

## CHAPTER 245

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**GOVERNMENT - LOCAL**


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## SENATE BILL 22-187

BY SENATOR(S) Danielson, Buckner, Donovan, Fields, Ginal, Gonzales, Hinrichsen, Jaquez Lewis, Kolker, Lee, Pettersen, Story, Winter, Zenzinger;  
 also REPRESENTATIVE(S) Cutter and Lindsay, Bennett, Bird, Boesenecker, Duran, Froelich, Hooton, Jodeh, Kipp, Lontine, McCormick, Michaelson Jenet, Roberts, Sullivan, Titone, Valdez D., Woodrow, Young.

## AN ACT

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

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

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

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

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

(f) Establishing a grant program to encourage county sheriffs' departments, MUNICIPALITIES, AND COUNTY OR MUNICIPAL DESIGNEES to ~~establish lifesaver~~

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

RECOVERY programs FOR PERSONS WHO WANDER pursuant to this section will be beneficial to the citizens of Colorado by PROVIDING TOOLS THAT WILL INCREASE THE CHANCES OF saving the lives of lost and missing persons.

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

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

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

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

(2) The general assembly encourages each county, ~~or any combination of counties,~~ EACH MUNICIPALITY, ANY COMBINATION OF MUNICIPALITIES, ANY COMBINATION OF COUNTIES AND MUNICIPALITIES, OR DESIGNEES to ~~implement a lifesaver program under which a participant wears a small transmitter on his or her wrist to allow the county sheriffs' departments to electronically locate the participant if necessary using a radio receiver~~ AND MAINTAIN A RECOVERY PROGRAM FOR PERSONS WHO WANDER.

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

(4) (a) If a ~~county initiates~~ COUNTY, MUNICIPALITY, OR DESIGNEE EITHER HAS A RECOVERY PROGRAM FOR PERSONS WHO WANDER OR CHOOSES TO INITIATE a ~~lifesaver~~ RECOVERY program FOR PERSONS WHO WANDER, it may submit a written GRANT application in a form specified by the executive director. Counties, MUNICIPALITIES, AND DESIGNEES may submit GRANT applications jointly. The GRANT application shall include but not be limited to:

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

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

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

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

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

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

(5.5) NOT LATER THAN JANUARY 1, 2023, THE BUREAU SHALL ESTABLISH AND MAINTAIN A WEBSITE THAT IS AVAILABLE TO THE PUBLIC FREE OF CHARGE AND THAT:

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

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

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

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

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

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

(6) There is hereby created in the state treasury the ~~lifesaver~~ RECOVERY program FOR PERSONS WHO WANDER cash fund. The ~~moneys~~ MONEY in the cash fund ~~shall~~ be IS subject to annual appropriation by the general assembly for the direct and indirect costs of the administration of this section, including grants to counties, MUNICIPALITIES, AND DESIGNEES to ~~implement lifesaver~~ INITIATE AND MAINTAIN RECOVERY programs FOR PERSONS WHO WANDER AND THE CREATION AND MAINTENANCE OF THE WEBSITE DESCRIBED IN SUBSECTION (5.5) OF THIS SECTION. Any interest earned on the investment of ~~moneys~~ MONEY in the cash fund ~~shall remain~~ REMAINS in the cash fund and ~~shall~~ DOES not revert to the general fund of the state at the end of any fiscal year. ~~It is the intent of the general assembly that the maximum amount of state moneys made available to implement lifesaver programs under this section shall be three hundred eighty thousand dollars.~~

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

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

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

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

(2) For the 2022-23 state fiscal year, \$100,000 is appropriated to the department of public safety for use by the Colorado bureau of investigation. This appropriation

is from reappropriated funds in the recovery program for the persons who wander cash fund under subsection (1) of this section. To implement this act, the bureau may use the appropriation as follows:

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

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

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

Approved: May 26, 2022