

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Coleman

1 Amend reengrossed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1. Legislative declaration.** (1) The general
4 assembly finds and declares that:

5 (a) Providing developmentally appropriate services to young
6 children to address the underlying causes of problematic behaviors
7 prevents future youth misbehavior, thereby reducing recidivism in both
8 adolescence and adulthood, which leads to safer communities;

9 (b) Behavioral health programs, schools, child welfare services,
10 and other community-based programs and services are better equipped
11 than the juvenile justice system to identify and address the needs of young
12 children and to provide developmentally appropriate services to improve
13 community safety and reduce the risk that young children commit future
14 crimes as adults;

15 (c) Ensuring that community-based programs outside of the
16 juvenile justice system are funded to serve young children at risk of
17 involvement with the juvenile justice system, or who are currently facing
18 delinquency charges, reduces the negative impacts for young children and
19 their communities;

20 (d) Colorado has an existing system of local collaborative
21 management programs that can be improved to ensure young children
22 receive appropriate services outside of the juvenile justice system, which
23 will improve outcomes for young children and make communities safer;

24 (e) Serving young children through local collaborative
25 management programs reduces future victimization. Young children in
26 the juvenile justice system are at a higher risk of becoming victims of
27 violence within the justice system.

28 (f) A community-based alternative to serve young children is more
29 equitable. Young children of color are more likely to be referred to the
30 juvenile justice system and detained in juvenile justice facilities than
31 White young children.

32 (g) Additional data collection regarding how children are currently
33 served inside and outside the juvenile justice system is necessary to
34 ensure community-based programs outside the juvenile justice system
35 continue to effectively serve children.

36 (2) Therefore, the general assembly declares its intent to empower
37 community-based responses in the health, education, and child welfare
38 systems to serve children, including children who are under thirteen years
39 of age, instead of the juvenile justice system.

40 **SECTION 2.** In Colorado Revised Statutes, 19-2.5-1404, **amend**

1 (3)(b)(IX) and (3)(b)(X); and **add** (3)(b)(XI), (3)(b)(XII), (3)(b)(XIII),
2 (3)(b)(XIV), and (3)(d) as follows:

3 **19-2.5-1404. Working group for criteria for placement of**
4 **juvenile offenders - establishment of formula - review of criteria -**
5 **report.** (3) (b) On or before July 1, 2023, and on or before July 1 each
6 year thereafter, the department of human services shall submit a report to
7 the working group, the judiciary committees of the senate and the house
8 of representatives, or any successor committees, and the health and
9 human services committee of the senate and the public and behavioral
10 health and human services committee of the house of representatives, or
11 any successor committees, including:

12 (IX) An analysis of the number of alleged and adjudicated
13 juvenile offenders who are served by county ~~human services~~ departments
14 through their child welfare systems and the impact on those county
15 departments; ~~and~~

16 (X) ~~The recommendations of the working group made pursuant~~
17 ~~to subsection (3)(a)(III) of this section.~~ THE NUMBER OF YOUTH, BY AGE
18 AND BY JUDICIAL DISTRICT, WHO AT THE TIME THEY RECEIVED SERVICES
19 FROM A COUNTY DEPARTMENT, INCLUDING, BUT NOT LIMITED TO,
20 SERVICES RECEIVED THROUGH PREVENTION SERVICES, AN ASSESSMENT, OR
21 AN OPEN DEPENDENCY AND NEGLECT CASE, EITHER:

22 (A) HAD AN OPEN DELINQUENCY CASE IN A DISTRICT COURT;

23 (B) WERE ON JUVENILE PROBATION; OR

24 (C) HAD A JUVENILE DEFERRED SENTENCE;

25 (XI) THE NUMBER OF YOUTH, BY AGE AND BY JUDICIAL DISTRICT,
26 WHO AT THE TIME THEY WERE PLACED IN OUT-OF-HOME PLACEMENT BY A
27 COUNTY DEPARTMENT, EITHER:

28 (A) HAD AN OPEN DELINQUENCY CASE IN A DISTRICT COURT;

29 (B) WERE ON JUVENILE PROBATION; OR

30 (C) HAD A JUVENILE DEFERRED SENTENCE;

31 (XIII) THE AGE, RACE, GENDER, AND DISABILITY STATUS FOR THE
32 CHILDREN DESCRIBED IN SUBSECTIONS (3)(b)(X), (3)(b)(XI), AND
33 (3)(b)(XII) OF THIS SECTION; AND

34 (XIV) THE RECOMMENDATIONS OF THE WORKING GROUP MADE
35 PURSUANT TO SUBSECTION (3)(a)(III) OF THIS SECTION.

36 (d) If the department is unable to provide any of the data
37 required in the annual report pursuant to subsection (3)(b) of
38 this section, the department shall include in the report its plan
39 to collect and report on the data that is currently unavailable
40 in the following year. The department shall report the missing
41 data the following year.

42 **SECTION 3.** In Colorado Revised Statutes, 24-1.9-102, **amend**
43 (2)(d) and (2)(f); and **repeal** (2)(i) as follows:

1 **24-1.9-102. Memorandum of understanding - local-level**
2 **interagency oversight groups - individualized service and support**
3 **teams - coordination of services for children and families -**
4 **requirements - waiver. (2) (d) Creation of an oversight group.** The
5 memorandum of understanding ~~shall~~ MUST create a local-level
6 interagency oversight group and identify the oversight group's
7 membership requirements, procedures for selection of officers,
8 procedures for resolving disputes by a majority vote of those members
9 authorized to vote, and procedures for establishing any necessary
10 subcommittees of the interagency oversight group. Each interagency
11 oversight group ~~shall~~ MUST include a local representative of each party to
12 the memorandum of understanding specified in ~~paragraphs (a) and (a.5)~~
13 ~~of subsection (1)~~ SUBSECTIONS (1)(a) AND (1)(a.5) of this section, each of
14 whom ~~shall be~~ IS a voting member of the interagency oversight group. In
15 addition, the interagency oversight group may include, but is not limited
16 to, the following advisory nonvoting members:
17 (I) Representatives of interested local private sector entities; ~~and~~
18 (II) Family members or caregivers of children who would benefit
19 from integrated multi-agency services or current or previous consumers
20 of integrated multi-agency services; AND
21 (III) REPRESENTATIVES OR PRACTITIONERS FROM LOCAL,
22 REGIONAL, OR STATEWIDE RESTORATIVE JUSTICE PROGRAMS.
23 (f) **Authorization to create individualized service and support**
24 **teams.** The memorandum of understanding ~~shall~~ MUST include
25 authorization for the interagency oversight group to establish
26 individualized service and support teams to develop a service and support
27 plan and to provide services to children and families. ~~who would benefit~~
28 ~~from integrated multi-agency services.~~
29 (i) ~~Performance-based measures. The department of human~~
30 ~~services and the persons specified in section 24-1.9-103 (2)(b) shall~~
31 ~~develop performance measures for the system of collaborative~~
32 ~~management, which measures may be modified biennially to ensure that~~
33 ~~the measures remain valid. The memorandum of understanding must~~
34 ~~identify performance measures developed pursuant to this paragraph (i).~~
35 ~~If the parties to the memorandum of understanding meet the identified~~
36 ~~performance measures, the memorandum of understanding must require~~
37 ~~the interagency oversight group to create a procedure, subject to the~~
38 ~~approval of the head or director of each agency or department specified~~
39 ~~in paragraphs (a) and (a.5) of subsection (1) of this section, to allow any~~
40 ~~incentive moneys received by the department of human services and~~
41 ~~allocated pursuant to section 24-1.9-104 to be reinvested by the parties to~~
42 ~~the memorandum of understanding to provide appropriate services to~~
43 ~~children and families who would benefit from integrated multi-agency~~

1 ~~services, as such population is defined by the memorandum of~~
2 ~~understanding pursuant to paragraph (c) of this subsection (2). The parties~~
3 ~~to a memorandum of understanding shall report annually to the~~
4 ~~department of human services on the performance measures identified in~~
5 ~~the parties' memorandum of understanding pursuant to this paragraph (i).~~

6 **SECTION 4.** In Colorado Revised Statutes, **add** 24-1.9-102.3 as
7 follows:

8 **24-1.9-102.3. Duties of individualized service and support**
9 **teams.** (1) A LOCAL COLLABORATIVE MANAGEMENT PROGRAM, AS
10 DESCRIBED IN SECTION 24-1.9-102, MUST CREATE ONE OR MORE
11 INDIVIDUALIZED SERVICE AND SUPPORT TEAMS. AN INDIVIDUALIZED
12 SERVICE AND SUPPORT TEAM MAY REFER A CHILD TO SERVICES AND MAY
13 ESTABLISH A SERVICE AND SUPPORT PLAN FOR A CHILD AFTER MEETING
14 WITH THE CHILD, THE CHILD'S FAMILY, AND ANY OTHER RELEVANT PARTY
15 OR COMMUNITY PARTNERS.

