

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0148.01 Megan Waples x4348

SENATE BILL 22-231

SENATE SPONSORSHIP

Lee,

HOUSE SPONSORSHIP

Amabile,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING PROGRAMS TO BUILD STATEWIDE CAPACITY TO ACCESS
102 SUPPORTIVE HOUSING SERVICES, AND, IN CONNECTION
103 THEREWITH, PROVIDING FOR PROGRAMS FOCUSED ON
104 UNDERSERVED COMMUNITIES WITH A PREFERENCE FOR RURAL
105 AND FRONTIER COMMUNITIES TO SERVE PEOPLE WITH
106 BEHAVIORAL, MENTAL HEALTH, AND SUBSTANCE USE DISORDERS
107 WHO HAVE CONTACT WITH THE JUSTICE SYSTEM.

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/>.)

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.

Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems. The bill establishes and expands programs within the division of housing in the department of local affairs (division) to build the capacity of communities across the state to provide supportive housing services to individuals with behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system, including:

- Expanding statewide training and technical assistance to help communities develop and implement supportive housing programs for individuals who have behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system. The program must be targeted to communities that currently face barriers to accessing existing state and federal funding for supportive housing programs.
- Establishing a predevelopment grant program that provides funding to entities working to develop supportive housing interventions for individuals who have behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system. The grant money can be used to add new or additional staff capacity to allow the development and implementation of such programs. The division is required to prioritize applicants that will serve rural or frontier communities and to provide hands-on technical assistance to grant recipients. The division is required to consult with the office of behavioral health in the department of human services in implementing the grant.
- Establishing a supportive housing services and homelessness prevention grant program. Grant money can be used to cover the costs of providing supportive housing services that are currently not eligible for reimbursement through the state's medical assistance program. It can also be used to fund homelessness prevention projects for individuals who have behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system. The division is required to prioritize applicants that will serve rural or frontier communities and provide hands-on technical assistance to

- grant recipients. The division is required to consult with the office of behavioral health in implementing the grant.
- Developing a plan to increase participation in regional homeless data systems, support accurate data reporting, and assess housing-related needs. The division must work with regional continuums of care to evaluate how to increase participation in data systems in communities across the state, identify technical needs and associated costs for doing so, and work with the office of behavioral health and other stakeholders to integrate or develop an integrated user interface for various data systems related to housing and supportive services. It must also enhance information about best practices and training materials available to communities across the state.

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

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

4 (a) Colorado is experiencing a homelessness crisis. The 2020
5 point-in-time estimate of homelessness by the United States department
6 of housing and urban development reported nearly ten thousand people
7 experiencing homelessness in Colorado. According to the Colorado
8 department of education, over twenty-one thousand students in Colorado
9 schools experienced homelessness at some point during the 2019-20
10 school year. Even more Colorado residents lack stable housing and are on
11 the verge of homelessness.

12 (b) The experience of homelessness can be both a cause and a
13 consequence of mental illness, including substance use disorders, and
14 incarceration and is intricately related to both issues. The intersection of
15 homelessness, mental illness, and contact with the criminal justice system
16 is extremely costly to communities both in terms of the financial burdens
17 and the humanitarian toll it imposes on individuals and their communities.

1 These impacts are particularly acute in communities that have a shortage
2 of behavioral and mental health care providers and services.

3 (c) According to a 2018 study of homelessness in Colorado jails
4 by the Colorado department of public safety, eighty percent of
5 respondents across facilities reported experiencing homelessness in the
6 year prior, and nearly forty percent reported that they will be homeless
7 after their release from jail;

8 (d) Of the respondents experiencing homelessness, over sixty
9 percent reported needing mental health treatment, compared with
10 forty-five percent of nonhomeless respondents;

11 (e) Similarly, the Colorado department of corrections reported in
12 2017 that over seventy-eight percent of the female inmate population and
13 over forty-three percent of the male inmate population had moderate to
14 severe mental health needs, and the Colorado department of adult parole
15 reported in 2019 that over one thousand individuals were paroling to
16 "unsheltered homelessness" or to "short term, temporary housing";

17 (f) Studies also show that being homeless is linked to sustained
18 deterioration of mental and physical health and that homelessness can be
19 both a cause and a consequence of having a criminal record;

