

CHAPTER 346

CHILDREN AND DOMESTIC MATTERS

SENATE BILL 23-082

BY SENATOR(S) Zenzinger and Kirkmeyer, Bridges, Buckner, Cutter, Exum, Ginal, Gonzales, Hansen, Hinrichsen, Marchman, Moreno, Mullica, Priola, Sullivan, Winter F.;
 also REPRESENTATIVE(S) Amabile and Michaelson Jenet, Bacon, Bird, Boesenecker, Brown, deGruy Kennedy, Dickson, Duran, English, Froelich, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Kipp, Lieder, Lindsay, Lindstedt, McLachlan, Ortiz, Sharbini, Sirota, Snyder, Story, Vigil, Young, McCluskie.

AN ACT

CONCERNING CREATION OF THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM TO ASSIST FOSTER YOUTH, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 19-7-302, **add** (1.3), (1.7), (16), and (17) as follows:

19-7-302. Definitions. As used in this part 3, unless the context otherwise requires:

(1.3) "CASE MANAGEMENT AGENCY" MEANS AN AGENCY THAT MEETS CRITERIA TO PROVIDE CASE MANAGEMENT SERVICES FOR THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM.

(1.7) "COLORADO FOSTERING SUCCESS VOUCHER PROGRAM" OR "VOUCHER PROGRAM" MEANS THE PROGRAM ESTABLISHED PURSUANT TO SECTION 19-7-314.5.

(16) "VOUCHER" MEANS A VOUCHER THAT PROVIDES RENTAL ASSISTANCE TO A VOUCHER RECIPIENT THROUGH THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM.

(17) "VOUCHER RECIPIENT" MEANS A YOUTH WHO IS ELIGIBLE FOR AND RECEIVING A VOUCHER THROUGH THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM.

SECTION 2. In Colorado Revised Statutes, 19-7-314, **amend** (1)(a) as follows:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

19-7-314. Foster youth successful transition to adulthood grant program - creation - standards - application - fund - advisory board - duties. (1) (a) The foster youth successful transition to adulthood grant program is created within the state department. The purpose of the grant program is to create and administer programs that support eligible youth in making a successful transition to adulthood AND PROVIDE CASE MANAGEMENT SERVICES FOR VOUCHER RECIPIENTS AS DESCRIBED IN SECTION 19-7-314.5.

SECTION 3. In Colorado Revised Statutes, **add** 19-7-314.5 as follows:

19-7-314.5. Colorado fostering success voucher program - established - eligibility - administration - availability, standards, and services. (1) THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM IS ESTABLISHED IN THE STATE DEPARTMENT. THE PURPOSE OF THE VOUCHER PROGRAM IS TO PROVIDE VOUCHERS TO VOUCHER RECIPIENTS AND PROVIDE DEVELOPMENTALLY APPROPRIATE CASE MANAGEMENT FOR VOUCHER RECIPIENTS WHO ARE ELIGIBLE FOR THE VOUCHER PROGRAM.

(2)(a) TO BE ELIGIBLE TO PROVIDE SERVICES THROUGH THE VOUCHER PROGRAM, A CASE MANAGEMENT AGENCY MUST:

(I) BE A CURRENT RECIPIENT OF A GRANT FROM THE FOSTER YOUTH SUCCESSFUL TRANSITION TO ADULTHOOD GRANT PROGRAM CREATED IN SECTION 19-7-314; OR

(II) BE CURRENTLY OPERATING A PROGRAM THROUGH FUNDING RECEIVED PURSUANT TO THE FEDERAL "JOHN H. CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD", 42 U.S.C. 677 (a).

