

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0795.01 Pierce Lively x2059

SENATE BILL 20-182

SENATE SPONSORSHIP

Danielson,

HOUSE SPONSORSHIP

(None),

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING STATE ASSISTANCE TO PROGRAMS THAT ASSIST IN
102 ATTEMPTING TO LOCATE WANDERING PERSONS, AND, IN
103 CONNECTION THEREWITH, RESTRUCTURING A GRANT PROGRAM
104 THAT ASSISTS LOCAL GOVERNMENTS OR THEIR DESIGNEES IN
105 LOCATING PERSONS WITH MEDICAL CONDITIONS, SUCH AS
106 ALZHEIMER'S DISEASE, AUTISM, DOWN SYNDROME, AND OTHER
107 MENTAL IMPAIRMENTS, THAT CAUSE WANDERING.

Bill Summary

(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>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The bill expands the grant program administered by the Colorado bureau of investigation (CBI) that assists counties in implementing lifesaver programs. A wanderer recovery program, currently known as a lifesaver program, is a program under which a participant has a device that may be used to assist in attempting to electronically locate the participant. The bill expands the lifesaver grant program to apply to wanderer recovery programs established or maintained by counties, municipalities (local governments), or local government designees. The bill also removes the limitations on both the amount local governments and their designees may be awarded in any single grant issued under the grant program and removes the limit on the amount of funds that the general assembly may annually appropriate to the wanderer recovery program cash fund that is used to fund the grant program. Further, the bill allows the executive director of the department of safety to award grants to assist in the maintenance of wanderer recovery programs in addition to the implementation of wanderer recovery programs.

The bill also requires the CBI to establish a website that lists those local governments and local government designees that have a wanderer recovery program, describes how to contact those local governments and local government designees, lists resources for caretakers of persons with medical conditions that cause wandering, provides procedures to follow when a wanderer recovery program participant is determined to be missing, describes how the wanderer recovery program technology used by the various local governments and local government designees works, and provides any other information the CBI may conclude is necessary to better explain and publicize wanderer recovery programs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-415.9,
3 **amend** (1)(f), (2), (3), (4)(a) introductory portion, (4)(a)(I), (4)(a)(II),
4 (4)(b), (5), and (6); and **add** (1.5) and (5.5) as follows:

5 **24-33.5-415.9. Local wanderer recovery programs - legislative**
6 **declaration - administration - rules - grants to local governments -**
7 **wanderer recovery program requirements - website - cash fund -**
8 **definitions.** (1) The general assembly hereby finds, determines, and
9 declares that:

10 (f) Establishing a grant program to encourage county sheriffs'

1 departments, MUNICIPALITIES, AND COUNTY OR MUNICIPALITY DESIGNEES
2 to establish ~~lifesaver~~ WANDERER RECOVERY programs pursuant to this
3 section will be beneficial to the citizens of Colorado by PROVIDING TOOLS
4 THAT WILL INCREASE THE CHANCES OF saving the lives of lost and missing
5 persons.

6 (1.5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "DESIGNEE" MEANS AN ORGANIZATION DESIGNATED BY A
9 COUNTY OR MUNICIPALITY TO ADMINISTER A WANDERER RECOVERY
10 PROGRAM.

11 (b) "WANDERER RECOVERY PROGRAM" MEANS A PROGRAM UNDER
12 WHICH A PARTICIPANT HAS A DEVICE THAT MAY BE USED TO ASSIST IN
13 ATTEMPTING TO ELECTRONICALLY LOCATE THE PARTICIPANT.

14 (2) The general assembly encourages each county, ~~or~~ any
15 combination of counties, EACH MUNICIPALITY, ANY COMBINATION OF
16 MUNICIPALITIES, OR DESIGNEES to implement ~~a lifesaver program under~~
17 ~~which a participant wears a small transmitter on his or her wrist to allow~~
18 ~~the county sheriffs' departments to electronically locate the participant if~~
19 ~~necessary using a radio receiver~~ AND MAINTAIN WANDERER RECOVERY
20 PROGRAMS.

21 (3) The executive director shall serve as the liaison to ~~lifesaver~~
22 WANDERER RECOVERY programs ~~in counties that choose to implement~~
23 ~~them~~ and shall administer the state grant ~~monies~~ MONEY awarded for the
24 purpose of starting ~~the~~ AND MAINTAINING WANDERER RECOVERY
25 programs. The executive director may promulgate such rules as are
26 necessary for the administration of this section, including but not limited
27 to annual deadlines for submitting GRANT applications, reporting of

1 search and rescue statistics using technology obtained under this section,
2 and implementation AND MAINTENANCE policies for WANDERER
3 RECOVERY programs. ~~The maximum amount that a county may receive~~
4 ~~for startup is ten thousand dollars.~~

5 (4) (a) If a ~~county initiates~~ COUNTY, MUNICIPALITY, OR DESIGNEE
6 EITHER HAS A WANDERER RECOVERY PROGRAM OR CHOOSES TO INITIATE
7 a ~~lifesaver~~ WANDERER RECOVERY program, it may submit a written
8 GRANT application in a form specified by the executive director. Counties,
9 MUNICIPALITIES, AND DESIGNEES may submit GRANT applications jointly.
10 The GRANT application shall include, but not be limited to:

11 (I) An estimate of the number of people who ARE AT RISK OF
12 WANDERING AND might qualify for assistance ~~in the county~~ UNDER THE
13 WANDERER RECOVERY PROGRAM;

14 (II) An estimate of the startup OR MAINTENANCE cost; and

15 (b) The executive director shall prioritize the grant awards in
16 accordance with the respective needs of each county, MUNICIPALITY, OR
17 DESIGNEE for tracking services and the availability of local funding
18 sources, as documented in the GRANT applications submitted pursuant to
19 ~~paragraph (a) of this subsection (4)~~ SUBSECTION (4)(a) OF THIS SECTION.
20 Awards to qualifying counties, MUNICIPALITIES, AND DESIGNEES shall be
21 prorated in accordance with the availability of state grant ~~funds~~ MONEY.

22 (5) (a) If a county, MUNICIPALITY, OR DESIGNEE accepts a grant
23 under this section, the county, MUNICIPALITY, OR DESIGNEE shall use such
24 grant moneys to ~~purchase emergency response kits, which shall include~~
25 ~~equipment necessary to track and triangulate searches, as well as~~
26 ~~transmitters, and shall provide such training as is necessary for search~~
27 ~~personnel. Grant moneys awarded under this section shall be used for~~

1 startup capital equipment costs and initial training of search personnel and
2 inventory including transmitters or any other related equipment or
3 training required in order to implement the program. Counties accepting
4 grant moneys under this section shall manage and provide ongoing costs
5 associated with lifesaver programs once implemented. MONEY FOR
6 EQUIPMENT COSTS, TRAINING OF SEARCH PERSONNEL, AND ANY OTHER
7 COSTS REQUIRED TO IMPLEMENT OR MAINTAIN A WANDERER RECOVERY
8 PROGRAM.

9 (b) For all counties, MUNICIPALITIES, OR DESIGNEES establishing
10 OR MAINTAINING a lifesaver WANDERER RECOVERY program under this
11 section, the Alzheimer's Association Colorado chapter, or its successor
12 organization, shall provide free ONLINE BEHAVIORAL training for law
13 enforcement and families about the dangers of wandering and other
14 potentially hazardous behavior secondary to Alzheimer's disease, as well
15 as follow-up with families when a wandering incident has occurred. The
16 training shall delineate the course of the disease and the potential for
17 problematic behavior that exists in each stage, and shall provide families
18 and the law enforcement community with the tools for handling difficult
19 situations when they arise and strategies for warding off behavior before
20 it threatens the life and safety of an individual with Alzheimer's disease
21 OR ANOTHER FORM OF DEMENTIA.

22 (c) THE BUREAU SHALL PROVIDE ALL COUNTIES, MUNICIPALITIES,
23 OR DESIGNEES ESTABLISHING OR MAINTAINING A WANDERER RECOVERY
24 PROGRAM UNDER THIS SECTION WITH ANY INFORMATION THE BUREAU
25 CONCLUDES IS NECESSARY TO EFFECTIVELY INITIATE OR MAINTAIN A
26 WANDERER RECOVERY PROGRAM.

27 (5.5) NOT LATER THAN JANUARY 1, 2021, THE BUREAU SHALL

1 ESTABLISH AND MAINTAIN A WEBSITE THAT IS AVAILABLE TO THE PUBLIC
2 FREE OF CHARGE THAT:

3 (a) LISTS THOSE COUNTIES, MUNICIPALITIES, OR DESIGNEES THAT
4 HAVE A WANDERER RECOVERY PROGRAM AND WHO MAY QUALIFY TO
5 PARTICIPATE IN THOSE PROGRAMS;

6 (b) DESCRIBES HOW TO CONTACT THE COUNTIES, MUNICIPALITIES,
7 OR DESIGNEES THAT HAVE A WANDERER RECOVERY PROGRAM;

8 (c) LISTS RESOURCES FOR CARETAKERS OF PERSONS WITH MEDICAL
9 CONDITIONS THAT CAUSE WANDERING;

10 (d) PROVIDES PROCEDURES TO FOLLOW WHEN A WANDERER
11 RECOVERY PROGRAM PARTICIPANT IS DETERMINED TO BE MISSING;

12 (e) DESCRIBES HOW THE WANDERER RECOVERY PROGRAM
13 TECHNOLOGY USED BY THE VARIOUS COUNTIES, MUNICIPALITIES, OR
14 DESIGNEES WORKS; AND

15 (f) PROVIDES ANY OTHER INFORMATION THE BUREAU MAY
16 CONCLUDE IS NECESSARY TO BETTER EXPLAIN AND PUBLICIZE WANDERER
17 RECOVERY PROGRAMS.

18 (6) There is hereby created in the state treasury the ~~lifesaver~~
19 WANDERER RECOVERY program cash fund. The ~~moneys~~ MONEY in the
20 cash fund ~~shall be~~ IS subject to annual appropriation by the general
21 assembly for the direct and indirect costs of the administration of this
22 section, including grants to counties, MUNICIPALITIES, AND DESIGNEES to
23 ~~implement lifesaver~~ INITIATE AND MAINTAIN WANDERER RECOVERY
24 programs AND THE CREATION AND MAINTENANCE OF THE WEBSITE
25 DESCRIBED IN SUBSECTION (5.5) OF THIS SECTION. Any interest earned on
26 the investment of ~~moneys~~ MONEY in the cash fund ~~shall remain~~ REMAINS
27 in the cash fund and ~~shall~~ DOES not revert to the general fund of the state

1 at the end of any fiscal year. ~~It is the intent of the general assembly that~~
2 ~~the maximum amount of state moneys made available to implement~~
3 ~~lifesaver programs under this section shall be three hundred eighty~~
4 ~~thousand dollars.~~

5 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-102, **amend**
6 the introductory portion; and **repeal** (4) as follows:

7 **24-33.5-102. Definitions.** As used in this ~~article~~ ARTICLE 33.5,
8 unless the context otherwise requires:

9 (4) ~~"Lifesaver program" or "program" means a search and rescue~~
10 ~~program designed to quickly find a wandering, lost, and missing person,~~
11 ~~as described in section 24-33.5-415.9 (2).~~

12 **SECTION 3. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2020 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.