

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0098.01 Pierce Lively x2059

SENATE BILL 22-187

SENATE SPONSORSHIP

Danielson,

HOUSE SPONSORSHIP

Cutter and Lindsay,

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING STATE ASSISTANCE TO PROGRAMS THAT ASSIST IN**
102 **ATTEMPTING TO LOCATE PERSONS WHO WANDER, AND, IN**
103 **CONNECTION THEREWITH, RESTRUCTURING A GRANT PROGRAM**
104 **THAT ASSISTS LOCAL GOVERNMENTS OR THEIR DESIGNEES IN**
105 **LOCATING PERSONS WITH MEDICAL CONDITIONS, SUCH AS**
106 **ALZHEIMER'S DISEASE AND RELATED DEMENTIAS, AUTISM,**
107 **BRAIN INJURY, OR DEVELOPMENTAL, COGNITIVE,**
108 **NEUROLOGICAL, OR CHROMOSOMAL DISORDERS THAT MAY**
109 **CAUSE THEM TO WANDER AND MAKING AN APPROPRIATION.**

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

*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.*

applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill expands the grant program administered by the Colorado bureau of investigation (CBI) that assists counties in implementing recovery programs for persons who wander (grant program). A recovery program for persons who wander (recovery program), currently known as a lifesaver program, is a program under which a participant has a device that may be used to assist in attempting to electronically locate the participant. The bill expands the grant program to apply to recovery programs established or maintained by counties and municipalities (local governments) or local government designees. The bill also removes limits on the amount local governments and their designees may be awarded in any single grant and on the amount of money that the general assembly may annually appropriate to the recovery program cash fund that funds the grant program. Further, the bill allows the executive director of the department of public safety to award grants to assist in maintaining and implementing recovery programs.

The bill also requires the CBI to establish a website that lists those local governments and local government designees that have a recovery program, describes how to contact those local governments and local government designees, lists resources for caretakers of persons with medical conditions that cause wandering, provides procedures to follow when a participant of a recovery program is determined to be missing, describes how the technology used by the various local governments and local government designees for recovery programs works, and provides any other information the CBI may conclude is necessary to better explain and publicize recovery programs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-415.9,
3 **amend** (1)(b), (1)(f), (2), (3), (4)(a) introductory portion, (4)(a)(I),
4 (4)(a)(II), (4)(b), (5), and (6); and **add** (1.5) and (5.5) as follows:

5 **24-33.5-415.9. Local recovery programs for persons who**
6 **wander - administration - rules - grants to local governments -**
7 **requirements for recovery programs for persons who wander -**
8 **website - cash fund - legislative declaration - definitions.** (1) The
9 general assembly hereby finds, determines, and declares that:

1 (b) In Colorado, there are currently estimated to be approximately
2 seventy-nine thousand people with medical conditions, such as
3 Alzheimer's disease AND RELATED DEMENTIAS, autism, ~~Down syndrome,~~
4 ~~and other mental impairments, that cause wandering~~ BRAIN INJURY, OR
5 DEVELOPMENTAL, COGNITIVE, NEUROLOGICAL, OR CHROMOSOMAL
6 DISORDERS THAT MAY CAUSE PEOPLE TO WANDER.

7 (f) Establishing a grant program to encourage county sheriffs'
8 departments, MUNICIPALITIES, AND COUNTY OR MUNICIPAL DESIGNEES to
9 establish ~~lifesaver~~ RECOVERY programs FOR PERSONS WHO WANDER
10 pursuant to this section will be beneficial to the citizens of Colorado by
11 PROVIDING TOOLS THAT WILL INCREASE THE CHANCES OF saving the lives
12 of lost and missing persons.

13 (1.5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
14 REQUIRES:

15 (a) "DESIGNEE" MEANS AN ORGANIZATION DESIGNATED BY A
16 COUNTY OR MUNICIPALITY TO ADMINISTER A RECOVERY PROGRAM FOR
17 PERSONS WHO WANDER.

18 (b) "PARTICIPANT" MEANS A PERSON WHO HAS A MEDICAL
19 CONDITION SUCH AS ALZHEIMER'S DISEASE AND RELATED DEMENTIAS,
20 AUTISM, BRAIN INJURY, OR DEVELOPMENTAL, COGNITIVE, NEUROLOGICAL,
21 OR CHROMOSOMAL DISORDERS, THAT MAY CAUSE THEM TO WANDER AND
22 WHO PARTICIPATES IN A RECOVERY PROGRAM FOR PERSONS WHO WANDER.

23 (c) "RECOVERY PROGRAM FOR PERSONS WHO WANDER" MEANS A
24 PROGRAM UNDER WHICH A PARTICIPANT HAS A DEVICE THAT MAY BE USED
25 TO ASSIST IN ATTEMPTING TO ELECTRONICALLY LOCATE THE PARTICIPANT.

26 (2) The general assembly encourages each county, ~~or~~ any
27 combination of counties, EACH MUNICIPALITY, ANY COMBINATION OF

1 MUNICIPALITIES, ANY COMBINATION OF COUNTIES AND MUNICIPALITIES,
2 OR DESIGNEES to implement a lifesaver program under which a participant
3 wears a small transmitter on his or her wrist to allow the county sheriffs'
4 departments to electronically locate the participant if necessary using a
5 radio receiver AND MAINTAIN A RECOVERY PROGRAM FOR PERSONS WHO
6 WANDER.

7 (3) The executive director shall serve as the liaison to lifesaver
8 RECOVERY programs in counties that choose to implement them FOR
9 PERSONS WHO WANDER and shall administer the state grant moneys
10 MONEY awarded for the purpose of starting the OR MAINTAINING
11 RECOVERY programs FOR PERSONS WHO WANDER. The executive director
12 may promulgate such rules as are necessary for the administration of this
13 section, including but not limited to annual deadlines for submitting
14 GRANT applications, reporting of search and rescue statistics using
15 technology obtained under this section, and implementation AND
16 MAINTENANCE policies for RECOVERY programs The maximum amount
17 that a county may receive for startup is ten thousand dollars. FOR PERSONS
18 WHO WANDER. THE EXECUTIVE DIRECTOR SHALL ENSURE THAT GRANTS
19 ARE ONLY AWARDED TO THOSE RECOVERY PROGRAMS FOR PERSONS WHO
20 WANDER THAT ENSURE THAT EVERY PARTICIPANT IN THE PROGRAM IS
21 ENROLLED BY THEIR CAREGIVER.

22 (4) (a) If a county initiates COUNTY, MUNICIPALITY, OR DESIGNEE
23 EITHER HAS A RECOVERY PROGRAM FOR PERSONS WHO WANDER OR
24 CHOOSES TO INITIATE a lifesaver RECOVERY program FOR PERSONS WHO
25 WANDER, it may submit a written GRANT application in a form specified
26 by the executive director. Counties, MUNICIPALITIES, AND DESIGNEES may
27 submit GRANT applications jointly. The GRANT application shall include

1 but not be limited to:

2 (I) An estimate of the number of people who ARE AT RISK OF
3 WANDERING AND might qualify for assistance ~~in the county~~ UNDER THE
4 RECOVERY PROGRAM FOR PERSONS WHO WANDER;

5 (II) An estimate of the startup OR MAINTENANCE cost OF THE
6 RECOVERY PROGRAM FOR PERSONS WHO WANDER; and

7 (b) The executive director shall prioritize the grant awards in
8 accordance with the respective needs of each county, MUNICIPALITY, OR
9 DESIGNEE for tracking services and the availability of local funding
10 sources, as documented in the GRANT applications submitted pursuant to
11 ~~paragraph (a) of this subsection (4)~~ SUBSECTION (4)(a) OF THIS SECTION.
12 Awards to qualifying counties, MUNICIPALITIES, AND DESIGNEES shall be
13 prorated in accordance with the availability of state grant ~~funds~~ MONEY.

