

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB19-258 be amended as follows:

1 Amend printed bill, page 2, before line 2 insert:

2 "SECTION 1. In Colorado Revised Statutes, 26-2-102.5, **add** (3)  
3 as follows:

4 **26-2-102.5. Foster care - Title IV-E of the social security act**  
5 **- Title IV-E administrative costs cash fund - rules.** (3) (a) THE STATE  
6 DEPARTMENT SHALL PURSUE CLAIMING TITLE IV-E ADMINISTRATIVE  
7 COSTS FOR INDEPENDENT LEGAL REPRESENTATION BY AN ATTORNEY FOR  
8 A CHILD WHO IS A CANDIDATE FOR TITLE IV-E FOSTER CARE OR WHO IS IN  
9 FOSTER CARE AND THE CHILD'S PARENT TO PREPARE FOR AND PARTICIPATE  
10 IN ALL STAGES OF FOSTER CARE LEGAL PROCEEDINGS. FEDERAL  
11 REIMBURSEMENT FOR THESE ADMINISTRATIVE COSTS MUST BE CREDITED  
12 TO THE TITLE IV-E ADMINISTRATIVE COST CASH FUND, CREATED IN  
13 SUBSECTION (3)(b) OF THIS SECTION.

14 (b) (I) THE TITLE IV-E ADMINISTRATIVE COST CASH FUND,  
15 REFERRED TO IN THIS SUBSECTION (3) AS THE "FUND", IS HEREBY CREATED  
16 IN THE STATE TREASURY. THE FUND CONSISTS OF FEDERAL TITLE IV-E  
17 REIMBURSEMENTS FOR ADMINISTRATIVE COSTS DESCRIBED IN SUBSECTION  
18 (3)(a) OF THIS SECTION.

19 (II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
20 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
21 FUND TO THE FUND.

22 (III) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
23 ASSEMBLY, THE STATE DEPARTMENT MAY EXPEND MONEY FROM THE FUND  
24 FOR PURPOSES ESTABLISHED BY RULE OF THE STATE BOARD. THE STATE  
25 BOARD SHALL WORK COLLABORATIVELY WITH THE STATE DEPARTMENT  
26 CONCERNING THE APPROVED PURPOSES AND ALLOCATION OF MONEY FROM  
27 THE FUND. APPROVED PURPOSES MAY INCLUDE BUT ARE NOT LIMITED TO  
28 ADVOCACY FOR HOMELESS AND AT-RISK YOUTH, EDUCATION ADVOCACY,  
29 AND ACTIVITIES AND ADVOCACY IN SPECIALTY COURTS THAT SERVE  
30 CHILDREN AND FAMILIES INVOLVED IN THE CHILD WELFARE SYSTEM.

31 (IV) THE STATE DEPARTMENT SHALL SUBMIT AS PART OF THE  
32 ANNUAL BUDGET PROCESS A REQUEST FOR SPENDING AUTHORITY FOR  
33 MONEY CREDITED TO THE FUND. THE REQUEST MUST INCLUDE A  
34 DESCRIPTION OF THE PURPOSE FOR THE SPENDING AUTHORITY, THE  
35 METHOD THROUGH WHICH THE ALLOCATION WAS DETERMINED, AND THE  
36 AGENCIES TO WHICH THE ALLOCATIONS ARE TO BE MADE.

37 (V) FEDERAL REIMBURSEMENTS RELATED TO ADMINISTRATIVE  
38 COSTS OF INDEPENDENT LEGAL REPRESENTATION INCURRED BY THE OFFICE  
39 OF THE CHILD'S REPRESENTATIVE AND THE OFFICE OF RESPONDENT  
40 PARENTS' COUNSEL MUST BE DISBURSED FROM THE CASH FUND TO THE  
41 AGENCIES AS INCURRED AND PURSUANT TO THE STATE DEPARTMENT'S

1 MEMORANDUM OF UNDERSTANDING WITH THE AGENCIES."

2 Renumber succeeding sections accordingly.

3 Page 2, strike line 3 and substitute "(9); and **add** (8.5) as follows:".

4 Page 2, strike line 6 and substitute "**cash fund created - rules - repeal.**  
5 (8.5) ON OR BEFORE JANUARY 2, 2020, ON BEHALF OF COUNTIES  
6 PARTICIPATING IN THE TITLE IV-E WAIVER DEMONSTRATION PROJECT, THE  
7 DEPARTMENT SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE A  
8 DETAILED PLAN FOR THE SUSTAINABILITY OF INTERVENTIONS DEFINED IN  
9 THE PERFORMANCE AGREEMENTS DEVELOPED PURSUANT TO SUBSECTION  
10 (2)(a) OF THIS SECTION. THE PLAN MUST INCLUDE INFORMATION  
11 CONCERNING EACH COUNTY THAT HAS AN ESTABLISHED PERFORMANCE  
12 AGREEMENT, THE FUNDING EACH COUNTY HAS RECEIVED DURING THE  
13 PERIOD OF THE PERFORMANCE AGREEMENT, THE TYPE OF INTERVENTIONS  
14 DEFINED IN EACH COUNTY PERFORMANCE AGREEMENT, THE NUMBER OF  
15 CHILDREN AND FAMILIES SERVED IN EACH COUNTY BY INTERVENTION  
16 TYPE, THE AMOUNT OF WAIVER FUNDING ALLOCATED TO EACH  
17 INTERVENTION BY EACH COUNTY, AND THE METHOD THROUGH WHICH THE  
18 COUNTY AND STATE DEPARTMENT WILL ADDRESS THE DECREASE IN  
19 FUNDING THAT WILL RESULT UPON THE REPEAL OF THIS SECTION.

20 (9) THIS SECTION IS REPEALED, EFFECTIVE".

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