

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
10.6.21

BILL 7

LLS NO. 22-0145.01 Conrad Imel x2313

INTERIM COMMITTEE BILL

**Legislative Oversight Committee Concerning the Treatment of Persons  
with Mental Health Disorders in the Criminal and Juvenile Justice  
Systems**

**BILL TOPIC: "Triage Centers For Crim Jus Diversion Grant Prog"**

**A BILL FOR AN ACT**

101 CONCERNING ESTABLISHING A GRANT PROGRAM TO ESTABLISH  
102 BEHAVIORAL HEALTH TRIAGE CENTERS TO DIVERT PERSONS  
103 FROM THE CRIMINAL JUSTICE SYSTEM.

**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/>.)*

**Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems.** The bill establishes the behavioral health triage centers for criminal justice diversion grant program (grant program) to award grants to municipalities to establish and operate

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

behavioral health triage centers that can be used to divert persons having a behavioral health crisis from the criminal justice system. The office of behavioral health (office) in the state department of human services (department) administers the grant program. To the extent possible, the office must ensure that grants are awarded to applicants from a variety of geographic areas of the state.

A behavioral health triage center established in whole or in part with a grant award must serve as a single location where first responders, including law enforcement and emergency medical service providers, can bring an individual experiencing a behavioral health crisis.

On or before December 31, 2025, the department is required to issue a report to certain legislative committees concerning the grant program, including a recommendation of whether to continue and expand the grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 27-60-106.7 as  
3 follows:

4 **27-60-106.7. Behavioral health triage centers for criminal**  
5 **justice diversion grant program - report - rules - definitions - repeal.**

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

8 (a) "GRANT PROGRAM" MEANS THE BEHAVIORAL HEALTH TRIAGE  
9 CENTERS FOR CRIMINAL JUSTICE DIVERSION GRANT PROGRAM  
10 ESTABLISHED IN THIS SECTION.

11 (b) "MUNICIPALITY" MEANS ANY CITY AND COUNTY, CITY, OR  
12 TOWN.

13 (2) (a) THERE IS ESTABLISHED THE BEHAVIORAL HEALTH TRIAGE  
14 CENTERS FOR CRIMINAL JUSTICE DIVERSION GRANT PROGRAM TO AWARD  
15 GRANTS TO MUNICIPALITIES TO ESTABLISH AND OPERATE BEHAVIORAL  
16 HEALTH TRIAGE CENTERS THAT CAN BE USED TO DIVERT PERSONS HAVING  
17 A BEHAVIORAL HEALTH CRISIS FROM THE CRIMINAL JUSTICE SYSTEM.

1           (b) THE OFFICE OF BEHAVIORAL HEALTH IN THE STATE  
2 DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM, INCLUDING  
3 REVIEWING APPLICATIONS AND AWARDING GRANTS IN ACCORDANCE WITH  
4 RULES PROMULGATED PURSUANT TO THIS SECTION.

5           (3) (a) A MUNICIPALITY IS ELIGIBLE TO APPLY FOR A GRANT. THE  
6 OFFICE MAY DETERMINE MORE DETAILED ELIGIBILITY REQUIREMENTS FOR  
7 THE APPLICANTS.

8           (b) THE OFFICE SHALL REVIEW APPLICATIONS AND, SUBJECT TO  
9 AVAILABLE APPROPRIATIONS, AWARD GRANTS. TO THE EXTENT POSSIBLE,  
10 THE OFFICE SHALL ENSURE THAT GRANTS ARE AWARDED TO APPLICANTS  
11 FROM A VARIETY OF GEOGRAPHIC AREAS OF THE STATE.

12           (4) (a) A GRANT RECIPIENT MAY USE GRANT FUNDS TO ESTABLISH  
13 AND OPERATE A BEHAVIORAL HEALTH TRIAGE CENTER OR ENTER INTO AN  
14 AGREEMENT WITH AN ORGANIZATION TO ESTABLISH AND OPERATE A  
15 TRIAGE CENTER.

16           (b) A BEHAVIORAL HEALTH TRIAGE CENTER ESTABLISHED IN  
17 WHOLE OR IN PART WITH A GRANT AWARD MUST SERVE AS A SINGLE  
18 LOCATION WHERE FIRST RESPONDERS, INCLUDING LAW ENFORCEMENT AND  
19 EMERGENCY MEDICAL SERVICE PROVIDERS, CAN BRING AN INDIVIDUAL  
20 EXPERIENCING A BEHAVIORAL HEALTH CRISIS. THE TRIAGE CENTER MUST  
21 BE OPEN AND AVAILABLE FOR INTAKE TWENTY-FOUR HOURS PER DAY,  
22 EVERY CALENDAR DAY, AND BE STAFFED BY TRAINED CLINICIANS WHO ARE  
23 QUALIFIED AND ABLE TO ASSESS PATIENTS, PROVIDE IMMEDIATE  
24 TREATMENT, AND MAKE REFERRALS FOR ONGOING TREATMENT. THE  
25 TRIAGE CENTER MUST MEET ANY OTHER STANDARDS ESTABLISHED BY THE  
26 OFFICE.

27           (c) A BEHAVIORAL HEALTH TRIAGE CENTER ESTABLISHED IN

1 WHOLE OR IN PART WITH A GRANT AWARD MAY OPERATE AS PART OF A  
2 CRIMINAL JUSTICE DIVERSION PROGRAM PURSUANT TO SECTION  
3 27-60-106.5.

4 (5) (a) THE STATE DEPARTMENT SHALL PROMULGATE RULES FOR  
5 THE ADMINISTRATION OF THIS SECTION.

6 (b) THE RULES MUST INCLUDE:

7 (I) A PROCESS TO AWARD GRANTS, INCLUDING THE FORM OF THE  
8 GRANT PROGRAM APPLICATION, APPLICATION AND SELECTION DEADLINES,  
9 SELECTION CRITERIA ESTABLISHED BY THE OFFICE, AND THE AMOUNT OF  
10 GRANT AWARDS;

11 (II) MINIMUM STANDARDS FOR A BEHAVIORAL HEALTH TRIAGE  
12 CENTER ESTABLISHED IN WHOLE OR IN PART WITH A GRANT AWARD, WHICH  
13 MAY INCLUDE REQUIRING THE TRIAGE CENTER TO COMPLY WITH EXISTING  
14 STANDARDS FOR BEHAVIORAL HEALTH ENTITIES; AND

15 (III) A REPORTING REQUIREMENT FOR GRANT RECIPIENTS THAT  
16 ALLOWS THE STATE DEPARTMENT TO GATHER INFORMATION NECESSARY  
17 FOR ITS REPORTS TO THE GENERAL ASSEMBLY, AS DESCRIBED IN  
18 SUBSECTION (6) OF THIS SECTION. IN ITS RULES, THE OFFICE MAY SET THE  
19 FREQUENCY OF THE REPORTS FROM GRANT RECIPIENTS BUT MUST REQUIRE  
20 THE REPORTS AT LEAST ANNUALLY.

21 (6) (a) THE STATE DEPARTMENT SHALL INCLUDE AN UPDATE OF  
22 THE GRANT PROGRAM'S ACTIVITIES IN ITS REPORT TO THE COMMITTEES OF  
23 REFERENCE PURSUANT TO THE "STATE MEASUREMENT FOR  
24 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)  
25 GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

26 (b) ON OR BEFORE DECEMBER 31, 2025, THE STATE DEPARTMENT  
27 SHALL ISSUE A REPORT TO THE HOUSE OF REPRESENTATIVES JUDICIARY

1 COMMITTEE, THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL  
2 HEALTH AND HUMAN SERVICES COMMITTEE, THE SENATE HEALTH AND  
3 HUMAN SERVICES COMMITTEE, AND THE SENATE JUDICIARY COMMITTEE,  
4 OR ANY SUCCESSOR COMMITTEES, CONCERNING THE GRANT PROGRAM,  
5 INCLUDING WHETHER THE USE OF BEHAVIORAL HEALTH TRIAGE CENTERS  
6 IS AN EFFECTIVE MEANS TO DIVERT PERSONS FROM THE CRIMINAL JUSTICE  
7 SYSTEM. THE REPORT MUST INCLUDE A RECOMMENDATION OF WHETHER  
8 TO CONTINUE AND EXPAND THE GRANT PROGRAM AND, IF SO, A  
9 RECOMMENDATION OF ANY NECESSARY STATUTORY CHANGES  
10 CONCERNING THE ESTABLISHMENT, MAINTENANCE, OPERATION, AND  
11 FINANCING OF TRIAGE CENTERS.

12 (7) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

13 **SECTION 2. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly; except  
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
17 of the state constitution against this act or an item, section, or part of this  
18 act within such period, then the act, item, section, or part will not take  
19 effect unless approved by the people at the general election to be held in  
20 November 2022 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.