20 (g) Safe and stable housing is a foundation for individuals to
21 engage in the process of reentry from the criminal justice system, and
22 provides a base from which individuals can seek employment, focus on
23 treatment, establish a social network, and comply with community
24 supervision;

25 (h) Supportive housing programs combine affordable housing
26 with access to supportive services tailored to an individual's needs,
27 including, for example, in-reach and outreach, housing search and

1 counseling support, engagement, vocational or occupational training,
2 clinical services, support with daily living activities, and other ongoing
3 supports. Supportive housing can reduce the cycling of individuals with
4 behavioral or mental health disorders, including substance use disorders,
5 between prison, jail, homelessness, and other public services.

6 (i) Colorado has made significant investments in nationally
7 recognized housing best practices, including supportive housing;

8 (j) Unfortunately, not all communities across the state are able to
9 take advantage of the available state and federal funding for supportive
10 housing services due to various barriers;

11 (k) While the department of health care policy and financing has
12 limited funds for supportive services, current restrictions do not allow the
13 department to cover all the services needed to secure and maintain
14 housing, and it is unable to reimburse nonclinical providers for providing
15 those services;

16 (l) As a result, communities are not able to provide sustainable,
17 long-term services to the most vulnerable individuals to keep them safely
18 housed; and

19 (m) Many communities, particularly in rural and frontier areas, do
20 not have nonprofit organizations experienced in applying for grants and
21 implementing supportive housing programs, do not have the
22 programmatic or staff capacity to do so, and need technical assistance to
23 develop evidence-based, innovative solutions that are scaled and tailored
24 to their specific community needs.

25 (2) The general assembly further finds and declares that it is
26 therefore in Colorado's best interest to provide assistance and create
27 opportunities for communities across the state that are currently unable

1 to access federal and state housing and supportive service funds through
2 training, technical assistance, and grant funding to support the
3 development and implementation of supportive housing and homelessness
4 prevention services for individuals with behavioral, mental health, and
5 substance use disorders who have been involved with or are at risk of
6 falling into the criminal or juvenile justice system.

7 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-726,
8 24-32-727, 24-32-728, and 24-32-729 as follows:

9 **24-32-726. Training and technical assistance for supportive**
10 **housing - report - definition.** (1) ON OR BEFORE JANUARY 1, 2023, THE
11 DIVISION SHALL EXPAND STATEWIDE TECHNICAL ASSISTANCE TO ASSIST
12 COMMUNITIES IN DEVELOPING SUPPORTIVE HOUSING INTERVENTIONS THAT
13 CAN SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE
14 USE DISORDERS. THE PROGRAM MUST:

15 (a) PROVIDE TRAINING, EDUCATION, AND ASSISTANCE TO ENTITIES
16 INTERESTED IN ADDRESSING HOMELESSNESS AMONG PERSONS WITH
17 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS,
18 INCLUDING HOMELESS SERVICE PROVIDERS, LAW ENFORCEMENT AGENCIES,
19 FIRST RESPONDERS, REENTRY PROGRAMS, MUNICIPAL COURT PROGRAMS,
20 AND OTHER ORGANIZATIONS;

21 (b) PROVIDE PROGRAMMING THAT IS SPECIFICALLY TARGETED TO
22 COMMUNITIES THAT FACE BARRIERS TO ACCESSING EXISTING STATE AND
23 FEDERAL FUNDS FOR HOUSING AND SUPPORTIVE SERVICES, INCLUDING
24 RURAL COMMUNITIES; AND

25 (c) FOCUS ON BUILDING THE CAPACITY FOR COMMUNITIES TO:

26 (I) DEVELOP THEIR KNOWLEDGE OF SUPPORTIVE HOUSING
27 INTERVENTIONS IN THEIR REGION;

1 (II) LEVERAGE EXISTING STATE AND FEDERAL FUNDING SOURCES
2 FOR HOUSING AND SUPPORTIVE SERVICES;

3 (III) ENGAGE AND RECRUIT LANDLORDS TO PARTICIPATE IN
4 SUPPORTIVE HOUSING PROGRAMS;

5 (IV) PROVIDE LANDLORD-TENANT RELATIONSHIP SUPPORT;

6 (V) ACCESS AND USE RELEVANT DATA SYSTEMS AND SERVICES,
7 INCLUDING USING THE COLORADO HOMELESS MANAGEMENT INFORMATION
8 SYSTEM AND THE COORDINATED ASSESSMENT SYSTEM DEVELOPED BY
9 CONTINUUMS OF CARE IN ACCORDANCE WITH 24 CFR 578.7 OR ANY
10 SUCCESSOR SYSTEMS, AND PARTICIPATING IN THE STATE MEDICAL
11 ASSISTANCE PROGRAM DESCRIBED IN ARTICLES 4, 5, AND 6 OF TITLE 25.5;
12 AND

13 (VI) DEVELOP, IMPLEMENT, AND EVALUATE SUPPORTIVE HOUSING
14 PROGRAM SERVICES USING EVIDENCE-BASED, INNOVATIVE APPROACHES,
15 INCLUDING PROGRAMS TO PREVENT HOMELESSNESS AMONG PERSONS WITH
16 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS WHO HAVE
17 CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM.

18 (2) ON OR BEFORE DECEMBER 1, 2023, AND ON OR BEFORE
19 DECEMBER 1 EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A
20 REPORT ON THE TRAINING PROGRAM REQUIRED BY THIS SECTION TO THE
21 LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF
22 PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND
23 JUVENILE JUSTICE SYSTEMS, OR ANY SUCCESSOR COMMITTEE, AND TO THE
24 ADVISORY TASK FORCE TO THAT COMMITTEE. NOTWITHSTANDING THE
25 REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO
26 SUBMIT THE REPORT REQUIRED BY THIS SECTION CONTINUES INDEFINITELY.

27 **24-32-727. Supportive housing predevelopment grant**

1 **program - created - rules - report - definitions - repeal.** (1) AS USED
2 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

3 (a) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
4 THE DEPARTMENT OF LOCAL AFFAIRS.

5 (b) "FUND" MEANS THE HOUSING ASSISTANCE FOR PERSONS
6 TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH
7 FUND CREATED IN SECTION 24-32-721 (4)(d).

8 (c) "GRANT PROGRAM" MEANS THE SUPPORTIVE HOUSING
9 PREDEVELOPMENT GRANT PROGRAM ESTABLISHED IN THIS SECTION.

10 (d) "OFFICE OF BEHAVIORAL HEALTH" MEANS THE OFFICE OF
11 BEHAVIORAL HEALTH IN THE DEPARTMENT OF HUMAN SERVICES.

12 (2) THERE IS HEREBY CREATED IN THE DIVISION THE SUPPORTIVE
13 HOUSING PREDEVELOPMENT GRANT PROGRAM TO PROVIDE GRANTS TO
14 ENTITIES WORKING TO DEVELOP SUPPORTIVE HOUSING INTERVENTIONS
15 THAT WILL SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
16 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
17 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
18 JUSTICE SYSTEM.

19 (3) (a) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED
20 THROUGH THE GRANT PROGRAM TO COVER COSTS ASSOCIATED WITH THE
21 DEVELOPMENT AND IMPLEMENTATION OF AN EVIDENCE-BASED
22 SUPPORTIVE HOUSING PROGRAM THAT WILL SERVE PERSONS WITH
23 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS IN THE
24 COMMUNITY WHO ARE HOMELESS OR AT RISK OF BECOMING HOMELESS
25 AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE
26 SYSTEM, INCLUDING BY CREATING NEW OR ADDITIONAL STAFF CAPACITY
27 TO DEVELOP, SUPPORT, AND EVALUATE A SUPPORTIVE HOUSING PROGRAM.

1 (b) THE DIVISION, IN CONSULTATION WITH THE OFFICE OF
2 BEHAVIORAL HEALTH, SHALL PROVIDE INTENSIVE, HANDS-ON TECHNICAL
3 ASSISTANCE TO GRANT RECIPIENTS DURING THE IMPLEMENTATION OF THE
4 GRANTS.

5 (4) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
6 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
7 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,
8 GRANTS SHALL BE PAID OUT OF THE FUND.

9 (5) THE DIVISION SHALL DEVELOP AND PUBLISH POLICIES AND
10 PROCEDURES IN CONSULTATION WITH THE OFFICE OF BEHAVIORAL HEALTH
11 AND COMMUNITY STAKEHOLDERS TO IMPLEMENT THE GRANT PROGRAM IN
12 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES AND
13 PROCEDURES MUST SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS,
14 THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE PROGRAM
15 EVALUATION AND REPORTING REQUIREMENTS FOR GRANT RECIPIENTS.

16 (6) TO BE ELIGIBLE TO RECEIVE A GRANT FROM THE GRANT
17 PROGRAM, AN ENTITY MUST:

18 (a) BE AN AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT,
19 A TRIBAL AGENCY OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A
20 NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND
21 IN GOOD STANDING WITH THE COLORADO SECRETARY OF STATE'S OFFICE;

22 (b) DEMONSTRATE PROFICIENCY IN THE AREAS DESCRIBED IN
23 SECTION 24-32-726 (1)(c); AND

24 (c) SATISFY ANY ADDITIONAL CRITERIA AS SET FORTH IN THE
25 DIVISION'S POLICIES AND PROCEDURES.

26 (7) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
27 PURSUANT TO THIS SECTION. TO BE ELIGIBLE TO RECEIVE A GRANT, THE

1 APPLICATION MUST ESTABLISH:

2 (I) THE COMMUNITY'S NEED FOR ASSISTANCE IN OVERCOMING
3 BARRIERS TO ACCESSING EXISTING FUNDS FOR SUPPORTIVE HOUSING
4 PROGRAMS THAT SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
5 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
6 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
7 JUSTICE SYSTEM;

8 (II) THE COMMUNITY'S POPULATION OF PERSONS WITH
9 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS WHO HAVE
10 HAD CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM IN THE
11 PREVIOUS TWELVE MONTHS AND ARE HOMELESS, IN UNSTABLE HOUSING
12 ENVIRONMENTS, OR IN TRANSITION FROM INSTITUTIONS, AND THE
13 COMMUNITY'S NEED AND INTENTION TO BUILD ITS CAPACITY TO SUPPORT
14 THOSE INDIVIDUALS; AND

15 (III) ANY ADDITIONAL CRITERIA SET FORTH IN THE DIVISION'S
16 POLICIES AND PROCEDURES.

17 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS FROM ENTITIES
18 THAT PROVIDE SERVICES OR PLAN TO PROVIDE SERVICES TO PERSONS WITH
19 SEVERE AND PERSISTENT MENTAL ILLNESS OR TO RURAL OR FRONTIER
20 COMMUNITIES.

21 (c) THE DIVISION SHALL CONSULT WITH THE OFFICE OF
22 BEHAVIORAL HEALTH IN REVIEWING AND EVALUATING GRANT
23 APPLICATIONS.

24 (8) GRANT AWARDS ARE IN THE SOLE DISCRETION OF THE
25 EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS SECTION.

26 (9) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
27 JANUARY 1, 2023, AND ON OR BEFORE JANUARY 1 OF THE SUCCEEDING

1 TWO YEARS, THE EXECUTIVE DIRECTOR SHALL AWARD GRANTS IN
2 ACCORDANCE WITH THIS SECTION.

3 (10) IN THE COURSE OF ADMINISTERING THE GRANT PROGRAM, THE
4 DIVISION SHALL SHARE INFORMATION AND COLLABORATE WITH THE OFFICE
5 OF BEHAVIORAL HEALTH TO IDENTIFY BEHAVIORAL HEALTH SERVICE GAPS
6 IN THE STATE THAT AFFECT THE ABILITY OF COMMUNITIES TO ACCESS
7 EXISTING FUNDS FOR SUPPORTIVE HOUSING PROGRAMS.

8 (11) ON OR BEFORE DECEMBER 1, 2023, AND ON OR BEFORE
9 DECEMBER 1 EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A
10 REPORT ON THE GRANT PROGRAM TO THE LEGISLATIVE OVERSIGHT
11 COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL
12 HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR
13 ANY SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THAT
14 COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
15 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL
16 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (13) OF THIS
17 SECTION.

