



## **2024 Legislative Issue Form**

*To propose a CCI legislative issue, please complete this form.*

*Feel free to use more than one page and include any supplemental materials.*

**1.) Contact Information** (of person bringing forth issue):

- a. **Name:** Abe Laydon
- b. **Title:** Commissioner
- c. **County:** Douglas
- d. **Phone Number:** 303-660-7401
- e. **E-Mail Address:** boccc@douglas.co.us

**2.) Issue/Problem to be addressed** (What is the problem this legislation is seeking to solve?)

To obtain legal authority to perform national background checks for purposes of massage facility licensure.

**3.) Background on this Issue/Problem** (How did this come to be? Why are you seeking a legislative remedy?)

Pursuant to 34 U.S.C. § 40316(IV)(b), to obtain authority for national background checks, a state statute must authorize national indices checks and must be approved by the Attorney General. Our statute, C.R.S. § 30-15-401.4, contains no such authorization.

**4.) Proposed Solution/Legislative Remedy to this issue.**

Amend C.R.S. § 30-15-401.4(4)(c) to include language stating "the Colorado bureau of investigation shall conduct a state and national fingerprint-based criminal history record check utilizing records of the Colorado bureau of investigation and federal bureau of investigation."

**5.) Have you explored a non-legislative solution to this problem?**

No, the only non-legislative option available under 34 U.S.C. § 40316(IV)(b) is authorization via federal executive order.

**6.) Statutory Citation to be modified AND proposed/revised language** (The Colorado Revised Statute is available for free at [this link](#), by selecting "Colorado Revised Statutes").

See number 4 above.

**7.) Relationship of this issue to County Commissioner's roles and/or authorities.**

The Douglas County Commissioners passed Ordinance O-023-001, which currently regulates massage facility licensure in Douglas County, but the County lacks legal authority to conduct federal background checks as part of its licensure process.

**8.) Has this proposal been approved by the Board of County Commissioners?**

Yes

**9.) List any potential Proponents/Opponents & their perspective; indicate any groups/individuals with whom you have already discussed this issue.**

Potential proponents may include any Colorado county seeking to regulate massage facilities pursuant to C.R.S. § 30-15-401.4. Potential opponents may include businesses and individuals in the massage profession.

**10.) Have you visited with your legislator(s) about this proposal? What was their reaction? Are members of your delegation likely to sponsor, support, or oppose this proposal?**

Douglas County Commissioners have spoken with Senator John Hickenlooper, who has expressed willingness to assist with federal approval by the Attorney General after C.R.S. § 30-15-401.4(4)(c) has been amended as proposed.

**11.) Anticipated Fiscal Impact (to counties, state, other stakeholders, etc.).**

Administrative costs associated with conducting both state and federal background checks may be offset by the administrative fee under C.R.S. § 30-15-401.4(4)(a)(II), to be paid by the applicant to the county licensing authority.

**12.) Please list the local subject matter experts CCI staff can follow-up with for more information on this proposal.**

The Colorado Bureau of Investigation, and their legal counsel, the Colorado Attorney General's Office.

**13.) If your county is submitting multiple issue forms, please rank each issue.**

N/A

**Please submit this completed form to Brittney Becerra at [bbecerra@ccionline.org](mailto:bbecerra@ccionline.org)**

**By Friday, July 7.**