

**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, AND**  
111               **MAKING AN APPROPRIATION.**

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**Bill Summary**

*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.*

*(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 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



1 PARTICIPATING IN ONLINE SOCIAL MEDIA AND OTHER WEBSITES, WHERE  
2 THEY ARE EXPOSED TO ADULT-THEMED CONTENT, SEXUAL PREDATORS,  
3 AND UNSCRUPULOUS MARKETERS;

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

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

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

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

1 (VI) MANY YOUNG PEOPLE WHO DEVELOP COMPULSIVE USE  
2 DISORDERS OR WHO ARE OTHERWISE HARMED BY SOCIAL MEDIA WEBSITES,  
3 ONLINE GAMING, OR THE INTERNET CAN BENEFIT FROM PROGRAMS THAT  
4 OFFER MENTAL HEALTH SERVICES; AND

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

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

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

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

26 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO  
27 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896

1 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS  
2 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE  
3 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES  
4 THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE  
5 THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE  
6 ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND  
7 SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH  
8 USERS OF SOCIAL MEDIA PLATFORMS, AND THE FEE IS IMPOSED AT A RATE  
9 THAT IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT  
10 COSTS OF THE SERVICES RECEIVED BY YOUTH USERS OF SOCIAL MEDIA  
11 PLATFORMS;

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

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

26 **27-60-603. Definitions.**

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

1 REQUIRES:

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

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

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

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

13 (I) CONDUCTS BUSINESS IN THE STATE;

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

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

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

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

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

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

27 (II) DETERMINE DATA PROCESSING PURPOSES FOR THE

1 **THIRD-PARTY SERVICE.**

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

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

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

8 (6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN  
9 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303  
10 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

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

13 (8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION  
14 6-1-1303 (19).

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

22 **■ ■**

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

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

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

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

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

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

21           (a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND  
22 TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES  
23 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT  
24 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE  
25 24;

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

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

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

4 (3) THE ENTERPRISE SHALL:

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

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

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

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

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

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

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

1           (5) THE BHA SHALL PROVIDE OFFICE SPACE AND ADMINISTRATIVE  
2 STAFF TO THE ENTERPRISE PURSUANT TO A CONTRACT ENTERED INTO  
3 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

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

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

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

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

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

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

1           **27-60-605. Youth mental health services access fee -**  
2 **established - collection by covered platforms - remittance to**  
3 **department of revenue - youth programming and protections**  
4 **enterprise fund.**

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

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

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

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

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

20           (III) CRISIS RESOLUTION TEAM PROGRAM CREATED IN SECTION  
21 27-60-607;

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

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

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

1           (3) (a) EXCEPT AS DESCRIBED IN SUBSECTION (3)(c) OF THIS  
2 SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE  
3 SHALL TRANSFER MONEY COLLECTED AS FEES BY COVERED PLATFORMS TO  
4 THE STATE TREASURER TO BE CREDITED TO THE FUND.

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

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

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

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

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

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

27           **27-60-606. Youth mental health peer navigator grant program**

1     **- created - eligible entities - report - definitions.**

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

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

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

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

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

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

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

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

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

1 (b) CRITERIA FOR DETERMINING GRANT ELIGIBILITY AND THE  
2 AMOUNT OF GRANT AWARDS; AND

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

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

11 (a) MAKING REFERRALS TO MENTAL HEALTH RESOURCES;

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

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

16 (d) COORDINATING MENTAL HEALTH CARE;

17 (e) PROVIDING CASE MANAGEMENT AND CULTURAL MEDIATION;

18 AND

19 (f) OFFERING MENTAL HEALTH EDUCATION.

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

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

27 (c) AFTER CONSIDERING THE RECOMMENDATIONS OF THE

1 GOVERNOR'S COMMISSION ON COMMUNITY SERVICE, THE ENTERPRISE  
2 SHALL AWARD AND DETERMINE THE AMOUNT OF EACH GRANT.

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

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

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

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

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

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

26 (b) "CRISIS RESOLUTION TEAM PROVIDER" MEANS A SERVICE  
27 PROVIDER THAT SUPPORTS YOUTH WHO ARE EXPERIENCING BEHAVIORAL

1 HEALTH CRISES AND WHO MAY BENEFIT FROM INTENSIVE, SHORT-TERM,  
2 IN-HOME SERVICES AND ONGOING SUPPORT.

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

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

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

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

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

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

22 (I) COUNSELING OR THERAPY;

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

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

27 (IV) MEDICATION MANAGEMENT; AND

1 (V) CARE COORDINATION TO PROVIDE TAILORED SUPPORT AND  
2 CONNECTION THROUGH THE USE OF ADDITIONAL COMMUNITY RESOURCES.

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

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

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

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

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

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

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

27 (II) THE ORGANIZATIONS THAT REFER YOUTH TO THE CRISIS

1 RESOLUTION TEAM PROVIDER;

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

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

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

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

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

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

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

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

17 (IV) SCHOOL DISTRICTS;

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

20 (VI) LOCAL HOSPITALS AND EMERGENCY DEPARTMENTS;

21 (VII) LOCAL LAW ENFORCEMENT AGENCIES; AND

22 (VIII) PUBLIC HEALTH DEPARTMENTS;

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

26 (c) PROVIDE TECHNICAL ASSISTANCE TO CRISIS RESOLUTION TEAM  
27 PROVIDERS REGARDING SPECIALIZED TRAINING AND THE USE OF

1 SCREENING AND ASSESSMENT TOOLS FOR YOUTH;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (c) This subsection (4.5) does not authorize the ~~BHA~~ STATE  
27 DEPARTMENT, THE BHA, THE ENTERPRISE, a provider, a vendor, or any

1 other person to violate applicable federal or state patient privacy laws.

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

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

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

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

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

20 (b) "MINOR" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN  
21 YEARS OLD.

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

25 (2) A COVERED PLATFORM SHALL ENSURE THAT THE PURCHASE  
26 PRICE FOR AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE THAT IS  
27 REASONABLY LIKELY TO BE ACCESSED BY A MINOR IS LISTED IN UNITED

1 STATES DOLLARS AT THE POINT OF SALE.

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

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

6 **ARTICLE 109**

7 **Youth Programming and Protections Act**

8 **22-109-101. Short title.**

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

11 **22-109-102. Legislative declaration.**

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

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

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

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

1 (IV) RECENT DISABILITY-FOCUSED RESEARCH HAS FOUND THAT  
2 CHILDREN WITH DISABILITIES ARE AT HEIGHTENED RISK OF COMPULSIVE OR  
3 EXCESSIVE ONLINE GAME USE, INCLUDING INCREASED INATTENTION,  
4 OPPOSITIONAL BEHAVIOR, SEDENTARY BEHAVIOR, EMOTIONAL  
5 DYSREGULATION, AND MEASURABLE NEGATIVE IMPACTS ON ACADEMIC  
6 PERFORMANCE WHEN GAMING BECOMES A DOMINANT DAILY ACTIVITY;

7 (V) ONLINE SOCIAL GAMING ENVIRONMENTS FREQUENTLY  
8 DISPLACE TIME THAT WOULD OTHERWISE BE SPENT ON HOMEWORK,  
9 READING, SLEEPING, THERAPY PARTICIPATION, EXTRACURRICULAR  
10 INVOLVEMENT, FAMILY INTERACTION, AND IN-PERSON PEER  
11 DEVELOPMENT, ALL OF WHICH ARE CRITICAL CONTRIBUTORS TO  
12 EDUCATIONAL ACHIEVEMENT AND DEVELOPMENTAL PROGRESS;

13 (VI) IN ADDITION TO COMPULSIVE USE, SOCIAL GAMING  
14 PLATFORMS EXPOSE CHILDREN WITH DISABILITIES TO HEIGHTENED RISKS  
15 OF ONLINE BULLYING, HARASSMENT, MANIPULATION, AND UNHEALTHY  
16 SOCIAL COMPARISON IN LARGELY UNMODERATED DIGITAL ENVIRONMENTS,  
17 WHICH CAN FURTHER AGGRAVATE ANXIETY, DEPRESSION, SCHOOL  
18 AVOIDANCE, AND FEELINGS OF SOCIAL ALIENATION;

19 (VII) OUT-OF-SCHOOL TIME PROGRAMS ARE A PROVEN STRATEGY  
20 FOR DELIVERING THESE PROTECTIVE FACTORS BY PROVIDING SAFE,  
21 SUPERVISED ENVIRONMENTS, FOSTERING MEANINGFUL RELATIONSHIPS  
22 WITH TRUSTED ADULTS AND PEERS, AND ENGAGING YOUNG PEOPLE IN  
23 HANDS-ON LEARNING, PHYSICAL ACTIVITY, AND SKILL DEVELOPMENT  
24 THAT REDUCE RELIANCE ON PASSIVE OR EXCESSIVE DIGITAL USE AND  
25 IMPROVE SOCIAL-EMOTIONAL OUTCOMES;

26 (VIII) THERE IS SIGNIFICANT UNMET DEMAND FOR OUT-OF-SCHOOL  
27 TIME PROGRAMS ACROSS COLORADO; MANY CHILDREN WOULD

1 PARTICIPATE IF PROGRAMS WERE AVAILABLE;

2 (IX) STATE-LEVEL SUPPORT FOR EDUCATIONAL RIGHTS, INCLUDING

3 LEGAL RESOURCES, TECHNICAL ASSISTANCE, AND FAMILY AWARENESS,

4 PROMOTES ACCOUNTABILITY, HELPS FAMILIES NAVIGATE COMPLEX

5 SYSTEMS, AND STRENGTHENS TRUST IN EDUCATIONAL INSTITUTIONS; AND

6 (X) IT IS IN THE BEST INTEREST OF THE STATE TO INVEST IN

7 PREVENTION AND EARLY INTERVENTION STRATEGIES THAT PROMOTE

8 YOUTH WELL-BEING, INCLUDING SUSTAINABLE FUNDING FOR

9 OUT-OF-SCHOOL TIME PROGRAMS AND EDUCATIONAL RIGHTS

10 ENFORCEMENT, AND TO REQUIRE CERTAIN SOCIAL MEDIA PLATFORMS THAT

11 PROFIT FROM YOUTH ENGAGEMENT, INCLUDING GAMING TRANSACTIONS,

12 TO IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION TO BE

13 CREDITED TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE

14 FUND CREATED IN THIS ARTICLE 109, FROM WHICH FUND THE YOUTH

15 PROGRAMMING AND PROTECTIONS ENTERPRISE MAY:

16 (A) AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME

17 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

18 (B) SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF

19 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

20 (b) BY SUPPORTING THE OUT-OF-SCHOOL TIME PROGRAM GRANT

21 PROGRAM CREATED IN SECTION 22-105.5-104 AND SUPPORTING THE

22 DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS,

23 AS DESCRIBED IN SECTION 22-109-105, THE ENTERPRISE ENGAGES IN AN

24 ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR LIVELIHOOD

25 AND THEREFORE OPERATES AS A BUSINESS;

26 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO

27 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896

1 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS  
2 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE  
3 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES  
4 THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE  
5 THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE  
6 ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND  
7 SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH  
8 USERS OF COVERED PLATFORMS, AND THE FEE IS IMPOSED AT A RATE THAT  
9 IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT COSTS  
10 OF THE SERVICES RECEIVED BY YOUTH USERS OF COVERED 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 **22-109-103. Definitions.**

26 AS USED IN THIS ARTICLE 109, UNLESS THE CONTEXT OTHERWISE  
27 REQUIRES:

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

3 (2) (a) "COVERED PLATFORM" MEANS A SOLE PROPRIETORSHIP, A  
4 PARTNERSHIP, A LIMITED LIABILITY COMPANY, A CORPORATION, AN  
5 ASSOCIATION, OR ANOTHER LEGAL ENTITY, OR AN AFFILIATE THEREOF,  
6 THAT:

7 (I) CONDUCTS BUSINESS IN THE STATE;

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

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

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

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

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

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

21 (II) DETERMINE DATA PROCESSING PURPOSES FOR THE  
22 THIRD-PARTY SERVICE.

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

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

27 (5) "FUND" MEANS THE YOUTH PROGRAMMING AND PROTECTIONS

1 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6).

2 (6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN  
3 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303  
4 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

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

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

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

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

18 **22-109-104. Youth programming and protections enterprise**  
19 **- created - board - powers and duties - rules and policies - fund -**  
20 **repeal.**

21 (1) (a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE  
22 IS CREATED IN THE DEPARTMENT OF EDUCATION. THE ENTERPRISE IS AND  
23 OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT  
24 FOR THE BUSINESS PURPOSE OF COLLECTING FEES IMPOSED BY COVERED  
25 PLATFORMS PURSUANT TO SECTION 27-60-605 AND UTILIZING THE FEE  
26 REVENUE TO AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME  
27 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND TO

1 SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS  
2 DESCRIBED IN SECTION 22-109-105. THE ENTERPRISE IS A **TYPE I** ENTITY,  
3 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND  
4 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

