

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0749.01 Chelsea Princell x4335

HOUSE BILL 26-1285

HOUSE SPONSORSHIP

Goldstein,

SENATE SPONSORSHIP

Mullica,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A PROHIBITION ON ADMITTING A PERSON WHO IS
102 REQUIRED TO REGISTER THE PERSON'S RESIDENCE IN
103 ACCORDANCE WITH THE "COLORADO SEX OFFENDER
104 REGISTRATION ACT" IN A MENTAL HEALTH RESIDENTIAL
105 FACILITY THAT IS LOCATED NEAR A SCHOOL.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of human services to include in the admission criteria for admitting a person to a mental health residential

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

facility a prohibition on admitting a person who is required to register the person's residence in accordance with the "Colorado Sex Offender Registration Act" to a mental health residential facility that is located within 1,000 feet of a school.

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

2 **SECTION 1.** In Colorado Revised Statutes, 27-71-103, **amend**
3 (2)(c) as follows:

4 **27-71-103. Mental health residential facilities - additional beds**
5 **- definition.**

6 (2) (c) The state department, in collaboration with the behavioral
7 health administration and the department of health care policy and
8 financing, shall establish criteria for admissions and discharge planning,
9 quality assurance monitoring, appropriate length of stay, and compliance
10 with applicable federal law. For the mental health residential facilities
11 created pursuant to this section, admission criteria for facilities must
12 include:

13 (I) Prioritization of people with serious mental illness who have
14 complex or co-occurring conditions as defined by the state department;
15 **and**

16 (II) For treatment beds that do not serve individuals covered under
17 a home- and community-based waiver, offering priority placement to
18 individuals under a certification for short-term or extended short-term
19 treatment pursuant to section 27-65-107 or 27-65-108 and long-term care
20 and treatment pursuant to section 27-65-109 on an outpatient basis; AND

21 (III) FOR INDIVIDUALS WHO ARE REQUIRED TO REGISTER THEIR
22 RESIDENCE PURSUANT TO THE PROVISIONS OF THE "COLORADO SEX
23 OFFENDER REGISTRATION ACT", ARTICLE 22 OF TITLE 16, A PROHIBITION

1 ON ADMITTING THE INDIVIDUAL TO A MENTAL HEALTH RESIDENTIAL
2 FACILITY LOCATED WITHIN ONE THOUSAND FEET OF A SCHOOL. THE
3 ONE-THOUSAND-FOOT DISTANCE MUST BE COMPUTED BY DIRECT
4 MEASUREMENT FROM THE NEAREST PROPERTY LINE OF THE LAND USED
5 FOR SCHOOL PURPOSES TO THE NEAREST PORTION OF THE MENTAL HEALTH
6 RESIDENTIAL FACILITY, USING A ROUTE OF DIRECT PEDESTRIAN ACCESS. AS
7 USED IN THIS SUBSECTION (2)(c)(III), "SCHOOL" MEANS A PUBLIC,
8 PAROCHIAL, OR PRIVATE SCHOOL THAT PROVIDES A BASIC ACADEMIC
9 EDUCATION IN COMPLIANCE WITH SCHOOL ATTENDANCE LAWS FOR
10 STUDENTS IN ANY OF GRADES ONE THROUGH TWELVE.

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2026 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.