

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

INTRODUCED

LLS NO. 23-0634.01 Chelsea Princell x4335

HOUSE BILL 23-1249

HOUSE SPONSORSHIP

Armagost and Gonzales-Gutierrez, Amabile, Bacon, Boesenecker, Bradfield, deGruy
Kennedy, Duran, Epps, Garcia, Jodeh, Joseph, Lindstedt, Mabrey, Marshall, Martinez, Ortiz,
Sharbini, Velasco, Vigil, Woodrow

SENATE SPONSORSHIP

Simpson and Coleman, Gonzales, Hinrichsen, Moreno

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE OUTCOMES FOR YOUNG**
102 **CHILDREN BY REPLACING JUSTICE INVOLVEMENT WITH**
103 **COMMUNITY-BASED SERVICES.**

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>.)

Under current law, counties are permitted to form a local collaborative management program to provide services to youth. The bill requires every county to participate in a local collaborative management program and requires the local collaborative management program to serve children 10 to 12 years of age and to form a service and support

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.*

team to create service and support plans for children 10 to 12 years of age.

The bill provides an appropriation for local collaborative management programs and requires the department of human services to provide technical assistance to the programs.

The bill changes the minimum age of a child who is subject to the juvenile court's jurisdiction. Under current law, children who are 10 years of age or older can be prosecuted in juvenile court. The bill removes children who are 10 to 12 years of age from the juvenile court's jurisdiction and increases the age for prosecution in juvenile court to 13 years of age; except in the case of a homicide, then the juvenile court's jurisdiction extends to children who are 10 to 12 years of age.

The bill clarifies that children who are 10 to 12 years of age may be taken into temporary custody by law enforcement for safety.

The bill provides that when children who are 10 to 12 years of age have contact with law enforcement, law enforcement will complete a form to refer the child to the local collaborative management program. The local collaborative management program's individualized service and support team is required to complete an initial plan for every child who is referred, which may find that no services are needed, that one or more specific services are needed and can be provided without an individualized service and support team meeting, or that an individualized service and support team meeting is required to develop a service and support plan for the child and family. Victims have the right to be informed and provide input to the plan.

The individualized service and support team is required to hold a meeting and develop an individualized service and support plan for every child who is 10 to 12 years of age who allegedly engaged in behavior that would constitute a crime of violence or felony sex offense. The county department of human or social services is required to attend the meeting if the behavior would constitute a felony sex offense. The county department of human or social services is required to make a determination as to whether the department of human services will provide prevention and intervention services or conduct a formal assessment, investigate, provide services, or open a case.

The bill clarifies that victims of actions by children who are 10 to 12 years of age are still able to access existing victim services and compensation. The bill provides that victims shall receive a free copy of the form completed by law enforcement, which can be used to request victim's compensation.

The bill provides that a minor child, or a parent or guardian seeking relief on behalf of a minor child, shall not pay a fee to seek a protection order. Courts that issue protection orders shall provide assistance to individuals in completing judicial forms to obtain a protection order. The bill changes the minimum age that a person can be

held in custody for contempt of court for failing to comply with a protection order to a person who is 13 years of age. A child who is 10 to 12 years of age who fails to comply with a protection order may be court ordered to participate in a collaborative management program.

The bill changes the minimum age of a county court's concurrent original jurisdiction with the district court in criminal actions that constitute misdemeanors or petty offenses to 13 years of age.

The bill changes the minimum age to be charged by a municipal court for a municipal offense to 13 years of age.

Under current law, a juvenile court may transfer a child to district court for adult criminal proceedings under certain conditions. The bill eliminates the ability for the juvenile court to transfer children who are 12 or 13 years of age to the district court. For a child who is 14 years of age or older, the bill changes the current authority of the juvenile court to transfer the child's case for any delinquent act that constitutes any felony to only any delinquent act that constitutes a class 1 or class 2 felony or a crime of violence.

The bill extends certain sentencing protections that are currently provided to children who are 10 or 11 years of age to children who are 13 or 14 years of age.

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) Providing developmentally appropriate services to young
5 children to address the underlying causes of problematic behaviors
6 prevents future youth misbehavior, thereby reducing recidivism in both
7 adolescence and adulthood, which leads to safer communities;

8 (b) Behavioral health programs, schools, child welfare services,
9 and other community-based programs and services are better equipped
10 than the juvenile justice system to identify and address the needs of young
11 children and to provide developmentally appropriate services to improve
12 community safety and reduce the risk that young children commit future
13 crimes as adults;

14 (c) Ensuring that young children are served outside of the juvenile

1 justice system reduces the negative impacts for young children and their
2 communities. Young children who are charged with crimes and placed in
3 the juvenile justice system, as compared to similarly situated young
4 children who are served outside of the juvenile justice system, are more
5 likely to enter the criminal justice system as adults, present a future threat
6 to community safety, face mental health challenges, and are less likely to
7 graduate from high school.

8 (d) Colorado has an existing system of local collaborative
9 management programs that can be improved to ensure young children
10 receive appropriate services outside of the juvenile justice system, which
11 will improve outcomes for young children and make communities safer;

12 (e) Serving young children through local collaborative
13 management programs reduces future victimization. Young children in
14 the juvenile justice system are at a higher risk of becoming victims of
15 violence within the justice system.

16 (f) A community-based alternative to serve young children is more
17 equitable. Young children of color are more likely to be referred to the
18 juvenile justice system and detained in juvenile justice facilities than
19 White young children.

20 (g) Victims and survivors of criminal behavior must be able to
21 access services, compensation, and information to gain a new sense of
22 safety. In serving young children through more effective
23 community-based solutions, victim services must remain available to
24 meet these needs.

25 (h) Victims and survivors have the right to be treated with dignity
26 and respect and to be heard and kept informed, regardless of whether the
27 act committed against them was committed by a young child. These rights

1 must remain intact through more effective community-based solutions.

2 (2) (a) Therefore, the general assembly declares its intent to
3 empower community-based responses in the health, education, and child
4 welfare systems to serve children who are under thirteen years of age,
5 instead of the juvenile justice system.

6 (b) The general assembly further supports victims being heard,
7 informed, and supported through the community-based system.

8 (c) The general assembly further declares the prosecution of
9 children under the age of thirteen in municipal courts is a matter of
10 statewide concern because there is need for statewide uniformity in the
11 prosecution and treatment of young children, a municipal regulation that
12 allowed such prosecution would have a negative impact on children and
13 families living outside the municipality, and uniformity fulfills the state's
14 statutory obligation to serve children according to the Colorado children's
15 code.

16 **SECTION 2.** In Colorado Revised Statutes, 17-1-103, **repeal**
17 (1)(n) as follows:

18 **17-1-103. Duties of the executive director.** (1) The duties of the
19 executive director are:

20 (n) ~~To contract with the department of human services to house~~
21 ~~in a facility operated by the department of human services any juvenile~~
22 ~~under the age of fourteen years who is sentenced as an adult to the~~
23 ~~department of corrections and to provide services for the juvenile~~
24 ~~pursuant to section 19-2.5-802 (1)(c);~~

25 **SECTION 3.** In Colorado Revised Statutes, 13-6-106, **amend** (1)
26 introductory portion and (1)(a) as follows:

27 **13-6-106. Original criminal jurisdiction.** (1) The county court

1 ~~shall have~~ HAS concurrent original jurisdiction with the district court in
2 the following criminal matters:

3 (a) Criminal actions AGAINST A PERSON THIRTEEN YEARS OF AGE
4 OR OLDER for the violation of state laws which constitute misdemeanors
5 or petty offenses, except those actions involving children over which the
6 juvenile court of the city and county of Denver or the district courts of the
7 state, other than in Denver, have exclusive jurisdiction;

8 **SECTION 4.** In Colorado Revised Statutes, **amend** 13-10-103 as
9 follows:

10 **13-10-103. Applicability.** This article 10 applies to and governs
11 the operation of municipal courts in the cities and towns of this state.
12 Except for the provisions relating to the method of salary payment for
13 municipal judges, the incarceration of children pursuant to sections
14 19-2.5-305 and 19-2.5-1511, THE PROHIBITION OF THE PROSECUTION OF
15 A CHILD UNDER THIRTEEN YEARS OF AGE, the appearance of the parent,
16 guardian, or lawful custodian of ~~any~~ A child THIRTEEN YEARS OF AGE OR
17 OLDER BUT under eighteen years of age who is charged with a municipal
18 offense as required by section 13-10-111, the right to a trial by jury for
19 petty offenses pursuant to section 16-10-109, relief from improperly
20 entered guilty pleas pursuant to section 18-1-410.6, rules of procedure
21 promulgated by the supreme court, and appellate procedure, this article
22 10 may be superseded by charter or ordinance enacted by a home rule
23 city.

24 **SECTION 5.** In Colorado Revised Statutes, **amend** 13-10-104 as
25 follows:

26 **13-10-104. Municipal court created - jurisdiction.** The
27 municipal governing body of each city or town shall create a municipal

1 court to hear and try all alleged violations of ordinance provisions of such
2 city or town AGAINST A PERSON WHO IS THIRTEEN YEARS OF AGE OR
3 OLDER.

4 **SECTION 6.** In Colorado Revised Statutes, 13-10-111, **amend**
5 (5) as follows:

6 **13-10-111. Commencement of actions - process.** (5) Upon the
7 request of the municipal court, the prosecuting municipality, or the
8 defendant, the clerk of the municipal court shall issue a subpoena for the
9 appearance, at any and all stages of the court's proceedings, of the parent,
10 guardian, or lawful custodian of any child THIRTEEN YEARS OF AGE OR
11 OLDER BUT under eighteen years of age who is charged with a municipal
12 offense. Whenever a person who is issued a subpoena pursuant to this
13 subsection (5) fails, without good cause, to appear, the court may issue an
14 order for the person to show cause to the court as to why the person
15 should not be held in contempt. Following a show cause hearing, the
16 court may make findings of fact and conclusions of law and may enter an
17 appropriate order, which may include finding the person in contempt.

18 **SECTION 7.** In Colorado Revised Statutes, 13-10-113, **amend**
19 (4) and (5) as follows:

20 **13-10-113. Fines and penalties.** (4) Notwithstanding any
21 provision of law to the contrary, a municipal court has the authority to
22 order a child THIRTEEN YEARS OF AGE OR OLDER BUT under eighteen years
23 of age confined in a juvenile detention facility operated or contracted by
24 the department of human services or a temporary holding facility operated
25 by or under contract with a municipal government for failure to comply
26 with a lawful order of the court, including an order to pay a fine. Any
27 confinement of a child for contempt of municipal court ~~shall~~ MUST not

1 exceed forty-eight hours.

2 (5) Notwithstanding any other provision of law, ~~a juvenile, as~~
3 ~~defined in section 19-2.5-102~~ A CHILD THIRTEEN YEARS OF AGE OR OLDER
4 BUT UNDER EIGHTEEN YEARS OF AGE WHO IS arrested for an alleged
5 violation of a municipal ordinance, convicted of violating a municipal
6 ordinance or probation conditions imposed by a municipal court, or found
7 in contempt of court in connection with a violation or alleged violation of
8 a municipal ordinance ~~must~~ SHALL not be confined in a jail, lockup, or
9 other place used for the confinement of adult offenders but may be held
10 in a juvenile detention facility operated by or under contract with the
11 department of human services or a temporary holding facility operated by
12 or under contract with a municipal government that ~~shall receive and~~
13 ~~provide~~ RECEIVES AND PROVIDES care for the ~~juvenile~~ CHILD THIRTEEN
14 YEARS OF AGE OR OLDER BUT UNDER EIGHTEEN YEARS OF AGE. A
15 municipal court imposing penalties for violation of probation conditions
16 imposed by such court or for contempt of court in connection with a
17 violation or alleged violation of a municipal ordinance may confine a
18 ~~juvenile~~ CHILD THIRTEEN YEARS OF AGE OR OLDER BUT UNDER EIGHTEEN
19 YEARS OF AGE pursuant to section 19-2.5-305 for up to forty-eight hours
20 in a juvenile detention facility operated by or under contract with the
21 department of human services. ~~In imposing any jail sentence upon a~~
22 ~~juvenile for violating any municipal ordinance when the municipal court~~
23 ~~has jurisdiction over the juvenile pursuant to section 19-2.5-103 (1)(a)(II);~~
24 A municipal court does not have the authority to order a ~~juvenile~~ CHILD
25 under eighteen years of age to a juvenile detention facility operated or
26 contracted by the department of human services.

27 **SECTION 8.** In Colorado Revised Statutes, 13-14-105, **add** (3)

1 as follows:

2 **13-14-105. Provisions relating to civil protection orders.** (3) A
3 MUNICIPAL COURT OF RECORD THAT IS AUTHORIZED BY ITS MUNICIPAL
4 GOVERNING BODY TO ISSUE PROTECTION ORDERS AND ANY COUNTY COURT
5 OR DISTRICT COURT THAT ISSUES PROTECTION ORDERS SHALL PROVIDE:

6 (a) IN-PERSON ASSISTANCE THAT IS AVAILABLE AT LEAST ONE TIME
7 PER WEEK TO ASSIST PETITIONERS COMPLETING JUDICIAL FORMS TO
8 OBTAIN A PROTECTION ORDER; OR

9 (b) AN ONLINE TUTORIAL TO ASSIST PETITIONERS COMPLETING
10 JUDICIAL FORMS TO OBTAIN A PROTECTION ORDER THAT IS ACCESSIBLE TO
11 THE PUBLIC AND CONTAINS LINKS TO THE FORMS AND INFORMATION
12 ABOUT WHERE A PETITIONER CAN GO TO COMPLETE JUDICIAL FORMS AND
13 REQUEST A PROTECTION ORDER.

14 **SECTION 9.** In Colorado Revised Statutes, 13-14-107, **amend**
15 (1); and **add** (4) as follows:

16 **13-14-107. Enforcement of protection order - duties of peace**
17 **officer.** (1) A person ~~failing~~ THIRTEEN YEARS OF AGE OR OLDER WHO
18 FAILS to comply with any order of the court issued pursuant to this ~~article~~
19 ARTICLE 14 is in contempt of court or may be prosecuted for violation of
20 a civil protection order pursuant to section 18-6-803.5; ~~C.R.S.~~

21 (4) (a) IF A CHILD TEN YEARS OF AGE OR OLDER BUT UNDER
22 THIRTEEN YEARS OF AGE FAILS TO COMPLY WITH ANY ORDER OF THE
23 COURT ISSUED PURSUANT TO THIS ARTICLE 14, THE COURT MAY ORDER THE
24 LOCAL COLLABORATIVE MANAGEMENT PROGRAM CREATED PURSUANT TO
25 SECTION 24-1.9-102 TO HOLD AN INDIVIDUALIZED SERVICE AND SUPPORT
26 TEAM MEETING.

27 (b) IF THE VIOLATION OF THE COURT ORDER DESCRIBED IN

1 SUBSECTION (4)(a) OF THIS SECTION OCCURRED AT A SCHOOL IN WHICH
2 THE CHILD IS ENROLLED, A REPRESENTATIVE FROM THE SCHOOL SHALL
3 ATTEND THE INDIVIDUALIZED SERVICE AND SUPPORT TEAM MEETING, AND
4 THE TEAM SHALL INCLUDE IN THE SERVICE AND SUPPORT PLAN A PLAN TO
5 PREVENT FUTURE VIOLATIONS OF THE ORDER.

6 (c) IF THE VIOLATION OF THE COURT ORDER DESCRIBED IN
7 SUBSECTION (4)(a) OF THIS SECTION DID NOT OCCUR AT A SCHOOL IN
8 WHICH THE CHILD IS ENROLLED, A REPRESENTATIVE OF THE LOCAL
9 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL ATTEND THE
10 MEETING, AND THE TEAM SHALL INCLUDE IN THE SERVICE AND SUPPORT
11 PLAN A PLAN TO PREVENT FUTURE VIOLATIONS OF THE ORDER. THE
12 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL MAKE A
13 DETERMINATION FOLLOWING THE MEETING AS TO WHETHER THE COUNTY
14 DEPARTMENT OF HUMAN OR SOCIAL SERVICES WILL PROVIDE PREVENTION
15 AND INTERVENTION SERVICES, IN ACCORDANCE WITH RULES ADOPTED BY
16 THE STATE BOARD OF HUMAN SERVICES, OR WHETHER THE COUNTY
17 DEPARTMENT OF HUMAN OR SOCIAL SERVICES WILL CONDUCT AN
18 ASSESSMENT OR INVESTIGATION PURSUANT TO SECTIONS 19-3-308,
19 19-3-308.3, AND 19-3-308.5 AND THE RULES ADOPTED BY THE STATE
20 BOARD OF HUMAN SERVICES. THE DETERMINATION MUST BE INCLUDED AS
21 A WRITTEN UPDATE TO THE CHILD'S SERVICE AND SUPPORT PLAN. IN
22 DETERMINING WHETHER TO CONDUCT AN ASSESSMENT, THE COUNTY
23 DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL CONSIDER:

24 (I) THE VULNERABILITY OF THE REFERRED CHILD WHO IS OVER TEN
25 YEARS OF AGE BUT UNDER THIRTEEN YEARS OF AGE, AND ANY CHILD
26 IDENTIFIED AS A VICTIM OF THE REFERRED CHILD'S CONDUCT;

27 (II) ANY INFORMATION IN THE CHILD WELFARE INFORMATION

1 SYSTEM AND ANY AVAILABLE COUNTY DEPARTMENT FILES;

2 (III) ANY ALLEGATION OF KNOWN OR SUSPECTED CHILD ABUSE OR
3 NEGLECT AS DESCRIBED IN SECTION 19-3-102, INCLUDING ALLEGATIONS
4 THAT THE CHILD:

5 (A) LACKS PROPER PARENTAL CARE OR SUPERVISION PURSUANT TO
6 SECTION 19-3-102; OR

7 (B) IS BEYOND THE CONTROL OF THE CHILD'S PARENT, GUARDIAN,
8 OR LEGAL CUSTODIAN PURSUANT TO SECTION 19-3-102; AND

9 (IV) WHETHER AN ASSESSMENT IS APPROPRIATE FOR ANY
10 PROGRAM AREAS IDENTIFIED IN THE RULES ADOPTED BY THE STATE BOARD
11 OF HUMAN SERVICES, INCLUDING ANY EXISTING PROGRAM AREAS CREATED
12 TO PROVIDE:

13 (A) PREVENTION AND INTERVENTION SERVICES TO CHILDREN,
14 YOUTH, AND FAMILIES AT RISK OF INVOLVEMENT WITH THE CHILD
15 WELFARE SYSTEM;

16 (B) SERVICES TO YOUTH IN CONFLICT WITH THEIR FAMILY
17 MEMBERS OR THE COMMUNITY;

18 (C) SERVICES TO CHILDREN IN NEED OF PROTECTION, INCLUDING
19 CHILDREN WHOSE PHYSICAL, MENTAL, OR EMOTIONAL WELL-BEING IS
20 THREATENED OR HARMED DUE TO ABUSE OR NEGLECT AS DESCRIBED IN
21 SECTION 19-3-102;

22 (D) SERVICES FOR CHILDREN AND FAMILIES IN NEED OF
23 SPECIALIZED SERVICES; AND

24 (E) SERVICES RELATED TO RESOURCE DEVELOPMENT.

25 (d) IF A CHILD ALLEGEDLY VIOLATES A PROTECTION ORDER THREE
26 OR MORE TIMES, TWO CERTIFIED CHILD WELFARE STAFF FROM THE SAME
27 COUNTY OR IN CONJUNCTION WITH ANOTHER COUNTY SHALL MAKE THE

1 DECISION TO REJECT A REFERRAL.

2 **SECTION 10.** In Colorado Revised Statutes, 13-14-109, **amend**
3 (1) and (2) as follows:

4 **13-14-109. Fees and costs.** (1) The court may assess a filing fee
5 against a petitioner seeking relief ~~under~~ PURSUANT TO this article 14;
6 except that the court may not assess a filing fee against a petitioner if THE
7 PETITIONER IS A MINOR CHILD OR A PARENT OR GUARDIAN SEEKING RELIEF
8 ON BEHALF OF A MINOR CHILD, OR the court determines the petitioner is
9 seeking the protection order as a victim of domestic abuse, domestic
10 violence as defined in section 18-6-800.3, ~~(1), C.R.S.~~, stalking, or sexual
11 assault or abuse. The court shall provide the necessary number of certified
12 copies at no cost to petitioners.

13 (2) A state or public agency may not assess fees for service of
14 process against a petitioner seeking relief ~~under~~ PURSUANT TO this ~~article~~
15 ARTICLE 14 AS A MINOR CHILD OR PARENT OR GUARDIAN SEEKING RELIEF
16 ON BEHALF OF A MINOR CHILD, OR as a victim of conduct consistent with
17 the following: Domestic abuse, domestic violence as defined in section
18 18-6-800.3, ~~(1), C.R.S.~~, stalking, or sexual assault or abuse.

19 **SECTION 11.** In Colorado Revised Statutes, 16-11.7-103, **add**
20 (4)(m) as follows:

21 **16-11.7-103. Sex offender management board - creation -**
22 **duties - repeal.** (4) **Duties of the board.** The board shall carry out the
23 following duties:

24 (m) **Education and training regarding young children.** THE
25 BOARD MAY DEVELOP AND REVISE, AS APPROPRIATE, EDUCATIONAL
26 MATERIALS AND TRAINING REGARDING BEST PRACTICES TO PROVIDE
27 DEVELOPMENTALLY APPROPRIATE THERAPY TO CHILDREN TEN YEARS OF

1 AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE WHEN THOSE
2 CHILDREN HAVE ENGAGED IN PROBLEMATIC SEXUAL BEHAVIOR THAT
3 WOULD CONSTITUTE A SEXUAL OFFENSE IF COMMITTED BY AN ADULT. THE
4 BOARD SHALL PROVIDE THE MATERIALS AND TRAINING TO THE
5 DEPARTMENT OF EDUCATION, AND THE DEPARTMENT OF EDUCATION SHALL
6 MAKE THE MATERIALS AND TRAINING AVAILABLE TO SCHOOLS IN THE
7 STATE.

8 **SECTION 12.** In Colorado Revised Statutes, 19-2.5-103, **amend**
9 (1)(a) introductory portion and (5); and **add** (1)(c) as follows:

10 **19-2.5-103. Jurisdiction.** (1) Except as otherwise provided by
11 law, the juvenile court has exclusive original jurisdiction in proceedings:

12 (a) Concerning ~~any~~ A juvenile ~~ten~~ THIRTEEN years of age or older
13 who ~~has violated~~ IS ACCUSED OF VIOLATING:

14 (c) CONCERNING A JUVENILE TEN YEARS OF AGE OR OLDER WHO IS
15 ACCUSED OF VIOLATING AN OFFENSE PURSUANT TO PART 1 OF ARTICLE 3
16 OF TITLE 18.

17 (5) Notwithstanding any other provision of this section to the
18 contrary, the juvenile court and the county court have concurrent
19 jurisdiction over a juvenile ~~who is~~ THIRTEEN YEARS OF AGE OR OLDER BUT
20 under eighteen years of age and who is charged with a violation of section
21 18-13-122, 18-18-406 (5)(b)(I) and (5)(b)(II), 18-18-428, 18-18-429,
22 18-18-430, or 42-4-1301; except that, if the juvenile court accepts
23 jurisdiction over such a juvenile, the county court jurisdiction terminates.

