

SENATE COMMITTEE OF REFERENCE REPORT

March 3, 2021

Chair of Committee

Date

Committee on Health & Human Services.

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

SB21-027 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, strike lines 9 through 27 and substitute:

2 "SECTION 2. In Colorado Revised Statutes, add 26-2-140 as
3 follows:

4 **26-2-140. Colorado diaper distribution program - diapering**
5 **essentials - report - rules - definitions - repeal.** (1) AS USED IN THIS
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "DIAPER DISTRIBUTION CENTER" MEANS A COMMUNITY-BASED
8 DIAPER BANK OR DISTRIBUTION CENTER OPERATING IN COLORADO, A
9 PUBLIC HEALTH AGENCY CREATED PURSUANT TO SECTION 25-1-506, OR
10 A COLORADO NONPROFIT ORGANIZATION WITH A MINIMUM OF THREE
11 YEARS EXPERIENCE DISTRIBUTING BABY OR TODDLER PRODUCTS.

12 (b) "DIAPERING ESSENTIALS" INCLUDES DIAPERS, WIPES, AND
13 DIAPER CREAMS.

14 (c) "ELIGIBLE INDIVIDUAL" MEANS A PARENT, GUARDIAN, OR
15 FAMILY MEMBER OF A CHILD WHO WEARS DIAPERS AND RESIDES IN
16 COLORADO.

17 (d) "PROGRAM" MEANS THE COLORADO DIAPER DISTRIBUTION
18 PROGRAM CREATED IN SECTION SUBSECTION (2) OF THIS SECTION.

19 (2) THERE IS CREATED IN THE STATE DEPARTMENT THE COLORADO
20 DIAPER DISTRIBUTION PROGRAM TO PROVIDE DIAPERING ESSENTIALS TO
21 ELIGIBLE INDIVIDUALS.

22 (3) NO LATER THAN THIRTY DAYS AFTER THE EFFECTIVE DATE OF
23 THIS SECTION, THE STATE DEPARTMENT SHALL SOLICIT INTEREST AND COST

1 DISTRIBUTION PROPOSALS FROM DIAPER DISTRIBUTION CENTERS TO
2 ADMINISTER THE PROGRAM. UPON THE STATE DEPARTMENT'S APPROVAL,
3 THE DIAPER DISTRIBUTION CENTERS MAY SUBCONTRACT MONEY RECEIVED
4 PURSUANT TO THIS SECTION TO THEIR PARTNERS AS NECESSARY TO SERVE
5 ELIGIBLE INDIVIDUALS. THE SELECTED DIAPER DISTRIBUTION CENTERS
6 MUST BE OPERATIONAL NO LATER THAN THIRTY DAYS AFTER ENTERING
7 INTO A CONTRACT WITH THE STATE DEPARTMENT. THE SELECTION
8 PROCESS DESCRIBED IN THIS SUBSECTION (3) IS NOT SUBJECT TO THE
9 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24.

10 (4) THE STATE DEPARTMENT MAY PROMULGATE RULES FOR THE
11 IMPLEMENTATION OF THIS SECTION.

12 (5) FOR THE 2021-22 STATE FISCAL YEAR, THE STATE DEPARTMENT
13 SHALL SUBMIT A PRELIMINARY REPORT, AND BEGINNING IN STATE FISCAL
14 YEAR 2022-23, AND EACH FISCAL YEAR THEREAFTER, THE STATE
15 DEPARTMENT SHALL REPORT TO THE PUBLIC THROUGH THE ANNUAL
16 HEARING, PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE,
17 RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2
18 OF ARTICLE 7 OF TITLE 2. AT A MINIMUM, THE REPORT MUST INCLUDE:

19 (a) THE TOTAL NUMBER OF DIAPER DISTRIBUTION CENTERS
20 CONTRACTED WITH THE STATE DEPARTMENT PURSUANT TO SUBSECTION
21 (2) OF THIS SECTION, INCLUDING ANY SUBCONTRACTORS;

22 (b) THE TOTAL AMOUNT OF MONEY AWARDED TO EACH DIAPER
23 DISTRIBUTION CENTER;

24 (c) THE LOCATION OF EACH DIAPER DISTRIBUTION CENTER AND THE
25 COUNTIES SERVED; AND

26 (d) THE TOTAL NUMBER OF ELIGIBLE INDIVIDUALS WHO RECEIVED
27 DIAPERING ESSENTIALS EACH YEAR, DISAGGREGATED BY EACH MONTH.

28 (6) (a) FOR STATE FISCAL YEARS 2021-22 AND 2022-23, THE
29 GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM
30 THE GENERAL FUND TO THE STATE DEPARTMENT FOR USE BY THE DIAPER
31 DISTRIBUTION CENTERS FOR THE IMPLEMENTATION OF THIS SECTION. THE
32 STATE DEPARTMENT MAY USE UP TO ONE HUNDRED THOUSAND DOLLARS
33 OR SEVEN AND A HALF PERCENT OF ANY MONEY APPROPRIATED BY THE
34 GENERAL ASSEMBLY FOR ADMINISTRATIVE COSTS INCURRED BY THE STATE
35 DEPARTMENT PURSUANT TO THIS SECTION.

36 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2024."

37 Page 4, strike lines 1 through 24.

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