

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1116

BY REPRESENTATIVE(S) Rydin and Gonzalez R., Boesenecker, Brown, Clifford, Duran, English, Joseph, Lieder, Lindsay, Marshall, Nguyen, Sirota, McCluskie;
also SENATOR(S) Ball, Jodeh, Kipp, Coleman.

CONCERNING PROCESSES RELATED TO INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS.

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

SECTION 1. In Colorado Revised Statutes, 27-65-106, **amend** (8)(d)(I) as follows:

27-65-106. Emergency mental health hold - screening - court-ordered evaluation - discharge instructions - respondent's rights.

(8) (d) (I) The facility shall, at a minimum, attempt to follow up with the person, the person's parent or legal guardian, or the person's lay person ~~at least forty-eight~~ WITHIN SEVENTY-TWO hours after discharge, EXCLUDING WEEKENDS AND HOLIDAYS. The facility is encouraged to utilize peer support professionals, as defined in section 27-60-108 (2)(b), when performing follow-up care with individuals and in developing a continuing care plan

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.

pursuant to subsection (8)(a)(I) of this section. The facility may facilitate follow-up care through contracts with community-based behavioral health providers or the 988 crisis hotline operated pursuant to section 27-64-103. If the facility facilitates follow-up care through a third-party contract, the facility shall obtain authorization from the person to provide follow-up care.

SECTION 2. In Colorado Revised Statutes, 27-50-501, **amend** (3) as follows:

27-50-501. Behavioral health entities - license required - criminal and civil penalties.

(3) (a) Notwithstanding any provision of law to the contrary, the BHA shall ~~not~~ ONLY issue or renew ~~any~~ A license described in this part 5 ~~unless~~ IF the BHA receives a certificate of compliance for the applicant's building or structure from the division of fire prevention and control in the department of public safety in accordance with part 12 of article 33.5 of title 24; EXCEPT THAT:

(I) AN APPLICANT THAT PROVIDES ONLY TELEHEALTH SERVICES IS NOT REQUIRED TO RECEIVE A CERTIFICATE OF COMPLIANCE; AND

(II) AN APPLICANT THAT PROVIDES ONLY OUTPATIENT SERVICES MAY RECEIVE A CERTIFICATE OF COMPLIANCE FROM THE DIVISION OF FIRE PREVENTION AND CONTROL BASED ON INSPECTIONS CONDUCTED BY A FIRE DEPARTMENT, AS DEFINED IN SECTION 24-33.5-1202, THAT EMPLOYS AN INSPECTOR CERTIFIED PURSUANT TO SECTION 24-33.5-1211 RATHER THAN FROM THE DIVISION OF FIRE PREVENTION AND CONTROL.

(b) The BHA shall take action on an application for licensure within thirty days after the date that the BHA receives from the applicant all of the necessary information and documentation required for licensure. ~~including a certificate of compliance from the division of fire prevention and control.~~

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within

such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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