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

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

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

17 (II) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE SPECIAL  
18 EDUCATION CONSORTIUM, TO BE APPOINTED BY THE SPEAKER OF THE  
19 HOUSE OF REPRESENTATIVES;

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

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

26 (V) ONE INDIVIDUAL WHO REPRESENTS AN ORGANIZATION THAT  
27 PROVIDES FINANCIAL SUPPORT TO FAMILIES TO ACCESS OUT-OF-SCHOOL

1 TIME PROGRAMS, TO BE APPOINTED BY THE MINORITY LEADER OF THE  
2 HOUSE OF REPRESENTATIVES;

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

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

9 (VIII) ONE INDIVIDUAL WITH EXPERTISE IN FINANCIAL  
10 ADMINISTRATION OR GRANT ADMINISTRATION FOR NONPROFIT  
11 ORGANIZATIONS, TO BE APPOINTED BY THE MINORITY LEADER OF THE  
12 SENATE;

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

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

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

21 AND

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

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

1 (e) EACH MEMBER OF THE BOARD SERVES AT THE PLEASURE OF THE  
2 MEMBER'S APPOINTING AUTHORITY AND MAY BE REPLACED BY THE  
3 MEMBER'S APPOINTING AUTHORITY AT ANY TIME. A MEMBER APPOINTED  
4 AS A REPLACEMENT SHALL SERVE OUT THE REPLACED MEMBER'S TERM  
5 AND MAY BE REAPPOINTED TO A FULL TERM.

6 (f) BOARD MEMBERS SHALL SERVE TERMS OF THREE YEARS,  
7 EXCEPT THAT:

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

11 (II) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO  
12 SUBSECTIONS (1)(c)(V), (1)(c)(VI), AND (1)(c)(VII) OF THIS SECTION  
13 SHALL SERVE INITIAL TERMS OF TWO YEARS.

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

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

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 ARTICLE 109;

1 AND

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

4 (3) THE ENTERPRISE SHALL:

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

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

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

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

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

24 (5) THE DEPARTMENT OF EDUCATION SHALL PROVIDE OFFICE  
25 SPACE AND ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT TO A  
26 CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS  
27 SECTION.

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

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

10 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
11 ENTERPRISE. THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR  
12 THE PURPOSES OF THIS ARTICLE 109, SUBJECT TO THE REQUIREMENTS OF  
13 SUBSECTION (6)(d) OF THIS SECTION.

14 (d) THE ENTERPRISE MAY SPEND NO MORE THAN THREE PERCENT  
15 OF THE ANNUAL FEE REVENUE FOR THE ENTERPRISE'S ADMINISTRATIVE  
16 EXPENSES.

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

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

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

1           **22-109-105. Educational rights enforcement.**

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

6           **22-109-106. Complaints.**

7           IF THE DEPARTMENT OF EDUCATION RECEIVES MONEY FROM THE  
8 FUND TO ENFORCE EDUCATIONAL RIGHTS ON BEHALF OF CHILDREN AS  
9 DESCRIBED IN SECTION 22-109-105, THE DEPARTMENT SHALL TAKE  
10 COMPLAINTS PURSUANT TO SECTION 22-29.5-114.

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

13           **22-105.5-104. Out-of-school time program grant program -**  
14 **created - use of grants - funding - rules - repeal.**

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

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

22           (5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 105.5 TO  
23 THE CONTRARY, IN AWARDING GRANTS FROM THE GRANT PROGRAM, THE  
24 YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN  
25 SECTION 22-109-104 MAY AWARD GRANTS FROM THE YOUTH  
26 PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN SECTION  
27 22-109-104 (6) IN CONSULTATION WITH THE STATE BOARD.

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

3           **22-105.5-105. Grant program eligibility - application - criteria**  
4 **- awards.**

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

6           (a) Must be a nonprofit organization that is exempt from taxation  
7 pursuant to section 501 (c)(3) of the federal "Internal Revenue Code of  
8 1986", as amended, with at least five years' experience providing  
9 affordable and comprehensive academic enrichment and related services  
10 to students in the state; **and**