16 (2) THE INFORMATION FORM FOR CHILDREN CREATED IN SECTION
17 24-1.9-102.7, OR ANY OTHER FORM CREATED BY THE LOCAL
18 COLLABORATIVE MANAGEMENT PROGRAM, MAY BE USED BY MULTIPLE
19 AGENCIES TO REFER A CHILD TO A LOCAL COLLABORATIVE MANAGEMENT
20 PROGRAM IN ACCORDANCE WITH THE LOCAL COLLABORATIVE
21 MANAGEMENT PROGRAM'S MEMORANDUM OF UNDERSTANDING. SUCH
22 AGENCIES INCLUDE, BUT ARE NOT LIMITED TO:

- 23 (a) LAW ENFORCEMENT;
- 24 (b) A DISTRICT ATTORNEY;
- 25 (c) A SCHOOL;
- 26 (d) A FAMILY RESOURCE CENTER;
- 27 (e) A CHILD ADVOCACY CENTER; AND
- 28 (f) A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES.

29 (3) ONLY THE FOLLOWING PERSONS OR AGENCIES HAVE ACCESS TO
30 RECORDS CREATED BY AN INDIVIDUALIZED SERVICE AND SUPPORT TEAM,
31 INCLUDING SERVICE AND SUPPORT PLANS:

32 (a) THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES
33 WHEN INVESTIGATING A REPORT OF A KNOWN OR SUSPECTED INCIDENT OF
34 CHILD ABUSE OR NEGLECT OR PROVIDING SERVICES FOR A CHILD OR
35 FAMILY WHO IS THE SUBJECT OF THE REPORT;

36 (b) AN AGENCY WITH LEGAL RESPONSIBILITY OR AUTHORIZATION
37 TO CARE FOR, TREAT, OR SUPERVISE A CHILD WHO IS THE SUBJECT OF THE
38 RECORD;

39 (c) A PARENT, LEGAL GUARDIAN OR CUSTODIAN, OR OTHER PERSON
40 RESPONSIBLE FOR THE HEALTH OR WELFARE OF A CHILD NAMED IN A
41 RECORD, OR THE ASSIGNED DESIGNEE OF ANY SUCH PERSON ACTING BY
42 AND THROUGH A VALIDLY EXECUTED POWER OF ATTORNEY;

43 (d) THE CHILD NAMED IN THE RECORD AND THE CHILD'S GUARDIAN

1 AD LITEM OR COUNSEL FOR YOUTH;

2 (e) (I) A SERVICE PROVIDER WHO IS AND CONTINUES TO BE
3 OFFICIALLY AND PROFESSIONALLY INVOLVED IN THE CARE OF THE CHILD
4 WHO IS THE SUBJECT OF THE RECORD, BUT ONLY WITH REGARD TO
5 INFORMATION THAT THE SERVICE PROVIDER HAS A NEED TO KNOW IN
6 ORDER TO FULFILL THE SERVICE PROVIDER'S PROFESSIONAL, OFFICIAL, AND
7 ONGOING ROLE, INCLUDING:

8 (A) HOSPITAL PERSONNEL ENGAGED IN THE ADMISSION, CARE, OR
9 TREATMENT OF THE CHILD;

10 (B) MENTAL HEALTH PROFESSIONALS;

11 (C) PHYSICIANS OR SURGEONS, INCLUDING PHYSICIANS IN
12 TRAINING;

13 (D) REGISTERED NURSES OR LICENSED PRACTICAL NURSES;

14 (E) DENTISTS;

15 (F) PSYCHOLOGISTS LICENSED PURSUANT TO PART 3 OF ARTICLE
16 245 OF TITLE 12;

17 (G) UNLICENSED PSYCHOTHERAPISTS;

18 (H) PROFESSIONAL COUNSELORS LICENSED PURSUANT TO PART 6
19 OF ARTICLE 245 OF TITLE 12;

20 (I) MARRIAGE AND FAMILY THERAPISTS LICENSED PURSUANT TO
21 PART 5 OF ARTICLE 245 OF TITLE 12;

22 (J) PUBLIC OR PRIVATE SCHOOL OFFICIALS OR EMPLOYEES;

23 (K) SOCIAL WORKERS LICENSED PURSUANT TO PART 4 OF ARTICLE
24 245 OF TITLE 12 OR INDIVIDUALS EMPLOYED BY AN AGENCY THAT IS
25 LICENSED OR CERTIFIED PURSUANT TO PART 9 OF ARTICLE 6 OF TITLE 26 OR
26 PART 3 OF ARTICLE 5 OF TITLE 26.5;

27 (L) VICTIM'S ADVOCATES, AS DEFINED IN SECTION 13-90-107
28 (1)(k)(II);

29 (M) CLERGY MEMBERS, AS DEFINED IN SECTION 19-3-304
30 (2)(aa)(III); OR

31 (N) EDUCATORS PROVIDING SERVICES THROUGH THE FEDERAL
32 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND
33 CHILDREN, AS PROVIDED FOR IN 42 U.S.C. SEC. 1786.

