

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB24-181 be amended as follows:

- 1 Amend printed bill, page 4, strike line 24 and substitute "WITHOUT ALSO
- 2 ADDRESSING OTHER CO-OCCURRING SUBSTANCE USE DISORDERS.".
- 3 Page 4, strike lines 25 through 27.
- 4 Page 5, strike lines 1 through 7.
- 5 Page 6, after line 8 insert:
 - 6 "(2) "ALCOHOL USE DISORDER" MEANS THE RECURRENT USE OF
 - 7 ALCOHOL THAT CAUSES CLINICALLY AND FUNCTIONALLY SIGNIFICANT
 - 8 IMPAIRMENT, SUCH AS HEALTH PROBLEMS, DISABILITY, AND FAILURE TO
 - 9 MEET MAJOR RESPONSIBILITIES AT WORK, SCHOOL, OR HOME.".
- 10 Renumber succeeding subsections accordingly.
- 11 Page 6, strike lines 20 and 21 and substitute:
 - 12 "(6) "ELIGIBLE ENTITY" MEANS A NONPROFIT ORGANIZATION THAT
 - 13 PROVIDES".
- 14 Page 6, line 24, strike "DISORDERS, SUCH AS" and substitute "DISORDERS
- 15 OR FOR".
- 16 Page 6, strike lines 25 through 27 and substitute "DISORDERS.".
- 17 Page 7, strike lines 1 through 5.
- 18 Page 7, after line 11 insert:
 - 19 "(10) "HARM REDUCTION SERVICES" MEANS A SET OF
 - 20 EVIDENCE-BASED STRATEGIES WITH THE AIM TO REDUCE
 - 21 ALCOHOL-RELATED PROBLEMS AND DANGERS ASSOCIATED WITH ALCOHOL
 - 22 USE AND TO IMPROVE QUALITY OF LIFE.".
- 23 Renumber succeeding subsections accordingly.
- 24 Page 7, strike lines 23 through 27.
- 25 Page 8, strike line 1 and substitute:

1 "(b) THAT MANUFACTURED OR DISTRIBUTED ALCOHOL BEVERAGES
2 IN THE PREVIOUS CALENDAR YEAR IN AMOUNT GREATER THAN:
3 (I) ONE HUNDRED THOUSAND PROOF GALLONS OF DISTILLED
4 SPIRITS;
5 (II) ONE HUNDRED THIRTY THOUSAND GALLONS OF WINE; OR
6 (III) ONE HUNDRED EIGHTY-SIX MILLION GALLONS OF BEER."

7 Page 8, lines 12 and 13, strike "CAUSES CLINICALLY AND FUNCTIONALLY
8 SIGNIFICANT" and substitute "THAT CAUSES SIGNIFICANT CLINICAL AND
9 FUNCTIONAL".

10 Page 8, line 20, strike "**duties.**" and substitute "**duties - repeal.**".

11 Page 9, strike lines 17 through 19 and substitute:

12 "(B) SUPPORT PROGRAMS THAT PREVENT AND DETER DRIVING
13 UNDER THE INFLUENCE, DRIVING WHILE ABILITY IMPAIRED, AND
14 UNDERAGE DRUNK DRIVING; AND".

15 Page 9, line 21, strike "DISORDERS." and substitute "DISORDERS,
16 INCLUDING UNDERAGE DRINKING."

17 Page 10, strike lines 12 through 16 and substitute:

18 "(d) (I) TO HIRE STAFF AND CONTRACT WITH ANY PUBLIC OR
19 PRIVATE ENTITY, INCLUDING STATE AGENCIES, CONSULTANTS, AND THE
20 ATTORNEY GENERAL'S OFFICE, FOR PROFESSIONAL AND TECHNICAL
21 ASSISTANCE, OFFICE SPACE AND ADMINISTRATIVE SERVICES, ADVICE, AND
22 OTHER SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF THE
23 ENTERPRISE. THE BOARD SHALL ENCOURAGE DIVERSITY IN APPLICANTS
24 FOR CONTRACTS AND SHALL GENERALLY AVOID USING SINGLE-SOURCE
25 BIDS.

26 (II) THE ENTERPRISE SHALL PAY A FAIR MARKET RATE TO ANY
27 PUBLIC ENTITY, PRIVATE ENTITY, CONTRACTOR, OR CONSULTANT, WHICH
28 MAY INCLUDE A STATE AGENCY, THE ATTORNEY GENERAL'S OFFICE, OR
29 THE DEPARTMENT, THAT IS HIRED BY THE ENTERPRISE TO PERFORM DUTIES
30 PURSUANT TO SUBSECTION (3)(d)(I) OF THIS SECTION."

31 Page 10, after line 22 insert:

32 "(5) (a) ON JANUARY 1, 2025, OR AS SOON AS POSSIBLE
33 THEREAFTER, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED
34 FIFTY-FOUR THOUSAND DOLLARS FROM THE GENERAL FUND TO THE FUND

1 FOR THE PURPOSE OF DEFRAYING EXPENSES INCURRED BY THE ENTERPRISE
2 BEFORE IT RECEIVES REVENUE FROM THE FEE OR REVENUE BOND
3 PROCEEDS. NOTWITHSTANDING ANY OTHER LAW, THE ENTERPRISE MAY
4 ACCEPT AND EXPEND ANY MONEY SO TRANSFERRED, AND,
5 NOTWITHSTANDING ANY STATE FISCAL RULE OR GENERALLY ACCEPTED
6 ACCOUNTING PRINCIPLE THAT COULD OTHERWISE BE INTERPRETED TO
7 REQUIRE A CONTRARY CONCLUSION, SUCH A TRANSFER IS A LOAN FROM
8 THE STATE TREASURER TO THE ENTERPRISE THAT IS REQUIRED TO BE
9 REPAYED AND IS NOT A GRANT FOR PURPOSES OF SECTION 20 (2)(d) OF
10 ARTICLE X OF THE STATE CONSTITUTION OR AS DEFINED IN SECTION
11 24-77-102 (7). LOAN LIABILITIES THAT ARE RECORDED IN THE FUND BUT
12 ARE NOT REQUIRED TO BE PAID IN THE CURRENT STATE FISCAL YEAR SHALL
13 NOT BE CONSIDERED WHEN CALCULATING SUFFICIENT STATUTORY FUND
14 BALANCE FOR PURPOSES OF SECTION 24-75-109.

15 (b) NO LATER THAN JULY 1, 2027, THE ENTERPRISE SHALL REPAY
16 THE LOAN OF FOUR HUNDRED FIFTY-FOUR THOUSAND DOLLARS RECEIVED
17 PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION AND ACCUMULATED
18 INTEREST FROM THE FUND. INTEREST ACCRUES ON THE MONEY BORROWED
19 AT A RATE EQUIVALENT TO THE RATE PER ANNUM ON THE MOST RECENTLY
20 ISSUED TEN-YEAR UNITED STATES TREASURY NOTE, ROUNDED TO THE
21 NEAREST ONE-TENTH OF ONE PERCENT, AS REPORTED BY THE "WALL
22 STREET JOURNAL", AS OF THE DATE THE TRANSFER REQUIRED BY
23 SUBSECTION (5)(a) OF THIS SECTION IS MADE. INTEREST ACCRUES AT THE
24 RATE SPECIFIED IN THIS SUBSECTION (5)(b) BEGINNING ON THAT DATE AND
25 UNTIL THE DATE ON WHICH THE MONEY IS REPAYED.

26 (c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2029."

27 Page 11, strike line 1 and substitute "IMPACT FEE THAT IS REASONABLY
28 CALCULATED BASED ON THE COSTS OF THE SERVICES PROVIDED BY THE
29 ENTERPRISE FROM EVERY MANUFACTURER OR".

30 Page 11, line 3, strike "\$0.16" and substitute "\$0.0267".

31 Page 11, line 5, strike "\$0.1466" and substitute "\$0.0240".

32 Page 11, line 7, strike "\$1.2052" and substitute "\$0.2000".

33 Page 11, strike lines 21 through 27.

34 Page 12, strike line 1 and substitute:

35 "(b) THE ENTERPRISE MAY REQUEST TO INCREASE OR DECREASE
36 THE FEE AS PROVIDED IN SUBSECTION (5) OF THIS SECTION."