18 (12) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
19 THE GENERAL FUND OR THE MARIJUANA TAX CASH FUND CREATED IN
20 SECTION 39-28.8-501 TO THE FUND IN ACCORDANCE WITH SECTION
21 24-32-721 TO IMPLEMENT THE GRANT PROGRAM. FOR ANY GIVEN STATE
22 FISCAL YEAR, NO MORE THAN THREE PERCENT OF THE MONEY
23 APPROPRIATED FROM THE FUND FOR THE GRANT PROGRAM MAY BE
24 EXPENDED FOR THE ADMINISTRATIVE COSTS OF THE DIVISION IN
25 ADMINISTERING THE GRANT PROGRAM.

26 (13) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.
27 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN

1 ACCORDANCE WITH SECTION 24-34-104.

2 **24-32-728. Supportive housing services and homelessness**
3 **prevention grant program - created - rules - report - definitions -**
4 **repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE

5 REQUIRES:

6 (a) "CONTINUUM OF CARE" HAS THE SAME MEANING AS SET FORTH
7 IN 24 CFR 578.3.

8 (b) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
9 THE DEPARTMENT OF LOCAL AFFAIRS.

10 (c) "FUND" MEANS THE HOUSING ASSISTANCE FOR PERSONS
11 TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH
12 FUND CREATED IN SECTION 24-32-721 (4)(d).

13 (d) "GRANT PROGRAM" MEANS THE SUPPORTIVE HOUSING
14 SERVICES AND HOMELESSNESS PREVENTION GRANT PROGRAM
15 ESTABLISHED IN THIS SECTION.

16 (e) "OFFICE OF BEHAVIORAL HEALTH" MEANS THE OFFICE OF
17 BEHAVIORAL HEALTH IN THE DEPARTMENT OF HUMAN SERVICES.

18 (f) "STATE MEDICAL ASSISTANCE PROGRAM" MEANS THE PROGRAM
19 OF MEDICAL ASSISTANCE DESCRIBED IN ARTICLES 4, 5, AND 6 OF TITLE
20 25.5.

21 (g) "SUPPORTIVE HOUSING SERVICES" INCLUDES SERVICES
22 INTENDED TO ALLOW A PERSON WITH A BEHAVIORAL, MENTAL HEALTH, OR
23 SUBSTANCE USE DISORDER TO SECURE AND RETAIN STABLE HOUSING.

24 (2) THERE IS HEREBY CREATED IN THE DIVISION THE SUPPORTIVE
25 HOUSING SERVICES AND HOMELESSNESS PREVENTION GRANT PROGRAM TO
26 PROVIDE GRANTS TO COMMUNITIES PROVIDING SUPPORTIVE HOUSING
27 SERVICES AND HOMELESSNESS PREVENTION PROGRAMS INTENDED TO KEEP

1 PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE
2 DISORDERS HOUSED.

3 (3) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH
4 THE GRANT PROGRAM TO:

5 (a) DEVELOP AND IMPLEMENT EVIDENCE-BASED PROGRAMS
6 INTENDED TO PREVENT HOMELESSNESS AMONG PERSONS WITH
7 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS IN THE
8 COMMUNITY WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
9 JUSTICE SYSTEM; OR

10 (b) COVER THE COSTS OF PROVIDING SUPPORTIVE HOUSING
11 SERVICES TO PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
12 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
13 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
14 JUSTICE SYSTEM, IF:

15 (I) THE PERSON OR ENTITY PROVIDING THE SERVICE IS NOT
16 CURRENTLY ABLE TO BILL THE STATE MEDICAL ASSISTANCE PROGRAM FOR
17 SUPPORTIVE HOUSING SERVICES AND IS IN THE PROCESS OF BECOMING
18 AUTHORIZED TO BILL THE PROGRAM FOR THOSE SERVICES OR IS
19 ESTABLISHING A RELATIONSHIP WITH A REGIONAL ACCOUNTABLE ENTITY
20 OR SUCCESSOR ORGANIZATION; OR

21 (II) THE SUPPORTIVE HOUSING SERVICE BEING PROVIDED IS NOT
22 CURRENTLY ELIGIBLE FOR REIMBURSEMENT UNDER THE STATE MEDICAL
23 ASSISTANCE PROGRAM.

