

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public & Behavioral Health & Human Services.

SB21-137 be amended as follows:

1 Amend reengrossed bill, page 23, after line 17 insert:

2 "SECTION 21. In Colorado Revised Statutes, **add** 24-75-230 as
3 follows:

4 **24-75- 230. Behavioral and mental health cash fund - creation**
5 **- allowable uses - task force - definitions - repeal.** (1) AS USED IN THIS
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "AMERICAN RESCUE PLAN ACT OF 2021" MEANS THE FEDERAL
8 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY
9 BE SUBSEQUENTLY AMENDED.

10 (b) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT IDENTIFIED
11 IN SECTION 24-1-110 AND THE JUDICIAL DEPARTMENT. THE TERM ALSO
12 INCLUDES THE OFFICE OF THE GOVERNOR, INCLUDING ANY OFFICES
13 CREATED THEREIN.

14 (c) "FUND" MEANS THE BEHAVIORAL AND MENTAL HEALTH CASH
15 FUND CREATED IN SUBSECTION (2)(a) OF THIS SECTION OR AN IDENTICAL
16 COMPANION FUND CREATED BY OPERATION OF SECTION 24-75-226 (4)(c).

17 (2) (a) THE BEHAVIORAL AND MENTAL HEALTH CASH FUND IS
18 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
19 CREDITED TO THE FUND IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS
20 SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY
21 APPROPRIATE OR TRANSFER TO THE FUND. TO RESPOND TO THE PUBLIC
22 HEALTH EMERGENCY WITH RESPECT TO COVID-19 OR ITS NEGATIVE
23 ECONOMIC IMPACTS, THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY
24 FROM THE FUND TO A DEPARTMENT FOR MENTAL HEALTH TREATMENT,
25 SUBSTANCE MISUSE TREATMENT, AND OTHER BEHAVIORAL HEALTH
26 SERVICES.

27 (b) (I) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
28 SUBSECTION (2)(b)(I), THE STATE TREASURER SHALL TRANSFER FIVE
29 HUNDRED FIFTY MILLION DOLLARS FROM THE "AMERICAN RESCUE PLAN
30 ACT OF 2021" CASH FUND CREATED IN SECTION 24-75- 226 TO THE FUND.

31 (II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
32 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
33 FUND TO THE FUND.

34 (3) A DEPARTMENT MAY EXPEND MONEY APPROPRIATED FROM THE
35 FUND FOR PURPOSES PERMITTED UNDER THE "AMERICAN RESCUE PLAN
36 ACT OF 2021" PUB.L. 117-2, AS THE ACT MAY BE SUBSEQUENTLY
37 AMENDED, AND SHALL NOT USE THE MONEY FOR ANY PURPOSE PROHIBITED
38 BY THE ACT. A DEPARTMENT OR ANY PERSON WHO RECEIVES MONEY FROM
39 THE FUND SHALL COMPLY WITH ANY REQUIREMENTS SET FORTH IN

1 SECTION 24-75- 226.
2 (4) (a) THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL
3 SHALL, BY RESOLUTION, CREATE A TASK FORCE TO MEET DURING THE 2021
4 INTERIM AND ISSUE A REPORT WITH RECOMMENDATIONS TO THE GENERAL
5 ASSEMBLY AND THE GOVERNOR ON POLICIES TO CREATE
6 TRANSFORMATIONAL CHANGE IN THE AREA OF BEHAVIORAL HEALTH USING
7 MONEY THE STATE RECEIVES FROM THE FEDERAL CORONAVIRUS STATE
8 FISCAL RECOVERY FUND UNDER TITLE IX, SUBTITLE M OF THE "AMERICAN
9 RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY BE
10 SUBSEQUENTLY AMENDED.
11 (b) THE TASK FORCE MAY INCLUDE NONLEGISLATIVE MEMBERS
12 AND HAVE WORKING GROUPS CREATED TO ASSIST THEM. THE EXECUTIVE
13 COMMITTEE SHALL HIRE A FACILITATOR TO GUIDE THE WORK OF THE TASK
14 FORCE.
15 (c) THE TASK FORCE CREATED IN THIS SECTION IS NOT SUBJECT TO
16 THE REQUIREMENTS SPECIFIED IN SECTION 2-3-303.3 OR RULE 24A OF THE
17 JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE
18 EXECUTIVE COMMITTEE SHALL SPECIFY REQUIREMENTS GOVERNING
19 MEMBERS' PARTICIPATION IN THE TASK FORCE. THE TASK FORCE SHALL
20 NOT SUBMIT BILL DRAFTS AS PART OF THEIR RECOMMENDATIONS.
21 (d) THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO
22 THE LEGISLATIVE BRANCH OF STATE GOVERNMENT FOR PAYMENT OF THE
23 REASONABLE EXPENSES INCURRED BY THE TASK FORCE SUBJECT TO THE
24 APPROVAL OF THE EXECUTIVE COMMITTEE.
25 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027."

26 Renumber succeeding sections accordingly.

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