

## CHAPTER 311

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**CHILDREN AND DOMESTIC MATTERS**

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**HOUSE BILL 98-1307**

BY REPRESENTATIVES Keller, K. Alexander, Chavez, Clarke, Mace, Saliman, Tate, Udall, and S. Williams;  
also SENATORS Hopper, Hernandez, Linkhart, Reeves, Rupert, Weddig, and Wham.

**AN ACT**

CONCERNING IMPLEMENTATION OF THE FEDERAL "ADOPTION AND SAFE FAMILIES ACT OF 1997", AND  
MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

**SECTION 1.** 19-3-100.5, Colorado Revised Statutes, is amended to read:

**19-3-100.5. Legislative declaration.** (1) The general assembly hereby finds and declares that the stability and preservation of the families of this state and the safety and protection of children are matters of statewide concern. The general assembly finds that the federal "Adoption Assistance and Child Welfare Act of 1980", Federal Public Law 96-272, requires that each state make a commitment to make "reasonable efforts" to prevent the placement of abused and neglected children out of the home and to reunify the family whenever appropriate.

(2) THE GENERAL ASSEMBLY FURTHER FINDS THAT THE FEDERAL "ADOPTION AND SAFE FAMILIES ACT OF 1997", FEDERAL PUBLIC LAW 105-89, CLARIFIES WHAT CONSTITUTES "REASONABLE EFFORTS" BY DECREERING THAT WHEN DECIDING WHETHER TO MAKE SUCH EFFORTS AND IN THE PROCESS OF MAKING SUCH EFFORTS, THE HEALTH AND SAFETY OF THE CHILD IS THE PARAMOUNT CONCERN. THIS FEDERAL LAW FURTHER ENCOURAGES EXPEDITING PERMANENCY PLANNING FOR CHILDREN IN OUT-OF-HOME PLACEMENT BY REMOVING BARRIERS TO PERMANENCY AND STREAMLINING ENTITLEMENT SERVICES. THE LAW SPECIFIES THAT ONE OF THE GOALS OF ALL PLACEMENT DECISIONS, WHETHER LEAVING THE CHILD IN THE HOME OR PLACING THE CHILD OUTSIDE THE HOME, IS SAFETY FOR THE CHILD.

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

(3) The general assembly further finds that the implementation of the federal "Adoption Assistance and Child Welfare Act of 1980", Federal Public Law 96-272, is not the exclusive responsibility of the state department of social services or of local departments of social services. Elected officials at the state and local levels must ensure that resources and services are available through state and local social services agencies and through the involvement of the resources of public and private sources. Judges, attorneys, and guardians ad litem must be encouraged to take independent responsibility to ensure that "reasonable efforts" TO PREVENT OUT-OF-HOME PLACEMENTS have been made ONLY WHEN APPROPRIATE, THAT PERMANENCY OCCURS FOR CHILDREN IN FOSTER CARE, AND THAT SAFE CHILD PLACEMENTS OCCUR in each case.

(4) Therefore, in order to carry out the requirements addressed in this section, and to decrease the need for out-of-home placement, the general assembly shall define "reasonable efforts" and identify the services and processes ~~which~~ THAT must be in place to ensure that "reasonable efforts" have been made. The general assembly shall provide that "reasonable efforts" are deemed to be met when a county or city and county provides services in accordance with section 19-3-208.

**SECTION 2.** 19-1-103 (89), Colorado Revised Statutes, is amended, and the said 19-1-103 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**19-1-103. Definitions.** As used in this title or in the specified portion of this title, unless the context otherwise requires:

(51.3) "FOSTER CARE" MEANS THE PLACEMENT OF A CHILD INTO THE LEGAL CUSTODY OR LEGAL AUTHORITY OF A COUNTY DEPARTMENT OF SOCIAL SERVICES FOR PHYSICAL PLACEMENT OF THE CHILD IN A CERTIFIED OR LICENSED FACILITY.