24 (4) THE DIVISION, IN CONSULTATION WITH THE OFFICE OF
25 BEHAVIORAL HEALTH, SHALL PROVIDE INTENSIVE, HANDS-ON TECHNICAL
26 ASSISTANCE TO GRANT RECIPIENTS DURING THE IMPLEMENTATION OF THE
27 GRANTS.

1 (5) TO SUPPORT THE IMPLEMENTATION OF GRANTS UNDER THIS
2 SECTION, EXPAND THE PROVISION OF SUPPORTIVE HOUSING SERVICES, AND
3 ALLOW INDIVIDUALS SERVED BY THE GRANT PROGRAM TO RECEIVE
4 SUPPORTIVE HOUSING SERVICES ON A LONG-TERM SUSTAINABLE BASIS,
5 THE DIVISION, THE OFFICE OF BEHAVIORAL HEALTH, AND THE DEPARTMENT
6 OF HEALTH CARE POLICY AND FINANCING SHALL COLLABORATE ON AN
7 ONGOING BASIS TO IDENTIFY ADDITIONAL PROVIDERS AND SERVICES THAT
8 COULD BE ELIGIBLE FOR REIMBURSEMENT UNDER THE STATE MEDICAL
9 ASSISTANCE PROGRAM. THE DEPARTMENT OF HEALTH CARE POLICY AND
10 FINANCING SHALL SUBMIT TO THE FEDERAL CENTERS FOR MEDICARE AND
11 MEDICAID SERVICES AN AMENDMENT TO THE STATE MEDICAL ASSISTANCE
12 PLAN AND SHALL REQUEST ANY NECESSARY WAIVERS FROM THE
13 SECRETARY OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN
14 SERVICES TO ALLOW SUCH ADDITIONAL REIMBURSEMENTS AS IDENTIFIED
15 IN ACCORDANCE WITH THIS SUBSECTION (5).

16 (6) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
17 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
18 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,
19 GRANTS SHALL BE PAID OUT OF THE FUND.

20 (7) THE DIVISION SHALL DEVELOP AND PUBLISH POLICIES AND
21 PROCEDURES IN CONSULTATION WITH THE OFFICE OF BEHAVIORAL HEALTH
22 AND COMMUNITY STAKEHOLDERS TO IMPLEMENT THE GRANT PROGRAM IN
23 ACCORDANCE WITH THIS SECTION. AT A MINIMUM, THE POLICIES AND
24 PROCEDURES MUST SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS,
25 THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE PROGRAM
26 EVALUATION AND REPORTING REQUIREMENTS FOR GRANT RECIPIENTS.

27 (8) TO BE ELIGIBLE TO RECEIVE A GRANT FROM THE GRANT

1 PROGRAM, AN ENTITY MUST:

2 (a) BE AN AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT,
3 A TRIBAL AGENCY OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A
4 NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND
5 IN GOOD STANDING WITH THE COLORADO SECRETARY OF STATE'S OFFICE;

6 (b) DEMONSTRATE A PLAN FOR COLLABORATION WITH A REGIONAL
7 ACCOUNTABLE ENTITY OR SUCCESSOR ORGANIZATION;

8 (c) DEMONSTRATE PROFICIENCY IN THE AREAS DESCRIBED IN
9 SECTION 24-32-726 (1)(c); AND

10 (d) SATISFY ANY ADDITIONAL CRITERIA AS SET FORTH IN THE
11 DIVISION'S POLICIES AND PROCEDURES.

12 (9) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
13 PURSUANT TO THIS SECTION. TO BE ELIGIBLE TO RECEIVE A GRANT, THE
14 APPLICATION MUST ESTABLISH:

15 (I) THE COMMUNITY'S NEED FOR ASSISTANCE IN OVERCOMING
16 BARRIERS TO ACCESSING EXISTING FUNDS FOR SUPPORTIVE HOUSING
17 PROGRAMS THAT SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
18 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
19 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
20 JUSTICE SYSTEM;

21 (II) THE COMMUNITY'S POPULATION OF PERSONS WITH
22 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS WHO HAVE
23 HAD CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM IN THE
24 PREVIOUS TWELVE MONTHS AND ARE HOMELESS, IN UNSTABLE HOUSING
25 ENVIRONMENTS, OR IN TRANSITION FROM INSTITUTIONS, AND THE
26 COMMUNITY'S NEED AND INTENTION TO BUILD ITS CAPACITY TO SUPPORT
27 THOSE INDIVIDUALS; AND

1 (III) ANY ADDITIONAL CRITERIA SET FORTH IN THE DIVISION'S
2 POLICIES AND PROCEDURES.

