

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0621.01 Richard Sweetman x4333

**HOUSE BILL 17-1215**

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**HOUSE SPONSORSHIP**

**Coleman,** Benavidez, Carver, Herod, Lawrence, Salazar, Weissman, Foote, Melton,  
Thurlow, Willett

**SENATE SPONSORSHIP**

**Gardner and Kagan,** Aguilar, Coram

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MENTAL HEALTH SUPPORT FOR PEACE OFFICERS.**

**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>.)*

The bill encourages each sheriff's office and each municipal police department to adopt a policy whereby mental health professionals, to the extent practicable, provide:

- ! On-scene response services to support officers' handling of persons with mental health disorders; and
- ! Counseling services to officers.

The bill creates the peace officers mental health support grant program (grant program) in the department of local affairs (department)

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.*

to provide grants of money to county sheriffs' offices and municipal police departments to help them engage mental health professionals. Each sheriff's office and each municipal police department is encouraged to apply annually for a grant from the grant program.

The bill creates the peace officers mental health support fund (fund), which consists of gifts, grants, and donations and any other money that the general assembly may appropriate or transfer to the fund. The executive director of the department, or his or her designee, may expend money from the fund for the purposes of the grant program.

The grant program repeals September 1, 2027.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 30-10-527 as  
3 follows:

4 **30-10-527. Mental health professionals - grant applications**  
5 **encouraged - definition - repeal.** (1) EACH SHERIFF IS ENCOURAGED TO  
6 ADOPT A POLICY WHEREBY MENTAL HEALTH PROFESSIONALS, TO THE  
7 EXTENT PRACTICABLE, PROVIDE:

8 (a) ON-SCENE RESPONSE SERVICES TO SUPPORT DEPUTY SHERIFFS'  
9 HANDLING OF PERSONS WITH MENTAL HEALTH DISORDERS; AND

10 (b) COUNSELING SERVICES TO DEPUTY SHERIFFS.

11 (2) IN IMPLEMENTING A POLICY AS DESCRIBED IN SUBSECTION (1)  
12 OF THIS SECTION, A SHERIFF SHALL NOT REQUIRE A MENTAL HEALTH  
13 PROFESSIONAL TO COUNSEL BOTH A PERSON WITH A MENTAL HEALTH  
14 DISORDER AND A DEPUTY SHERIFF IF, IN THE JUDGMENT OF THE MENTAL  
15 HEALTH PROFESSIONAL, DOING SO WOULD CONSTITUTE A CONFLICT OF  
16 INTEREST OR A BREACH OF A PROFESSIONAL CODE OF ETHICS.

17 (3) FOR THE PURPOSES OF THIS SECTION, EACH SHERIFF'S OFFICE IS  
18 ENCOURAGED TO APPLY ANNUALLY FOR A GRANT FROM THE PEACE  
19 OFFICERS MENTAL HEALTH SUPPORT GRANT PROGRAM CREATED IN  
20 SECTION 24-32-3501.

1 (4) AS USED IN THIS SECTION, "MENTAL HEALTH PROFESSIONAL"  
2 MEANS A MENTAL HEALTH PROFESSIONAL LICENSED TO PRACTICE  
3 MEDICINE PURSUANT TO PART 1 OF ARTICLE 36 OF TITLE 12 OR A PERSON  
4 LICENSED AS A MENTAL HEALTH PROFESSIONAL PURSUANT TO ARTICLE 43  
5 OF TITLE 12.

6 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

7 **SECTION 2.** In Colorado Revised Statutes, **add** 31-30-109 as  
8 follows:

9 **31-30-109. Mental health professionals - grant applications**  
10 **encouraged - definition - repeal.** (1) EACH MUNICIPAL POLICE  
11 DEPARTMENT IS ENCOURAGED TO ADOPT A POLICY WHEREBY MENTAL  
12 HEALTH PROFESSIONALS, TO THE EXTENT PRACTICABLE, PROVIDE:

13 (a) ON-SCENE RESPONSE SERVICES TO SUPPORT OFFICERS'  
14 HANDLING OF PERSONS WITH MENTAL HEALTH DISORDERS; AND

15 (b) COUNSELING SERVICES TO OFFICERS OF THE POLICE  
16 DEPARTMENT.

17 (2) IN IMPLEMENTING A POLICY AS DESCRIBED IN SUBSECTION (1)  
18 OF THIS SECTION, A MUNICIPAL POLICE DEPARTMENT SHALL NOT REQUIRE  
19 A MENTAL HEALTH PROFESSIONAL TO COUNSEL BOTH A PERSON WITH A  
20 MENTAL HEALTH DISORDER AND AN OFFICER IF, IN THE JUDGMENT OF THE  
21 MENTAL HEALTH PROFESSIONAL, DOING SO WOULD CONSTITUTE A  
22 CONFLICT OF INTEREST OR A BREACH OF A PROFESSIONAL CODE OF ETHICS.

23 (3) FOR THE PURPOSES OF THIS SECTION, EACH MUNICIPAL POLICE  
24 DEPARTMENT IS ENCOURAGED TO APPLY ANNUALLY FOR A GRANT FROM  
25 THE PEACE OFFICERS MENTAL HEALTH SUPPORT GRANT PROGRAM  
26 CREATED IN SECTION 24-32-3501.

27 (4) AS USED IN THIS SECTION, "MENTAL HEALTH PROFESSIONAL"

1 MEANS A MENTAL HEALTH PROFESSIONAL LICENSED TO PRACTICE  
2 MEDICINE PURSUANT TO PART 1 OF ARTICLE 36 OF TITLE 12 OR A PERSON  
3 LICENSED AS A MENTAL HEALTH PROFESSIONAL PURSUANT TO ARTICLE 43  
4 OF TITLE 12.

5 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

6 **SECTION 3.** In Colorado Revised Statutes, **add** part 35 to article  
7 32 of title 24 as follows:

8 PART 35

9 PEACE OFFICERS MENTAL HEALTH SUPPORT

10 GRANT PROGRAM

11 **24-32-3501. Peace officers mental health support grant**  
12 **program - created - rules - policies and procedures - fund - repeal.**

13 (1) THERE IS CREATED IN THE DEPARTMENT OF LOCAL AFFAIRS, REFERRED  
14 TO IN THIS SECTION AS THE "DEPARTMENT", THE PEACE OFFICERS MENTAL  
15 HEALTH SUPPORT GRANT PROGRAM TO PROVIDE GRANTS OF MONEY TO  
16 COUNTY SHERIFFS' OFFICES AND MUNICIPAL POLICE DEPARTMENTS FOR THE  
17 PURPOSE OF HELPING THESE AGENCIES ENGAGE MENTAL HEALTH  
18 PROFESSIONALS WHO CAN PROVIDE:

19 (a) ON-SCENE RESPONSE SERVICES TO SUPPORT PEACE OFFICERS'  
20 HANDLING OF PERSONS WITH MENTAL HEALTH DISORDERS; AND

21 (b) COUNSELING SERVICES TO PEACE OFFICERS.

22 (2) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH  
23 THE GRANT PROGRAM TO HIRE MENTAL HEALTH PROFESSIONALS AND  
24 PROVIDE:

25 (a) ON-SCENE RESPONSE SERVICES TO SUPPORT PEACE OFFICERS'  
26 HANDLING OF PERSONS WITH MENTAL HEALTH DISORDERS; AND

27 (b) COUNSELING SERVICES TO PEACE OFFICERS.

1           (3) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM  
2 AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS  
3 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,  
4 GRANTS SHALL BE PAID OUT OF THE FUND CREATED IN SUBSECTION (9) OF  
5 THIS SECTION.

6           (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, OR HIS OR HER  
7 DESIGNEE, SHALL DEVELOP SUCH POLICIES AND PROCEDURES AS ARE  
8 REQUIRED IN THIS SECTION AND SUCH ADDITIONAL POLICIES AND  
9 PROCEDURES AS MAY BE NECESSARY TO IMPLEMENT THE GRANT PROGRAM.  
10 AT A MINIMUM, THE POLICIES AND PROCEDURES MUST SPECIFY THE TIME  
11 FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM  
12 APPLICATION, THE TIME FRAMES FOR DISTRIBUTING GRANT MONEY, AND  
13 CRITERIA FOR THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, TO USE  
14 IN AWARDING AND DENYING GRANTS.

15           (5) TO RECEIVE A GRANT, A SHERIFF'S OFFICE OR MUNICIPAL  
16 POLICE DEPARTMENT MUST SUBMIT AN APPLICATION TO THE DEPARTMENT  
17 IN ACCORDANCE WITH POLICIES AND PROCEDURES DEVELOPED BY THE  
18 EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE.

19           (6) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE  
20 DEPARTMENT SHALL INCLUDE A SUMMARIZED REPORT OF THE ACTIVITIES  
21 OF THE GRANT PROGRAM IN THE DEPARTMENT'S ANNUAL PRESENTATION  
22 TO THE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203.  
23 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING  
24 REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL THE GRANT  
25 PROGRAM IS REPEALED PURSUANT TO SUBSECTION (10) OF THIS SECTION.

26           (7) THE DEPARTMENT MAY USE UP TO FIVE PERCENT OF THE  
27 MONEY ANNUALLY APPROPRIATED FOR THE PROGRAM TO PAY THE DIRECT

1 AND INDIRECT COSTS THAT THE DEPARTMENT INCURS IN ADMINISTERING  
2 THE GRANT PROGRAM.

3 (8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
4 THE DEPARTMENT IS NOT REQUIRED TO IMPLEMENT THE GRANT PROGRAM  
5 UNTIL SUFFICIENT FUNDS ARE RECEIVED IN THE FUND CREATED IN  
6 SUBSECTION (9) OF THIS SECTION.

7 (9) (a) THE PEACE OFFICERS MENTAL HEALTH SUPPORT FUND,  
8 REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE  
9 TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS, AND DONATIONS  
10 CREDITED TO THE FUND PURSUANT TO SUBSECTION (9)(b) OF THIS SECTION  
11 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE  
12 OR TRANSFER TO THE FUND. THE EXECUTIVE DIRECTOR, OR HIS OR HER  
13 DESIGNEE, MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES OF  
14 THIS SECTION.

15 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,  
16 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE  
17 PURPOSES OF THIS SECTION. THE DEPARTMENT SHALL TRANSMIT ALL  
18 MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE  
19 TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

20 (c) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
21 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
22 FUND TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED  
23 AND UNENCUMBERED MONEY IN THE FUND REMAINS THEREIN AND SHALL  
24 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER  
25 FUND.

26 (d) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
27 AND UNENCUMBERED MONEY IN THE FUND ON AUGUST 31, 2027, TO THE

1 GENERAL FUND.

2 (10) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

3 **SECTION 4. Act subject to petition - effective date.** This act  
4 takes effect at 12:01 a.m. on the day following the expiration of the  
5 ninety-day period after final adjournment of the general assembly (August  
6 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
7 referendum petition is filed pursuant to section 1 (3) of article V of the  
8 state constitution against this act or an item, section, or part of this act  
9 within such period, then the act, item, section, or part will not take effect  
10 unless approved by the people at the general election to be held in  
11 November 2018 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.