34 (II) INFORMATION DISCLOSED TO A SERVICE PROVIDER PURSUANT
35 TO THIS SUBSECTION (3)(e) IS CONFIDENTIAL AND SHALL NOT BE
36 DISCLOSED BY THE SERVICE PROVIDER TO ANY OTHER PERSON, EXCEPT AS
37 PROVIDED BY LAW.

38 (4) INFORMATION DISCLOSED PURSUANT TO SUBSECTION (3) OF
39 THIS SECTION MUST NOT INCLUDE THE CONTACT INFORMATION OF A
40 VICTIM, OR ANY IDENTIFYING INFORMATION OF A VICTIM, UNLESS THE
41 VICTIM CONSENTS TO SHARING INFORMATION.

42 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
43 CONTRARY, A CHILD'S RECORDS, STATEMENTS, OR HISTORY WITH THE

1 LOCAL COLLABORATIVE MANAGEMENT PROGRAM ARE NOT, WITHOUT THE
2 CHILD'S CONSENT, ADMISSIBLE AS EVIDENCE IN ANY ADJUDICATORY OR
3 CRIMINAL HEARING IN WHICH THE CHILD IS ACCUSED AND ARE NOT
4 SUBJECT TO SUBPOENA IN ANY ADJUDICATORY OR CRIMINAL HEARING IN
5 WHICH THE JUVENILE IS ACCUSED. THIS SUBSECTION (5) DOES NOT
6 SUPERCEDE ANY OBLIGATIONS AND DUTIES OF ANY MANDATORY
7 REPORTER PURSUANT TO SECTION 19-3-304.

8 **SECTION 5.** In Colorado Revised Statutes, **amend** 24-1.9-102.5
9 as follows:

10 **24-1.9-102.5. Evaluation.** The department of human services
11 shall ensure that an annual external evaluation of the statewide program
12 and each county or regional program is conducted by an independent
13 outside entity. The department may contract with the outside entity to
14 conduct an external evaluation of those counties that opted not to
15 participate in the collaborative management program. The department of
16 human services shall utilize ~~moneys~~ MONEY in the ~~performance-based~~
17 collaborative management ~~incentive~~ cash fund created in section
18 24-1.9-104, or any general fund ~~moneys~~ MONEY appropriated for this
19 purpose, for annual external evaluations of the counties participating in
20 memorandums of understanding pursuant to section 24-1.9-102, also
21 known as the LOCAL collaborative management program, as well as
22 external evaluations as determined by the department of human services
23 of those counties that opted to not participate in the collaborative
24 management program. The annual external evaluation must include any
25 evaluation that may be required in connection with a waiver authorized
26 pursuant to section 24-1.9-102 (4). ~~and an evaluation of whether the~~
27 ~~parties to a collaborative management program have successfully met or~~
28 ~~exceeded the performance measures identified in the parties'~~
29 ~~memorandum of understanding pursuant to section 24-1.9-102. (2)(i).~~
30 Each county participating in the LOCAL collaborative management
31 program shall participate fully in the annual external evaluation.

32 **SECTION 6.** In Colorado Revised Statutes, **amend** 24-1.9-102.7
33 as follows:

34 **24-1.9-102.7. Technical assistance.** (1) The department of
35 human services shall develop and implement training for counties
36 participating in ~~or interested in participating in~~ the LOCAL collaborative
37 management program. The department of human services shall utilize
38 ~~moneys~~ MONEY in the ~~performance-based~~ collaborative management
39 ~~incentive~~ cash fund created in section 24-1.9-104, or any general fund
40 ~~moneys~~ MONEY appropriated for this purpose, to develop and implement
41 training for counties. The training ~~shall~~ MUST identify management
42 strategies to collaborate effectively and efficiently to share resources or
43 to manage and integrate the treatment and services provided to children

1 and families receiving collaborative management services pursuant to this
2 ~~article~~ ARTICLE 1.9, AND STRATEGIES TO ADDRESS THE NEEDS OF
3 CHILDREN WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY
4 SERVICES, INCLUDING CHILDREN WHO HAVE HAD CONTACT WITH LAW
5 ENFORCEMENT OR ARE AT RISK OF INVOLVEMENT WITH THE JUVENILE
6 JUSTICE SYSTEM. IN DEVELOPING SERVICES TO SUPPORT VICTIMS, THE
7 DEPARTMENT OF HUMAN SERVICES SHALL CONSULT WITH THE
8 DEPARTMENT OF PUBLIC SAFETY AND THE DISTRICT ATTORNEYS. IN
9 DEVELOPING THE TRAINING AND STRATEGIES TO INTEGRATE TREATMENT
10 AND SERVICES FOR CHILDREN WHO HAVE ENGAGED IN BEHAVIOR IN WHICH
11 THE UNDERLYING FACTUAL BASIS INVOLVES UNLAWFUL SEXUAL
12 BEHAVIOR, THE DEPARTMENT OF HUMAN SERVICES SHALL CONSULT WITH
13 THE SEX OFFENDER MANAGEMENT BOARD CREATED PURSUANT TO SECTION
14 16-11.7-103. IN DEVELOPING THE TRAINING AND OVERSIGHT, THE
15 DEPARTMENT OF HUMAN SERVICES SHALL CONSIDER THE REPORT FROM
16 THE PRE-ADOLESCENT SERVICES TASK FORCE CREATED IN SECTION
17 19-3-304.4.

18 (2) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT OF
19 HUMAN SERVICES SHALL CREATE A MODEL INFORMATION FORM FOR
20 CHILDREN FOR A PARTY TO USE TO REFER A CHILD TO A LOCAL
21 COLLABORATIVE MANAGEMENT PROGRAM FOR ASSESSMENT AND
22 SERVICES.

23 **SECTION 7.** In Colorado Revised Statutes, 24-1.9-103, **amend**
24 (1)(a), (1)(c), (2)(b)(II), (2)(b)(III), and (2)(b)(VI); and **add** (1)(b.5),
25 (1)(b.7), (1)(b.8), and (1)(b.9) as follows:

26 **24-1.9-103. Reports - executive director review.**

27 (1) Commencing January 1, 2007, and on or before each January 1
28 thereafter, each interagency oversight group shall provide a report to the
29 executive director of each department and agency that is a party to any
30 memorandum of understanding entered into that includes:

31 (a) The number of children and families served through the
32 ~~local-level~~ individualized service and support teams and A DESCRIPTION
33 OF THE RECOMMENDED SERVICES; the outcomes of the services provided,
34 including THE NUMBER, AGE, RACE, GENDER, AND, IF KNOWN, THE
35 DISABILITY STATUS OF THE CHILDREN SERVED; A DESCRIPTION OF THE
36 OUTCOMES FOR CHILDREN SERVED; AND a description of any reduction in
37 duplication or fragmentation of services provided and a description of any
38 significant improvement in outcomes for children and families;

39 (b.5) THE NUMBER OF CHILDREN AND FAMILIES WHO WERE
40 REFERRED TO A LOCAL COLLABORATIVE MANAGEMENT PROGRAM AND DID
41 NOT RECEIVE RECOMMENDED SERVICES, INCLUDING A DESCRIPTION OF THE
42 SERVICES THAT WERE RECOMMENDED BUT NOT PROVIDED; A DESCRIPTION
43 OF THE BARRIERS TO PROVIDING SUCH SERVICES; AND THE AGE, RACE,

1 GENDER, AND, IF KNOWN, THE DISABILITY STATUS OF THE CHILDREN;
2 (b.7) THE NUMBER OF CHILDREN, BY AGE, SERVED BY A LOCAL
3 COLLABORATIVE MANAGEMENT PROGRAM, WHO WERE REFERRED BY THE
4 JUVENILE JUSTICE SYSTEM;
5 (b.8) THE NUMBER OF CHILDREN, BY AGE, WHO WERE SERVED BY
6 A LOCAL COLLABORATIVE MANAGEMENT PROGRAM, WHO WERE REFERRED
7 BY A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES, INCLUDING
8 REFERRALS THROUGH A DEPENDENCY AND NEGLECT CASE;
9 (b.9) THE NUMBER OF CHILDREN, BY AGE, WHO WERE SERVED BY
10 A LOCAL COLLABORATIVE MANAGEMENT PROGRAM AND WHO IDENTIFIED
11 THEMSELVES TO THE LOCAL COLLABORATIVE MANAGEMENT PROGRAM AS:
12 (I) A NAMED VICTIM IN A CRIMINAL PROTECTION ORDER PURSUANT
13 TO SECTION 18-1-1001 OR IN A JUVENILE DELINQUENCY OR CRIMINAL
14 CASE;
15 (II) A RECIPIENT OF VICTIM COMPENSATION PURSUANT TO PART 4.1
16 OF THIS TITLE 24; OR
17 (III) A PROTECTED PARTY IN A PROTECTION ORDER PURSUANT TO
18 PART 14 OF TITLE 13, SECTION 19-2-707 AS IT EXISTED PRIOR TO ITS
19 REPEAL IN 2021, OR SECTION 18-1-1001;
20 (c) An accounting of ~~moneys~~ MONEY that ~~were~~ WAS reinvested in
21 additional services provided to children or families who would benefit
22 from integrated multi-agency services due to cost-savings that may have
23 resulted; ~~or due to meeting or exceeding performance measures identified~~
24 ~~in the memorandum of understanding pursuant to section 24-1.9-102~~
25 ~~(2)(i);~~
26 (2) (b) The following persons or their designees shall attend the
27 annual meeting required pursuant to subsection (2)(a) of this section:
28 (II) A superintendent of a school district that has entered into a
29 memorandum of understanding, ~~and has met or exceeded the performance~~
30 ~~measures identified in the memorandum of understanding pursuant to~~
31 ~~section 24-1.9-102 (2)(i);~~ as such superintendent is selected by the
32 commissioner of education;
33 (III) A director of a county department of human or social services
34 that has entered into a memorandum of understanding, ~~and has met or~~
35 ~~exceeded the performance measures identified in the memorandum of~~
36 ~~understanding pursuant to section 24-1.9-102 (2)(i);~~ as such director is
37 selected by the executive director of the state department of human
38 services;
39 (VI) A director of a local mental health center that has entered
40 into a memorandum of understanding, ~~and has met or exceeded the~~
41 ~~performance measures identified in the memorandum of understanding~~
42 ~~pursuant to section 24-1.9-102 (2)(i);~~ as such director is selected by the
43 executive director of the department of human services;

1 **SECTION 8.** In Colorado Revised Statutes, **amend** 24-1.9-104
2 as follows:

3 **24-1.9-104. Cash fund - creation - grants, gifts, and donations.**

4 (1) On July 1, 2005, there ~~shall be~~ IS created in the state treasury the
5 ~~performance-based collaborative management incentive~~ cash fund, which
6 ~~shall be~~ IS referred to in this section as the "fund". The ~~moneys~~ MONEY in
7 the fund ~~shall be~~ IS subject to annual appropriation by the general
8 assembly to the department of human services for state fiscal year
9 2005-06 and each fiscal year thereafter. The fund ~~shall consist~~ CONSISTS
10 of ~~moneys~~ MONEY received from docket fees in civil actions and
11 transferred as specified in section 13-32-101. ~~(5)(a)(H), C.R.S.~~

12 (1.5) ON JULY 1, 2023, AND ANNUALLY THEREAFTER, THE
13 GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE FUND TO SERVE
14 CHILDREN WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY
15 SERVICES, INCLUDING CHILDREN WHO HAVE HAD CONTACT WITH LAW
16 ENFORCEMENT OR WHO ARE AT RISK OF INVOLVEMENT WITH THE JUVENILE
17 JUSTICE SYSTEM.

18 (2) The executive director of the department of human services is
19 authorized to accept and expend on behalf of the state any grants, gifts,
20 or donations from any private or public source for the purposes of this
21 section. All private and public funds received through grants, gifts, or
22 donations ~~shall~~ MUST be transmitted to the state treasurer, who shall credit
23 the same to the fund in addition to ~~moneys~~ MONEY credited pursuant to
24 subsection (1) of this section and any ~~moneys~~ MONEY that may be
25 appropriated to the fund directly by the general assembly. All investment
26 earnings derived from the deposit and investment of ~~moneys~~ MONEY in
27 the fund ~~shall remain~~ REMAINS in the fund and ~~shall not be transferred~~
28 DOES NOT TRANSFER or revert to the general fund of the state or any other
29 fund at the end of any fiscal year.

30 (2.5) Notwithstanding any provision of this section to the
31 contrary, on June 1, 2009, the state treasurer shall deduct three hundred
32 thousand dollars from the fund and transfer such sum to the general fund.

33 (3) (a) On and after July 1, 2005, the executive director of the
34 department of human services shall allocate the ~~moneys~~ MONEY in the
35 fund, and any general fund ~~moneys~~ MONEY appropriated for this purpose,
36 ~~to provide incentives~~ to parties to a memorandum of understanding who
37 have agreed to ~~performance-based collaborative management~~ pursuant to
38 section 24-1.9-102. ~~(2)(i) and who, based upon the annual report to the~~
39 ~~department of human services pursuant to section 24-1.9-102 (2)(i), have~~
40 ~~successfully met or exceeded the performance measures identified in the~~
41 ~~parties' memorandum of understanding pursuant to section 24-1.9-102~~
42 ~~(2)(i). The incentives shall be used to provide services to children and~~
43 ~~families who would benefit from integrated multi-agency services, as~~

1 ~~such population is defined by the memorandum of understanding pursuant~~
2 ~~to section 24-1.9-102 (2)(c).~~ THE EXECUTIVE DIRECTOR OF THE
3 DEPARTMENT OF HUMAN SERVICES SHALL:

4 (I) BEGINNING JULY 1, 2023, DISTRIBUTE ADDITIONAL FUNDS
5 APPROPRIATED FOR THE 2023-24 STATE FISCAL YEAR TO THE FUND TO
6 EXISTING COLLABORATIVE MANAGEMENT PROGRAMS PURSUANT TO THE
7 FUNDING FORMULA IN PLACE ON JUNE 30, 2023;

8 (II) BEGINNING JULY 1, 2024, PROVIDE AN ANNUAL SUM TO EACH
9 LOCAL COLLABORATIVE MANAGEMENT PROGRAM TO PROVIDE SERVICES
10 TO CHILDREN WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY
11 SERVICES, INCLUDING CHILDREN WHO HAVE HAD CONTACT WITH LAW
12 ENFORCEMENT OR WHO ARE AT RISK OF INVOLVEMENT WITH THE JUVENILE
13 JUSTICE SYSTEM. FOR THE 2024-25 STATE FISCAL YEAR AND EACH STATE
14 FISCAL YEAR THEREAFTER, THE AMOUNT OF THE SUM PROVIDED TO EACH
15 LOCAL COLLABORATIVE MANAGEMENT PROGRAM MUST BE DETERMINED
16 THROUGH A FUNDING FORMULA THAT CONSIDERS:

17 (A) THE AMOUNT OF MONEY AVAILABLE IN THE FUND;

18 (B) THE NEED FOR A BASE OF RESOURCES TO DIRECT A CHILD AND
19 THE CHILD'S FAMILY MEMBERS TO APPROPRIATE SERVICES; AND

20 (C) THE NUMBER OF CHILDREN IN THE POPULATION TO BE SERVED,
21 AS DEFINED BY THE MEMORANDUM OF UNDERSTANDING PURSUANT TO
22 SECTION 24-1.9-102, IN EACH COUNTY OR REGION.

23 (a.5) On and after July 1, 2008, the executive director of the
24 department of human services is authorized to allocate ~~moneys~~ MONEY in
25 the fund, and any general fund ~~moneys~~ MONEY appropriated for this
26 purpose, to be used to cover the direct and indirect costs of the external
27 evaluation of the ~~performance-based~~ collaborative management program
28 described in section 24-1.9-102 and the technical assistance and training
29 for counties as described in section 24-1.9-102.7.

30 (b) For purposes of allocating ~~incentive moneys~~ MONEY pursuant
31 to this subsection (3), the executive director of the department of human
32 services shall submit an accounting of ~~moneys~~ MONEY in the fund,
33 ~~available for incentives~~, and any general fund ~~moneys~~ MONEY
34 appropriated for this purpose, and a proposal for the allocation of
35 ~~incentive moneys~~ MONEY to the state board of human services for review
36 and approval prior to the allocation of the ~~moneys~~ MONEY. The state
37 board of human services shall approve the proposal not later than thirty
38 days after receipt of the proposal from the executive director of the
39 department of human services.

40 **SECTION 9.** In Colorado Revised Statutes, **add** 24-1.9-105 as
41 follows:

42 **24-1.9-105. Funding for future local collaborative**
43 **management programs.** (1) FOR STATE FISCAL YEAR 2023-24, THE

1 GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM
2 THE GENERAL FUND TO THE DEPARTMENT OF HUMAN SERVICES TO BE USED
3 TO ASSIST INTERESTED COUNTIES THAT DO NOT ALREADY OPERATE A
4 LOCAL COLLABORATIVE MANAGEMENT PROGRAM WITH ESTABLISHING A
5 LOCAL COLLABORATIVE MANAGEMENT PROGRAM OR JOINING AN EXISTING
6 LOCAL COLLABORATIVE MANAGEMENT PROGRAM. THE DEPARTMENT OF
7 HUMAN SERVICES SHALL DETERMINE THE AMOUNT THAT IS DISTRIBUTED
8 TO A COUNTY FOR THIS PURPOSE.

9 (2) ALL UNEXPENDED OR UNENCUMBERED MONEY THAT REMAINS
10 AT THE END OF STATE FISCAL YEAR 2023-24 SHALL REVERT TO THE
11 COLLABORATIVE MANAGEMENT CASH FUND CREATED IN SECTION
12 24-1.9-104.

13 **SECTION 10.** In Colorado Revised Statutes, 27-50-403, **amend**
14 (2)(f) as follows:

15 **27-50-403. Behavioral health administrative services**
16 **organizations - contract requirements - individual access - care**
17 **coordination.** (2) A behavioral health administrative services
18 organization shall:

19 (f) Require collaboration with all local law enforcement and
20 county agencies in the service area, including county departments of
21 human or social services AND LOCAL COLLABORATIVE MANAGEMENT
22 PROGRAMS WITHIN THE SERVICE AREA;

23 **SECTION 11.** In Colorado Revised Statutes, 27-50-404, **amend**
24 (3) as follows:

25 **27-50-404. Care coordination - responsibilities of behavioral**
26 **health administrative services organizations - coordination with**
27 **managed care entities.** (3) A behavioral health administrative services
28 organization shall ensure care coordination services through its network
29 and include local partners, when appropriate, such as ~~counties and school~~
30 ~~districts~~ COUNTIES, SCHOOL DISTRICTS, AND LOCAL COLLABORATIVE
31 MANAGEMENT PROGRAMS.

