

# An Act

HOUSE BILL 26-1349

BY REPRESENTATIVE(S) Brown and Sirota, Taggart, McCormick;  
also SENATOR(S) Amabile and Kirkmeyer, Bridges.

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

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

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

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

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

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

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes  
through words or numbers indicate deletions from existing law and such material is not part of  
the act.*

(II) THIS SUBSECTION (1)(a.5) IS REPEALED, EFFECTIVE JULY 1, 2030.

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

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2030.

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

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

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

(b) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2030.

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

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

~~(1) Sections 26.5-3-201 to 26.5-3-207 are repealed, effective July 1, 2027.~~

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

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

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

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

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

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

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

(2) (c) (I) Grants awarded pursuant to subsection (2)(a) of this section are payable from the nurse home visitor program fund, which fund is created in the state treasury. The nurse home visitor program fund ~~referred to in this section as the "fund"~~, is administered by the department and consists of money transferred to the fund by the state treasurer from money received pursuant to the master settlement agreement in the amount described in subsection (2)(e) of this section AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. In addition, the state treasurer shall credit to the fund any public or private gifts, grants, or donations received by the department to implement the program, including any money received from the United States federal government for the program. The fund is subject to annual appropriation by the general assembly to the department for grants to entities for operation of the program. The department may retain the amount needed to pay for the program's share of the department's indirect costs, as calculated under the federally approved cost allocation plan. In addition, the department may retain a total of up to five percent of the amount annually appropriated from the fund for the program, in order to compensate the health sciences facility pursuant to section 26.5-3-505 (4), as set forth in the scope of work in the agreement between the department and the health sciences facility, and to compensate the department for the actual costs the department incurs in implementing subsection (2)(b) of this section, as determined by the department; except that the portion of the costs to compensate the department for implementing subsection (2)(b) of this section must not

exceed two percent of the amount annually appropriated from the fund for the program, and the portion of such costs to compensate the health sciences facility pursuant to section 26.5-3-505 (4), as set forth in the scope of work in the contract between the department and the health sciences facility, must not exceed three percent of the amount annually appropriated from the fund for the program. In addition, if the total amount annually appropriated from the fund for the program exceeds nineteen million dollars, the department and the health sciences facility shall assess whether a smaller percentage of the appropriated funds exceeding nineteen million dollars is adequate to cover their actual costs and shall jointly submit to the general assembly a report articulating their conclusions on this subject. The actual costs of the department include department personnel and operating costs and any necessary transfers to the department of health care policy and financing for administrative costs incurred for the medicaid program associated with the program. The actual costs of the health sciences facility include the facility's own actual program costs and those of its contractors and subcontractors. Any costs for time studies required to obtain medicaid reimbursement for the program may be paid from program funds and are not subject to the five percent limit in this section. Notwithstanding section 24-36-114, all interest derived from the deposit and investment of money in the fund must be credited to the fund. Except as otherwise provided in ~~subsection (2)(c)(II)~~ SUBSECTIONS (2)(c)(II) AND (2)(c)(III) of this section, all unexpended and unencumbered money in the fund at the end of any fiscal year remains in the fund and must not be transferred to the general fund or any other fund.

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

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

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

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

(1) Except as provided in subsection (2) of this section, to implement this act, appropriations made in the annual general appropriation act for the

2026-27 state fiscal year to the department of early childhood for use by community and family support are adjusted as follows:

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

(b) The general fund appropriation for home visiting is increased by \$5,100,000;

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

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

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

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

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

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

(d) The annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of early childhood

for use by community and family support for child maltreatment prevention.

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

**SECTION 8. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE

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Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO