropriate sexual consent requirements and in communicating
20 those requirements to their students;

21 (g) Institutions of higher education have adopted a wide range of
22 sexual consent standards by which they judge sexual misconduct, in some
23 cases leading to confusion among victims, respondents, and the general
24 student population; and

25 (h) The General Assembly recognizes a need to continue
26 evaluating and developing best practices for sexual consent definitions

1 and applications for college and university campuses.

2 **SECTION 2.** In Colorado Revised Statutes, **add** section 23-5-143
3 as follows:

4 **23-5-143. Higher education sexual assault task force - repeal.**

5 (1) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER
6 EDUCATION SHALL ESTABLISH A TASK FORCE OF STAKEHOLDERS
7 CONSTITUTING AN EQUAL NUMBER OF STUDENTS AND ADMINISTRATORS,
8 INCLUDING THOSE WITH EXPERIENCE WITH SEXUAL ASSAULT ISSUES, FROM
9 EACH SECTOR OF PUBLIC AND PRIVATE COLORADO INSTITUTIONS OF
10 HIGHER EDUCATION THAT ARE ELIGIBLE TO RECEIVE STATE FUNDS FOR
11 STUDENT FINANCIAL ASSISTANCE, AS WELL AS TWO REPRESENTATIVES
12 EACH FROM THE VICTIM ADVOCACY AND HIGHER EDUCATION LAW
13 ENFORCEMENT COMMUNITIES, WHICH REPRESENTATIVES SHALL BE
14 SELECTED WITH INPUT FROM INSTITUTIONS OF HIGHER EDUCATION, TO
15 CONDUCT A STUDY OF THE EXPERIENCES OF INSTITUTIONS OF HIGHER
16 EDUCATION IN IMPLEMENTING AND ENFORCING DIFFERING STANDARDS OF
17 SEXUAL CONSENT AND OTHER SEXUAL ASSAULT POLICIES, INCLUDING HOW
18 SUCH STANDARDS AFFECT CAMPUS CULTURE, VICTIM REPORTING,
19 DETERRENCE, PROSECUTION, CIVIL RIGHTS, AND CIVIL LITIGATION.

20 (2) THE TASK FORCE SHALL SUBMIT A WRITTEN REPORT
21 SUMMARIZING ITS FINDINGS TO THE COLORADO DEPARTMENT OF HIGHER
22 EDUCATION AND THE GENERAL ASSEMBLY NO LATER THAN JULY 1, 2016.

23 (3) THIS SECTION IS REPEALED EFFECTIVE JULY 1, 2017.

24 **SECTION 3. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.