

**Second 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. 24-1068.01 Chelsea Princell x4335

SENATE BILL 24-191

SENATE SPONSORSHIP

Zenzinger and Simpson, Bridges, Buckner, Coleman, Cutter, Exum, Fields, Ginal, Gonzales, Jaquez Lewis, Kirkmeyer, Kolker, Marchman, Michaelson Jenet, Mullica, Pelton B., Priola, Will, Winter F.

HOUSE SPONSORSHIP

Kipp and Frizell,

Senate Committees
Health & Human Services

House Committees
Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE OPERATION OF HOST HOMES FOR YOUTH.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of human services to oversee the operations of host home programs. The bill sets requirements for organizations seeking to operate a host home program and requirements for host homes participating in a host home program.

The bill allows a youth to reside in a host home for up to 21 days, unless the youth is 18 years of age or older but under 22 years of age and consents to remain in the host home longer. A host home that hosts a youth under 11 years of age must obtain written consent from the youth's

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.

HOUSE
2nd Reading Unamended
May 3, 2024

SENATE
3rd Reading Unamended
April 23, 2024

SENATE
Amended 2nd Reading
April 22, 2024

parent or legal guardian authorizing the temporary residence.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 26-5.7-110 as
3 follows:

4 **26-5.7-110. Host homes for youth - report - rules - definitions.**

5 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES:

7 (a) "HOST HOME" MEANS A PRIVATE HOME THAT VOLUNTEERS TO
8 HOST YOUTH IN NEED OF TEMPORARY PLACEMENT THAT IS ASSOCIATED
9 WITH A HOST HOME PROGRAM WITH THE PURPOSE OF PROVIDING A SAFE,
10 TEMPORARY, AND WELCOMING SPACE TO ALLOW THE YOUTH TIME TO
11 REPAIR THE YOUTH'S RELATIONSHIP WITH THE YOUTH'S PARENT OR LEGAL
12 GUARDIAN OR MAKE DECISIONS REGARDING OTHER LONG-TERM HOUSING
13 OPTIONS WITH THE SUPPORT OF A HOST HOME OPERATOR.

14 (b) "HOST HOME PROGRAM" OR "PROGRAM" MEANS A PROGRAM
15 THAT PROVIDES SUPPORT TO A HOST HOME AND MEETS THE REQUIREMENTS
16 OF SUBSECTION (3) OF THIS SECTION.

17 (c) "YOUTH" MEANS AN INDIVIDUAL WHO IS UNDER
18 TWENTY-THREE YEARS OF AGE.

19 (2) THE STATE DEPARTMENT SHALL OVERSEE THE OPERATIONS OF
20 THE HOST HOME PROGRAMS.

21 (3) TO OPERATE A HOST HOME PROGRAM, AN ORGANIZATION MUST:

22 (a) BE A TAX EXEMPT ORGANIZATION FOR YOUTH NOT IN THE CARE
23 OF THE COUNTY DEPARTMENT;

24 (b) RECRUIT AND SCREEN INDIVIDUALS INTERESTED IN OPERATING
25 A HOST HOME IN THE PROGRAM, INCLUDING PERFORMING CRIMINAL

1 HISTORY RECORD CHECKS PURSUANT TO SUBSECTION (5) OF THIS SECTION
2 ON THE INTERESTED INDIVIDUALS AND ALL INDIVIDUALS RESIDING IN THE
3 HOME WHO ARE EIGHTEEN YEARS OF AGE OR OLDER, AND PERFORM A
4 PHYSICAL INSPECTION OF THE HOME;

5 (c) PROVIDE CASE MANAGEMENT SERVICES TO YOUTH IN THE
6 PROGRAM;

7 (d) PROVIDE A MINIMUM OF SIXTY DAYS OF AFTERCARE, AS
8 DEFINED IN 45 CFR 1351.1, FOR A YOUTH WHO LEAVES A HOST HOME;

9 (e) PROVIDE MANDATORY REPORTER AND CONFIDENTIALITY
10 TRAINING TO HOST HOME OPERATORS; AND

11 (f) MAINTAIN ACCURATE AND UP-TO-DATE RECORDS
12 DOCUMENTING THE FOLLOWING FOR EACH HOST HOME OPERATING UNDER
13 THE PROGRAM:

14 (I) THE ADDRESS OF THE HOST HOME;

15 (II) THE NAME OF THE INDIVIDUAL OPERATING THE HOST HOME
16 AND ALL OTHER INDIVIDUALS RESIDING IN THE HOME;

17 (III) A COPY OF THE COMPLETED CRIMINAL HISTORY RECORD
18 CHECK CONDUCTED PURSUANT TO SUBSECTION (5) OF THIS SECTION FOR
19 THE INDIVIDUAL OPERATING THE HOST HOME AND ALL OTHER INDIVIDUALS
20 RESIDING IN THE HOME WHO ARE EIGHTEEN YEARS OF AGE OR OLDER;

21 (IV) A COPY OF THE HOST HOME'S COMPLETED PHYSICAL HOME
22 INSPECTION;

23 (V) A COPY OF THE HOST HOME'S PROPERTY OR RENTAL
24 INSURANCE AND AUTOMOBILE INSURANCE; AND

25 (VI) ANY OTHER INFORMATION REQUIRED BY THE STATE
26 DEPARTMENT.

27 (4) TO OPERATE A HOST HOME, AN INDIVIDUAL MUST:

1 (a) MAINTAIN PROPERTY OR RENTAL INSURANCE AND AUTOMOBILE
2 INSURANCE COVERING THE PROPERTY AND VEHICLES USED IN PROVIDING
3 HOST HOME SERVICES;

4 (b) UNDERGO A CRIMINAL HISTORY RECORD CHECK IN COMPLIANCE
5 WITH SUBSECTION (5) OF THIS SECTION; AND

6 (c) COMPLY WITH ANY OTHER REQUIREMENTS SET BY THE STATE
7 DEPARTMENT.

8 (5) (a) BEFORE AN INDIVIDUAL MAY OPERATE A HOST HOME
9 PURSUANT TO THIS SECTION, THE INDIVIDUAL MUST UNDERGO
10 FINGERPRINTING PERFORMED BY A LOCAL LAW ENFORCEMENT AGENCY OR
11 THIRD PARTY APPROVED BY THE COLORADO BUREAU OF INVESTIGATION.
12 THE INDIVIDUAL MUST PAY THE COSTS ASSOCIATED WITH THE
13 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK.

14 (b) AFTER TAKING THE INDIVIDUAL'S FINGERPRINTS, THE LOCAL
15 LAW ENFORCEMENT AGENCY OR THIRD PARTY APPROVED BY THE
16 COLORADO BUREAU OF INVESTIGATION SHALL SUBMIT THE COMPLETE SET
17 OF THE INDIVIDUAL'S FINGERPRINTS TO THE COLORADO BUREAU OF
18 INVESTIGATION FOR THE PURPOSE OF CONDUCTING A FINGERPRINT-BASED
19 CRIMINAL HISTORY RECORD CHECK.

20 (c) IF A THIRD PARTY APPROVED BY THE COLORADO BUREAU OF
21 INVESTIGATION CONDUCTS THE FINGERPRINTING, THE INDIVIDUAL'S
22 FINGERPRINTS MAY BE CAPTURED ELECTRONICALLY USING COLORADO
23 BUREAU OF INVESTIGATION-APPROVED LIVESCAN EQUIPMENT. THE THIRD
24 PARTY APPROVED BY THE COLORADO BUREAU OF INVESTIGATION MUST
25 NOT KEEP THE INDIVIDUAL'S INFORMATION COLLECTED FOR THE PURPOSE
26 OF CONDUCTING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK
27 FOR MORE THAN THIRTY DAYS, UNLESS OTHERWISE REQUESTED BY THE

