



Board Summary Report

File #: 26-291

Agenda Date: 5/26/2026

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To: Board of County Commissioners

Through: John Christofferson, Acting County Attorney

Prepared By:

Dawn Johnson, Senior Assistant County Attorney, County Attorney's Office

Presenter: Sgt. Bruce Peterson, Sheriff's Office; Sgt. Chris Chernault, Sheriff's Office; Dawn Johnson, Attorney's Office

Subject:

Adoption of Massage Facility Background Check Resolution

Purpose and Request:

House Bill 24-1371 requires local governments to establish a process, by resolution, ordinance or otherwise, requiring current and prospective owners, operators and employees of massage facilities to submit their fingerprints for a criminal history background check. The statute, C.R.S. § 30-15-401.4, also gives local governments discretion to: (1) implement a licensure program to regulate massage facilities; and/or (2) prohibit activities associated with the operation of illegal massage facilities engaged in human trafficking-related offenses. Based on the Board's direction during the study session on March 30, 2026 to just proceed with adopting the background check process at this time, staff recommend adopting the proposed resolution.

Alignment with Strategic Plan: Good Governance - Deliver mandated and essential services with excellence.

Background and Discussion: In 2022, the General Assembly enacted legislation (HB22-1300) that permitted county governments, in their discretion, to implement regulatory systems for licensing massage facilities operating within the county and to regulate and prohibit certain unlawful activities to prevent the operation of unlawful massage facilities that engage in human trafficking-related offenses. In 2024, the Legislature adopted HB 24-1371, which extended similar authority to municipalities and imposed a requirement that all local governments establish a process through which current and prospective owners, operators and employees of massage facility businesses be required to submit to fingerprint-based criminal history records checks no later than October 1, 2025. During the 2025 legislative session, that date was extended to July 1, 2026.

On March 30, 2026, staff had a study session with the Board to obtain direction on whether to pursue either of the discretionary aspects of the legislation. The Board decided to proceed only with establishing the required process for conducting background checks at this time. Accordingly, staff has prepared a resolution requiring fingerprint-based criminal history records checks, to be performed by third-party vendors authorized by CBI, for all current and prospective owners, operators and employees of massage facilities in accordance with the requirements of C.R.S. §§ 30-15-401.4(3.5)

and 24-33.5-424.5. The resolution prohibits certain individuals from owning a massage facility and from employing certain individuals if they have been convicted or pled nolo contendere to certain criminal offenses as provided in § 30-15-401-4(4.5). The Resolution vests enforcement authority with the Arapahoe County Sheriff's Office and applies to unincorporated Arapahoe County and any municipality adopting the County's resolution or relying on the County's process.

Alternatives: By statute, the County must adopt a fingerprint-based criminal history background check process to which current and prospective owners, operators and employees of massage facility business must submit. If third-party vendors are not used, the CHP unit will be required to collect and submit the fingerprints to CBI, potentially requiring additional staffing or overtime.

Fiscal Impact: The Sheriff's Office believes its proposal will have the least fiscal impact of the various alternatives while still complying with legislative requirements.

Alignment with Strategic Implementation Strategies: The attached framework helps Arapahoe County institutionalize values-based, transparent decision-making, documenting how we make decisions and carry out actions to achieve the county's strategic plan.

Staff Recommendation: Adopt the proposed resolution, implementing a fingerprint-based criminal history records check process using state-approved third-party vendors.

Concurrence: Attorney's Office, Sheriff's Office, City of Centennial.