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

14           (c) **MUST PROVIDE PROGRAMMING AND SERVICES THAT SUPPORT**  
15 **THE MENTAL HEALTH AND WELL-BEING OF CHILDREN AND YOUTH,**  
16 **INCLUDING, BUT NOT LIMITED TO, SOCIAL AND EMOTIONAL LEARNING,**  
17 **TRAUMA-INFORMED CARE, FAMILY ENGAGEMENT, SUICIDE PREVENTION**  
18 **SCREENINGS, COMMUNITY MENTAL HEALTH RESOURCE NAVIGATION, AND**  
19 **SMALL-GROUP OR INDIVIDUAL INTERVENTIONS.**

20           (3) (a) **THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE**  
21 **CREATED IN SECTION 22-109-104, IN CONSULTATION WITH the department,**  
22 **shall review the applications received pursuant to this section to**  
23 **determine eligibility for the grant program, and, subject to available**  
24 **appropriations, THE YOUTH PROGRAMMING AND PROTECTIONS**  
25 **ENTERPRISE, IN CONSULTATION WITH the state board, shall award grants**  
26 **to eligible entities.**

27           **SECTION 7. Appropriation.** (1) For the 2026-27 state fiscal

1 year, \$294,984 is appropriated to the department of revenue. This  
2 appropriation is from the general fund. To implement this act, the  
3 department may use this appropriation as follows:

4 (a) \$8,778 for use by the executive director's office for personal  
5 services related to administration and support;

6 (b) \$247,627 for tax administration IT system (GenTax) support;

7 (c) \$12,079 for use by taxation business group for personal  
8 services related to taxation services, which amount is based on an  
9 assumption that the division will require an additional 0.2 FTE; and

10 (d) \$26,500 for the purchase of legal services.

11 (2) For the 2026-27 state fiscal year, \$26,500 is appropriated to  
12 the department of law. This appropriation is from reappropriated funds  
13 received from the department of revenue under subsection (1)(d) of this  
14 section and is based on an assumption that the department of law will  
15 require an addition 0.1 FTE. To implement this act, the department of law  
16 may use this appropriation to provide legal services for the department of  
17 revenue.

18 (3) For the 2026-27 state fiscal year, \$145,750 is appropriated to  
19 the department of law. This appropriation is from the youth mental health  
20 services access enterprise fund created in section 27-60-604 (6)(a),  
21 C.R.S., from revenue received from the youth mental health services  
22 access enterprise that is continuously appropriated to the enterprise  
23 pursuant to section 27-60-604 (6)(c), C.R.S. The appropriation to the  
24 department of law is based on an assumption that the department of law  
25 will require an additional 0.6 FTE. To implement this act, the department  
26 of law may use this appropriation to provide legal services for the youth  
27 mental health services access enterprise.

1 (4) For the 2026-27 state fiscal year, \$79,500 is appropriated to  
2 the department of law. This appropriation is from the youth programming  
3 and protections enterprise fund created in section 22-109-104 (6)(a),  
4 C.R.S., from revenue received from the youth programming and  
5 protections enterprise that is continuously appropriated to the enterprise  
6 pursuant to section 22-109-104 (6)(c), C.R.S. The appropriation to the  
7 department of law is based on an assumption that the department of law  
8 will require an additional 0.3 FTE. To implement this act, the department  
9 of law may use this appropriation to provide legal services for the youth  
10 programming and protections enterprise.

11 **SECTION 8. Severability.** If any provision of this act or the  
12 application of this act to any person or circumstance is held invalid, the  
13 invalidity does not affect other provisions or applications of the act that  
14 can be given effect without the invalid provision or application, and to  
15 this end the provisions of this act are declared to be severable.

16 **SECTION 9. Act subject to petition - effective date.** (1) Except  
17 as described in subsection (2) of this section, section 27-60-109, Colorado  
18 Revised Statutes, as amended in section 2 of this act, takes effect July 1,  
19 2027, and the remainder of this act takes effect at 12:01 a.m. on the day  
20 following the expiration of the ninety-day period after final adjournment  
21 of the general assembly (August 12, 2026, if adjournment sine die is on  
22 May 13, 2026); except that, if a referendum petition is filed pursuant to  
23 section 1 (3) of article V of the state constitution against this act or an  
24 item, section, or part of this act within such period, then the act, item,  
25 section, or part will not take effect unless approved by the people at the  
26 general election to be held in November 2026 and, in such case, will take

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

4 (2) Section 22-109-106, Colorado Revised Statutes, as enacted in  
5 section 4 of this act, takes effect only if Senate Bill 26-125 is enacted and  
6 signed into law, in which case section 22-109-106 takes effect on the  
7 effective date of this act or Senate Bill 26-125, whichever is later.