

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0286.02 Nicole Myers x4326

SENATE BILL 18-158

SENATE SPONSORSHIP

Coram and Garcia,

HOUSE SPONSORSHIP

Duran and Catlin,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES TO INCREASE SCHOOL DISTRICT ACCESS TO
102 INTEROPERABLE COMMUNICATION TECHNOLOGY TO IMPROVE
103 SCHOOL SAFETY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the school access for emergency response grant program (grant program) in the division of local government (division) in the department of local affairs (department). The purpose of the grant program is to provide funding for interoperable communication hardware, software, equipment maintenance, and training to allow for seamless

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

communications between existing school communications systems and first responder communications systems. Grant recipients may use the money received through the grant program to provide training in procedures for effective communications with first responders in an emergency, to update school crisis management plans, and to work with the vendor selected by the chief information officer in the office of information technology to make specified upgrades in connection with interoperable communications abilities.

The division is required to administer the grant program and, subject to available appropriations, award grants to be paid from the grant program fund. The director of the division is required to implement the grant program and to promulgate rules necessary to implement the grant program.

To receive a grant, a school district, school, charter school of the district, institute charter school, or state charter school institute must submit an application, including specified information, to the division. The director of the division is required to review the applications received and consider certain criteria in awarding the grants. Each grant recipient is required to submit a report to the division and the department is required to provide an annual update to the general assembly regarding the grant program.

The bill creates the grant program cash fund in the state treasury, which consists of a specified amount of money that the state treasurer transfers to the fund for each of the next 6 fiscal years.

In addition, the chief information officer is required to retain a vendor to provide an interoperable communication technology solution for use by grant recipients. The chief information officer is required to solicit vendors to provide the interoperable communication technology and to select a vendor to provide the interoperable communication technology solution by a specified date.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 36 to article
3 32 of title 24 as follows:

4 **PART 36**

5 **SCHOOL ACCESS FOR EMERGENCY RESPONSE**

6 **(SAFER) GRANT PROGRAM**

7 **24-32-3601. Short title.** THE SHORT TITLE OF THIS PART 36 IS THE
8 "SCHOOL ACCESS FOR EMERGENCY RESPONSE (SAFER) GRANT

1 PROGRAM ACT".

2 **24-32-3602. Legislative declaration.** (1) THE GENERAL
3 ASSEMBLY FINDS THAT:

4 (a) IN 2008, THE GENERAL ASSEMBLY PASSED SENATE BILL 08-181
5 CALLING FOR THE IMPROVEMENT OF COORDINATION AMONG AGENCIES
6 WHEN RESPONDING TO SCHOOL INCIDENTS;

7 (b) IN 2011, THE GENERAL ASSEMBLY PASSED ADDITIONAL
8 LEGISLATION, SENATE BILL 11-173, CONCERNING THE INTEROPERABILITY
9 OF COMMUNICATIONS IN SCHOOLS;

10 (c) WHILE PROGRESS HAS BEEN MADE IN COORDINATION,
11 INTEROPERABILITY CONTINUES TO BE AN ISSUE DUE TO LACK OF FUNDING
12 FOR NEEDED HARDWARE, SOFTWARE, AND TRAINING TO ALLOW FOR
13 SEAMLESS COMMUNICATIONS BETWEEN EXISTING SCHOOL DISTRICT
14 COMMUNICATION SYSTEMS AND FIRST RESPONDER COMMUNICATION
15 SYSTEMS;

16 (d) THE USE OF INTEROPERABLE TECHNOLOGY WOULD ALLOW FOR
17 SCHOOLS AND SCHOOL DISTRICT STAKEHOLDERS TO PARTICIPATE IN THE
18 STATE'S ONGOING IMPROVED STATEWIDE RADIO INFRASTRUCTURE;

19 (e) IT IS NECESSARY TO CREATE A PROGRAM TO LEVERAGE THE
20 STATE'S DIGITAL TRUNKED NETWORK, WHICH IS THE EXISTING
21 STANDARDS-BASED FIRST RESPONDER COMMUNICATIONS SYSTEM IN PLACE
22 STATEWIDE, AND TO EXPAND THE INFRASTRUCTURE BY ALLOWING DIRECT
23 COMMUNICATION FROM SCHOOL RADIOS TO FIRST RESPONDER RADIOS TO
24 IMPROVE INTEROPERABILITY;

25 (f) AN ADAPTABLE SYSTEM CAN CONNECT ANY SCHOOL'S EXISTING
26 RADIO EQUIPMENT TO THE RADIO OF A FIRST RESPONDER. IN ADDITION, THE
27 CONNECTION CAN BE SWITCHED ON AND OFF IMMEDIATELY BY PUBLIC

1 SAFETY PERSONNEL.

2 (g) PUBLIC SAFETY OFFICIALS MUST HAVE THE ABILITY TO ENABLE
3 AND DISABLE THE INTEROPERABLE TECHNOLOGY; AND

4 (h) GOING BEYOND THE CRITICAL 911 CALL, IT IS IMPORTANT TO
5 USE TECHNOLOGY THAT ENABLES EMERGENCY SERVICES PERSONNEL AND
6 SCHOOL OFFICIALS TO COMMUNICATE IN REAL-TIME DURING AN INCIDENT.

7 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT THE PURPOSE
8 OF THIS PART 36 IS TO CREATE THE SCHOOL ACCESS FOR EMERGENCY
9 RESPONSE GRANT PROGRAM TO PROVIDE SCHOOLS WITH MONEY FOR
10 NEEDED HARDWARE, SOFTWARE, AND TRAINING SO THAT WHEN AN
11 EMERGENCY HAPPENS, DISPATCHERS CAN ACTIVATE THE TECHNOLOGY,
12 TRAINED SCHOOL-SAFETY TEAMS CAN CONNECT ON THE RADIO, AND FIRST
13 RESPONDERS CAN ARRIVE ON THE SCENE INFORMED WITH THE MOST
14 UP-TO-DATE INFORMATION.

15 **24-32-3603. Definitions.** AS USED IN THIS PART 36, UNLESS THE
16 CONTEXT OTHERWISE REQUIRES:

17 (1) "CRISIS MANAGEMENT PLAN" MEANS A PLAN INCLUDING
18 TACTICAL STRATEGIES AND ACTIONS FOR RESPONDING TO AN EMERGENCY.

19 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS.

20 (3) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF LOCAL
21 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS.

22 (4) "FUND" MEANS THE SCHOOL ACCESS FOR EMERGENCY
23 RESPONSE GRANT PROGRAM CASH FUND CREATED IN SECTION 24-32-3607.

24 (5) "GRANT PROGRAM" MEANS THE SCHOOL ACCESS FOR
25 EMERGENCY RESPONSE GRANT PROGRAM CREATED IN THIS PART 36.

26 (6) "INTEROPERABILITY" MEANS THE ABILITY OF ONE OR MORE
27 RADIO SYSTEMS TO COMMUNICATE WITH ANOTHER RADIO SYSTEM.

1 (7) "INTEROPERABLE TECHNOLOGY" MEANS SOFTWARE AND
2 HARDWARE THAT ENABLES TWO DIFFERENT RADIO SYSTEMS TO
3 COMMUNICATE.

4 (8) "MEMORANDUM OF UNDERSTANDING" MEANS AN AGREEMENT
5 BETWEEN TWO OR MORE PARTIES THAT IS NOT LEGALLY BINDING TO
6 FORMALIZE A WORKING RELATIONSHIP.

7 (9) "PUBLIC SAFETY 911 ANSWERING POINT" MEANS THE
8 PROFESSIONALS THAT ANSWER 911 CALLS.

9 (10) "RADIO SYSTEM" MEANS A PRIVATE NETWORK FOR VOICE
10 COMMUNICATIONS.

11 (11) "SAFETY TEAM" MEANS PERSONNEL WHO HAVE A ROLE IN
12 CRISIS MANAGEMENT PLANS.

13 (12) "SCHOOL" MEANS A SCHOOL DISTRICT, PUBLIC SCHOOL WITHIN
14 A SCHOOL DISTRICT, CHARTER SCHOOL AUTHORIZED BY A SCHOOL
15 DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, CHARTER
16 SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE
17 PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, OR BOARD OF
18 COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE
19 5 OF TITLE 22 THAT OPERATES ONE OR MORE PUBLIC SCHOOLS.

20 (13) "STANDARDS BASED" MEANS RADIO SPECIFICATIONS DEFINED
21 BY A NATIONAL ASSOCIATION OF THE TELECOMMUNICATIONS INDUSTRY
22 THAT EVERY MANUFACTURER CAN FOLLOW TO IMPLEMENT EQUIPMENT
23 INTEROPERABILITY.

24 **24-32-3604. School access for emergency response grant**
25 **program - created - rules.** (1) THERE IS HEREBY CREATED IN THE
26 DEPARTMENT IN THE DIVISION OF LOCAL GOVERNMENT THE SCHOOL
27 ACCESS FOR EMERGENCY RESPONSE GRANT PROGRAM TO PROVIDE GRANTS

1 TO SCHOOLS TO PROVIDE FUNDING FOR NEEDED INTEROPERABLE
2 COMMUNICATION HARDWARE, SOFTWARE, EQUIPMENT MAINTENANCE, AND
3 TRAINING TO ALLOW FOR SEAMLESS COMMUNICATIONS BETWEEN NEW OR
4 EXISTING SCHOOL COMMUNICATIONS SYSTEMS AND FIRST RESPONDER
5 COMMUNICATIONS SYSTEMS.

6 (2) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH
7 THE GRANT PROGRAM FOR THE FOLLOWING PURPOSES:

8 (a) TO PROVIDE TRAINING PROGRAMS TO TEACH DISTRICT-BASED
9 SECURITY PERSONNEL AND APPROPRIATE SCHOOL PERSONNEL BASIC
10 PROCEDURES FOR EFFECTIVE COMMUNICATIONS WITH FIRST RESPONDERS
11 IN AN EMERGENCY;

12 (b) TO WORK WITH THE VENDOR SELECTED BY THE CHIEF
13 INFORMATION OFFICER IN THE OFFICE OF INFORMATION TECHNOLOGY
14 PURSUANT TO SECTION 24-37.5-507 TO PROVIDE OR UPGRADE THE
15 FOLLOWING:

16 (I) A SYSTEM THAT CAN BE ACTIVATED AND DEACTIVATED BY THE
17 PUBLIC SAFETY 911 ANSWERING POINT;

18 (II) RADIO BRIDGE ABILITY THAT IS NONRADIO VENDOR SPECIFIC;
19 AND

20 (III) A TWO-WAY RADIO INTEROPERABILITY SOLUTION THAT IS NOT
21 RELIANT ON CELLULAR, INTERNET, OR DATA NETWORKS;

22 (c) TO MAINTAIN OR IMPROVE A SCHOOL'S EXISTING
23 INTEROPERABLE COMMUNICATION HARDWARE OR SOFTWARE OR TO
24 PROVIDE INTEROPERABLE COMMUNICATION HARDWARE AND SOFTWARE TO
25 A SCHOOL THAT DOES NOT YET HAVE IT; AND

26 (d) TO ESTABLISH A FIVE-YEAR CONTRACT WITH THE SELECTED
27 VENDOR SUBJECT TO APPROPRIATION, THAT WILL ENSURE A CONSISTENT

1 PROGRAM FOR INTEROPERABILITY ACROSS THE STATE IN EVERY SCHOOL
2 AND PUBLIC SAFETY 911 ANSWERING POINT.

3 (3) THE DIVISION OF LOCAL GOVERNMENT SHALL ADMINISTER THE
4 GRANT PROGRAM AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL
5 AWARD GRANTS AS PROVIDED IN THIS PART 36. SUBJECT TO AVAILABLE
6 APPROPRIATIONS, GRANTS SHALL BE PAID OUT OF THE FUND CREATED IN
7 SECTION 24-32-3607.

8 (4) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL
9 IMPLEMENT THE GRANT PROGRAM IN ACCORDANCE WITH THIS PART 36.
10 PURSUANT TO ARTICLE 4 OF THIS TITLE 24, THE DIRECTOR OR THE
11 DIRECTOR'S DESIGNEE SHALL PROMULGATE SUCH RULES AS ARE REQUIRED
12 IN THIS PART 36 AND SUCH ADDITIONAL RULES AS MAY BE NECESSARY TO
13 IMPLEMENT THE GRANT PROGRAM. AT A MINIMUM, THE RULES MUST
14 SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE
15 GRANT PROGRAM APPLICATION, AND THE TIME FRAMES FOR DISTRIBUTING
16 GRANT MONEY.

17 **24-32-3605. Grant program - application - criteria - awards.**

18 (1) TO RECEIVE A GRANT, A SCHOOL MUST SUBMIT AN APPLICATION TO
19 THE DIVISION OF LOCAL GOVERNMENT IN ACCORDANCE WITH RULES
20 PROMULGATED BY THE DIRECTOR. AT A MINIMUM, THE APPLICATION MUST
21 INCLUDE THE FOLLOWING INFORMATION:

22 (a) A DESCRIPTION OF THE SCHOOL'S CURRENT INTEROPERABLE
23 COMMUNICATION TECHNOLOGY, IF ANY;

24 (b) A SUMMARY OF COMPLIANCE WITH THE COLORADO SCHOOL
25 RESPONSE FRAMEWORK PURSUANT TO SECTION 22-32-109.1 (4) OR
26 22-30.5-503.5;

27 (c) A DESCRIPTION OF EFFORTS THAT THE SCHOOL HAS TAKEN TO

1 COORDINATE EMERGENCY COMMUNICATION WITH LAW ENFORCEMENT AND
2 OTHER SCHOOLS; AND

3 (d) A DESCRIPTION OF THE PURPOSE FOR WHICH THE SCHOOL
4 WOULD PLAN TO USE THE GRANT MONEY.

5 (2) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL REVIEW
6 THE APPLICATIONS RECEIVED PURSUANT TO THIS SECTION. IN AWARDING
7 GRANTS, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL CONSIDER
8 THE FOLLOWING CRITERIA:

9 (a) THE EXTENT TO WHICH THE SCHOOL IS FULLY COMPLIANT WITH
10 THE COLORADO SCHOOL RESPONSE FRAMEWORK PURSUANT TO SECTION
11 22-32-109.1 (4) OR 22-30.5-503.5;

12 (b) WHETHER THE SCHOOL HAS A MEMORANDUM OF
13 UNDERSTANDING WITH ITS REGIONAL PUBLIC SAFETY 911 ANSWERING
14 POINT FOR RADIO INTEROPERABILITY; AND

15 (c) WHETHER THE SCHOOL HAS A CRISIS MANAGEMENT PLAN IN
16 PLACE WITH SAFETY TEAM MEMBERS DESIGNATED FOR COMMUNICATIONS
17 WITH FIRST RESPONDERS.

18 (3) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
19 NOVEMBER 1, 2018, AND ON OR BEFORE SEPTEMBER 1 EACH YEAR
20 THEREAFTER FOR THE DURATION OF THE GRANT PROGRAM, THE DIRECTOR
21 OR THE DIRECTOR'S DESIGNEE SHALL AWARD GRANTS AS PROVIDED IN THIS
22 PART 36. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL DISTRIBUTE
23 THE GRANT MONEY WITHIN THIRTY DAYS AFTER THE GRANTS ARE
24 AWARDED.

25 **24-32-3606. Reporting requirements.** (1) ON OR BEFORE
26 JANUARY 15, 2019, AND ON OR BEFORE JANUARY 15 EACH YEAR
27 THEREAFTER FOR THE DURATION OF THE GRANT PROGRAM, EACH SCHOOL

1 THAT RECEIVES A GRANT THROUGH THE GRANT PROGRAM SHALL SUBMIT
2 A REPORT TO THE DIVISION OF LOCAL GOVERNMENT. AT A MINIMUM, THE
3 REPORT MUST INCLUDE THE FOLLOWING INFORMATION:

4 (a) THE NUMBER OF SCHOOLS THAT USED GRANT MONEY TO
5 PROVIDE TRAINING PROGRAMS TO APPROPRIATE PERSONNEL REGARDING
6 EFFECTIVE COMMUNICATIONS WITH FIRST RESPONDERS IN AN EMERGENCY;

7 (b) THE NUMBER OF SCHOOLS THAT USED GRANT MONEY TO
8 PROVIDE OR UPGRADE ITS INTEROPERABLE TECHNOLOGY, INCLUDING
9 INTEROPERABLE COMMUNICATION HARDWARE OR SOFTWARE; AND

10 (c) THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE SCHOOLS
11 THAT RECEIVED GRANT MONEY.