(b) TO BE ELIGIBLE FOR SERVICES THROUGH THE VOUCHER PROGRAM, A VOUCHER RECIPIENT MUST:

(I) BE AT LEAST EIGHTEEN YEARS OF AGE OR OLDER BUT LESS THAN TWENTY-SIX YEARS OF AGE;

(II) HAVE PRIOR FOSTER CARE OR KINSHIP CARE INVOLVEMENT IN AT LEAST ONE OF THE FOLLOWING WAYS:

(A) HAVE BEEN IN FOSTER CARE, AS DEFINED IN SECTION 19-1-103, ON OR AFTER THE YOUTH'S FOURTEENTH BIRTHDAY;

(B) HAVE BEEN IN NONCERTIFIED KINSHIP CARE, AS DEFINED IN SECTION 19-1-103, ON OR AFTER THE YOUTH'S FOURTEENTH BIRTHDAY AND HAVE BEEN ADJUDICATED DEPENDENT AND NEGLECTED PURSUANT TO ARTICLE 3 OF THIS TITLE 19; OR

(C) HAVE TURNED EIGHTEEN YEARS OF AGE WHEN THE YOUTH WAS A NAMED CHILD OR YOUTH IN A DEPENDENCY AND NEGLECT CASE PURSUANT TO ARTICLE 3 OF THIS TITLE 19;

(III) BE CURRENTLY EXPERIENCING HOMELESSNESS OR BE AT IMMINENT RISK OF HOMELESSNESS AND HAVE VOLUNTARILY AGREED TO PARTICIPATE IN SERVICES

OFFERED AND PROVIDED BY A CASE MANAGEMENT AGENCY;

(IV) RESIDE IN COLORADO; AND

(V) HAVE INCOME THAT DOES NOT EXCEED A LEVEL DETERMINED BY THE STATE DEPARTMENT OF LOCAL AFFAIRS POLICIES AND PROCEDURES PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(3) THE STATE DEPARTMENT OF HUMAN SERVICES AND THE STATE DEPARTMENT OF LOCAL AFFAIRS SHALL DEVELOP A JOINT IMPLEMENTATION PLAN THAT DELEGATES ADMINISTRATIVE RESPONSIBILITIES AS FOLLOWS:

(a) THE STATE DEPARTMENT OF LOCAL AFFAIRS IS RESPONSIBLE FOR THE ISSUANCE OF VOUCHER PAYMENTS TO LANDLORDS, THE MAINTENANCE OF ANNUAL INCOME VERIFICATION, AND THE REVIEW OF POLICIES DEVELOPED BY THE STATE DEPARTMENT OF HUMAN SERVICES TO ENSURE COMPLIANCE WITH ALL APPLICABLE FAIR HOUSING LAWS;

(b) THE STATE DEPARTMENT OF HUMAN SERVICES IS RESPONSIBLE FOR ESTABLISHING CASE MANAGEMENT STANDARDS, THE ALLOCATION OF VOUCHERS TO ELIGIBLE RECIPIENTS, AND THE OVERSIGHT OF VOUCHER SELECTION PLANS; AND

(c) CASE MANAGEMENT AGENCIES ARE RESPONSIBLE FOR CASE MANAGEMENT ACTIVITIES AND SERVICES FOR VOUCHER RECIPIENTS.

(4) AVAILABILITY, STANDARDS, AND SERVICES FOR THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING REQUIREMENTS:

(a) A VOUCHER MAY BE USED AT A DWELLING THAT MEETS HOUSING QUALITY STANDARDS POLICIES AND PROCEDURES ESTABLISHED BY THE STATE DEPARTMENT OF LOCAL AFFAIRS;

(b) THE AMOUNT OF FINANCIAL ASSISTANCE FOR EACH VOUCHER MUST ALIGN WITH STANDARDS ESTABLISHED BY THE STATE DEPARTMENT OF LOCAL AFFAIRS BUT MAY BE INCREASED ON AN INDIVIDUAL BASIS IF HOUSING IS NOT AVAILABLE IN THE COUNTY SERVED BY THE CASE MANAGEMENT AGENCY THAT MEETS THE COST STANDARDS. THE STATE DEPARTMENT OF HUMAN SERVICES SHALL APPROVE ANY VARIANCE FROM THE STANDARDS SET ANNUALLY BY THE STATE DEPARTMENT OF LOCAL AFFAIRS.

