

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-0147.01 Jane Ritter x4342

**HOUSE BILL 17-1020**

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**HOUSE SPONSORSHIP**

**Singer, Lee**

**SENATE SPONSORSHIP**

**Martinez Humenik,**

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**House Committees**  
Public Health Care & Human Services

**Senate Committees**  
Health & Human Services

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**A BILL FOR AN ACT**

101   **CONCERNING ONGOING STAFFING FOR THE TASK FORCE CONCERNING**  
102   **TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE**  
103   **CRIMINAL AND JUVENILE JUSTICE SYSTEMS.**

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**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/>.)*

**Legislative Oversight Committee Concerning the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems.** The bill amends provisions in current statute to provide for ongoing staff support for the task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems.

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

SENATE  
Amended 2nd Reading  
February 17, 2017

HOUSE  
3rd Reading Unamended  
January 31, 2017

HOUSE  
2nd Reading Unamended  
January 30, 2017

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

2           **SECTION 1.** In Colorado Revised Statutes, 18-1.9-104, **amend**  
3        (1)(a) as follows:

4           **18-1.9-104. Task force concerning treatment of persons with**  
5        **mental illness in the criminal and juvenile justice systems - creation**  
6        **- membership - duties.** (1) **Creation.** (a) There is ~~hereby~~ created a task  
7        force concerning treatment of persons with mental illness in the criminal  
8        and juvenile justice systems in Colorado. The task force ~~shall consist~~  
9        CONSISTS of thirty-two members appointed as provided in ~~paragraphs (b)~~  
10      ~~and (c) of this subsection~~ ~~(1)~~ SUBSECTIONS (1)(b) AND (1)(c) OF THIS  
11      SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION  
12      18-1.9-105.

13           **SECTION 2.** In Colorado Revised Statutes, **amend** 18-1.9-105  
14      as follows:

15           **18-1.9-105. Task force funding - staff support.** (1) The division  
16      of criminal justice of the department of public safety, ~~on behalf of the~~  
17      ~~task force is~~ THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF  
18      HUMAN SERVICES, AND ANY STATE DEPARTMENT OR AGENCY WITH AN  
19      ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE authorized to receive  
20      and expend ~~contributions~~ GIFTS, grants, ~~services, and in-kind~~ AND  
21      donations, INCLUDING DONATIONS OF IN-KIND SERVICES FOR STAFF  
22      SUPPORT, from any public or private entity for any direct or indirect costs  
23      associated with the duties of the task force. ~~set forth in this article.~~

24           (2) The director of research of the legislative council, the director  
25      of the office of legislative legal services, the director of the division of  
26      criminal justice within the department of public safety, THE DIRECTOR OF

1       THE OFFICE OF BEHAVIORAL HEALTH, and the executive directors of the  
2       departments represented on the task force may supply staff assistance to  
3       the task force as they deem appropriate within existing appropriations ~~If~~  
4       staff assistance is not available from a governmental agency within  
5       existing appropriations, then the executive directors of the departments  
6       represented on the task force, the director of research of the legislative  
7       council, and the director of the office of legislative legal services may  
8       supply staff assistance to the task force only OR if moneys are MONEY IS  
9       credited to the treatment of persons with mental illness in the criminal and  
10       juvenile justice systems cash fund created in section 18-1.9-106 FOR THE  
11       PURPOSE OF AND in an amount sufficient to fund staff assistance. The task  
12       force may also accept DONATIONS OF IN-KIND SERVICES FOR staff support  
13       from the private sector.

14                   **SECTION 3.** In Colorado Revised Statutes, 18-1.9-106, amend  
15       (1) as follows:

16                   **18-1.9-106. Treatment of persons with mental illness in the**  
17       **criminal and juvenile justice systems cash fund.** (1) ~~All private and~~  
18       ~~public funds received through grants, contributions, and donations~~  
19       ~~pursuant to this article shall be transmitted to the state treasurer, who shall~~  
20       ~~credit the same to~~ The treatment of persons with mental illness in the  
21       criminal and juvenile justice systems cash fund, ~~which fund is hereby~~  
22       ~~created and referred to in this section as the "fund", IS HEREBY CREATED~~  
23       IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED  
24       OR TRANSFERRED TO THE FUND BY THE GENERAL ASSEMBLY AND ANY  
25       PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR  
26       DONATIONS FOR THE PURPOSE OF IMPLEMENTING THE PROVISIONS OF THIS  
27       ARTICLE. ~~The moneys MONEY in the fund shall be~~ IS subject to annual

1 appropriation by the general assembly for the direct and indirect costs  
2 associated with the implementation of this article. ~~All moneys~~ MONEY in  
3 the fund not expended for the purpose of IMPLEMENTING this article  
4 ARTICLE 1.9 may be invested by the state treasurer as provided by law. ~~All~~  
5 ~~interest and income derived from the investment and deposit of moneys~~  
6 ~~in the fund shall be credited to the fund. Any unexpended and~~  
7 ~~unencumbered moneys remaining in the fund at the end of a fiscal year~~  
8 ~~shall remain in the fund and shall not be credited or transferred to the~~  
9 ~~general fund or another fund. All unexpended and unencumbered moneys~~  
10 ~~remaining in the fund as of July 1, 2020, shall be transferred to the~~  
11 ~~general fund.~~ THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
12 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
13 FUND TO THE FUND. THE STATE TREASURER SHALL TRANSFER ALL  
14 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AS OF  
15 JULY 1, 2020, TO THE GENERAL FUND.

16                   **SECTION 4. Act subject to petition - effective date.** This act  
17 takes effect at 12:01 a.m. on the day following the expiration of the  
18 ninety-day period after final adjournment of the general assembly (August  
19 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
20 referendum petition is filed pursuant to section 1 (3) of article V of the  
21 state constitution against this act or an item, section, or part of this act  
22 within such period, then the act, item, section, or part will not take effect  
23 unless approved by the people at the general election to be held in  
24 November 2018 and, in such case, will take effect on the date of the  
25 official declaration of the vote thereon by the governor.