12 (2) ON OR BEFORE JANUARY 15, 2019, AND ON OR BEFORE
13 JANUARY 15 EACH YEAR THEREAFTER FOR THE DURATION OF THE GRANT
14 PROGRAM, THE DEPARTMENT SHALL INCLUDE A SUMMARIZED REPORT OF
15 THE ACTIVITIES OF THE GRANT PROGRAM IN THE DEPARTMENT'S ANNUAL
16 PRESENTATION TO THE APPLICABLE COMMITTEE OF REFERENCE PURSUANT
17 TO SECTION 2-7-203.

18 (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
19 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL
20 THE GRANT PROGRAM REPEALS PURSUANT TO SECTION 24-32-3608.

21 **24-32-3607. School access for emergency response grant**
22 **program cash fund.** (1) (a) THE SCHOOL ACCESS FOR EMERGENCY
23 RESPONSE GRANT PROGRAM CASH FUND IS HEREBY CREATED IN THE STATE
24 TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND
25 PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION AND ANY OTHER MONEY
26 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND.

27 (b) ON JULY 1, 2018, AND EACH JULY 1 THEREAFTER THROUGH

1 JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER SEVEN MILLION
2 DOLLARS TO THE FUND FROM THE GENERAL FUND.

3 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
4 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
5 FUND TO THE FUND.

6 (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
7 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR
8 THE PURPOSE OF AWARDING GRANTS TO SCHOOLS PURSUANT TO THIS PART
9 36. THE DEPARTMENT MAY USE UP TO THREE PERCENT OF THE MONEY
10 ANNUALLY APPROPRIATED FOR THE GRANT PROGRAM TO PAY THE DIRECT
11 AND INDIRECT COSTS THAT IT INCURS TO ADMINISTER THE GRANT
12 PROGRAM.

13 (4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED
14 AND UNENCUMBERED MONEY IN THE FUND TO THE GENERAL FUND AFTER
15 THE GRANT PROGRAM REPEALS PURSUANT TO SECTION 24-32-3608.

16 **24-32-3608. Repeal of part.** THIS PART 36 IS REPEALED,
17 EFFECTIVE JULY 1, 2024.

18 **SECTION 2.** In Colorado Revised Statutes, **add** 24-37.5-507 as
19 follows:

20 **24-37.5-507. Interoperable communication technology - school**
21 **access for emergency response program - competitive solicitation.**

22 (1) THE CHIEF INFORMATION OFFICER OR THE OFFICER'S DESIGNEE SHALL
23 RETAIN A VENDOR TO PROVIDE AN INTEROPERABLE COMMUNICATION
24 TECHNOLOGY SOLUTION FOR USE BY SCHOOLS PURSUANT TO THE SCHOOL
25 ACCESS FOR EMERGENCY RESPONSE GRANT PROGRAM CREATED IN PART 36
26 OF ARTICLE 32 OF THIS TITLE 24. THE CHIEF INFORMATION OFFICER OR THE
27 OFFICER'S DESIGNEE SHALL SOLICIT VENDORS TO PROVIDE THE

1 INTEROPERABLE COMMUNICATION TECHNOLOGY FOR USE BY SCHOOLS
2 THROUGH A COMPETITIVE SOLICITATION PROCESS IN ACCORDANCE WITH
3 THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE 24. THE
4 CHIEF INFORMATION OFFICER OR THE OFFICER'S DESIGNEE SHALL SELECT
5 A VENDOR THAT IS ABLE TO PROVIDE THE FOLLOWING:

6 (a) A SYSTEM THAT CAN BE ACTIVATED AND DEACTIVATED BY THE
7 PUBLIC SAFETY 911 ANSWERING POINT;

8 (b) RADIO BRIDGE ABILITY THAT IS NONRADIO VENDOR SPECIFIC;
9 AND

10 (c) A TWO-WAY RADIO INTEROPERABILITY SOLUTION THAT IS NOT
11 RELIANT ON CELLULAR, INTERNET, OR DATA NETWORKS;

12 (2) THE CHIEF INFORMATION OFFICER OR THE OFFICER'S DESIGNEE
13 SHALL ENTER INTO A CONTRACT WITH THE SELECTED VENDOR BY
14 SEPTEMBER 1, 2018.

15 **SECTION 3. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.