

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

March 4, 2026  
Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB26-113 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, strike line 10 and substitute:

2 "(I) DOES NOT PERMIT THE POSSESSION OR USE OF ALCOHOL OR  
3 NONPRESCRIBED OR ILLICIT DRUGS;"

4 Page 2, strike lines 24 and 25 and substitute:

5 "(III) PERMANENT SUPPORTIVE HOUSING. FOR THE PURPOSES OF  
6 THIS SUBSECTION (17.5)(b)(III), "PERMANENT SUPPORTIVE HOUSING"  
7 MEANS COMMUNITY-BASED AFFORDABLE HOUSING WHERE EXTREMELY  
8 LOW-INCOME INDIVIDUALS WITH COMPLEX BARRIERS TO HOUSING  
9 STABILITY AND HISTORIES OF HOMELESSNESS HAVE A DEDICATED RENTAL  
10 SUBSIDY THAT IS NOT CONDITIONAL ON PARTICIPATION IN SUPPORTIVE  
11 SERVICES AND INCLUDES THE SAME RIGHTS AND RESPONSIBILITIES OF  
12 TENANCY LEGALLY GUARANTEED BY A LEASE AGREEMENT AND ACCESS TO  
13 INTENSIVE COORDINATED SUPPORTIVE SERVICES DESIGNED TO SUPPORT  
14 TENANTS TO LIVE INDEPENDENTLY WITH IMPROVED HEALTH OUTCOMES  
15 AND REDUCED EMERGENCY SYSTEM UTILIZATION."

16 Page 3, strike lines 16 through 19.

17 Page 3, line 20, strike "(b)" and substitute "(2)".

18 Page 4, lines 8 and 9, strike "A PERSON SHALL NOT OPERATE A RECOVERY  
19 RESIDENCE, AND".

20 Page 4, strike line 13 and substitute "SECTION 25.5-5-403 (5); A LICENSED  
21 HEALTH-CARE FACILITY; OR A GOVERNMENTAL ENTITY SHALL".

1 Page 4, line 14, strike "RESIDENCE." and substitute "RESIDENCE OR  
2 PURCHASE OR CONTRACT FOR SERVICES FROM A RECOVERY RESIDENCE  
3 UNLESS THE RECOVERY RESIDENCE HAS OBTAINED A LICENSE FROM THE  
4 BEHAVIORAL HEALTH ADMINISTRATION."

5 Page 5, strike lines 11 through 18 and substitute:

6 "(6) (a) A RECOVERY RESIDENCE SHALL NOT DENY ADMISSION TO  
7 AN INDIVIDUAL BASED ON THE INDIVIDUAL'S PARTICIPATION IN  
8 PRESCRIBED MEDICATION-ASSISTED TREATMENT, AS DEFINED IN SECTION  
9 23-21-803, FOR A SUBSTANCE USE DISORDER, INCLUDING ANY PRESCRIBED  
10 OR DISPENSED AGONIST TREATMENT THAT IS APPROVED BY THE FEDERAL  
11 FOOD AND DRUG ADMINISTRATION. THE RECOVERY RESIDENCE SHALL NOT  
12 REQUIRE AN INDIVIDUAL TO DISCONTINUE USAGE OF  
13 MEDICATION-ASSISTED TREATMENT AS A CONDITION OF RESIDING IN THE  
14 RECOVERY RESIDENCE.

15 (b) A RECOVERY RESIDENCE SHALL NOT RESTRICT AN INDIVIDUAL'S  
16 ABILITY TO TAKE PRESCRIBED MEDICATIONS, INCLUDING CONTROLLED  
17 MEDICATIONS IN ACCORDANCE WITH A PHYSICIAN'S ORDERS, AS A  
18 CONDITION FOR THE INDIVIDUAL TO RESIDE IN THE RECOVERY RESIDENCE.

19 (c) A RECOVERY RESIDENCE MAY IMPLEMENT REQUIREMENTS  
20 RELATED TO THE STORAGE AND STAFF ADMINISTRATION OF PRESCRIBED  
21 MEDICATIONS AS A MEANS OF ENSURING SAFETY AND PREVENTING  
22 DIVERSION OF MEDICATIONS."

23 Page 6, after line 1 insert:

24 "(8) THE BHA SHALL MAINTAIN A PUBLICLY AVAILABLE LIST OF  
25 LICENSED RECOVERY RESIDENCES."

