

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0992.02 Richard Sweetman x4333

**HOUSE BILL 26-1418**

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**HOUSE SPONSORSHIP**

**Zokaie and Camacho,**

**SENATE SPONSORSHIP**

**Amabile and Roberts,**

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**House Committees**

Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE PROVISION OF SERVICES TO YOUNG PEOPLE, AND, IN**  
102           **CONNECTION THEREWITH, REQUIRING CERTAIN SOCIAL MEDIA**  
103           **PLATFORMS THAT PROVIDE ONLINE GAMING SERVICES,**  
104           **PRODUCTS, AND FEATURES TO YOUNG PEOPLE TO IMPOSE A FEE**  
105           **ON EACH ADD-ON TRANSACTION AND REMIT THE FEE TO THE**  
106           **YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE, WHICH**  
107           **ENTERPRISE IS CREATED IN THE BILL, AND TO THE YOUTH**  
108           **PROGRAMMING AND PROTECTIONS ENTERPRISE, WHICH**  
109           **ENTERPRISE IS ALSO CREATED IN THE BILL, TO BE USED TO FUND**  
110           **PROGRAMS THAT PROVIDE SERVICES TO YOUNG PEOPLE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does*

*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.*

*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 each covered social media platform (covered platform) to impose a fee on each add-on transaction that occurs on the covered platform. The bill creates the youth mental health services access enterprise (enterprise) in the behavioral health administration (BHA) to use the fee revenue to operate and fund programs that provide youth mental health services. The enterprise constitutes an enterprise for purposes of section 20 of article X of the state constitution.

A "covered platform" means a sole proprietorship, a partnership, a limited liability company, a corporation, an association, or another legal entity, or an affiliate thereof, that:

- Conducts business in this state;
- Generates a majority of its annual revenue from online services;
- Makes available online gaming services, products, or features that are reasonably likely to be accessed by a youth;
- Collects users' personal data or has users' personal data collected on its behalf by a processor; and
- Solely or jointly with others determines the purposes and means of the processing of users' personal data.

"Add-on transaction" means an online transaction through which a player or participant in an online gaming service, product, or feature acquires:

- An item or ability that provides the player or participant an advantage over other players or participants; or
- A feature that alters or enhances the online gaming service, product, or feature.

After deducting its administrative expenses, the enterprise is required to allocate the remaining fee revenue as follows:

- 40% to operate and fund the youth mental health peer navigator grant program, which program is created in the bill (see below);
- 35% to operate and fund the crisis resolution team program, which program is created in the bill (see below); and
- 25%, beginning July 1, 2027, to operate the existing youth mental health services program (see below).

The initial amount of the fee is 5% of the amount of the add-on transaction. On and after October 1, 2027, the enterprise may adjust the amount of the fee.

The bill creates the youth mental health services access enterprise fund (fund), consisting of money credited to the fund as fee revenue, any money received from the issuance of revenue bonds, and any other money that the general assembly may appropriate or transfer to the fund. Money in the fund is continuously appropriated to the enterprise.

The bill creates the youth mental health peer navigator grant program to award grants to entities that recruit and train young adults to provide prevention services, peer support, and system navigation to youth in schools or community-based settings.

The bill creates the crisis resolution team program to provide community-based de-escalation and stabilization services to youth who are experiencing high-acuity behavioral health crises and to their caregivers.

Under current law, the BHA operates the youth mental health services program to facilitate access to mental health services, including substance use disorder services, for youth in response to mental health needs identified in an initial mental health screening through the program's web-based portal. The program reimburses providers for up to 3 mental health sessions with a youth. The bill directs the enterprise, rather than the BHA, to operate and fund the youth mental health services program beginning July 1, 2027. The bill also allows the enterprise to reimburse a provider for up to 6 mental health sessions with a youth.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 6 to article  
3 60 of title 27 as follows:

4 **PART 6**

5 **YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE**

6 **27-60-601. Short title.**

7 THE SHORT TITLE OF THIS PART 6 IS THE "YOUTH MENTAL HEALTH  
8 SERVICES ACCESS ENTERPRISE ACT".

9 **27-60-602. Legislative declaration.**

10 (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

11 (a) (I) YOUNG PEOPLE IN COLORADO AND ELSEWHERE SPEND A  
12 REMARKABLE AMOUNT OF TIME EVERY DAY MONITORING AND  
13 PARTICIPATING IN ONLINE SOCIAL MEDIA AND OTHER WEBSITES, WHERE

1 THEY ARE EXPOSED TO ADULT-THEMED CONTENT, SEXUAL PREDATORS,  
2 AND UNSCRUPULOUS MARKETERS;

3 (II) INCREASINGLY, ONLINE GAMING HAS REPLACED TRADITIONAL  
4 SOCIAL MEDIA AND ACTS AS SOCIAL MEDIA FOR MINORS. EIGHTY-FIVE  
5 PERCENT OF MINORS PLAY ONLINE GAMES, TWENTY-THREE PERCENT PLAY  
6 SEVERAL TIMES A DAY, TWENTY-TWO PERCENT PLAY SEVERAL TIMES A  
7 WEEK, AND TWENTY-ONE PERCENT PLAY LESS. ONLINE GAMING HAS ALSO  
8 BECOME INCREASINGLY PERVASIVE FOR CHILDREN BETWEEN FIVE AND  
9 TWELVE YEARS OLD, WITH MORE THAN EIGHTY PERCENT OF SUCH  
10 CHILDREN GAMING WEEKLY.

11 (III) APPROXIMATELY THIRTY-FIVE TO THIRTY-SEVEN PERCENT OF  
12 CHILDREN APPROACHED BY STRANGERS ONLINE WERE FIRST CONTACTED  
13 VIA GAMING PLATFORMS. ONLINE GAMING PLATFORMS ARE ENGINEERED  
14 TO KEEP CHILDREN ENGAGED FOR AS LONG AS POSSIBLE, AND EXCESSIVE  
15 GAMING IS ASSOCIATED WITH SLEEP DISRUPTION, DECREASED ACADEMIC  
16 PERFORMANCE, AND INCREASED ANXIETY AND DEPRESSION IN YOUNG  
17 PEOPLE.

18 (IV) YOUNG PEOPLE ARE ESPECIALLY VULNERABLE TO THREATS  
19 THAT EXIST ON THE INTERNET BECAUSE YOUNG PEOPLE LACK EXPERIENCE  
20 AND BECAUSE THERE ARE INDIVIDUALS AND OTHER ENTITIES THAT TARGET  
21 YOUNG PEOPLE ON THE INTERNET FOR PREDATORY PURPOSES;

22 (V) IT IS WELL-DOCUMENTED THAT THE BRAINS OF CHILDREN AND  
23 JUVENILES ARE NOT FULLY DEVELOPED AND THAT, FOR MANY YOUNG  
24 PEOPLE, THE CONSTANT AND OVERWHELMING PRESENCE OF SOCIAL MEDIA  
25 AND THE INTERNET EXACERBATES THE DIFFICULTIES OF THE TRANSITION  
26 FROM CHILDHOOD TO ADULTHOOD;

27 (VI) MANY YOUNG PEOPLE WHO DEVELOP COMPULSIVE USE

1 DISORDERS OR WHO ARE OTHERWISE HARMED BY SOCIAL MEDIA WEBSITES,  
2 ONLINE GAMING, OR THE INTERNET CAN BENEFIT FROM PROGRAMS THAT  
3 OFFER MENTAL HEALTH SERVICES; AND

4 (VII) IT IS IN THE BEST INTEREST OF THE STATE TO REQUIRE  
5 CERTAIN INTERNET WEBSITES THAT MARKET AND PROVIDE GAMING  
6 OPPORTUNITIES TO CHILDREN AND JUVENILES AND PROFIT FROM SUCH  
7 VENTURES TO IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION  
8 TO BE CREDITED TO:

9 (A) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE  
10 FUND CREATED IN THIS PART 6, FROM WHICH FUND THE YOUTH MENTAL  
11 HEALTH SERVICES ACCESS ENTERPRISE MAY AWARD GRANTS TO MENTAL  
12 HEALTH AGENCIES THAT PROVIDE MENTAL HEALTH SERVICES TO YOUNG  
13 PEOPLE, AS DESCRIBED IN THIS PART 6; AND

14 (B) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE  
15 FUND CREATED IN SECTION 22-109-104 (6), FROM WHICH FUND THE YOUTH  
16 PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION  
17 22-109-104 MAY AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME  
18 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND  
19 SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF  
20 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

21 (b) BY SUPPORTING YOUTH MENTAL HEALTH SERVICES AS  
22 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, THE ENTERPRISE  
23 ENGAGES IN AN ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN,  
24 OR LIVELIHOOD AND THEREFORE OPERATES AS A BUSINESS;

25 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO  
26 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896  
27 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS

1 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE  
2 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES  
3 THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE  
4 THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE  
5 ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND  
6 SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH  
7 USERS OF SOCIAL MEDIA PLATFORMS, AND THE FEE IS IMPOSED AT A RATE  
8 THAT IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT  
9 COSTS OF THE SERVICES RECEIVED BY YOUTH USERS OF SOCIAL MEDIA  
10 PLATFORMS;

11 (d) SO LONG AS THE ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR  
12 PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE  
13 REVENUE FROM THE FEE IMPOSED BY THE ENTERPRISE IS NOT STATE FISCAL  
14 YEAR SPENDING, AS DEFINED IN SECTION 24-77-102, OR STATE REVENUES,  
15 AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DOES NOT COUNT  
16 AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY  
17 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS  
18 STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I); AND

19 (e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN  
20 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE  
21 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES  
22 OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL IN ITS FIRST FIVE  
23 FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE ENTERPRISE DOES  
24 NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION 24-77-108.

25 **27-60-603. Definitions.**

26 AS USED IN THIS PART 6, UNLESS THE CONTEXT OTHERWISE  
27 REQUIRES:

1 (1) "ADD-ON TRANSACTION" MEANS AN ONLINE TRANSACTION  
2 THROUGH WHICH A PLAYER OR PARTICIPANT IN AN ONLINE GAMING  
3 SERVICE, PRODUCT, OR FEATURE ACQUIRES:

4 (a) AN ITEM OR ABILITY THAT PROVIDES THE PLAYER OR  
5 PARTICIPANT AN ADVANTAGE OVER OTHER PLAYERS OR PARTICIPANTS; OR

6 (b) A FEATURE THAT ALTERS OR ENHANCES THE ONLINE GAMING  
7 SERVICE, PRODUCT, OR FEATURE.

8 (2) (a) "COVERED PLATFORM" MEANS A SOLE PROPRIETORSHIP, A  
9 PARTNERSHIP, A LIMITED LIABILITY COMPANY, A CORPORATION, AN  
10 ASSOCIATION, OR ANOTHER LEGAL ENTITY, OR AN AFFILIATE THEREOF,  
11 THAT:

12 (I) CONDUCTS BUSINESS IN THE STATE;

13 (II) GENERATES A MAJORITY OF ITS ANNUAL REVENUE FROM  
14 ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES;

15 (III) HAS THE PRIMARY PURPOSE OF MAKING AVAILABLE ONLINE  
16 GAMING SERVICES, PRODUCTS, OR FEATURES THAT ARE REASONABLY  
17 LIKELY TO BE ACCESSED BY A YOUTH;

18 (IV) COLLECTS USERS' PERSONAL DATA OR HAS USERS' PERSONAL  
19 DATA COLLECTED ON ITS BEHALF BY A PROCESSOR; AND

20 (V) SOLELY OR JOINTLY WITH OTHERS DETERMINES THE PURPOSES  
21 AND MEANS OF THE PROCESSING OF USERS' PERSONAL DATA.

22 (b) "COVERED PLATFORM" DOES NOT INCLUDE AN INTERNET  
23 SERVICE PROVIDER OR TELECOMMUNICATIONS CARRIER THAT PROVIDES  
24 CONNECTIVITY TO A THIRD-PARTY SERVICE AND THAT DOES NOT:

25 (I) DIRECTLY PROCESS ADD-ON TRANSACTIONS; AND

26 (II) DETERMINE DATA PROCESSING PURPOSES FOR THE  
27 THIRD-PARTY SERVICE.

1 (3) "ENTERPRISE" MEANS THE YOUTH MENTAL HEALTH SERVICES  
2 ACCESS ENTERPRISE CREATED IN SECTION 27-60-604.

3 (4) "FEE" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS  
4 FEE IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605.

5 (5) "FUND" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS  
6 ENTERPRISE FUND CREATED IN SECTION 27-60-604 (6).

7 (6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN  
8 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303  
9 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

10 (7) "PROCESS" OR "PROCESSING" HAS THE MEANING SET FORTH IN  
11 SECTION 6-1-1303 (18).

12 (8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION  
13 6-1-1303 (19).

14 (9) "REASONABLY LIKELY TO BE ACCESSED BY A YOUTH" MEANS  
15 THAT AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS REASONABLY  
16 LIKELY TO BE ACCESSED BY A YOUTH BECAUSE THE ONLINE GAMING  
17 SERVICE, PRODUCT, OR FEATURE IS DIRECTED TO CHILDREN, AS DESCRIBED  
18 BY THE FEDERAL "CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF  
19 1998", 15 U.S.C. SECS. 6501 TO 6506, AND THE ASSOCIATED RULES OF THE  
20 FEDERAL TRADE COMMISSION.

21 [REDACTED]

22 (10) "YOUTH" HAS THE MEANING SET FORTH IN SECTION 27-60-109  
23 (1)(e).

24 **27-60-604. Youth mental health services access enterprise -**  
25 **created - board - powers and duties - rules and policies - fund -**  
26 **repeal.**

27 (1)(a) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE

1 IS CREATED IN THE BEHAVIORAL HEALTH ADMINISTRATION. THE  
2 ENTERPRISE IS AND OPERATES AS A GOVERNMENT-OWNED BUSINESS  
3 WITHIN THE BHA FOR THE BUSINESS PURPOSE OF COLLECTING FEES  
4 IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605 AND  
5 UTILIZING THE FEE REVENUE TO OPERATE AND FUND PROGRAMS THAT  
6 PROVIDE YOUTH MENTAL HEALTH SERVICES. THE ENTERPRISE IS A **TYPE 1**  
7 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND  
8 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE BHA.

9 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES  
10 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT  
11 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS  
12 THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL  
13 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT  
14 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (1), THE  
15 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE  
16 CONSTITUTION.

17 (c) THE ENTERPRISE SHALL BE DIRECTED BY A BOARD OF  
18 INDIVIDUALS TO BE APPOINTED BY THE GOVERNOR.

19 (2) THE ENTERPRISE, ACTING THROUGH THE BOARD, MAY:

20 (a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND  
21 TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES  
22 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT  
23 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE  
24 24;

25 (b) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT  
26 ARE PAYABLE ONLY FROM THE MONEY IN THE FUND;

27 (c) ADOPT RULES AS NECESSARY TO CARRY OUT THIS PART 6; AND

1 (d) ADOPT POLICIES FOR THE REGULATION OF ITS AFFAIRS AND THE  
2 CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS PART 6.

3 (3) THE ENTERPRISE SHALL:

4 (a) RECEIVE THE FEES IMPOSED BY COVERED PLATFORMS ON  
5 ADD-ON TRANSACTIONS PURSUANT TO SECTION 27-60-605;

6 (b) OPERATE AND FUND THE YOUTH MENTAL HEALTH PEER  
7 NAVIGATOR GRANT PROGRAM AS REQUIRED BY SECTION 27-60-606;

8 (c) OPERATE AND FUND THE CRISIS RESOLUTION TEAM PROGRAM  
9 AS REQUIRED BY SECTION 27-60-607; AND

10 (d) BEGINNING JULY 1, 2027, OPERATE AND FUND THE YOUTH  
11 MENTAL HEALTH SERVICES PROGRAM CREATED IN SECTION 27-60-109.

12 (4) (a) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS  
13 PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", PART 4 OF  
14 ARTICLE 6 OF TITLE 24.

15 (b) THE ENTERPRISE IS SUBJECT TO THE "COLORADO OPEN  
16 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. FOR PURPOSES OF THE  
17 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24,  
18 AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR  
19 REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC  
20 RECORDS, AS DEFINED IN SECTION 24-72-202, REGARDLESS OF WHETHER  
21 THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL  
22 REVENUE IN GRANTS, AS DEFINED IN SECTION 24-77-102, FROM ALL  
23 COLORADO STATE AND LOCAL GOVERNMENTS.

24 (c) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF THE  
25 "SUPPLEMENTAL PUBLIC SECURITIES ACT", PART 2 OF ARTICLE 57 OF  
26 TITLE 11.

27 (5) THE BHA SHALL PROVIDE OFFICE SPACE AND ADMINISTRATIVE

1 STAFF TO THE ENTERPRISE PURSUANT TO A CONTRACT ENTERED INTO  
2 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

3 (6) (a) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE  
4 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY  
5 CREDITED TO THE FUND IN ACCORDANCE WITH THIS PART 6; ANY MONEY  
6 RECEIVED FROM THE ISSUANCE OF REVENUE BONDS, AS DESCRIBED IN  
7 SUBSECTION (2)(b) OF THIS SECTION; AND ANY OTHER MONEY THAT THE  
8 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

9 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
10 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
11 FUND TO THE FUND.

12 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
13 ENTERPRISE. THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR  
14 THE PURPOSES OF THIS PART 6, SUBJECT TO THE REQUIREMENTS OF  
15 SECTION 27-60-605 (4).

16 (7) (a) SECTION 24-77-108 DOES NOT APPLY TO THE ENTERPRISE  
17 BECAUSE THE TOTAL AMOUNT OF MONEY CREDITED OR APPROPRIATED TO  
18 THE FUND AS FEE REVENUE SHALL NOT EXCEED ONE HUNDRED MILLION  
19 DOLLARS IN THE FIRST FIVE FISCAL YEARS OF THE ENTERPRISE'S  
20 EXISTENCE.

21 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2033.

22 (8) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,  
23 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF  
24 THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND  
25 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S  
26 TOTAL ANNUAL REVENUE.

27 **27-60-605. Youth mental health services access fee -**

1 established - collection by covered platforms - remittance to  
2 department of revenue - youth programming and protections  
3 enterprise fund.

4 (1) ON AND AFTER JANUARY 1, 2027, EACH COVERED PLATFORM  
5 SHALL IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION THAT  
6 OCCURS ON THE COVERED PLATFORM AND REMIT THE ENTIRE AMOUNT OF  
7 THE FEE TO THE DEPARTMENT OF REVENUE.

8 (2) (a) THE INITIAL AMOUNT OF THE FEE IS FIVE PERCENT OF THE  
9 AMOUNT OF THE ADD-ON TRANSACTION. ON AND AFTER OCTOBER 1, 2027,  
10 THE ENTERPRISE MAY ADJUST THE AMOUNT OF THE FEE. THE ENTERPRISE  
11 SHALL PUBLISH THE FEE AMOUNT ON THE BHA'S PUBLIC WEBSITE.

12 (b) THE AMOUNT OF THE FEE MUST BE REASONABLY CALCULATED  
13 TO RECOUP THE DIRECT AND INDIRECT COSTS OF THE SERVICES RECEIVED  
14 BY YOUTH THROUGH THE:

15 (I) YOUTH MENTAL HEALTH SERVICES PROGRAM CREATED IN  
16 SECTION 27-60-109;

17 (II) YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM  
18 CREATED IN SECTION 27-60-606;

19 (III) CRISIS RESOLUTION TEAM PROGRAM CREATED IN SECTION  
20 27-60-607;

21 (IV) OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED  
22 IN SECTION 22-105.5-104; AND

23 (V) ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN  
24 SECTION 22-109-105.

25 (c) IN ADJUSTING THE AMOUNT OF THE FEE, THE ENTERPRISE SHALL  
26 CONSIDER THE LIMITATIONS DESCRIBED IN SECTION 24-77-108.

27 (3) (a) EXCEPT AS DESCRIBED IN SUBSECTION (3)(c) OF THIS

1 SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE  
2 SHALL TRANSFER MONEY COLLECTED AS FEES BY COVERED PLATFORMS TO  
3 THE STATE TREASURER TO BE CREDITED TO THE FUND.

4 (b) MONEY THAT THE DEPARTMENT OF REVENUE COLLECTS  
5 PURSUANT TO THIS SECTION IS CUSTODIAL MONEY HELD TEMPORARILY BY  
6 THE DEPARTMENT OF REVENUE AND THE STATE TREASURER SOLELY FOR  
7 THE PURPOSE OF TRANSFERRING THE MONEY TO THE FUND FOR USE BY THE  
8 ENTERPRISE.

9 (c) IN EACH STATE FISCAL YEAR, AFTER THE STATE TREASURER HAS  
10 CREDITED EIGHT MILLION DOLLARS TO THE FUND PURSUANT TO  
11 SUBSECTION (3)(a) OF THIS SECTION, THE STATE TREASURER SHALL CREDIT  
12 ANY OTHER MONEY RECEIVED AS FEES PURSUANT TO SUBSECTION (1) OF  
13 THIS SECTION TO THE YOUTH PROGRAMMING AND PROTECTIONS  
14 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6).

15 (4) THE ENTERPRISE MAY SPEND NO MORE THAN THREE PERCENT  
16 OF THE ANNUAL FEE REVENUE CREDITED TO THE FUND FOR THE  
17 ENTERPRISE'S ADMINISTRATIVE EXPENSES. AFTER DEDUCTING ITS  
18 ADMINISTRATIVE EXPENSES, THE ENTERPRISE SHALL ALLOCATE THE  
19 REMAINING FEE REVENUE CREDITED TO THE FUND AS FOLLOWS:

20 (a) FORTY PERCENT FOR THE YOUTH MENTAL HEALTH PEER  
21 NAVIGATOR GRANT PROGRAM CREATED IN SECTION 27-60-606;

22 (b) THIRTY-FIVE PERCENT FOR THE CRISIS RESOLUTION TEAM  
23 PROGRAM CREATED IN SECTION 27-60-607; AND

24 (c) TWENTY-FIVE PERCENT FOR THE YOUTH MENTAL HEALTH  
25 SERVICES PROGRAM CREATED IN SECTION 27-60-109.

26 **27-60-606. Youth mental health peer navigator grant program**  
27 **- created - eligible entities - report - definitions.**

1 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
2 REQUIRES:

3 (a) "ELIGIBLE ENTITY" MEANS AN ENTITY THAT SATISFIES THE  
4 CRITERIA DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

5 (b) "GOVERNOR'S COMMISSION ON COMMUNITY SERVICE" MEANS  
6 THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE CREATED IN  
7 SECTION 24-20-501 AND COMMONLY KNOWN AS "SERVE COLORADO".

8 (c) "GRANT PROGRAM" MEANS THE YOUTH MENTAL HEALTH PEER  
9 NAVIGATOR GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS  
10 SECTION.

11 (d) "YOUNG ADULT" MEANS AN INDIVIDUAL WHO IS EIGHTEEN  
12 YEARS OLD OR OLDER BUT YOUNGER THAN TWENTY-FIVE YEARS OLD.

13 (2) (a) THE YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT  
14 PROGRAM IS CREATED TO AWARD GRANTS TO ENTITIES THAT RECRUIT AND  
15 TRAIN YOUNG ADULTS TO PROVIDE PREVENTION SERVICES, PEER SUPPORT,  
16 AND SYSTEM NAVIGATION TO YOUTH IN SCHOOLS OR COMMUNITY-BASED  
17 SETTINGS.

18 (b) THE ENTERPRISE SHALL OPERATE AND FUND THE GRANT  
19 PROGRAM IN ACCORDANCE WITH THIS SECTION. THE ENTERPRISE SHALL  
20 CONSULT WITH THE BHA AND THE GOVERNOR'S COMMISSION ON  
21 COMMUNITY SERVICE IN THE OPERATION OF THE GRANT PROGRAM.

22 (3) THE ENTERPRISE SHALL ADOPT AND POST ON THE BHA'S  
23 PUBLIC WEBSITE POLICIES, PROCEDURES, AND GUIDELINES FOR THE GRANT  
24 PROGRAM THAT INCLUDE, AT A MINIMUM:

25 (a) PROCEDURES AND TIMELINES BY WHICH AN ELIGIBLE ENTITY  
26 MAY APPLY FOR A GRANT;

27 (b) CRITERIA FOR DETERMINING GRANT ELIGIBILITY AND THE

1 AMOUNT OF GRANT AWARDS; AND

2 (c) REPORTING REQUIREMENTS FOR GRANT RECIPIENTS, WHICH  
3 REQUIREMENTS INCLUDE REPORTING THE USE OF A GRANT AWARD.

4 (4) TO BE ELIGIBLE FOR A GRANT AWARD, AN ENTITY MUST BE AN  
5 INDIAN TRIBE; AN INSTITUTION OF HIGHER EDUCATION; A LOCAL  
6 GOVERNMENT, INCLUDING A SCHOOL DISTRICT; A STATE GOVERNMENT  
7 AGENCY; OR A NONPROFIT ORGANIZATION AND MUST PROVIDE MENTAL  
8 HEALTH PROGRAMMING IN SCHOOLS OR COMMUNITY-BASED SETTINGS,  
9 WHICH PROGRAMMING INCLUDES:

10 (a) MAKING REFERRALS TO MENTAL HEALTH RESOURCES;

11 (b) IDENTIFYING AND REMOVING BARRIERS TO MENTAL HEALTH  
12 SERVICES;

13 (c) DEVELOPING ACTION PLANS FOR MENTAL HEALTH TRENDS IN  
14 SCHOOLS;

15 (d) COORDINATING MENTAL HEALTH CARE;

16 (e) PROVIDING CASE MANAGEMENT AND CULTURAL MEDIATION;

17 AND

18 (f) OFFERING MENTAL HEALTH EDUCATION.

19 (5) (a) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT A  
20 GRANT APPLICATION TO THE GOVERNOR'S COMMISSION ON COMMUNITY  
21 SERVICE.

22 (b) THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE SHALL  
23 REVIEW EACH GRANT APPLICATION AND MAKE RECOMMENDATIONS TO THE  
24 ENTERPRISE CONCERNING WHETHER A GRANT SHOULD BE AWARDED AND,  
25 IF SO, THE AMOUNT OF THE GRANT.

26 (c) AFTER CONSIDERING THE RECOMMENDATIONS OF THE  
27 GOVERNOR'S COMMISSION ON COMMUNITY SERVICE, THE ENTERPRISE

1 SHALL AWARD AND DETERMINE THE AMOUNT OF EACH GRANT.

2 (6) AN ELIGIBLE ENTITY THAT RECEIVES A GRANT SHALL USE THE  
3 GRANT AWARD ONLY FOR ONE OR MORE PURPOSES DESCRIBED IN  
4 SUBSECTION (4) OF THIS SECTION.

5 (7) (a) ON OR BEFORE JANUARY 31, 2028, AND ON OR BEFORE  
6 JANUARY 31 OF EACH YEAR THEREAFTER, THE ENTERPRISE SHALL SUBMIT  
7 A REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH AND HUMAN  
8 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES  
9 COMMITTEE, OR ANY SUCCESSOR COMMITTEES, WITH INFORMATION ABOUT  
10 THE GRANT PROGRAM'S ACTIVITIES DURING THE PRECEDING YEAR. THE  
11 ENTERPRISE SHALL ALSO POST THE ANNUAL REPORT ON THE BHA'S PUBLIC  
12 WEBSITE. THE REPORT MUST INCLUDE THE NUMBER AND TOTAL AMOUNT  
13 OF GRANTS AWARDED BY THE GRANT PROGRAM, THE RECIPIENT AND  
14 AMOUNT OF EACH GRANT AWARDED, AND THE USES OF EACH GRANT  
15 AWARD.

16 (b) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
17 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS  
18 SUBSECTION (7) CONTINUES INDEFINITELY.

19 **27-60-607. Crisis resolution team program - created - report**  
20 **- definitions.**

21 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
22 REQUIRES:

23 (a) "CAREGIVER" MEANS A PARENT, A FOSTER PARENT, KIN, A  
24 GUARDIAN, OR A LEGAL CUSTODIAN.

25 (b) "CRISIS RESOLUTION TEAM PROVIDER" MEANS A SERVICE  
26 PROVIDER THAT SUPPORTS YOUTH WHO ARE EXPERIENCING BEHAVIORAL  
27 HEALTH CRISES AND WHO MAY BENEFIT FROM INTENSIVE, SHORT-TERM,

1 IN-HOME SERVICES AND ONGOING SUPPORT.

2 (c) "PROGRAM" MEANS THE CRISIS RESOLUTION TEAM PROGRAM  
3 CREATED IN THIS SECTION.

4 (2) (a) THE CRISIS RESOLUTION TEAM PROGRAM IS CREATED TO  
5 PROVIDE COMMUNITY-BASED DE-ESCALATION AND STABILIZATION  
6 SERVICES TO YOUTH WHO ARE EXPERIENCING HIGH-ACUITY BEHAVIORAL  
7 HEALTH CRISES AND TO THEIR CAREGIVERS. THE ENTERPRISE, IN  
8 COLLABORATION WITH THE BHA, SHALL ADMINISTER THE PROGRAM AND  
9 CONTRACT WITH CRISIS RESOLUTION TEAM PROVIDERS TO OFFER THE  
10 SERVICES DESCRIBED IN THIS SECTION.

11 (b) A YOUTH IS ELIGIBLE TO RECEIVE SERVICES FROM THE  
12 PROGRAM IF THE YOUTH:

13 (I) HAS EXPERIENCED HIGH-ACUITY BEHAVIORAL HEALTH CRISES  
14 AS IDENTIFIED BY THE BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM OR  
15 AN EMERGENCY DEPARTMENT; AND

16 (II) IS SAFE TO REMAIN IN THE YOUTH'S HOME OR COMMUNITY  
17 WHILE RECEIVING INTENSIVE, SHORT-TERM STABILIZATION  
18 INTERVENTIONS.

19 (c) A CRISIS RESOLUTION TEAM PROVIDER SHALL OFFER THE  
20 FOLLOWING SERVICES TO YOUTH AND THEIR CAREGIVERS:

21 (I) COUNSELING OR THERAPY;

22 (II) CASE MANAGEMENT TO SUPPORT MEETING TREATMENT PLANS;

23 (III) PEER SUPPORT OR FAMILY SKILLS COACHING TO FOSTER  
24 CONNECTEDNESS, GOAL SETTING, AND NEW ROUTINES TO ACHIEVE  
25 POSITIVE, LASTING CHANGE;

26 (IV) MEDICATION MANAGEMENT; AND

27 (V) CARE COORDINATION TO PROVIDE TAILORED SUPPORT AND

1 CONNECTION THROUGH THE USE OF ADDITIONAL COMMUNITY RESOURCES.

2 (d) A CRISIS RESOLUTION TEAM PROVIDER SHALL OFFER SERVICES  
3 TO A YOUTH AT LEAST THREE DAYS PER WEEK WITH A VARIETY OF  
4 SERVICES OFFERED DAILY DEPENDING ON THE YOUTH'S CLINICAL NEEDS.  
5 SERVICES MUST BE OFFERED TO THE YOUTH FOR AT LEAST FOUR WEEKS,  
6 UP TO A MAXIMUM OF SIX WEEKS DEPENDING ON THE YOUTH'S CLINICAL  
7 NEEDS.

8 (3) (a) TO CONTRACT WITH THE ENTERPRISE PURSUANT TO  
9 SUBSECTION (2)(a) OF THIS SECTION, A CRISIS RESOLUTION TEAM  
10 PROVIDER MUST:

11 (I) PROVIDE SUPPORT AND STABILIZATION SERVICES ACCORDING  
12 TO THE TIME FRAMES DESCRIBED IN SUBSECTION (2)(d) OF THIS SECTION;  
13 AND

14 (II) ENTER INTO COMMUNITY COORDINATION PARTNERSHIPS AS  
15 DESCRIBED IN SECTION 27-60-104 (6).

16 (b) A CRISIS RESOLUTION TEAM PROVIDER MAY LOCATE WITHIN  
17 THE FACILITY OF A COMMUNITY-BASED ORGANIZATION OR PARTNER.

18 (c) A CRISIS RESOLUTION TEAM PROVIDER THAT ENTERS INTO A  
19 CONTRACT WITH THE ENTERPRISE PURSUANT TO SUBSECTION (2)(a) OF  
20 THIS SECTION SHALL COLLECT DATA AND OUTCOMES ON THE FOLLOWING:

21 (I) THE NUMBER OF YOUTH SERVED BY THE CRISIS RESOLUTION  
22 TEAM PROVIDER, DISAGGREGATED BY GENDER, RACE, GRADE LEVEL,  
23 DISABILITY, ENGLISH LANGUAGE LEARNER STATUS, AND UNHOUSED  
24 STATUS TO THE MAXIMUM EXTENT POSSIBLE IN COMPLIANCE WITH THE  
25 "COLORADO PRIVACY ACT", PART 13 OF ARTICLE 1 OF TITLE 6;

26 (II) THE ORGANIZATIONS THAT REFER YOUTH TO THE CRISIS  
27 RESOLUTION TEAM PROVIDER;

1 (III) THE NUMBER OF YOUTH HOSPITALIZED WHILE RECEIVING  
2 SERVICES FROM THE CRISIS RESOLUTION TEAM PROVIDER;

3 (IV) THE NUMBER OF REFERRALS FOR YOUTH TO OUT-OF-HOME  
4 PLACEMENTS WHILE RECEIVING SERVICES FROM THE CRISIS RESOLUTION  
5 TEAM PROVIDER; AND

6 (V) THE NUMBER AND TYPES OF SERVICES AND SUPPORTS THAT  
7 YOUTH AND THEIR CAREGIVERS RECEIVE.

8 (4) TO ADMINISTER THE PROGRAM, THE ENTERPRISE SHALL:

9 (a) USE EXISTING COMMUNITY COORDINATION PARTNERSHIPS AS  
10 DESCRIBED IN SECTION 27-60-104 (6) TO MAINTAIN RELATIONSHIPS WITH  
11 THE FOLLOWING COMMUNITY PARTNERS:

12 (I) LOCAL COMMUNITY MENTAL AND BEHAVIORAL HEALTH  
13 PROVIDERS;

14 (II) COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES;

15 (III) ORGANIZATIONS THAT SERVE JUSTICE-INVOLVED YOUTH;

16 (IV) SCHOOL DISTRICTS;

17 (V) ORGANIZATIONS THAT SERVE YOUTHS WITH INTELLECTUAL  
18 AND DEVELOPMENTAL DISABILITIES;

19 (VI) LOCAL HOSPITALS AND EMERGENCY DEPARTMENTS;

20 (VII) LOCAL LAW ENFORCEMENT AGENCIES; AND

21 (VIII) PUBLIC HEALTH DEPARTMENTS;

22 (b) CONDUCT OUTREACH AND EDUCATE COMMUNITY PARTNERS  
23 REGARDING CRISIS RESOLUTION TEAM SERVICES AVAILABLE THROUGH THE  
24 PROGRAM;

25 (c) PROVIDE TECHNICAL ASSISTANCE TO CRISIS RESOLUTION TEAM  
26 PROVIDERS REGARDING SPECIALIZED TRAINING AND THE USE OF  
27 SCREENING AND ASSESSMENT TOOLS FOR YOUTH;

1 (d) COLLECT DATA AND OUTCOMES FROM CRISIS RESOLUTION  
2 TEAM PROVIDERS AS DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION;  
3 AND

4 (e) CONDUCT, OR CONTRACT WITH A THIRD-PARTY EVALUATOR TO  
5 CONDUCT, AN ANNUAL EVALUATION OF THE PROGRAM USING THE DATA  
6 AND OUTCOMES COLLECTED FROM CRISIS RESOLUTION TEAM PROVIDERS  
7 PURSUANT TO SUBSECTION (4)(d) OF THIS SECTION.

8 (5) BEGINNING IN JANUARY 2028, AND IN JANUARY EVERY YEAR  
9 THEREAFTER, THE STATE DEPARTMENT SHALL INCLUDE, AS PART OF ITS  
10 PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY  
11 SECTION 2-7-203, INFORMATION CONCERNING THE CRISIS RESOLUTION  
12 TEAM PROGRAM.

13 **SECTION 2.** In Colorado Revised Statutes, 27-60-109, **amend**  
14 (1)(a), (2)(a), (2)(b), (3)(a) introductory portion, (3)(a)(III), (3)(b), (4)(a)  
15 introductory portion, (4.5)(a) introductory portion, (4.5)(b) introductory  
16 portion, (4.5)(c), and (5); and **add** (1)(a.7) and (2)(a.5) as follows:

17 **27-60-109. Youth mental health services program - established**  
18 **- report - rules - definitions - repeal.**

19 (1) As used in this section, unless the context otherwise requires:

20 (a) ~~"Portal" means the website or web-based application described~~  
21 ~~in subsection (4) of this section that facilitates the program "ENTERPRISE"~~  
22 MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE  
23 CREATED IN SECTION 27-60-604.

24 (a.7) "PORTAL" MEANS THE WEBSITE OR WEB-BASED APPLICATION  
25 DESCRIBED IN SUBSECTION (4) OF THIS SECTION THAT FACILITATES THE  
26 PROGRAM.

27 (2) (a) There is established in the ~~behavioral health administration~~

1 STATE DEPARTMENT the youth mental health services program to facilitate  
2 access to mental health services, including substance use disorder  
3 services, for youth to respond to mental health needs identified in an  
4 initial mental health screening through the portal. The program  
5 reimburses providers for up to ~~three~~ SIX mental health sessions with a  
6 youth.

7 (a.5) (I) ON AND AFTER JULY 1, 2027, THE ENTERPRISE SHALL  
8 FUND THE PROGRAM AND OPERATE THE PROGRAM, IN COLLABORATION  
9 WITH THE BHA. ON AND AFTER JULY 1, 2027, THE POWERS, DUTIES, AND  
10 FUNCTIONS OF THE ENTERPRISE INCLUDE THE POWERS, DUTIES, AND  
11 FUNCTIONS REGARDING THE PROGRAM THAT WERE VESTED IN THE BHA  
12 PRIOR TO THAT DATE.

13 (II) ON AND AFTER JULY 1, 2027, WHENEVER THE FUNCTIONS OF  
14 THE STATE DEPARTMENT OR THE BHA RELATING TO THE PROGRAM ARE  
15 REFERRED TO OR DESIGNATED BY A CONTRACT OR OTHER DOCUMENT IN  
16 CONNECTION WITH THE DUTIES AND FUNCTIONS TRANSFERRED TO THE  
17 ENTERPRISE ON JULY 1, 2027, THE REFERENCE OR DESIGNATION IS DEEMED  
18 TO APPLY TO THE ENTERPRISE.

19 (b) The ~~BHA shall~~ PROGRAM MUST reimburse providers who  
20 participate in the program for each mental health session with a youth,  
21 either in-person or by telehealth, up to a maximum of ~~three~~ SIX sessions  
22 per youth client; except that, subject to available money, the ~~BHA~~  
23 PROGRAM may reimburse a provider for additional sessions. To be eligible  
24 for reimbursement from the program, a provider must be available to  
25 provide ~~three~~ SIX mental health sessions to each youth the provider  
26 accepts as a client.

27 (3) (a) The ~~BHA~~ ENTERPRISE shall:

1 (III) Implement a statewide public awareness and outreach  
2 campaign about the program. The general assembly encourages the ~~BHA~~  
3 ENTERPRISE to involve schools, neighborhood youth organizations,  
4 health-care providers, faith-based organizations, and any other  
5 community-based organizations that interact with youth on the local level  
6 in disseminating information about the program.

7 (b) The state board may ~~promulgate~~ ADOPT rules necessary for the  
8 administration of this section, including rules to protect the privacy of  
9 youth who receive services through the program. THE STATE BOARD  
10 SHALL CONSULT WITH THE ENTERPRISE WHEN ADOPTING THE RULES. ALL  
11 RULES OF THE STATE BOARD PURSUANT TO THIS SECTION ISSUED BEFORE  
12 JULY 1, 2027, CONTINUE TO BE EFFECTIVE AND SHALL BE ENFORCED BY  
13 THE ENTERPRISE UNTIL SUPERSEDED, REVISED, AMENDED, REPEALED, OR  
14 NULLIFIED PURSUANT TO LAW.

15 (4) (a) The ~~BHA~~ ENTERPRISE shall enter into an agreement with  
16 a vendor to create A, or use an existing, website or web-based application  
17 as a portal available to youth and providers to facilitate the program. The  
18 portal must:

19 (4.5) (a) On or before June 1 of each year, the vendor described  
20 in subsection (4) of this section shall deliver to the ~~BHA~~ ENTERPRISE any  
21 of the following, collected during the prior year:

22 (b) The ~~BHA~~ ENTERPRISE shall conduct a survey of each provider  
23 who participates in the program that solicits feedback about the  
24 following:

25 (c) This subsection (4.5) does not authorize the ~~BHA~~ STATE  
26 DEPARTMENT, THE BHA, THE ENTERPRISE, a provider, a vendor, or any  
27 other person to violate applicable federal or state patient privacy laws.

1 (5) On or before June 30 of each year, the state department shall  
2 report to the house of representatives ~~public and behavioral~~ health and  
3 human services committee and the senate health and human services  
4 committee, or ~~their~~ ANY successor committees, regarding the number of  
5 youth who received services under the program, excluding any personally  
6 identifiable information in accordance with state and federal law;  
7 information in aggregate about the services provided to youth under the  
8 program; other relevant information regarding the program; and the  
9 information reported to the ~~BHA~~ ENTERPRISE by the vendor pursuant to  
10 subsection (4.5) of this section.

11 **SECTION 3.** In Colorado Revised Statutes, **add 6-1-741** as  
12 follows:

13 **6-1-741. Transactions involving covered minors - prices to be**  
14 **listed in U.S. dollars - deceptive trade practice - definitions.**

15 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
16 REQUIRES:

17 (a) "ADD-ON TRANSACTION" HAS THE MEANING SET FORTH IN  
18 SECTION 27-60-603 (1).

19 (b) "COVERED PLATFORM" HAS THE MEANING SET FORTH IN  
20 SECTION 27-60-603 (2).

21 (c) "MINOR" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN  
22 YEARS OLD.

23 (d) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN  
24 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303  
25 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

26 (2) A COVERED PLATFORM SHALL ENSURE THAT THE PURCHASE  
27 PRICE FOR AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE THAT IS

1 REASONABLY LIKELY TO BE ACCESSED BY A MINOR IS LISTED IN UNITED  
2 STATES DOLLARS AT THE POINT OF SALE.

3 (3) A PERSON THAT VIOLATES SUBSECTION (2) OF THIS SECTION  
4 ENGAGES IN A DECEPTIVE TRADE PRACTICE.

5 **SECTION 4.** In Colorado Revised Statutes, **add** article 109 to  
6 title 22 as follows:

7 **ARTICLE 109**

8 **Youth Programming and Protections Act**

9 **22-109-101. Short title.**

10 THE SHORT TITLE OF THIS ARTICLE 109 IS THE "YOUTH  
11 PROGRAMMING AND PROTECTIONS ENTERPRISE ACT".

12 **22-109-102. Legislative declaration.**

13 (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

14 (a) (I) YOUNG PEOPLE SPEND A SIGNIFICANT PORTION OF EACH DAY  
15 ENGAGING WITH SOCIAL MEDIA, ONLINE GAMING, AND OTHER DIGITAL  
16 PLATFORMS DESIGNED TO MAXIMIZE ATTENTION, FREQUENCY OF USE, AND  
17 IN-PLATFORM TRANSACTIONS;

18 (II) ALTHOUGH SOCIAL MEDIA TECHNOLOGIES CAN SUPPORT  
19 CONNECTION AND ENTERTAINMENT, EXCESSIVE OR UNSUPERVISED  
20 ENGAGEMENT CAN CONTRIBUTE TO SOCIAL ISOLATION, DISRUPTED SLEEP,  
21 REDUCED PHYSICAL ACTIVITY, AND INCREASED RISK OF ANXIETY,  
22 DEPRESSION, AND COMPULSIVE USE BEHAVIORS;

23 (III) RESEARCH DEMONSTRATES THAT STRONG PROTECTIVE  
24 FACTORS, INCLUDING CONSISTENT ACCESS TO SUPPORTIVE ADULTS,  
25 POSITIVE PEER RELATIONSHIPS, AND STRUCTURED OPPORTUNITIES FOR  
26 ENGAGEMENT, ARE CRITICAL TO PROMOTING YOUTH MENTAL HEALTH,  
27 BUILDING RESILIENCE, AND MITIGATING THE NEGATIVE EFFECTS OF SOCIAL

1 ISOLATION AND EXCESSIVE SCREEN TIME;

2 (IV) OUT-OF-SCHOOL TIME PROGRAMS ARE A PROVEN STRATEGY  
3 FOR DELIVERING THESE PROTECTIVE FACTORS BY PROVIDING SAFE,  
4 SUPERVISED ENVIRONMENTS, FOSTERING MEANINGFUL RELATIONSHIPS  
5 WITH TRUSTED ADULTS AND PEERS, AND ENGAGING YOUNG PEOPLE IN  
6 HANDS-ON LEARNING, PHYSICAL ACTIVITY, AND SKILL DEVELOPMENT  
7 THAT REDUCE RELIANCE ON PASSIVE OR EXCESSIVE DIGITAL USE AND  
8 IMPROVE SOCIAL-EMOTIONAL OUTCOMES;

9 (V) THERE IS SIGNIFICANT UNMET DEMAND FOR OUT-OF-SCHOOL  
10 TIME PROGRAMS ACROSS COLORADO; MANY CHILDREN WOULD  
11 PARTICIPATE IF PROGRAMS WERE AVAILABLE;

12 (VI) STATE-LEVEL SUPPORT FOR EDUCATIONAL RIGHTS, INCLUDING  
13 LEGAL RESOURCES, TECHNICAL ASSISTANCE, AND FAMILY AWARENESS,  
14 PROMOTES ACCOUNTABILITY, HELPS FAMILIES NAVIGATE COMPLEX  
15 SYSTEMS, AND STRENGTHENS TRUST IN EDUCATIONAL INSTITUTIONS; AND

16 (VII) IT IS IN THE BEST INTEREST OF THE STATE TO INVEST IN  
17 PREVENTION AND EARLY INTERVENTION STRATEGIES THAT PROMOTE  
18 YOUTH WELL-BEING, INCLUDING SUSTAINABLE FUNDING FOR  
19 OUT-OF-SCHOOL TIME PROGRAMS AND EDUCATIONAL RIGHTS  
20 ENFORCEMENT, AND TO REQUIRE CERTAIN SOCIAL MEDIA PLATFORMS THAT  
21 PROFIT FROM YOUTH ENGAGEMENT, INCLUDING GAMING TRANSACTIONS,  
22 TO IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION TO BE  
23 CREDITED TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE  
24 FUND CREATED IN THIS ARTICLE 109, FROM WHICH FUND THE YOUTH  
25 PROGRAMMING AND PROTECTIONS ENTERPRISE MAY:

26 (A) AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME  
27 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

1 (B) SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL  
2 RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

3 (b) BY SUPPORTING THE OUT-OF-SCHOOL TIME PROGRAM GRANT  
4 PROGRAM CREATED IN SECTION 22-105.5-104 AND SUPPORTING THE  
5 DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS,  
6 AS DESCRIBED IN SECTION 22-109-105, THE ENTERPRISE ENGAGES IN AN  
7 ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR LIVELIHOOD  
8 AND THEREFORE OPERATES AS A BUSINESS;

9 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO  
10 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896  
11 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS  
12 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE  
13 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES  
14 THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE  
15 THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE  
16 ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND  
17 SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH  
18 USERS OF COVERED PLATFORMS, AND THE FEE IS IMPOSED AT A RATE THAT  
19 IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT COSTS  
20 OF THE SERVICES RECEIVED BY YOUTH USERS OF COVERED PLATFORMS;

21 (d) SO LONG AS THE ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR  
22 PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE  
23 REVENUE FROM THE FEE IMPOSED BY THE ENTERPRISE IS NOT STATE FISCAL  
24 YEAR SPENDING, AS DEFINED IN SECTION 24-77-102, OR STATE REVENUES,  
25 AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DOES NOT COUNT  
26 AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY  
27 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS

1 STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I); AND  
2 (e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN  
3 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE  
4 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES  
5 OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL IN ITS FIRST FIVE  
6 FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE ENTERPRISE DOES  
7 NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION 24-77-108.

8 **22-109-103. Definitions.**

9 AS USED IN THIS ARTICLE 109, UNLESS THE CONTEXT OTHERWISE  
10 REQUIRES:

11 (1) "ADD-ON TRANSACTION" MEANS AN ONLINE TRANSACTION  
12 THROUGH WHICH A PLAYER OR PARTICIPANT IN AN ONLINE GAMING  
13 SERVICE, PRODUCT, OR FEATURE ACQUIRES:

14 (a) AN ITEM OR ABILITY THAT PROVIDES THE PLAYER OR  
15 PARTICIPANT AN ADVANTAGE OVER OTHER PLAYERS OR PARTICIPANTS; OR

16 (b) A FEATURE THAT ALTERS OR ENHANCES THE ONLINE GAMING  
17 SERVICE, PRODUCT, OR FEATURE.

18 (2) (a) "COVERED PLATFORM" MEANS A SOLE PROPRIETORSHIP, A  
19 PARTNERSHIP, A LIMITED LIABILITY COMPANY, A CORPORATION, AN  
20 ASSOCIATION, OR ANOTHER LEGAL ENTITY, OR AN AFFILIATE THEREOF,  
21 THAT:

22 (I) CONDUCTS BUSINESS IN THE STATE;

23 (II) GENERATES A MAJORITY OF ITS ANNUAL REVENUE FROM  
24 ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES;

25 (III) HAS THE PRIMARY PURPOSE OF MAKING AVAILABLE ONLINE  
26 GAMING SERVICES, PRODUCTS, OR FEATURES THAT ARE REASONABLY  
27 LIKELY TO BE ACCESSED BY A YOUTH;

1 (IV) COLLECTS USERS' PERSONAL DATA OR HAS USERS' PERSONAL  
2 DATA COLLECTED ON ITS BEHALF BY A PROCESSOR; AND

3 (V) SOLELY OR JOINTLY WITH OTHERS DETERMINES THE PURPOSES  
4 AND MEANS OF THE PROCESSING OF USERS' PERSONAL DATA.

5 (b) "COVERED PLATFORM" DOES NOT INCLUDE AN INTERNET  
6 SERVICE PROVIDER OR TELECOMMUNICATIONS CARRIER THAT PROVIDES  
7 CONNECTIVITY TO A THIRD-PARTY SERVICE AND THAT DOES NOT:

8 (I) DIRECTLY PROCESS ADD-ON TRANSACTIONS; AND

9 (II) DETERMINE DATA PROCESSING PURPOSES FOR THE  
10 THIRD-PARTY SERVICE.

11 (3) "ENTERPRISE" MEANS THE YOUTH PROGRAMMING AND  
12 PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104.

13 (4) "FEE" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS  
14 FEE IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605.

15 (5) "FUND" MEANS THE YOUTH PROGRAMMING AND PROTECTIONS  
16 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6).

17 (6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN  
18 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303  
19 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

20 (7) "PROCESS" OR "PROCESSING" HAS THE MEANING SET FORTH IN  
21 SECTION 6-1-1303 (18).

22 (8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION  
23 6-1-1303 (19).

24 (9) "REASONABLY LIKELY TO BE ACCESSED BY A YOUTH" MEANS  
25 THAT AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS REASONABLY  
26 LIKELY TO BE ACCESSED BY A YOUTH BECAUSE THE ONLINE GAMING  
27 SERVICE, PRODUCT, OR FEATURE IS DIRECTED TO CHILDREN, AS DESCRIBED

1 BY THE FEDERAL "CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF  
2 1998", 15 U.S.C. SECS. 6501 TO 6506, AND THE ASSOCIATED RULES OF THE  
3 FEDERAL TRADE COMMISSION.

4 (10) "YOUTH" HAS THE MEANING SET FORTH IN SECTION 27-60-109  
5 (1)(e).

6 **22-109-104. Youth programming and protections enterprise**  
7 **- created - board - powers and duties - rules and policies - fund -**  
8 **repeal.**

9 (1)(a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE  
10 IS CREATED IN THE DEPARTMENT OF EDUCATION. THE ENTERPRISE IS AND  
11 OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT  
12 FOR THE BUSINESS PURPOSE OF COLLECTING FEES IMPOSED BY COVERED  
13 PLATFORMS PURSUANT TO SECTION 27-60-605 AND UTILIZING THE FEE  
14 REVENUE TO AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME  
15 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND TO  
16 SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS  
17 DESCRIBED IN SECTION 22-109-105. THE ENTERPRISE IS A **TYPE 1** ENTITY,  
18 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND  
19 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

20 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES  
21 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT  
22 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS  
23 THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL  
24 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT  
25 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (1), THE  
26 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE  
27 CONSTITUTION.

1 (c) THE ENTERPRISE SHALL BE DIRECTED BY A BOARD OF  
2 INDIVIDUALS TO CONSIST OF THE FOLLOWING INDIVIDUALS:

3 (I) THE COMMISSIONER OF EDUCATION, OR THE COMMISSIONER'S  
4 DESIGNEE, WHO SHALL SERVE AS AN EX-OFFICIO NONVOTING MEMBER;

5 (II) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE SPECIAL  
6 EDUCATION CONSORTIUM, TO BE APPOINTED BY THE SPEAKER OF THE  
7 HOUSE OF REPRESENTATIVES;

8 (III) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE  
9 OUT-OF-SCHOOL TIME PROGRAMMING ENTITY, TO BE APPOINTED BY THE  
10 PRESIDENT OF THE SENATE;

11 (IV) ONE INDIVIDUAL WHO REPRESENTS A LOCAL GOVERNMENT  
12 ENTITY WITH A FOCUS ON SUPPORTING OUT-OF-SCHOOL TIME PROGRAMS,  
13 TO BE APPOINTED BY THE GOVERNOR;

14 (V) ONE INDIVIDUAL WHO REPRESENTS AN ORGANIZATION THAT  
15 PROVIDES FINANCIAL SUPPORT TO FAMILIES TO ACCESS OUT-OF-SCHOOL  
16 TIME PROGRAMS, TO BE APPOINTED BY THE MINORITY LEADER OF THE  
17 HOUSE OF REPRESENTATIVES;

18 (VI) ONE INDIVIDUAL WHO REPRESENTS A PHILANTHROPIC  
19 FOUNDATION WHOSE MISSION INCLUDES SUPPORT FOR OUT-OF-SCHOOL  
20 TIME PROGRAMS, TO BE APPOINTED BY THE GOVERNOR;

21 (VII) ONE INDIVIDUAL WHO REPRESENTS AN ADVOCACY  
22 ORGANIZATION THAT REPRESENTS STUDENTS WITH DISABILITIES, TO BE  
23 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

24 (VIII) ONE INDIVIDUAL WITH EXPERTISE IN FINANCIAL  
25 ADMINISTRATION OR GRANT ADMINISTRATION FOR NONPROFIT  
26 ORGANIZATIONS, TO BE APPOINTED BY THE MINORITY LEADER OF THE  
27 SENATE;

1 (IX) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME  
2 PROGRAM PROVIDER IN A RURAL AREA, TO BE APPOINTED BY THE  
3 MINORITY LEADER OF THE SENATE;

4 (X) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME  
5 PROGRAM PROVIDER IN A METROPOLITAN AREA, TO BE APPOINTED BY THE  
6 SPEAKER OF THE HOUSE OF REPRESENTATIVES;

7 (XI) ONE INDIVIDUAL WHO IS A SPECIAL EDUCATION DIRECTOR FOR  
8 A SCHOOL DISTRICT, TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;  
9 AND

10 (XII) ONE INDIVIDUAL WITH EXPERTISE IN PROGRAMS THAT  
11 SUPPORT ACADEMIC ACHIEVEMENT AND SOCIAL-EMOTIONAL SKILL  
12 DEVELOPMENT, TO BE APPOINTED BY THE GOVERNOR.

13 (d) THE APPOINTING AUTHORITIES DESCRIBED IN SUBSECTION  
14 (1)(c) OF THIS SECTION SHALL APPOINT THE INITIAL MEMBERS OF THE  
15 BOARD ON OR BEFORE DECEMBER 1, 2026.

16 (e) EACH MEMBER OF THE BOARD SERVES AT THE PLEASURE OF THE  
17 MEMBER'S APPOINTING AUTHORITY AND MAY BE REPLACED BY THE  
18 MEMBER'S APPOINTING AUTHORITY AT ANY TIME. A MEMBER APPOINTED  
19 AS A REPLACEMENT SHALL SERVE OUT THE REPLACED MEMBER'S TERM  
20 AND MAY BE REAPPOINTED TO A FULL TERM.

21 (f) BOARD MEMBERS SHALL SERVE TERMS OF THREE YEARS,  
22 EXCEPT THAT:

23 (I) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO  
24 SUBSECTIONS (1)(c)(II), (1)(c)(III), AND (1)(c)(IV) OF THIS SECTION SHALL  
25 SERVE INITIAL TERMS OF ONE YEAR; AND

26 (II) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO  
27 SUBSECTIONS (1)(c)(V), (1)(c)(VI), AND (1)(c)(VII) OF THIS SECTION

1 SHALL SERVE INITIAL TERMS OF TWO YEARS.

2 (g) A BOARD MEMBER MAY NOT SERVE MORE THAN TWO  
3 CONSECUTIVE THREE-YEAR TERMS.

4 (h) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE  
5 FEBRUARY 1, 2027. AT THE BOARD'S FIRST MEETING, THE BOARD SHALL  
6 ELECT A CHAIR AND A VICE-CHAIR FROM THE MEMBERS OF THE BOARD.

7 (2) THE ENTERPRISE, ACTING THROUGH THE BOARD, MAY:

8 (a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND  
9 TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES  
10 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT  
11 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE  
12 24;

13 (b) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT  
14 ARE PAYABLE ONLY FROM THE MONEY IN THE FUND;

15 (c) ADOPT RULES AS NECESSARY TO CARRY OUT THIS ARTICLE 109;  
16 AND

17 (d) ADOPT POLICIES FOR THE REGULATION OF ITS AFFAIRS AND THE  
18 CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS ARTICLE 109.

19 (3) THE ENTERPRISE SHALL:

20 (a) PROVIDE GRANTS THROUGH THE OUT-OF-SCHOOL TIME  
21 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

22 (b) SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF  
23 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105.

24 (4) (a) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS  
25 PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", PART 4 OF  
26 ARTICLE 6 OF TITLE 24.

27 (b) THE ENTERPRISE IS SUBJECT TO THE "COLORADO OPEN

1 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. FOR PURPOSES OF THE  
2 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24,  
3 AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR  
4 REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC  
5 RECORDS, AS DEFINED IN SECTION 24-72-202, REGARDLESS OF WHETHER  
6 THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL  
7 REVENUE IN GRANTS, AS DEFINED IN SECTION 24-77-102, FROM ALL  
8 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED.

9 (c) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF THE  
10 "SUPPLEMENTAL PUBLIC SECURITIES ACT", PART 2 OF ARTICLE 57 OF  
11 TITLE 11.

12 (5) THE DEPARTMENT OF EDUCATION SHALL PROVIDE OFFICE  
13 SPACE AND ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT TO A  
14 CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS  
15 SECTION.

16 (6) (a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE  
17 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY  
18 CREDITED TO THE FUND IN ACCORDANCE WITH SECTION 27-60-605; ANY  
19 MONEY RECEIVED FROM THE ISSUANCE OF REVENUE BONDS, AS DESCRIBED  
20 IN SUBSECTION (2)(b) OF THIS SECTION; AND ANY OTHER MONEY THAT THE  
21 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

22 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
23 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
24 FUND TO THE FUND.

25 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
26 ENTERPRISE. THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR  
27 THE PURPOSES OF THIS ARTICLE 109, SUBJECT TO THE REQUIREMENTS OF

1 SUBSECTION (6)(d) OF THIS SECTION.

2 (d) THE ENTERPRISE MAY SPEND NO MORE THAN THREE PERCENT  
3 OF THE ANNUAL FEE REVENUE FOR THE ENTERPRISE'S ADMINISTRATIVE  
4 EXPENSES.

5 (7) (a) SECTION 24-77-108 DOES NOT APPLY TO THE ENTERPRISE  
6 BECAUSE THE TOTAL AMOUNT OF MONEY CREDITED OR APPROPRIATED TO  
7 THE FUND AS FEE REVENUE SHALL NOT EXCEED ONE HUNDRED MILLION  
8 DOLLARS IN THE FIRST FIVE FISCAL YEARS OF THE ENTERPRISE'S  
9 EXISTENCE.

10 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2033.

11 (8) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,  
12 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF  
13 THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND  
14 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S  
15 TOTAL ANNUAL REVENUE.

16 **22-109-105. Educational rights enforcement.**

17 THE DEPARTMENT OF EDUCATION SHALL USE MONEY MADE  
18 AVAILABLE FROM THE YOUTH PROGRAMMING AND PROTECTIONS  
19 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6) TO ENFORCE  
20 EDUCATIONAL RIGHTS ON BEHALF OF CHILDREN.

21 **SECTION 5.** In Colorado Revised Statutes, 22-105.5-104,  
22 **amend** (3)(a) and (3)(b); and **add** (5) as follows:

23 **22-105.5-104. Out-of-school time program grant program -**  
24 **created - use of grants - funding - rules - repeal.**

25 (3) (a) The department shall administer the grant program IN  
26 CONSULTATION WITH THE YOUTH PROGRAMMING AND PROTECTIONS  
27 ENTERPRISE CREATED IN SECTION 22-109-104.

1 (b) Subject to available appropriations, the state board, IN  
2 CONSULTATION WITH THE YOUTH PROGRAMMING AND PROTECTIONS  
3 ENTERPRISE CREATED IN SECTION 22-109-104, shall award grants as  
4 provided in section 22-105.5-105.

5 (5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 105.5 TO  
6 THE CONTRARY, IN AWARDING GRANTS FROM THE GRANT PROGRAM, THE  
7 STATE BOARD, IN CONSULTATION WITH THE YOUTH PROGRAMMING AND  
8 PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104, MAY AWARD  
9 GRANTS FROM THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE  
10 FUND CREATED IN SECTION 22-109-104 (6).

11 **SECTION 6.** In Colorado Revised Statutes, 22-105.5-105,  
12 **amend** (1) and (3)(a) as follows:

13 **22-105.5-105. Grant program eligibility - application - criteria**  
14 **- awards.**

15 (1) To be eligible to receive a grant, an entity:

16 (a) Must be a nonprofit organization that is exempt from taxation  
17 pursuant to section 501 (c)(3) of the federal "Internal Revenue Code of  
18 1986", as amended, with at least five years' experience providing  
19 affordable and comprehensive academic enrichment and related services  
20 to students in the state; ~~and~~

21 (b) May, but is not required to, have a partnership with a school  
22 district in which the entity will provide affordable and comprehensive  
23 academic enrichment and related services to students; AND

24 (c) MUST PROVIDE PROGRAMMING AND SERVICES THAT SUPPORT  
25 THE MENTAL HEALTH AND WELL-BEING OF CHILDREN AND YOUTH,  
26 INCLUDING, BUT NOT LIMITED TO, SOCIAL AND EMOTIONAL LEARNING,  
27 TRAUMA-INFORMED CARE, FAMILY ENGAGEMENT, SUICIDE PREVENTION

1 SCREENINGS, COMMUNITY MENTAL HEALTH RESOURCE NAVIGATION, AND  
2 SMALL-GROUP OR INDIVIDUAL INTERVENTIONS.

3 (3) (a) The department, IN CONSULTATION WITH THE YOUTH  
4 PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION  
5 22-109-104, shall review the applications received pursuant to this section  
6 to determine eligibility for the grant program, and, subject to available  
7 appropriations, the state board, IN CONSULTATION WITH THE YOUTH  
8 PROGRAMMING AND PROTECTIONS ENTERPRISE, shall award grants to  
9 eligible entities.

10 **SECTION 7. Severability.** If any provision of this act or the  
11 application of this act to any person or circumstance is held invalid, the  
12 invalidity does not affect other provisions or applications of the act that  
13 can be given effect without the invalid provision or application, and to  
14 this end the provisions of this act are declared to be severable.

15 **SECTION 8. Act subject to petition - effective date.** Section  
16 27-60-109, Colorado Revised Statutes, as amended in section 2 of this  
17 act, takes effect July 1, 2027, and the remainder of this act takes effect at  
18 12:01 a.m. on the day following the expiration of the ninety-day period  
19 after final adjournment of the general assembly (August 12, 2026, if  
20 adjournment sine die is on May 13, 2026); except that, if a referendum  
21 petition is filed pursuant to section 1 (3) of article V of the state  
22 constitution against this act or an item, section, or part of this act within  
23 such period, then the act, item, section, or part will not take effect unless  
24 approved by the people at the general election to be held in November  
25 2026 and, in such case, will take effect on the date of the official

1 declaration of the vote thereon by the governor; except that section  
2 27-60-109, Colorado Revised Statutes, as amended in section 2 of this  
3 act, takes effect July 1, 2027.