1 INDIVIDUAL.

2 (d) THE COLORADO BUREAU OF INVESTIGATION SHALL USE THE
3 INDIVIDUAL'S FINGERPRINTS TO CONDUCT A CRIMINAL HISTORY RECORD
4 CHECK USING THE COLORADO BUREAU OF INVESTIGATION'S RECORDS. THE
5 COLORADO BUREAU OF INVESTIGATION MUST SEND THE INDIVIDUAL'S
6 FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR THE
7 PURPOSE OF CONDUCTING A FEDERAL FINGERPRINT-BASED CRIMINAL
8 HISTORY RECORD CHECK. THE COLORADO BUREAU OF INVESTIGATION,
9 INDIVIDUAL, STATE DEPARTMENT, AND ENTITY CONDUCTING THE
10 FINGERPRINTING MUST COMPLY WITH THE FEDERAL BUREAU OF
11 INVESTIGATION'S REQUIREMENTS TO CONDUCT A FINGERPRINT-BASED
12 CRIMINAL HISTORY RECORD CHECK.

13 (e) THE COLORADO BUREAU OF INVESTIGATION SHALL RETURN THE
14 RESULTS OF ITS FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK
15 TO THE STATE DEPARTMENT AND THE STATE DEPARTMENT IS AUTHORIZED
16 TO RECEIVE THE RESULTS OF THE FEDERAL BUREAU OF INVESTIGATION'S
17 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK. THE STATE
18 DEPARTMENT MUST USE THE INFORMATION FROM THE FINGERPRINT-BASED
19 CRIMINAL HISTORY RECORD CHECK TO INVESTIGATE AND DETERMINE
20 WHETHER AN INDIVIDUAL IS QUALIFIED TO OPERATE A HOST HOME
21 PURSUANT TO THIS SECTION.

22 (f) IF THE RESULTS OF AN INDIVIDUAL'S FINGERPRINT-BASED
23 CRIMINAL HISTORY RECORD CHECK PERFORMED PURSUANT TO THIS
24 SUBSECTION (5) REVEAL A RECORD OF ARRESTS WITHOUT A DISPOSITION,
25 THE ORGANIZATION OPERATING A HOST HOME PROGRAM MUST REQUIRE
26 THE INDIVIDUAL TO SUBMIT TO A NAME-BASED JUDICIAL RECORD CHECK,
27 AS DEFINED IN SECTION 22-2-119.3.

1 (6) (a) IF A YOUTH IS UNDER ELEVEN YEARS OF AGE AND SEEKS
2 ADMISSION TO A HOST HOME, THE HOST HOME MUST OBTAIN WRITTEN
3 CONSENT FROM A PARENT OR LEGAL GUARDIAN OF THE YOUTH
4 AUTHORIZING THE YOUTH'S TEMPORARY RESIDENCE IN THE HOST HOME. IF
5 WRITTEN CONSENT IS RECEIVED, THE YOUTH MAY RESIDE IN A HOST HOME
6 FOR UP TO TWENTY-ONE DAYS.

7 (b) YOUTH ELEVEN YEARS OF AGE OR OLDER BUT UNDER EIGHTEEN
8 YEARS OF AGE ADMITTED TO A HOST HOME MAY RESIDE IN THE HOST HOME
9 FOR UP TO TWENTY-ONE DAYS PURSUANT TO SECTION 26-5.7-105.

10 (c) IF A YOUTH UNDER FIFTEEN YEARS OF AGE IS ADMITTED TO A
11 HOST HOME, THE PROGRAM DIRECTOR OR HOST HOME OPERATOR MUST
12 NOTIFY THE COUNTY DEPARTMENT WITHIN SEVENTY-TWO HOURS AFTER
13 THE YOUTH'S ADMISSION.

14 (d) FOR YOUTH EIGHTEEN YEARS OF AGE OR OLDER BUT UNDER
15 TWENTY-THREE YEARS OF AGE, THE YOUTH MAY REMAIN IN A HOST HOME
16 BEYOND THE TWENTY-ONE-DAY PERIOD IF CONSENT IS PROVIDED TO THE
17 HOST HOME BY THE YOUTH. DOCUMENTATION VERIFYING THE YOUTH'S
18 CONSENT MUST BE UPDATED EVERY SIX MONTHS THEREAFTER.

19 (e) IF A YOUTH ELEVEN YEARS OF AGE OR OLDER BUT UNDER
20 TWENTY-THREE YEARS OF AGE HAS RESIDED IN A HOST HOME FOR
21 TWENTY-ONE DAYS, THE PROGRAM DIRECTOR OR HOST HOME OPERATOR
22 MUST REFER THE YOUTH TO THE COUNTY DEPARTMENT FOR ADDITIONAL
23 SERVICES.

24 (f) HOST HOME OPERATORS SHALL COMPLY WITH THE
25 NOTIFICATION REQUIREMENTS SPECIFIED IN SECTION 26-5.7-106.

26 (7) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1
27 THEREAFTER, IF A PROGRAM RECEIVES LOCAL, STATE, OR FEDERAL

1 FUNDING, THE PROGRAM MUST ENTER THE FOLLOWING INFORMATION IN TO
2 THE HOMELESS MANAGEMENT INFORMATION SYSTEM AND SHARE THE
3 INFORMATION WITH THE OFFICE OF HOMELESS YOUTH SERVICES:

4 (a) THE NUMBER OF YOUTH SERVED BY THE PROGRAM; AND

5 (b) UPON LEAVING A HOST HOME, WHETHER EACH PARTICIPATING
6 YOUTH RETURNED TO LIVE WITH THE YOUTH'S PARENT OR LEGAL
7 GUARDIAN, RAN AWAY, REACHED TWENTY-THREE YEARS OF AGE, OR
8 BECAME A DEPENDANT OF THE STATE.

9 (8) A LICENSED FOSTER CARE HOME APPROVED AS A HOST HOME
10 SHALL NOT ACCEPT A YOUTH FOR PLACEMENT PURSUANT TO THIS SECTION
11 IF THERE ARE ANY FOSTER CHILDREN CURRENTLY PLACED IN THAT HOME.

12 (9) NOTHING IN THIS SECTION APPLIES TO HOST HOMES PROVIDING
13 RESIDENTIAL SERVICES TO ADULTS WITH INTELLECTUAL AND
14 DEVELOPMENTAL DISABILITIES.

15 (10) THE STATE DEPARTMENT SHALL PROMULGATE RULES AS
16 NECESSARY TO IMPLEMENT THIS SECTION.

17 **SECTION 2.** In Colorado Revised Statutes, 19-7-305, **amend**
18 (1)(b)(II) as follows:

19 **19-7-305. Available services and supports.** (1) Each county
20 department shall offer, at a minimum, the following services and supports
21 to participating youth in the transition program:

22 (b) Assistance with securing safe, affordable, and stable housing
23 in the following ways:

24 (II) With the participating youth's consent, the participating
25 youth's housing may be in any placement approved by the county
26 department or the court for which the participating youth is otherwise
27 eligible, including a ~~licensed host family home~~ HOST HOME, as defined in

1 ~~section 26-5.7-102(3.5)~~ SECTION 26-5.7-110, or a supervised independent
2 living placement, ~~and~~ that is the least restrictive option to meet the
3 participating youth's needs; or

4 **SECTION 3.** In Colorado Revised Statutes, 26-5.7-102, **repeal**
5 (3.5) as follows:

6 **26-5.7-102. Definitions.** As used in this article 5.7, unless the
7 context otherwise requires:

8 (3.5) ~~"Licensed host family home" means a home that meets the~~
9 ~~requirements established by the state board by rule pursuant to section~~
10 ~~26-6-909 (6).~~

11 **SECTION 4.** In Colorado Revised Statutes, 26-5.7-105, **amend**
12 (1), (2) introductory portion, (3), (4), and (7); and **repeal** (6) as follows:

13 **26-5.7-105. Child care facilities - homeless youth shelters -**
14 **authority - duties - rules.** (1) Licensed child care facilities OR licensed
15 homeless youth shelters ~~and licensed host family homes~~ may provide
16 shelter and crisis intervention, family reconciliation, and alternative
17 residential services to homeless youth. Homeless youth who are fifteen
18 years of age or older may consent, in writing, to receive ~~such~~ shelter and
19 services without parental consent when in accordance with rules
20 promulgated by the state department pursuant to subsection (8) of this
21 section.

22 (2) ~~Any~~ A youth admitted to a licensed child care facility OR
23 licensed homeless youth shelter ~~or licensed host family home~~ pursuant to
24 this article 5.7 and who is not returned to the home of the youth's parent
25 or legal guardian or is not placed in a voluntary alternative residential
26 placement pursuant to section 26-5.7-107 ~~shall~~ MAY reside at a facility OR
27 shelter ~~or licensed host family home~~ described in subsection (1) of this

1 section for a period not to exceed twenty-one days from the time of intake
2 except as otherwise provided in this article 5.7. A licensed child care
3 facility OR licensed homeless youth shelter ~~or a licensed host family home~~
4 shall make a concerted effort to achieve a reconciliation of the family. If
5 a reconciliation and voluntary return of the youth have not been achieved
6 within seventy-two hours from the time of intake and the director of the
7 facility or shelter, or other person in charge, does not consider it likely
8 that reconciliation will be achieved within the twenty-one-day period,
9 then the director of the facility or shelter, or other person in charge, shall
10 provide the youth and the youth's parent or legal guardian with a
11 statement identifying:

12 (3) The state department shall develop a written statement of the
13 rights and counseling services set forth in subsection (2) of this section
14 and distribute the statement to each law enforcement agency, licensed
15 child care facility OR licensed homeless youth shelter. ~~and licensed host~~
16 ~~family home~~. Each law enforcement officer taking a youth into custody
17 pursuant to this article 5.7 shall provide the youth and the youth's parent
18 or legal guardian with a copy of the statement. Each licensed child care
19 facility OR licensed homeless youth shelter ~~and licensed host family home~~
20 shall provide each resident youth and the youth's parent or legal guardian
21 with a copy of the statement.

22 (4) When a youth under fifteen years of age is admitted to a
23 licensed child care facility OR licensed homeless youth shelter, ~~or licensed~~
24 ~~host family home~~, the director of the facility, shelter, or other person in
25 charge shall notify the county department within seventy-two hours of the
26 youth's admission.

27 (6) ~~A licensed foster care home approved as a licensed host family~~

1 home shall not accept a homeless youth for placement under this section
2 if there are any foster children currently placed in the home.

3 (7) If a youth who is at least eleven years of age but less than
4 fifteen years of age has been served up to twenty-one days and returns to
5 the licensed child care facility OR licensed homeless youth shelter ~~or~~
6 ~~licensed host family home~~ after leaving the facility OR shelter, ~~or host~~
7 ~~home~~, the director of the licensed child care facility or licensed homeless
8 youth shelter or other person in charge shall make a referral for services
9 to the county department.

10 **SECTION 5.** In Colorado Revised Statutes, 26-5.7-108, **amend**
11 (2) introductory portion as follows:

12 **26-5.7-108. Voluntary alternative residence - lack of parental**
13 **agreement.** (2) The licensed child care facility OR licensed homeless
14 youth shelter ~~or licensed host family home~~ to which the youth has been
15 admitted may arrange for the establishment of a supervised independent
16 living arrangement or may arrange a voluntary residential agreement
17 between the youth and a relative or other responsible adult, a licensed
18 child care facility, ~~a~~ OR licensed homeless youth shelter ~~or a licensed host~~
19 ~~family home~~ if the youth has been admitted to a licensed child care
20 facility OR licensed homeless youth shelter ~~or licensed host family home~~
21 and:

22 **SECTION 6.** In Colorado Revised Statutes, 26-6-909, **repeal** (6)
23 as follows:

24 **26-6-909. Standards for facilities and agencies - rules.** (6) ~~The~~
25 ~~state board shall promulgate rules to define the requirements for licensure~~
26 ~~for a licensed host family home serving homeless youth pursuant to the~~
27 ~~"Homeless Youth Act", article 5.7 of this title 26.~~

1 **SECTION 7. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly; except
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V
5 of the state constitution against this act or an item, section, or part of this
6 act within such period, then the act, item, section, or part will not take
7 effect unless approved by the people at the general election to be held in
8 November 2024 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.