24 **SECTION 13.** In Colorado Revised Statutes, 19-2.5-208, **amend**
25 (1)(a) introductory portion as follows:

26 **19-2.5-208. Petty tickets - summons - contracts - data.**

27 (1) (a) If a law enforcement officer contacts a juvenile ~~ten~~ THIRTEEN

1 years of age or older for a delinquent act that would be a petty offense if
2 committed by an adult or a municipal ordinance violation, the officer may
3 issue the juvenile a petty ticket that requires the juvenile to go through an
4 assessment process or procedure as designated by the municipal, county,
5 or district court, including assessment by a law enforcement officer,
6 assessment officer, or a screening team, referred to in this section as the
7 "screening entity". When a petty ticket is issued, an assessment officer or
8 screening team officer shall offer a petty offense contract to the juvenile
9 and the juvenile's parent or legal guardian if:

10 **SECTION 14.** In Colorado Revised Statutes, 19-2.5-302, **amend**
11 (1) as follows:

12 **19-2.5-302. Local juvenile services planning committee -**
13 **creation - duties - identification and notification of dually identified**
14 **crossover youth.** (1) If all of the boards of commissioners of each
15 county or the city council of each city and county in a judicial district
16 agree, there may be created in the judicial district a local juvenile services
17 planning committee that is appointed by the chief judge of the judicial
18 district or, for the second judicial district, the presiding judge of the
19 Denver juvenile court, from persons recommended by the boards of
20 commissioners of each county or the city council of each city and county
21 within the judicial district. The committee, if practicable, must include,
22 but need not be limited to, a representative from a county department of
23 human or social services, a local school district, a local law enforcement
24 agency, a local probation department, the division of youth services,
25 private citizens, the district attorney's office, the public defender's office,
26 a community mental health representative, and a representative of the
27 concerns of municipalities. The committee, if created, shall meet as

1 necessary to develop a plan for the allocation of resources for local
2 juvenile services within the judicial district for the fiscal year. The
3 committee is strongly encouraged to consider programs with restorative
4 justice components when developing the plan. THE COMMITTEE IS
5 STRONGLY ENCOURAGED TO INCLUDE IN THE PLAN SERVICES FOR
6 CHILDREN WHO ARE TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN
7 YEARS OF AGE AND WHO COME INTO CONTACT WITH LAW ENFORCEMENT
8 IF A LAW ENFORCEMENT OFFICER DETERMINES THERE IS PROBABLE CAUSE
9 TO BELIEVE THAT THE CHILD COMMITTED AN ACT THAT WOULD BE A
10 MISDEMEANOR OR FELONY IF COMMITTED BY AN ADULT. The state
11 department of human services shall approve the plan. A local juvenile
12 services planning committee may be consolidated with other local
13 advisory boards pursuant to section 24-1.7-103.

14 **SECTION 15.** In Colorado Revised Statutes, 19-2.5-303, **amend**
15 (1); and **add** (6) as follows:

16 **19-2.5-303. Duty of officer - screening teams - notification -**
17 **release or detention.** (1) When a juvenile OVER WHOM THE JUVENILE
18 COURT HAS JURISDICTION PURSUANT TO SECTION 19-2.5-103 is taken into
19 temporary custody and not released pending charges, the officer shall
20 notify the screening team for the judicial district in which the juvenile is
21 taken into custody. The screening team shall notify the juvenile's parent,
22 guardian, or legal custodian without unnecessary delay and inform the
23 juvenile's parent, guardian, or legal custodian that, if the juvenile is
24 placed in detention or a temporary holding facility, all parties have a right
25 to a prompt hearing to determine whether the juvenile is to be detained
26 further. Such notification may be made to a person with whom the
27 juvenile is residing if a parent, guardian, or legal custodian cannot be

1 located. If the screening team is unable to make such notification, the
2 notification may be made by any law enforcement officer, juvenile
3 probation officer, detention center counselor, or detention facility staff in
4 whose physical custody the juvenile is placed.

5 (6) (a) NOTHING IN THIS SECTION PROHIBITS A LAW ENFORCEMENT
6 OFFICER FROM REQUESTING AN EMERGENCY PROTECTION ORDER FOR A
7 CHILD UNDER THIRTEEN YEARS OF AGE PURSUANT TO SECTION 19-3-405
8 OR 13-14-103, FROM TAKING A CHILD WHO IS UNDER THIRTEEN YEARS OF
9 AGE INTO TEMPORARY CUSTODY PURSUANT TO SECTION 19-3-401, OR
10 FROM PLACING A CHILD WHO IS UNDER THIRTEEN YEARS OF AGE OUT OF
11 THE HOME PURSUANT TO SECTION 19-3-402.

12 (b) WHEN A LAW ENFORCEMENT OFFICER HAS CONTACT WITH A
13 CHILD WHO IS TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN YEARS
14 OF AGE AND DETERMINES THERE IS PROBABLE CAUSE TO BELIEVE THE
15 CHILD COMMITTED AN ACT THAT WOULD BE A MISDEMEANOR OR FELONY
16 ACT IF THE CHILD WAS THIRTEEN YEARS OF AGE OR OLDER, THE LAW
17 ENFORCEMENT OFFICER SHALL:

18 (I) COMPLETE THE INFORMATION FORM FOR CHILDREN UNDER THE
19 AGE OF THIRTEEN CREATED PURSUANT TO SECTION 24-1.9-102.7;

20 (II) REQUEST THAT A PARENT, GUARDIAN, LEGAL CUSTODIAN, OR
21 ADULT WHO RESIDES WITH THE CHILD SIGN THE ATTESTATION ON THE
22 INFORMATION FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE, OR IF
23 LAW ENFORCEMENT IS UNABLE TO OBTAIN A SIGNATURE, LAW
24 ENFORCEMENT MUST DOCUMENT THE REASON ON THE INFORMATION FORM
25 FOR CHILDREN UNDER THIRTEEN YEARS OF AGE;

26 (III) PROVIDE A COPY OF THE INFORMATION FORM FOR CHILDREN
27 UNDER THIRTEEN YEARS OF AGE TO THE CHILD; THE PARENT, GUARDIAN,

1 LEGAL CUSTODIAN, OR ADULT WHO RESIDES WITH THE CHILD; AND THE
2 LOCAL COLLABORATIVE MANAGEMENT PROGRAM CREATED PURSUANT TO
3 SECTION 24-1.9-102; AND

4 (IV) IF THE INCIDENT INVOLVES A VICTIM, PROVIDE A COPY OF THE
5 INFORMATION FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE TO
6 THE VICTIM, IF A VICTIM IS PRESENT, OR THE VICTIM'S DESIGNEE, OR AT
7 ANY TIME UPON REQUEST OF THE VICTIM OR THE VICTIM'S DESIGNEE.

8 (c) COPIES OF THE INFORMATION FORM PURSUANT TO SUBSECTION
9 (6)(b) OF THIS SECTION MUST BE PROVIDED AT NO COST.

10 **SECTION 16.** In Colorado Revised Statutes, 19-2.5-304, **repeal**
11 (2) as follows:

12 **19-2.5-304. Limitations on detention.** (2) ~~A juvenile court shall~~
13 ~~not order a juvenile who is ten years of age and older but less than~~
14 ~~thirteen years of age to detention unless the juvenile has been arrested for~~
15 ~~a felony or weapons charge pursuant to section 18-12-102, 18-12-105,~~
16 ~~18-12-106, or 18-12-108.5. A preadjudication service program created~~
17 ~~pursuant to section 19-2.5-606 shall evaluate a juvenile described in this~~
18 ~~subsection (2). The evaluation may result in the juvenile:~~

19 (a) ~~Remaining in the custody of a parent or legal guardian;~~

20 (b) ~~Being placed in the temporary legal custody of kin, for~~
21 ~~purposes of a kinship foster care home or noncertified kinship care~~
22 ~~placement, as defined in section 19-1-103, or other suitable person under~~
23 ~~such conditions as the court may impose;~~

24 (c) ~~Being placed in a temporary shelter facility; or~~

25 (d) ~~Being referred to a local county department of human or social~~
26 ~~services for assessment for placement.~~

27 **SECTION 17.** In Colorado Revised Statutes, 19-2.5-305, **amend**

1 (3)(a)(V) introductory portion and (6) as follows:

2 **19-2.5-305. Detention and shelter - hearing - time limits -**
3 **findings - review - confinement with adult offenders - restrictions.**

4 ~~(3) (a) (V) A court shall not order further detention for a juvenile who is~~
5 ~~ten years of age and older but less than thirteen years of age unless the~~
6 ~~juvenile has been arrested or adjudicated for a felony or weapons charge~~
7 ~~pursuant to section 18-12-102, 18-12-105, 18-12-106, or 18-12-108.5.~~

8 The court shall receive any information having probative value regardless
9 of its admissibility under the rules of evidence. In determining whether
10 a juvenile requires detention, the court shall consider the results of the
11 detention screening instrument. There is a rebuttable presumption that a
12 juvenile poses a substantial risk of serious harm to others if:

13 ~~(6) Except for a juvenile described in section 19-2.5-304 (2), The~~
14 ~~court may also issue A temporary orders ORDER for legal custody pursuant~~
15 ~~to section 19-1-115.~~

16 **SECTION 18.** In Colorado Revised Statutes, 19-2.5-802, **amend**
17 **(1)(a)(I); and repeal (1)(e)** as follows:

18 **19-2.5-802. Transfers.** (1) (a) The juvenile court may enter an
19 order certifying a juvenile to be held for criminal proceedings in the
20 district court if:

21 (I) A petition filed in juvenile court alleges the juvenile is:

22 (A) ~~Twelve or thirteen years of age at the time of the commission~~
23 ~~of the alleged offense and is a juvenile delinquent by virtue of having~~
24 ~~committed a delinquent act that constitutes a class 1 or class 2 felony or~~
25 ~~a crime of violence, as defined in section 18-1.3-406; or~~

26 (B) Fourteen years of age or older at the time of the commission
27 of the alleged offense and is a juvenile delinquent by virtue of having

1 committed a delinquent act that constitutes a CLASS 1 OR CLASS 2 felony
2 OR A CRIME OF VIOLENCE, AS DEFINED IN SECTION 18-1.3-406; and

3 (e) ~~Whenever a juvenile under the age of fourteen years is~~
4 ~~sentenced pursuant to section 18-1.3-401 as provided in subsection (1)(d)~~
5 ~~of this section, the department of corrections shall contract with the~~
6 ~~department of human services to house and provide services to the~~
7 ~~juvenile in a facility operated by the department of human services until~~
8 ~~the juvenile reaches the age of fourteen years. On reaching the age of~~
9 ~~fourteen years, the juvenile must be transferred to an appropriate facility~~
10 ~~operated by the department of corrections for the completion of the~~
11 ~~juvenile's sentence.~~

12 **SECTION 19.** In Colorado Revised Statutes, 19-2.5-1126,
13 **amend** (1)(c)(I)(A) as follows:

14 **19-2.5-1126. Sentencing - special offenders.** (1) The court shall
15 sentence a juvenile adjudicated as a special offender as follows:

16 (c) **Violent juvenile offender.** (I) (A) Upon adjudication as a
17 violent juvenile offender, as described in section 19-2.5-1125 (3), the
18 juvenile must be placed or committed out of the home for not less than
19 one year; except that this subsection (1)(c) does not apply to a juvenile
20 who is ~~ten~~ THIRTEEN years of age or older, but ~~less than twelve~~ UNDER
21 FIFTEEN years of age, when the court finds that an alternative sentence or
22 a commitment of less than one year out of the home would be more
23 appropriate.

24 **SECTION 20.** In Colorado Revised Statutes, 19-2.5-1511,
25 **amend** (1)(a); and **repeal** (1)(c) as follows:

26 **19-2.5-1511. Juvenile detention services and facilities to be**
27 **provided by department of human services - education - expenses -**

1 **definition.** (1) (a) ~~Except as set forth in subsection (1)(c) of this section,~~
2 ~~the~~ THE department of human services shall provide detention services
3 for temporary care of a juvenile, pursuant to this article 2.5. The
4 department of human services shall consult on a regular basis with the
5 court in any district where a detention facility is located concerning the
6 detention program at that facility. The department of human services may
7 use staff secure facilities to provide preadjudication and postadjudication
8 detention services.

9 (c) ~~The department of human services is not required to receive~~
10 ~~and provide care for any juvenile who is ten years of age and older but~~
11 ~~less than thirteen years of age, unless such juvenile has been arrested or~~
12 ~~adjudicated for a felony or weapons charge pursuant to section~~
13 ~~18-12-102, 18-12-105, 18-12-106, or 18-12-108.5.~~

14 **SECTION 21.** In Colorado Revised Statutes, 19-3-308, **amend**
15 (5.3)(a) as follows:

16 **19-3-308. Action upon report of intrafamilial, institutional, or**
17 **third-party abuse - investigations - child protection team - report -**
18 **rules.** (5.3) (a) Local law enforcement agencies have the responsibility
19 for the coordination and investigation of all reports of third-party abuse
20 or neglect by persons ~~ten~~ THIRTEEN years of age ~~or~~ AND older. Upon
21 receipt of a report, if the local law enforcement agency reasonably
22 believes that the protection and safety of a child is at risk due to an act or
23 omission on the part of persons responsible for the child's care, such
24 agency shall notify the county department of ~~human or social services~~ for
25 an assessment regarding neglect or dependency. In addition, the local law
26 enforcement agency shall refer to the county department of ~~human or~~
27 ~~social services~~ any report of third-party abuse or neglect in which the

1 person allegedly responsible for such abuse or neglect is under ~~age ten~~
2 THIRTEEN YEARS OF AGE. Upon the completion of an investigation, the
3 local law enforcement agency shall forward a copy of its investigative
4 report to the county department. ~~of human or social services.~~ The county
5 department shall review the law enforcement investigative report and
6 shall determine whether the report contains information that constitutes
7 a case of confirmed child abuse and requires it to be submitted to the state
8 department, which report, upon such determination, shall be submitted to
9 the state department in the manner prescribed by the state department
10 within sixty days after the receipt of the report by the county department.

11 **SECTION 22.** In Colorado Revised Statutes, 22-33-108, **amend**
12 (7)(c)(I) introductory portion as follows:

13 **22-33-108. Judicial proceedings.** (7) (c) (I) If the court finds that
14 the child or youth WHO IS THIRTEEN YEARS OF AGE OR OLDER BUT UNDER
15 SEVENTEEN YEARS OF AGE has refused to comply with the plan created for
16 the child or youth pursuant to section 22-33-107 (3), the court may
17 impose on the child or youth, as a sanction for contempt of court, a
18 sentence of detention for no more than forty-eight hours in a juvenile
19 detention facility operated by or under contract with the department of
20 human services pursuant to section 19-2.5-1511 and any rules
21 promulgated by the Colorado supreme court. The court shall not sentence
22 a child or youth WHO IS THIRTEEN YEARS OF AGE OR OLDER BUT UNDER
23 SEVENTEEN YEARS OF AGE to detention as a sanction for contempt of court
24 unless the court finds that detention is in the best interest of the child or
25 youth as well as the public. In making such a finding, the court shall
26 consider the following factors, including that:

27 **SECTION 23.** In Colorado Revised Statutes, 24-1.9-102, **amend**

1 (1)(a) introductory portion, (2)(a), (2)(c), and (2)(f); **repeal** (2)(i); and
2 **add** (1.3) and (2)(k) as follows:

3 **24-1.9-102. Memorandum of understanding - local-level**
4 **interagency oversight groups - individualized service and support**
5 **teams - coordination of services for children and families -**
6 **requirements - waiver.** (1) (a) Local representatives of each of the
7 agencies specified in this subsection (1)(a) and county departments of
8 human or social services ~~may~~ SHALL enter into memorandums of
9 understanding that are designed to promote a collaborative system of
10 local-level interagency oversight groups and individualized service and
11 support teams to coordinate and manage the provision of services to
12 children and families who would benefit from integrated multi-agency
13 services. The memorandums of understanding entered into pursuant to
14 this subsection (1) must be between interested county departments of
15 human or social services and local representatives of each of the
16 following agencies or entities:

17 (1.3) TO MEET THE REQUIREMENT IN SUBSECTION (1)(a) OF THIS
18 SECTION, A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES MAY
19 COLLABORATE WITH ONE OR MORE NEARBY COUNTY DEPARTMENTS OF
20 HUMAN OR SOCIAL SERVICES WHEN ENTERING INTO MEMORANDUMS OF
21 UNDERSTANDING TO PROVIDE A LOCAL COLLABORATIVE MANAGEMENT
22 PROGRAM. EACH COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES
23 MUST PARTICIPATE IN A LOCAL COLLABORATIVE MANAGEMENT PROGRAM.

24 (2) (a) Each memorandum of understanding entered into ~~shall~~
25 MUST include, but is not limited to, the requirements specified in
26 ~~paragraphs (b) to (j) of this subsection (2). On or before October 1, 2004,~~
27 ~~utilizing moneys in the performance incentive cash fund created in~~

1 ~~section 26-5-105.5 (3.2)(a), C.R.S., the state department of human~~
2 ~~services, in conjunction with the judicial department, shall develop and~~
3 ~~make available to the parties specified in paragraph (a) of subsection (1)~~
4 ~~of this section, a model memorandum of understanding based on the~~
5 ~~requirements specified in paragraphs (b) to (j) of this subsection (2)~~
6 ~~SUBSECTIONS (2)(b) TO (2)(k) OF THIS SECTION. ON OR BEFORE DECEMBER~~
7 ~~1, 2023, THE STATE DEPARTMENT OF HUMAN SERVICES, IN CONJUNCTION~~
8 ~~WITH THE JUDICIAL DEPARTMENT, SHALL DEVELOP AND MAKE AVAILABLE~~
9 ~~TO THE PARTIES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION A MODEL~~
10 ~~MEMORANDUM OF UNDERSTANDING BASED ON THE REQUIREMENTS~~
11 ~~SPECIFIED IN SUBSECTIONS (2)(b) TO (2)(k) OF THIS SECTION.~~

12 **(c) Definition of the population to be served.** The memorandum
13 of understanding must include a functional definition of "children and
14 families who would benefit from integrated multi-agency services". The
15 LOCAL collaborative management program target population consists of
16 at-risk children and youth from birth to twenty-one years of age, or
17 families of children or youth, who would benefit from a multi-system
18 integrated service plan that may include prevention, intervention, and
19 treatment services. THE DEFINITION OF THE "POPULATION TO BE SERVED"
20 MUST INCLUDE CHILDREN TEN YEARS OF AGE OR OLDER BUT UNDER
21 THIRTEEN YEARS OF AGE WHO ARE REFERRED TO THE LOCAL
22 COLLABORATIVE MANAGEMENT PROGRAM THROUGH THE SUBMISSION OF
23 AN INFORMATION FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE
24 PURSUANT TO SECTIONS 24-1.9-102.3 AND 19-2.5-303.

25 **(f) Authorization to create individualized service and support**
26 **teams.** The memorandum of understanding shall MUST include
27 authorization for the interagency oversight group to establish

1 individualized service and support teams to develop a service and support
2 plan and to provide services to children and families. ~~who would benefit~~
3 ~~from integrated multi-agency services.~~

4 (i) ~~**Performance-based measures.** The department of human~~
5 ~~services and the persons specified in section 24-1.9-103 (2)(b) shall~~
6 ~~develop performance measures for the system of collaborative~~
7 ~~management, which measures may be modified biennially to ensure that~~
8 ~~the measures remain valid. The memorandum of understanding must~~
9 ~~identify performance measures developed pursuant to this paragraph (i).~~
10 ~~If the parties to the memorandum of understanding meet the identified~~
11 ~~performance measures, the memorandum of understanding must require~~
12 ~~the interagency oversight group to create a procedure, subject to the~~
13 ~~approval of the head or director of each agency or department specified~~
14 ~~in paragraphs (a) and (a.5) of subsection (1) of this section, to allow any~~
15 ~~incentive moneys received by the department of human services and~~
16 ~~allocated pursuant to section 24-1.9-104 to be reinvested by the parties to~~
17 ~~the memorandum of understanding to provide appropriate services to~~
18 ~~children and families who would benefit from integrated multi-agency~~
19 ~~services, as such population is defined by the memorandum of~~
20 ~~understanding pursuant to paragraph (c) of this subsection (2). The parties~~
21 ~~to a memorandum of understanding shall report annually to the~~
22 ~~department of human services on the performance measures identified in~~
23 ~~the parties' memorandum of understanding pursuant to this paragraph (i).~~

24 (k) **Establishment of procedure to serve children ten years of**
25 **age or older but under thirteen years of age.** (I) THE MEMORANDUM
26 OF UNDERSTANDING MUST REQUIRE THE INTERAGENCY OVERSIGHT GROUP
27 TO ESTABLISH A WRITTEN PROCEDURE FOR THE LOCAL COLLABORATIVE

1 MANAGEMENT PROGRAM TO SERVE CHILDREN TEN YEARS OF AGE OR
2 OLDER BUT UNDER THIRTEEN YEARS OF AGE WHO HAVE CONTACT WITH
3 LAW ENFORCEMENT. THE WRITTEN PROCEDURE MUST INCLUDE:

4 (A) A PROCESS FOR DEVELOPING THE WRITTEN PROCEDURE THAT
5 ENSURES THAT SERVICE AND SUPPORT PLANS FOCUS ON THE NEEDS OF THE
6 CHILD AND FAMILY UNIT AND CONSIDER THE RECOMMENDATIONS OF THE
7 PRE-ADOLESCENT SERVICES TASK FORCE CREATED IN SECTION 19-3-304.4;

8 (B) A PROCESS FOR HOLDING INDIVIDUALIZED SERVICE AND
9 SUPPORT TEAM MEETINGS AND DEVELOPING A SERVICE AND SUPPORT
10 PLAN, WHEN APPROPRIATE, FOR A CHILD TEN YEARS OF AGE OR OLDER BUT
11 UNDER THIRTEEN YEARS OF AGE WHO IS REFERRED TO THE LOCAL
12 COLLABORATIVE MANAGEMENT PROGRAM FOR SERVICES;

13 (C) A PROCESS TO SERVE CHILDREN WHO ARE VICTIMS IDENTIFIED
14 ON THE INFORMATION FORM CREATED IN SECTION 24-1.9-102.7 AND WHO
15 ARE REFERRED TO THE LOCAL COLLABORATIVE MANAGEMENT PROGRAM
16 FOR SERVICES; AND

17 (D) ANY OTHER MEASURE THE INTERAGENCY OVERSIGHT GROUP
18 FINDS NECESSARY TO SERVE CHILDREN TEN YEARS OF AGE OR OLDER BUT
19 UNDER THIRTEEN YEARS OF AGE INCLUDING, BUT NOT LIMITED TO,
20 MECHANISMS TO REFER THE CHILD TO BEHAVIORAL HEALTH SERVICES
21 PURSUANT TO ARTICLE 67 OF TITLE 27; THE CHILD WELFARE PROCESS
22 PURSUANT TO ARTICLE 3 OF TITLE 19; OTHER COMMUNITY SERVICES OR
23 PROGRAMS, INCLUDING RESTORATIVE JUSTICE PROGRAMS, WHETHER
24 BASED IN THE LOCAL COMMUNITY OR ACCESSED THROUGH
25 COLLABORATIVE REGIONAL OR STATEWIDE REFERRAL MECHANISMS;
26 SERVICES FUNDED PURSUANT TO SECTION 19-2.5-1404; OR ASSESSMENTS
27 FACILITATED BY ASSESSMENT CENTERS PURSUANT TO SECTION 19-1-303.

1 (II) IN DEVELOPING THE WRITTEN PROCEDURE, THE INTERAGENCY
2 OVERSIGHT GROUP MUST ENSURE THAT SERVICE AND SUPPORT PLANS
3 FOCUS ON THE NEEDS OF THE CHILD AND FAMILY UNIT, AND CONSIDER THE
4 REPORT FROM THE PRE-ADOLESCENT SERVICES TASK FORCE CREATED IN
5 SECTION 19-3-304.4.

6 **SECTION 24.** In Colorado Revised Statutes, **add** 24-1.9-102.3
7 as follows:

8 **24-1.9-102.3. Duties of individualized service and support**
9 **teams.** (1) A LOCAL COLLABORATIVE MANAGEMENT PROGRAM MUST
10 CREATE ONE OR MORE INDIVIDUALIZED SERVICE AND SUPPORT TEAMS. THE
11 INDIVIDUALIZED SERVICE AND SUPPORT TEAM MAY REFER A CHILD TO
12 SERVICES AND MAY ESTABLISH A SERVICE AND SUPPORT PLAN FOR A CHILD
13 AFTER MEETING WITH THE CHILD, THE CHILD'S FAMILY, AND ANY OTHER
14 RELEVANT PARTY OR COMMUNITY PARTNERS.

15 (2) (a) AN INDIVIDUALIZED SERVICE AND SUPPORT TEAM SHALL
16 REVIEW ALL REFERRALS TO THE LOCAL COLLABORATIVE MANAGEMENT
17 PROGRAM FOR CHILDREN TEN YEARS OF AGE OR OLDER BUT UNDER
18 THIRTEEN YEARS OF AGE WHO ARE REFERRED THROUGH THE SUBMISSION
19 OF AN INFORMATION FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE
20 CREATED IN SECTION 24-1.9-102.7.

21 (b) THE INFORMATION FORM FOR CHILDREN UNDER THIRTEEN
22 YEARS OF AGE CREATED IN SECTION 24-1.9-102.7, OR ANY OTHER FORM
23 CREATED BY THE LOCAL COLLABORATIVE MANAGEMENT PROGRAM, MAY
24 BE USED BY MULTIPLE AGENCIES TO REFER CHILDREN TEN YEARS OF AGE
25 OR OLDER BUT UNDER THIRTEEN YEARS OF AGE TO A LOCAL
26 COLLABORATIVE MANAGEMENT PROGRAM. SUCH AGENCIES INCLUDE, BUT
27 ARE NOT LIMITED TO:

1 (I) LAW ENFORCEMENT, WHICH SHALL REFER CHILDREN TEN YEARS
2 OF AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE TO THE LOCAL
3 COLLABORATIVE MANAGEMENT PROGRAM PURSUANT TO SECTION
4 19-2.5-303;

5 (II) A SCHOOL;

6 (III) A FAMILY RESOURCE CENTER;

7 (IV) A CHILD ADVOCACY CENTER;

8 (V) A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES; AND

9 (VI) A MANDATORY REPORTER.

10 (c) AGENCIES MAY USE THE INFORMATION FORM FOR CHILDREN
11 UNDER THIRTEEN YEARS OF AGE, CREATED PURSUANT TO SECTION
12 24-1.9-102.7, TO REFER A CHILD WHO IS A VICTIM OF THE ALLEGED
13 CONDUCT BY A CHILD TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN
14 YEARS OF AGE TO A LOCAL COLLABORATIVE MANAGEMENT PROGRAM. IF
15 AN ADULT VICTIM OF THE ALLEGED CONDUCT BY A CHILD TEN YEARS OF
16 AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE SEEKS SERVICES FROM
17 THE LOCAL COLLABORATIVE MANAGEMENT PROGRAM, THE LOCAL
18 COLLABORATIVE MANAGEMENT PROGRAM SHALL REFER THE ADULT TO
19 THE APPROPRIATE VICTIMS' SERVICES COORDINATOR PURSUANT TO
20 SECTION 24-31-106.

21 (3) AN INDIVIDUALIZED SERVICE AND SUPPORT TEAM SHALL
22 CREATE AN INITIAL PLAN THAT IS CHILD-CENTERED FOR EVERY CHILD WHO
23 IS TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE AND
24 IS REFERRED TO THE LOCAL COLLABORATIVE MANAGEMENT PROGRAM
25 THROUGH THE SUBMISSION OF AN INFORMATION FORM FOR CHILDREN
26 UNDER THIRTEEN YEARS OF AGE CREATED PURSUANT TO SECTION
27 24-1.9-102.7. THE INITIAL PLAN MAY INDICATE THAT NO SERVICES ARE

1 NEEDED, THAT ONE OR MORE SPECIFIC SERVICES ARE NEEDED AND CAN BE
2 PROVIDED WITHOUT A MEETING, OR THAT AN INDIVIDUALIZED SERVICE
3 AND SUPPORT TEAM MEETING MUST OCCUR TO DEVELOP A SERVICE AND
4 SUPPORT PLAN FOR THE CHILD. IF THE INFORMATION FORM FOR CHILDREN
5 UNDER THIRTEEN YEARS OF AGE INDICATES THAT A CHILD ENGAGED IN
6 EITHER BEHAVIOR THAT CONSTITUTES A CRIME OF VIOLENCE, AS DEFINED
7 IN SECTION 18-1.3-406, OR UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED IN
8 SECTION 16-22-102, THAT WOULD BE CONSIDERED A FELONY OFFENSE IF
9 COMMITTED BY AN ADULT, THE INDIVIDUALIZED SERVICE AND SUPPORT
10 TEAM SHALL HOLD A MEETING AND DEVELOP A SERVICE AND SUPPORT
11 PLAN, REGARDLESS OF ANY OTHER FACTORS INCLUDED ON THE
12 INFORMATION FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE.

13 (4) IF A CHILD WHO IS TEN YEARS OF AGE OR OLDER BUT UNDER
14 THIRTEEN YEARS OF AGE IS REFERRED TO A LOCAL COLLABORATIVE
15 MANAGEMENT PROGRAM THREE OR MORE TIMES DURING A PERIOD OF
16 TWELVE MONTHS, THE INDIVIDUALIZED SERVICE AND SUPPORT TEAM
17 SHALL HOLD A MEETING AND DEVELOP A SERVICE AND SUPPORT PLAN,
18 REGARDLESS OF ANY OTHER FACTORS INCLUDED ON THE INFORMATION
19 FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE DETAILED IN
20 SECTION 24-1.9-102.7.

21 (5) THE INDIVIDUALIZED SERVICE AND SUPPORT TEAM MAY REFER
22 A CHILD WHO IS OVER TEN YEARS OF AGE BUT UNDER THIRTEEN YEARS OF
23 AGE TO A TREATMENT PROVIDER APPROVED BY THE SEX OFFENDER
24 MANAGEMENT BOARD PURSUANT TO SECTION 16-11.7-106 (2)(b) FOR
25 DEVELOPMENTALLY APPROPRIATE THERAPY.

26 (6) BEFORE CREATING AN INITIAL PLAN, THE INDIVIDUALIZED
27 SERVICE AND SUPPORT TEAM SHALL:

1 (a) CONTACT ANY VICTIM, OR THE VICTIM'S DESIGNEE, IDENTIFIED
2 ON THE INFORMATION FORM FOR CHILDREN UNDER THIRTEEN YEARS OF
3 AGE CREATED PURSUANT TO THIS SECTION;

4 (b) NOTIFY THE VICTIM, OR THE VICTIM'S DESIGNEE, THAT THE
5 TEAM IS CREATING AN INITIAL PLAN; AND

6 (c) PROVIDE AN OPPORTUNITY FOR THE VICTIM, OR THE VICTIM'S
7 DESIGNEE, TO PROVIDE INPUT TO THE TEAM IN A TRAUMA-INFORMED
8 MANNER.

9 (7) AFTER CREATING AN INITIAL PLAN, THE INDIVIDUALIZED
10 SERVICE AND SUPPORT TEAM SHALL CONTACT ANY VICTIM, OR THE
11 VICTIM'S DESIGNEE, IDENTIFIED ON THE INFORMATION FORM FOR CHILDREN
12 UNDER THIRTEEN YEARS OF AGE CREATED PURSUANT TO THIS SECTION,
13 INFORM THE VICTIM, OR THE VICTIM'S DESIGNEE, THAT A PLAN HAS BEEN
14 CREATED, AND SHARE WHETHER OR NOT THE CHILD OR FAMILY HAS BEEN
15 REFERRED FOR SERVICES. THE INITIAL PLAN, THE SERVICE AND SUPPORT
16 PLAN, AND DETAILS ABOUT THE TYPES OF SERVICES THE CHILD OR FAMILY
17 WILL RECEIVE ARE CONFIDENTIAL AND MUST NOT BE SHARED WITH THE
18 VICTIM OR THE VICTIM'S DESIGNEE.

19 (8) (a) IF THE INDIVIDUALIZED SERVICE AND SUPPORT TEAM
20 DETERMINES THAT A CHILD OR FAMILY MEMBER IS NOT SUBSTANTIALLY
21 PARTICIPATING IN THE SERVICES RECOMMENDED IN THE SERVICE AND
22 SUPPORT PLAN, THE SERVICE AND SUPPORT TEAM SHALL CONSIDER
23 WHETHER PARTICIPATION IS WITHIN THE CHILD'S OR FAMILY MEMBER'S
24 CAPACITY AND PROVIDE ANY ADDITIONAL RESOURCES NECESSARY TO
25 ADDRESS BARRIERS TO PARTICIPATION.

26 (b) IF, AFTER THE SERVICE AND SUPPORT TEAM DETERMINES
27 PARTICIPATION IS WITHIN THE CHILD'S OR FAMILY MEMBER'S CAPACITY

1 AND RESOURCES PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION AND
2 THE CHILD OR FAMILY MEMBER CONTINUES TO FAIL TO SUBSTANTIALLY
3 PARTICIPATE IN THE RECOMMENDED SERVICES, THE INDIVIDUALIZED
4 SERVICE AND SUPPORT TEAM SHALL HOLD A MEETING. THE COUNTY
5 DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL PARTICIPATE IN THE
6 MEETING. THE CHILD AND THE CHILD'S FAMILY MUST BE GIVEN SUFFICIENT
7 NOTICE OF THE MEETING IN ORDER TO ATTEND THE MEETING. THE
8 MEETING MUST OCCUR EVEN IF THE CHILD OR THE CHILD'S FAMILY DOES
9 NOT ATTEND.

10 (c) DURING THE MEETING HELD PURSUANT TO SUBSECTION (8)(b)
11 OF THIS SECTION, THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL
12 SERVICES SHALL DETERMINE WHETHER TO CONTINUE PROVIDING
13 PREVENTION AND INTERVENTION SERVICES IN ACCORDANCE WITH THE
14 RULES ADOPTED BY THE STATE BOARD OF HUMAN SERVICES OR WHETHER
15 THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL
16 CONDUCT AN ASSESSMENT OR INVESTIGATION PURSUANT TO SECTIONS
17 19-3-308, 19-3-308.3, AND 19-3-308.5 AND THE RULES ADOPTED BY THE
18 STATE BOARD OF HUMAN SERVICES.

19 (d) IN DETERMINING WHETHER TO CONDUCT AN ASSESSMENT, THE
20 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL CONSIDER
21 THE VULNERABILITY OF THE REFERRED CHILD AND ANY CHILDREN
22 IDENTIFIED AS VICTIMS OF THE REFERRED CHILD'S BEHAVIOR; ANY
23 INFORMATION IN THE CHILD WELFARE INFORMATION SYSTEM AND ANY
24 AVAILABLE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES FILES;
25 AND ANY ALLEGATIONS OF KNOWN OR SUSPECTED CHILD ABUSE OR
26 NEGLECT, AS DESCRIBED IN SECTION 19-3-102, INCLUDING ALLEGATIONS
27 THAT THE CHILD:

1 (I) LACKS PROPER PARENTAL CARE OR SUPERVISION PURSUANT TO
2 SECTION 19-3-102;

3 (II) IS BEYOND THE CONTROL OF THE CHILD'S PARENT, GUARDIAN,
4 OR LEGAL CUSTODIAN PURSUANT TO SECTION 19-3-102; OR

5 (III) IS NOT RECEIVING PROPER OR NECESSARY SUSTENANCE,
6 EDUCATION, MEDICAL CARE, OR ANY OTHER CARE NECESSARY FOR THE
7 CHILD'S HEALTH, GUIDANCE, OR WELL-BEING PURSUANT TO SECTION
8 19-3-102.

9 (e) IN DETERMINING WHETHER TO CONDUCT AN ASSESSMENT, THE
10 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL CONSIDER
11 WHETHER AN ASSESSMENT IS APPROPRIATE FOR ANY PROGRAM AREAS
12 IDENTIFIED IN THE RULES ADOPTED BY THE STATE BOARD OF HUMAN
13 SERVICES, INCLUDING ANY EXISTING PROGRAM AREAS CREATED TO
14 PROVIDE THE FOLLOWING:

15 (I) PREVENTION AND INTERVENTION SERVICES TO CHILDREN,
16 YOUTH, AND FAMILIES AT RISK OF INVOLVEMENT WITH THE CHILD
17 WELFARE SYSTEM;

18 (II) SERVICES TO YOUTH IN CONFLICT WITH THE YOUTH'S FAMILY
19 MEMBERS OR THE COMMUNITY;

20 (III) SERVICES TO CHILDREN IN NEED OF PROTECTION, INCLUDING
21 CHILDREN WHOSE PHYSICAL, MENTAL, OR EMOTIONAL WELL-BEING IS
22 THREATENED OR HARMED DUE TO CHILD ABUSE OR NEGLECT, AS
23 DESCRIBED IN SECTION 19-3-102;

24 (IV) SERVICES FOR CHILDREN AND THE CHILDREN'S FAMILIES IN
25 NEED OF SPECIALIZED SERVICES; AND

26 (V) SERVICES RELATED TO RESOURCE DEVELOPMENT.

27 (f) IF A CHILD ALLEGEDLY ENGAGED IN UNLAWFUL SEXUAL

1 BEHAVIOR, AS DEFINED IN SECTION 16-22-102, THAT WOULD BE A FELONY
2 OFFENSE IF COMMITTED BY AN ADULT, AND THE INDIVIDUALIZED SERVICE
3 AND SUPPORT TEAM DETERMINES THAT THE CHILD OR CHILD'S FAMILY
4 MEMBERS IS NOT SUBSTANTIALLY PARTICIPATING IN THE SERVICES
5 RECOMMENDED IN THE INITIAL PLAN OR THE SERVICE AND SUPPORT PLAN
6 AND PARTICIPATION IS WITHIN THE CHILD'S OR THE CHILD'S FAMILY
7 MEMBER'S CAPACITY AND RESOURCES, AND THE DECISION BY THE COUNTY
8 DEPARTMENT OF HUMAN OR SOCIAL SERVICES IS TO DECLINE AN
9 ASSESSMENT, AT LEAST TWO CERTIFIED CHILD WELFARE STAFF MEMBERS
10 FROM THE SAME COUNTY OR IN CONJUNCTION WITH ANOTHER COUNTY
11 SHALL MAKE THE DECISION.

12 (g) THE DETERMINATIONS MADE PURSUANT TO SUBSECTIONS (8)(c)
13 TO (8)(f) OF THIS SECTION MUST BE INCLUDED IN A WRITTEN UPDATE TO
14 THE CHILD'S SERVICE AND SUPPORT PLAN.

15 (9) IF THE INDIVIDUALIZED SERVICE AND SUPPORT TEAM
16 DETERMINES THAT THE CHILD OR FAMILY MEMBER IS NOT SUBSTANTIALLY
17 PARTICIPATING IN SERVICES, THE INDIVIDUALIZED SERVICE AND SUPPORT
18 TEAM SHALL:

19 (a) CONTACT THE VICTIM, OR THE VICTIM'S DESIGNEE, IDENTIFIED
20 ON THE INFORMATION FORM FOR CHILDREN TEN YEARS OF AGE OR OLDER
21 BUT UNDER THIRTEEN YEARS OF AGE PURSUANT TO SECTION 24-1.9-102.7;

22 (b) NOTIFY THE VICTIM, OR THE VICTIM'S DESIGNEE, THAT THE
23 INDIVIDUALIZED SERVICE AND SUPPORT TEAM IS MEETING TO ADDRESS THE
24 LACK OF PARTICIPATION; AND

25 (c) PROVIDE AN OPPORTUNITY FOR THE VICTIM, OR THE VICTIM'S
26 DESIGNEE, TO RESPOND TO THE INDIVIDUALIZED SERVICE AND SUPPORT
27 TEAM.

1 (10) ONLY THE FOLLOWING PERSONS OR AGENCIES HAVE ACCESS
2 TO RECORDS CREATED BY AN INDIVIDUALIZED SERVICE AND SUPPORT
3 TEAM, INCLUDING INITIAL PLANS AND SERVICE AND SUPPORT PLANS:

4 (a) THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES
5 WHEN INVESTIGATING A REPORT OF A KNOWN OR SUSPECTED INCIDENT OF
6 CHILD ABUSE OR NEGLECT OR PROVIDING SERVICES FOR A CHILD OR
7 FAMILY THAT IS THE SUBJECT OF THE REPORT;

8 (b) AN AGENCY WITH LEGAL RESPONSIBILITY OR AUTHORIZATION
9 TO CARE FOR, TREAT, OR SUPERVISE A CHILD WHO IS THE SUBJECT OF THE
10 RECORD;

11 (c) A PARENT, LEGAL GUARDIAN OR CUSTODIAN, OR OTHER PERSON
12 RESPONSIBLE FOR THE HEALTH OR WELFARE OF A CHILD NAMED IN A
13 RECORD, OR THE ASSIGNED DESIGNEE OF ANY SUCH PERSON ACTING BY
14 AND THROUGH A VALIDLY EXECUTED POWER OF ATTORNEY;

15 (d) THE CHILD NAMED IN THE RECORD AND THE CHILD'S GUARDIAN
16 AD LITEM OR COUNSEL FOR YOUTH;

17 (e) (I) A SERVICE PROVIDER WHO IS AND CONTINUES TO BE
18 OFFICIALLY AND PROFESSIONALLY INVOLVED IN THE CARE OF THE CHILD
19 WHO IS THE SUBJECT OF THE RECORD, BUT ONLY WITH REGARD TO
20 INFORMATION THAT THE SERVICE PROVIDER HAS A NEED TO KNOW IN
21 ORDER TO FULFILL THE SERVICE PROVIDER'S PROFESSIONAL, OFFICIAL, AND
22 ONGOING ROLE, INCLUDING:

23 (A) HOSPITAL PERSONNEL ENGAGED IN THE ADMISSION, CARE, OR
24 TREATMENT OF THE CHILD;

25 (B) MENTAL HEALTH PROFESSIONALS;

26 (C) PHYSICIANS OR SURGEONS, INCLUDING PHYSICIANS IN
27 TRAINING;

- 1 (D) REGISTERED NURSES OR LICENSED PRACTICAL NURSES;
- 2 (E) DENTISTS;
- 3 (F) PSYCHOLOGISTS LICENSED PURSUANT TO PART 3 OF ARTICLE
- 4 245 OF TITLE 12;
- 5 (G) UNLICENSED PSYCHOTHERAPISTS;
- 6 (H) PROFESSIONAL COUNSELORS LICENSED PURSUANT TO PART 6
- 7 OF ARTICLE 245 OF TITLE 12;
- 8 (I) MARRIAGE AND FAMILY THERAPISTS LICENSED PURSUANT TO
- 9 PART 5 OF ARTICLE 245 OF TITLE 12;
- 10 (J) PUBLIC OR PRIVATE SCHOOL OFFICIALS OR EMPLOYEES;
- 11 (K) SOCIAL WORKERS LICENSED PURSUANT TO PART 4 OF ARTICLE
- 12 245 OF TITLE 12 OR INDIVIDUALS EMPLOYED BY AN AGENCY THAT IS
- 13 LICENSED OR CERTIFIED PURSUANT TO PART 9 OF ARTICLE 6 OF TITLE 26 OR
- 14 PART 3 OF ARTICLE 5 OF TITLE 26.5;
- 15 (L) VICTIM'S ADVOCATES, AS DEFINED IN SECTION 13-90-107
- 16 (1)(k)(II);
- 17 (M) CLERGY MEMBERS, AS DEFINED IN SECTION 19-3-304
- 18 (2)(aa)(III); AND
- 19 (N) EDUCATORS PROVIDING SERVICES THROUGH THE FEDERAL
- 20 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND
- 21 CHILDREN, AS PROVIDED FOR IN 42 U.S.C. SEC. 1786.

22 (II) INFORMATION DISCLOSED TO A SERVICE PROVIDER PURSUANT
23 TO THIS SUBSECTION (10)(e) IS CONFIDENTIAL AND SHALL NOT BE
24 DISCLOSED BY THE SERVICE PROVIDER TO ANY OTHER PERSON, EXCEPT AS
25 PROVIDED BY LAW.

26 **SECTION 25.** In Colorado Revised Statutes, **amend**
27 24-1.9-102.5 as follows:

1 **24-1.9-102.5. Evaluation.** The department of human services
2 shall ensure that an annual external evaluation of the statewide program
3 and each county or regional program is conducted by an independent
4 outside entity. ~~The department may contract with the outside entity to~~
5 ~~conduct an external evaluation of those counties that opted not to~~
6 ~~participate in the collaborative management program.~~ The department of
7 human services shall utilize ~~moneys~~ MONEY in the ~~performance-based~~
8 collaborative management ~~incentive~~ cash fund created in section
9 24-1.9-104, or any general fund ~~moneys~~ MONEY appropriated for this
10 purpose, for annual external evaluations of the counties participating in
11 memorandums of understanding pursuant to section 24-1.9-102, also
12 known as the LOCAL collaborative management ~~program, as well as~~
13 ~~external evaluations as determined by the department of human services~~
14 ~~of those counties that opted to not participate in the collaborative~~
15 ~~management program.~~ The annual external evaluation must include any
16 evaluation that may be required in connection with a waiver authorized
17 pursuant to section 24-1.9-102 ~~(4)~~ and an evaluation of whether the
18 parties to a LOCAL collaborative management program have successfully
19 met or exceeded the ~~performance~~ measures identified in the parties'
20 memorandum of understanding pursuant to section 24-1.9-102. ~~(2)(i).~~
21 Each county participating in the LOCAL collaborative management
22 program shall participate fully in the annual external evaluation.

23 **SECTION 26.** In Colorado Revised Statutes, **amend**
24 24-1.9-102.7 as follows:

25 **24-1.9-102.7. Technical assistance.** (1) The department of
26 human services shall develop and implement training for counties
27 participating in ~~or interested in participating in~~ the LOCAL collaborative

1 management program. The department of human services shall utilize
2 ~~moneys~~ MONEY in the ~~performance-based~~ collaborative management
3 ~~incentive~~ cash fund created in section 24-1.9-104, or any general fund
4 ~~moneys~~ MONEY appropriated for this purpose, to develop and implement
5 training AND OVERSIGHT for counties. The training ~~shall~~ MUST identify
6 management strategies to collaborate effectively and efficiently to share
7 resources or to manage and integrate the treatment and services provided
8 to children and families receiving collaborative management services
9 pursuant to this ~~article~~ ARTICLE 1.9, AND STRATEGIES TO ADDRESS THE
10 NEEDS OF CHILDREN TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN
11 YEARS OF AGE WHO COME IN CONTACT WITH LAW ENFORCEMENT. IN
12 DEVELOPING THE TRAINING AND STRATEGIES TO INTEGRATE TREATMENT
13 AND SERVICES FOR CHILDREN WHO HAVE ENGAGED IN BEHAVIOR IN WHICH
14 THE UNDERLYING FACTUAL BASIS INVOLVES UNLAWFUL SEXUAL
15 BEHAVIOR, THE DEPARTMENT OF HUMAN SERVICES SHALL CONSULT THE
16 SEX OFFENDER MANAGEMENT BOARD CREATED PURSUANT TO SECTION
17 16-11.7-103. IN DEVELOPING THE TRAINING AND OVERSIGHT, THE
18 DEPARTMENT OF HUMAN SERVICES SHALL CONSIDER THE REPORT FROM
19 THE PRE-ADOLESCENT SERVICES TASK FORCE CREATED IN SECTION
20 19-3-304.4.

21 (2) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT OF
22 HUMAN SERVICES SHALL DEVELOP A MODEL WRITTEN PROCEDURE
23 PURSUANT TO SECTION 24-1.9-102 TO SERVE CHILDREN TEN YEARS OF AGE
24 OR OLDER BUT UNDER THIRTEEN YEARS OF AGE AND CHILDREN WHO ARE
25 VICTIMS IDENTIFIED ON THE INFORMATION FORM CREATED IN SUBSECTION
26 (3) OF THIS SECTION.

27 (3) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT OF

1 HUMAN SERVICES SHALL, IN CONSULTATION WITH REPRESENTATIVES FROM
2 LOCAL LAW ENFORCEMENT AGENCIES, CREATE AN INFORMATION FORM FOR
3 CHILDREN UNDER THIRTEEN YEARS OF AGE TO BE COMPLETED BY LAW
4 ENFORCEMENT AND ANY OTHER PARTY REFERRING A CHILD TO A LOCAL
5 COLLABORATIVE MANAGEMENT PROGRAM FOR ASSESSMENT AND
6 SERVICES. THE INFORMATION FORM FOR CHILDREN UNDER THIRTEEN
7 YEARS OF AGE MUST INCLUDE:

8 (a) A DESCRIPTION OF THE ALLEGED CONDUCT OF THE CHILD AND
9 THE ALLEGED VICTIM OF THE CONDUCT, IF ANY, AND THE VICTIM'S
10 DESIGNEE, IF ANY;

11 (b) INFORMATION CONCERNING THE CHILD'S POTENTIAL NEED FOR
12 SERVICES, IF KNOWN;

13 (c) CONTACT INFORMATION FOR THE CHILD'S PARENT, LEGAL
14 GUARDIAN, OR ADULT WHO RESIDES WITH THE CHILD;

15 (d) A SPACE FOR LAW ENFORCEMENT TO INDICATE WHETHER THE
16 ALLEGED CONDUCT OF THE CHILD CONSTITUTES EITHER A CRIME OF
17 VIOLENCE, AS DEFINED IN SECTION 18-1.3-406, OR UNLAWFUL SEXUAL
18 BEHAVIOR, AS DEFINED IN SECTION 16-22-102, THAT WOULD CONSTITUTE
19 A FELONY OFFENSE IF COMMITTED BY AN ADULT;

20 (e) ANY INFORMATION REQUIRED FOR A VICTIM TO REQUEST
21 SERVICES OR COMPENSATION PURSUANT TO ARTICLE 4.1 OF TITLE 24; AND

22 (f) AN ATTESTATION, TO BE SIGNED BY THE PARENT, LEGAL
23 GUARDIAN, LEGAL CUSTODIAN OF THE CHILD, OR ADULT RESIDING WITH
24 THE CHILD, AGREEING TO COOPERATE WITH THE LOCAL COLLABORATIVE
25 MANAGEMENT PROGRAM AND ATTEND ANY MEETINGS SCHEDULED BY THE
26 INDIVIDUALIZED SERVICE AND SUPPORT TEAM.

27 (4) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT OF

1 HUMAN SERVICES SHALL ESTABLISH A TIME FRAME FOR:

2 (a) SUBMITTING AN INFORMATION FORM FOR CHILDREN TEN YEARS
3 OF AGE OR OLDER BUT UNDER THE AGE OF THIRTEEN TO A LOCAL
4 COLLABORATIVE MANAGEMENT PROGRAM;

5 (b) FINALIZING AN INITIAL PLAN AND SHARING THE PLAN WITH THE
6 CHILD AND THE CHILD'S FAMILY; AND

7 (c) COMPLETING AN INDIVIDUALIZED SERVICE AND SUPPORT TEAM
8 MEETING, SHOULD ONE BE NEEDED.

9 (5) THE DEPARTMENT OF HUMAN SERVICES SHALL DEVELOP A
10 SYSTEM TO REVIEW AND PROVIDE TECHNICAL ASSISTANCE FOR
11 IMPLEMENTING WRITTEN PROCEDURES TO SERVE CHILDREN TEN YEARS OF
12 AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE WHO HAVE CONTACT
13 WITH LAW ENFORCEMENT PURSUANT TO SECTION 24-1.9-102.3.
14 BEGINNING JULY 1, 2024, AND EACH JULY 1 THEREAFTER, THE
15 DEPARTMENT OF HUMAN SERVICES SHALL REVIEW ALL WRITTEN
16 PROCEDURES TO SERVE CHILDREN TEN YEARS OF AGE OR OLDER BUT
17 UNDER THIRTEEN YEARS OF AGE WHO HAVE CONTACT WITH LAW
18 ENFORCEMENT AND CHILDREN WHO ARE VICTIMS IDENTIFIED ON THE
19 INFORMATION FORM CREATED IN SUBSECTION (3) OF THIS SECTION.

20 **SECTION 27.** In Colorado Revised Statutes, 24-1.9-103, **amend**
21 (1)(a), (1)(c), (2)(b)(II), (2)(b)(III), and (2)(b)(VI); and **add** (1)(b.5) as
22 follows:

23 **24-1.9-103. Reports - executive director review.**

24 (1) Commencing January 1, 2007, and on or before each January 1
25 thereafter, each interagency oversight group shall provide a report to the
26 executive director of each department and agency that is a party to any
27 memorandum of understanding entered into that includes:

1 (a) The number of children and families served through the
2 ~~local-level~~ individualized service and support teams and the outcomes of
3 the services provided, including THE NUMBER AND AGE OF THE CHILDREN
4 SERVED, A DESCRIPTION OF THE OUTCOMES FOR CHILDREN TEN YEARS OF
5 AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE WHO HAVE CONTACT
6 WITH LAW ENFORCEMENT, A DESCRIPTION OF THE OUTCOMES FOR
7 CHILDREN WHO ARE VICTIMS IDENTIFIED ON THE INFORMATION FORM
8 CREATED IN SECTION 24-1.9-102.7, AND a description of any reduction in
9 duplication or fragmentation of services provided and a description of any
10 significant improvement in outcomes for children and families;

11 (b.5) THE NUMBER OF CHILDREN AND FAMILIES THAT WERE
12 REFERRED TO A LOCAL COLLABORATIVE MANAGEMENT PROGRAM AND DID
13 NOT RECEIVE RECOMMENDED SERVICES, INCLUDING A DESCRIPTION OF THE
14 SERVICES THAT WERE RECOMMENDED BUT NOT PROVIDED, AND A
15 DESCRIPTION OF THE BARRIERS TO PROVIDING SUCH SERVICES;

16 (c) An accounting of ~~moneys~~ MONEY that ~~were~~ WAS reinvested in
17 additional services provided to children or families who would benefit
18 from integrated multi-agency services due to cost-savings that may have
19 resulted; ~~or due to meeting or exceeding performance measures identified~~
20 ~~in the memorandum of understanding pursuant to section 24-1.9-102~~
21 ~~(2)(i);~~

22 (2) (b) The following persons or their designees shall attend the
23 annual meeting required pursuant to subsection (2)(a) of this section:

24 (II) A superintendent of a school district that has entered into a
25 memorandum of understanding, ~~and has met or exceeded the performance~~
26 ~~measures identified in the memorandum of understanding pursuant to~~
27 ~~section 24-1.9-102 (2)(i);~~ as such superintendent is selected by the

1 commissioner of education;

2 (III) A director of a county department of human or social services
3 that has entered into a memorandum of understanding, ~~and has met or~~
4 ~~exceeded the performance measures identified in the memorandum of~~
5 ~~understanding pursuant to section 24-1.9-102 (2)(i)~~, as such director is
6 selected by the executive director of the state department of human
7 services;

8 (VI) A director of a local mental health center that has entered
9 into a memorandum of understanding, ~~and has met or exceeded the~~
10 ~~performance measures identified in the memorandum of understanding~~
11 ~~pursuant to section 24-1.9-102 (2)(i)~~, as such director is selected by the
12 executive director of the department of human services;

13 **SECTION 28.** In Colorado Revised Statutes, **amend** 24-1.9-104
14 as follows:

15 **24-1.9-104. Cash fund - creation - grants, gifts, and donations.**

16 (1) On July 1, 2005, there shall be created in the state treasury the
17 ~~performance-based~~ collaborative management ~~incentive~~ cash fund, which
18 shall be referred to in this section as the "fund". The ~~moneys~~ MONEY in
19 the fund shall be subject to annual appropriation by the general assembly
20 to the department of human services for state fiscal year 2005-06 and
21 each fiscal year thereafter. The fund shall consist of ~~moneys~~ MONEY
22 received from docket fees in civil actions and transferred as specified in
23 section 13-32-101. ~~(5)(a)(II), C.R.S.~~

24 (1.5) ON JULY 1, 2024, AND ANNUALLY THEREAFTER, THE
25 GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE COLLABORATIVE
26 MANAGEMENT CASH FUND TO SERVE CHILDREN TEN YEARS OF AGE OR
27 OLDER BUT UNDER THIRTEEN YEARS OF AGE WHO HAVE HAD CONTACT

1 WITH LAW ENFORCEMENT.

2 (2) The executive director of the department of human services is
3 authorized to accept and expend on behalf of the state any grants, gifts,
4 or donations from any private or public source for the purposes of this
5 section. All private and public funds received through grants, gifts, or
6 donations shall be transmitted to the state treasurer, who shall credit the
7 same to the fund in addition to ~~moneys~~ MONEY credited pursuant to
8 subsection (1) of this section and any ~~moneys~~ MONEY that may be
9 appropriated to the fund directly by the general assembly. All investment
10 earnings derived from the deposit and investment of ~~moneys~~ MONEY in
11 the fund shall remain in the fund and shall not be transferred or revert to
12 the general fund of the state or any other fund at the end of any fiscal
13 year.

14 (2.5) Notwithstanding any provision of this section to the
15 contrary, on June 1, 2009, the state treasurer shall deduct three hundred
16 thousand dollars from the fund and transfer such sum to the general fund.

17 (3) (a) On and after July 1, 2005, the executive director of the
18 department of human services shall allocate the ~~moneys~~ MONEY in the
19 fund, and any general fund ~~moneys~~ MONEY appropriated for this purpose,
20 ~~to provide incentives~~ to parties to a memorandum of understanding who
21 have agreed to ~~performance-based~~ collaborative management pursuant to
22 section 24-1.9-102. ~~(2)(i) and who, based upon the annual report to the~~
23 ~~department of human services pursuant to section 24-1.9-102 (2)(i), have~~
24 ~~successfully met or exceeded the performance measures identified in the~~
25 ~~parties' memorandum of understanding pursuant to section 24-1.9-102~~
26 ~~(2)(i). The incentives shall be used to provide services to children and~~
27 ~~families who would benefit from integrated multi-agency services, as~~

1 such population is defined by the memorandum of understanding pursuant
2 to ~~section 24-1.9-102 (2)(c)~~. THE EXECUTIVE DIRECTOR OF THE
3 DEPARTMENT OF HUMAN SERVICES SHALL:

4 (I) BEGINNING ON THE EFFECTIVE DATE OF THIS SUBSECTION
5 (3)(a)(I), PROVIDE AN ANNUAL SUM TO EACH LOCAL COLLABORATIVE
6 MANAGEMENT PROGRAM TO SERVE CHILDREN TEN YEARS OF AGE OR
7 OLDER BUT UNDER THIRTEEN YEARS OF AGE WHO HAVE HAD CONTACT
8 WITH LAW ENFORCEMENT. FOR THE 2023-24 STATE FISCAL YEAR, THE SUM
9 PROVIDED TO EACH LOCAL COLLABORATIVE MANAGEMENT PROGRAM
10 MUST BE USED TO SERVE CHILDREN TEN YEARS OF AGE OR OLDER BUT
11 UNDER THIRTEEN YEARS OF AGE WHO HAVE HAD CONTACT WITH LAW
12 ENFORCEMENT, INCLUDING HIRING ADDITIONAL STAFF, IF NEEDED. IN
13 SUBSEQUENT STATE FISCAL YEARS, THE AMOUNT OF THE SUM PROVIDED
14 TO EACH LOCAL COLLABORATIVE MANAGEMENT PROGRAM MUST BE
15 DETERMINED THROUGH A FUNDING FORMULA THAT CONSIDERS:

- 16 (A) THE AMOUNT OF MONEY AVAILABLE IN THE FUND;
- 17 (B) THE NEED FOR A BASE OF RESOURCES TO DIRECT A CHILD AND
18 THE CHILD'S FAMILY MEMBERS TO APPROPRIATE SERVICES; AND
- 19 (C) THE NUMBER OF CLIENTS TEN YEARS OF AGE OR OLDER BUT
20 UNDER THIRTEEN YEARS OF AGE WHO NEED TO BE SERVED IN EACH
21 COUNTY OR REGION; AND

22 (II) BEGINNING JULY 1, 2024, PROVIDE AN ANNUAL SUM TO EACH
23 LOCAL COLLABORATIVE MANAGEMENT PROGRAM TO PROVIDE SERVICES
24 TO A CHILD AND A CHILD'S FAMILY MEMBERS WHO WOULD BENEFIT FROM
25 INTEGRATED MULTI-AGENCY SERVICES, AS THE POPULATION IS DEFINED BY
26 THE MEMORANDUM OF UNDERSTANDING PURSUANT TO SECTION
27 24-1.9-102, AS DETERMINED THROUGH A FUNDING FORMULA THAT

1 CONSIDERS:

2 (A) THE AMOUNT OF MONEY AVAILABLE IN THE FUND;

3 (B) THE NEED FOR A BASE OF RESOURCES TO DIRECT A CHILD AND
4 THE CHILD'S FAMILY MEMBERS TO APPROPRIATE SERVICES; AND

5 (C) THE NUMBER OF CLIENTS IN THE POPULATION TO BE SERVED,
6 AS DEFINED BY THE MEMORANDUM OF UNDERSTANDING PURSUANT TO
7 SECTION 14-1.9-102, IN EACH COUNTY OR REGION.

8 (a.5) On and after July 1, 2008, the executive director of the
9 department of human services is authorized to allocate ~~moneys~~ MONEY in
10 the fund, and any general fund ~~moneys~~ MONEY appropriated for this
11 purpose, to be used to cover the direct and indirect costs of the external
12 evaluation of the ~~performance-based~~ collaborative management program
13 described in section 24-1.9-102 and the technical assistance and training
14 for counties as described in section 24-1.9-102.7.

15 (b) For purposes of allocating ~~incentive moneys~~ MONEY pursuant
16 to this subsection (3), the executive director of the department of human
17 services shall submit an accounting of ~~moneys~~ MONEY in the fund,
18 ~~available for incentives~~, and any general fund ~~moneys~~ MONEY
19 appropriated for this purpose, and a proposal for the allocation of
20 ~~incentive moneys~~ MONEY to the state board of human services for review
21 and approval prior to the allocation of the ~~moneys~~ MONEY. The state
22 board of human services shall approve the proposal not later than thirty
23 days after receipt of the proposal from the executive director of the
24 department of human services.

25 **SECTION 29.** In Colorado Revised Statutes, 24-4.1-102, **amend**
26 (1), (10)(a) introductory portion, (10)(a)(I), (10)(b), and (10)(c); and **add**
27 (3.5) as follows:

1 **24-4.1-102. Definitions.** As used in this part 1, unless the context
2 otherwise requires:

3 (1) "Applicant" means any victim of a compensable crime OR
4 COMPENSABLE ACT who applies to the fund for compensation ~~under~~
5 PURSUANT TO this part 1. In the case of such victim's death, the term
6 includes any person who was ~~his~~ THE VICTIM'S dependent at the time of
7 the death of that victim.

8 (3.5) "COMPENSABLE ACT" MEANS AN ACT COMMITTED BY A
9 JUVENILE WHO IS TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN
10 YEARS OF AGE THAT, IF COMMITTED BY A PERSON WHO IS THIRTEEN YEARS
11 OF AGE OR OLDER, IS PUNISHABLE AS A CRIME IN THIS STATE THAT IS AN
12 INTENTIONAL, KNOWING, RECKLESS, OR NEGLIGENT ACT, INCLUDING:

13 (a) AN ACT IN VIOLATION OF SECTION 42-4-1301 (1) OR (2) THAT
14 RESULTS IN RESIDENTIAL PROPERTY DAMAGE TO OR BODILY INJURY OR
15 DEATH OF ANOTHER PERSON OR RESULTS IN LOSS OF OR DAMAGE TO
16 EYEGLASSES, DENTURES, HEARING AIDS, OR OTHER PROSTHETIC OR
17 MEDICAL DEVICE;

18 (b) AN ACT IN VIOLATION OF SECTION 42-4-1402 OR 42-4-1601
19 THAT RESULTS IN THE DEATH OR BODILY INJURY OF ANOTHER PERSON; OR

20 (c) A FEDERAL OFFENSE THAT IS COMPARABLE TO THOSE SPECIFIED
21 IN THIS SUBSECTION (3.5) AND IS COMMITTED IN THIS STATE.

22 (10) (a) "Victim" means any of the following persons who suffer
23 property damage, economic loss, injury, or death as a result of a
24 compensable crime OR COMPENSABLE ACT perpetrated or attempted in
25 whole or in part in this state:

26 (I) Any person against whom a compensable crime OR
27 COMPENSABLE ACT is perpetrated or attempted. Such person shall be

1 referred to as a "primary victim".

2 (b) "Victim" also means a person who suffers injury or death, the
3 proximate cause of which is a compensable crime OR COMPENSABLE ACT
4 perpetrated or attempted in the person's presence against a primary victim.

5 (c) "Victim" also means a person who is a resident of this state
6 and who is a victim of a crime that occurred outside of this state, where
7 the crime would be a compensable crime OR COMPENSABLE ACT had it
8 occurred in this state and where the state or country in which the crime
9 occurred does not have a crime victim compensation program for which
10 the person would be eligible.

11 **SECTION 30.** In Colorado Revised Statutes, 24-4.1-105, **amend**
12 (2)(b) as follows:

13 **24-4.1-105. Application for compensation.** (2) (b) In order to
14 be eligible for compensation for property damage ~~under~~ PURSUANT TO
15 this part 1, the applicant shall submit a report or case number, if
16 reasonably available, from a law enforcement agency ~~which shall set~~
17 THAT SETS forth the nature of the property damage which is the result of
18 a compensable crime OR COMPENSABLE ACT. AN INFORMATION FORM FOR
19 CHILDREN UNDER THIRTEEN YEARS OF AGE, PURSUANT TO SECTION
20 24-1.9-102.3, MAY BE SUBMITTED BY THE APPLICANT IN PLACE OF A LAW
21 ENFORCEMENT REPORT.

22 **SECTION 31.** In Colorado Revised Statutes, 24-4.1-108, **amend**
23 (1) introductory portion, (1)(a), (1.5) introductory portion, and (1.5)(a) as
24 follows:

25 **24-4.1-108. Awarding compensation.** (1) A person is entitled to
26 an award of compensation ~~under~~ PURSUANT TO this part 1 if:

27 (a) The person is a victim or a dependent of a victim or a

1 successor in interest under the "Colorado Probate Code" of a victim of a
2 compensable crime ~~which was~~ perpetrated on or after July 1, 1982, OR A
3 COMPENSABLE ACT PERPETRATED ON OR AFTER JULY 1, 2024, and ~~which~~
4 THE COMPENSABLE CRIME OR COMPENSABLE ACT resulted in a loss;

5 (1.5) A person is entitled to an award of compensation for
6 property damage ~~under~~ PURSUANT TO this part 1 if:

7 (a) The person is a victim of a compensable crime ~~which was~~
8 perpetrated on or after July 1, 1983, OR A COMPENSABLE ACT
9 PERPETRATED ON OR AFTER JULY 1, 2024, and ~~which~~ THE COMPENSABLE
10 CRIME OR COMPENSABLE ACT resulted in property damage;

11 **SECTION 32.** In Colorado Revised Statutes, 24-4.1-109, **amend**
12 (1.5)(a) introductory portion and (1.5)(a)(I)(A) as follows:

13 **24-4.1-109. Losses compensable.** (1.5) (a) Losses compensable
14 ~~under~~ PURSUANT TO this part 1 resulting from property damage include:

15 (I) (A) Repair or replacement of property damaged as a result of
16 a compensable crime OR COMPENSABLE ACT; or

17 **SECTION 33.** In Colorado Revised Statutes, 24-4.1-117, **amend**
18 (2) as follows:

19 **24-4.1-117. Fund created - control of fund.** (2) The fund
20 consists of all money paid as a cost or surcharge levied on criminal
21 actions, as provided in section 24-4.1-119; any federal money available
22 to state or local governments for victim compensation; all money received
23 from any action or suit to recover damages from an assailant for a
24 compensable crime ~~which~~ OR COMPENSABLE ACT THAT was the basis for
25 an award of, and limited to, compensation received ~~under~~ PURSUANT TO
26 this part 1; any restitution paid by an assailant to a victim for damages for
27 a compensable crime ~~which~~ OR COMPENSABLE ACT THAT was the basis for

1 an award received ~~under~~ PURSUANT TO this part 1 and for damages for
2 which the victim has received an award of, and limited to, compensation
3 received ~~under~~ PURSUANT TO this part 1; money transferred from the
4 marijuana tax cash fund pursuant to section 39-28.8-501 (4.9)(b); and any
5 other money that the general assembly may appropriate or transfer to the
6 fund.

7 **SECTION 34. Act subject to petition - effective date -**
8 **applicability.** (1) Sections 23, 26, and 34 of this act, and section
9 24-1.9-104 (3)(a) introductory portion and (3)(a)(I) in section 28 of this
10 act, take effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after adjournment of the general assembly, and the
12 remainder of this act takes effect July 1, 2024; except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within the ninety-day period after final adjournment of the general
16 assembly, then the act, item, section, or part will not take effect unless
17 approved by the people at the general election to be held in November
18 2024 and, in such case, will take effect on the date of the official
19 declaration of the vote thereon by the governor.

20 (2) This act applies to offenses committed and to confinement or
21 detention ordered on or after the applicable effective date of this act.