26 Page 6, lines 19 and 20, strike "MAY INCLUDE LOCAL FIRE INSPECTIONS;"  
27 and substitute "INCLUDES OBTAINING ALL REQUIRED BUILDING AND  
28 SAFETY INSPECTIONS AND PERMITS AND COMPLIANCE WITH APPLICABLE  
29 BUILDING AND PROPERTY MAINTENANCE CODES THAT ARE ENFORCED BY  
30 A LOCAL GOVERNMENT;"

31 Page 7, strike lines 16 through 18 and substitute "HISTORY BACKGROUND  
32 CHECK BEFORE EMPLOYMENT OR EXECUTION OF A CONTRACT. THE"

33 Page 7, after line 22 insert:

34 "(3) THIS SECTION DOES NOT EXEMPT A RECOVERY RESIDENCE OR

1 ITS RESIDENTS OR OPERATORS FROM COMPLYING WITH ANY STATE,  
2 COUNTY, OR MUNICIPAL HEALTH, SAFETY, OR FIRE CODES.

3 (4) ANY RULES OR REGULATIONS ADOPTED PURSUANT TO THIS  
4 SECTION MUST NOT PROHIBIT, OR BE CONSTRUED TO AUTHORIZE THE  
5 PROHIBITION OF, AN INDIVIDUAL FROM RESIDING IN A RECOVERY  
6 RESIDENCE SOLELY ON THE BASIS OF AN INDIVIDUAL'S PRIOR CRIMINAL  
7 JUSTICE INVOLVEMENT OR PAST CRIMINAL CONVICTIONS."

8 Page 8, after line 12 insert:

9 "(c) UPON APPROVAL OF AN APPLICATION FOR A LICENSE, THE  
10 APPLICANT SHALL PROVIDE NOTICE TO THE LOCAL GOVERNMENT THAT  
11 REGULATES ZONING AND LAND USE FOR THE JURISDICTION WHERE THE  
12 RECOVERY RESIDENCE WILL BE LOCATED. THE NOTICE MUST INCLUDE:

13 (I) A STATEMENT OF THE APPLICANT'S INTENT TO OPERATE A  
14 RECOVERY RESIDENCE UPON ISSUANCE OF A RECOVERY RESIDENCE  
15 LICENSE BY THE BHA;

16 (II) THE LOCATION OF THE RECOVERY RESIDENCE; AND

17 (II) THE CONTACT INFORMATION FOR THE APPROPRIATE  
18 INDIVIDUAL WHO CAN BE REACHED TO ADDRESS QUESTIONS AND  
19 CONCERNS ABOUT THE RECOVERY RESIDENCE."

20 Page 10, strike lines 5 through 18 and substitute:

21 "(f) THE BHA SHALL EVALUATE INFORMATION RECEIVED FROM  
22 THE CRIMINAL HISTORY RECORD CHECK IN ACCORDANCE WITH SECTIONS  
23 24-5-101 AND 12-20-206 AND SHALL ONLY DENY AN APPLICATION BASED  
24 ON INFORMATION OBTAINED FROM THE CRIMINAL HISTORY RECORD CHECK  
25 IF THE DENIAL IS WARRANTED PURSUANT TO SECTIONS 24-5-101 AND  
26 12-20-206.

27 (g) THE BHA SHALL KEEP ANY INFORMATION OBTAINED  
28 PURSUANT TO THIS SUBSECTION (4) CONFIDENTIAL."

29 Renumber succeeding subsections accordingly.

30 Page 10, line 19, strike "(7)" and substitute "(6)".

31 Page 10, line 25, strike "(7)" and substitute "(6)".

32 Page 11, lines 16 and 17, strike "SECTION AND A DETERMINATION IN  
33 ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION." and substitute  
34 "SECTION."

- 1 Page 11, line 22, strike "COMMISSIONER" and substitute "BHA".
- 2 Page 14, line 9, after "INJURIES;" insert "OR".
- 3 Page 14, strike lines 10 and 11.
- 4 Renumber succeeding subparagraph accordingly.
- 5 Page 14, line 15, strike "PATIENT OR RECOVERY RESIDENT;" and substitute  
6 "RESIDING IN THE RECOVERY RESIDENCE;".
- 7 Page 15, line 4, strike "IF THE".
- 8 Page 15, strike lines 5 through 13.
- 9 Page 17, after line 6 insert:

10 **"27-50-1007. Repeal of part - sunset review.**

11 (1) (a) THIS PART 10 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2033.

12 (b) BEFORE ITS REPEAL, THE DEPARTMENT OF REGULATORY  
13 AGENCIES SHALL REVIEW THE REGULATION OF RECOVERY RESIDENCES IN  
14 ACCORDANCE WITH SECTION 24-34-104.

15 **SECTION 3.** In Colorado Revised Statutes, 24-34-104, **add**  
16 (34)(a)(XIV) as follows:

17 **24-34-104. General assembly review of regulatory agencies**  
18 **and functions for repeal, continuation, or reestablishment - legislative**  
19 **declaration - repeal.**

20 (34) (a) The following agencies, functions, or both, are scheduled  
21 for repeal on September 1, 2033:

22 (XIV) THE REGULATION OF RECOVERY RESIDENCES PURSUANT TO  
23 PART 10 OF ARTICLE 50 OF TITLE 27."

24 Renumber succeeding sections accordingly.  
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