

CHAPTER 25

HUMAN SERVICES - BEHAVIORAL HEALTH

HOUSE BILL 17-1020

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also SENATOR(S) Martinez Humenik, Aguilar, Cooke, Court, Crowder, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Merrifield, Tate, Todd, Williams A., Zenzinger.

AN ACT

CONCERNING ONGOING STAFFING FOR THE TASK FORCE CONCERNING TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 18-1.9-104, **amend** (1)(a) as follows:

18-1.9-104. Task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems - creation - membership - duties.

(1) **Creation.** (a) There is ~~hereby~~ created a task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems in Colorado. The task force ~~shall consist~~ CONSISTS of thirty-two members appointed as provided in ~~paragraphs (b) and (c) of this subsection (1)~~ SUBSECTIONS (1)(b) AND (1)(c) OF THIS SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION 18-1.9-105.

SECTION 2. In Colorado Revised Statutes, **amend** 18-1.9-105 as follows:

18-1.9-105. Task force funding - staff support. (1) The division of criminal justice of the department of public safety, ~~on behalf of the task force is~~ THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF HUMAN SERVICES, AND ANY STATE DEPARTMENT OR AGENCY WITH AN ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE authorized to receive and expend ~~contributions~~ GIFTS, grants, ~~services, and in-kind~~ AND donations, INCLUDING DONATIONS OF IN-KIND SERVICES FOR STAFF SUPPORT, from any public or private entity for any direct or indirect costs associated with the duties of the task force. ~~set forth in this article.~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(2) The director of research of the legislative council, the director of the office of legislative legal services, the director of the division of criminal justice within the department of public safety, THE DIRECTOR OF THE OFFICE OF BEHAVIORAL HEALTH, and the executive directors of the departments represented on the task force may supply staff assistance to the task force as they deem appropriate within existing appropriations. ~~If staff assistance is not available from a governmental agency within existing appropriations, then the executive directors of the departments represented on the task force, the director of research of the legislative council, and the director of the office of legislative legal services may supply staff assistance to the task force only~~ OR if moneys are MONEY IS credited to the treatment of persons with mental illness in the criminal and juvenile justice systems cash fund created in section 18-1.9-106 FOR THE PURPOSE OF AND in an amount sufficient to fund staff assistance. The task force may also accept DONATIONS OF IN-KIND SERVICES FOR staff support from the private sector.

SECTION 3. In Colorado Revised Statutes, 18-1.9-106, **amend** (1) as follows:

18-1.9-106. Treatment of persons with mental illness in the criminal and juvenile justice systems cash fund. (1) ~~All private and public funds received through grants, contributions, and donations pursuant to this article shall be transmitted to the state treasurer, who shall credit the same to~~ The treatment of persons with mental illness in the criminal and juvenile justice systems cash fund, ~~which fund is hereby created and~~ referred to in this section as the "fund", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED OR TRANSFERRED TO THE FUND BY THE GENERAL ASSEMBLY AND ANY PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF IMPLEMENTING THE PROVISIONS OF THIS ARTICLE. ~~The moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of this article. ~~All moneys~~ MONEY in the fund not expended for the purpose of IMPLEMENTING this article ARTICLE 1.9 may be invested by the state treasurer as provided by law. ~~All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund. All unexpended and unencumbered moneys remaining in the fund as of July 1, 2020, shall be transferred to the general fund.~~ THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AS OF JULY 1, 2020, TO THE GENERAL FUND.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect

unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 8, 2017