- 1 Page 13, strike lines 3 through 12 and substitute:
- 2 "(5) IF THE ENTERPRISE FINDS THE FEE NEEDS TO BE INCREASED OR
3 DECREASED, THE ENTERPRISE SHALL RECOMMEND THE FEE INCREASE OR
4 DECREASE TO THE HOUSE OF REPRESENTATIVES FINANCE COMMITTEE AND
5 THE SENATE FINANCE COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, NO
6 LATER THAN DECEMBER 15 PRIOR TO THE STATE FISCAL YEAR DURING
7 WHICH THE ADJUSTMENT WILL BECOME EFFECTIVE. THE
8 RECOMMENDATION MUST INCLUDE PROPOSED INFLATIONARY CHANGES,
9 ANY CHANGES BASED ON THE COSTS OF THE BUSINESS SERVICES PROVIDED
10 BY THE ENTERPRISE, AND ANY OTHER INFORMATION DEEMED RELEVANT
11 BY THE BOARD. THE ENTERPRISE SHALL NOT ADJUST THE FEE UNLESS
12 APPROVED BY THE GENERAL ASSEMBLY ACTING BY BILL."
- 13 Page 14, line 11, strike "**treatment and recovery**" and substitute
14 "**treatment, recovery, and harm reduction**".
- 15 Page 14, line 13, strike "TREATMENT AND" and substitute "TREATMENT,".
- 16 Page 14, strike lines 14 and 15 and substitute "RECOVERY, AND HARM
17 REDUCTION AFFORDABILITY GRANT PROGRAM TO AWARD".
- 18 Page 14, strike lines 18 through 22 and substitute "RECOVERY PROVIDERS,
19 TREATMENT PROVIDERS, AND ELIGIBLE ENTITIES THAT PROVIDE HARM
20 REDUCTION SERVICES. UNLESS ADJUSTED PURSUANT TO SECTION 44-2-110
21 (6)(h), THE ENTERPRISE SHALL ALLOCATE FIFTY PERCENT OF THE MONEY
22 IN THE FUND TO SUPPORT TREATMENT PROVIDERS, TWENTY PERCENT OF
23 MONEY IN THE FUND TO SUPPORT RECOVERY PROVIDERS, AND FIVE
24 PERCENT OF THE MONEY IN THE FUND TO SUPPORT ELIGIBLE ENTITIES THAT
25 PROVIDE HARM REDUCTION SERVICES."
- 26 Page 14, lines 24 and 25, strike "PROVIDERS AND RECOVERY PROVIDERS"
27 and substitute "PROVIDERS, RECOVERY PROVIDERS, AND ELIGIBLE ENTITIES
28 THAT PROVIDE HARM REDUCTION SERVICES".
- 29 Page 15, line 13, strike "RECOVERY".
- 30 Page 15, strike line 14 and substitute "TREATMENT PROVIDER, RECOVERY
31 PROVIDER, OR ELIGIBLE ENTITY THAT PROVIDES HARM REDUCTION
32 SERVICES BASED SOLELY ON:".
- 33 Page 15, after line 20 insert:

- 1 "(c) A BHASO THAT RECEIVES A GRANT MAY USE THE GRANT
2 MONEY TO:
3 (I) PROVIDE TREATMENT SERVICES TO INDIVIDUALS WHO HAVE
4 ALCOHOL USE DISORDER OR WHO HAVE ALCOHOL USE DISORDER AND
5 ANOTHER CO-OCCURRING SUBSTANCE USE DISORDER;
6 (II) FOR HARM REDUCTION PROGRAMS AND SERVICES RELATED
7 ONLY TO ALCOHOL USE; AND
8 (III) FOR PROGRAMS AND SERVICES RELATED TO RECOVERY FROM
9 ALCOHOL USE DISORDER AND RECOVERY FROM ALCOHOL USE DISORDER
10 WITH CO-OCCURRING SUBSTANCE USE DISORDERS."
- 11 Page 15, strike line 25 and substitute "PROVIDER, RECOVERY PROVIDER,
12 AND ELIGIBLE ENTITY THAT PROVIDES HARM REDUCTION SERVICES;".
- 13 Page 16, line 18, strike "THE" and substitute "UNLESS ADJUSTED
14 PURSUANT TO SECTION 44-2-110 (6)(h), THE".
- 15 Page 16, line 19, strike "TEN" and substitute "FIFTEEN".
- 16 Page 16, strike line 25 and substitute "USE DISORDERS, INCLUDING
17 UNDERAGE DRINKING PREVENTION AND RELATED SUBSTANCE USE; AND".
- 18 Page 17, line 2, strike "SERVICES." and substitute "SERVICES; AND".
- 19 Page 17, after line 2 insert:
- 20 "(d) ELIGIBLE ENTITIES THAT INCREASE THE AVAILABILITY AND
21 USE OF SCREENING, EARLY INTERVENTION, AND REFERRAL TO SERVICES
22 FOR FETAL ALCOHOL SPECTRUM DISORDERS."
- 23 Page 17, line 8, strike "**enforcement**" and substitute "**prevention and**
24 **deterrence**".
- 25 Page 17, strike line 10 and substitute "PREVENTION AND DETERRENCE
26 GRANT PROGRAM. UNLESS ADJUSTED PURSUANT TO SECTION 44-2-110
27 (6)(h), THE ENTERPRISE SHALL DISTRIBUTE".
- 28 Page 17, line 12, strike "LOCAL GOVERNMENTS" and substitute "ELIGIBLE
29 ENTITIES".
- 30 Page 17, line 13, strike "ENFORCEMENT," and substitute "PREVENTION,".
- 31 Page 17, strike lines 15 through 17.

