

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 23-0634.01 Chelsea Princell x4335

**HOUSE BILL 23-1249**

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**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING MEASURES TO IMPROVE OUTCOMES FOR YOUNG**  
102            **CHILDREN BY REPLACING JUSTICE INVOLVEMENT WITH**  
103            **COMMUNITY-BASED SERVICES, AND, IN CONNECTION**  
104            **THEREWITH, MAKING AN APPROPRIATION.**

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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>.)*

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

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  
Amended 2nd Reading  
May 7, 2023

HOUSE  
3rd Reading Unamended  
April 17, 2023

HOUSE  
Amended 2nd Reading  
April 15, 2023

program and requires the local collaborative management program to serve children 10 to 12 years of age and to form a service and support 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.

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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) 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;**

1           (c) Ensuring that community-based programs outside of the  
2 juvenile justice system are funded to serve young children at risk of  
3 involvement with the juvenile justice system, or who are currently facing  
4 delinquency charges, reduces the negative impacts for young children and  
5 their communities;

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

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

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

18           (g) Additional data collection regarding how children are currently  
19 served inside and outside the juvenile justice system is necessary to  
20 ensure community-based programs outside the juvenile justice system  
21 continue to effectively serve children.

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

26           **SECTION 2.** In Colorado Revised Statutes, 19-2.5-1404, **amend**  
27 **(3)(b)(IX) and (3)(b)(X); and add (3)(b)(XI), (3)(b)(XII), (3)(b)(XIII),**

1 (3)(b)(XIV), and (3)(d) as follows:

2 **19-2.5-1404. Working group for criteria for placement of**  
3 **juvenile offenders - establishment of formula - review of criteria -**

4 **report.** (3) (b) On or before July 1, 2023, and on or before July 1 each  
5 year thereafter, the department of human services shall submit a report to  
6 the working group, the judiciary committees of the senate and the house  
7 of representatives, or any successor committees, and the health and  
8 human services committee of the senate and the public and behavioral  
9 health and human services committee of the house of representatives, or  
10 any successor committees, including:

11 (IX) An analysis of the number of alleged and adjudicated  
12 juvenile offenders who are served by county human services departments  
13 through their child welfare systems and the impact on those county  
14 departments; and

15 (X) The recommendations of the working group made pursuant  
16 to subsection (3)(a)(III) of this section. THE NUMBER OF YOUTH, BY AGE  
17 AND BY JUDICIAL DISTRICT, WHO AT THE TIME THEY RECEIVED SERVICES  
18 FROM A COUNTY DEPARTMENT, INCLUDING, BUT NOT LIMITED TO,  
19 SERVICES RECEIVED THROUGH PREVENTION SERVICES, AN ASSESSMENT, OR  
20 AN OPEN DEPENDENCY AND NEGLECT CASE, EITHER:

21 (A) HAD AN OPEN DELINQUENCY CASE IN A DISTRICT COURT;

22 (B) WERE ON JUVENILE PROBATION; OR

23 (C) HAD A JUVENILE DEFERRED SENTENCE;

24 (XI) THE NUMBER OF YOUTH, BY AGE AND BY JUDICIAL DISTRICT,  
25 WHO AT THE TIME THEY WERE PLACED IN OUT-OF-HOME PLACEMENT BY A  
26 COUNTY DEPARTMENT, EITHER:

27 (A) HAD AN OPEN DELINQUENCY CASE IN A DISTRICT COURT;

1           (B) WERE ON JUVENILE PROBATION; OR  
2           (C) HAD A JUVENILE DEFERRED SENTENCE;  
3           (XIII) THE AGE, RACE, GENDER, AND DISABILITY STATUS FOR THE  
4 CHILDREN DESCRIBED IN SUBSECTIONS (3)(b)(X), (3)(b)(XI), AND  
5 (3)(b)(XII) OF THIS SECTION; AND  
6           (XIV) THE RECOMMENDATIONS OF THE WORKING GROUP MADE  
7 PURSUANT TO SUBSECTION (3)(a)(III) OF THIS SECTION.

8           (d) IF THE DEPARTMENT IS UNABLE TO PROVIDE ANY OF THE DATA  
9 REQUIRED IN THE ANNUAL REPORT PURSUANT TO SUBSECTION (3)(b) OF  
10 THIS SECTION, THE DEPARTMENT SHALL INCLUDE IN THE REPORT ITS PLAN  
11 TO COLLECT AND REPORT ON THE DATA THAT IS CURRENTLY UNAVAILABLE  
12 IN THE FOLLOWING YEAR. THE DEPARTMENT SHALL REPORT THE MISSING  
13 DATA THE FOLLOWING YEAR.

14           **SECTION 3. In Colorado Revised Statutes, 24-1.9-102, amend**  
15 **(2)(d) and (2)(f); and repeal (2)(i) as follows:**

16           **24-1.9-102. Memorandum of understanding - local-level**  
17 **interagency oversight groups - individualized service and support**  
18 **teams - coordination of services for children and families -**  
19 **requirements - waiver. (2) (d) Creation of an oversight group. The**  
20 **memorandum of understanding shall MUST create a local-level**  
21 **interagency oversight group and identify the oversight group's**  
22 **membership requirements, procedures for selection of officers,**  
23 **procedures for resolving disputes by a majority vote of those members**  
24 **authorized to vote, and procedures for establishing any necessary**  
25 **subcommittees of the interagency oversight group. Each interagency**  
26 **oversight group shall MUST include a local representative of each party to**  
27 **the memorandum of understanding specified in paragraphs (a) and (a.5)**

1 of subsection (1) SUBSECTIONS (1)(a) AND (1)(a.5) of this section, each of  
2 whom shall be IS a voting member of the interagency oversight group. In  
3 addition, the interagency oversight group may include, but is not limited  
4 to, the following advisory nonvoting members:

5 (I) Representatives of interested local private sector entities; and

6 (II) Family members or caregivers of children who would benefit  
7 from integrated multi-agency services or current or previous consumers  
8 of integrated multi-agency services; AND

9 (III) REPRESENTATIVES OR PRACTITIONERS FROM LOCAL,  
10 REGIONAL, OR STATEWIDE RESTORATIVE JUSTICE PROGRAMS.

11 (f) Authorization to create individualized service and support  
12 teams. The memorandum of understanding shall MUST include  
13 authorization for the interagency oversight group to establish  
14 individualized service and support teams to develop a service and support  
15 plan and to provide services to children and families, who would benefit  
16 from integrated multi-agency services.

17 (i) Performance-based measures. The department of human  
18 services and the persons specified in section 24-1.9-103 (2)(b) shall  
19 develop performance measures for the system of collaborative  
20 management, which measures may be modified biennially to ensure that  
21 the measures remain valid. The memorandum of understanding must  
22 identify performance measures developed pursuant to this paragraph (i).  
23 If the parties to the memorandum of understanding meet the identified  
24 performance measures, the memorandum of understanding must require  
25 the interagency oversight group to create a procedure, subject to the  
26 approval of the head or director of each agency or department specified  
27 in paragraphs (a) and (a.5) of subsection (1) of this section, to allow any

1 incentive moneys received by the department of human services and  
2 allocated pursuant to section 24-1.9-104 to be reinvested by the parties to  
3 the memorandum of understanding to provide appropriate services to  
4 children and families who would benefit from integrated multi-agency  
5 services, as such population is defined by the memorandum of  
6 understanding pursuant to paragraph (c) of this subsection (2). The parties  
7 to a memorandum of understanding shall report annually to the  
8 department of human services on the performance measures identified in  
9 the parties' memorandum of understanding pursuant to this paragraph (i).

10 SECTION 4. In Colorado Revised Statutes, add 24-1.9-102.3 as  
11 follows:

12 24-1.9-102.3. Duties of individualized service and support  
13 teams. (1) A LOCAL COLLABORATIVE MANAGEMENT PROGRAM, AS  
14 DESCRIBED IN SECTION 24-1.9-102, MUST CREATE ONE OR MORE  
15 INDIVIDUALIZED SERVICE AND SUPPORT TEAMS. AN INDIVIDUALIZED  
16 SERVICE AND SUPPORT TEAM MAY REFER A CHILD TO SERVICES AND MAY  
17 ESTABLISH A SERVICE AND SUPPORT PLAN FOR A CHILD AFTER MEETING  
18 WITH THE CHILD, THE CHILD'S FAMILY, AND ANY OTHER RELEVANT PARTY  
19 OR COMMUNITY PARTNERS.

20 (2) THE INFORMATION FORM FOR CHILDREN CREATED IN SECTION  
21 24-1.9-102.7, OR ANY OTHER FORM CREATED BY THE LOCAL  
22 COLLABORATIVE MANAGEMENT PROGRAM, MAY BE USED BY MULTIPLE  
23 AGENCIES TO REFER A CHILD TO A LOCAL COLLABORATIVE MANAGEMENT  
24 PROGRAM IN ACCORDANCE WITH THE LOCAL COLLABORATIVE  
25 MANAGEMENT PROGRAM'S MEMORANDUM OF UNDERSTANDING. SUCH  
26 AGENCIES INCLUDE, BUT ARE NOT LIMITED TO:

27 (a) LAW ENFORCEMENT;

- 1           (b) A DISTRICT ATTORNEY;
- 2           (c) A SCHOOL;
- 3           (d) A FAMILY RESOURCE CENTER;
- 4           (e) A CHILD ADVOCACY CENTER; AND
- 5           (f) A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES.
- 6           (3) ONLY THE FOLLOWING PERSONS OR AGENCIES HAVE ACCESS TO
- 7           RECORDS CREATED BY AN INDIVIDUALIZED SERVICE AND SUPPORT TEAM,
- 8           INCLUDING SERVICE AND SUPPORT PLANS:
- 9           (a) THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES
- 10          WHEN INVESTIGATING A REPORT OF A KNOWN OR SUSPECTED INCIDENT OF
- 11          CHILD ABUSE OR NEGLECT OR PROVIDING SERVICES FOR A CHILD OR
- 12          FAMILY WHO IS THE SUBJECT OF THE REPORT;
- 13          (b) AN AGENCY WITH LEGAL RESPONSIBILITY OR AUTHORIZATION
- 14          TO CARE FOR, TREAT, OR SUPERVISE A CHILD WHO IS THE SUBJECT OF THE
- 15          RECORD;
- 16          (c) A PARENT, LEGAL GUARDIAN OR CUSTODIAN, OR OTHER PERSON
- 17          RESPONSIBLE FOR THE HEALTH OR WELFARE OF A CHILD NAMED IN A
- 18          RECORD, OR THE ASSIGNED DESIGNEE OF ANY SUCH PERSON ACTING BY
- 19          AND THROUGH A VALIDLY EXECUTED POWER OF ATTORNEY;
- 20          (d) THE CHILD NAMED IN THE RECORD AND THE CHILD'S GUARDIAN
- 21          AD LITEM OR COUNSEL FOR YOUTH;
- 22          (e) (I) A SERVICE PROVIDER WHO IS AND CONTINUES TO BE
- 23          OFFICIALLY AND PROFESSIONALLY INVOLVED IN THE CARE OF THE CHILD
- 24          WHO IS THE SUBJECT OF THE RECORD, BUT ONLY WITH REGARD TO
- 25          INFORMATION THAT THE SERVICE PROVIDER HAS A NEED TO KNOW IN
- 26          ORDER TO FULFILL THE SERVICE PROVIDER'S PROFESSIONAL, OFFICIAL, AND
- 27          ONGOING ROLE, INCLUDING:

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

1 TO THIS SUBSECTION (3)(e) IS CONFIDENTIAL AND SHALL NOT BE  
2 DISCLOSED BY THE SERVICE PROVIDER TO ANY OTHER PERSON, EXCEPT AS  
3 PROVIDED BY LAW.

4 (4) INFORMATION DISCLOSED PURSUANT TO SUBSECTION (3) OF  
5 THIS SECTION MUST NOT INCLUDE THE CONTACT INFORMATION OF A  
6 VICTIM, OR ANY IDENTIFYING INFORMATION OF A VICTIM, UNLESS THE  
7 VICTIM CONSENTS TO SHARING INFORMATION.

8 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE  
9 CONTRARY, A CHILD'S RECORDS, STATEMENTS, OR HISTORY WITH THE  
10 LOCAL COLLABORATIVE MANAGEMENT PROGRAM ARE NOT, WITHOUT THE  
11 CHILD'S CONSENT, ADMISSIBLE AS EVIDENCE IN ANY ADJUDICATORY OR  
12 CRIMINAL HEARING IN WHICH THE CHILD IS ACCUSED AND ARE NOT  
13 SUBJECT TO SUBPOENA IN ANY ADJUDICATORY OR CRIMINAL HEARING IN  
14 WHICH THE JUVENILE IS ACCUSED. THIS SUBSECTION (5) DOES NOT  
15 SUPERCEDE ANY OBLIGATIONS AND DUTIES OF ANY MANDATORY  
16 REPORTER PURSUANT TO SECTION 19-3-304.

17 **SECTION 5.** In Colorado Revised Statutes, amend 24-1.9-102.5  
18 as follows:

19 **24-1.9-102.5. Evaluation.** The department of human services  
20 shall ensure that an annual external evaluation of the statewide program  
21 and each county or regional program is conducted by an independent  
22 outside entity. The department may contract with the outside entity to  
23 conduct an external evaluation of those counties that opted not to  
24 participate in the collaborative management program. The department of  
25 human services shall utilize moneys MONEY in the performance-based  
26 collaborative management incentive cash fund created in section  
27 24-1.9-104, or any general fund moneys MONEY appropriated for this

1 purpose, for annual external evaluations of the counties participating in  
2 memorandums of understanding pursuant to section 24-1.9-102, also  
3 known as the LOCAL collaborative management program, as well as  
4 external evaluations as determined by the department of human services  
5 of those counties that opted to not participate in the collaborative  
6 management program. The annual external evaluation must include any  
7 evaluation that may be required in connection with a waiver authorized  
8 pursuant to section 24-1.9-102 (4). and an evaluation of whether the  
9 parties to a collaborative management program have successfully met or  
10 exceeded the performance measures identified in the parties'  
11 memorandum of understanding pursuant to section 24-1.9-102. (2)(i).  
12 Each county participating in the LOCAL collaborative management  
13 program shall participate fully in the annual external evaluation.

14 **SECTION 6.** In Colorado Revised Statutes, **amend** 24-1.9-102.7  
15 as follows:

16 **24-1.9-102.7. Technical assistance.** (1) The department of  
17 human services shall develop and implement training for counties  
18 participating in or interested in participating in the LOCAL collaborative  
19 management program. The department of human services shall utilize  
20 moneys MONEY in the performance-based collaborative management  
21 incentive cash fund created in section 24-1.9-104, or any general fund  
22 moneys MONEY appropriated for this purpose, to develop and implement  
23 training for counties. The training shall MUST identify management  
24 strategies to collaborate effectively and efficiently to share resources or  
25 to manage and integrate the treatment and services provided to children  
26 and families receiving collaborative management services pursuant to this  
27 article ARTICLE 1.9, AND STRATEGIES TO ADDRESS THE NEEDS OF

1 CHILDREN WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY  
2 SERVICES, INCLUDING CHILDREN WHO HAVE HAD CONTACT WITH LAW  
3 ENFORCEMENT OR ARE AT RISK OF INVOLVEMENT WITH THE JUVENILE  
4 JUSTICE SYSTEM. IN DEVELOPING SERVICES TO SUPPORT VICTIMS, THE  
5 DEPARTMENT OF HUMAN SERVICES SHALL CONSULT WITH THE  
6 DEPARTMENT OF PUBLIC SAFETY AND THE DISTRICT ATTORNEYS. IN  
7 DEVELOPING THE TRAINING AND STRATEGIES TO INTEGRATE TREATMENT  
8 AND SERVICES FOR CHILDREN WHO HAVE ENGAGED IN BEHAVIOR IN WHICH  
9 THE UNDERLYING FACTUAL BASIS INVOLVES UNLAWFUL SEXUAL  
10 BEHAVIOR, THE DEPARTMENT OF HUMAN SERVICES SHALL CONSULT WITH  
11 THE SEX OFFENDER MANAGEMENT BOARD CREATED PURSUANT TO SECTION  
12 16-11.7-103. IN DEVELOPING THE TRAINING AND OVERSIGHT, THE  
13 DEPARTMENT OF HUMAN SERVICES SHALL CONSIDER THE REPORT FROM  
14 THE PRE-ADOLESCENT SERVICES TASK FORCE CREATED IN SECTION  
15 19-3-304.4.

16 (2) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT OF  
17 HUMAN SERVICES SHALL CREATE A MODEL INFORMATION FORM FOR  
18 CHILDREN FOR A PARTY TO USE TO REFER A CHILD TO A LOCAL  
19 COLLABORATIVE MANAGEMENT PROGRAM FOR ASSESSMENT AND  
20 SERVICES.

21 **SECTION 7. In Colorado Revised Statutes, 24-1.9-103, amend**  
22 **(1)(a), (1)(c), (2)(b)(II), (2)(b)(III), and (2)(b)(VI); and add (1)(b.5),**  
23 **(1)(b.7), (1)(b.8), and (1)(b.9) as follows:**

24 **24-1.9-103. Reports - executive director review.**  
25 **(1) Commencing January 1, 2007, and on or before each January 1**  
26 **thereafter, each interagency oversight group shall provide a report to the**  
27 **executive director of each department and agency that is a party to any**

1 memorandum of understanding entered into that includes:

2 (a) The number of children and families served through the  
3 local-level individualized service and support teams and A DESCRIPTION  
4 OF THE RECOMMENDED SERVICES; the outcomes of the services provided,  
5 including THE NUMBER, AGE, RACE, GENDER, AND, IF KNOWN, THE  
6 DISABILITY STATUS OF THE CHILDREN SERVED; A DESCRIPTION OF THE  
7 OUTCOMES FOR CHILDREN SERVED; AND a description of any reduction in  
8 duplication or fragmentation of services provided and a description of any  
9 significant improvement in outcomes for children and families;

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

16 (b.7) THE NUMBER OF CHILDREN, BY AGE, SERVED BY A LOCAL  
17 COLLABORATIVE MANAGEMENT PROGRAM, WHO WERE REFERRED BY THE  
18 JUVENILE JUSTICE SYSTEM;

19 (b.8) THE NUMBER OF CHILDREN, BY AGE, WHO WERE SERVED BY  
20 A LOCAL COLLABORATIVE MANAGEMENT PROGRAM, WHO WERE REFERRED  
21 BY A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES, INCLUDING  
22 REFERRALS THROUGH A DEPENDENCY AND NEGLECT CASE;

23 (b.9) THE NUMBER OF CHILDREN, BY AGE, WHO WERE SERVED BY  
24 A LOCAL COLLABORATIVE MANAGEMENT PROGRAM AND WHO IDENTIFIED  
25 THEMSELVES TO THE LOCAL COLLABORATIVE MANAGEMENT PROGRAM AS:

26 (I) A NAMED VICTIM IN A CRIMINAL PROTECTION ORDER PURSUANT  
27 TO SECTION 18-1-1001 OR IN A JUVENILE DELINQUENCY OR CRIMINAL

1 CASE;

2 (II) A RECIPIENT OF VICTIM COMPENSATION PURSUANT TO PART 4.1  
3 OF THIS TITLE 24; OR

4 (III) A PROTECTED PARTY IN A PROTECTION ORDER PURSUANT TO  
5 PART 14 OF TITLE 13, SECTION 19-2-707 AS IT EXISTED PRIOR TO ITS  
6 REPEAL IN 2021, OR SECTION 18-1-1001;

7 (c) An accounting of moneys MONEY that were WAS reinvested in  
8 additional services provided to children or families who would benefit  
9 from integrated multi-agency services due to cost-savings that may have  
10 resulted; or due to meeting or exceeding performance measures identified  
11 in the memorandum of understanding pursuant to section 24-1.9-102  
12 (2)(i);

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

15 (II) A superintendent of a school district that has entered into a  
16 memorandum of understanding, and has met or exceeded the performance  
17 measures identified in the memorandum of understanding pursuant to  
18 section 24-1.9-102 (2)(i); as such superintendent is selected by the  
19 commissioner of education;

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

26 (VI) A director of a local mental health center that has entered  
27 into a memorandum of understanding, and has met or exceeded the

1 performance measures identified in the memorandum of understanding  
2 pursuant to section 24-1.9-102 (2)(i), as such director is selected by the  
3 executive director of the department of human services;

4 SECTION 8. In Colorado Revised Statutes, amend 24-1.9-104  
5 as follows:

6 24-1.9-104. Cash fund - creation - grants, gifts, and donations.

7 (1) On July 1, 2005, there shall be IS created in the state treasury the  
8 performance-based collaborative management incentive cash fund, which  
9 shall be IS referred to in this section as the "fund". The moneys MONEY in  
10 the fund shall be IS subject to annual appropriation by the general  
11 assembly to the department of human services for state fiscal year  
12 2005-06 and each fiscal year thereafter. The fund shall consist CONSISTS  
13 of moneys MONEY received from docket fees in civil actions and  
14 transferred as specified in section 13-32-101. (5)(a)(H), C.R.S.

15 (1.5) ON JULY 1, 2023, AND ANNUALLY THEREAFTER, THE  
16 GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE FUND TO SERVE  
17 CHILDREN WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY  
18 SERVICES, INCLUDING CHILDREN WHO HAVE HAD CONTACT WITH LAW  
19 ENFORCEMENT OR WHO ARE AT RISK OF INVOLVEMENT WITH THE JUVENILE  
20 JUSTICE SYSTEM.

21 (2) The executive director of the department of human services is  
22 authorized to accept and expend on behalf of the state any grants, gifts,  
23 or donations from any private or public source for the purposes of this  
24 section. All private and public funds received through grants, gifts, or  
25 donations shall MUST be transmitted to the state treasurer, who shall credit  
26 the same to the fund in addition to moneys MONEY credited pursuant to  
27 subsection (1) of this section and any moneys MONEY that may be

1 appropriated to the fund directly by the general assembly. All investment  
2 earnings derived from the deposit and investment of moneys MONEY in  
3 the fund shall remain REMAINS in the fund and shall not be transferred  
4 DOES NOT TRANSFER or revert to the general fund of the state or any other  
5 fund at the end of any fiscal year.

6 (2.5) Notwithstanding any provision of this section to the  
7 contrary, on June 1, 2009, the state treasurer shall deduct three hundred  
8 thousand dollars from the fund and transfer such sum to the general fund.

9 (3) (a) On and after July 1, 2005, the executive director of the  
10 department of human services shall allocate the moneys MONEY in the  
11 fund, and any general fund moneys MONEY appropriated for this purpose,  
12 to provide incentives to parties to a memorandum of understanding who  
13 have agreed to performance-based collaborative management pursuant to  
14 section 24-1.9-102. (2)(i) and who, based upon the annual report to the  
15 department of human services pursuant to section 24-1.9-102 (2)(i), have  
16 successfully met or exceeded the performance measures identified in the  
17 parties' memorandum of understanding pursuant to section 24-1.9-102  
18 (2)(i). The incentives shall be used to provide services to children and  
19 families who would benefit from integrated multi-agency services, as  
20 such population is defined by the memorandum of understanding pursuant  
21 to section 24-1.9-102 (2)(c). THE EXECUTIVE DIRECTOR OF THE  
22 DEPARTMENT OF HUMAN SERVICES SHALL:

23 (I) BEGINNING JULY 1, 2023, DISTRIBUTE ADDITIONAL FUNDS  
24 APPROPRIATED FOR THE 2023-24 STATE FISCAL YEAR TO THE FUND TO  
25 EXISTING COLLABORATIVE MANAGEMENT PROGRAMS PURSUANT TO THE  
26 FUNDING FORMULA IN PLACE ON JUNE 30, 2023;

27 (II) BEGINNING JULY 1, 2024, PROVIDE AN ANNUAL SUM TO EACH

1 LOCAL COLLABORATIVE MANAGEMENT PROGRAM TO PROVIDE SERVICES  
2 TO CHILDREN WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY  
3 SERVICES, INCLUDING CHILDREN WHO HAVE HAD CONTACT WITH LAW  
4 ENFORCEMENT OR WHO ARE AT RISK OF INVOLVEMENT WITH THE JUVENILE  
5 JUSTICE SYSTEM. FOR THE 2024-25 STATE FISCAL YEAR AND EACH STATE  
6 FISCAL YEAR THEREAFTER, THE AMOUNT OF THE SUM PROVIDED TO EACH  
7 LOCAL COLLABORATIVE MANAGEMENT PROGRAM MUST BE DETERMINED  
8 THROUGH A FUNDING FORMULA THAT CONSIDERS:

9 (A) THE AMOUNT OF MONEY AVAILABLE IN THE FUND;  
10 (B) THE NEED FOR A BASE OF RESOURCES TO DIRECT A CHILD AND  
11 THE CHILD'S FAMILY MEMBERS TO APPROPRIATE SERVICES; AND

12 (C) THE NUMBER OF CHILDREN IN THE POPULATION TO BE SERVED,  
13 AS DEFINED BY THE MEMORANDUM OF UNDERSTANDING PURSUANT TO  
14 SECTION 24-1.9-102, IN EACH COUNTY OR REGION.

15 (a.5) On and after July 1, 2008, the executive director of the  
16 department of human services is authorized to allocate moneys MONEY in  
17 the fund, and any general fund moneys MONEY appropriated for this  
18 purpose, to be used to cover the direct and indirect costs of the external  
19 evaluation of the performance-based collaborative management program  
20 described in section 24-1.9-102 and the technical assistance and training  
21 for counties as described in section 24-1.9-102.7.

22 (b) For purposes of allocating incentive moneys MONEY pursuant  
23 to this subsection (3), the executive director of the department of human  
24 services shall submit an accounting of moneys MONEY in the fund,  
25 available for incentives, and any general fund moneys MONEY  
26 appropriated for this purpose, and a proposal for the allocation of  
27 incentive moneys MONEY to the state board of human services for review

1 and approval prior to the allocation of the ~~moneys~~ MONEY. The state  
2 board of human services shall approve the proposal not later than thirty  
3 days after receipt of the proposal from the executive director of the  
4 department of human services.

5 **SECTION 9.** In Colorado Revised Statutes, **add 24-1.9-105** as  
6 follows:

7 **24-1.9-105. Funding for future local collaborative**  
8 **management programs.** (1) FOR STATE FISCAL YEAR 2023-24, THE  
9 GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM  
10 THE GENERAL FUND TO THE DEPARTMENT OF HUMAN SERVICES TO BE USED  
11 TO ASSIST INTERESTED COUNTIES THAT DO NOT ALREADY OPERATE A  
12 LOCAL COLLABORATIVE MANAGEMENT PROGRAM WITH ESTABLISHING A  
13 LOCAL COLLABORATIVE MANAGEMENT PROGRAM OR JOINING AN EXISTING  
14 LOCAL COLLABORATIVE MANAGEMENT PROGRAM. THE DEPARTMENT OF  
15 HUMAN SERVICES SHALL DETERMINE THE AMOUNT THAT IS DISTRIBUTED  
16 TO A COUNTY FOR THIS PURPOSE.

17 (2) ALL UNEXPENDED OR UNENCUMBERED MONEY THAT REMAINS  
18 AT THE END OF STATE FISCAL YEAR 2023-24 SHALL REVERT TO THE  
19 COLLABORATIVE MANAGEMENT CASH FUND CREATED IN SECTION  
20 24-1.9-104.

21 **SECTION 10.** In Colorado Revised Statutes, **27-50-403, amend**  
22 (2)(f) as follows:

23 **27-50-403. Behavioral health administrative services**  
24 **organizations - contract requirements - individual access - care**  
25 **coordination.** (2) A behavioral health administrative services  
26 organization shall:

27 (f) Require collaboration with all local law enforcement and

1 county agencies in the service area, including county departments of  
2 human or social services AND LOCAL COLLABORATIVE MANAGEMENT  
3 PROGRAMS WITHIN THE SERVICE AREA;

4 **SECTION 11.** In Colorado Revised Statutes, 27-50-404, amend  
5 (3) as follows:

6 **27-50-404. Care coordination - responsibilities of behavioral**  
7 **health administrative services organizations - coordination with**  
8 **managed care entities.** (3) A behavioral health administrative services  
9 organization shall ensure care coordination services through its network  
10 and include local partners, when appropriate, such as ~~counties and school~~  
11 ~~districts~~ COUNTIES, SCHOOL DISTRICTS, AND LOCAL COLLABORATIVE  
12 MANAGEMENT PROGRAMS.

13 **SECTION 12.** In Colorado Revised Statutes, add 20-1-115 as  
14 follows:

15 **20-1-115. Reporting of children in diversion programs.** (1) ON  
16 OR BEFORE JULY 1, 2024, AND EACH JULY 1 THEREAFTER, THE DISTRICT  
17 ATTORNEY OF EACH JUDICIAL DISTRICT SHALL SUBMIT A REPORT, EITHER  
18 INDIVIDUALLY OR THROUGH THE COLORADO DISTRICT ATTORNEYS'  
19 COUNCIL, TO THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND  
20 THE SENATE JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES,  
21 THAT INCLUDES THE FOLLOWING FROM THE PREVIOUS TWELVE MONTHS IN  
22 THE JUDICIAL DISTRICT:

23 (a) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT  
24 UNDER THIRTEEN YEARS OF AGE WHO WERE OFFERED AN OPPORTUNITY TO  
25 PARTICIPATE IN A DIVERSION PROGRAM BUT DECLINED TO PARTICIPATE;

26 (b) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT  
27 UNDER THIRTEEN YEARS OF AGE WHO PARTICIPATED IN A DIVERSION

1 PROGRAM;

2 (c) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT  
3 UNDER THIRTEEN YEARS OF AGE WHO WERE CHARGED WITH AN OFFENSE  
4 IN A JUVENILE PROCEEDING AS A CONSEQUENCE OF FAILING TO  
5 SUCCESSFULLY COMPLETE A DIVERSION PROGRAM; AND

6 (d) THE NUMBER OF CHILDREN TEN YEARS OF AGE OR OLDER BUT  
7 UNDER THIRTEEN YEARS OF AGE WHO ENTER INTO A DIVERSION PROGRAM  
8 AND, AT THE TIME OF ENTRY INTO THE DIVERSION PROGRAM OR DURING  
9 PARTICIPATION IN THE DIVERSION PROGRAM, ARE KNOWN TO THE  
10 DIVERSION PROGRAM OR DISTRICT ATTORNEY'S OFFICE TO RECEIVE  
11 SERVICES FROM A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES,  
12 INCLUDING SERVICES PROVIDED THROUGH PREVENTION PROGRAMS,  
13 ASSESSMENT, A DEPARTMENT OF HUMAN SERVICES CASE WITHOUT COURT  
14 INVOLVEMENT, OR A DEPENDENCY AND NEGLECT CASE;

15 **SECTION 13. Appropriation.** (1) For the 2023-24 state fiscal  
16 year, \$2,257,411 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. To implement this act, the division may use the  
19 appropriation as follows:

20 (a) \$257,411 for collaborative management program  
21 administration and evaluation, which amount is based on an assumption  
22 that the division will require an additional 1.0 FTE; and

23 (b) \$2,000,000 to be distributed pursuant to section 24-1.9-105,  
24 C.R.S.

25 (2) For the 2023-24 state fiscal year, \$1,165,039 is appropriated  
26 to the collaborative management cash fund created in section 24-1.9-104  
27 (1), C.R.S. This appropriation is from the general fund. The department

1 of human services is responsible for the accounting related to this  
2 appropriation.

3 (3) For the 2023-24 state fiscal year, \$1,165,039 is appropriated  
4 to the department of human services for use by the division of child  
5 welfare for distribution to existing collaborative management programs  
6 pursuant to section 24-1.9-104, C.R.S. This appropriation is from  
7 reappropriated funds in the collaborative management cash fund under  
8 subsection (2) of this section.

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