

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Weissman

1 Amend printed bill, page 42, before line 14 insert:

2 **"SECTION 31.** In Colorado Revised Statutes, **add** part 14 to
3 article 20.5 of title 25 as follows:

PART 14

HOUSE BILL 22-1326 INDEPENDENT STUDY

25-20.5-1401. Independent study - report - repeal. (1) (a) By

7 JANUARY 1, 2023, THE DEPARTMENT SHALL CONTRACT WITH AN
8 INDEPENDENT ENTITY TO CONDUCT A STUDY AND PUBLISH A REPORT
9 CONCERNING THE IMPACT AND IMPLEMENTATION OF HOUSE BILL 22-1326.

10 (b) THE DEPARTMENT SHALL CONSULT WITH THE JUDICIAL
11 DEPARTMENT, THE OFFICE OF BEHAVIORAL HEALTH, AND OTHER
12 STAKEHOLDERS IDENTIFIED BY THE DEPARTMENT IN DEVELOPING AND
13 ISSUING A REQUEST FOR PROPOSALS TO ENSURE CANDIDATES HAVE
14 EXPERTISE IN DATA COLLECTION AND PROGRAM ANALYSIS, AND RELEVANT
15 CRIMINAL LAW AND HARM REDUCTION ISSUES.

25 (a) EVERY CASE WITH A CHARGE FILED PURSUANT TO SECTION
26 18-18-403.5 FOR THE UNLAWFUL POSSESSION OF FENTANYL,
27 CARFENTANAL, OR AN ANALOG THEREOF, INCLUDING:

28 (I) WHETHER A MISDEMEANOR OR FELONY CHARGE WAS FILED;
29 (II) WHETHER AN ARREST WAS MADE OR A SUMMONS WAS ISSUED
30 FOR THE CHARGE;

31 (III) WHETHER ANOTHER CRIMINAL CHARGE WAS FILED IN THE
32 CASE, AND IF SO, WHAT CHARGE;

33 (IV) THE DISPOSITION OF THE CASE, INCLUDING THE SENTENCE
34 IMPOSED;

35 (V) WHETHER THE DEFENDANT IS CURRENTLY SERVING THE
36 SENTENCE AND IF THE SENTENCE INCLUDES PROBATION SUPERVISION;

37 (VI) WHETHER THE DEFENDANT SUCCESSFULLY COMPLETED THE
38 SENTENCE, INCLUDING IF THE DEFENDANT SUCCESSFULLY COMPLETED AN
39 INITIAL PROBATIONARY SENTENCE OR WHETHER PROBATION WAS REVOKED
40 AND RESULTED IN INCARCERATION IN JAIL OR PRISON;

41 (VII) IF PROBATION WAS REVOKED, WHETHER THE REVOCATION

1 WAS FOR A NEW CRIMINAL CASE OR A TECHNICAL VIOLATION;

2 (VIII) WHETHER SUBSTANCE ABUSE TREATMENT WAS ORDERED

3 AND, IF SO, WHAT TYPE, INCLUDING WHETHER THE COURT ORDERED

4 PLACEMENT IN A RESIDENTIAL TREATMENT FACILITY PURSUANT TO

5 SECTION 18-1.3-410 OR 18-1.3-509; AND

6 (IX) THE RACE, GENDER, AND AGE OF THE DEFENDANT, AND

7 WHETHER THE DEFENDANT WAS REPRESENTED BY COURT-APPOINTED

8 COUNSEL OR OTHERWISE DETERMINED TO BE INDIGENT;

9 (b) THE PREVENTION AND EDUCATION CAMPAIGN DEVELOPED BY

10 THE DEPARTMENT PURSUANT TO SECTION 25-1.5-115.5 AND THE

11 FENTANYL EDUCATION PROGRAM DEVELOPED BY THE OFFICE OF

12 BEHAVIORAL HEALTH PURSUANT TO SECTION 27-80-127, INCLUDING THE

13 METHOD AND REACH OF THE CAMPAIGN AND PROGRAM;

14 (c) THE IMPLEMENTATION OF MEDICATION-ASSISTED TREATMENT

15 AND OTHER APPROPRIATE WITHDRAWAL MANAGEMENT CARE BY EVERY

16 JAIL THAT RECEIVED FUNDING PURSUANT TO SECTION 27-60-106,

17 INCLUDING WHETHER THE JAILS COMPLIED WITH IMPLEMENTATION AND,

18 IF NOT, WHETHER THE JAIL FORFEITED OR RETURNED FUNDING;

19 (d) THE ELIGIBLE ENTITIES THAT PURCHASED OPIATE ANTAGONISTS

20 THROUGH THE OPIATE ANTAGONIST BULK PURCHASE FUND PURSUANT TO

21 SECTION 25-1.5-115, INCLUDING THE AMOUNT OF OPIATE ANTAGONISTS

22 PURCHASED BY EACH ELIGIBLE ENTITY AND THE REVENUE RECEIVED BY

23 THE BULK PURCHASE FUND;

24 (e) THE ELIGIBLE ENTITIES THAT RECEIVED NON-LABORATORY

25 SYNTHETIC OPIATE DETECTION TESTS PURSUANT TO SECTION 25-1.5-115.3

26 AND THE AMOUNT OF NON-LABORATORY SYNTHETIC OPIATE DETECTION

27 TESTS RECEIVED BY EACH ELIGIBLE ENTITY;

28 (f) THE HARM REDUCTION GRANT PROGRAM, CREATED IN SECTION

29 25-20.5-1101, INCLUDING:

30 (I) THE GRANTEES, THE USES OF EACH GRANT, THE AMOUNT OF THE

31 GRANT AWARD, THE NUMBER OF PEOPLE SERVED BY THE GRANT, AND ANY

32 AVAILABLE OUTCOME MEASURES AS A RESULT OF THE GRANT USES;

33 (II) STRATEGIES DEVELOPED AND IMPLEMENTED THROUGH THE

34 PROGRAM, IF ANY, FOR SERVING POPULATIONS WHO ARE AT A HIGHER RISK

35 OF OVERDOSE AND LIVE IN UNDERSERVED AREAS; AND

36 (III) EVIDENCE-BASED RESEARCH DEVELOPED THROUGH THE

37 PROGRAM CONCERNING BEST OR PROMISING PRACTICES IN OVERDOSE

38 PREVENTION, EARLY INTERVENTION, HARM REDUCTION, AND

39 MEDICATION-ASSISTED TREATMENT; AND

40 (g) EVERY OVERDOSE DEATH CAUSED BY FENTANYL,

41 CARFENTANAL, OR AN ANALOG THEREOF, OCCURRING IN A JAIL, PRISON, OR

42 RESIDENTIAL COMMUNITY CORRECTIONS FACILITY OR WHILE UNDER

43 PROBATION, PAROLE, OR PRETRIAL RELEASE.

(3) BY DECEMBER 31, 2024, THE INDEPENDENT ENTITY SHALL SUBMIT A COMPLETED COMPREHENSIVE REPORT OF ITS FINDINGS PURSUANT TO SUBSECTION (2) OF THIS SECTION TO THE DEPARTMENT.

(4) BY JANUARY 31, 2025, THE DEPARTMENT SHALL PUBLISH THE REPORT ON ITS WEBSITE AND SHALL SUBMIT THE REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

(5) THIS PART 14 IS REPEALED, EFFECTIVE JULY 1, 2025.

9 **SECTION 32.** In Colorado Revised Statutes, **add** part 14 to
10 article 20.5 of title 25 as follows:

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