(89) "Reasonable efforts", as used in article 3 of this title, means the exercise of diligence and care throughout the state of Colorado for children who are in out-of-home placement, or are at imminent risk of out-of-home placement, to provide, purchase, or develop the supportive and rehabilitative services to the family that are required both to prevent unnecessary placement of children outside of such children's homes and to foster, whenever appropriate, the SAFE reunification of children with the families of such children. IN DETERMINING WHETHER REASONABLE EFFORTS ARE APPROPRIATE, AS DESCRIBED IN SECTION 19-3-208, AND IN MAKING SUCH REASONABLE EFFORTS, THE CHILD'S HEALTH AND SAFETY SHALL BE THE PARAMOUNT CONCERN. Services provided by a county or city and county in accordance with section 19-3-208 are deemed to meet the reasonable effort standard described in this subsection (89). Nothing in this subsection (89) shall be construed to conflict with federal law.

**SECTION 3.** 19-3-203 (3), Colorado Revised Statutes, is amended to read:

**19-3-203. Guardian ad litem.** (3) The guardian ad litem shall be charged in general with the representation of the child's interests. To that end, the guardian ad litem shall make such further investigations as the guardian ad litem deems necessary to ascertain the facts and shall talk with or observe the child involved, examine and cross-examine witnesses in both the adjudicatory and dispositional hearings,

introduce and examine the guardian ad litem's own witnesses, make recommendations to the court concerning the child's welfare, appeal matters to the court of appeals or the supreme court, and participate further in the proceedings to the degree necessary to adequately represent the child. In addition, the guardian ad litem, if in the best interest of the child, shall seek to assure that reasonable efforts are being made to prevent unnecessary placement of the child out of the home and to facilitate reunification of the child with the child's family. IN DETERMINING WHETHER SAID REASONABLE EFFORTS ARE MADE WITH RESPECT TO A CHILD, AND IN MAKING SUCH REASONABLE EFFORTS, THE CHILD'S HEALTH AND SAFETY SHALL BE THE PARAMOUNT CONCERN.

**SECTION 4.** 19-3-502, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**19-3-502. Petition form and content - limitations on claims in dependency or neglect actions - notice.** (7) IN ADDITION TO NOTICE TO ALL PARTIES, THE COURT SHALL PROVIDE NOTICE OF ALL HEARINGS AND REVIEWS HELD REGARDING A CHILD TO THE FOLLOWING PERSONS WITH WHOM A CHILD IS PLACED: FOSTER PARENTS; PREADOPTIVE PARENTS; OR RELATIVES. SUCH PERSONS SHALL BE PROVIDED THE OPPORTUNITY TO BE HEARD AT SUCH HEARINGS AND REVIEWS. THE FOSTER PARENT, PREADOPTIVE PARENT, OR RELATIVE PROVIDING CARE TO A CHILD SHALL NOT BE MADE A PARTY TO THE ACTION FOR PURPOSES OF ANY HEARINGS OR REVIEWS SOLELY ON THE BASIS OF SUCH NOTICE AND OPPORTUNITY TO BE HEARD. NOTICE OF HEARINGS AND REVIEWS SHALL NOT REVEAL TO THE RESPONDENT PARENT OR OTHER RELATIVE THE ADDRESS, LAST NAME, OR OTHER SUCH IDENTIFYING INFORMATION REGARDING ANY PERSON PROVIDING CARE TO THE CHILD.

**SECTION 5.** 19-3-508 (1) (e) (I), Colorado Revised Statutes, is amended, and the said 19-3-508 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**19-3-508. Neglected or dependent child - disposition - concurrent planning.** (1) When a child has been adjudicated to be neglected or dependent, the court may enter a decree of disposition the same day, but in any event it shall do so within forty-five days unless the court finds that the best interests of the child will be served by granting a delay. In a county designated pursuant to section 19-1-123, if the child is under six years of age at the time a petition is filed in accordance with section 19-3-501 (2), the court shall enter a decree of disposition within thirty days after the adjudication and shall not grant a delay unless good cause is shown and unless the court finds that the best interests of the child will be served by granting the delay. It is the intent of the general assembly that the dispositional hearing be held on the same day as the adjudicatory hearing, whenever possible. If a delay is granted, the court shall set forth the reasons why a delay is necessary and the minimum amount of time needed to resolve the reasons for the delay and shall schedule the hearing at the earliest possible time following the delay. When the proposed disposition is termination of the parent-child legal relationship, the hearing on termination shall not be held on the same date as the adjudication, and the time limits set forth above for dispositional hearings shall not apply. When the proposed disposition is termination of the parent-child legal relationship, the court may continue the dispositional hearing to the earliest available date for hearing in accordance with the provisions of part 6 of this article. When the decree does not terminate the parent-child legal relationship,

the court shall approve an appropriate treatment plan that shall include but not be limited to one or more of the following provisions of paragraphs (a) to (d) of this subsection (1):

(e) (I) Except where the proposed disposition is termination of the parent-child legal relationship, the court shall approve an appropriate treatment plan involving the child named and each respondent named and served in the action. However, the court may find that an appropriate treatment plan cannot be devised as to a particular respondent because the child has been abandoned as set forth in section 19-3-604 (1) (a) and the parents cannot be located, or because the child has been adjudicated as neglected or dependent based upon section 19-3-102 (2), or due to the unfitness of the parents as set forth in section 19-3-604 (1) (b). WHEN THE COURT FINDS THAT AN APPROPRIATE TREATMENT PLAN CANNOT BE DEvised, THE COURT SHALL CONDUCT A PERMANENCY PLANNING HEARING AS SET FORTH IN SECTION 19-3-702 (1), UNLESS A MOTION FOR TERMINATION OF PARENTAL RIGHTS HAS BEEN FILED WITHIN THIRTY DAYS AFTER THE COURT'S FINDING.

(7) EFFORTS TO PLACE A CHILD FOR ADOPTION OR WITH A LEGAL GUARDIAN OR CUSTODIAN MAY BE MADE CONCURRENTLY WITH REASONABLE EFFORTS TO PRESERVE AND REUNIFY THE FAMILY.

**SECTION 6.** 19-3-604 (1) (b), Colorado Revised Statutes, is amended to read:

**19-3-604. Criteria for termination.** (1) The court may order a termination of the parent-child legal relationship upon the finding by clear and convincing evidence of any one of the following:

(b) That the child is adjudicated dependent or neglected and the court finds that no appropriate treatment plan can be devised to address the unfitness of the parent or parents. In making such a determination, the court shall find one of the following as the basis for unfitness:

(I) That the parent or parents have surrendered physical custody of the child for a period of six months or more and have not manifested during such period the firm intention to resume physical custody of the child or to make permanent legal arrangements for the care of the child except in cases when voluntary placement is renewable under section 19-3-701 (1);

(II) A single incident resulting in a ~~gravely disabling~~ SERIOUS BODILY injury or disfigurement of the child;

(III) Long-term confinement of the parent of such duration that the parent is not eligible for parole for at least six years after the date the child was adjudicated dependent or neglected or, in a county designated pursuant to section 19-1-123, if the child is under six years of age at the time a petition is filed in accordance with section 19-3-501 (2), the long-term confinement of the parent of such duration that the parent is not eligible for parole for at least thirty-six months after the date the child was adjudicated dependent or neglected and the court has found by clear and convincing evidence that no appropriate treatment plan can be devised to address the unfitness of the parent or parents;

(IV) ~~Gravely disabling~~ SERIOUS BODILY injury or death of a sibling due to proven parental abuse or neglect;

(V) An identifiable pattern of habitual abuse to which another child has been subjected and, as a result of which, a court has adjudicated another child as neglected or dependent based upon allegations of sexual or physical abuse, or a court of competent jurisdiction has determined that such abuse has caused the death of another child;

(VI) AN IDENTIFIABLE PATTERN OF SEXUAL ABUSE OF THE CHILD.

**SECTION 7.** The introductory portion to 19-3-604 (2) and 19-3-604 (2) (d) and (2) (g), Colorado Revised Statutes, are amended, and the said 19-3-604 (2) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

**19-3-604. Criteria for termination.** (2) In determining unfitness, conduct, or condition for purposes of paragraph (c) of subsection (1) of this section, the court shall find that continuation of the legal relationship between parent and child is likely to result in grave risk of death or serious BODILY injury to the child or that the conduct or condition of the parent or parents renders the parent or parents unable or unwilling to give the child reasonable parental care to include, at a minimum, nurturing and safe parenting sufficiently adequate to meet the child's physical, emotional, and mental health needs and conditions. In making such determinations, the court shall consider, but not be limited to, the following:

(d) A single incident of life-threatening or ~~gravely disabling~~ SERIOUS BODILY injury or disfigurement of the child;

(g) Injury or death of a sibling due to proven parental abuse or neglect, MURDER, VOLUNTARY MANSLAUGHTER, OR CIRCUMSTANCES IN WHICH A PARENT AIDED, ABETTED, OR ATTEMPTED THE COMMISSION OF OR CONSPIRED OR SOLICITED TO COMMIT MURDER OF A CHILD'S SIBLING;

(j) WHETHER A PARENT COMMITTED FELONY ASSAULT THAT RESULTED IN SERIOUS BODILY INJURY TO THE CHILD OR TO ANOTHER CHILD OF THE PARENT;

(k) THAT THE CHILD HAS BEEN IN FOSTER CARE UNDER THE RESPONSIBILITY OF THE COUNTY DEPARTMENT FOR FIFTEEN OF THE MOST RECENT TWENTY-TWO MONTHS, UNLESS:

(I) THE CHILD IS PLACED WITH A RELATIVE OF THE CHILD;

(II) THE COUNTY DEPARTMENT OR A STATE AGENCY HAS DOCUMENTED IN THE CASE PLAN, WHICH SHALL BE AVAILABLE FOR COURT REVIEW, THAT FILING SUCH A MOTION WOULD NOT BE IN THE BEST INTERESTS OF THE CHILD;

(III) WHERE REQUIRED TO MAKE REASONABLE EFFORTS, SERVICES IDENTIFIED AS NECESSARY FOR THE SAFE RETURN OF THE CHILD TO THE CHILD'S HOME HAVE NOT BEEN PROVIDED TO THE FAMILY CONSISTENT WITH THE TIME PERIOD IN THE CASE PLAN; OR

(IV) THE CHILD HAS BEEN IN FOSTER CARE UNDER THE RESPONSIBILITY OF THE COUNTY DEPARTMENT FOR SUCH PERIOD OF TIME DUE TO CIRCUMSTANCES BEYOND THE CONTROL OF THE PARENT SUCH AS INCARCERATION OF THE PARENT FOR A REASONABLE PERIOD OF TIME, COURT DELAYS OR CONTINUANCES THAT ARE NOT ATTRIBUTABLE TO THE PARENT, OR SUCH OTHER REASONABLE CIRCUMSTANCES THAT THE COURT FINDS ARE BEYOND THE CONTROL OF THE PARENT.

**SECTION 8.** 19-5-105 (3.1) (a) (II), Colorado Revised Statutes, is amended to read:

**19-5-105. Proceeding to terminate parent-child legal relationship.** (3.1) The court may order the termination of the other birth parent's parental rights upon a finding that termination is in the best interests of the child and that there is clear and convincing evidence of one or more of the following:

(a) That the parent is unfit. In considering the fitness of the child's parent, the court shall consider, but shall not be limited to, the following:

(II) A single incident of life-threatening or ~~gravely disabling~~ SERIOUS BODILY injury or disfigurement of the child or other children;

**SECTION 9.** 19-3-702 (1), (3), (4), and (6), Colorado Revised Statutes, are amended to read:

**19-3-702. Permanency planning hearing.** (1) In order to provide stable permanent homes for children in as short a time as possible, a court on its own motion or upon motion brought by any party shall conduct a permanency planning hearing if a child cannot be returned home under section 19-1-115 (4) (b) for the purpose of making a determination regarding the future status of the child. Such permanency planning hearing shall be held as soon as possible following the dispositional hearing but shall be held no later than ~~eighteen months after the original placement~~ TWELVE MONTHS AFTER THE DATE THE CHILD IS CONSIDERED TO HAVE ENTERED FOSTER CARE and from time to time as deemed necessary by the court; except that, in a county designated pursuant to section 19-1-123, if the child is under six years of age at the time a petition is filed in accordance with section 19-3-501 (2), such permanency planning hearing shall be held no later than three months after the decree of disposition of the child. A CHILD SHALL BE CONSIDERED TO HAVE ENTERED FOSTER CARE ON THE DATE THE COURT APPROVES TRANSFER OF CUSTODY OR APPROVES OUT-OF-HOME PLACEMENT OF THE CHILD, AS PROVIDED FOR IN SECTION 19-3-402 (2), OR THE DATE THAT IS SIXTY DAYS AFTER THE DATE ON WHICH THE CHILD WAS REMOVED FROM THE HOME, WHICHEVER IS EARLIER. IF THE COURT FINDS THAT AN APPROPRIATE TREATMENT PLAN CANNOT BE DEvised AT A DISPOSITIONAL HEARING IN ACCORDANCE WITH SECTION 19-3-508 (1) (e) (I), THE PERMANENCY PLANNING HEARING SHALL BE HELD NO LATER THAN THIRTY DAYS AFTER SUCH DETERMINATION, UNLESS A MOTION FOR TERMINATION OF PARENTAL RIGHTS HAS BEEN FILED WITHIN THIRTY DAYS AFTER THE COURT'S FINDING. WHERE POSSIBLE, the permanency planning hearing shall be combined with the six-month review as provided for in section 19-1-115 (4) (c).

(3) Except as provided in subsection (2.5) of this section, at the permanency planning hearing, the court shall first determine whether the child ~~should~~ SHALL be

returned to the child's parent or guardian, pursuant to section 19-1-115 (4) (b) AND, IF APPLICABLE, THE DATE ON WHICH THE CHILD SHALL BE RETURNED. If the child is not returned to the custody of the child's parent or guardian, the court shall determine whether there is a substantial probability that the child will be returned to the physical custody of the child's parent, guardian, or legal custodian within six months. If the court so determines, it shall set another review hearing for not more than six months, which shall be a permanency planning hearing.

(4) If the court determines that the child cannot be returned to the physical custody of such child's parent or guardian and that there is not a substantial probability that the child will be returned to the physical custody of such child's parent or guardian within six months, the court shall enter an order determining the future status or placement of the child. Any court order regarding future status or placement of a child out of the home shall include specific findings concerning the placement goal for the child. Such findings shall include a determination of whether the placement goal for the child is that the child be returned to the parent, ~~continue in foster care for a specified period, remain in foster care on a permanent or long-term basis because of special needs or circumstances, be placed for adoption, be placed in legal guardianship or guardianship of the person, or be considered for emancipation or independent living~~ BE REFERRED FOR LEGAL GUARDIANSHIP OR CUSTODY, OR BE PLACED FOR ADOPTION, IN WHICH CASE THE COUNTY DEPARTMENT SHALL FILE A MOTION FOR TERMINATION OF PARENTAL RIGHTS. IN CASES IN WHICH THE COUNTY DEPARTMENT HAS DOCUMENTED TO THE COURT A COMPELLING REASON FOR DETERMINING THAT IT WOULD NOT BE IN THE BEST INTERESTS OF THE CHILD TO RETURN HOME, THE COURT'S FINDINGS SHALL INCLUDE A DETERMINATION OF WHETHER THE PLACEMENT GOAL FOR THE CHILD IS THAT THE CHILD BE REFERRED FOR TERMINATION OF PARENTAL RIGHTS, BE PLACED FOR ADOPTION, BE PLACED WITH A FIT AND WILLING RELATIVE, BE PLACED WITH A LEGAL GUARDIAN OR CUSTODIAN, OR BE PLACED IN ANOTHER PERMANENT LIVING ARRANGEMENT.

(6) Periodic reviews conducted by the court or, if there is no objection by any party to the action, in the court's discretion, through an administrative review conducted by the state department of human services, shall determine WHETHER THE CHILD'S SAFETY IS PROTECTED IN THE PLACEMENT, the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care and shall project a likely date by which the child may be returned to AND SAFELY MAINTAINED AT the home, placed for adoption, legal guardianship, or guardianship of the person, or ~~be~~ placed in another permanent SAFE placement setting.

**SECTION 10.** 19-5-207, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**19-5-207. Written consent and report - criminal records check.** (2.5) (a) IN ALL PETITIONS FOR ADOPTION, WHETHER BY THE COURT, THE COUNTY DEPARTMENT OF SOCIAL SERVICES, OR CHILD PLACEMENT AGENCIES, IN ADDITION TO THE WRITTEN REPORT DESCRIBED IN SUBSECTION (2) OF THIS SECTION, THE COURT SHALL REQUIRE EITHER THE COUNTY DEPARTMENT OF SOCIAL SERVICES OR THE CHILD PLACEMENT AGENCY TO CONDUCT A CRIMINAL RECORDS CHECK FOR ANY PROSPECTIVE ADOPTIVE PARENT AND TO REPORT TO THE COURT ANY CASE IN WHICH A RECORD CHECK

REVEALS THAT THE PROSPECTIVE ADOPTIVE PARENT WAS CONVICTED AT ANY TIME OF A FELONY IN ONE OF THE FOLLOWING AREAS: CHILD ABUSE OR NEGLECT; SPOUSAL ABUSE; ANY CRIME AGAINST A CHILD; OR ANY CRIME INVOLVING VIOLENCE, RAPE, SEXUAL ASSAULT, OR HOMICIDE, EXCLUDING OTHER PHYSICAL ASSAULT OR BATTERY.

(b) THE STATE BOARD OF HUMAN SERVICES SHALL PROMULGATE RULES SETTING FORTH THE PROCEDURES FOR THE CRIMINAL RECORDS CHECK DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (2.5).

**SECTION 11.** 19-5-207 (6), Colorado Revised Statutes, is amended to read:

**19-5-207. Written consent and report.** (6) The department shall establish rules ~~and regulations~~ that provide for county departments of social services to charge a fee, not to exceed five hundred dollars in the case of a first adoption and not to exceed two hundred fifty dollars for a second or subsequent adoption by the same party or parties, for reports, ~~and~~ investigations, AND CRIMINAL RECORDS CHECKS provided in accordance with this article.

**SECTION 12.** 19-5-210 (2) and (4), Colorado Revised Statutes, are amended to read:

**19-5-210. Hearing on petition.** (2) No sooner than six months after the date of the placement, unless for good cause shown that time is extended or shortened by the court, the court shall hold a hearing on the petition and shall enter a decree setting forth its findings and grant to the petitioner a final decree of adoption if it is satisfied as to:

(a) The availability of the child for adoption;

(b) The good moral character, the ability to support and educate the child, and the suitability of the home of the person adopting such child;

(b.5) THE CRIMINAL RECORDS CHECK OF THE PROSPECTIVE ADOPTIVE PARENT AS REPORTED TO THE COURT BY THE COUNTY DEPARTMENT OF SOCIAL SERVICES OR THE CHILD PLACEMENT AGENCY PURSUANT TO SECTION 19-5-207 (2.5) DOES NOT REVEAL A CRIMINAL HISTORY DESCRIBED IN 19-5-207 (2.5) (a);

(c) The mental and physical condition of the child as a proper subject for adoption in said home; and

(d) The fact that the best interests of the child will be served by the adoption.

(4) If, after the hearing, the court is not satisfied as to the matters listed in subsection (2) of this section, the petition for adoption may be either continued or dismissed in the discretion of the court. THE COURT SHALL NOT GRANT THE DECREE OF FINAL ADOPTION IF IT DETERMINES THAT THE PROSPECTIVE ADOPTIVE PARENT WAS CONVICTED AT ANY TIME BY A COURT OF COMPETENT JURISDICTION OF A FELONY IN ONE OF THE FOLLOWING AREAS: CHILD ABUSE OR NEGLECT; SPOUSAL ABUSE; ANY CRIME AGAINST A CHILD; OR ANY CRIME INVOLVING VIOLENCE, RAPE, SEXUAL ASSAULT, OR HOMICIDE, EXCLUDING OTHER PHYSICAL ASSAULT OR BATTERY.



**SECTION 13. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the judicial department, for the fiscal year beginning July 1, 1998, the sum of one million three hundred eighty-one thousand four hundred eighty-nine dollars (\$1,381,489) and 28.0 FTE, or so much thereof as may be necessary, for the implementation of this act. Said amount is exempt from the statutory limit on state general fund appropriations pursuant to section 24-75-201.1 (1) (a) (III) (A), Colorado Revised Statutes.

**SECTION 14. Effective date.** This act shall take effect July 1, 1998.

**SECTION 15. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 2, 1998