

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0933.02 Rebecca Bayetti x4348

HOUSE BILL 26-1349

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HOUSE SPONSORSHIP

**Brown and Sirota**, Taggart

SENATE SPONSORSHIP

**Amabile and Kirkmeyer**, Bridges

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**House Committees**  
Appropriations

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING MODIFICATIONS TO PREVENTION SERVICES PROGRAMS  
102 WITHIN THE DEPARTMENT OF EARLY CHILDHOOD, AND, IN  
103 CONNECTION THEREWITH, MAKING AND REDUCING  
104 APPROPRIATIONS.

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**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/>.)*

**Joint Budget Committee.** Under current law, the nurse home visitor program (program) provides regular in-home visiting nurse services to low-income first-time mothers during their pregnancies and

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.*

through their children's second birthday. The nurse home visitor program fund (fund) is subject to annual appropriation by the general assembly to the department of early childhood (department) for grants to entities for operation of the program. Among other revenue sources, the fund consists of money received pursuant to the master tobacco settlement agreement. The bill requires the state treasurer, on July 1, 2026, and on each July 1 thereafter through July 1, 2029, to transfer \$5.1 million from the fund to the Colorado child abuse prevention trust fund (trust fund).

Funds from the trust fund are subject to annual appropriation by the general assembly to the Colorado child abuse prevention board (board) within the department for child abuse prevention programs. These prevention services are eligible for reimbursement money received for prevention services and programs identified in the federal Title IV-E prevention services clearinghouse pursuant to the federal "Family First Prevention Services Act of 2018" (federal reimbursement money received for prevention services and programs). The trust fund and the board are scheduled to repeal on July 1, 2027. The bill continues the trust fund and board indefinitely.

The bill requires the department, on or before November 1, 2029, to report to the joint budget committee of the general assembly on the effect of the transfers from the fund to the trust fund, including an accounting of any additional federal reimbursement money received for prevention services and programs.

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

2           **SECTION 1.** In Colorado Revised Statutes, 26.5-3-206, **add**  
3 (1)(a.5) and (5) as follows:

4           **26.5-3-206. Colorado child abuse prevention trust fund -**  
5 **creation - source of funds - appropriation - report - repeal.**

6           (1) There is created in the state treasury the Colorado child abuse  
7 prevention trust fund. The board shall administer the trust fund, which  
8 consists of:

9           (a.5) (I) MONEY TRANSFERRED TO THE TRUST FUND IN  
10 ACCORDANCE WITH SECTION 26.5-3-507 (2)(c)(III).

11           (II) THIS SUBSECTION (1)(a.5) IS REPEALED, EFFECTIVE JULY 1,  
12 2030.

1 (5) (a) ON OR BEFORE NOVEMBER 1, 2029, THE DEPARTMENT  
2 SHALL REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL  
3 ASSEMBLY ON THE EFFECT OF THE TRANSFERS FROM THE NURSE HOME  
4 VISITOR PROGRAM FUND CREATED IN SECTION 26.5-3-507 (2)(c) TO THE  
5 TRUST FUND. THE DEPARTMENT SHALL INCLUDE AN ACCOUNTING OF ANY  
6 ADDITIONAL REIMBURSEMENT MONEY RECEIVED FOR PREVENTION  
7 SERVICES AND PROGRAMS IDENTIFIED IN THE FEDERAL TITLE IV-E  
8 PREVENTION SERVICES CLEARINGHOUSE PURSUANT TO THE FEDERAL  
9 "FAMILY FIRST PREVENTION SERVICES ACT OF 2018" IN ITS REPORT.

10 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2030.

11 **SECTION 2.** In Colorado Revised Statutes, 26.5-3-208, **amend**  
12 (1) as follows:

13 **26.5-3-208. Report - repeal.**

14 (1) (a) The department shall contract for an independent  
15 evaluation of the Colorado child abuse prevention trust fund created in  
16 section 26.5-3-206, ~~as it existed prior to its repeal on July 1, 2027,~~  
17 including administrative costs of operating the trust fund and the  
18 cost-effectiveness and the impact of the grants on reducing and  
19 preventing child abuse. The department shall provide a report of the  
20 evaluation to the house of representatives and senate health and human  
21 services committees, or any successor committees, on or before  
22 November 1, 2029.

23 (b) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2030.

24 **SECTION 3.** In Colorado Revised Statutes, **repeal** 26.5-3-209 as  
25 follows:

26 **26.5-3-209. Repeal of part.**

27 ~~(1) Sections 26.5-3-201 to 26.5-3-207 are repealed, effective July~~

1 ~~1, 2027.~~

2 (2) Section 26.5-3-208 and this section are repealed, effective July  
3 ~~1, 2030.~~

4 **SECTION 4.** In Colorado Revised Statutes, 26.5-3-503, **add** (1.5)  
5 as follows:

6 **26.5-3-503. Definitions.**

7 As used in this part 5, unless the context otherwise requires:

8 (1.5) "FUND" MEANS THE NURSE HOME VISITOR PROGRAM FUND  
9 CREATED IN SECTION 26.5-3-507 (2)(c).

10 **SECTION 5.** In Colorado Revised Statutes, 26.5-3-507, **amend**  
11 (2)(c)(I); **repeal** (2)(d); and **add** (2)(c)(III) as follows:

12 **26.5-3-507. Selection of entities to administer the program -**  
13 **grants - nurse home visitor program fund - created - report - repeal.**

14 (2) (c) (I) Grants awarded pursuant to subsection (2)(a) of this  
15 section are payable from the nurse home visitor program fund, which  
16 fund is created in the state treasury. The nurse home visitor program fund  
17 ~~referred to in this section as the "fund"~~, is administered by the department  
18 and consists of money transferred to the fund by the state treasurer from  
19 money received pursuant to the master settlement agreement in the  
20 amount described in subsection (2)(e) of this section AND ANY OTHER  
21 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER  
22 TO THE FUND. In addition, the state treasurer shall credit to the fund any  
23 public or private gifts, grants, or donations received by the department to  
24 implement the program, including any money received from the United  
25 States federal government for the program. The fund is subject to annual  
26 appropriation by the general assembly to the department for grants to  
27 entities for operation of the program. The department may retain the

1 amount needed to pay for the program's share of the department's indirect  
2 costs, as calculated under the federally approved cost allocation plan. In  
3 addition, the department may retain a total of up to five percent of the  
4 amount annually appropriated from the fund for the program, in order to  
5 compensate the health sciences facility pursuant to section 26.5-3-505 (4),  
6 as set forth in the scope of work in the agreement between the department  
7 and the health sciences facility, and to compensate the department for the  
8 actual costs the department incurs in implementing subsection (2)(b) of  
9 this section, as determined by the department; except that the portion of  
10 the costs to compensate the department for implementing subsection  
11 (2)(b) of this section must not exceed two percent of the amount annually  
12 appropriated from the fund for the program, and the portion of such costs  
13 to compensate the health sciences facility pursuant to section 26.5-3-505  
14 (4), as set forth in the scope of work in the contract between the  
15 department and the health sciences facility, must not exceed three percent  
16 of the amount annually appropriated from the fund for the program. In  
17 addition, if the total amount annually appropriated from the fund for the  
18 program exceeds nineteen million dollars, the department and the health  
19 sciences facility shall assess whether a smaller percentage of the  
20 appropriated funds exceeding nineteen million dollars is adequate to  
21 cover their actual costs and shall jointly submit to the general assembly  
22 a report articulating their conclusions on this subject. The actual costs of  
23 the department include department personnel and operating costs and any  
24 necessary transfers to the department of health care policy and financing  
25 for administrative costs incurred for the medicaid program associated  
26 with the program. The actual costs of the health sciences facility include  
27 the facility's own actual program costs and those of its contractors and