14 (5) (a) If a county, MUNICIPALITY, OR DESIGNEE accepts a grant
15 under this section, the county, MUNICIPALITY, OR DESIGNEE shall use such
16 grant moneys to ~~purchase emergency response kits, which shall include~~
17 ~~equipment necessary to track and triangulate searches, as well as~~
18 ~~transmitters, and shall provide such training as is necessary for search~~
19 ~~personnel. Grant moneys awarded under this section shall be used for~~
20 ~~startup capital equipment costs and initial training of search personnel and~~
21 ~~inventory including transmitters or any other related equipment or~~
22 ~~training required in order to implement the program. Counties accepting~~
23 ~~grant moneys under this section shall manage and provide ongoing costs~~
24 ~~associated with lifesaver programs once implemented.~~ MONEY FOR
25 EQUIPMENT COSTS, TRAINING OF SEARCH PERSONNEL, OUTREACH ABOUT
26 RECOVERY PROGRAMS FOR PERSONS WHO WANDER, AND ANY OTHER
27 COSTS REQUIRED TO IMPLEMENT OR MAINTAIN A RECOVERY PROGRAM FOR

1 PERSONS WHO WANDER.

2 (b) ~~For All counties, MUNICIPALITIES, OR DESIGNEES establishing~~
3 ~~OR MAINTAINING a lifesaver RECOVERY program FOR PERSONS WHO~~
4 ~~WANDER under this section the Alzheimer's association Colorado chapter,~~
5 ~~or its successor organization, shall provide free training for law~~
6 ~~enforcement and families about the dangers of wandering and other~~
7 ~~potentially hazardous behavior secondary to Alzheimer's disease, as well~~
8 ~~as follow-up with families when a wandering incident has occurred. The~~
9 ~~training shall delineate the course of the disease and the potential for~~
10 ~~problematic behavior that exists in each stage, and shall provide families~~
11 ~~and the law enforcement community with the tools for handling difficult~~
12 ~~situations when they arise and strategies for warding off behavior before~~
13 ~~it threatens the life and safety of an individual with Alzheimer's disease~~
14 SHALL WORK WITH ORGANIZATIONS WHO PROVIDE SERVICES TO
15 INDIVIDUALS WITH MEDICAL CONDITIONS SUCH AS ALZHEIMER'S DISEASE
16 AND RELATED DEMENTIAS, AUTISM, BRAIN INJURY, OR DEVELOPMENTAL,
17 COGNITIVE, NEUROLOGICAL, OR CHROMOSOMAL DISORDERS, THAT MAY
18 CAUSE THEM TO WANDER TO PROVIDE INFORMATION TO ANY FAMILY
19 MEMBER OF A PARTICIPANT IN A RECOVERY PROGRAM FOR PERSONS WHO
20 WANDER ABOUT WANDERING, HOW TO PREVENT WANDERING, AND HOW TO
21 RESPOND TO WANDERING.

22 (c) THE BUREAU SHALL PROVIDE ALL COUNTIES, MUNICIPALITIES,
23 OR DESIGNEES ESTABLISHING OR MAINTAINING A RECOVERY PROGRAM FOR
24 PERSONS WHO WANDER UNDER THIS SECTION WITH ANY INFORMATION THE
25 BUREAU CONCLUDES IS NECESSARY TO EFFECTIVELY INITIATE OR
26 MAINTAIN A RECOVERY PROGRAM FOR PERSONS WHO WANDER.

27 (5.5) NOT LATER THAN JANUARY 1, 2023, THE BUREAU SHALL

1 ESTABLISH AND MAINTAIN A WEBSITE THAT IS AVAILABLE TO THE PUBLIC
2 FREE OF CHARGE AND THAT:

3 (a) LISTS THOSE COUNTIES, MUNICIPALITIES, OR DESIGNEES THAT
4 HAVE A RECOVERY PROGRAM FOR PERSONS WHO WANDER AND WHO MAY
5 QUALIFY TO PARTICIPATE IN THOSE PROGRAMS;

6 (b) DESCRIBES HOW TO CONTACT THE COUNTIES, MUNICIPALITIES,
7 OR DESIGNEES THAT HAVE A RECOVERY PROGRAM FOR PERSONS WHO
8 WANDER;

9 (c) LISTS RESOURCES FOR CARETAKERS OF PERSONS WITH MEDICAL
10 CONDITIONS THAT CAUSE WANDERING;

11 (d) PROVIDES PROCEDURES TO FOLLOW WHEN A PARTICIPANT OF
12 A RECOVERY PROGRAM FOR PERSONS WHO WANDER IS DETERMINED TO BE
13 MISSING;

14 (e) DESCRIBES HOW THE RECOVERY TECHNOLOGY USED BY THE
15 RECOVERY PROGRAMS FOR PERSONS WHO WANDER WORKS; AND

16 (f) PROVIDES ANY OTHER INFORMATION THE BUREAU CONCLUDES
17 IS NECESSARY TO BETTER EXPLAIN AND PUBLICIZE RECOVERY PROGRAMS
18 FOR PERSONS WHO WANDER.

19 (6) There is hereby created in the state treasury the lifesaver
20 RECOVERY program FOR PERSONS WHO WANDER cash fund. The moneys
21 MONEY in the cash fund shall be IS subject to annual appropriation by the
22 general assembly for the direct and indirect costs of the administration of
23 this section, including grants to counties, MUNICIPALITIES, AND DESIGNEES
24 to ~~implement lifesaver~~ INITIATE AND MAINTAIN RECOVERY programs FOR
25 PERSONS WHO WANDER AND THE CREATION AND MAINTENANCE OF THE
26 WEBSITE DESCRIBED IN SUBSECTION (5.5) OF THIS SECTION. Any interest
27 earned on the investment of ~~moneys~~ MONEY in the cash fund shall remain

1 REMAINS in the cash fund and ~~shall~~ DOES not revert to the general fund of
2 the state at the end of any fiscal year. ~~It is the intent of the general~~
3 ~~assembly that the maximum amount of state moneys made available to~~
4 ~~implement lifesaver programs under this section shall be three hundred~~
5 ~~eighty thousand dollars.~~

6 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-102, **amend**
7 the introductory portion; and **repeal** (4) as follows:

8 **24-33.5-102. Definitions.** As used in this ~~article~~ ARTICLE 33.5,
9 unless the context otherwise requires:

10 (4) "Lifesaver program" or "program" means a search and rescue
11 program designed to quickly find a wandering, lost, and missing person,
12 as described in section 24-33.5-415.9 (2).

13 **SECTION 3. Appropriation.** (1) For the 2022-23 state fiscal
14 year, \$100,000 is appropriated to the recovery program for the persons
15 who wander cash fund created in section 24-33.5-415.9 (6), C.R.S. This
16 appropriation is from the general fund. The department of public safety
17 is responsible for the accounting related to this appropriation.

18 (2) For the 2022-23 state fiscal year, \$100,000 is appropriated to
19 the department of public safety for use by the Colorado bureau of
20 investigation. This appropriation is from reappropriated funds in the
21 recovery program for the persons who wander cash fund under subsection
22 (1) of this section. To implement this act, the bureau may use the
23 appropriation as follows:

24 (a) \$10,859 for personal services related to the Colorado crime
25 information center, which amount is based on an assumption that the
26 bureau will require an additional 0.2 FTE; and

27 (b) \$89,141 for operating expenses related to the Colorado crime

1 information center.

2 **SECTION 4. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly; except
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V
6 of the state constitution against this act or an item, section, or part of this
7 act within such period, then the act, item, section, or part will not take
8 effect unless approved by the people at the general election to be held in
9 November 2022 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.