

CHAPTER 110

GOVERNMENT - STATE

HOUSE BILL 18-1172

BY REPRESENTATIVE(S) Young, Hamner, Rankin, Bridges, Buckner, Esgar, Hansen, Herod, Hooton, Kennedy, Melton, Michaelson Jenet, Pettersen;
also SENATOR(S) Lambert, Lundberg, Moreno, Crowder, Martinez Humenik.

AN ACT

CONCERNING MONEY ALLOCATED FROM AN APPROPRIATION FROM THE MARIJUANA TAX CASH FUND TO A DESIGNATED MANAGED SERVICE ORGANIZATION TO IMPLEMENT ITS COMMUNITY ACTION PLAN.

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

SECTION 1. In Colorado Revised Statutes, 27-80-107.5, **amend** (4)(c), (4)(d)(I), (5)(a), (5)(b), (5)(c) introductory portion, and (5)(c)(II); and **add** (7) as follows:

27-80-107.5. Increasing access to effective substance use disorder services act - managed service organizations - substance use disorder services - assessment - community action plan - allocations - reporting requirements - evaluation. (4) (c) It is the intent of the general assembly that each designated managed service organization use money allocated to it from the marijuana tax cash fund to cover expenditures for substance use disorder services that are not otherwise covered by public or private insurance. Except as provided in ~~paragraph (a) of this subsection~~ **paragraph (a) of this subsection** (4) ~~SUBSECTION (4)(a) OF THIS SECTION, each managed service organization may use its allocation from the marijuana tax cash fund to implement its community action plan, and increase access to substance use disorder services for populations in need of such services that are within its geographic region~~ **INCLUDING EXPENDITURES FOR SUBSTANCE USE DISORDER SERVICES AND FOR ANY START-UP COSTS OR OTHER EXPENSES NECESSARY TO INCREASE CAPACITY TO PROVIDE SUCH SERVICES. A DESIGNATED MANAGED SERVICE ORGANIZATION MUST SPEND ITS ALLOCATION IN THE STATE FISCAL YEAR IN WHICH IT IS RECEIVED OR IN THE NEXT STATE FISCAL YEAR THEREAFTER. IF THERE IS ANY MONEY FROM THE ALLOCATION REMAINING AFTER THE SECOND STATE FISCAL YEAR, THEN THE DESIGNATED MANAGED SERVICE ORGANIZATION SHALL RETURN THE MONEY TO THE DEPARTMENT.**

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

(d) (I) For state fiscal year 2016-17, and each state fiscal year thereafter, the department shall allocate money that is annually appropriated to it from the marijuana tax cash fund to the designated managed service organizations based on the department's allocation of the federal substance abuse prevention and treatment block grant to geographical areas for the same state fiscal year. ANY MONEY FROM THE MARIJUANA TAX CASH FUND THAT IS ALLOCATED IN ACCORDANCE WITH THIS SUBSECTION (4)(d)(I) AND THAT IS NOT EXPENDED BY A MANAGED SERVICE ORGANIZATION IN THE STATE FISCAL YEAR IN WHICH IT IS DISBURSED REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT IN THE NEXT STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

(5) (a) On or before September 1, 2017, and on or before each September 1 thereafter, each designated managed service organization shall submit an annual report to the department, THE JOINT BUDGET COMMITTEE, THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, concerning the amount and purpose of actual expenditures made using money from the marijuana tax cash fund in the previous state fiscal year. The report must contain a description of the impact of the expenditures on addressing the needs that were identified in the initial and any subsequent community assessments and action plans developed pursuant to subsection (3) of this section, as well as any other requirements established for the contents of the report by the department.

~~(b) On or before February 1, 2017, and on or before each February 1 thereafter, Each A designated managed service organization shall submit to the department a mid-year report concerning~~ WITH INFORMATION ABOUT actual expenditures from July 1 through December 31 AS REQUIRED BY THE DEPARTMENT.

~~(c) Notwithstanding section 24-1-136(11)(a)(I), and on or before each November 1 thereafter,~~ On or before November 1, 2020, the department, in collaboration with the designated managed service organizations, shall submit a report to the joint budget committee and the joint health and human services committee, or any successor committees. The report must:

(II) Describe the impact the expenditures have had on increasing statewide access to a continuum of effective substance use disorder services, including the availability of prevention, intervention, treatment, and recovery support services in each designated service area; and

(7) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE DEPARTMENT SHALL REPORT ON OUTCOMES RELATED TO THE IMPLEMENTATION OF THIS SECTION AS PART OF ITS ANNUAL "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203, BEGINNING WITH THE HEARING THAT PRECEDES THE 2019 LEGISLATIVE SESSION.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 9, 2018