

2019

Report to the Colorado General Assembly



Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems



Prepared by Legislative Council Staff
Research Publication No. 740
December 2019

**Legislative Oversight Committee Concerning the
Treatment of Persons with Mental Health Disorders in the
Criminal and Juvenile Justice Systems**

Members of the Committee

Senator Robert Rodriguez, Chair
Representative Jonathan Singer, Vice-Chair

Senator John Cooke
Senator Rhonda Fields

Representative Adrienne Benavidez
Representative Stephen Humphrey

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December 2019

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This report is also available online at:

<https://leg.colorado.gov/committees/treatment-persons-mental-health-disorders-criminal-justice-system/2019-regular-session>

Oversight Committee

Article 1.9 of Title 18, C.R.S. created a legislative oversight committee and an advisory task force concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems.

History

The advisory task force and Legislative Oversight Committee Concerning the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems first met in the summer of 1999. In 2000, the task force and oversight committee were reauthorized, and the reestablished task force met on a monthly basis through June 2003. The General Assembly considered legislation to continue the study of the mentally ill in the justice system beyond the 2003 repeal date, but the bill failed. In FY 2003-04, the task force continued its meetings and discussion at the request of the oversight committee. The task force and oversight committee were reauthorized and reestablished in 2004 through the passage of Senate Bill 04-037 and again in 2009 with the passage of House Bill 09-1021. The oversight committee was subject to Senate Bill 10-213, which suspended interim activities during the 2010 interim. During the 2014 legislative session, the task force and legislative oversight committee were once again reauthorized and reestablished by Senate Bill 14-021. During the 2017 legislative session, Senate Bill 17-246 changed the name of the committee from “Legislative Oversight Committee Concerning the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems” to “Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems.” The committee and advisory task force are set to repeal on July 1, 2020.

General Charge

The oversight committee is responsible for the oversight of the advisory task force and recommending legislative changes. The advisory task force is directed to examine the identification, diagnosis, and treatment of persons with mental health disorders who are involved in the criminal and juvenile justice systems, including the examination of liability, safety, and cost as they relate to these issues. The oversight committee is required to submit an annual report to the General Assembly by January 15 of each year regarding the recommended legislation resulting from the work of the task force.

Advisory Task Force Charge

The authorizing legislation directs the advisory task force to consider, at a minimum, the following issues:

- housing for a person with a mental health disorder after his or her release from the criminal or juvenile justice system;
- medication consistency, delivery, and availability;
- best practices for suicide prevention, within and outside of correctional facilities;
- treatment of co-occurring disorders;
- awareness of and training for enhanced staff safety, including expanding training opportunities for providers; and
- enhanced data collection related to issues affecting persons with mental illness in the criminal and juvenile justice systems.

The legislation authorizes the advisory task force to work with other task forces, committees, or organizations that are pursuing policy initiatives similar to those listed above. The advisory task force is required to consider developing relationships with other groups to facilitate policy-making opportunities through collaborative efforts.

Recommendations and Reports

The advisory task force is required to submit a report of its findings and recommendations to the legislative oversight committee annually by October 1. The task force submitted a report in 2019, and it is included as Attachment A.

All legislative proposals of the task force must note the policy issues involved, the agencies responsible for implementing the changes, and the funding sources required for such implementation. The task force recommended five pieces of legislation to the legislative oversight committee during the 2019 interim. The oversight committee drafted and approved all five of the recommended pieces of legislation. The recommended legislation is discussed in the Committee Activities section of this report.

Membership

Table 1 lists the members of the advisory task force and the agencies they represent. The advisory task force consists of 32 members, four of whom are appointed by the Chief Justice of the Colorado Supreme Court. The 28 remaining members are appointed by the chair and vice-chair of the legislative oversight committee.

**Table 1
MHDCJS Advisory Task Force**

State or Private Agency	Representative(s) and Affiliation(s)	
Department of Public Safety (1)	Peggy Heil	Division of Criminal Justice
Department of Corrections (2)	Joy Hart	Division of Clinical Services
	<i>vacant</i>	Division of Parole
Local Law Enforcement (2) - one of whom will be in active service and one of whom shall have experience dealing with juveniles in the juvenile justice system	Chief Daric Harvey	Canon City Police Department
	Sergeant Attila Denes	Douglas County Sheriff's Office (representative with experience dealing with juveniles in the juvenile justice system)
Department of Human Services (5)	Jenny Wood	Office of Behavioral Health
	Ashley Tunstall, co-chair	Division of Youth Services
	Melinda Cox	Division of Child Welfare
	John Musso	Colorado Mental Health Institute at Pueblo
	Gianna Luszko, M.D.	Behavioral Health Planning and Advisory Council
County Department of Social Services (1)	Susan Walton	Park County Department of Human Services
Department of Education (1)	Michael Ramirez	Teaching and Learning Unit
State Attorney General's Office (1)	Michael Angel	Assistant Attorney General
District Attorneys (1)	Tim Lane	Colorado District Attorneys' Council
Criminal Defense Bar (2)	Karen Knickerbocker	Office of the Colorado State Public Defender
	Gina Shimeall	Criminal Defense Bar
Practicing Mental Health Professionals (2)	Hassan Latif	Second Chance Center, Inc.
	Dr. David Iverson	Colorado Coalition for the Homeless
Community Mental Health Centers in Colorado (1)	Ravid Moses Gur, chair	Colorado Behavioral Healthcare Council
Person with Knowledge of Public Benefits and Public Housing in Colorado (1)	Kristin Toombs	Colorado Department of Local Affairs, Division of Housing
Department of Health Care Policy & Financing (1)	Benjamin Harris	Accountable Care Collaborative
Practicing Forensic Professional (1)	Dr. Elizabeth Stuyt	
Members of the Public (3)	Bethe Feltman	Member with a mental illness who has been involved in the Colorado criminal justice system
	<i>vacant</i>	Parent of a child who has a mental illness and who has been involved in the Colorado criminal justice system
	<i>vacant</i>	Member with an adult family member who has a mental illness and who has been involved in the Colorado criminal justice system
Office of the Child's Representative (1)	Sheri Danz	Deputy Director
Office of the Alternate Defense Counsel (1)	Jennifer Longtin	
Colorado Department of Labor and Employment (1)	Patrick Teegarden	Director of Policy and Legislation
Judicial Branch (4)	Magistrate Denise Peacock	4th Judicial District
	Judge K.J. Moore	1st Judicial District
	Michelle Wert	Division of Probation
	Tobin Wright	16th Judicial District

Updated: November 21, 2019

Committee Activities

In 2019, the legislative oversight committee met three times to monitor and examine the work, findings, and recommendations of the advisory task force. Specifically, the committee:

- received updates on the activities of the advisory task force and its subcommittees;
- discussed re-authorization of the oversight committee and task force; and
- considered legislation recommended by the task force.

The following sections discuss the committee's activities during the 2019 interim.

MHDCJS Advisory Task Force Updates

The oversight committee received updates on recent activities of the task force, which met monthly throughout 2019. The task force and its subcommittees focused on housing, data and information sharing, and diversion, as those topics relate to persons with mental health disorders who are involved in the criminal and juvenile justice systems. The task force also continued to study changes to the juvenile sex offender registry. Further, the task force reviewed and drafted re-authorization legislation for the task force and oversight committee, set to expire July 2020, unless reauthorized.

The task force received outside presentations about a data analysis project from the Colorado Department of Corrections and the Department of Health Care Policy and Financing. The task force also participated in a webinar presented by the Equitas Project, an organization centered on disentangling the mental health and criminal justice systems. Additionally, the task force prioritized legislative outreach efforts, and clarified task force membership expectations. Further, the task force elected leadership positions and updated its membership as necessary. The work of the task force and its subcommittees is discussed in more detail below.

Diversion. The task force substantiated that people with behavioral health conditions are significantly more likely than the general population to be represented in the criminal justice system. They further found that most diversionary tactics occur following an arrest, but other points along the criminal justice continuum have the potential to divert people away from the system as well. The task force and subcommittee examined the benefits of providing education to peace officers and 911 dispatchers to better identify and de-escalate mental health crises. They also examined the stress and trauma these professionals experience on the job. Bill A recommends including audible exposure to death or serious bodily injury to the definition of a “psychologically traumatic event” for determining workers’ compensation benefit eligibility.

Juvenile sex offender registry. The task force continued discussion on the juvenile sex offender registry, and researched the effects of prohibiting public access to the juvenile sex offender registry, mechanisms for removing juveniles from the registry, and judicial discretion in requiring registration. The task force discussed the negative impacts of inclusion on the registry, including social and familial isolation and increased likelihood of victimization. Bill B recommends multiple changes to the juvenile sex offender registry.

Housing. The task force acknowledged that a criminal record often makes it hard for individuals with a mental health disorder to find housing. The task force researched the extent of housing problems with this population and discussed housing infrastructure, information systems, data coordination, and supportive services. Bill C recommends increased statewide access to supportive housing in underserved communities, short-term gap funding, data sharing, and outcome tracking.

Data sharing. The criminal justice and behavioral health care systems are complex and made up of many independent agencies. The task force recognized that sharing information between agencies assists in effectively coordinating services, but due to the diversity and decentralization of the involved organizations, there is no common framework for sharing data. The task force examined ways to better connect state agencies, jails, and state health information exchanges. Bill D creates a Trusted Interoperability Platform Advisory Committee charged with developing a strategic plan to implement a trusted platform capable of securely exchanging information between criminal and juvenile justice systems and community health agencies.

Re-authorization. The task force and oversight committee is set to repeal on July 1, 2020, unless legislation reauthorizes it. The task force discussed enacting legislation, task force membership, expectations, and the relationship between the oversight committee and task force. Bill E recommends re-authorization of the oversight committee and the task force for three more years.

Task force annual retreat. At their annual retreat in May, the task force heard a presentation from the Colorado Health Foundation and participated in a guided policy discussion led by the Equitas Project. The task force also discussed subcommittee activity and re-authorization legislation. Further, they talked about duplication of efforts and the other agencies, committees, or organizations that are studying behavioral and mental health in relation to the criminal and juvenile justice system.

Summary of Recommendations

As a result of its discussions, the oversight committee recommended five bills to the Legislative Council for consideration in the 2020 session. All bills were approved by the Legislative Council at its meeting on November 15, 2019. The approved bills are described below.

Bill A — Workers' Compensation for Audible Psychological Trauma

Bill A adds audible exposure to death or serious bodily injury within a worker's usual experience to the definition of "psychologically traumatic event." Current law defines a "psychologically traumatic event" for determining workers' compensation benefit eligibility to include visual exposure to death or serious bodily injury within a worker's usual experience.

Bill B — Juvenile Sex Offender Registry

Bill B makes changes to juveniles on the Colorado Sex Offender registry. An adult or juvenile convicted of certain sex offenses must be placed on the Colorado sex offender registry under current law. The bill places fewer convicted juveniles on the registry. More specifically, the bill removes the requirement of registration for juveniles who relocate to Colorado if the juvenile's duty to register in another state has been terminated by court order. The bill also eliminates the requirements of lifetime registration for an adult who has more than one adjudication as a juvenile. Further, it expands the discretion of judges not to require a juvenile to register as a sex offender if an evaluator recommends exemption and the juvenile is otherwise statutorily eligible. Additionally, the bill allows juveniles adjudicated for multiple sex offenses to petition to deregister, as well as for "lookbacks" by courts to remove someone from the registry, or add someone, depending on new information. Lastly, the measure partially seals the juvenile list from the public and limits access to law enforcement, probation, and parole personnel, the Division of Child Welfare in the Department of Human Services, and victims.

Bill C — Programs to Develop Housing Support Services

Bill C develops additional housing support services programs in Colorado. The bill establishes new grant programs within the Division of Housing in DOLA. Specifically, the bill designates grant programs for supportive housing services to individuals in underserved communities with behavioral, mental health or substance use disorders who have been involved in the criminal justice system. The grant programs include funding for: pre-development for creating supportive housing interventions; supportive housing and homelessness prevention; training and technical assistance for supportive housing; and, homelessness data integration and resource collection.

Bill D — Data Sharing Subcommittee Recommendations

Bill D creates the Trusted Interoperability Platform Advisory Committee in the Department of Public Safety. The advisory committee is charged with developing a strategic plan to implement a trusted interoperability platform that is capable of securely exchanging information between criminal and juvenile justice systems and community health agencies. The bill outlines that the advisory committee is to consist of 11 members from various agencies, and the plan must be submitted to the General Assembly by September 1, 2021.

Bill E — Extend Committee on Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems

Bill E extends the Committee on Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems. This bill extends the repeal date for the Legislative Oversight Committee and the associated task from July 1, 2020, to July 1, 2023. The bill decreases the membership on the task force by four members and clarifies the roles and additional duties of both oversight and task force committee members. The bill includes funding for task force support, to be provided by Legislative Council Staff.

Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/content/committees>

Meeting Date and Topics Discussed

Legislative Oversight Committee

July 9, 2019

- ◆ Overview of advisory task force activities
- ◆ Status update from task force subcommittees
- ◆ Committee discussion: reauthorizing including relationship between oversight committee and task force
- ◆ Interim bill request process and deadlines
- ◆ Future topics of discussion and oversight committee meeting dates

August 22, 2019

- ◆ Update on advisory task force and subcommittee activities and policy recommendations
- ◆ Committee discussion: bill draft requests

October 10, 2019

- ◆ Update from advisory task force
- ◆ Committee discussion: voting on bill draft requests

Advisory Task Force

January 17, 2019

- ◆ Discussion on juveniles charged as adults
- ◆ Equitas Webinar/Presentation debrief and follow-up
- ◆ Discussion of recent developments, proposals, and actions related to competency to stand trial
- ◆ Governance workgroup report, including schedule of activities
- ◆ Legislative updates
- ◆ Subcommittee updates
- ◆ Discussion about slack utilization

February 21, 2019

- ◆ Legislative session and outreach efforts
- ◆ Discussion of taking positions and engaging in proactive or reactive recommendations
- ◆ Governance workgroup report, including discussion on the internal review document
- ◆ Subcommittee updates
- ◆ Follow-up on slack utilization and other forms of communication

March 21, 2019

- ◆ Legislative session and outreach efforts
- ◆ Discussion of taking positions and engaging in proactive or reactive recommendations
- ◆ Governance workgroup report, including discussion of internal review document
- ◆ Subcommittee updates

April 18, 2019

- ◆ Legislative session and outreach efforts
- ◆ Presentation from Ben Harris on Department of Corrections and Department of Healthcare Policy and Financing data analyses process
- ◆ Subcommittee updates
- ◆ Retreat preparations
- ◆ Discussion of membership expectation document

June 20, 2019

- ◆ Reauthorization discussion
- ◆ Subcommittee updates and recommendations
- ◆ Retreat debrief
- ◆ Membership updates
- ◆ Legislative oversight committee meetings

July 18, 2019

- ◆ Legislative Oversight Committee debrief
- ◆ Reauthorization discussion
- ◆ Subcommittee updates and recommendations
- ◆ Membership updates

August 15, 2019

- ◆ Presentation regarding juvenile sex offender registration bill draft requests
- ◆ Reauthorization discussion
- ◆ Subcommittee updates and presentations about recommendations
- ◆ Membership updates

September 19, 2019

- ◆ Discussion about bill draft request process, logistics, and information
- ◆ Discussion about bill draft requests
- ◆ Reauthorization discussion and recommendation
- ◆ Review legislative oversight committee meetings
- ◆ Subcommittee updates
- ◆ Membership updates

October 19, 2019

- ◆ Debrief on Legislative Oversight Committee and next steps for 2020 legislative session
- ◆ MHDCJS bills and legislative oversight committee meetings
- ◆ Initial discussion about areas of study for 2020
- ◆ Membership updates

November 21, 2019

- ◆ Debrief on Legislative Council Committee meeting outcomes and next steps
- ◆ December meeting logistics
- ◆ Membership update
- ◆ Presentation by Phoebe Norton on behavioral health
- ◆ Discussion about study areas for 2020

Task Force Concerning Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems (MHDCJS) – 2019 Annual Report

Task Force Overview:

Authorized by C.R.S. 18-1.9-104, the MHDCJS Task Force (taskforce) is statutorily tasked with studying the identification, diagnosis, and treatment of persons with mental health disorders involved in the state criminal and juvenile justice system and providing guidance, findings, and recommendations to the MHDCJS Legislative Oversight Committee (LOC) for modifications of these systems. The taskforce conducts its business through monthly meetings, ongoing subcommittees, and an annual full-day retreat meeting. Additionally, the taskforce and its members meet with LOC members for scheduled hearings regarding the recommendations of the taskforce, and for other collaborative opportunities as they present themselves.

Task Force Membership

The taskforce consists of 32 members that fill legislatively defined seats. Individuals who fill seats marked for state agencies are appointed by that agency, while other members are appointed by the LOC, following a recommendation from the taskforce. In 2019, the taskforce experienced turnover in its membership commonly due to staff turnover in agencies or other reasons. When a taskforce member vacates their seat, they commonly refer colleagues from their agency or networks to be considered for the now empty seat. Taskforce members will discuss any nominees for seats, and take a vote if one is necessary, prior to making a recommendation to the LOC chair. As of December, there are three vacancies in the taskforce membership.

Internal Review Process

In 2019, the taskforce took deliberate steps to conduct an internal review of processes and operations. Through this process, ongoing dialogues and several surveys were utilized within the taskforce to begin understanding historical context of processes and potential areas for improvement. An internal review workgroup was convened with the intent of working on guidelines and expectations for the taskforce and to begin preparing the taskforce for the 2020 repeal date of MHDCJS statutes.

In April of 2019, a finalized membership Expectations and Guidelines document was adopted by the taskforce, which also included shared values of the taskforce on top of expectations around processes such as appointments, chair & co-chair requirements, member engagement, making recommendations, voting on decision items, and engaging with legislators. The adoption of these expectations helped formalize the taskforce structure in a way it hasn't been before, better setting the stage of the continuation of its research.

2019 Legislative Session

In 2018, the taskforce made five recommendations which were moved forward by the LOC regarding juvenile sex offender registry reform. These recommendations were the product of collaboration with the sex offender management board (SOMB) and Colorado Public Defenders Office (CPDO). All five bills were voted down in the Legislative Council Committee, and as such, the taskforce did not have any bills directly as a result of recommendations in the 2019 session.

Throughout the session, taskforce members continued to work with CPDO on the bills to prepare for future introduction opportunities and also responded to LOC requests for feedback on other related legislation.

2019 Study Areas, Subcommittees, and Recommendations

Through its subcommittee and workgroup structure, the taskforce was able to conduct research throughout the 2019 calendar year on a variety of research topics. In May of 2019, the taskforce met for the annual full-day retreat, during which each subcommittee was given the opportunity to present on their focus areas and seek initial feedback for potential recommendations. In the following months, subcommittees were expected to be finalizing the language of and conducting stakeholder engagement regarding their recommendations prior to the August meeting with the LOC during which recommendations were presented.

In August of 2019, the taskforce presented a total of six recommendations to the LOC, five of which were voted on and approved for drafting. Each of the bills was assigned a taskforce point person to coordinate with prime sponsors and drafters, as well as to track and support the process moving forward.

In 2019, the taskforce operated through subcommittees that were meeting regularly with the intent of conducting research on specific study areas and developing a recommendation for legislation during the 2020 session.

- **Diversion/Early Intervention & M-1s** – This newly created subcommittee spent 2019 focused on opportunities in diversion for individuals with mental health disorders or prevention of initial justice involvement. The subcommittee also focused on opportunities within behavioral health crises, especially when law enforcement dispatch and officers are involved.
 - This subcommittee, in partnership with the Data Subcommittee, produced a bill recommendation which will be introduced as [Bill A](#) in the 2020 session (Concerning eligibility for workers' compensation benefits for workers who are exposed to psychologically traumatic events, and, in connection therewith, establishing that a worker's visual or audible exposure to the serious bodily injury or death, or the immediate aftermath of the serious bodily injury or death, of one or more people as the result of a violent event, the intentional act of another person, or an accident is a psychologically traumatic event for the purposes of determining the worker's eligibility for workers' compensation benefits.)
- **Housing** – This subcommittee studies housing needs for individuals involved in the justice system. In 2019 they focused on gaps in affordable, supportive housing programs in rural areas.
 - This subcommittee produced a bill recommendation which will be introduced as [Bill C](#) in the 2020 session (Concerning programs to build statewide capacity to access supportive housing services, and, in connection therewith, providing for programs focused on underserved communities with a preference for rural and frontier communities to serve people with behavioral, mental health, and substance use disorders who have contact with the justice system.)
- **Data** – This subcommittee studies data availability gaps and data sharing opportunities within the justice system and between various systems that touch involved individuals' lives. In 2019, this group focused on interoperability of data systems between healthcare and justice.
 - This subcommittee produced a bill recommendation which will be introduced as [Bill D](#) in the 2020 session (Concerning the development of a strategic plan to implement a trusted interoperability platform.)
- **Youth** – This subcommittee studies issues specifically related to the juvenile justice system, and in 2019, focused on foundational research regarding opportunities for reform.
- **Competency** – This subcommittee studies and responds to issues relating to Colorado competency to proceed issues, and in 2019, focused on tracking the progression of the current lawsuit and its resolution as well as engaging with related legislation in the 2019 session.

Following the 2019 legislative session, the taskforce kept in close contact with the stakeholders who were working on the juvenile sex offender registry reform recommendations from 2019 which were not introduced. In the summer of 2019, the taskforce coordinated with the stakeholders and eventually voted on recommending those concepts to the LOC for legislation. Those recommendations, now all in one bill, will be introduced as [Bill B](#) in the 2020 session (Concerning the implementation of recommendations from the legislative oversight committee concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems regarding juveniles who have committed sex offenses.)

Finally, throughout 2019 the taskforce had ongoing discussions about the upcoming repeal date of the MHDCJS statutes which is set for July 2020. Extensive dialogue was had amongst the taskforce, and with members of the LOC, to better understand the historical context of re-authorization, what needs could potentially be met through re-authorization, and what opportunities for improvement the timing may present. Through extensive review and feedback gathering, the internal review workgroup recommended a bill for re-authorization which keeps the structural integrity of the taskforce while adding more specificity around the taskforce's expected activities, outcomes, and study areas. That recommendations will be introduced as [Bill E](#) in the 2020 session (Concerning the reauthorization of the legislative oversight committee in regards to the treatment of persons with behavioral health disorders in the criminal and juvenile justice systems.)

Prioritization of 2020 Study and Upcoming Work

Each subcommittee will be meeting regularly to continue their research on key areas for recommendation development, while focusing on the new parameters created by Bill E, shall it be passed by the legislature. The recommendations that created Bill E included a more specific focus on upstream interventions that aim to prevent justice involvement for individuals with behavioral health conditions. This was a response to LOC commentary and requests, and as such, this topic will be a focus area for the taskforce throughout its prioritization of research and recommendation development.

To help subcommittees identify focus areas, the taskforce has been having ongoing discussions about needed study areas for 2020 in monthly meetings. Further, to help prioritize issues of study, the taskforce is seeking presentations from and dialogue with other entities such as the Governors' Behavioral Health Taskforce and the stakeholders working on the competency to proceed issues. Lastly, the taskforce will continue ongoing outreach to and dialogue with members of the LOC to best understand their needs and expectations.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment B

BILL A

LLS NO. 20-0256.01 Richard Sweetman x4333

SENATE BILL

SENATE SPONSORSHIP

Fields and Cooke, Rodriguez

HOUSE SPONSORSHIP

Singer,

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING ELIGIBILITY FOR WORKERS' COMPENSATION BENEFITS**
102 **FOR WORKERS WHO ARE EXPOSED TO PSYCHOLOGICALLY**
103 **TRAUMATIC EVENTS, AND, IN CONNECTION THEREWITH,**
104 **ESTABLISHING THAT A WORKER'S VISUAL OR AUDIBLE EXPOSURE**
105 **TO THE SERIOUS BODILY INJURY OR DEATH, OR THE IMMEDIATE**
106 **AFTERMATH OF THE SERIOUS BODILY INJURY OR DEATH, OF ONE**
107 **OR MORE PEOPLE AS THE RESULT OF A VIOLENT EVENT, THE**
108 **INTENTIONAL ACT OF ANOTHER PERSON, OR AN ACCIDENT IS A**
109 **PSYCHOLOGICALLY TRAUMATIC EVENT FOR THE PURPOSES OF**
110 **DETERMINING THE WORKER'S ELIGIBILITY FOR WORKERS'**
111 **COMPENSATION BENEFITS.**

Bill Summary

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

(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/>.)

The Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems. The bill states that, for the purpose of determining eligibility for workers' compensation benefits, a "psychologically traumatic event" includes an event that is within a worker's usual experience when the worker is diagnosed with post-traumatic stress disorder by a licensed psychiatrist or psychologist after:

- The worker is subjected to visual or audible exposure to the death, or the immediate aftermath of the death, of one or more people as the result of a violent event; or
- The worker repeatedly is subjected to visual or audible exposure to the serious bodily injury, or the immediate aftermath of the serious bodily injury, of one or more people as the result of the intentional act of another person or an accident.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-41-301, **amend**
3 (3)(b)(II)(B) and (3)(b)(II)(C) as follows:

4 **8-41-301. Conditions of recovery - definitions.** (3) For the
5 purposes of this section:

6 (b) (II) "Psychologically traumatic event" also includes an event
7 that is within a worker's usual experience only when the worker is
8 diagnosed with post-traumatic stress disorder by a licensed psychiatrist
9 or psychologist after the worker experienced exposure to one or more of
10 the following events:

11 (B) The worker ~~visually witnesses a~~ IS SUBJECTED TO VISUAL OR
12 AUDIBLE EXPOSURE TO THE death, or the immediate aftermath of the
13 death, of one or more people as the result of a violent event; or

1 (C) The worker repeatedly ~~visually witnesses~~ IS SUBJECTED TO
2 VISUAL OR AUDIBLE EXPOSURE TO the serious bodily injury, or the
3 immediate aftermath of the serious bodily injury, of one or more people
4 as the result of the intentional act of another person or an accident.

5 **SECTION 2. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2020 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment C

BILL B

LLS NO. 20-0257.01 Jane Ritter x4342

HOUSE BILL

HOUSE SPONSORSHIP

Benavidez and Singer,

SENATE SPONSORSHIP

Rodriguez,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE IMPLEMENTATION OF RECOMMENDATIONS FROM**
102 **THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE**
103 **TREATMENT OF PERSONS WITH MENTAL HEALTH DISORDERS IN**
104 **THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS REGARDING**
105 **JUVENILES WHO HAVE COMMITTED SEX OFFENSES.**

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/>.)

The Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal

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

and Juvenile Justice Systems. The bill implements various recommendations of the legislative oversight committee concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems regarding juveniles who have committed sex offenses, including:

- Specifying that if a juvenile who is moving to Colorado would be otherwise required to register on Colorado's sex offender registry (registry) but the juvenile's duty to register in another state has been terminated by a court order, then the juvenile is not required to register or petition the court for removal from the registry;
- Expanding judicial discretion at the time of sentencing to exempt from registration or require juveniles to register for all first offense registerable juvenile sex crimes if a sex offender management board evaluator recommends exemption and the juvenile is otherwise statutorily eligible;
- Adding language to adult and juvenile provisions that currently reference only crimes defined as "unlawful sexual behavior" to also include convictions and adjudications for nonsexual crimes where there has been, pursuant to statute, a judicial finding of an underlying factual basis involving unlawful sexual behavior;
- Creating a process for the court to reconsider its ruling on whether to require registration if new information is discovered after the court made its initial ruling;
- Adding a requirement for the court to issue a ruling or set a mandatory hearing no later than 14 days before the end of each juvenile's sentence concerning a juvenile's ongoing duty to register;
- Changing the current law that allows the Colorado Bureau of Investigation (CBI) to inform the requesting party if a person is on the registry so that the CBI may release information about a juvenile only under certain restrictions;
- Requiring the CBI to collect data on the number of times information is requested and released concerning juveniles on the registry;
- Creating a new unclassified misdemeanor for members of the public who submit a false statement to the CBI for purposes of obtaining juvenile registry information or who use such information in a prohibited manner;
- Updating current law regarding the posting of information on the registry to the internet to specifically exclude juveniles;
- Clarifying that a local law enforcement agency may not release or post on its website information regarding

- juveniles on the registry;
- Changing current law that requires lifetime registration for an adult who has more than one adjudication as a juvenile so that juvenile adjudications alone may not trigger mandatory lifetime registration; and
- Updating language in the Colorado crime victim rights act to clarify victim rights when a petition or motion is made to terminate sex offender registration.

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-22-102, **amend**
3 (1); and **add** (1.5) and (4.2) as follows:

4 **16-22-102. Definitions.** As used in this article 22, unless the
5 context otherwise requires:

6 (1) ~~"Birthday" means a person's birthday as reflected on the notice~~
7 ~~provided to the person pursuant to section 16-22-106 or 16-22-107 or the~~
8 ~~person's actual date of birth if the notice does not reflect the person's~~
9 ~~birthday~~ "ADJUDICATED" OR "ADJUDICATION" MEANS A DETERMINATION
10 BY THE COURT THAT IT HAS BEEN PROVEN BEYOND A REASONABLE DOUBT
11 TO THE TRIER OF FACT THAT A JUVENILE HAS COMMITTED A DELINQUENT
12 ACT OR THAT A JUVENILE HAS PLED GUILTY TO COMMITTING A
13 DELINQUENT ACT. IN ADDITION, WHEN A PREVIOUS CONVICTION MUST BE
14 PLED AND PROVEN AS AN ELEMENT OF AN OFFENSE OR FOR PURPOSES OF
15 SENTENCE ENHANCEMENT, "ADJUDICATION" MEANS CONVICTION.

16 (1.5) "BIRTHDAY" MEANS A PERSON'S BIRTHDAY AS REFLECTED ON
17 THE NOTICE PROVIDED TO THE PERSON PURSUANT TO SECTION 16-22-106
18 OR 16-22-107 OR THE PERSON'S ACTUAL DATE OF BIRTH IF THE NOTICE
19 DOES NOT REFLECT THE PERSON'S BIRTHDAY.

20 (4.2) "JUVENILE" MEANS A PERSON WHO IS UNDER EIGHTEEN
21 YEARS OF AGE AT THE TIME OF THE OFFENSE AND WHO HAS NOT BEEN

1 CRIMINALLY CONVICTED IN THE DISTRICT COURT OF UNLAWFUL SEXUAL
2 BEHAVIOR PURSUANT TO SECTION 19-2-517 OR 19-2-518.

3 **SECTION 2.** In Colorado Revised Statutes, 16-22-103, **amend**
4 (3), (4), and (5)(a); and **add** (7) and (8) as follows:

5 **16-22-103. Sex offender registration - required - applicability**
6 **- exception.** (3) (a) In addition to the persons specified in subsections (1)
7 and (2) of this section, AND EXCEPT AS PROVIDED FOR IN SUBSECTION
8 (3)(b) OF THIS SECTION, any person convicted of an offense in any other
9 state or jurisdiction, including but not limited to a military or federal
10 jurisdiction, for which the person, as a result of the conviction, is required
11 to register if he or she resided in the state or jurisdiction of conviction, or
12 for which ~~such~~ THE person would be required to register if convicted in
13 Colorado, ~~shall be~~ IS required to register in the manner specified in
14 section 16-22-108, so long as ~~such~~ THE person is a temporary or
15 permanent resident of Colorado. ~~Such~~ THE person may petition the court
16 for an order that discontinues the requirement for registration in this state
17 at the times specified in section 16-22-113 for offense classifications that
18 are comparable to the classification of the offense for which the person
19 was convicted in the other state or jurisdiction. ~~Such~~ THE person may
20 petition the court for an order that discontinues the requirement for
21 registration in this state for offense classifications that ~~such~~ THE person
22 would not be required to register for if convicted in Colorado.

23 (b) IF A JUVENILE IS REQUIRED TO REGISTER ONLY PURSUANT TO
24 SUBSECTION (3)(a) OF THIS SECTION, AND THE JUVENILE'S DUTY TO
25 REGISTER IN ANOTHER STATE OR JURISDICTION HAS BEEN TERMINATED BY
26 A COURT ORDER, OR IF A TRIAL COURT HAS DETERMINED THAT THE
27 JUVENILE IS NOT REQUIRED TO REGISTER IN THAT STATE OR JURISDICTION,

1 THEN THE JUVENILE IS NOT REQUIRED TO FULFILL THE REQUIREMENTS FOR
2 REGISTRATION IN COLORADO, AS SET FORTH IN SECTION 16-22-108, AND
3 IS THEREFORE NOT REQUIRED TO PETITION THE COURT FOR REMOVAL FROM
4 THE COLORADO SEX OFFENDER REGISTRY PURSUANT TO SECTION
5 16-22-113.