(c) A YOUTH WHO RECEIVES A VOUCHER IS REQUIRED TO CONTRIBUTE TO THE COST OF HOUSING, BUT THAT AMOUNT MUST NOT BE MORE THAN THIRTY PERCENT OF THE YOUTH'S INCOME;

(d) A YOUTH WHO RECEIVES A VOUCHER IS REQUIRED TO PARTICIPATE IN CASE MANAGEMENT SERVICES PROVIDED BY THE CASE MANAGEMENT AGENCY;

(e) A CASE MANAGEMENT AGENCY SHALL MAKE CASE MANAGEMENT AVAILABLE, AS FUNDING PERMITS, TO YOUTH RECEIVING FEDERAL HOUSING CHOICE VOUCHERS AND WHO ARE OTHERWISE ELIGIBLE FOR A VOUCHER;

(f) A CASE MANAGEMENT AGENCY SHALL MEET THE MINIMUM CASE MANAGEMENT STANDARDS ESTABLISHED BY THE STATE DEPARTMENT OF HUMAN SERVICES;

(g) A YOUTH WITH PRIOR ADJUDICATIONS IN THE JUVENILE COURT IS ELIGIBLE FOR A VOUCHER; AND

(h) A CASE MANAGEMENT AGENCY SHALL MAKE REASONABLE EFFORTS TO ENGAGE A YOUTH IN CASE MANAGEMENT ACTIVITIES AND TO SUPPORT THE YOUTH INTO COMING INTO COMPLIANCE WITH VOUCHER REQUIREMENTS PRIOR TO TERMINATING THE VOUCHER OR CASE MANAGEMENT SERVICES.

SECTION 4. In Colorado Revised Statutes, **amend** 19-7-315 as follows:

19-7-315. Rules. The state department shall promulgate rules for the implementation of this part 3, including, but not limited to, rules concerning eligibility determinations, administrative appeals of eligibility determinations, enrollment into the transition program, emancipation transition plans and roadmaps to success, ~~and~~ expedited procedures for securing temporary shelter for youth who are currently homeless or at imminent risk of homelessness, AND THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM.

SECTION 5. In Colorado Revised Statutes, 26-5-113, **add** (7) as follows:

26-5-113. Extended services for former foster care youth. (7) THE STATE DEPARTMENT OF HUMAN SERVICES AND THE STATE DEPARTMENT OF LOCAL AFFAIRS SHALL COORDINATE TO IMPLEMENT, ADMINISTER, AND SHARE DATA, TO THE EXTENT ALLOWABLE BY LAW, FOR THE COLORADO FOSTERING SUCCESS VOUCHER PROGRAM, ESTABLISHED PURSUANT TO SECTION 19-7-314.5. ADMINISTRATION OF THE VOUCHER PROGRAM MUST CONSIDER THE UNIQUE DEVELOPMENTAL AND SOCIAL NEEDS OF YOUTH THROUGHOUT IMPLEMENTATION, INCLUDING CASE MANAGEMENT, NEEDS, THE PROMULGATION OF RULES, AND THE CREATION OF POLICIES AND PROCEDURES FOR VOUCHER RECIPIENTS.

SECTION 6. Appropriation. (1) For the 2023-24 state fiscal year, \$2,674,677 is appropriated to the department of human services for use by the division of child welfare. This appropriation is from the general fund, and is based on an assumption that the division will require an additional 1.8 FTE. To implement this act, the division may use this appropriation for preventing youth homelessness.

(2) For the 2023-24 state fiscal year, the general assembly anticipates that the department of human services will receive \$22,096 in federal funds for use by the division of child welfare to implement this act. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds, which is subject to the "(I)" notation as defined in the annual general appropriation act for the same fiscal year.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 5, 2023