

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB23-1236 be amended as follows:

1 Amend reengrossed bill, page 6, after line 20 insert:

2 "SECTION 9. In Colorado Revised Statutes, 25-1.5-103, **amend**
3 (1)(a)(I)(A.5), (2)(a.3)(II), and (2)(b)(II); and **add** (1)(c)(III) as follows:

4 **25-1.5-103. Health facilities - powers and duties of department**
5 **- rules - limitations on rules - definitions - repeal.** (1) The department
6 has, in addition to all other powers and duties imposed upon it by law, the
7 powers and duties provided in this section as follows:

8 (a) (I) (A.5) Notwithstanding the provisions of subsection
9 (1)(a)(I)(A) of this section, after ~~June 30, 2023~~ DECEMBER 31, 2023, the
10 department shall not issue a license to a community mental health center,
11 an acute treatment unit, or a behavioral health entity. Prior to the
12 expiration of any license issued by the department to such an entity, the
13 entity shall apply to the behavioral health administration pursuant to part
14 5 of article 50 of title 27. This subsection (1)(a)(I)(A.5) is repealed,
15 effective ~~July 1, 2024~~ JANUARY 1, 2025.

16 (c) (III) THIS SUBSECTION (1)(c) IS REPEALED, EFFECTIVE JANUARY
17 1, 2025.

18 (2) As used in this section, unless the context otherwise requires:

19 (a.3) (II) This subsection (2)(a.3) is repealed, effective ~~July 1,~~
20 ~~2024~~ JANUARY 1, 2025.

21 (b) (II) This subsection (2)(b) is repealed, effective ~~July 1, 2024~~
22 JANUARY 1, 2025."

23 Renumber succeeding sections accordingly.

24 Page 8, after line 7 insert:

25 "SECTION 13. In Colorado Revised Statutes, 25-27.6-108,
26 **amend** (2) as follows:

27 **25-27.6-108. Behavioral health entity cash fund - created.**
28 (2) On ~~June 30, 2024~~ DECEMBER 31, 2024, the state treasurer shall
29 transfer all unexpended and unencumbered money in the fund to the
30 behavioral health licensing cash fund created pursuant to section
31 27-50-506.

32 **SECTION 14.** In Colorado Revised Statutes, **amend** 25-27.6-112
33 as follows:

34 **25-27.6-112. Repeal of article.** This article 27.6 is repealed,
35 effective ~~July 1, 2024~~ JANUARY 1, 2025."

- 1 Renumber succeeding sections accordingly.
- 2 Page 14, line 18, before "(1)(a)", insert "(1) introductory portion and".
- 3 Page 14, line 23, strike "July 1, 2024," and substitute "~~July 1, 2024~~
4 JANUARY 1, 2025,".
- 5 Page 15, line 9, strike "June 30, 2024." and substitute "~~June 30, 2024~~
6 DECEMBER 31, 2025.".
- 7 Page 16, line 19, strike "OCTOBER" and substitute "JANUARY".
- 8 Page 16, line 24, strike "OCTOBER 1, 2023," and substitute "JANUARY 1,
9 2024,".
- 10 Page 17, line 2, strike "SEPTEMBER 30, 2023," and substitute "DECEMBER
11 31, 2023,".
- 12 Page 17, line 6, strike "OCTOBER 1, 2023," and substitute "JANUARY 1,
13 2024,".
- 14 Page 17, line 11, strike "JULY 31, 2023," and substitute "JANUARY 1,
15 2024,".
- 16 Page 17, lines 17 and 18, strike "JULY 31, 2023," and substitute "JANUARY
17 1, 2024,".
- 18 Page 33, after line 22 insert:
- 19 **"SECTION 43.** In Colorado Revised Statutes, **recreate and**
20 **reenact, with amendments,** 25-27.6-104 as follows:
21 **25-27.6-104. License required - criminal and civil penalties -**
22 **repeal.** (1) ON OR AFTER JULY 1, 2024, IT IS UNLAWFUL FOR ANY PERSON,
23 PARTNERSHIP, ASSOCIATION, OR CORPORATION TO CONDUCT OR MAINTAIN
24 A BEHAVIORAL HEALTH ENTITY, INCLUDING A SUBSTANCE USE DISORDER
25 PROGRAM OR ALCOHOL USE DISORDER PROGRAM, WITHOUT HAVING
26 OBTAINED A LICENSE FROM THE DEPARTMENT.
27 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2023.
28 **SECTION 44.** In Session Laws of Colorado 2022, section 263 of
29 chapter 222, **amend** (1)(b) as follows:
30 **Section 263. Effective date.** (1) (b) Section 212 takes effect July
31 1, 2023, and sections 215 through 240 take effect July 1, 2024; EXCEPT
32 THAT SECTION 25-1.5-103 (1)(a)(I)(A), AS ENACTED IN SECTION 226 OF

1 THIS ACT, AND SECTION 228 OF THIS ACT TAKE EFFECT JANUARY 1, 2025.".

2 Renumber succeeding sections accordingly.

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