

CHAPTER 297

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 94-1357

BY REPRESENTATIVES Dyer, Foster, George, Linkhart, and Reeser;
also SENATORS Cassidy, Bishop, Casey, Feeley, Gallagher, Hopper, Johnson, Mares, Mendez, L. Powers, Weissmann, and Wham.

AN ACT

**CONCERNING THE AUTHORITY OF ADDITIONAL COUNTIES TO PARTICIPATE IN THE PROGRAM THAT
CREATES A NONCATEGORICAL PROGRAM FUND TO PROVIDE CHILD WELFARE SERVICES TO
AT-RISK CHILDREN.**

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

SECTION 1. 19-1-116 (7), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-1-116. Funding - alternatives to placement out of the home - program established. (7) (a) ~~Mesa~~ ANY county is hereby authorized to establish a ~~pilot project~~ PROGRAM under which a multidisciplinary, noncategorical program fund FOR THE COUNTY shall be created and moneys from such fund shall be used to provide child welfare services to at-risk children and their families. Except as otherwise provided by federal law, the moneys in the COUNTY'S fund contributed by state agencies shall be exempt from restrictive, categorical rules otherwise governing the use of such funds, including the "M" notation in the state's annual appropriations act which describes the general and federal fund contributions for federally supported programs.

(b) Such services shall include, but are not limited to, assessment, intervention, treatment, supervision, and shelter when and if appropriate.

(c) (I) The fund FOR EACH COUNTY shall consist of contributions, which shall be made by any state, county, or local agency, of federal, state, or local funds appropriated to or contributed by such agencies for child welfare services for at-risk children and their families. Appropriated funds shall include, but shall not be limited to, those appropriated to county ~~and state~~ departments of social services, THE STATE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

DEPARTMENT OF HUMAN SERVICES, the department of PUBLIC health AND ENVIRONMENT, ~~the department of institutions~~, the department of education, the department of public safety, the judicial department, and the job training partnership office in the governor's office. Each state agency's contribution to ~~the~~ A COUNTY'S fund shall be contingent upon and equal to contributions from the ~~pilot~~ PARTICIPATING county and any other local agency that participates and seeks money from the fund. NOTHING IN THIS SUBSECTION (7) SHALL BE CONSTRUED TO ALLOW THE ALLOCATION OF GENERAL FUND MONEYS TO ANY OTHER PARTICIPATING COUNTY IN THE SAME MANNER THAT SUCH MONEYS ARE ALLOCATED TO MESA COUNTY IN ACCORDANCE WITH SECTION 2 OF HB 93-1171, AS ENACTED DURING THE FIRST REGULAR SESSION OF THE FIFTY-NINTH GENERAL ASSEMBLY.

(II) THE FUND FOR EACH COUNTY MAY ALSO CONSIST OF CONTRIBUTIONS FROM THE FUND OF ANY OTHER PARTICIPATING COUNTY.

(d) The county board of social services for ~~the pilot~~ A county shall convene a meeting of the local and state agencies that provide child welfare services to at-risk children and their families, that will participate in the ~~pilot~~ program, and that seek moneys from the COUNTY'S fund. The meeting shall be for the purpose of developing and adopting a memorandum of understanding between such agencies and the ~~county~~ COUNTY'S board of social services concerning the amount of contributions to the fund described in paragraph (c) of this subsection (7) and the allocation and use of moneys allocated from the fund. The memorandum of understanding shall provide for the designation of a governing entity to oversee the administration of the fund and a fiscal agent, a three-year plan, provisions for evaluating the programmatic and fiscal impact and overall effectiveness of the ~~pilot project~~ PROGRAM, and a process for submitting the results of such evaluation to the general assembly and state officials on an annual basis.

(e) The three-year plan described in paragraph (d) of this subsection (7) shall be reviewed for approval by the state agencies affected by the implementation of such plan. The state agencies shall act on such plan within ninety days after such plan is submitted to the state agencies. It is the intent of the general assembly that the plan described in said paragraph (d) be implemented and that the state agencies cooperate in the development and implementation of such plan. Prior to the implementation of the ~~pilot~~ program, a copy of the approved plan shall be submitted to the joint budget committee of the general assembly. PRIOR TO THE EXPIRATION OF THE THREE-YEAR PLAN, THE COUNTY BOARD OF SOCIAL SERVICES SHALL FOLLOW THE PROCEDURES DESCRIBED IN PARAGRAPH (d) OF THIS SUBSECTION (7) FOR READOPTION OF OR REVISIONS TO THE THREE-YEAR PLAN.

SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act. It is the general assembly's intent that a participating county will implement this act using resources allocated to the county in accordance with section 19-1-116 (7) (c), Colorado Revised Statutes.

SECTION 3. Effective date. This act shall take effect July 1, 1994.

SECTION 4. Safety clause. The general assembly hereby yinds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 31, 1994