

CHAPTER 345

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 07-1248

BY REPRESENTATIVE(S) Benefield, Massey, Buescher, McGihon, Riesberg, Roberts, Todd, Borodkin, Butcher, Casso, Fischer, Gallegos, Hodge, Kefalas, Labuda, Levy, Madden, Marshall, Merrifield, Peniston, Pommer, Primavera, Solano, Stafford, Summers, and Rose;

also SENATOR(S) Kester, Bacon, Williams, Windels, Boyd, Fitz-Gerald, Groff, Isgar, Kopp, Morse, Penry, Sandoval, Schwartz, Shaffer, Spence, Tapia, Taylor, Tochtrop, Veiga, and Wiens.

AN ACT**CONCERNING FUNDING FOR THE TONY GRAMPAS YOUTH SERVICES PROGRAM, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) A large percentage of Colorado students spend an average of six hours without supervision before and after school due to a lack of available before-and-after-school programs;

(b) Several studies show that violent juvenile crime is most likely to occur in the afternoon hours, after school dismisses and before students' parents arrive home from work, and that the odds that a child will be a victim of violent crime more than triple during this time period;

(c) Studies also demonstrate that unsupervised children are three times more likely to smoke, drink, or take drugs than their supervised peers and that incidents of relatively low-level crimes, such as graffiti and vandalism, increase dramatically among unsupervised youth;

(d) Several studies confirm that participation in youth development programs before and after school not only provides youth with necessary adult supervision but also significantly decreases youth involvement in unhealthy and high-risk activities;

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

(e) In recent years, due to budgetary pressures at the state and local levels, school districts have had to significantly reduce their offerings of before-and-after-school programs, including athletics and other extracurricular activities, and the state appropriations to fund student dropout prevention and intervention programs at the state level have been significantly decreased, resulting in a severe decrease in the before-and-after-school program options available to parents whose children need supervision during these hours.

(2) The general assembly therefore finds that creation of the Colorado student before-and-after-school project in section 25-20.5-205, Colorado Revised Statutes, to fund before-and-after-school youth development programs is necessary to ensure the availability of effective programs to provide necessary supervision for youth, reduce juvenile criminal behavior, and help to ensure that the youth of the state become healthy, mature, contributing members of society.

SECTION 2. Part 2 of article 20.5 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

25-20.5-205. Colorado student before-and-after-school project - creation - funding. (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "BEFORE-AND-AFTER-SCHOOL PROGRAM" MEANS A PROGRAM THAT MEETS BEFORE REGULAR SCHOOL HOURS OR AFTER REGULAR SCHOOL HOURS OR DURING A PERIOD WHEN SCHOOL IS NOT IN SESSION.

(b) "FUND" MEANS THE COLORADO STUDENT BEFORE-AND-AFTER-SCHOOL PROJECT FUND CREATED IN SUBSECTION (4) OF THIS SECTION.

(c) "PROJECT" MEANS THE COLORADO BEFORE-AND-AFTER-SCHOOL PROJECT CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) **Colorado student before-and-after-school project.** THERE IS HEREBY CREATED, IN THE TONY GRAMPSAS YOUTH SERVICES PROGRAM, THE COLORADO STUDENT BEFORE-AND-AFTER-SCHOOL PROJECT FOR THE PURPOSE OF PROVIDING GRANTS TO ENTITIES TO PROVIDE HIGH-QUALITY BEFORE-AND-AFTER-SCHOOL PROGRAMS THAT MAY INCLUDE AN ALCOHOL OR DRUG ABUSE PREVENTION AND EDUCATION COMPONENT. ENTITIES THAT RECEIVE GRANTS PURSUANT TO THIS SECTION SHALL APPLY THE GRANTS TO CREATING AND IMPLEMENTING BEFORE-AND-AFTER-SCHOOL PROGRAMS THAT PRIMARILY SERVE YOUTH ENROLLED IN GRADES SIX THROUGH EIGHT OR YOUTH WHO ARE TWELVE TO FOURTEEN YEARS OF AGE. THE BEFORE-AND-AFTER-SCHOOL PROGRAMS SHALL BE DESIGNED TO HELP YOUTH DEVELOP THEIR INTERESTS AND SKILLS IN THE AREAS OF SPORTS AND FITNESS, CHARACTER AND LEADERSHIP, OR ARTS AND CULTURE AND MAY PROVIDE EDUCATION REGARDING THE DANGERS OF THE USE OF ALCOHOL AND DRUGS. BEFORE-AND-AFTER-SCHOOL PROGRAMS THAT ARE DESIGNED PRIMARILY TO INCREASE ACADEMIC ACHIEVEMENT OR THAT PROVIDE RELIGIOUS INSTRUCTION ARE NOT ELIGIBLE FOR FUNDING PURSUANT TO THIS SECTION.

