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HOUSE BILL 26-1378

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

CONCERNING THE REPEAL OF CERTAIN BEHAVIORAL HEALTH RESOURCES
ADMINISTERED BY THE BEHAVIORAL HEALTH ADMINISTRATION, AND,
IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **repeal** 27-50-305,
27-80-120, and 27-80-126.

SECTION 2. In Colorado Revised Statutes, 27-50-101, **amend** (6);
and **add** (17.3) as follows:

27-50-101. Definitions.

As used in this article 50, unless the context otherwise requires:

(6) "Behavioral health provider" means a recovery community organization, ~~as defined in section 27-80-126~~, a recovery support services organization, as defined in section 27-60-108, or a licensed organization or

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.

professional providing diagnostic, therapeutic, or psychological services for behavioral health conditions. Behavioral health providers include a residential child care facility, as defined in section 26-6-903 (29), and a federally qualified health center.

(17.3) "RECOVERY COMMUNITY ORGANIZATION" MEANS AN INDEPENDENT, NONPROFIT ORGANIZATION LED AND GOVERNED BY REPRESENTATIVES OF LOCAL COMMUNITIES OF RECOVERY THAT ORGANIZE RECOVERY-FOCUSED POLICY ADVOCACY ACTIVITIES, CARRY OUT RECOVERY-FOCUSED COMMUNITY EDUCATION AND OUTREACH PROGRAMS, OR PROVIDE PEER-RUN RECOVERY SUPPORT SERVICES.

SECTION 3. In Colorado Revised Statutes, 27-50-105, **amend** (1)(gg); and **repeal** (1)(ee) and (1)(ii) as follows:

27-50-105. Administration of behavioral health programs - state plan - sole mental health authority - gifts, grants, or donations - repeal.

(1) The BHA shall administer and provide the following behavioral health programs and services:

~~(ee) The building substance use disorder treatment capacity in underserved communities grant program created pursuant to section 27-80-120;~~

~~(gg) (I) The high-risk families cash fund created pursuant to section 27-80-123.~~

(II) THIS SUBSECTION (1)(gg) IS REPEALED, EFFECTIVE JULY 1, 2026.

~~(ii) The recovery support services grant program created pursuant to section 27-80-126;~~

SECTION 4. In Colorado Revised Statutes, 27-60-110, **amend** (3) as follows:

27-60-110. Behavioral health-care services for rural and agricultural communities - vouchers - contract - appropriation.

(3) For the ~~2021-22~~ 2026-27 fiscal year, and each fiscal year

thereafter, the general assembly shall MAY annually appropriate fifty thousand dollars MONEY for the contract awarded pursuant to subsection (1) of this section.

SECTION 5. In Colorado Revised Statutes, 27-60-301, **amend** (3) as follows:

27-60-301. Definitions.

As used in this part 3, unless the context otherwise requires:

(3) "Behavioral health provider" means a recovery community organization, as defined in ~~section 27-80-126~~ SECTION 27-50-101, a recovery support services organization, as defined in section 27-60-108, or a licensed organization or professional that provides diagnostic, therapeutic, or psychological services for behavioral health conditions. Behavioral health providers include a residential child care facility, as defined in section 26-6-903 (29), and a federally qualified health center, as defined in the federal "Social Security Act", 42 U.S.C. sec. 1395x (aa)(4).

SECTION 6. In Colorado Revised Statutes, 27-80-123, **add** (8) and (9) as follows:

27-80-123. High-risk families cash fund - creation - services provided - report - definition - repeal.

(8) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2026, TO THE GENERAL FUND.

(9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 7. Appropriation - adjustments to 2026 long bill.

(1) Except as provided in subsection (2) of this section, to implement this act, the appropriations made in the annual general appropriation act for the 2026-27 state fiscal year to the department of human services for use by the behavioral health administration for behavioral health safety net services is decreased by \$3,500,000, which amount consists of \$500,000 from the general fund and \$3,000,000 from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S.

(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 general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of human services for use by the behavioral health administration for behavioral health safety net services is less than the amount of the adjustment required in subsection (1) of this section;

(b) The cash funds appropriation from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., made in the annual general appropriation act for the 2026-27 state fiscal year to the department of human services for use by the behavioral health administration for behavioral health safety net services is less than the amount of the adjustment required in subsection (1) of this section; or

(c) The annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of human services for use by the behavioral health administration for behavioral health safety net services.

(3) Except as provided in subsection (4) of this section, to implement this act, the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of human services for use by the behavioral health administration for the recovery support services grant program is decreased by \$1,600,805, and the related FTE is decreased by 1.0 FTE.

(4) (a) If the general fund appropriation made in the annual general appropriation act for the 2026-27 state fiscal year to the department of human services for use by the behavioral health administration for the recovery support services grant program is an amount less than the amount of the adjustment required in subsection (3) of this section, the general fund appropriation is decreased to \$0.

(b) If the annual general appropriation act for the 2026-27 state fiscal year does not include an appropriation to the department of human services for use by the behavioral health administration for the recovery support services grant program, then subsection (3) of this section does not

require a reduction of an appropriation in the annual general appropriation act for the 2026-27 state fiscal year.

SECTION 8. Effective date. This act takes effect upon passage; except that section 7 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 7 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 9. 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.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO