

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 23-0167.02 Jacob Baus x2173

**HOUSE BILL 23-1009**

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**HOUSE SPONSORSHIP**

**Lindsay,**

**SENATE SPONSORSHIP**

**Moreno,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING MEASURES TO IMPROVE SERVICES FOR STUDENTS WHO**  
102      **USE SUBSTANCES.**

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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/>.)*

**Colorado Youth Advisory Council Committee.** The bill creates the secondary school student substance use committee (committee) in the department of education (department) to develop a practice, or identify or modify an existing practice, for secondary schools to implement that identifies students who need substance use treatment, offers a brief intervention, and refers the student to substance use treatment resources.

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.

The department is required to publicly publish a report of the committee's findings and submit the report to the superintendent of every school district and chief administrator of every institute charter school that is a secondary school.

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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) Substance use is a major issue afflicting Colorado youth;

5 (b) Colorado has higher levels of substance use, particularly  
6 among youth, than most other states;

7 (c) Colorado schools' substance use intervention programs lack  
8 uniformity, resulting in inequitable interventions and treatment referrals  
9 for youth;

10 (d) A screening, brief intervention, and referral to treatment  
11 methodology has been adopted by schools with school-based health  
12 centers, and this methodology has revolutionized substance use treatment  
13 for youth;

14 (e) The screening, brief intervention, and referral to treatment  
15 methodology, if modified appropriately, may be implemented in  
16 secondary schools without school-based health centers in order to provide  
17 more support to youth who use substances;

18 (f) Access to the crisis response system is critical for youth  
19 suffering from behavioral health and substance use crises; and

20 (g) Adequate funding for the crisis response system is necessary  
21 to ensure that youth suffering from behavioral health and substance use  
22 crises may seek and receive timely support in order to prevent avoidable  
23 outcomes.

1           **SECTION 2.** In Colorado Revised Statutes, **add** 22-2-148 as  
2 follows:

3           **22-2-148. Secondary school student substance use - committee**  
4 **- definitions - repeal.** (1) (a) THERE IS CREATED IN THE DEPARTMENT THE  
5 SECONDARY SCHOOL STUDENT SUBSTANCE USE COMMITTEE, REFERRED TO  
6 IN THIS SECTION AS THE "COMMITTEE". ON OR BEFORE AUGUST 1, 2023,  
7 THE COMMISSIONER SHALL APPOINT THE FOLLOWING MEMBERS TO SERVE  
8 ON THE COMMITTEE:

9           (I) TWO MEMBERS WHO ARE STUDENTS AT A PUBLIC SECONDARY  
10 SCHOOL, ONE WHO ATTENDS A SCHOOL THAT IS LOCATED IN A RURAL  
11 SCHOOL DISTRICT AND ONE WHO ATTENDS A SCHOOL THAT IS NOT  
12 LOCATED IN RURAL SCHOOL DISTRICT;

13           (II) TWO MEMBERS WHO ARE TEACHERS AT A PUBLIC SECONDARY  
14 SCHOOL, ONE WHO TEACHES AT A SCHOOL THAT IS LOCATED IN A RURAL  
15 SCHOOL DISTRICT AND ONE WHO TEACHES AT A SCHOOL THAT IS NOT  
16 LOCATED IN A RURAL SCHOOL DISTRICT;

17           (III) TWO MEMBERS WHO ARE STATE-LICENSED OR  
18 STATE-CERTIFIED MENTAL HEALTH PROFESSIONALS THAT PROVIDE MENTAL  
19 HEALTH COUNSELING AT A PUBLIC SECONDARY SCHOOL, ONE WHO IS A  
20 MENTAL HEALTH PROFESSIONAL AT A SCHOOL THAT IS LOCATED IN A  
21 RURAL SCHOOL DISTRICT AND ONE WHO IS A MENTAL HEALTH  
22 PROFESSIONAL AT A SCHOOL THAT IS NOT LOCATED IN A RURAL SCHOOL  
23 DISTRICT;

24           (IV) TWO MEMBERS WHO ARE SCHOOL ADMINISTRATORS AT A  
25 PUBLIC SECONDARY SCHOOL, ONE WHO IS A SCHOOL ADMINISTRATOR AT  
26 A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO  
27 IS A SCHOOL ADMINISTRATOR AT A SCHOOL THAT IS NOT LOCATED IN A

1 RURAL SCHOOL DISTRICT;

2 (V) TWO MEMBERS WHO ARE PARENTS OR LEGAL GUARDIANS OF  
3 A STUDENT ATTENDING A PUBLIC SECONDARY SCHOOL, ONE WHO IS A  
4 PARENT OR LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT  
5 IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO IS A PARENT OR  
6 LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT NOT IS  
7 LOCATED IN A RURAL SCHOOL DISTRICT;

8 (VI) TWO MEMBERS WHO ARE LICENSED MEDICAL PROFESSIONALS  
9 WITH EXPERTISE IN ADOLESCENT SUBSTANCE USE DISORDERS, ONE WHO  
10 PRACTICES IN A RURAL REGION AND ONE WHO PRACTICES IN AN URBAN OR  
11 SUBURBAN REGION;

12 (VII) TWO MEMBERS WHO ARE SCHOOL NURSES, ONE WHO IS A  
13 SCHOOL NURSE AT A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL  
14 DISTRICT AND ONE WHO IS A SCHOOL NURSE AT A SCHOOL THAT IS NOT  
15 LOCATED IN A RURAL SCHOOL DISTRICT; AND

16 (VIII) TWO MEMBERS WHO ARE EXPERTS IN THE PRACTICE OF  
17 SUBSTANCE USE SCREENING, BRIEF INTERVENTION, AND REFERRAL TO  
18 TREATMENT, ONE WHO PRACTICES IN A RURAL REGION AND ONE WHO  
19 PRACTICES IN AN URBAN OR SUBURBAN REGION.

20 (b) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE  
21 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND  
22 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

23 (c) MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE  
24 COMMISSIONER, AND SERVE WITHOUT COMPENSATION OR PER DIEM.

25 (2) THE COMMITTEE SHALL DEVELOP A PRACTICE, OR IDENTIFY OR  
26 MODIFY AN EXISTING PRACTICE, FOR SECONDARY SCHOOLS TO IMPLEMENT  
27 THAT IDENTIFIES STUDENTS' SUBSTANCE USE, OFFERS BRIEF INTERVENTION

1 WITH INFORMATION REGARDING SUBSTANCE USE AND CONSEQUENTIAL  
2 HEALTH RISKS, AND REFERS THE STUDENTS TO SUBSTANCE USE  
3 TREATMENT RESOURCES. THE COMMITTEE SHALL CONSIDER EXISTING AND  
4 AVAILABLE INFORMATION CONCERNING SECONDARY SCHOOL STUDENT  
5 SUBSTANCE USE IN COLORADO, AND HOW THE PRACTICE MUST ADDRESS  
6 THE CHALLENGES, RESOURCES, AND NEEDS IDENTIFIED FROM THE EXISTING  
7 AND AVAILABLE INFORMATION.

8 (3) ON OR BEFORE JANUARY 5, 2024, THE COMMITTEE SHALL  
9 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE RECOMMENDED  
10 PRACTICE PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE  
11 DEPARTMENT SHALL PUBLISH THE REPORT ON ITS WEBSITE AND SUBMIT  
12 THE REPORT TO THE SUPERINTENDENT OF EVERY SCHOOL DISTRICT AND  
13 THE CHIEF ADMINISTRATOR OF EVERY INSTITUTE CHARTER SCHOOL THAT  
14 IS A SECONDARY SCHOOL.

15 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
16 REQUIRES:

17 (a) "LICENSED MEDICAL PROFESSIONAL" MEANS A PSYCHOLOGIST  
18 OR PHYSICIAN LICENSED TO PRACTICE IN COLORADO.

19 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN  
20 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE  
21 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE  
22 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

23 (c) "SECONDARY SCHOOL" MEANS A MIDDLE SCHOOL, JUNIOR HIGH  
24 SCHOOL, OR HIGH SCHOOL.

25 (d) "SUBSTANCE USE" MEANS THE USE OF ALCOHOL, TOBACCO,  
26 CONTROLLED SUBSTANCES, OR PRESCRIPTION MEDICATION.

27 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

1           **SECTION 3. 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.