1 subcontractors. Any costs for time studies required to obtain medicaid  
2 reimbursement for the program may be paid from program funds and are  
3 not subject to the five percent limit in this section. Notwithstanding  
4 section 24-36-114, all interest derived from the deposit and investment of  
5 money in the fund must be credited to the fund. Except as otherwise  
6 provided in ~~subsection (2)(c)(II)~~ SUBSECTIONS (2)(c)(II) AND (2)(c)(III)  
7 of this section, all unexpended and unencumbered money in the fund at  
8 the end of any fiscal year remains in the fund and must not be transferred  
9 to the general fund or any other fund.

10 (III) (A) ON JULY 1, 2026, AND ON EACH JULY 1 THEREAFTER  
11 THROUGH JULY 1, 2029, THE STATE TREASURER SHALL TRANSFER FIVE  
12 MILLION ONE HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE  
13 COLORADO CHILD ABUSE PREVENTION TRUST FUND CREATED IN SECTION  
14 26.5-3-206.

15 (B) THIS SUBSECTION (2)(c)(III) IS REPEALED, EFFECTIVE JULY 1,  
16 2030.

17 (d) ~~It is the intent of the general assembly that general fund money~~  
18 ~~not be appropriated for implementation of the program.~~

19 **SECTION 6. Appropriation - adjustments to 2026 long bill.**

20 (1) Except as provided in subsection (2) of this section, to implement this  
21 act, appropriations made in the annual general appropriation act for the  
22 2026-27 state fiscal year to the department of early childhood for use by  
23 community and family support are adjusted as follows:

24 (a) The cash fund appropriation from the nurse home visitor  
25 program fund created in section 26.5-3-507 (2)(c)(I), C.R.S., for home  
26 visiting is decreased by \$5,100,000;

27 (b) The general fund appropriation for home visiting is increased

1 by \$5,100,000;

2 (c) The general fund appropriation for child maltreatment  
3 prevention is decreased by \$5,100,000; and

4 (d) The cash fund appropriation from the Colorado child abuse  
5 prevention trust fund created in section 26.5-3-206 (1), C.R.S., for child  
6 maltreatment prevention is increased by \$5,100,000.

7 (2) Subsection (1) of this section does not require a reduction of  
8 an appropriation in the annual general appropriation act for the 2026-27  
9 state fiscal year if:

10 (a) The amount of appropriation from the nurse home visitor  
11 program fund created in section 26.5-3-507 (2)(c)(I), C.R.S., made in the  
12 annual general appropriation act for the 2026-27 state fiscal year to the  
13 department of early childhood for use by the community and family  
14 support for home visiting is less than the amount of the adjustments  
15 required in subsection (1)(a) of this section;

16 (b) The amount of general fund appropriation made in the annual  
17 general appropriation act for the 2026-27 state fiscal year to the  
18 department of early childhood for use by community and family support  
19 for child maltreatment prevention is less than the amount of adjustments  
20 required in subsection (1)(c) of this section;

21 (c) The annual general appropriation act for the 2026-27 state  
22 fiscal year does not include an appropriation to the department of early  
23 childhood for use by community and family support for home visiting; or

24 (d) The annual general appropriation act for the 2026-27 state  
25 fiscal year does not include an appropriation to the department of early  
26 childhood for use by community and family support for child  
27 maltreatment prevention.

1           **SECTION 7. Effective date.** This act takes effect upon passage;  
2           except that section 6 of this act takes effect only if the annual general  
3           appropriation act for the 2026-27 state fiscal year becomes law, in which  
4           case section 6 takes effect upon the effective date of this act or of the  
5           annual general appropriation act for state fiscal year 2026-27, whichever  
6           is later.

7           **SECTION 8. Safety clause.** The general assembly finds,  
8           determines, and declares that this act is necessary for the immediate  
9           preservation of the public peace, health, or safety or for appropriations for  
10          the support and maintenance of the departments of the state and state  
11          institutions.