3 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS FROM ENTITIES
4 THAT PROVIDE SERVICES OR PLAN TO PROVIDE SERVICES TO PERSONS WITH
5 SEVERE AND PERSISTENT MENTAL ILLNESS OR TO RURAL OR FRONTIER
6 COMMUNITIES.

7 (c) THE DIVISION SHALL CONSULT WITH THE OFFICE OF
8 BEHAVIORAL HEALTH IN REVIEWING AND EVALUATING GRANT
9 APPLICATIONS.

10 (10) AS A CONDITION OF RECEIVING A GRANT, ALL GRANT
11 RECIPIENTS SHALL:

12 (a) PARTICIPATE IN DIVISION TRAININGS, TECHNICAL ASSISTANCE,
13 AND REPORTING REQUIREMENTS; AND

14 (b) AS APPROPRIATE FOR THE PROGRAM BEING FUNDED AND TO
15 THE EXTENT POSSIBLE UNDER STATE AND FEDERAL LAW, USE OR
16 PARTICIPATE IN THE COLORADO HOMELESS MANAGEMENT INFORMATION
17 SYSTEM AND THE COORDINATED ENTRY SYSTEM DEVELOPED BY
18 CONTINUUMS OF CARE OR ANY SUCCESSOR SYSTEMS, THE STATE MEDICAL
19 ASSISTANCE PROGRAM, AND EXISTING HOUSING VOUCHER PROGRAMS.

20 (11) GRANT AWARDS ARE IN THE SOLE DISCRETION OF THE
21 EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS SECTION.

22 (12) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
23 JANUARY 1, 2024, AND ON OR BEFORE JANUARY 1 OF THE SUCCEEDING
24 TWO YEARS, THE EXECUTIVE DIRECTOR SHALL AWARD GRANTS IN
25 ACCORDANCE WITH THIS SECTION.

26 (13) ON OR BEFORE DECEMBER 1, 2024, AND ON OR BEFORE
27 DECEMBER 1 OF EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A

1 REPORT ON THE GRANT PROGRAM TO THE LEGISLATIVE OVERSIGHT
2 COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL
3 HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR
4 ANY SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THE
5 COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
6 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL
7 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (15) OF THIS
8 SECTION.

9 (14) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
10 THE GENERAL FUND OR THE MARIJUANA TAX CASH FUND CREATED IN
11 SECTION 39-28.8-501 TO THE FUND IN ACCORDANCE WITH SECTION
12 24-32-721 TO IMPLEMENT THE GRANT PROGRAM. FOR ANY GIVEN STATE
13 FISCAL YEAR, NO MORE THAN THREE PERCENT OF THE MONEY
14 APPROPRIATED FROM THE FUND FOR THE GRANT PROGRAM MAY BE
15 EXPENDED FOR THE ADMINISTRATIVE COSTS OF THE DIVISION IN
16 ADMINISTERING THE GRANT PROGRAM.

17 (15) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029.
18 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
19 ACCORDANCE WITH SECTION 24-34-104.

20 **24-32-729. Data integration and resource collection related to**
21 **homelessness.** (1) THE DIVISION SHALL DEVELOP A PLAN TO INCREASE
22 PARTICIPATION IN REGIONAL HOMELESS DATA SYSTEMS, SUPPORT
23 ACCURATE DATA REPORTING BY PARTICIPANTS, AND ASSESS
24 HOUSING-RELATED NEEDS FOR PERSONS WITH BEHAVIORAL, MENTAL
25 HEALTH, OR SUBSTANCE USE DISORDERS. IN DEVELOPING THE PLAN, THE
26 DIVISION MUST:

27 (a) IN CONSULTATION WITH THE CONTINUUMS OF CARE, EVALUATE

1 HOW TO INCREASE STATEWIDE USE OF THE COLORADO HOMELESS
2 MANAGEMENT INFORMATION SYSTEM AND THE COORDINATED ENTRY
3 SYSTEM DEVELOPED BY CONTINUUMS OF CARE IN ACCORDANCE WITH 24
4 CFR 578.7 IN ORDER TO BETTER TRACK POPULATIONS IN NEED,
5 INCLUDING:

6 (I) IDENTIFYING THE TECHNICAL NEEDS AND ASSOCIATED COSTS
7 FOR INCREASING USE AND SUPPORT OF THE DATA SYSTEMS ACROSS THE
8 STATE;

9 (II) PROVIDING TECHNICAL ASSISTANCE AND TRAINING TO LOCAL
10 COMMUNITIES TO ALLOW THEM TO CONNECT TO AND USE THE DATA
11 SYSTEMS EFFECTIVELY; AND

12 (III) WORKING WITH LOCAL COMMUNITIES TO IDENTIFY WAYS TO
13 USE THE DATA SYSTEMS TO INCREASE PROGRAM EFFECTIVENESS AND
14 CONDUCT PROGRAM EVALUATIONS;

15 (b) IN COORDINATION WITH THE OFFICE OF BEHAVIORAL HEALTH
16 IN THE DEPARTMENT OF HUMAN SERVICES, WORK WITH LOCAL
17 COMMUNITIES, STATE AGENCIES, CONTINUUMS OF CARE, SERVICE
18 DELIVERY ORGANIZATIONS, AND OTHER STAKEHOLDERS TO INTEGRATE OR
19 DEVELOP AN INTEGRATED USER INTERFACE FOR DATA SYSTEMS RELATED
20 TO HOUSING AND SUPPORTIVE SERVICES, INCLUDING THE COLORADO
21 HOMELESS MANAGEMENT INFORMATION SYSTEM, THE COORDINATED
22 ENTRY SYSTEM, THE BEHAVIORAL HEALTH CAPACITY TRACKING SYSTEM
23 CREATED IN SECTION 27-60-104.5, AND THE COLORADO 2-1-1
24 COLLABORATIVE, AND ANY SUCCESSOR SYSTEMS; AND

25 (c) ENHANCE INFORMATION RELATED TO SUPPORTIVE HOUSING
26 BEST PRACTICES, TRAININGS, AND RESOURCES THAT CAN BE ACCESSED
27 STATEWIDE.

1 **SECTION 3.** In Colorado Revised Statutes, 24-32-721, **amend**
2 (4)(c) as follows:

3 **24-32-721. Colorado affordable housing construction grants**
4 **and loans - housing development grant fund - creation - housing**
5 **assistance for persons with behavioral, mental health, or substance**
6 **use disorders - cash fund - appropriation - report to general assembly**
7 **- rules - definitions - repeal.** (4) (c) In addition to any other uses
8 specified in this section, the division shall also:

9 (I) Provide grants or loans for the acquisition, construction, or
10 rehabilitation of rental housing for persons with behavioral or mental
11 health disorders; AND

12 (II) IMPLEMENT THE GRANT PROGRAMS CREATED IN SECTIONS
13 24-32-727 AND 24-32-728.

14 **SECTION 4.** In Colorado Revised Statutes, 24-34-104, **add**
15 (28)(a)(VII) and (30)(a)(VII) as follows:

16 **24-34-104. General assembly review of regulatory agencies**
17 **and functions for repeal, continuation, or reestablishment - legislative**
18 **declaration - repeal.** (28) (a) The following agencies, functions, or both,
19 are scheduled for repeal on September 1, 2027:

20 (VII) THE SUPPORTIVE HOUSING PREDEVELOPMENT GRANT
21 PROGRAM CREATED IN SECTION 24-32-727.

22 (30) (a) The following agencies, functions, or both, are scheduled
23 for repeal on September 1, 2029:

24 (VII) THE SUPPORTIVE HOUSING SERVICES AND HOMELESSNESS
25 PREVENTION GRANT PROGRAM CREATED IN SECTION 24-32-728.

26 **SECTION 5. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

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