6 (4) The provisions of this article 22 apply to any person who
7 receives a disposition or is adjudicated a juvenile delinquent based on the
8 commission of any act that may constitute unlawful sexual behavior or
9 who receives a deferred adjudication based on commission of any act that
10 may constitute unlawful sexual behavior; except that, with respect to
11 section 16-22-113 (1)(a) to (1)(e), a person WHO IS ADJUDICATED OR
12 RECEIVES A DISPOSITION AS A JUVENILE may petition the court for an order
13 to discontinue the duty to register as provided in those ~~paragraphs~~
14 SUBSECTIONS, but only if the person has not subsequently ~~received a~~
15 ~~disposition for, been adjudicated a juvenile delinquent for, or been~~
16 ~~otherwise~~ BEEN convicted AS AN ADULT of any offense involving
17 unlawful sexual behavior OR CONVICTED AS AN ADULT OF ANOTHER
18 OFFENSE, THE UNDERLYING FACTUAL BASIS OF WHICH INVOLVES
19 UNLAWFUL SEXUAL BEHAVIOR. In addition, the duty to provide notice to
20 a person of the duty to register, as set forth in sections 16-22-105 to
21 16-22-107, applies to juvenile parole and probation officers and
22 appropriate personnel of the division of youth services in the department
23 of human services.

24 (5) (a) Notwithstanding any provision of this article 22 to the
25 contrary, if, pursuant to a motion filed by a person described in this
26 subsection (5) or on its own motion, a court determines that the
27 registration requirement specified in this section would be unfairly

1 punitive and that exempting the person from the registration requirement
2 would not pose a significant risk to the community, the court, upon
3 consideration of the totality of the circumstances, may exempt the person
4 from the registration requirements imposed pursuant to this section if:

5 (I) The person was younger than eighteen years of age at the time
6 of the commission of the offense; and

7 (II) The person has not been previously ~~charged with~~
8 ADJUDICATED OR RECEIVED A DISPOSITION FOR A SEPARATE OFFENSE
9 INVOLVING unlawful sexual behavior; and

10 (III) ~~The offense, as charged in the first petition filed with the~~
11 ~~court, is a first offense of misdemeanor unlawful sexual contact, as~~
12 ~~described in section 18-3-404; indecent exposure, as described in section~~
13 ~~18-7-302; or sexual exploitation of a child, as described in section~~
14 ~~18-6-403, and the person's conduct is limited to the elements in posting~~
15 ~~private images by a juvenile, as described in section 18-7-109 (1), or~~
16 ~~possessing private images by a juvenile, as described in section 18-7-109~~
17 ~~(2); and~~ THE PERSON WAS ADJUDICATED OR RECEIVED A DISPOSITION FOR
18 ANY OFFENSE OF UNLAWFUL SEXUAL BEHAVIOR OR ANOTHER OFFENSE,
19 THE UNDERLYING FACTUAL BASIS OF WHICH INVOLVED UNLAWFUL SEXUAL
20 BEHAVIOR; AND

21 (IV) The person has received a sex offender evaluation that
22 conforms with the standards developed pursuant to section 16-11.7-103
23 (4)(i) from an evaluator who meets the standards established by the sex
24 offender management board, and the evaluator recommends exempting
25 the person from the registration requirements based upon the best
26 interests of that person and the community; and

27 (IV.5) THE COURT HAS CONSIDERED A WRITTEN OR ORAL

1 STATEMENT BY THE VICTIM OF THE OFFENSE FOR WHICH THE JUVENILE
2 WOULD OTHERWISE BE REQUIRED TO REGISTER, IF PROVIDED BY THE
3 VICTIM, ON THE QUESTION OF WHETHER THE JUVENILE SHOULD BE
4 EXEMPTED FROM THE STATUTORY DUTY TO REGISTER AS A SEX OFFENDER;
5 AND

6 (V) The court makes written findings of fact specifying the
7 grounds for granting such exemption.

8 (7) IF A JUVENILE HAS BEEN EXEMPTED FROM THE DUTY TO
9 REGISTER PURSUANT TO SUBSECTION (5) OF THIS SECTION BUT, PRIOR TO
10 THE TERMINATION OF THE JUVENILE'S SENTENCE FOR THE OFFENSE THAT
11 TRIGGERED THE DUTY TO REGISTER, THE MULTIDISCIPLINARY TEAM
12 DISCOVERS ADDITIONAL INFORMATION THAT WAS NOT KNOWN AT THE
13 TIME THE EXEMPTION WAS GRANTED THAT CAUSES ANY MEMBER OF THE
14 MULTIDISCIPLINARY TEAM TO BELIEVE THE COURT SHOULD REQUIRE SEX
15 OFFENDER REGISTRATION PURSUANT TO THIS SECTION, THE JUVENILE'S
16 SUPERVISING OFFICER SHALL NOTIFY THE PROSECUTING ATTORNEY. THE
17 PROSECUTING ATTORNEY SHALL ADVISE THE VICTIM OF THE OFFENSE AND
18 MAY THEN FILE A MOTION TO RECONSIDER THE ORDER EXEMPTING THE
19 JUVENILE FROM THE DUTY TO REGISTER AS A SEX OFFENDER. THE MOTION
20 MUST INCLUDE THE ADDITIONAL INFORMATION DISCOVERED.

21 (8) IF A JUVENILE HAS BEEN REQUIRED TO REGISTER PURSUANT TO
22 THIS SECTION BUT, PRIOR TO THE TERMINATION OF THE JUVENILE'S
23 SENTENCE FOR THE OFFENSE THAT TRIGGERED THE DUTY TO REGISTER,
24 THE JUVENILE CAN PROVIDE ADDITIONAL INFORMATION TO THE COURT
25 THAT WAS NOT KNOWN AT THE TIME REGISTRATION WAS REQUIRED AND
26 IS RELEVANT TO THE FINDINGS REQUIRED TO DETERMINE AN EXEMPTION
27 PURSUANT TO THIS SECTION, THE JUVENILE MAY FILE A MOTION TO

1 RECONSIDER THE ORDER REQUIRING THE JUVENILE TO REGISTER AS A SEX
2 OFFENDER. THE MOTION MUST INCLUDE THE ADDITIONAL INFORMATION,
3 AND A COPY OF THE MOTION MUST BE PROVIDED TO THE DISTRICT
4 ATTORNEY AND THE JUVENILE'S SUPERVISING OFFICER PRIOR TO ANY
5 HEARING. THE DISTRICT ATTORNEY SHALL PROVIDE NOTICE TO THE VICTIM
6 OF THE OFFENSE. THE DISTRICT ATTORNEY, THE MULTIDISCIPLINARY
7 TEAM, AND THE VICTIM MUST BE PROVIDED THE OPPORTUNITY TO BE
8 HEARD AT THE HEARING. A NEW MOTION SEEKING RECONSIDERATION OF
9 A COURT'S ORDER TO REGISTER MAY NOT BE FILED MORE THAN ONCE IN A
10 SIX-MONTH PERIOD.

11 **SECTION 3.** In Colorado Revised Statutes, 16-22-109, **amend**
12 (4) as follows:

13 **16-22-109. Registration forms - local law enforcement agencies**
14 **- duties.** (4) The forms completed by persons required to register
15 pursuant to this ~~article shall be~~ ARTICLE 22 ARE confidential and ~~shall not~~
16 ~~be~~ ARE NOT open to inspection by the public or any person other than law
17 enforcement personnel, except as provided in sections 16-22-110 (6),
18 16-22-111, and 16-22-112, and ~~section~~ 25-1-124.5. ~~C.R.S.~~

19 **SECTION 4.** In Colorado Revised Statutes, 16-22-110, **amend**
20 (6); and **add** (10) as follows:

21 **16-22-110. Colorado sex offender registry - creation -**
22 **maintenance - release of information - data collection.** (6) (a) The
23 general assembly ~~hereby~~ recognizes the need to balance the expectations
24 of persons convicted of offenses involving unlawful sexual behavior and
25 the public's need to adequately protect themselves and their children from
26 these persons, as expressed in section 16-22-112 (1). The general
27 assembly declares, however, that, in making information concerning

1 persons convicted of offenses involving unlawful sexual behavior
2 available to the public, it is not the general assembly's intent that the
3 information be used to inflict retribution or additional punishment on any
4 person convicted of unlawful sexual behavior or of another offense, the
5 underlying factual basis of which involves unlawful sexual behavior.

6 (b) Pursuant to a request for a criminal history RECORD check
7 ~~under~~ PURSUANT TO the provisions of part 3 of article 72 of title 24,
8 ~~C.R.S.~~ UNLESS THE PERSON WHO IS THE SUBJECT OF THE CRIMINAL
9 HISTORY RECORD CHECK WAS REQUIRED TO REGISTER SOLELY BECAUSE
10 THE PERSON WAS ADJUDICATED OR RECEIVED A DISPOSITION AS A
11 JUVENILE, the CBI may inform the requesting party as to whether the
12 person who is the subject of the criminal history check is on the sex
13 offender registry. IF SUCH PERSON IS ON THE SEX OFFENDER REGISTRY
14 SOLELY AS A RESULT OF BEING ADJUDICATED OR RECEIVING A DISPOSITION
15 AS A JUVENILE, THE CBI SHALL NOT RELEASE SUCH INFORMATION TO A
16 PERSON OTHER THAN LAW ENFORCEMENT, PROBATION AND PAROLE
17 PERSONNEL, THE DIVISION OF CHILD WELFARE, OR THE VICTIM, AS DEFINED
18 IN SECTION 24-4.1-302 (5).

19 (c) A person may request from the CBI a list of persons on the sex
20 offender registry. THE LIST MUST NOT INCLUDE PERSONS WHO ARE ON THE
21 LIST SOLELY FOR HAVING BEEN ADJUDICATED OR RECEIVED DISPOSITIONS
22 AS JUVENILES.

23 (d) (Deleted by amendment, L. 2005, p. 611, § 1, effective May
24 27, 2005.)

25 (e) Any person requesting information pursuant to ~~paragraph (c)~~
26 ~~of this subsection (6)~~ SUBSECTION (6)(c) OF THIS SECTION shall show
27 proper identification.

1 (f) IF information IS released pursuant to this subsection (6), IT
2 MUST, at a minimum, ~~shall~~ include the name, address or addresses, and
3 aliases of the registrant; the registrant's date of birth; a photograph of the
4 registrant, if requested and readily available; ~~and the conviction~~ OFFENSE
5 THAT LED TO THE REGISTRATION REQUIREMENT; AND THE DATE OF THE
6 OFFENSE resulting in the registrant being required to register pursuant to
7 this ~~article~~ ARTICLE 22. Information concerning victims ~~shall~~ MUST not be
8 released pursuant to this section.

9 (g) NOTWITHSTANDING THE PROVISIONS OF THIS SUBSECTION (6)
10 TO THE CONTRARY, CBI MAY RELEASE INFORMATION, AS DESCRIBED IN
11 SUBSECTION (6)(i) OF THIS SECTION, ABOUT THE PERSON REGISTERED AS
12 A RESULT OF BEING ADJUDICATED OR RECEIVING A DISPOSITION AS A
13 JUVENILE IF A PERSON, OTHER THAN THE VICTIM, SUBMITS A REQUEST TO
14 THE CBI FOR THE REGISTRY RECORD OF A NAMED PERSON WHO WAS
15 ADJUDICATED OR RECEIVED A DISPOSITION AS A JUVENILE, AND THE
16 REQUESTING PERSON AFFIRMS IN WRITING THAT THE REQUESTED RECORD
17 SHALL NOT BE:

18 (I) PLACED IN PUBLICATION OR POSTED TO A WEBSITE;

19 (II) USED FOR THE PURPOSE OF OBTAINING A PECUNIARY GAIN OR
20 FINANCIAL BENEFIT FOR ANY PERSON OR ENTITY; OR

21 (III) USED OR DISSEMINATED IN ANY MANNER WITH THE INTENT TO
22 HARASS, INTIMIDATE, COERCE, OR CAUSE SERIOUS EMOTIONAL DISTRESS
23 TO ANY PERSON, INCLUDING THE NAMED PERSON.

24 (h) IN ADDITION TO THE WRITTEN AFFIRMATION REQUIRED BY
25 SUBSECTION (6)(g) OF THIS SECTION, THE PERSON REQUESTING
26 INFORMATION SHALL AFFIRM IN WRITING THAT HE OR SHE HAS A NEED FOR
27 THE SEX OFFENDER INFORMATION CONCERNING THE PERSON WHO WAS

1 ADJUDICATED OR RECEIVED A DISPOSITION AS A JUVENILE AND DESCRIBES
2 THAT NEED IN WRITING.

3 (i) UPON RECEIPT OF THE WRITTEN AFFIRMATIONS REQUIRED BY
4 SUBSECTIONS (6)(g) AND (6)(h) OF THIS SECTION, THE CBI SHALL RELEASE
5 TO THE REQUESTING PERSON THE REGISTRY RECORD THAT IS LIMITED TO
6 INCLUDE ONLY THE PERSON'S REGISTRATION STATUS, FULL NAME, ALIASES,
7 DATE OF BIRTH, AND CURRENT ADDRESS OR ADDRESSES; A PHOTOGRAPH
8 OF THE REGISTRANT, IF REQUESTED AND READILY AVAILABLE; THE
9 OFFENSE THAT LED TO THE REGISTRATION; AND THE DATE OF THE OFFENSE
10 AS SUCH INFORMATION CONCERNS THE PERSON WHO WAS ADJUDICATED OR
11 RECEIVED A DISPOSITION AS A JUVENILE. INFORMATION CONCERNING
12 VICTIMS MUST NOT BE RELEASED PURSUANT TO THIS SECTION.

13 (j) A PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBSECTION
14 (6) OR WHO SUBMITS A FALSE STATEMENT TO THE CBI TO OBTAIN
15 INFORMATION PURSUANT TO THE PROVISIONS OF THIS SUBSECTION (6)
16 COMMITS AN UNCLASSIFIED MISDEMEANOR AND SHALL BE PUNISHED BY A
17 FINE OF UP TO ONE THOUSAND DOLLARS FOR EACH VIOLATION.

18 (k) NOTHING IN THIS SUBSECTION (6) LIMITS THE VICTIM'S ACCESS
19 TO INFORMATION PURSUANT TO SECTION 24-4.1-302.5.

20 (10) ON OR BEFORE JULY 1, 2021, AND EVERY JULY 1 THEREAFTER,
21 THE CBI SHALL PREPARE A REPORT THAT DETAILS THE NUMBER OF
22 REQUESTS FOR SEX OFFENDER REGISTRATION INFORMATION FOR JUVENILES
23 RECEIVED ANNUALLY PURSUANT TO SUBSECTION (6) OF THIS SECTION AS
24 WELL AS THE NUMBER OF TIMES SUCH INFORMATION WAS RELEASED. THE
25 CBI SHALL INCLUDE THE REPORT AS A PART OF ITS PRESENTATION TO ITS
26 COMMITTEE OF REFERENCE AT A HEARING HELD PURSUANT TO SECTION
27 2-7-203 OF THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE,

1 AND TRANSPARENT (SMART) GOVERNMENT ACT".

2 **SECTION 5.** In Colorado Revised Statutes, 16-22-111, **amend**
3 (1) introductory portion as follows:

4 **16-22-111. Internet posting of sex offenders - procedure.**

5 (1) The CBI shall post a link on the state of Colorado home page on the
6 internet to a list containing the names, addresses, and physical
7 descriptions of certain persons and descriptions of the offenses committed
8 by said persons. A person's physical description ~~shall~~ MUST include, but
9 need not be limited to, the person's sex, height, and weight, any
10 identifying characteristics of the person, and a digitized photograph or
11 image of the person. The list ~~shall~~ MUST specifically exclude any
12 reference to any victims of the offenses. The list ~~shall~~ MUST SPECIFICALLY
13 EXCLUDE PERSONS WHO ARE REQUIRED TO REGISTER SOLELY BECAUSE
14 THEY WERE ADJUDICATED OR RECEIVED DISPOSITIONS AS JUVENILES BUT
15 MUST include the following persons:

16 **SECTION 6.** In Colorado Revised Statutes, 16-22-112, **amend**
17 (2)(a), (2)(b)(I), and (3)(b); and **repeal** (2)(b)(III) and (2)(b)(IV) as
18 follows:

19 **16-22-112. Release of information - law enforcement agencies.**

20 (2) (a) A local law enforcement agency shall release information
21 regarding any person, EXCEPT FOR A PERSON WHO IS REQUIRED TO
22 REGISTER SOLELY BECAUSE THE PERSON WAS ADJUDICATED OR RECEIVED
23 A DISPOSITION AS A JUVENILE, registered with the local law enforcement
24 agency pursuant to this ~~article~~ ARTICLE 22 to any person residing within
25 the local law enforcement agency's jurisdiction. In addition, the local law
26 enforcement agency may post the information specified in ~~paragraph (b)~~
27 ~~of this subsection (2)~~ SUBSECTION (2)(b) OF THIS SECTION on the law

1 enforcement agency's website.

2 (b) A local law enforcement agency may post on its website sex
3 offender registration information of a person from its registration list only
4 if the person is:

5 (I) An adult convicted of a felony requiring the adult to register
6 pursuant to section 16-22-103; OR

7 (III) ~~A juvenile with a second or subsequent adjudication~~
8 ~~involving unlawful sexual behavior or for a crime of violence as defined~~
9 ~~in section 18-1.3-406, C.R.S.; or~~

10 (IV) ~~A juvenile who is required to register pursuant to section~~
11 ~~16-22-103 because he or she was adjudicated for an offense that would~~
12 ~~have been a felony if committed by an adult and has failed to register as~~
13 ~~required by section 16-22-103.~~

14 (3) (b) At its discretion, a local law enforcement agency may
15 release information regarding any person, EXCEPT FOR A PERSON WHO IS
16 REQUIRED TO REGISTER SOLELY BECAUSE THE PERSON WAS ADJUDICATED
17 OR RECEIVED A DISPOSITION AS A JUVENILE, registered with the local law
18 enforcement agency pursuant to this ~~article~~ ARTICLE 22 to any person who
19 does not reside within the local law enforcement agency's jurisdiction or
20 may post the information specified in ~~paragraph (b) of subsection (2)~~
21 SUBSECTION (2)(b) of this section on the law enforcement agency's
22 website. If a local law enforcement agency does not elect to release
23 information regarding any person registered with the local law
24 enforcement agency to a person not residing within the local law
25 enforcement agency's jurisdiction, the local law enforcement agency may
26 submit a request from the person to the CBI.

27 **SECTION 7.** In Colorado Revised Statutes, 16-22-113, **amend**

1 (1)(e), (1.3)(b)(I), (3) introductory portion, and (3)(c) as follows:

2 **16-22-113. Petition for removal from registry - mandatory**
3 **hearing for discontinuation and removal.** (1) Except as otherwise
4 provided in subsection (3) of this section, any person required to register
5 pursuant to section 16-22-103 or whose information is required to be
6 posted on the internet pursuant to section 16-22-111 may file a petition
7 with the court that issued the order of judgment for the conviction that
8 requires the person to register for an order to discontinue the requirement
9 for such registration or internet posting, or both, as follows:

10 (e) Except as otherwise provided in ~~subparagraph (H) of~~
11 ~~paragraph (b) of subsection (1.3)~~ SUBSECTION (1.3)(b)(II) of this section,
12 if the person was younger than eighteen years of age at the time of
13 commission of the offense, after the successful completion of and
14 discharge from a juvenile sentence or disposition, and if the person prior
15 to such time has not been subsequently convicted ~~or has~~ AS AN ADULT OF
16 UNLAWFUL SEXUAL BEHAVIOR, OR FOR ANY OTHER OFFENSE, THE
17 UNDERLYING FACTUAL BASIS OF WHICH INVOLVED UNLAWFUL SEXUAL
18 BEHAVIOR, OR DOES NOT HAVE a pending prosecution for unlawful sexual
19 behavior AS AN ADULT or for any other offense, the underlying factual
20 basis of which involved unlawful sexual behavior, and the court did not
21 issue an order either continuing the duty to register or discontinuing the
22 duty to register pursuant to ~~paragraph (b) of subsection (1.3)~~ SUBSECTION
23 (1.3)(b) of this section. Any person petitioning pursuant to this ~~paragraph~~
24 ~~(e)~~ SUBSECTION (1)(e) may also petition for an order removing his or her
25 name from the sex offender registry. In determining whether to grant the
26 order, the court shall consider whether the person is likely to commit a
27 subsequent offense of or involving unlawful sexual behavior. The court

1 shall base its determination on recommendations from the person's
2 probation or community parole officer, the person's treatment provider,
3 and the prosecuting attorney for the jurisdiction in which the person was
4 tried and on the recommendations included in the person's presentence
5 investigation report. In addition, the court shall consider any written or
6 oral testimony submitted by the victim of the offense for which the
7 petitioner was required to register. Notwithstanding the provisions of this
8 subsection (1), a juvenile who files a petition pursuant to this section may
9 file the petition with the court to which venue is transferred pursuant to
10 section 19-2-105, ~~C.R.S.~~, if any.

11 (1.3) (b) (I) If a PERSON ADJUDICATED OR WHO RECEIVED A
12 DISPOSITION AS A juvenile is ~~eligible to petition to discontinue his or her~~
13 ~~duty to register pursuant to paragraph (c) of subsection (1) of this section~~
14 REQUIRED TO REGISTER PURSUANT TO SECTION 16-22-103, the court, at
15 least sixty-three days ~~before discharging~~ PRIOR TO THE END OF the
16 juvenile's sentence, shall notify each of the parties described in ~~paragraph~~
17 ~~(a) of subsection (2)~~ SUBSECTION (2)(a) of this section, the juvenile, and
18 the victim of the offense for which the juvenile was required to register,
19 if the victim has requested notice and has provided current contact
20 information, that the court shall consider whether to order that the
21 juvenile may discontinue his or her duty to register when the court
22 discharges the juvenile's sentence. The court shall set the matter for
23 hearing if ~~any of the parties described in paragraph (a) of subsection (2)~~
24 ~~of this section or the~~ ANY DISTRICT ATTORNEY OR A victim of the offense
25 objects, or if the juvenile requests a hearing. ~~and shall~~ IF AN OBJECTION
26 IS NOT FILED WITHIN THIRTY-FIVE DAYS AFTER RECEIPT OF THE NOTICE,
27 THE COURT SHALL, AT LEAST FOURTEEN DAYS PRIOR TO THE END OF THE

1 JUVENILE'S SENTENCE, EITHER ISSUE AN ORDER, AFTER DETERMINATION
2 THAT THE JUVENILE IS ELIGIBLE TO DISCONTINUE REGISTRATION PURSUANT
3 TO SUBSECTION (1)(e) OF THIS SECTION AND A REVIEW OF THE RELEVANT
4 CRITERIA THAT DISCONTINUES THE JUVENILE'S DUTY TO REGISTER, OR SET
5 THE MATTER FOR A HEARING TO DETERMINE IF THE JUVENILE'S DUTY TO
6 REGISTER CONTINUES. AT ANY HEARING, THE COURT SHALL DETERMINE
7 WHETHER THE JUVENILE IS ELIGIBLE TO DISCONTINUE REGISTRATION
8 PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION AND, IF ELIGIBLE,
9 consider the criteria in ~~paragraph (c) of subsection (1)~~ SUBSECTION (1)(e)
10 of this section in determining whether to continue or discontinue the duty
11 to register. If the court enters an order discontinuing the juvenile's duty
12 to register, the ~~department of human services~~ COURT shall send a copy of
13 the order to each local law enforcement agency with which the juvenile
14 is registered, the juvenile parole board, and to the CBI. If the victim of the
15 offense has requested notice, the court shall notify the victim of its
16 decision either to continue or discontinue the juvenile's duty to register.

17 (3) The following persons are not eligible for relief pursuant to
18 this section, but ~~shall be~~ ARE subject for the remainder of their natural
19 lives to the registration requirements specified in this article 22 or to the
20 comparable requirements of any other jurisdictions in which they may
21 reside:

22 (c) Any adult who has more than one conviction ~~or adjudication~~
23 AS AN ADULT for unlawful sexual behavior OR ANY OTHER OFFENSE, THE
24 UNDERLYING FACTUAL BASIS OF WHICH IS UNLAWFUL SEXUAL BEHAVIOR
25 PURSUANT TO SECTION 16-22-103 (2), in this state or any other
26 jurisdiction, OR HAS A CONVICTION AS AN ADULT AND ONE OR MORE
27 ADJUDICATIONS AS A JUVENILE FOR UNLAWFUL SEXUAL BEHAVIOR OR FOR

1 ANY OTHER OFFENSE, THE UNDERLYING FACTUAL BASIS OF WHICH IS
2 UNLAWFUL SEXUAL BEHAVIOR PURSUANT TO SECTION 16-22-103 (2), IN
3 THIS STATE OR ANY OTHER JURISDICTION.

4 **SECTION 8.** In Colorado Revised Statutes, 24-4.1-302, **amend**
5 (2)(r) as follows:

6 **24-4.1-302. Definitions.** As used in this part 3, and for no other
7 purpose, including the expansion of the rights of any defendant:

8 (2) "Critical stages" means the following stages of the criminal
9 justice process:

10 (r) Any petition ~~by a sex offender to terminate sex offender~~
11 ~~registration~~ OR MOTION TO TERMINATE SEX OFFENDER REGISTRATION
12 FILED PURSUANT TO SECTION 16-22-113;

13 **SECTION 9.** In Colorado Revised Statutes, 24-4.1-302.5, **amend**
14 (1)(b.7) as follows:

15 **24-4.1-302.5. Rights afforded to victims - definitions.** (1) In
16 order to preserve and protect a victim's rights to justice and due process,
17 each victim of a crime has the following rights:

18 (b.7) For a victim of a sex offense, the right to be informed of the
19 filing of a ~~petition by the perpetrator of the offense~~ ANY PETITION OR
20 MOTION FILED to terminate sex offender registration pursuant to ~~section~~
21 ~~16-22-113 (2) and (2.5)~~ SECTION 16-22-103 (5), 16-22-103 (8), 16-22-113
22 (2), OR 16-22-113 (2.5);

23 **SECTION 10.** In Colorado Revised Statutes, 24-4.1-303, **amend**
24 (14.7)(b) as follows:

25 **24-4.1-303. Procedures for ensuring rights of victims of**
26 **crimes.** (14.7) (b) The court shall notify the victim of petitions OR
27 MOTIONS filed ~~by sex offenders~~ to cease sex offender registration

1 pursuant to ~~section 16-22-113 (2) and (2.5)~~ SECTION 16-22-103 (5),
2 16-22-103 (8), 16-22-113 (2), OR 16-22-113 (2.5).

3 **SECTION 11. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2020 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment D

BILL C

LLS NO. 20-0258.01 Megan Waples x4348

HOUSE BILL

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Fields,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROGRAMS TO BUILD STATEWIDE CAPACITY TO ACCESS**
102 **SUPPORTIVE HOUSING SERVICES, AND, IN CONNECTION**
103 **THEREWITH, PROVIDING FOR PROGRAMS FOCUSED ON**
104 **UNDERSERVED COMMUNITIES WITH A PREFERENCE FOR RURAL**
105 **AND FRONTIER COMMUNITIES TO SERVE PEOPLE WITH**
106 **BEHAVIORAL, MENTAL HEALTH, AND SUBSTANCE USE DISORDERS**
107 **WHO HAVE CONTACT WITH THE JUSTICE SYSTEM.**

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/>.)

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

The Legislative Oversight Committee Concerning the Treatment of Persons With Mental Health Disorders in the Criminal and Juvenile Justice Systems. The bill establishes and expands programs within the division of housing in the department of local affairs (division) to build the capacity of communities across the state to provide supportive housing services to individuals with behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system, including:

- Expanding statewide training and technical assistance to help communities develop and implement supportive housing programs for individuals who have behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system. The program must be targeted to communities that currently face barriers to accessing existing state and federal funding for supportive housing programs.
- Establishing a predevelopment grant program that provides funding to entities working to develop supportive housing interventions for individuals who have behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system. The grant money can be used to add new or additional staff capacity to allow the development and implementation of such programs. The division is required to prioritize applicants that will serve rural or frontier communities and to provide hands-on technical assistance to grant recipients.
- Establishing a supportive housing services and homelessness prevention grant program. Grant money can be used to cover the costs of providing supportive housing services that are currently not eligible for reimbursement through the state's medical assistance program. It can also be used to fund homelessness prevention projects for individuals who have behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system. The division is required to prioritize applicants that will serve rural or frontier communities and provide hands-on technical assistance to grant recipients.
- Developing a plan to increase participation in regional homeless data systems, support accurate data reporting, and

assess housing-related needs. The program must work with regional continuums of care to evaluate how to increase participation in data systems in communities across the state, identify technical needs and associated costs for doing so, and work with communities and stakeholders to integrate or develop an integrated user interface for various data systems related to housing and supportive services. It must also enhance information about best practices and training materials available to communities across the state.

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) Colorado is experiencing a homelessness crisis. The 2018
5 point-in-time estimate of homelessness by the United States department
6 of housing and urban development reported over ten thousand people
7 experiencing homelessness in Colorado. According to the Colorado
8 department of education, over twenty-three thousand students in Colorado
9 schools experienced homelessness at some point during the 2017-18
10 school year. Even more Colorado residents lack stable housing and are on
11 the verge of homelessness.

12 (b) The experience of homelessness can be both a cause and a
13 consequence of both mental illness, including substance use disorders,
14 and incarceration and is intricately related to both issues. The intersection
15 of homelessness, mental illness, and contact with the criminal justice
16 system is extremely costly to communities both in terms of the financial
17 burdens and the humanitarian toll it imposes on individuals and their
18 communities. These impacts are particularly acute in communities that
19 have a shortage of behavioral and mental health care providers and
20 services.

1 (c) According to a 2018 study of homelessness in Colorado jails
2 by the Colorado department of public safety, eighty percent of
3 respondents across facilities reported experiencing homelessness in the
4 year prior, and nearly forty percent reported that they will be homeless
5 after their release from jail;

6 (d) Of the respondents experiencing homelessness, over sixty
7 percent reported needing mental health treatment, compared with
8 forty-five percent of nonhomeless respondents;

9 (e) Similarly, the Colorado department of corrections reported in
10 2017 that over seventy-eight percent of the female inmate population and
11 over forty-three percent of the male inmate population had moderate to
12 severe mental health needs, and the Colorado department of adult parole
13 reported in 2019 that over one thousand individuals were paroling to
14 "unsheltered homelessness" or to "short term, temporary housing";

15 (f) Studies also show that being homeless is linked to sustained
16 deterioration of mental and physical health and that homelessness can be
17 both a cause and a consequence of having a criminal record;

18 (g) Safe and stable housing is a foundation for individuals to
19 engage in the process of reentry from the criminal justice system, and
20 provides a base from which individuals can seek employment, focus on
21 treatment, establish a social network, and comply with community
22 supervision;

23 (h) Supportive housing programs combine affordable housing
24 with access to supportive services tailored to an individual's needs,
25 including, for example, in-reach and outreach, housing search and
26 counseling support, engagement, vocational or occupational training,
27 clinical services, support with daily living activities, and other ongoing

1 supports. Supportive housing can reduce the cycling of individuals with
2 behavioral or mental health disorders, including substance use disorders,
3 between prison, jail, homelessness, and other public services.

4 (i) Colorado has made significant investments in nationally
5 recognized housing best practices, including supportive housing;

6 (j) Unfortunately, not all communities across the state are able to
7 take advantage of the available state and federal funding for supportive
8 housing services due to various barriers;

9 (k) While the department of health care policy and financing has
10 limited funds for supportive services, current restrictions do not allow the
11 department to cover all the services needed to secure and maintain
12 housing, and it is unable to reimburse nonclinical providers for providing
13 those services;

14 (l) As a result, communities are not able to provide sustainable,
15 long-term services to the most vulnerable individuals to keep them safely
16 housed; and

17 (m) Many communities, particularly in rural and frontier areas, do
18 not have nonprofit organizations experienced in applying for grants and
19 implementing supportive housing programs, do not have the
20 programmatic or staff capacity to do so, and need technical assistance to
21 develop evidence-based, innovative solutions that are scaled and tailored
22 to their specific community needs.

23 (2) The general assembly further finds and declares that it is
24 therefore in Colorado's best interest to provide assistance and create
25 opportunities for communities across the state that are currently unable
26 to access federal and state housing and supportive service funds through
27 training, technical assistance, and grant funding to support the

1 development and implementation of supportive housing and homelessness
2 prevention services for individuals with behavioral, mental health, and
3 substance use disorders who have been involved with or are at risk of
4 falling into the criminal or juvenile justice system.

5 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-726,
6 24-32-727, 24-32-728, and 24-32-729 as follows:

7 **24-32-726. Training and technical assistance for supportive**
8 **housing - report - definition.** (1) ON OR BEFORE JANUARY 1, 2021, THE
9 DIVISION SHALL EXPAND STATEWIDE TECHNICAL ASSISTANCE TO ASSIST
10 COMMUNITIES IN DEVELOPING SUPPORTIVE HOUSING INTERVENTIONS THAT
11 CAN SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE
12 USE DISORDERS. THE PROGRAM MUST:

13 (a) PROVIDE TRAINING, EDUCATION, AND ASSISTANCE TO ENTITIES
14 INTERESTED IN ADDRESSING HOMELESSNESS AMONG PERSONS WITH
15 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS,
16 INCLUDING HOMELESS SERVICE PROVIDERS, LAW ENFORCEMENT AGENCIES,
17 FIRST RESPONDERS, REENTRY PROGRAMS, MUNICIPAL COURT PROGRAMS,
18 AND OTHER ORGANIZATIONS;

19 (b) PROVIDE PROGRAMMING THAT IS SPECIFICALLY TARGETED TO
20 COMMUNITIES THAT FACE BARRIERS TO ACCESSING EXISTING STATE AND
21 FEDERAL FUNDS FOR HOUSING AND SUPPORTIVE SERVICES, INCLUDING
22 RURAL COMMUNITIES; AND

23 (c) FOCUS ON BUILDING THE CAPACITY FOR COMMUNITIES TO:

24 (I) DEVELOP THEIR KNOWLEDGE OF SUPPORTIVE HOUSING
25 INTERVENTIONS IN THEIR REGION;

26 (II) LEVERAGE EXISTING STATE AND FEDERAL FUNDING SOURCES
27 FOR HOUSING AND SUPPORTIVE SERVICES;

1 (III) ENGAGE AND RECRUIT LANDLORDS TO PARTICIPATE IN
2 SUPPORTIVE HOUSING PROGRAMS;

3 (IV) PROVIDE LANDLORD-TENANT RELATIONSHIP SUPPORT;

4 (V) ACCESS AND USE RELEVANT DATA SYSTEMS AND SERVICES,
5 INCLUDING USING THE COLORADO HOMELESS MANAGEMENT INFORMATION
6 SYSTEM AND THE COORDINATED ENTRY SYSTEM DEVELOPED BY
7 CONTINUUMS OF CARE IN ACCORDANCE WITH 24 C.F.R. 578.7 OR ANY
8 SUCCESSOR SYSTEMS, AND PARTICIPATING IN THE STATE MEDICAL
9 ASSISTANCE PROGRAM DESCRIBED IN ARTICLES 4, 5, AND 6 OF TITLE 25.5;
10 AND

11 (VI) DEVELOP, IMPLEMENT, AND EVALUATE SUPPORTIVE HOUSING
12 PROGRAM SERVICES USING EVIDENCE-BASED, INNOVATIVE APPROACHES,
13 INCLUDING PROGRAMS TO PREVENT HOMELESSNESS AMONG PERSONS WITH
14 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS WHO HAVE
15 CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM.

16 (2) ON OR BEFORE AUGUST 1, 2021, AND EVERY AUGUST 1
17 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON THE TRAINING
18 PROGRAM REQUIRED BY THIS SECTION TO THE LEGISLATIVE OVERSIGHT
19 COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL
20 HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR
21 ANY SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THAT
22 COMMITTEE. NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
23 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED BY THIS
24 SECTION CONTINUES INDEFINITELY.

25 **24-32-727. Supportive housing predevelopment grant**
26 **program - created - rules - report - definitions - repeal.** (1) AS USED
27 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1 (a) "FUND" MEANS THE HOUSING ASSISTANCE FOR PERSONS
2 TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH
3 FUND CREATED IN SECTION 24-32-721 (4)(d).

4 (b) "GRANT PROGRAM" MEANS THE SUPPORTIVE HOUSING
5 PREDEVELOPMENT GRANT PROGRAM ESTABLISHED IN THIS SECTION.

6 (2) THERE IS HEREBY CREATED IN THE DIVISION THE SUPPORTIVE
7 HOUSING PREDEVELOPMENT GRANT PROGRAM TO PROVIDE GRANTS TO
8 ENTITIES WORKING TO DEVELOP SUPPORTIVE HOUSING INTERVENTIONS
9 THAT WILL SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
10 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
11 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
12 JUSTICE SYSTEM.

13 (3) (a) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED
14 THROUGH THE GRANT PROGRAM TO COVER COSTS ASSOCIATED WITH THE
15 DEVELOPMENT AND IMPLEMENTATION OF AN EVIDENCE-BASED
16 SUPPORTIVE HOUSING PROGRAM THAT WILL SERVE PERSONS WITH
17 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS IN THE
18 COMMUNITY WHO ARE HOMELESS OR AT RISK OF BECOMING HOMELESS
19 AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE
20 SYSTEM, INCLUDING BY CREATING NEW OR ADDITIONAL STAFF CAPACITY
21 TO DEVELOP, SUPPORT, AND EVALUATE THE PROGRAM.

22 (b) THE DIVISION SHALL PROVIDE INTENSIVE, HANDS-ON
23 TECHNICAL ASSISTANCE TO GRANT RECIPIENTS DURING THE
24 IMPLEMENTATION OF THE GRANTS.

25 (4) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
26 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
27 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,

1 GRANTS SHALL BE PAID OUT OF THE FUND.

2 (5) THE DIVISION SHALL DEVELOP AND PUBLISH POLICIES AND
3 PROCEDURES IN CONSULTATION WITH COMMUNITY STAKEHOLDERS TO
4 IMPLEMENT THE GRANT PROGRAM IN ACCORDANCE WITH THIS SECTION. AT
5 A MINIMUM, THE POLICIES AND PROCEDURES MUST SPECIFY THE TIME
6 FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM
7 APPLICATION, AND THE PROGRAM EVALUATION AND REPORTING
8 REQUIREMENTS FOR GRANT RECIPIENTS.

9 (6) TO BE ELIGIBLE TO RECEIVE A GRANT FROM THE GRANT
10 PROGRAM, AN ENTITY MUST:

11 (a) BE AN AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT,
12 A TRIBAL AGENCY OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A
13 NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND
14 IN GOOD STANDING WITH THE COLORADO SECRETARY OF STATE'S OFFICE;

15 (b) DEMONSTRATE PROFICIENCY IN THE AREAS DESCRIBED IN
16 SECTION 24-32-726 (1)(c); AND

17 (c) SATISFY ANY ADDITIONAL CRITERIA AS SET FORTH IN THE
18 DIVISION'S POLICIES AND PROCEDURES.

19 (7) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
20 PURSUANT TO THIS SECTION. TO BE ELIGIBLE TO RECEIVE A GRANT, THE
21 APPLICATION MUST ESTABLISH:

22 (I) THE COMMUNITY'S NEED FOR ASSISTANCE IN OVERCOMING
23 BARRIERS TO ACCESSING EXISTING FUNDS FOR SUPPORTIVE HOUSING
24 PROGRAMS THAT SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
25 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
26 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
27 JUSTICE SYSTEM;

1 (II) THE COMMUNITY'S POPULATION OF PERSONS WITH
2 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS WHO HAVE
3 HAD CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM IN THE
4 PREVIOUS TWELVE MONTHS AND ARE HOMELESS, IN UNSTABLE HOUSING
5 ENVIRONMENTS, OR IN TRANSITION FROM INSTITUTIONS, AND THE
6 COMMUNITY'S NEED AND INTENTION TO BUILD ITS CAPACITY TO SUPPORT
7 THOSE INDIVIDUALS; AND

8 (III) ANY ADDITIONAL CRITERIA SET FORTH IN THE DIVISION'S
9 POLICIES AND PROCEDURES.

10 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS FROM ENTITIES
11 THAT PROVIDE SERVICES OR PLAN TO PROVIDE SERVICES TO PERSONS WITH
12 SEVERE AND PERSISTENT MENTAL ILLNESS OR TO RURAL OR FRONTIER
13 COMMUNITIES.

14 (8) GRANT AWARDS ARE IN THE SOLE DISCRETION OF THE
15 EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS SECTION.

16 (9) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
17 JANUARY 1, 2021, AND ON OR BEFORE JANUARY 1 OF THE SUCCEEDING
18 TWO YEARS, THE EXECUTIVE DIRECTOR SHALL AWARD GRANTS IN
19 ACCORDANCE WITH THIS SECTION.

20 (10) ON OR BEFORE AUGUST 1, 2021, AND ON OR BEFORE AUGUST
21 1 EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON THE
22 GRANT PROGRAM TO THE LEGISLATIVE OVERSIGHT COMMITTEE
23 CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH
24 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR ANY
25 SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THAT
26 COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
27 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL

1 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (12) OF THIS
2 SECTION.

3 (11) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
4 THE GENERAL FUND OR THE MARIJUANA TAX CASH FUND CREATED IN
5 SECTION 39-28.8-501 TO THE FUND IN ACCORDANCE WITH SECTION
6 24-32-721 TO IMPLEMENT THE GRANT PROGRAM. ANY MONEY IN THE FUND
7 AT THE END OF ANY FISCAL YEAR DOES NOT REVERT TO THE GENERAL
8 FUND. THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
9 DIVISION FOR THE PURPOSES SPECIFIED IN THIS SECTION. FOR ANY GIVEN
10 STATE FISCAL YEAR, NO MORE THAN THREE PERCENT OF THE MONEY
11 APPROPRIATED FROM THE FUND FOR THE GRANT PROGRAM MAY BE
12 EXPENDED FOR THE ADMINISTRATIVE COSTS OF THE DIVISION IN
13 ADMINISTERING THE GRANT PROGRAM.

14 (12) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024.
15 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
16 ACCORDANCE WITH SECTION 24-34-104.

17 **24-32-728. Supportive housing services and homelessness**
18 **prevention grant program - created - rules - report - definitions -**
19 **repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "CONTINUUM OF CARE" HAS THE SAME MEANING AS SET FORTH
22 IN 24 C.F.R. 578.3.

23 (b) "FUND" MEANS THE HOUSING ASSISTANCE FOR PERSONS
24 TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH
25 FUND CREATED IN SECTION 24-32-721 (4)(d).

26 (c) "GRANT PROGRAM" MEANS THE SUPPORTIVE HOUSING
27 SERVICES AND HOMELESSNESS PREVENTION GRANT PROGRAM

1 ESTABLISHED IN THIS SECTION.

2 (d) "STATE MEDICAL ASSISTANCE PROGRAM" MEANS THE PROGRAM
3 OF MEDICAL ASSISTANCE DESCRIBED IN ARTICLES 4, 5, AND 6 OF TITLE
4 25.5.

5 (e) "SUPPORTIVE HOUSING SERVICES" INCLUDES SERVICES
6 INTENDED TO ALLOW A PERSON WITH A BEHAVIORAL, MENTAL HEALTH, OR
7 SUBSTANCE USE DISORDER TO SECURE AND RETAIN STABLE HOUSING.

8 (2) THERE IS HEREBY CREATED IN THE DIVISION THE SUPPORTIVE
9 HOUSING SERVICES AND HOMELESSNESS PREVENTION GRANT PROGRAM TO
10 PROVIDE GRANTS TO COMMUNITIES PROVIDING SUPPORTIVE HOUSING
11 SERVICES AND HOMELESSNESS PREVENTION PROGRAMS INTENDED TO KEEP
12 PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE
13 DISORDERS HOUSED.

14 (3) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH
15 THE GRANT PROGRAM TO:

16 (a) DEVELOP AND IMPLEMENT EVIDENCE-BASED PROGRAMS
17 INTENDED TO PREVENT HOMELESSNESS AMONG PERSONS WITH
18 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS IN THE
19 COMMUNITY WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
20 JUSTICE SYSTEM; OR

21 (b) COVER THE COSTS OF PROVIDING SUPPORTIVE HOUSING
22 SERVICES TO PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
23 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
24 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
25 JUSTICE SYSTEM, IF:

26 (I) THE PERSON OR ENTITY PROVIDING THE SERVICE IS NOT
27 CURRENTLY ABLE TO BILL THE STATE MEDICAL ASSISTANCE PROGRAM FOR

1 SUPPORTIVE HOUSING SERVICES AND IS IN THE PROCESS OF BECOMING
2 AUTHORIZED TO BILL THE PROGRAM FOR THOSE SERVICES OR IS
3 ESTABLISHING A RELATIONSHIP WITH A REGIONAL ACCOUNTABLE ENTITY
4 OR SUCCESSOR ORGANIZATION; OR

5 (II) THE SUPPORTIVE HOUSING SERVICE BEING PROVIDED IS NOT
6 CURRENTLY ELIGIBLE FOR REIMBURSEMENT UNDER THE STATE MEDICAL
7 ASSISTANCE PROGRAM.

8 (4) THE DIVISION SHALL PROVIDE INTENSIVE, HANDS-ON
9 TECHNICAL ASSISTANCE TO GRANT RECIPIENTS DURING THE
10 IMPLEMENTATION OF THE GRANTS.

11 (5) TO SUPPORT THE IMPLEMENTATION OF GRANTS UNDER THIS
12 SECTION, EXPAND THE PROVISION OF SUPPORTIVE HOUSING SERVICES, AND
13 ALLOW INDIVIDUALS SERVED BY THE GRANT PROGRAM TO RECEIVE
14 SUPPORTIVE HOUSING SERVICES ON A LONG-TERM SUSTAINABLE BASIS,
15 THE DIVISION, THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT
16 OF HUMAN SERVICES, AND THE DEPARTMENT OF HEALTH CARE POLICY AND
17 FINANCING SHALL COLLABORATE ON AN ONGOING BASIS TO IDENTIFY
18 ADDITIONAL PROVIDERS AND SERVICES THAT COULD BE ELIGIBLE FOR
19 REIMBURSEMENT UNDER THE STATE MEDICAL ASSISTANCE PROGRAM. THE
20 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL SUBMIT TO
21 THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES AN
22 AMENDMENT TO THE STATE MEDICAL ASSISTANCE PLAN AND SHALL
23 REQUEST ANY NECESSARY WAIVERS FROM THE SECRETARY OF THE
24 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW SUCH
25 ADDITIONAL REIMBURSEMENTS AS IDENTIFIED THROUGHOUT THE COURSE
26 OF THE GRANT PROGRAM.

27 (6) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,

1 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
2 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,
3 GRANTS SHALL BE PAID OUT OF THE FUND.

4 (7) THE DIVISION SHALL DEVELOP AND PUBLISH POLICIES AND
5 PROCEDURES IN CONSULTATION WITH STAKEHOLDERS TO IMPLEMENT THE
6 GRANT PROGRAM IN ACCORDANCE WITH THIS SECTION. AT A MINIMUM,
7 THE POLICIES AND PROCEDURES MUST SPECIFY THE TIME FRAMES FOR
8 APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM APPLICATION,
9 AND THE PROGRAM EVALUATION AND REPORTING REQUIREMENTS FOR
10 GRANT RECIPIENTS.

11 (8) TO BE ELIGIBLE TO RECEIVE A GRANT FROM THE GRANT
12 PROGRAM, AN ENTITY MUST:

13 (a) BE AN AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT,
14 A TRIBAL AGENCY OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A
15 NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND
16 IN GOOD STANDING WITH THE COLORADO SECRETARY OF STATE'S OFFICE;

17 (b) DEMONSTRATE A PLAN FOR COLLABORATION WITH A REGIONAL
18 ACCOUNTABLE ENTITY OR SUCCESSOR ORGANIZATION;

19 (c) DEMONSTRATE PROFICIENCY IN THE AREAS DESCRIBED IN
20 SECTION 24-32-726 (1)(c); AND

21 (d) SATISFY ANY ADDITIONAL CRITERIA AS SET FORTH IN THE
22 DIVISION'S POLICIES AND PROCEDURES.

23 (9) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
24 PURSUANT TO THIS SECTION. TO BE ELIGIBLE TO RECEIVE A GRANT, THE
25 APPLICATION MUST ESTABLISH:

26 (I) THE COMMUNITY'S NEED FOR ASSISTANCE IN OVERCOMING
27 BARRIERS TO ACCESSING EXISTING FUNDS FOR SUPPORTIVE HOUSING

1 PROGRAMS THAT SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
2 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
3 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
4 JUSTICE SYSTEM;

5 (II) THE COMMUNITY'S POPULATION OF PERSONS WITH
6 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS WHO HAVE
7 HAD CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM IN THE
8 PREVIOUS TWELVE MONTHS AND ARE HOMELESS, IN UNSTABLE HOUSING
9 ENVIRONMENTS, OR IN TRANSITION FROM INSTITUTIONS, AND THE
10 COMMUNITY'S NEED AND INTENTION TO BUILD ITS CAPACITY TO SUPPORT
11 THOSE INDIVIDUALS; AND

12 (III) ANY ADDITIONAL CRITERIA SET FORTH IN THE DIVISION'S
13 POLICIES AND PROCEDURES.