(3) **Administration.** (a) THE DIVISION SHALL ADMINISTER THE PROJECT. THE BOARD SHALL SELECT THE ENTITIES THAT WILL RECEIVE GRANTS THROUGH THE

PROJECT AND THE AMOUNT OF EACH GRANT. IN ADDITION, THE DIVISION SHALL MONITOR THE EFFECTIVENESS OF BEFORE-AND-AFTER-SCHOOL PROGRAMS THAT RECEIVE MONEYS THROUGH THE PROJECT. TO BE ELIGIBLE FOR GRANTS THROUGH THE PROJECT, AN ENTITY SHALL APPLY TO THE BOARD IN ACCORDANCE WITH THE TIMELINES AND GUIDELINES ADOPTED BY THE BOARD PURSUANT TO SECTION 25-20.5-202. NOTWITHSTANDING ANY PROVISION OF THIS PART 2 OR ANY CRITERIA FOR AWARDED GRANTS ADOPTED BY THE BOARD PURSUANT TO SECTION 25-20.5-202 (2) (b) TO THE CONTRARY, AN ENTITY MAY BE ELIGIBLE TO RECEIVE A GRANT PURSUANT TO THIS SECTION REGARDLESS OF WHETHER THE BEFORE-AND-AFTER-SCHOOL PROGRAM TO WHICH THE GRANT WOULD APPLY SERVES YOUTH WHO ARE ELIGIBLE FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.

(b) THE GRANTS AWARDED THROUGH THE PROJECT SHALL BE PAID FROM MONEYS APPROPRIATED FROM THE FUND TO THE DIVISION. THE BOARD AND GRANT RECIPIENTS ARE ENCOURAGED TO APPLY MONEYS AWARDED THROUGH THE PROJECT TO LEVERAGE ADDITIONAL FUNDING AS MATCHING FUNDS FROM PRIVATE AND FEDERAL SOURCES.

(4) **Colorado student before-and-after-school project fund.** THERE IS HEREBY CREATED IN THE STATE TREASURY THE COLORADO STUDENT BEFORE-AND-AFTER-SCHOOL PROJECT FUND THAT SHALL CONSIST OF MONEYS THAT MAY BE APPROPRIATED BY THE GENERAL ASSEMBLY TO THE FUND. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DIVISION FOR THE PURPOSE OF PROVIDING GRANTS AS PROVIDED IN THIS SECTION AND THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

SECTION 3. Appropriation - adjustment to the 2007 long bill. (1) In addition to any other appropriation, for the fiscal year beginning July 1, 2007, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the Colorado student before-and-after-school project fund created in section 25-20.5-205 (4), Colorado Revised Statutes, the sum of three hundred thousand dollars (\$300,000), and such sum, or so much thereof as may be necessary, is further appropriated to the department of public health and environment, prevention services division, prevention partnerships, Tony Grampsas youth services program, for the Colorado student before-and-after-school project.

(2) For the implementation of this act, the appropriation made in section 21 of the annual general appropriation act for the fiscal year beginning July 1, 2007, shall be adjusted as follows: The general fund appropriation to the controlled maintenance trust fund is decreased by three hundred thousand dollars (\$300,000).

SECTION 4. Effective date. This act shall take effect July 1, 2007.

SECTION 5. 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: May 31, 2007