32 **SECTION 12.** In Colorado Revised Statutes, **add** 20-1-115 as
33 follows:

34 **20-1-115. Reporting of children in diversion programs.** (1) ON
35 OR BEFORE JULY 1, 2024, AND EACH JULY 1 THEREAFTER, THE DISTRICT
36 ATTORNEY OF EACH JUDICIAL DISTRICT SHALL SUBMIT A REPORT, EITHER
37 INDIVIDUALLY OR THROUGH THE COLORADO DISTRICT ATTORNEYS'
38 COUNCIL, TO THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND
39 THE SENATE JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES,
40 THAT INCLUDES THE FOLLOWING FROM THE PREVIOUS TWELVE MONTHS IN
41 THE JUDICIAL DISTRICT:

42 (a) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT
43 UNDER THIRTEEN YEARS OF AGE WHO WERE OFFERED AN OPPORTUNITY TO

1 PARTICIPATE IN A DIVERSION PROGRAM BUT DECLINED TO PARTICIPATE;
2 (b) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT
3 UNDER THIRTEEN YEARS OF AGE WHO PARTICIPATED IN A DIVERSION
4 PROGRAM;

5 (c) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT
6 UNDER THIRTEEN YEARS OF AGE WHO WERE CHARGED WITH AN OFFENSE
7 IN A JUVENILE PROCEEDING AS A CONSEQUENCE OF FAILING TO
8 SUCCESSFULLY COMPLETE A DIVERSION PROGRAM; AND

9 (d) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT
10 UNDER THIRTEEN YEARS OF AGE WHO ENTER INTO A DIVERSION PROGRAM
11 AND, AT THE TIME OF ENTRY INTO THE DIVERSION PROGRAM OR DURING
12 PARTICIPATION IN THE DIVERSION PROGRAM, ARE KNOWN TO THE
13 DIVERSION PROGRAM OR DISTRICT ATTORNEY'S OFFICE TO RECEIVE
14 SERVICES FROM A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES,
15 INCLUDING SERVICES PROVIDED THROUGH PREVENTION PROGRAMS,
16 ASSESSMENT, A DEPARTMENT OF HUMAN SERVICES CASE WITHOUT COURT
17 INVOLVEMENT, OR A DEPENDENCY AND NEGLECT CASE;

18 **SECTION 13. Appropriation.** (1) For the 2023-24 state fiscal
19 year, \$2,257,411 is appropriated to the department of human services for
20 use by the division of child welfare. This appropriation is from the
21 general fund. To implement this act, the division may use the
22 appropriation as follows:

23 (a) \$257,411 for collaborative management program
24 administration and evaluation, which amount is based on an assumption
25 that the division will require an additional 1.0 FTE; and

26 (b) \$2,000,000 to be distributed pursuant to section 24-1.9-105,
27 C.R.S.

28 (2) For the 2023-24 state fiscal year, \$1,165,039 is appropriated
29 to the collaborative management cash fund created in section 24-1.9-104
30 (1), C.R.S. This appropriation is from the general fund. The department
31 of human services is responsible for the accounting related to this
32 appropriation.

33 (3) For the 2023-24 state fiscal year, \$1,165,039 is appropriated
34 to the department of human services for use by the division of child
35 welfare for distribution to existing collaborative management programs
36 pursuant to section 24-1.9-104, C.R.S. This appropriation is from
37 reappropriated funds in the collaborative management cash fund under
38 subsection (2) of this section.

39 **SECTION 14. Act subject to petition - effective date.** This act
40 takes effect at 12:01 a.m. on the day following the expiration of the
41 ninety-day period after final adjournment of the general assembly; except
42 that, if a referendum petition is filed pursuant to section 1 (3) of article V
43 of the state constitution against this act or an item, section, or part of this

- 1 act within such period, then the act, item, section, or part will not take
2 effect unless approved by the people at the general election to be held in
3 November 2024 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.".
- 5 Amend Senate Journal, dated May 1, 2023, HB 23-1249, page 1259,
6 strike lines 19 through 69.
- 7 Strike pages 1260 through 1263.
- 8 Page 1264, strike lines 1 through 20.
- 9 Amend Senate Journal, dated May 4, 2023, HB 23-1249, page 1350,
10 strike lines 51 through 66.
- 11 Strike page 1351.
- 12 Page 1352, strike lines 1 through 13.

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