

**Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**2nd REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 22-0871.01 Conrad Imel x2313

**HOUSE BILL 22-1243**

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**House Committees**

Education  
Appropriations

**Senate Committees**

Appropriations

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**A BILL FOR AN ACT**

101     **CONCERNING PROGRAMS THAT PROVIDE FUNDING TO IMPROVE**  
102             **SCHOOL SAFETY, AND, IN CONNECTION THEREWITH, MAKING AN**  
103             **APPROPRIATION.**

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**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 security disbursement program cash fund (cash fund). The department of public safety (department) may disburse money from the cash fund to school districts, charter schools, and boards of cooperative services to improve security within public schools. The bill appropriates \$6,000,000 to the cash fund.

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.*

SENATE  
Amended 3rd Reading  
May 3, 2022

SENATE  
Amended 3rd Reading  
April 29, 2022

SENATE  
Amended 2nd Reading  
April 27, 2022

HOUSE  
3rd Reading Unamended  
April 14, 2022

HOUSE  
Amended 2nd Reading  
April 13, 2022

The temporary youth mental health services program is set to repeal on June 30, 2022. The bill continues the temporary youth mental health services program and the bi-annual reporting requirements until June 30, 2024.

The bill appropriates \$2 million from the behavioral and mental health cash fund to the department of education for the behavioral health care professional matching grant program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) The federal government enacted the "American Rescue Plan  
5 Act of 2021" (ARPA), Pub.L. 117-2, pursuant to which Colorado  
6 received \$3,828,761,790 to mitigate the fiscal effects stemming from the  
7 COVID-19 public health emergency;

8 (b) Government recipients of ARPA funds may use the funds to  
9 provide resources for governments to meet the public health and  
10 economic needs of those impacted by the pandemic in their communities.  
11 Pursuant to ARPA and subsequent federal regulations, when providing  
12 behavioral health services, government recipients may presume that the  
13 general public was impacted by the pandemic, and they can therefore use  
14 ARPA funds to provide a broad range of behavioral health services to the  
15 public, including services for children and youth in schools; and

16 (c) The expenditures in this bill for the behavioral health care  
17 professional matching grant program, which provides grants to increase  
18 the funding education providers allocate to school health professionals to  
19 provide behavioral health care to students, is considered an allowable use  
20 under ARPA and is necessary to respond to the COVID-19 public health  
21 emergency.

22 (2) The general assembly further finds and declares that:

1 (a) Ensuring that students, educators, and school staff are safe in  
2 school is a top priority in Colorado;

3 (b) Addressing school safety includes, but is not limited to, efforts  
4 to ensure that schools have the security infrastructure necessary to prevent  
5 unauthorized entry and prevent students, educators, and individuals from  
6 physical harm;

7 (c) School safety, climate, and learning are linked, and students  
8 cannot learn if they do not feel safe, welcome, and supported;

9 (d) For the 2019-20 school year in Colorado, Black students were  
10 3.1 times more likely to be suspended than white students, and Hispanic  
11 students were 1.8 times more likely to be suspended than white students;

12 (e) When implementing efforts to improve school safety,  
13 education professionals and law enforcement must take a proactive  
14 approach to prevent any effort that would increase discipline disparities;

15 (f) Colorado schools have been fundamentally rethinking school  
16 safety by centering the social, emotional, and mental health needs of  
17 young people and providing the resources and supports necessary to  
18 address the root causes of students' pain, trauma, and isolation;

19 (g) Colorado's school health professional ratio currently falls well  
20 below the national average, and funding behavioral health-care  
21 professionals and services in schools is part of a multifaceted approach  
22 to maintaining safe schools;

23 (h) As of January 2022, Colorado's "I Matter" program provided  
24 more than 1,300 therapy sessions, with over 3,000 scheduled  
25 appointments, helping to provide a free avenue for youth to find mental  
26 health supports; and

27 (i) Therefore, the general assembly finds that providing additional

1 resources for school safety, including school security investments and  
2 behavioral health supports, is necessary to ensure that Colorado children  
3 are safe in school and their communities.

4 **SECTION 2.** In Colorado Revised Statutes, **add** 24-33.5-1811 as  
5 follows:

6 **24-33.5-1811. School security disbursement program cash**  
7 **fund - repeal.** (1) THE SCHOOL SECURITY DISBURSEMENT PROGRAM CASH  
8 FUND, REFERRED TO IN THIS SECTION AS THE "FUND" IS CREATED IN THE  
9 STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL  
10 ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE  
11 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE  
12 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. SUBJECT  
13 TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE  
14 DEPARTMENT MAY EXPEND MONEY FROM THE FUND TO IMPLEMENT THE  
15 SCHOOL SECURITY DISBURSEMENT PROGRAM CREATED IN SECTION  
16 24-33.5-1810. THE DEPARTMENT MAY EXPEND UP TO THREE PERCENT OF  
17 THE AMOUNT APPROPRIATED TO THE FUND IN EACH FISCAL YEAR FOR THE  
18 ADMINISTRATIVE EXPENSES INCURRED IN IMPLEMENTING THE SCHOOL  
19 SECURITY DISBURSEMENT PROGRAM.

20 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024. THE  
21 STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND  
22 UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2024, TO THE GENERAL  
23 FUND.

24 **SECTION 3.** In Colorado Revised Statutes, 27-60-109, **amend**  
25 (5) and (6); and **add** (5.5) as follows:

26 **27-60-109. Temporary youth mental health services program**  
27 **- established - rules - report - definitions - repeal.** (5) On or before

1 January 1 ~~2022~~ OF EACH YEAR, and on or before June 30 ~~2022~~ OF EACH  
2 YEAR, the state department shall report to the house of representatives  
3 public and behavioral health and human services committee and the  
4 senate health and human services committee, or their successor  
5 committees, regarding the number of youth who received services under  
6 the program, excluding any personally identifiable information in  
7 accordance with state and federal law; information in aggregate about the  
8 services provided to youth under the program; and other relevant  
9 information regarding the program.

10 (5.5) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL  
11 ASSEMBLY SHALL APPROPRIATE SIX MILLION DOLLARS FROM THE  
12 BEHAVIORAL AND MENTAL HEALTH CASH FUND CREATED IN SECTION  
13 24-75-230 TO THE STATE DEPARTMENT FOR THE PURPOSES OF THIS  
14 SECTION. ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED  
15 PURSUANT TO THIS SECTION REMAINS AVAILABLE FOR EXPENDITURE FOR  
16 THE SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER  
17 APPROPRIATION.

18 (b) THE STATE DEPARTMENT AND OFFICE SHALL COMPLY WITH THE  
19 COMPLIANCE, REPORTING, RECORD-KEEPING, AND PROGRAM EVALUATION  
20 REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE PLANNING AND  
21 BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE WITH SECTION  
22 24-75-226 (5).

23 (b) THIS SUBSECTION (5.5) IS REPEALED, EFFECTIVE JUNE 30, 2024.

24 (6) This section is repealed, effective June 30, ~~2022~~ 2024.

25 **SECTION 4. Appropriation.** (1) For the 2022-23 state fiscal  
26 year, \$6,000,000 is appropriated to the school security disbursement  
27 program cash fund created in section 24-33.5-1811, C.R.S. This

1 appropriation is from the general fund. The department of public safety  
2 is responsible for the accounting related to this appropriation.

3 (2) For the 2022-23 state fiscal year, \$6,000,000 is appropriated  
4 to the department of public safety for use by the division of homeland  
5 security and emergency management. This appropriation is from  
6 reappropriated funds in the school security disbursement program cash  
7 fund under subsection (1) of this section. To implement this act, the  
8 division may use the appropriation for the school security disbursement  
9 program.

10 (3) For the 2022-23 state fiscal year, \$2,000,000 is appropriated  
11 to the department of education. This appropriation is from the behavioral  
12 and mental health cash fund created in section 24-75-230, C.R.S., and is  
13 from money the state received from the federal coronavirus state fiscal  
14 recovery fund. The department may use this appropriation for the  
15 behavioral health care professional matching grant program. Any money  
16 appropriated in this section not expended prior to July 1, 2023, is further  
17 appropriated to the department from July 1, 2023, through December 30,  
18 2024, for the same purpose.

19 (4) For the 2022-23 state fiscal year, \$6,000,000 is appropriated  
20 to the department of human services for use by the behavioral health  
21 administration. This appropriation is from the behavioral and mental  
22 health cash fund created in section 24-75-230, C.R.S., is of money the  
23 state received from the federal coronavirus state fiscal recovery fund, and  
24 is based on an assumption that the administration will require an  
25 additional 1.0 FTE. To implement this act, the administration may use this  
26 appropriation for the temporary youth mental health services program.  
27 Any money appropriated in this section not expended prior to July 1,

1 2023, is further appropriated to the administration from July 1, 2023,  
2 through June 30, 2024, for the same purpose.

3           **SECTION 5. Effective date.** This act takes effect upon passage;  
4 except that section 2 and subsection (1) of section 4 of this act take effect  
5 only if House Bill 22-1120 becomes law, in which case section 2 and  
6 subsection (1) of section 4 take effect on the effective date of this act or  
7 House Bill 22-1120, whichever is later.

8           **SECTION 6. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, or safety.