

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 23-0517.01 Jane Ritter x4342

SENATE BILL 23-082

SENATE SPONSORSHIP

Zenzinger and Kirkmeyer, Bridges, Buckner, Cutter, Exum, Ginal, Gonzales, Hansen, Hinrichsen, Marchman, Moreno, Mullica, Priola, Sullivan, Winter F.

HOUSE SPONSORSHIP

Amabile and Michaelson Jenet,

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF THE COLORADO FOSTERING SUCCESS**
102 **VOUCHER PROGRAM TO ASSIST FOSTER YOUTH, AND, IN**
103 **CONNECTION THEREWITH, 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 applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes the Colorado fostering success voucher program (program) in the department of human services (DHS). The purpose of the program is to provide housing vouchers and case management services to eligible youth.

Case management service agencies are eligible to participate in the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
April 10, 2023

SENATE
Amended 2nd Reading
April 6, 2023

program if they are currently participating in a certain type of foster youth program.

Eligibility criteria for youth include:

- Being at least 18 years of age but less than 26 years of age;
- Having had prior experience in one of several ways with the foster care or kinship care system;
- Experiencing homelessness or being at imminent risk of homelessness and agreeing to receive case management services;
- Being a Colorado resident; and
- Having an income level below that determined by the state department of local affairs (DOLA).

DHS and DOLA shall develop a joint administration and implementation plan for the program. Availability, standards, and services for the program are listed in the bill.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-7-302, **add** (1.3),
3 (1.7), (16), and (17) as follows:

4 **19-7-302. Definitions.** As used in this part 3, unless the context
5 otherwise requires:

6 (1.3) "CASE MANAGEMENT AGENCY" MEANS AN AGENCY THAT
7 MEETS CRITERIA TO PROVIDE CASE MANAGEMENT SERVICES FOR THE
8 COLORADO FOSTERING SUCCESS VOUCHER PROGRAM.

9 (1.7) "COLORADO FOSTERING SUCCESS VOUCHER PROGRAM" OR
10 "VOUCHER PROGRAM" MEANS THE PROGRAM ESTABLISHED PURSUANT TO
11 SECTION 19-7-314.5.

12 (16) "VOUCHER" MEANS A VOUCHER THAT PROVIDES RENTAL
13 ASSISTANCE TO A VOUCHER RECIPIENT THROUGH THE COLORADO
14 FOSTERING SUCCESS VOUCHER PROGRAM.

15 (17) "VOUCHER RECIPIENT" MEANS A YOUTH WHO IS ELIGIBLE FOR
16 AND RECEIVING A VOUCHER THROUGH THE COLORADO FOSTERING
17 SUCCESS VOUCHER PROGRAM.

1 **SECTION 2.** In Colorado Revised Statutes, 19-7-314, **amend**
2 (1)(a) as follows:

3 **19-7-314. Foster youth successful transition to adulthood**
4 **grant program - creation - standards - application - fund - advisory**
5 **board - duties.** (1) (a) The foster youth successful transition to
6 adulthood grant program is created within the state department. The
7 purpose of the grant program is to create and administer programs that
8 support eligible youth in making a successful transition to adulthood AND
9 PROVIDE CASE MANAGEMENT SERVICES FOR VOUCHER RECIPIENTS AS
10 DESCRIBED IN SECTION 19-7-314.5.

11 **SECTION 3.** In Colorado Revised Statutes, **add** 19-7-314.5 as
12 follows:

13 **19-7-314.5. Colorado fostering success voucher program -**
14 **established - eligibility - administration - availability, standards, and**
15 **services.** (1) THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM IS
16 ESTABLISHED IN THE STATE DEPARTMENT. THE PURPOSE OF THE VOUCHER
17 PROGRAM IS TO PROVIDE VOUCHERS TO VOUCHER RECIPIENTS AND
18 PROVIDE DEVELOPMENTALLY APPROPRIATE CASE MANAGEMENT FOR
19 VOUCHER RECIPIENTS WHO ARE ELIGIBLE FOR THE VOUCHER PROGRAM.

20 (2) (a) TO BE ELIGIBLE TO PROVIDE SERVICES THROUGH THE
21 VOUCHER PROGRAM, A CASE MANAGEMENT AGENCY MUST:

22 (I) BE A CURRENT RECIPIENT OF A GRANT FROM THE FOSTER YOUTH
23 SUCCESSFUL TRANSITION TO ADULTHOOD GRANT PROGRAM CREATED IN
24 SECTION 19-7-314; OR

25 (II) BE CURRENTLY OPERATING A PROGRAM THROUGH FUNDING
26 RECEIVED PURSUANT TO THE FEDERAL "JOHN H. CHAFEE FOSTER CARE
27 PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD", 42 U.S.C. 677

1 (a).
2 (b) TO BE ELIGIBLE FOR SERVICES THROUGH THE VOUCHER
3 PROGRAM, A VOUCHER RECIPIENT MUST:
4 (I) BE AT LEAST EIGHTEEN YEARS OF AGE OR OLDER BUT LESS
5 THAN TWENTY-SIX YEARS OF AGE;
6 (II) HAVE PRIOR FOSTER CARE OR KINSHIP CARE INVOLVEMENT IN
7 AT LEAST ONE OF THE FOLLOWING WAYS:
8 (A) HAVE BEEN IN FOSTER CARE, AS DEFINED IN SECTION 19-1-103,
9 ON OR AFTER THE YOUTH'S FOURTEENTH BIRTHDAY;
10 (B) HAVE BEEN IN NONCERTIFIED KINSHIP CARE, AS DEFINED IN
11 SECTION 19-1-103, ON OR AFTER THE YOUTH'S FOURTEENTH BIRTHDAY
12 AND HAVE BEEN ADJUDICATED DEPENDENT AND NEGLECTED PURSUANT TO
13 ARTICLE 3 OF THIS TITLE 19; OR
14 (C) HAVE TURNED EIGHTEEN YEARS OF AGE WHEN THE YOUTH WAS
15 A NAMED CHILD OR YOUTH IN A DEPENDENCY AND NEGLECT CASE
16 PURSUANT TO ARTICLE 3 OF THIS TITLE 19;
17 (III) BE CURRENTLY EXPERIENCING HOMELESSNESS OR BE AT
18 IMMINENT RISK OF HOMELESSNESS AND HAVE VOLUNTARILY AGREED TO
19 PARTICIPATE IN SERVICES OFFERED AND PROVIDED BY A CASE
20 MANAGEMENT AGENCY;
21 (IV) RESIDE IN COLORADO; AND
22 (V) HAVE INCOME THAT DOES NOT EXCEED A LEVEL DETERMINED
23 BY THE STATE DEPARTMENT OF LOCAL AFFAIRS POLICIES AND PROCEDURES
24 PURSUANT TO SUBSECTION (3) OF THIS SECTION.
25 (3) THE STATE DEPARTMENT OF HUMAN SERVICES AND THE STATE
26 DEPARTMENT OF LOCAL AFFAIRS SHALL DEVELOP A JOINT
27 IMPLEMENTATION PLAN THAT DELEGATES ADMINISTRATIVE

1 RESPONSIBILITIES AS FOLLOWS:

2 (a) THE STATE DEPARTMENT OF LOCAL AFFAIRS IS RESPONSIBLE
3 FOR THE ISSUANCE OF VOUCHER PAYMENTS TO LANDLORDS, THE
4 MAINTENANCE OF ANNUAL INCOME VERIFICATION, AND THE REVIEW OF
5 POLICIES DEVELOPED BY THE STATE DEPARTMENT OF HUMAN SERVICES TO
6 ENSURE COMPLIANCE WITH ALL APPLICABLE FAIR HOUSING LAWS;

7 (b) THE STATE DEPARTMENT OF HUMAN SERVICES IS RESPONSIBLE
8 FOR ESTABLISHING CASE MANAGEMENT STANDARDS, THE ALLOCATION OF
9 VOUCHERS TO ELIGIBLE RECIPIENTS, AND THE OVERSIGHT OF VOUCHER
10 SELECTION PLANS; AND

11 (c) CASE MANAGEMENT AGENCIES ARE RESPONSIBLE FOR CASE
12 MANAGEMENT ACTIVITIES AND SERVICES FOR VOUCHER RECIPIENTS.

13 (4) AVAILABILITY, STANDARDS, AND SERVICES FOR THE
14 COLORADO FOSTERING SUCCESS VOUCHER PROGRAM INCLUDE, BUT ARE
15 NOT LIMITED TO, THE FOLLOWING REQUIREMENTS:

16 (a) A VOUCHER MAY BE USED AT A DWELLING THAT MEETS
17 HOUSING QUALITY STANDARDS POLICIES AND PROCEDURES ESTABLISHED
18 BY THE STATE DEPARTMENT OF LOCAL AFFAIRS;

19 (b) THE AMOUNT OF FINANCIAL ASSISTANCE FOR EACH VOUCHER
20 MUST ALIGN WITH STANDARDS ESTABLISHED BY THE STATE DEPARTMENT
21 OF LOCAL AFFAIRS BUT MAY BE INCREASED ON AN INDIVIDUAL BASIS IF
22 HOUSING IS NOT AVAILABLE IN THE COUNTY SERVED BY THE CASE
23 MANAGEMENT AGENCY THAT MEETS THE COST STANDARDS. THE STATE
24 DEPARTMENT OF HUMAN SERVICES SHALL APPROVE ANY VARIANCE FROM
25 THE STANDARDS SET ANNUALLY BY THE STATE DEPARTMENT OF LOCAL
26 AFFAIRS.

27 (c) A YOUTH WHO RECEIVES A VOUCHER IS REQUIRED TO

1 CONTRIBUTE TO THE COST OF HOUSING, BUT THAT AMOUNT MUST NOT BE
2 MORE THAN THIRTY PERCENT OF THE YOUTH'S INCOME;

3 (d) A YOUTH WHO RECEIVES A VOUCHER IS REQUIRED TO
4 PARTICIPATE IN CASE MANAGEMENT SERVICES PROVIDED BY THE CASE
5 MANAGEMENT AGENCY;

6 (e) A CASE MANAGEMENT AGENCY SHALL MAKE CASE
7 MANAGEMENT AVAILABLE, AS FUNDING PERMITS, TO YOUTH RECEIVING
8 FEDERAL HOUSING CHOICE VOUCHERS AND WHO ARE OTHERWISE ELIGIBLE
9 FOR A VOUCHER;

10 (f) A CASE MANAGEMENT AGENCY SHALL MEET THE MINIMUM
11 CASE MANAGEMENT STANDARDS ESTABLISHED BY THE STATE
12 DEPARTMENT OF HUMAN SERVICES;

13 (g) A YOUTH WITH PRIOR ADJUDICATIONS IN THE JUVENILE COURT
14 IS ELIGIBLE FOR A VOUCHER; AND

15 (h) A CASE MANAGEMENT AGENCY SHALL MAKE REASONABLE
16 EFFORTS TO ENGAGE A YOUTH IN CASE MANAGEMENT ACTIVITIES AND TO
17 SUPPORT THE YOUTH INTO COMING INTO COMPLIANCE WITH VOUCHER
18 REQUIREMENTS PRIOR TO TERMINATING THE VOUCHER OR CASE
19 MANAGEMENT SERVICES.

20 **SECTION 4.** In Colorado Revised Statutes, **amend** 19-7-315 as
21 follows:

22 **19-7-315. Rules.** The state department shall promulgate rules for
23 the implementation of this part 3, including, but not limited to, rules
24 concerning eligibility determinations, administrative appeals of eligibility
25 determinations, enrollment into the transition program, emancipation
26 transition plans and roadmaps to success, **and** expedited procedures for
27 securing temporary shelter for youth who are currently homeless or at

1 imminent risk of homelessness, AND THE COLORADO FOSTERING SUCCESS
2 VOUCHER PROGRAM.

3 **SECTION 5.** In Colorado Revised Statutes, 26-5-113, **add** (7) as
4 follows:

5 **26-5-113. Extended services for former foster care youth.**

6 (7) THE STATE DEPARTMENT OF HUMAN SERVICES AND THE STATE
7 DEPARTMENT OF LOCAL AFFAIRS SHALL COORDINATE TO IMPLEMENT,
8 ADMINISTER, AND SHARE DATA, TO THE EXTENT ALLOWABLE BY LAW, FOR
9 THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM, ESTABLISHED
10 PURSUANT TO SECTION 19-7-314.5. ADMINISTRATION OF THE VOUCHER
11 PROGRAM MUST CONSIDER THE UNIQUE DEVELOPMENTAL AND SOCIAL
12 NEEDS OF YOUTH THROUGHOUT IMPLEMENTATION, INCLUDING CASE
13 MANAGEMENT, NEEDS, THE PROMULGATION OF RULES, AND THE CREATION
14 OF POLICIES AND PROCEDURES FOR VOUCHER RECIPIENTS.

15 **SECTION 6. Appropriation.** (1) For the 2023-24 state fiscal
16 year, \$2,674,677 is appropriated to the department of human services for
17 use by the division of child welfare. This appropriation is from the
18 general fund, and is based on an assumption that the division will require
19 an additional 1.8 FTE. To implement this act, the division may use this
20 appropriation for preventing youth homelessness.

21 (2) For the 2023-24 state fiscal year, the general assembly
22 anticipates that the department of human services will receive \$22,096 in
23 federal funds for use by the division of child welfare to implement this
24 act. The appropriation in subsection (1) of this section is based on the
25 assumption that the department will receive this amount of federal funds,
26 which is subject to the "(I)" notation as defined in the annual general
27 appropriation act for the same fiscal year.

1 **SECTION 7. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.