- 1 Renumber succeeding subsection.
- 2 Page 17, line 18, strike "A LOCAL GOVERNMENT" and substitute "AN
3 ELIGIBLE ENTITY".
- 4 Page 18, strike lines 10 through 27.
- 5 Page 19, strikes 1 through 8 and substitute:
- 6 "(I) AN INDIVIDUAL WITH EXPERTISE IN ALCOHOL USE DISORDER
7 PREVENTION PROGRAMS AND SERVICES;
8 (II) AN INDIVIDUAL WITH EXPERIENCE PROVIDING ALCOHOL USE
9 DISORDER TREATMENT PROGRAMS AND SERVICES;
10 (III) AN INDIVIDUAL WITH EXPERIENCE PROVIDING ALCOHOL USE
11 DISORDER RECOVERY PROGRAMS AND SERVICES;
12 (IV) AN INDIVIDUAL REPRESENTING YOUTH MENTAL HEALTH
13 PROFESSIONALS, SUCH AS A SOCIAL WORKER, A CHILD AND ADOLESCENT
14 PSYCHIATRIST, OR OTHER PROFESSIONAL SPECIALIZING IN CARING FOR
15 YOUTH, WITH EXPERTISE IN YOUTH ALCOHOL USE PREVENTION,
16 TREATMENT, OR RECOVERY;
17 (V) A MEMBER OF LAW ENFORCEMENT WITH EXPERIENCE IN
18 IMPAIRED DRIVING PREVENTION AND DETERRENCE;
19 (VI) A REPRESENTATIVE OF A FEDERALLY RECOGNIZED INDIAN
20 TRIBE WITH JURISDICTION IN COLORADO WHO HAS EXPERTISE IN ALCOHOL
21 USE DISORDER PREVENTION, TREATMENT, OR RECOVERY;
22 (VII) AN INDIVIDUAL WHO HAS EXPERIENCED AN ALCOHOL USE
23 DISORDER;
24 (VIII) AN INDIVIDUAL WHOSE FAMILY HAS BEEN AFFECTED BY A
25 FAMILY MEMBER WITH AN ALCOHOL USE DISORDER OR FETAL ALCOHOL
26 SPECTRUM DISORDERS;
27 (IX) AN INDIVIDUAL REPRESENTING AN INSTITUTION OF
28 SECONDARY OR HIGHER EDUCATION THAT PROVIDES ALCOHOL USE
29 DISORDER PREVENTION PROGRAMS TO STUDENTS;
30 (X) AN INDIVIDUAL REPRESENTING AN ADVOCACY ORGANIZATION
31 FOR PEOPLE WITH MENTAL HEALTH CONDITIONS AND ALCOHOL AND
32 RELATED SUBSTANCE USE DISORDERS; AND
33 (XI) FOUR INDIVIDUALS REPRESENTING THE ALCOHOL INDUSTRY,
34 INCLUDING ONE INDIVIDUAL REPRESENTING THE VINOUS LIQUOR
35 INDUSTRY, ONE INDIVIDUAL REPRESENTING THE SPIRITUOUS LIQUOR
36 INDUSTRY, ONE INDIVIDUAL REPRESENTING THE MALT LIQUOR INDUSTRY,
37 AND ONE INDIVIDUAL REPRESENTING A MANUFACTURER OR DISTRIBUTOR
38 THAT IS NOT SUBJECT TO THE ALCOHOL IMPACT FEE."

- 1 Page 19, line 21, after "(3)" insert "(a)".
- 2 Page 19, after line 26 insert:
- 3 "(b) IF A VOTING BOARD MEMBER HAS A CONFLICT OF INTEREST
4 WITH RESPECT TO ANY MATTER SCHEDULED FOR HEARING BEFORE THE
5 BOARD, THE MEMBER SHALL RECUSE THEMSELVES FROM ANY DISCUSSION
6 AND DECISIONS ON THE MATTER UNLESS, AFTER FULL DISCLOSURE OF THE
7 FACTS GIVING RISE TO THE CONFLICT, THE BOARD AGREES TO WAIVE THE
8 CONFLICT. FOR PURPOSES OF THIS SUBSECTION (3)(b), A BOARD MEMBER
9 HAS A CONFLICT OF INTEREST IF THE BOARD MEMBER HAS A CONFLICT
10 THAT WOULD CALL INTO QUESTION THE MEMBER'S ABILITY TO RENDER AN
11 UNBIASED DECISION."
- 12 Page 20, line 22, strike "TREATMENT AND RECOVERY" and substitute
13 "TREATMENT, RECOVERY, AND HARM REDUCTION".
- 14 Page 21, line 1, strike "AND".
- 15 Page 21, line 6, after the period add "A GRANT APPLICATION CREATED
16 PURSUANT TO THIS SUBSECTION (6)(g) MUST, AT A MINIMUM, REQUIRE THE
17 APPLICANT TO INCLUDE THE FOLLOWING INFORMATION:
- 18 (I) AN APPLICATION NARRATIVE THAT DESCRIBES HOW THE
19 ELIGIBLE ENTITY WILL USE THE GRANT, INCLUDING HOW THE GRANT WILL
20 ADDRESS ALCOHOL USE OR ALCOHOL USE DISORDER AND HOW THE
21 ELIGIBLE ENTITY WILL ENSURE THAT THE FUNDS ARE NOT USED SOLELY
22 FOR NONALCOHOL-RELATED SUBSTANCE USE DISORDERS;
- 23 (II) THE PROVIDERS WHO WILL RECEIVE GRANT FUNDS, INCLUDING
24 INFORMATION ABOUT THEIR HISTORY, MISSION, LOCATIONS, AND
25 LEADERSHIP;
- 26 (III) A PROPOSED BUDGET AND WHETHER THE PROPOSED PROGRAM
27 OR SERVICES MEET THE REQUIREMENTS SPECIFIED IN THIS SECTION; AND
- 28 (IV) THE AMOUNT OF IN-KIND CONTRIBUTIONS MADE OR
29 MATCHING FUNDS CONTRIBUTED, IF ANY, TO THE PROJECT BUDGET FROM
30 THE APPLICANT OR OTHER SOURCES OUTSIDE OF THE GRANT.
- 31 (h) EVALUATE THE PROPORTION OF MONEY IN THE FUND AWARDED
32 THROUGH EACH GRANT PROGRAM CREATED IN THIS ARTICLE 2 AND ADJUST
33 THE PROPORTIONS AS NECESSARY."
- 34 Page 21, lines 24 and 25, strike "PURSUANT TO SECTION 44-2-107 (1) TO
35 (3);" and substitute "TO EACH OF THE GRANT PROGRAMS CREATED IN THIS
36 ARTICLE 2;".

- 1 Page 22, line 3, strike "PROVIDER," and substitute "PROVIDER AND
- 2 ELIGIBLE ENTITY,".
- 3 Page 22, line 4, strike "PROVIDER;" and substitute "PROVIDER AND
- 4 ELIGIBLE ENTITY;".
- 5 Page 22, line 18, strike "AND".
- 6 Page 22, strike line 23 and substitute "OF THE MONEY; AND
- 7 (VIII) TRENDS IN ALCOHOL-RELATED MORBIDITY AND MORTALITY
- 8 IN THE PREVIOUS CALENDAR YEAR.".
- 9 Page 24, strike lines 5 through 23.
- 10 Renumber succeeding section accordingly.

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