14 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS FROM ENTITIES
15 THAT PROVIDE SERVICES OR PLAN TO PROVIDE SERVICES TO PERSONS WITH
16 SEVERE AND PERSISTENT MENTAL ILLNESS OR TO RURAL OR FRONTIER
17 COMMUNITIES.

18 (10) AS A CONDITION OF RECEIVING THE GRANT, ALL GRANT
19 RECIPIENTS SHALL:

20 (a) PARTICIPATE IN DIVISION TRAININGS, TECHNICAL ASSISTANCE,
21 AND REPORTING REQUIREMENTS; AND

22 (b) USE OR PARTICIPATE IN, AS APPROPRIATE FOR THE PROGRAM
23 BEING FUNDED AND TO THE EXTENT POSSIBLE UNDER STATE AND FEDERAL
24 LAW, THE COLORADO HOMELESS MANAGEMENT INFORMATION SYSTEM
25 AND THE COORDINATED ENTRY SYSTEM DEVELOPED BY CONTINUUMS OF
26 CARE OR ANY SUCCESSOR SYSTEMS, THE STATE MEDICAL ASSISTANCE
27 PROGRAM, AND EXISTING HOUSING VOUCHER PROGRAMS.

1 (11) GRANT AWARDS ARE IN THE SOLE DISCRETION OF THE
2 EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS SECTION.

3 (12) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
4 JANUARY 1, 2022, AND ON OR BEFORE JANUARY 1 OF THE SUCCEEDING
5 TWO YEARS, THE EXECUTIVE DIRECTOR SHALL AWARD GRANTS IN
6 ACCORDANCE WITH THIS SECTION.

7 (13) ON OR BEFORE AUGUST 1, 2022, AND ON OR BEFORE AUGUST
8 1 OF EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON
9 THE GRANT PROGRAM TO THE LEGISLATIVE OVERSIGHT COMMITTEE
10 CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH
11 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR ANY
12 SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THE
13 COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
14 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL
15 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (15) OF THIS
16 SECTION.

17 (14) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
18 THE GENERAL FUND OR THE MARIJUANA TAX CASH FUND CREATED IN
19 SECTION 39-28.8-501 TO THE FUND IN ACCORDANCE WITH SECTION
20 24-32-721 TO IMPLEMENT THE GRANT PROGRAM. ANY MONEY IN THE FUND
21 AT THE END OF ANY FISCAL YEAR DOES NOT REVERT TO THE GENERAL
22 FUND. THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
23 DIVISION FOR THE PURPOSES SPECIFIED IN THIS SECTION. FOR ANY GIVEN
24 STATE FISCAL YEAR, NO MORE THAN THREE PERCENT OF THE MONEY
25 APPROPRIATED FROM THE FUND FOR THE GRANT PROGRAM MAY BE
26 EXPENDED FOR THE ADMINISTRATIVE COSTS OF THE DIVISION IN
27 ADMINISTERING THE GRANT PROGRAM.

1 (15) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.
2 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
3 ACCORDANCE WITH SECTION 24-34-104.

4 **24-32-729. Data integration and resource collection related to**
5 **homelessness.** (1) THE DIVISION SHALL PLAN TO INCREASE
6 PARTICIPATION IN REGIONAL HOMELESS DATA SYSTEMS, SUPPORT
7 ACCURATE DATA REPORTING BY PARTICIPANTS, AND ASSESS
8 HOUSING-RELATED NEEDS FOR PERSONS WITH BEHAVIORAL, MENTAL
9 HEALTH, OR SUBSTANCE USE DISORDERS. THE PROGRAM MUST:

10 (a) IN CONSULTATION WITH THE CONTINUUMS OF CARE, EVALUATE
11 HOW TO INCREASE STATEWIDE USE OF THE COLORADO HOMELESS
12 MANAGEMENT INFORMATION SYSTEM AND THE COORDINATED ENTRY
13 SYSTEM DEVELOPED BY CONTINUUMS OF CARE IN ACCORDANCE WITH 24
14 C.F.R. 578.7 IN ORDER TO BETTER TRACK POPULATIONS IN NEED,
15 INCLUDING:

16 (I) IDENTIFYING THE TECHNICAL NEEDS AND ASSOCIATED COSTS
17 FOR INCREASING USE AND SUPPORT OF THE DATA SYSTEMS ACROSS THE
18 STATE;

19 (II) PROVIDING TECHNICAL ASSISTANCE AND TRAINING TO LOCAL
20 COMMUNITIES TO ALLOW THEM TO CONNECT TO AND USE THE DATA
21 SYSTEMS EFFECTIVELY; AND

22 (III) WORKING WITH LOCAL COMMUNITIES TO IDENTIFY WAYS TO
23 USE THE DATA SYSTEMS TO INCREASE PROGRAM EFFECTIVENESS AND
24 CONDUCT PROGRAM EVALUATIONS;

25 (b) WORK WITH LOCAL COMMUNITIES, THE OFFICE OF BEHAVIORAL
26 HEALTH IN THE DEPARTMENT OF HUMAN SERVICES, STATE AGENCIES,
27 CONTINUUMS OF CARE, SERVICE DELIVERY ORGANIZATIONS, AND OTHER

1 STAKEHOLDERS TO INTEGRATE OR DEVELOP AN INTEGRATED USER
2 INTERFACE FOR DATA SYSTEMS RELATED TO HOUSING AND SUPPORTIVE
3 SERVICES, INCLUDING THE COLORADO HOMELESS MANAGEMENT
4 INFORMATION SYSTEM, THE COORDINATED ENTRY SYSTEM, THE
5 BEHAVIORAL HEALTH CAPACITY TRACKING SYSTEM CREATED IN SECTION
6 27-60-104.5, AND THE COLORADO 2-1-1 COLLABORATIVE, AND ANY
7 SUCCESSOR SYSTEMS; AND

8 (c) ENHANCE INFORMATION RELATED TO SUPPORTIVE HOUSING
9 BEST PRACTICES, TRAININGS, AND RESOURCES THAT CAN BE ACCESSED
10 STATEWIDE.

11 **SECTION 3.** In Colorado Revised Statutes, 24-32-721, **amend**
12 (4)(c) as follows:

13 **24-32-721. Colorado affordable housing construction grants**
14 **and loans - housing development grant fund - creation - housing**
15 **assistance for persons with behavioral, mental health, or substance**
16 **use disorders - cash fund - appropriation - report to general assembly**
17 **- definition.** (4) (c) In addition to any other uses specified in this section,
18 the division shall also:

19 (I) Provide grants or loans for the acquisition, construction, or
20 rehabilitation of rental housing for persons with behavioral or mental
21 health disorders; AND

22 (II) IMPLEMENT THE GRANT PROGRAMS CREATED IN SECTIONS
23 24-32-727 AND 24-32-728.

24 **SECTION 4.** In Colorado Revised Statutes, 24-34-104, **add**
25 (25)(a)(XXII) and (28)(a)(III) as follows:

26 **24-34-104. General assembly review of regulatory agencies**
27 **and functions for repeal, continuation, or reestablishment - legislative**

1 **declaration - repeal.** (25) (a) The following agencies, functions, or both,
2 are scheduled for repeal on September 1, 2024:

3 (XXII) THE SUPPORTIVE HOUSING PREDEVELOPMENT GRANT
4 PROGRAM CREATED IN SECTION 24-32-727.

5 (28) (a) The following agencies, functions, or both, are scheduled
6 for repeal on September 1, 2027:

7 (III) THE SUPPORTIVE HOUSING SERVICES AND HOMELESSNESS
8 PREVENTION GRANT PROGRAM CREATED IN SECTION 24-32-728.

9 **SECTION 5. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2020 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment E

BILL D

LLS NO. 20-0259.01 Shelby Ross x4510

SENATE BILL

SENATE SPONSORSHIP

Rodriguez and Fields, Cooke

HOUSE SPONSORSHIP

Singer,

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE DEVELOPMENT OF A STRATEGIC PLAN TO**
102 **IMPLEMENT A TRUSTED INTEROPERABILITY PLATFORM.**

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/>.)

The Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems. The bill creates the trusted interoperability platform advisory committee (committee) to develop a strategic plan to implement a trusted interoperability platform that

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

securely exchanges information between criminal and juvenile justice systems and community health agencies.

The bill requires the committee to submit an initial strategic plan to the chief information officer no later than May 1, 2021, and a final strategic plan to specified committees of the general assembly no later than September 1, 2021.

The bill repeals the committee on October 1, 2021.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-33.5-524 as follows:

24-33.5-524. Trusted interoperability platform advisory committee - creation - strategic plan - repeal. (1) (a) THERE IS CREATED THE TRUSTED INTEROPERABILITY PLATFORM ADVISORY COMMITTEE, REFERRED TO IN THIS SECTION AS THE "COMMITTEE". THE INTENT OF THE COMMITTEE IS TO DEVELOP A STRATEGIC PLAN TO IMPLEMENT A TRUSTED INTEROPERABILITY PLATFORM THAT SECURELY EXCHANGES INFORMATION BETWEEN CRIMINAL AND JUVENILE JUSTICE SYSTEMS AND COMMUNITY HEALTH AGENCIES TO IMPROVE THE HEALTH, STABILITY, AND PROSOCIAL ADJUSTMENT OF INDIVIDUALS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS; DECREASE RECIDIVISM; AND EVALUATE SYSTEM NEEDS AND PROGRAMS.

(b) THE COMMITTEE SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY.

(c) THE COMMITTEE CONSISTS OF THE FOLLOWING ELEVEN MEMBERS:

(I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

1 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
2 SERVICES OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

3 (IV) THE CHIEF INFORMATION OFFICER OF THE OFFICE OF
4 INFORMATION TECHNOLOGY OR THE CHIEF INFORMATION OFFICER'S
5 DESIGNEE;

6 (V) THE DIRECTOR OF THE DIVISION OF YOUTH SERVICES IN THE
7 DEPARTMENT OF HUMAN SERVICES OR THE DIRECTOR'S DESIGNEE;

8 (VI) THE STATE COURT ADMINISTRATOR OR THE STATE COURT
9 ADMINISTRATOR'S DESIGNEE; AND

10 (VII) THE FOLLOWING FIVE MEMBERS APPOINTED BY THE
11 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY:

12 (A) ONE COUNTY SHERIFF REPRESENTING A STATEWIDE
13 ASSOCIATION OF COUNTY SHERIFFS;

14 (B) ONE MEMBER OF A NONPROFIT ORGANIZATION REPRESENTING
15 A NETWORK OF COMMUNITY BEHAVIORAL HEALTH PROVIDERS;

16 (C) ONE MEMBER REPRESENTING THE COLORADO INTEGRATED
17 CRIMINAL JUSTICE INFORMATION SYSTEM, CREATED IN SECTION
18 16-20.5-103; AND

19 (D) TWO MEMBERS REPRESENTING A HEALTH INFORMATION
20 EXCHANGE IN COLORADO.

21 (d) THE MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT
22 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

23 (e) THE COMMITTEE SHALL MEET AT LEAST FOUR TIMES PER
24 CALENDAR YEAR. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
25 PUBLIC SAFETY OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SERVE AS
26 CHAIR OF THE COMMITTEE AND MAY CALL SUCH ADDITIONAL MEETINGS AS
27 MAY BE NECESSARY FOR THE COMMITTEE TO COMPLETE ITS DUTIES.

1 (2) NO LATER THAN MAY 1, 2021, THE COMMITTEE SHALL SUBMIT
2 AN INITIAL STRATEGIC PLAN TO IMPLEMENT A TRUSTED INTEROPERABILITY
3 PLATFORM TO THE CHIEF INFORMATION OFFICER, APPOINTED PURSUANT TO
4 SECTION 24-37.5-103. NO LATER THAN SEPTEMBER 1, 2021, THE
5 COMMITTEE SHALL SUBMIT A FINAL STRATEGIC PLAN TO THE LEGISLATIVE
6 COUNCIL; THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY; THE
7 LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF
8 PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND
9 JUVENILE JUSTICE SYSTEMS; AND THE JUDICIARY COMMITTEES OF THE
10 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
11 COMMITTEES. THE STRATEGIC PLAN MUST:

12 (a) ENABLE AGENCIES TO EXCHANGE LEGALLY AUTHORIZED AND
13 SECURE INFORMATION TO IMPROVE THE MANAGEMENT AND CARE OF
14 INDIVIDUALS SERVED BY THE AGENCY SYSTEMS;

15 (b) PROVIDE UNIFORM DATA AND COMPLY WITH NATIONAL
16 CRIMINAL JUSTICE AND HEALTH INFORMATION STANDARDS;

17 (c) COMPLY WITH APPLICABLE FEDERAL AND STATE LAWS AND
18 REGULATIONS;

19 (d) USE IDENTITY AND ACCESS MANAGEMENT TO ALLOW USERS TO
20 ACCESS AUTHORIZED INFORMATION BASED ON THE USER'S CREDENTIALS
21 AND AGENCY ROLE;

22 (e) USE A FEDERATED INFORMATION SYSTEM, CONSISTENT WITH A
23 STATEWIDE APPROACH, AS AN INTEGRATING LAYER OVER EXISTING
24 LEGACY APPLICATIONS AND DATABASES;

25 (f) ALLOW EACH AGENCY TO RETAIN ITS OWN INFORMATION
26 DATABASE;

27 (g) ALLOW CONTINUOUS MONITORING OF THE SYSTEM BY

1 ESTABLISHING USER ACCESS AND REPORTING REQUIREMENTS;

2 (h) MINIMIZE CURRENT AND FUTURE COSTS BY BUILDING AN AGILE
3 SYSTEM THAT CONNECTS EXISTING AGENCY SYSTEMS WHEN COST
4 EFFECTIVE AND CREATES SYSTEM INTERFACES THAT ARE FLEXIBLE
5 ENOUGH TO ACCOMMODATE FUTURE INFORMATION-SHARING NEEDS IN A
6 COST-EFFECTIVE MANNER; AND

7 (i) RESULT IN A SYSTEM THAT ACCOMPLISHES THE FOLLOWING
8 GOALS:

9 (I) FACILITATING UNIFORM AND MAXIMUM INTERFACING AMONG
10 CRIMINAL AND JUVENILE JUSTICE STATE AGENCIES, COUNTY JAILS,
11 COMMUNITY BEHAVIORAL HEALTH CENTERS, AND HEALTH INFORMATION
12 EXCHANGES TO PROVIDE INFORMATION THAT IS RELEVANT TO THE
13 MANAGEMENT AND CARE OF INDIVIDUALS WHO ARE CURRENTLY UNDER AN
14 AGENCY'S PURVIEW; AND

15 (II) MAKING DATA AVAILABLE FOR RESEARCH ANALYSIS AND
16 DE-IDENTIFIED DATA REPORTING TO POLICYMAKERS FOR SYSTEM NEEDS
17 IDENTIFICATION, POLICY INITIATIVES, AND EVALUATIONS IN ACCORDANCE
18 WITH APPLICABLE LAWS.

19 (3) THIS SECTION IS REPEALED, EFFECTIVE OCTOBER 1, 2021.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

1 November 2020 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

Attachment F

BILL E

LLS NO. 20-0260.02 Jane Ritter x4342

SENATE BILL

SENATE SPONSORSHIP

Rodriguez and Fields,

HOUSE SPONSORSHIP

Singer, Benavidez

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REAUTHORIZATION OF THE LEGISLATIVE**
102 **OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF**
103 **PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE**
104 **CRIMINAL AND JUVENILE JUSTICE SYSTEMS.**

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/>.)

The Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems. The bill extends the repeal date for the

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

1 2011 THROUGH 2012 INDICATE THAT HALF OF THE PEOPLE INCARCERATED
2 IN PRISONS, AND TWO-THIRDS OF THOSE IN JAIL, HAVE EITHER A CURRENT
3 SERIOUS PSYCHOLOGICAL DISTRESS OR A HISTORY OF MENTAL HEALTH
4 CONCERNS.

5 (c) THE DEPARTMENT OF CORRECTIONS DATA INDICATE THAT ONE
6 OUT OF EVERY THREE MEN AND FOUR OUT OF EVERY FIVE WOMEN
7 IMPRISONED IN COLORADO HAVE A MODERATE TO SEVERE MENTAL
8 HEALTH DISORDER;

9 (d) THE DIVISION OF YOUTH SERVICES DATA INDICATE THAT
10 FIFTY-NINE PERCENT OF NEWLY COMMITTED YOUTH REQUIRE MENTAL
11 HEALTH INTERVENTION OR SERVICES, AND NATIONALLY, JUVENILE
12 INSTITUTIONS ARE ILL-EQUIPPED TO PROVIDE A COMPREHENSIVE ARRAY OF
13 SUCH SERVICES TO MEET THE NEEDS; AND

14 (e) LARGE NUMBERS OF PEOPLE WITH BEHAVIORAL HEALTH
15 DISORDERS ARE BEING SENT TO SECURE JUSTICE SETTINGS INSTEAD OF
16 RECEIVING COMMUNITY TREATMENT. AS A RESULT, THE CRIMINAL JUSTICE
17 SYSTEM HAS BECOME THE STOPGAP PROVIDER TO ADDRESS CHRONIC AND
18 ACUTE BEHAVIORAL HEALTH NEEDS IN OUR STATE.

19 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

20 (a) ACTIONS FOCUSED ON PERSONS WHO ARE AT RISK OF ENTRY
21 INTO THE SYSTEM DUE TO BEHAVIORAL HEALTH DISORDERS, AND ACTIONS
22 TO HELP REDUCE AND PREVENT RECIDIVISM ONCE SUCH INDIVIDUALS ARE
23 IN THE SYSTEM, ARE CRITICAL IN ADDRESSING THE PROBLEM;

24 (b) RESEARCH DEMONSTRATES A NEED TO DIVERT PERSONS WITH
25 BEHAVIORAL HEALTH DISORDERS TO TREATMENT PROGRAMS AND TO
26 PROVIDE WRAPAROUND SERVICES, SUCH AS HOUSING AND CONTINUED
27 MEDICAL AND BEHAVIORAL HEALTH TREATMENT UPON RELEASE; AND

1 (c) PREVENTION AND INTERVENTION NEEDS RANGE FROM, BUT ARE
2 NOT LIMITED TO, SCHOOL-BASED BEHAVIORAL HEALTH SERVICES; LAW
3 ENFORCEMENT DIRECTED DIVERSION; COMMUNITY SCREENING,
4 ASSESSMENT, AND TREATMENT; SECURE SETTINGS WITHIN CORRECTION
5 FACILITIES; AND SUPPORTIVE RE-ENTRY SERVICES, INCLUDING HOUSING,
6 AS CRITICAL COMPONENTS OF DIGNITY, SAFETY, AND RECOVERY.

7 (3) IN ADDITION, THE GENERAL ASSEMBLY FINDS THAT THE
8 RESULTS OF A REPORT REQUESTED BY THE JOINT BUDGET COMMITTEE IN
9 1999 RECOMMENDED CROSS-SYSTEM COLLABORATION AND
10 COMMUNICATION AS A METHOD FOR REDUCING THE NUMBER OF PERSONS
11 WITH MENTAL HEALTH DISORDERS WHO ARE INVOLVED IN THE CRIMINAL
12 AND JUVENILE JUSTICE SYSTEMS. THE COMMITTEE AND TASK FORCE
13 CREATED BY THIS ARTICLE 1.9 SHALL CONSIDER THE BROADER CONTINUUM
14 OF BEHAVIORAL HEALTH DISORDERS TO BETTER ACCOUNT FOR THE NEEDS
15 OF THE AT-RISK POPULATION BEING STUDIED.

16 (4) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT,
17 DESPITE THE IMPACT AND REACH OF THE PREVIOUS WORK OF THE
18 LEGISLATIVE OVERSIGHT COMMITTEE AND TASK FORCE, A SIGNIFICANT
19 NEED REMAINS FOR ONGOING INNOVATION TO ADDRESS THESE AND
20 RELATED ISSUES. THE GENERAL ASSEMBLY THEREFORE DETERMINES THAT
21 IT IS NECESSARY TO CONTINUE THE LEGISLATIVE OVERSIGHT COMMITTEE
22 AND TASK FORCE TO EXAMINE THE IDENTIFICATION, DIAGNOSIS, AND
23 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE
24 AT RISK OF INVOLVEMENT WITH OR WHO ARE ALREADY INVOLVED IN THE
25 CRIMINAL OR JUVENILE JUSTICE SYSTEMS AND TO DEVELOP STRATEGIES TO
26 ADDRESS THE ISSUES SUCH PEOPLE FACE.

27 **18-1.9-102. Definitions.** AS USED IN THIS ARTICLE 1.9, UNLESS

1 THE CONTEXT OTHERWISE REQUIRES:

2 (1) "BEHAVIORAL HEALTH" REFERS TO AN INDIVIDUAL'S MENTAL
3 ANDEMOITIONAL WELL-BEING AND ACTIONS THAT AFFECT AN INDIVIDUAL'S
4 OVERALL WELLNESS. BEHAVIORAL HEALTH PROBLEMS AND DISORDERS
5 INCLUDE SUBSTANCE USE DISORDERS, SERIOUS PSYCHOLOGICAL DISTRESS,
6 SUICIDE, AND OTHER MENTAL HEALTH DISORDERS. PROBLEMS RANGING
7 FROM UNHEALTHY STRESS OR SUBCLINICAL CONDITIONS TO DIAGNOSABLE
8 AND TREATABLE DISEASES ARE INCLUDED IN THE TERM "BEHAVIORAL
9 HEALTH". THE TERM "BEHAVIORAL HEALTH" IS ALSO USED TO DESCRIBE
10 SERVICE SYSTEMS THAT ENCOMPASS PREVENTION AND PROMOTION OF
11 EMOTIONAL HEALTH, PREVENTION AND TREATMENT SERVICES FOR MENTAL
12 HEALTH AND SUBSTANCE USE DISORDERS, AND RECOVERY SUPPORT.

13 (2) "CO-OCCURRING DISORDER" MEANS A DISORDER THAT
14 COMMONLY COINCIDES WITH MENTAL HEALTH DISORDERS AND MAY
15 INCLUDE, BUT IS NOT LIMITED TO, SUBSTANCE ABUSE AND SUBSTANCE USE
16 DISORDERS, BEHAVIORAL HEALTH DISORDERS, INTELLECTUAL AND
17 DEVELOPMENTAL DISABILITIES, FETAL ALCOHOL SYNDROME, AND
18 TRAUMATIC BRAIN INJURY.

19 (3) "LEGISLATIVE OVERSIGHT COMMITTEE" OR "COMMITTEE"
20 MEANS THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE
21 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
22 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO
23 SECTION 18-1.9-103.

24 (4) "TASK FORCE" MEANS THE TASK FORCE CONCERNING THE
25 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
26 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO
27 SECTION 18-1.9-104.

1 **18-1.9-103. Legislative oversight committee concerning the**
2 **treatment of persons with behavioral health disorders in the criminal**
3 **and juvenile justice systems - creation - duties. (1) Creation.**

4 (a) THERE IS CREATED A LEGISLATIVE OVERSIGHT COMMITTEE
5 CONCERNING THE TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH
6 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

7 (b) THE COMMITTEE CONSISTS OF SIX MEMBERS AS FOLLOWS:

8 (I) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO SENATORS
9 TO SERVE ON THE COMMITTEE, AND THE MINORITY LEADER OF THE SENATE
10 SHALL APPOINT ONE SENATOR TO SERVE ON THE COMMITTEE; AND

11 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
12 APPOINT THREE REPRESENTATIVES TO SERVE ON THE COMMITTEE, NO
13 MORE THAN TWO OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY.

14 (c) APPOINTEES TO THE COMMITTEE MUST HAVE EXPERIENCE WITH
15 OR INTEREST IN THE STUDY AREAS OF THE COMMITTEE AND TASK FORCE,
16 AS SET FORTH IN SECTION 18-1.9-104.

17 (d) THE TERMS OF THE MEMBERS WHO ARE SERVING ON THE
18 EFFECTIVE DATE OF THIS SECTION ARE EXTENDED TO AND EXPIRE ON OR
19 TERMINATE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF
20 THE SEVENTY-THIRD GENERAL ASSEMBLY. AS SOON AS PRACTICABLE
21 AFTER SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE
22 LEGISLATIVE SESSION, THE SPEAKER, THE PRESIDENT, AND THE MINORITY
23 LEADER OF THE SENATE SHALL EACH APPOINT OR REAPPOINT MEMBERS IN
24 THE SAME MANNER AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION.
25 THEREAFTER, THE TERMS OF MEMBERS APPOINTED OR REAPPOINTED BY
26 THE SPEAKER, THE PRESIDENT, AND THE MINORITY LEADER OF THE SENATE
27 EXPIRE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF EACH

1 GENERAL ASSEMBLY, AND ALL SUBSEQUENT APPOINTMENTS AND
2 REAPPOINTMENTS BY THE SPEAKER, THE PRESIDENT, AND THE MINORITY
3 LEADER OF THE SENATE MUST BE MADE AS SOON AS PRACTICABLE AFTER
4 SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE
5 LEGISLATIVE SESSION.

6 (e) THE PERSON MAKING THE ORIGINAL APPOINTMENT OR
7 REAPPOINTMENT SHALL FILL ANY VACANCY BY APPOINTMENT FOR THE
8 REMAINDER OF AN UNEXPIRED TERM. MEMBERS APPOINTED OR
9 REAPPOINTED SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY
10 AND CONTINUE IN OFFICE UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED.

11 (f) THE PRESIDENT OF THE SENATE SHALL SELECT THE FIRST CHAIR
12 OF THE COMMITTEE, AND THE SPEAKER OF THE HOUSE OF
13 REPRESENTATIVES SHALL SELECT THE FIRST VICE-CHAIR. THE CHAIR AND
14 VICE-CHAIR SHALL ALTERNATE ANNUALLY THEREAFTER BETWEEN THE
15 TWO HOUSES.

16 (g) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY
17 ESTABLISH SUCH ORGANIZATIONAL AND PROCEDURAL RULES AS ARE
18 NECESSARY FOR THE OPERATION OF THE COMMITTEE AND, IN
19 COLLABORATION WITH THE TASK FORCE, GUIDELINES AND EXPECTATIONS
20 FOR ONGOING COLLABORATION WITH THE TASK FORCE.

21 (h) (I) MEMBERS OF THE COMMITTEE MAY RECEIVE PAYMENT OF
22 PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES
23 AUTHORIZED PURSUANT TO SECTION 2-2-307.

24 (II) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL
25 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL
26 SUPPLY STAFF ASSISTANCE TO THE COMMITTEE AS THEY DEEM
27 APPROPRIATE, WITHIN EXISTING APPROPRIATIONS.

1 (2) **Duties.** (a) (I) THE COMMITTEE SHALL MEET AT LEAST THREE
2 TIMES EACH YEAR AND AT SUCH OTHER TIMES AS IT DEEMS NECESSARY.

3 (II) EACH COMMITTEE MEMBER SHALL ANNUALLY EITHER ATTEND
4 OR CALL INTO AT LEAST ONE REGULAR TASK FORCE MEETING. COMMITTEE
5 MEMBERS ARE ENCOURAGED TO ATTEND SEPARATE MEETINGS AND INFORM
6 THE REST OF THE COMMITTEE ABOUT THE CURRENT WORK OF THE TASK
7 FORCE.

8 (b) THE COMMITTEE IS RESPONSIBLE FOR THE OVERSIGHT OF THE
9 TASK FORCE AND SHALL SUBMIT ANNUAL REPORTS TO THE GENERAL
10 ASSEMBLY REGARDING THE TASK FORCE'S FINDINGS AND
11 RECOMMENDATIONS. IN ADDITION, THE COMMITTEE MAY RECOMMEND
12 LEGISLATIVE CHANGES THAT ARE TREATED AS BILLS RECOMMENDED BY
13 AN INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES OF ANY
14 INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT
15 RULES OF THE GENERAL ASSEMBLY.

16 (c) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE COMMITTEE
17 SHALL SUBMIT, AND MAKE PUBLICLY AVAILABLE ON ITS WEBSITE, A
18 REPORT TO THE GENERAL ASSEMBLY. THE ANNUAL REPORTS MUST BRIEFLY
19 SUMMARIZE THE STUDY ISSUES, RECOMMENDATIONS CONSIDERED, AND
20 ANY ACTIONS TAKEN BY THE COMMITTEE DURING THE PREVIOUS YEAR.
21 THE REPORTS MUST COMPLY WITH THE PROVISIONS OF SECTION 24-1-136
22 (9). NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT
23 IN THIS SECTION TO REPORT TO THE GENERAL ASSEMBLY CONTINUES
24 INDEFINITELY.

25 **18-1.9-104. Task force concerning the treatment of persons**
26 **with behavioral health disorders in the criminal and juvenile justice**
27 **systems - creation - membership - duties.** (1) **Creation.** (a) THERE IS

1 CREATED A TASK FORCE CONCERNING THE TREATMENT OF PERSONS WITH
2 BEHAVIORAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE
3 SYSTEMS. THE TASK FORCE CONSISTS OF TWENTY-EIGHT MEMBERS
4 APPOINTED AS PROVIDED IN SUBSECTIONS (1)(b) AND (1)(c) OF THIS
5 SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION
6 18-1.9-105.

7 (b) THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT SHALL
8 APPOINT TWO MEMBERS WHO REPRESENT THE JUDICIAL DEPARTMENT, ONE
9 OF WHOM REPRESENTS THE DIVISION OF PROBATION WITHIN THE
10 DEPARTMENT.

11 (c) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE SHALL APPOINT
12 TWENTY-SIX MEMBERS AS FOLLOWS:

13 (I) ONE MEMBER WHO REPRESENTS THE DIVISION OF CRIMINAL
14 JUSTICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY;

15 (II) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
16 CORRECTIONS;

17 (III) TWO MEMBERS WHO REPRESENT LOCAL LAW ENFORCEMENT
18 AGENCIES, ONE OF WHOM REPRESENTS POLICE OFFICERS AND THE OTHER
19 OF WHOM REPRESENTS THE SHERIFF DEPARTMENTS THROUGHOUT THE
20 STATE;

21 (IV) THREE MEMBERS WHO REPRESENT THE DEPARTMENT OF
22 HUMAN SERVICES, AS FOLLOWS:

23 (A) ONE MEMBER WHO REPRESENTS THE OFFICE OF BEHAVIORAL
24 HEALTH;

25 (B) ONE MEMBER WHO REPRESENTS THE DIVISION OF YOUTH
26 SERVICES; AND

27 (C) ONE MEMBER WHO REPRESENTS THE UNIT WITHIN THE

1 DEPARTMENT OF HUMAN SERVICES THAT IS RESPONSIBLE FOR CHILD
2 WELFARE SERVICES;

3 (V) ONE MEMBER WHO REPRESENTS THE INTERESTS OF COUNTY
4 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES AND CAN REPRESENT A
5 RURAL COLORADO PERSPECTIVE;

6 (VI) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
7 EDUCATION;

8 (VII) ONE MEMBER WHO REPRESENTS THE STATE ATTORNEY
9 GENERAL'S OFFICE;

10 (VIII) ONE MEMBER WHO REPRESENTS THE DISTRICT ATTORNEYS
11 WITHIN THE STATE;

12 (IX) TWO MEMBERS WHO REPRESENT THE CRIMINAL DEFENSE BAR
13 WITHIN THE STATE, ONE OF WHOM HAS EXPERIENCE REPRESENTING
14 JUVENILES IN THE JUVENILE JUSTICE SYSTEM;

15 (X) TWO MEMBERS WHO ARE LICENSED MENTAL HEALTH
16 PROFESSIONALS PRACTICING WITHIN THE STATE, ONE OF WHOM HAS
17 EXPERIENCE TREATING JUVENILES;

18 (XI) ONE MEMBER WHO REPRESENTS COMMUNITY MENTAL
19 HEALTH CENTERS WITHIN THE STATE;

20 (XII) ONE MEMBER WHO IS A PERSON WITH KNOWLEDGE OF PUBLIC
21 BENEFITS AND PUBLIC HOUSING WITHIN THE STATE;

22 (XIII) ONE MEMBER WHO IS A MENTAL HEALTH PROFESSIONAL
23 PRACTICING IN FORENSIC ENVIRONMENTS;

24 (XIV) ONE MEMBER WHO REPRESENTS A NONPROFIT
25 ORGANIZATION THAT WORKS ON STATEWIDE LEGISLATION AND
26 ORGANIZING COLORADANS TO PROMOTE BEHAVIORAL, MENTAL, AND
27 PHYSICAL HEALTH NEEDS;

1 (XV) THREE MEMBERS OF THE PUBLIC AS FOLLOWS:

2 (A) ONE MEMBER WHO IS LIVING WITH A BEHAVIORAL HEALTH
3 DISORDER AND HAS BEEN INVOLVED IN THE CRIMINAL OR JUVENILE
4 JUSTICE SYSTEM IN THIS STATE;

5 (B) ONE MEMBER WHO HAS AN ADULT FAMILY MEMBER WHO HAS
6 A BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE
7 CRIMINAL JUSTICE SYSTEM IN THIS STATE; AND

8 (C) ONE MEMBER WHO IS THE PARENT OF A CHILD WHO HAS A
9 BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE
10 JUVENILE JUSTICE SYSTEM IN THIS STATE;

11 (XVI) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
12 HEALTH CARE POLICY AND FINANCING;

13 (XVII) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
14 LABOR AND EMPLOYMENT;

15 (XVIII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE
16 CHILD'S REPRESENTATIVE; AND

17 (XIX) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE
18 ALTERNATE DEFENSE COUNSEL.

19 (d) MEMBERS OF THE TASK FORCE SERVE WITHOUT
20 COMPENSATION. HOWEVER, MEMBERS OF THE TASK FORCE APPOINTED
21 PURSUANT TO SUBSECTION (1)(c)(XV) OF THIS SECTION MAY RECEIVE
22 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES ASSOCIATED
23 WITH THEIR DUTIES ON THE TASK FORCE.

24 (e) A VACANCY OCCURRING IN A POSITION APPOINTED BY THE
25 CHIEF JUSTICE OF THE COLORADO SUPREME COURT PURSUANT TO
26 SUBSECTION (1)(b) OF THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE
27 BY THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT IN

1 ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SUBSECTION (1)(b) OF
2 THIS SECTION. IN ADDITION, THE CHIEF JUSTICE OF THE COLORADO
3 SUPREME COURT MAY REMOVE AND REPLACE ANY APPOINTMENT TO THE
4 TASK FORCE MADE PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION.

5 (f) A VACANCY OCCURRING IN A POSITION FILLED BY THE CHAIR
6 AND VICE-CHAIR OF THE COMMITTEE PURSUANT TO SUBSECTION (1)(c) OF
7 THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE BY THE CHAIR AND
8 VICE-CHAIR OF THE COMMITTEE IN ACCORDANCE WITH THE LIMITATIONS
9 SPECIFIED IN SUBSECTION (1)(c) OF THIS SECTION. IN ADDITION, THE CHAIR
10 AND VICE-CHAIR OF THE COMMITTEE MAY REMOVE AND REPLACE ANY
11 APPOINTMENT TO THE TASK FORCE MADE PURSUANT TO SUBSECTION (1)(c)
12 OF THIS SECTION.

13 (g) IN MAKING APPOINTMENTS TO THE TASK FORCE, THE
14 APPOINTING AUTHORITIES SHALL ENSURE THAT THE MEMBERSHIP OF THE
15 TASK FORCE INCLUDES PERSONS WHO HAVE EXPERIENCE WITH OR
16 INTEREST IN THE STUDY AREAS OF THE TASK FORCE AS SET FORTH IN
17 SUBSECTION (2) OF THIS SECTION; PERSONS WHO REFLECT THE ETHNIC,
18 CULTURAL, AND GENDER DIVERSITY OF THE STATE; REPRESENTATION OF
19 ALL AREAS OF THE STATE; AND, TO THE EXTENT PRACTICABLE, PERSONS
20 WITH DISABILITIES.

21 (h) (I) ALL TASK FORCE MEMBERS ARE EXPECTED TO SEEK INPUT
22 FROM THE VARIOUS NETWORKS OR ORGANIZATIONAL STRUCTURES OF THE
23 BODY THEY REPRESENT, IF ANY. EVERY AGENCY IS ENCOURAGED TO
24 NOMINATE A REPRESENTATIVE WHO CAN PARTICIPATE IN MAKING TASK
25 FORCE SUBJECT MATTER EXPERT RECOMMENDATIONS YET STILL
26 APPROPRIATELY REPRESENT THE AGENCY'S CONSTITUENCY.

27 (II) IN ORDER TO ADVANCE THE WORK OF THE TASK FORCE,

1 MEMBERS ARE ENCOURAGED TO PARTICIPATE IN DECISION-MAKING, WITH
2 THE UNDERSTANDING THAT INDIVIDUAL VOTES ON TASK FORCE ISSUES ARE
3 BASED ON SUBJECT MATTER EXPERTISE AND DO NOT COMMIT
4 REPRESENTATIVE AGENCIES OR ORGANIZATIONS TO ANY POSITION OR
5 ACTION. TASK FORCE MEMBERS SHALL ADHERE TO ANY AGREED-UPON
6 PROCEDURAL RULES AND GUIDELINES.

7 (2) **Issues for study.** (a) THE TASK FORCE SHALL STUDY BEST AND
8 PROMISING PRACTICES TO PROMOTE POSITIVE SOCIAL AND EMOTIONAL
9 OUTCOMES FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS WHO
10 ARE AT RISK OF INITIAL OR CONTINUED INVOLVEMENT IN THE CRIMINAL OR
11 JUVENILE JUSTICE SYSTEMS, WITH THE FOCUS ON BETTER UNDERSTANDING
12 AND ADDRESSING NECESSARY RESOURCES AND ACTIONS FOR
13 IMPLEMENTATION TO PREVENT INITIAL OR CONTINUED INVOLVEMENT WITH
14 THE CRIMINAL OR JUVENILE JUSTICE SYSTEMS.

15 (b) THE REQUIREMENTS SET FORTH IN THIS SUBSECTION (2) DO NOT
16 PROHIBIT THE TASK FORCE, AT ANY TIME DURING ITS EXISTENCE, FROM
17 STUDYING, PRESENTING FINDINGS AND RECOMMENDATIONS ON, OR
18 REQUESTING PERMISSION TO DRAFT LEGISLATIVE PROPOSALS CONCERNING
19 ANY ISSUE DESCRIBED IN THIS SUBSECTION (2).

20 (c) THE TASK FORCE SHALL SPECIFICALLY CONSIDER ISSUES
21 INCLUDING:

22 (I) EARLY IDENTIFICATION OF AND INTERVENTION STRATEGIES FOR
23 INDIVIDUALS WHO ARE AT A HIGHER RISK OF INVOLVEMENT WITH THE
24 CRIMINAL OR JUVENILE JUSTICE SYSTEM DUE TO ESTABLISHED OR
25 DEVELOPING BEHAVIORAL HEALTH CONCERNS;

26 (II) THE PROMOTION OF RESILIENCE AND HEALTH FOR PERSONS AT
27 RISK OF OR ALREADY EXPERIENCING INVOLVEMENT WITH THE CRIMINAL

1 OR JUVENILE JUSTICE SYSTEM DUE TO BEHAVIORAL HEALTH CONCERNS;

2 (III) THE INTERSECTION OF BEHAVIORAL HEALTH DISORDERS AND
3 THE RISK OF INVOLVEMENT IN THE JUVENILE OR CRIMINAL JUSTICE
4 SYSTEMS, WITH A SPECIFIC FOCUS ON DIVERTING PERSONS WITH MENTAL
5 HEALTH, SUBSTANCE USE, OR CO-OCCURRING DISORDERS AWAY FROM
6 INITIAL OR CONTINUED JUVENILE OR CRIMINAL JUSTICE INVOLVEMENT;
7 AND

8 (IV) ISSUES RELATING TO PERSONS WITH BEHAVIORAL HEALTH
9 DISORDERS WHO ARE ALREADY INVOLVED IN THE CRIMINAL OR JUVENILE
10 JUSTICE SYSTEM, UTILIZING SAFE AND EFFECTIVE INTERVENTIONS WITH A
11 FOCUS ON PREVENTING FURTHER INVOLVEMENT, PROMOTING GOOD
12 HEALTH OUTCOMES UPON RELEASE, AND ENHANCING RECOVERY SUCCESS.

13 (3) **Additional duties of the task force.** THE TASK FORCE SHALL
14 ANNUALLY DELIVER POLICY AND LEGISLATIVE RECOMMENDATIONS TO THE
15 COMMITTEE PURSUANT TO THIS SECTION. IN ADDITION, THE TASK FORCE
16 SHALL:

17 (a) ON OR BEFORE AUGUST 1 OF EACH YEAR, SELECT A CHAIR AND
18 VICE-CHAIR FROM AMONG ITS MEMBERS;

19 (b) MEET AT LEAST SIX TIMES EACH YEAR, OR MORE OFTEN AS
20 DIRECTED BY THE CHAIR OF THE COMMITTEE;

21 (c) ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES FOR THE
22 OPERATION OF THE TASK FORCE AND FOR COLLABORATION WITH THE
23 COMMITTEE;

24 (d) DESIGNATE SPECIFIC TASK FORCE MEMBERS RESPONSIBLE FOR
25 COLLABORATING WITH AND OBTAINING INPUT FROM OTHER GROUPS, TASK
26 FORCES, OR STATEWIDE INITIATIVES THAT COMPLEMENT OR RELATE TO
27 THE TASK FORCE'S IDENTIFIED AREAS OF STUDY;

1 (e) CREATE SUBCOMMITTEES AS NEEDED TO CARRY OUT THE
2 DUTIES OF THE TASK FORCE. THE SUBCOMMITTEES MAY CONSIST, IN PART,
3 OF PERSONS WHO ARE NOT MEMBERS OF THE TASK FORCE. SUCH PERSONS
4 MAY VOTE ON ISSUES BEFORE THE SUBCOMMITTEE BUT ARE NOT ENTITLED
5 TO A VOTE AT TASK FORCE MEETINGS.

6 (f) STUDY THE IMPLEMENTATION OF COMMITTEE LEGISLATION
7 PASSED BY THE GENERAL ASSEMBLY;

8 (g) UPON REQUEST BY A COMMITTEE MEMBER, PROVIDE
9 EVIDENCE-BASED FEEDBACK ON THE POTENTIAL BENEFITS OR
10 CONSEQUENCES OF A LEGISLATIVE OR OTHER POLICY PROPOSAL NOT
11 DIRECTLY AFFILIATED WITH OR GENERATED BY THE TASK FORCE. THE
12 FEEDBACK MUST BE DELIVERED WITHIN TWO WEEKS TO THE ENTIRE
13 COMMITTEE AND REMAIN AS CONCISE AS POSSIBLE WHILE CAPTURING ANY
14 AVAILABLE EVIDENCE. IF THE TASK FORCE CANNOT IDENTIFY EVIDENCE TO
15 EFFECTIVELY INFORM A RESPONSE, THE FEEDBACK WILL INDICATE A LACK
16 OF EVIDENCE AND REPORT ON ANY ACTIONS TAKEN.

17 (h) ON OR BEFORE OCTOBER 1 OF EACH YEAR, PREPARE AND
18 SUBMIT TO THE COMMITTEE, WHICH MAY MAKE PUBLICLY AVAILABLE ON
19 ITS WEBSITE, A REPORT THAT, AT A MINIMUM, INCLUDES:

20 (I) ISSUES STUDIED BY THE TASK FORCE, AS WELL AS FINDINGS FOR
21 LEGISLATIVE OR OTHER RECOMMENDATIONS;

22 (II) LEGISLATIVE OR POLICY PROPOSALS OF THE TASK FORCE THAT
23 IDENTIFY THE POLICY ISSUES INVOLVED, THE AGENCIES RESPONSIBLE FOR
24 THE IMPLEMENTATION OF THE CHANGES, AND THE FUNDING SOURCES
25 REQUIRED FOR IMPLEMENTATION;

26 (III) A SUMMARY OF MONTHLY TASK FORCE MEETING ACTIVITIES
27 AND DISCUSSIONS;

1 (IV) ANY EVIDENCE-BASED FEEDBACK PROVIDED TO THE
2 COMMITTEE PURSUANT TO SUBSECTION (3)(g) OF THIS SECTION; AND

3 (V) A SUMMARY OF EFFORTS MADE TO COMMUNICATE,
4 COLLABORATE, OR COORDINATE WITH OTHER GROUPS, TASK FORCES, OR
5 STATE INITIATIVES.

6 (4) **Flexibility.** A REQUIREMENT SET FORTH IN SUBSECTION (2) OF
7 THIS SECTION SHALL NOT, AT ANY TIME DURING THE EXISTENCE OF THE
8 TASK FORCE, PROHIBIT THE TASK FORCE FROM STUDYING, PRESENTING
9 FINDINGS AND RECOMMENDATIONS ON, OR REQUESTING PERMISSION TO
10 DRAFT LEGISLATIVE PROPOSALS CONCERNING ANY ISSUE DESCRIBED IN
11 SUBSECTION (2) OF THIS SECTION.

12 (5) **Coordination.** THE TASK FORCE MAY WORK WITH OTHER
13 GROUPS, TASK FORCES, OR STATEWIDE INITIATIVES THAT ARE PURSUING
14 ISSUES AND POLICY INITIATIVES SIMILAR TO THOSE ADDRESSED IN
15 SUBSECTION (2) OF THIS SECTION. THE TASK FORCE MAY DEVELOP
16 RELATIONSHIPS WITH OTHER TASK FORCES, COMMITTEES, AND
17 ORGANIZATIONS TO LEVERAGE EFFICIENT POLICY-MAKING OPPORTUNITIES
18 THROUGH COLLABORATIVE EFFORTS.

19 **18-1.9-105. Task force funding - staff support.** (1) THE
20 LEGISLATIVE COUNCIL STAFF SHALL SUPPLY STAFF ASSISTANCE, WITHIN
21 EXISTING APPROPRIATIONS, TO THE TASK FORCE AS THE COMMITTEE
22 DEEMS APPROPRIATE. IF EXISTING APPROPRIATIONS ARE NOT ADEQUATE
23 TO SUPPLY STAFF ASSISTANCE THROUGH THE LEGISLATIVE COUNCIL STAFF,
24 THE DIRECTOR OF LEGISLATIVE COUNCIL STAFF SHALL REQUEST
25 ADDITIONAL NECESSARY FUNDING IN ITS ANNUAL BUDGET REQUEST.

26 (2) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF
27 PUBLIC SAFETY, THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT

1 OF HUMAN SERVICES, AND ANY STATE DEPARTMENT OR AGENCY WITH AN
2 ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE AUTHORIZED TO
3 RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS, INCLUDING
4 DONATIONS OF IN-KIND SERVICES FOR STAFF SUPPORT, FROM ANY PUBLIC
5 OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED
6 WITH THE DUTIES OF THE TASK FORCE.

7 **18-1.9-106. Treatment of persons with behavioral health**
8 **disorders in the criminal and juvenile justice systems fund.** (1) THE
9 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
10 CRIMINAL AND JUVENILE JUSTICE SYSTEMS FUND, REFERRED TO IN THIS
11 SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND
12 CONSISTS OF MONEY APPROPRIATED OR TRANSFERRED TO THE FUND BY
13 THE GENERAL ASSEMBLY AND ANY PRIVATE AND PUBLIC FUNDS RECEIVED
14 THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF
15 IMPLEMENTING THE PROVISIONS OF THIS ARTICLE 1.9. MONEY IN THE FUND
16 IS SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR
17 THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION
18 OF THIS ARTICLE 1.9. MONEY IN THE FUND NOT EXPENDED FOR THE
19 PURPOSE OF IMPLEMENTING THIS ARTICLE 1.9 MAY BE INVESTED BY THE
20 STATE TREASURER AS PROVIDED BY LAW. THE STATE TREASURER SHALL
21 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND
22 INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER
23 SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY
24 REMAINING IN THE FUND AS OF JULY 1, 2025, TO THE GENERAL FUND.

25 (2) THE CHAIR OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE
26 COUNCIL SHALL APPROVE ANY COMPENSATION PROVIDED FOR IN SECTIONS
27 18-1.9-103 (1)(h), 18-1.9-104 (1)(d), AND 18-1.9-105 FOR MEMBERS OF

1 THE GENERAL ASSEMBLY, SPECIFIED MEMBERS OF THE TASK FORCE, AND
2 STAFF ASSISTANCE TO THE COMMITTEE AND TASK FORCE, AS PROVIDED BY
3 THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AND THE
4 DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES.
5 COMPENSATION MUST BE PAID BY VOUCHERS AND WARRANTS DRAWN AS
6 PROVIDED BY LAW FROM MONEY APPROPRIATED FOR SUCH PURPOSE AND
7 ALLOCATED TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL
8 FROM THE FUND.

9 **18-1.9-107. Repeal of article.** THIS ARTICLE 1.9 IS REPEALED,
10 EFFECTIVE JULY 1, 2023.

11 **SECTION 2. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety.