

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1131 be amended as follows:

1 Amend printed bill, page 16, after line 10 insert:

2 "SECTION 23. In Colorado Revised Statutes, **add** 19-3-304.4 as
3 follows:

4 **19-3-304.4. Pre-adolescent services task force - duties - report**
5 **- repeal.** (1) (a) THE DEPARTMENT SHALL CREATE A PRE-ADOLESCENT
6 SERVICES TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK
7 FORCE", TO EXAMINE AND MAKE RECOMMENDATIONS CONCERNING THE
8 IDENTIFICATION AND PROVISION OF NECESSARY SERVICES TO JUVENILES
9 WHO ARE TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN YEARS OF
10 AGE, INCLUDING:

11 (I) THE IDENTIFICATION OF THE SERVICES, IF ANY, PREVIOUSLY
12 PROVIDED THROUGH THE JUVENILE JUSTICE SYSTEM TO JUVENILES WHO
13 ARE TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE,
14 BUT ARE NO LONGER AVAILABLE TO JUVENILES WHO ARE TEN YEARS OF
15 AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE BECAUSE THE
16 MINIMUM AGE OF PROSECUTION OF JUVENILES WAS INCREASED;

17 (II) THE IDENTIFICATION OF SERVICES, IF ANY, PREVIOUSLY
18 PROVIDED TO CHILDREN IDENTIFIED AS VICTIMS OF CRIMES COMMITTED BY
19 JUVENILES WHO ARE TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN
20 YEARS OF AGE, BUT ARE NO LONGER AVAILABLE TO CHILDREN IDENTIFIED
21 AS VICTIMS OF CRIMES BECAUSE THE MINIMUM AGE OF PROSECUTION OF
22 JUVENILES WAS INCREASED;

23 (III) HOW ANY OF THE SERVICES IDENTIFIED PURSUANT TO
24 SUBSECTIONS (1)(a)(I) AND (1)(a)(II) OF THIS SECTION MAY BE PROVIDED
25 BY EXISTING AGENCIES OR ORGANIZATIONS OUTSIDE OF THE JUVENILE
26 JUSTICE SYSTEM; AND

27 (IV) HOW EXISTING OR POTENTIAL FUNDING MAY BE UTILIZED TO
28 PROVIDE ANY OF THE SERVICES IDENTIFIED PURSUANT TO SUBSECTIONS
29 (1)(a)(I) AND (1)(a)(II) OF THIS SECTION OUTSIDE OF THE JUVENILE
30 JUSTICE SYSTEM.

31 (b) IN PERFORMING ITS DUTIES REQUIRED PURSUANT TO
32 SUBSECTION (1)(a) OF THIS SECTION, THE TASK FORCE SHALL CONSIDER:

33 (I) RELEVANT DATA, INCLUDING ANY AVAILABLE DATA
34 DEVELOPED PURSUANT TO SECTION 19-2.5-1404 (3);

35 (II) THE AVAILABILITY OF STATE OR FEDERAL RESOURCES TO
36 ASSIST WITH PROVIDING SERVICES IDENTIFIED PURSUANT TO SUBSECTIONS
37 (1)(a)(I) AND (1)(a)(II) OF THIS SECTION;

38 (III) OPPORTUNITIES TO PROVIDE NECESSARY ASSESSMENTS OR
39 SERVICES TO JUVENILES WHO ARE TEN YEARS OF AGE OR OLDER BUT
40 UNDER THIRTEEN YEARS OF AGE WITHOUT ARREST OR PROSECUTION; AND

1 (IV) OPPORTUNITIES TO UTILIZE AVAILABLE COLLABORATIVE
2 MANAGEMENT PROGRAMS CREATED PURSUANT TO SECTION 24-1.9-102
3 AND ASSESSMENT CENTERS FOR CHILDREN, AS DEFINED IN SECTION
4 19-1-103 (13).

5 (c) (I) THE TASK FORCE SHALL CONVENE ON OR BEFORE JULY 1,
6 2022. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
7 SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL APPOINT THE
8 TASK FORCE MEMBERS, AND SHALL APPOINT PERSONS FROM THROUGHOUT
9 THE STATE, PERSONS WITH A DISABILITY, AND PERSONS WHO REFLECT THE
10 ETHNIC DIVERSITY OF THE STATE. THE TASK FORCE CONSISTS OF:

11 (A) A REPRESENTATIVE OF THE DIVISION OF CRIMINAL JUSTICE OF
12 THE DEPARTMENT OF PUBLIC SAFETY;

13 (B) A REPRESENTATIVE OF A LAW ENFORCEMENT AGENCY;

14 (C) A REPRESENTATIVE WITH EXPERIENCE PROVIDING DIVERSION
15 SERVICES AND SUPERVISION TO JUVENILES;

16 (D) A REPRESENTATIVE WITH EXPERIENCE PROVIDING VICTIM
17 SERVICES TO CHILDREN WHO ARE VICTIMS OF CRIMES;

18 (E) A REPRESENTATIVE WITH EXPERIENCE PROVIDING
19 PROBATIONARY SERVICES AND SUPERVISION TO JUVENILES;

20 (F) A REPRESENTATIVE OF THE OFFICE OF THE CHILD'S
21 REPRESENTATIVE;

22 (G) A REPRESENTATIVE OF THE OFFICE OF RESPONDENT PARENT'S
23 COUNSEL;

24 (H) A REPRESENTATIVE OF THE DIVISION OF CHILD WELFARE;

25 (I) A REPRESENTATIVE OF THE OFFICE OF BEHAVIORAL HEALTH
26 WITH EXPERTISE CONCERNING THE DEVELOPMENT AND OPERATION OF
27 RAPID CRISIS RESPONSE TEAMS;

28 (J) TWO REPRESENTATIVES FROM COUNTY DEPARTMENTS OF
29 HUMAN SERVICES, OF WHOM AT LEAST ONE REPRESENTATIVE IS FROM A
30 RURAL COUNTY DEPARTMENT OF HUMAN SERVICES;

31 (K) TWO REPRESENTATIVES FROM PUBLIC SCHOOLS OR SCHOOL
32 DISTRICTS, OF WHOM AT LEAST ONE REPRESENTATIVE IS FROM A RURAL
33 SCHOOL DISTRICT OR A SMALL RURAL SCHOOL DISTRICT, AS DEFINED IN
34 SECTION 22-7-1211 (4);

35 (L) TWO REPRESENTATIVES FROM LOCAL COLLABORATIVE
36 MANAGEMENT PROGRAMS CREATED PURSUANT TO SECTION 24-1.9-102;

37 (M) TWO REPRESENTATIVES FROM LOCAL JUVENILE SERVICES
38 PLANNING COMMITTEES CREATED PURSUANT TO SECTION 19-2.5-302, OF
39 WHOM AT LEAST ONE REPRESENTATIVE IS FROM A JUDICIAL DISTRICT WITH
40 AN ASSESSMENT CENTER FOR CHILDREN;

41 (N) A REPRESENTATIVE FROM THE RESTORATIVE JUSTICE
42 COORDINATING COUNSEL CREATED PURSUANT TO SECTION 13-3-116;

43 (O) A REPRESENTATIVE WITH EXPERIENCE PROVIDING PEDIATRIC

1 MENTAL AND BEHAVIORAL HEALTH SERVICES;

2 (P) A REPRESENTATIVE WITH EXPERIENCE PROVIDING TREATMENT
3 TO YOUTH WHO HAVE PARTICIPATED IN PROBLEMATIC SEXUAL BEHAVIOR
4 AND YOUTH WHO HAVE BEEN SEXUALLY ABUSED;

5 (Q) TWO REPRESENTATIVES FROM COMMUNITY ORGANIZATIONS
6 OR NONPROFIT ORGANIZATIONS THAT PROVIDE EVIDENCE-BASED OR
7 PROMISING PRACTICES THAT ARE CULTURALLY-RESPONSIVE AND
8 TRAUMA-INFORMED TO JUVENILES; AND

9 (R) FOUR REPRESENTATIVES WHO EXPERIENCED INCARCERATION,
10 HOMELESSNESS, OR PLACEMENT OUT OF HOME AS A JUVENILE OR WHO ARE
11 THE PARENT OR LEGAL GUARDIAN OF A JUVENILE WHO IS EXPERIENCING OR
12 EXPERIENCED INCARCERATION, HOMELESSNESS, OR PLACEMENT OUT OF
13 HOME AS A JUVENILE.

14 (II) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT
15 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

16 (d) THE TASK FORCE SHALL MEET AT LEAST EVERY MONTH FROM
17 JULY THROUGH DECEMBER OF 2022, OR MORE FREQUENTLY AS NEEDED TO
18 PERFORM ITS DUTIES REQUIRED PURSUANT TO SUBSECTIONS (1)(a) AND
19 (1)(e) OF THIS SECTION. THE TASK FORCE MEETING MUST NOT BE HELD
20 UNLESS AT LEAST A MAJORITY OF THE TOTAL NUMBER OF TASK FORCE
21 MEMBERS ARE PARTICIPATING, INCLUDING ONE REPRESENTATIVE
22 PURSUANT TO SUBSECTION (1)(c)(I)(Q) OF THIS SECTION AND AT LEAST
23 TWO REPRESENTATIVES PURSUANT TO SUBSECTION (1)(c)(I)(R) OF THIS
24 SECTION.

25 (e) THE TASK FORCE SHALL CREATE A REPORT CONTAINING THE
26 EXAMINATION AND RECOMMENDATIONS MADE BY THE TASK FORCE
27 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION BY DECEMBER 30,
28 2022, AND PROVIDE THAT REPORT TO THE JUDICIARY COMMITTEES OF THE
29 HOUSE OF REPRESENTATIVES AND THE SENATE, AND TO THE PUBLIC AND
30 BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF
31 REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF
32 THE SENATE, OR ANY SUCCESSOR COMMITTEES.

33 (f) AFTER COMPLETING THE REPORT REQUIRED PURSUANT TO
34 SUBSECTION (1)(e) OF THIS SECTION, THE TASK FORCE SHALL MEET AT
35 LEAST EVERY QUARTER IN 2023 TO PROVIDE GUIDANCE AND TECHNICAL
36 ASSISTANCE TO THE DEPARTMENT OF HUMAN SERVICES AND LOCAL
37 JURISDICTIONS WITH ASSISTANCE RELATED TO IMPLEMENTING THE
38 RECOMMENDATIONS, IDENTIFIED PURSUANT TO THE REPORT. THE TASK
39 FORCE MEETING MUST NOT BE HELD UNLESS AT LEAST A MAJORITY OF THE
40 TOTAL NUMBER OF TASK FORCE MEMBERS ARE PARTICIPATING, INCLUDING
41 ONE REPRESENTATIVE PURSUANT TO SUBSECTION (1)(c)(I)(Q) OF THIS
42 SECTION AND AT LEAST TWO REPRESENTATIVES PURSUANT TO SUBSECTION
43 (1)(c)(I)(R) OF THIS SECTION.

1 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024."

2 Renumber succeeding sections accordingly.

3 Page 17, strike lines 25 through 27.

4 Page 18, strike lines 1 through 9 and substitute:

5 **"SECTION 26. Effective date - applicability.** This act takes
6 effect January 1, 2024, and applies to offenses committed on or after said
7 date and to sentences ordered on or after said date; except that section 23,
8 this section 26, and section 27 of this act take effect upon passage.

9 **SECTION 27. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety."

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