

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 27, 2026
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB26-1418 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, after line 2 insert:

2 "(II) INCREASINGLY, ONLINE GAMING HAS REPLACED TRADITIONAL
3 SOCIAL MEDIA AND ACTS AS SOCIAL MEDIA FOR MINORS. EIGHTY-FIVE
4 PERCENT OF MINORS PLAY ONLINE GAMES, TWENTY-THREE PERCENT PLAY
5 SEVERAL TIMES A DAY, TWENTY-TWO PERCENT PLAY SEVERAL TIMES A
6 WEEK, AND TWENTY-ONE PERCENT PLAY LESS. ONLINE GAMING HAS ALSO
7 BECOME INCREASINGLY PERVASIVE FOR CHILDREN BETWEEN FIVE AND
8 TWELVE YEARS OLD, WITH MORE THAN EIGHTY PERCENT OF SUCH
9 CHILDREN GAMING WEEKLY.

10 (III) APPROXIMATELY THIRTY-FIVE TO THIRTY-SEVEN PERCENT OF
11 CHILDREN APPROACHED BY STRANGERS ONLINE WERE FIRST CONTACTED
12 VIA GAMING PLATFORMS. ONLINE GAMING PLATFORMS ARE ENGINEERED
13 TO KEEP CHILDREN ENGAGED FOR AS LONG AS POSSIBLE, AND EXCESSIVE
14 GAMING IS ASSOCIATED WITH SLEEP DISRUPTION, DECREASED ACADEMIC
15 PERFORMANCE, AND INCREASED ANXIETY AND DEPRESSION IN YOUNG
16 PEOPLE."

17 Renumber succeeding subparagraphs accordingly.

18 Page 4, line 13, strike "WEBSITES" and substitute "WEBSITES, ONLINE
19 GAMING,".

20 Page 4, strike lines 20 through 24 and substitute "CREDITED TO:

21 (A) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE
22 FUND CREATED IN THIS PART 6, FROM WHICH FUND THE YOUTH MENTAL
23 HEALTH SERVICES ACCESS ENTERPRISE MAY AWARD GRANTS TO MENTAL
24 HEALTH AGENCIES THAT PROVIDE MENTAL HEALTH SERVICES TO YOUNG

1 PEOPLE, AS DESCRIBED IN THIS PART 6; AND
2 (B) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
3 FUND CREATED IN SECTION 22-109-104 (6), FROM WHICH FUND THE YOUTH
4 PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION
5 22-109-104 MAY AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME
6 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND
7 SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF
8 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105;".

9 Page 6, strike lines 12 through 24 and substitute:

10 "(2) (a) "COVERED PLATFORM" MEANS A SOLE PROPRIETORSHIP, A
11 PARTNERSHIP, A LIMITED LIABILITY COMPANY, A CORPORATION, AN
12 ASSOCIATION, OR ANOTHER LEGAL ENTITY, OR AN AFFILIATE THEREOF,
13 THAT:

14 (I) CONDUCTS BUSINESS IN THE STATE;

15 (II) GENERATES A MAJORITY OF ITS ANNUAL REVENUE FROM
16 ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES;

17 (III) HAS THE PRIMARY PURPOSE OF MAKING AVAILABLE ONLINE
18 GAMING SERVICES, PRODUCTS, OR FEATURES THAT ARE REASONABLY
19 LIKELY TO BE ACCESSED BY A YOUTH;

20 (IV) COLLECTS USERS' PERSONAL DATA OR HAS USERS' PERSONAL
21 DATA COLLECTED ON ITS BEHALF BY A PROCESSOR; AND

22 (V) SOLELY OR JOINTLY WITH OTHERS DETERMINES THE PURPOSES
23 AND MEANS OF THE PROCESSING OF USERS' PERSONAL DATA.

24 (b) "COVERED PLATFORM" DOES NOT INCLUDE AN INTERNET
25 SERVICE PROVIDER OR TELECOMMUNICATIONS CARRIER THAT PROVIDES
26 CONNECTIVITY TO A THIRD-PARTY SERVICE AND THAT DOES NOT:

27 (I) DIRECTLY PROCESS ADD-ON TRANSACTIONS; AND

28 (II) DETERMINE DATA PROCESSING PURPOSES FOR THE
29 THIRD-PARTY SERVICE."

30 Page 7, strike lines 13 through 15 and substitute "LIKELY TO BE ACCESSED
31 BY A YOUTH BECAUSE THE ONLINE GAMING SERVICE, PRODUCT, OR
32 FEATURE IS".

33 Page 7, line 18, strike "COMMISSION;" and substitute "COMMISSION."

34 Page 7, strike lines 19 through 27.

35 Page 8, strike lines 1 through 8.

36 Page 11, line 16, strike "revenue." and substitute "revenue - youth

1 **programming and protections enterprise fund."**

2 Page 11, strike line 27.

3 Page 12, strike lines 1 through 3 and substitute "BY YOUTH THROUGH THE:

4 (I) YOUTH MENTAL HEALTH SERVICES PROGRAM CREATED IN
5 SECTION 27-60-109;

6 (II) YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM
7 CREATED IN SECTION 27-60-606;

8 (III) CRISIS RESOLUTION TEAM PROGRAM CREATED IN SECTION
9 27-60-607;

10 (IV) OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED
11 IN SECTION 22-105.5-104; AND

12 (V) ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN
13 SECTION 22-109-105."

14 Page 12, line 6, strike "(3) (a) THE" and substitute "(3) (a) EXCEPT AS
15 DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION, THE".

16 Page 12, after line 13 insert:

17 "(c) IN EACH STATE FISCAL YEAR, AFTER THE STATE TREASURER
18 HAS CREDITED EIGHT MILLION DOLLARS TO THE FUND PURSUANT TO
19 SUBSECTION (3)(a) OF THIS SECTION, THE STATE TREASURER SHALL CREDIT
20 ANY OTHER MONEY RECEIVED AS FEES PURSUANT TO SUBSECTION (1) OF
21 THIS SECTION TO THE YOUTH PROGRAMMING AND PROTECTIONS
22 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6)."

23 Page 12, line 15, after "REVENUE" insert "CREDITED TO THE FUND".

24 Page 12, line 17, after "REVENUE" insert "CREDITED TO THE FUND".

25 Page 22, after line 8 insert:

26 **"SECTION 3.** In Colorado Revised Statutes, **add 6-1-741** as
27 follows:

28 **6-1-741. Transactions involving covered minors - prices to be**
29 **listed in U.S. dollars - deceptive trade practice - definitions.**

30 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
31 REQUIRES:

32 (a) "ADD-ON TRANSACTION" HAS THE MEANING SET FORTH IN
33 SECTION 27-60-603 (1).

34 (b) "COVERED PLATFORM" HAS THE MEANING SET FORTH IN

1 SECTION 27-60-603 (2).

2 (c) "MINOR" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN
3 YEARS OLD.

4 (d) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN
5 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303
6 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

7 (2) A COVERED PLATFORM SHALL ENSURE THAT THE PURCHASE
8 PRICE FOR AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE THAT IS
9 REASONABLY LIKELY TO BE ACCESSED BY A MINOR IS LISTED IN UNITED
10 STATES DOLLARS AT THE POINT OF SALE.

11 (3) A PERSON THAT VIOLATES SUBSECTION (2) OF THIS SECTION
12 ENGAGES IN A DECEPTIVE TRADE PRACTICE.

13 **SECTION 4.** In Colorado Revised Statutes, **add** article 109 to
14 title 22 as follows:

15 **ARTICLE 109**

16 **Youth Programming and Protections Act**

17 **22-109-101. Short title.**

18 THE SHORT TITLE OF THIS ARTICLE 109 IS THE "YOUTH
19 PROGRAMMING AND PROTECTIONS ENTERPRISE ACT".

20 **22-109-102. Legislative declaration.**

21 (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

22 (a) (I) YOUNG PEOPLE SPEND A SIGNIFICANT PORTION OF EACH DAY
23 ENGAGING WITH SOCIAL MEDIA, ONLINE GAMING, AND OTHER DIGITAL
24 PLATFORMS DESIGNED TO MAXIMIZE ATTENTION, FREQUENCY OF USE, AND
25 IN-PLATFORM TRANSACTIONS;

26 (II) ALTHOUGH SOCIAL MEDIA TECHNOLOGIES CAN SUPPORT
27 CONNECTION AND ENTERTAINMENT, EXCESSIVE OR UNSUPERVISED
28 ENGAGEMENT CAN CONTRIBUTE TO SOCIAL ISOLATION, DISRUPTED SLEEP,
29 REDUCED PHYSICAL ACTIVITY, AND INCREASED RISK OF ANXIETY,
30 DEPRESSION, AND COMPULSIVE USE BEHAVIORS;

31 (III) RESEARCH DEMONSTRATES THAT STRONG PROTECTIVE
32 FACTORS, INCLUDING CONSISTENT ACCESS TO SUPPORTIVE ADULTS,
33 POSITIVE PEER RELATIONSHIPS, AND STRUCTURED OPPORTUNITIES FOR
34 ENGAGEMENT, ARE CRITICAL TO PROMOTING YOUTH MENTAL HEALTH,
35 BUILDING RESILIENCE, AND MITIGATING THE NEGATIVE EFFECTS OF SOCIAL
36 ISOLATION AND EXCESSIVE SCREEN TIME;

37 (IV) OUT-OF-SCHOOL TIME PROGRAMS ARE A PROVEN STRATEGY
38 FOR DELIVERING THESE PROTECTIVE FACTORS BY PROVIDING SAFE,
39 SUPERVISED ENVIRONMENTS, FOSTERING MEANINGFUL RELATIONSHIPS
40 WITH TRUSTED ADULTS AND PEERS, AND ENGAGING YOUNG PEOPLE IN
41 HANDS-ON LEARNING, PHYSICAL ACTIVITY, AND SKILL DEVELOPMENT
42 THAT REDUCE RELIANCE ON PASSIVE OR EXCESSIVE DIGITAL USE AND
43 IMPROVE SOCIAL-EMOTIONAL OUTCOMES;

1 (V) THERE IS SIGNIFICANT UNMET DEMAND FOR OUT-OF-SCHOOL
2 TIME PROGRAMS ACROSS COLORADO; MANY CHILDREN WOULD
3 PARTICIPATE IF PROGRAMS WERE AVAILABLE;

4 (VI) STATE-LEVEL SUPPORT FOR EDUCATIONAL RIGHTS, INCLUDING
5 LEGAL RESOURCES, TECHNICAL ASSISTANCE, AND FAMILY AWARENESS,
6 PROMOTES ACCOUNTABILITY, HELPS FAMILIES NAVIGATE COMPLEX
7 SYSTEMS, AND STRENGTHENS TRUST IN EDUCATIONAL INSTITUTIONS; AND

8 (VII) IT IS IN THE BEST INTEREST OF THE STATE TO INVEST IN
9 PREVENTION AND EARLY INTERVENTION STRATEGIES THAT PROMOTE
10 YOUTH WELL-BEING, INCLUDING SUSTAINABLE FUNDING FOR
11 OUT-OF-SCHOOL TIME PROGRAMS AND EDUCATIONAL RIGHTS
12 ENFORCEMENT, AND TO REQUIRE CERTAIN SOCIAL MEDIA PLATFORMS THAT
13 PROFIT FROM YOUTH ENGAGEMENT, INCLUDING GAMING TRANSACTIONS,
14 TO IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION TO BE
15 CREDITED TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
16 FUND CREATED IN THIS ARTICLE 109, FROM WHICH FUND THE YOUTH
17 PROGRAMMING AND PROTECTIONS ENTERPRISE MAY:

18 (A) AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME
19 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

20 (B) SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL
21 RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

22 (b) BY SUPPORTING THE OUT-OF-SCHOOL TIME PROGRAM GRANT
23 PROGRAM CREATED IN SECTION 22-105.5-104 AND SUPPORTING THE
24 DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS,
25 AS DESCRIBED IN SECTION 22-109-105, THE ENTERPRISE ENGAGES IN AN
26 ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR LIVELIHOOD
27 AND THEREFORE OPERATES AS A BUSINESS;

28 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
29 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896
30 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
31 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE
32 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES
33 THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE
34 THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE
35 ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND
36 SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH
37 USERS OF COVERED PLATFORMS, AND THE FEE IS IMPOSED AT A RATE THAT
38 IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT COSTS
39 OF THE SERVICES RECEIVED BY YOUTH USERS OF COVERED PLATFORMS;

40 (d) SO LONG AS THE ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR
41 PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE
42 REVENUE FROM THE FEE IMPOSED BY THE ENTERPRISE IS NOT STATE FISCAL
43 YEAR SPENDING, AS DEFINED IN SECTION 24-77-102, OR STATE REVENUES,

1 AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DOES NOT COUNT
2 AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY
3 SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS
4 STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I); AND
5 (e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN
6 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE
7 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES
8 OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL IN ITS FIRST FIVE
9 FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE ENTERPRISE DOES
10 NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION 24-77-108.

11 **22-109-103. Definitions.**

12 AS USED IN THIS ARTICLE 109, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES:

14 (1) "ADD-ON TRANSACTION" MEANS AN ONLINE TRANSACTION
15 THROUGH WHICH A PLAYER OR PARTICIPANT IN AN ONLINE GAMING
16 SERVICE, PRODUCT, OR FEATURE ACQUIRES:

17 (a) AN ITEM OR ABILITY THAT PROVIDES THE PLAYER OR
18 PARTICIPANT AN ADVANTAGE OVER OTHER PLAYERS OR PARTICIPANTS; OR

19 (b) A FEATURE THAT ALTERS OR ENHANCES THE ONLINE GAMING
20 SERVICE, PRODUCT, OR FEATURE.

21 (2) (a) "COVERED PLATFORM" MEANS A SOLE PROPRIETORSHIP, A
22 PARTNERSHIP, A LIMITED LIABILITY COMPANY, A CORPORATION, AN
23 ASSOCIATION, OR ANOTHER LEGAL ENTITY, OR AN AFFILIATE THEREOF,
24 THAT:

25 (I) CONDUCTS BUSINESS IN THE STATE;

26 (II) GENERATES A MAJORITY OF ITS ANNUAL REVENUE FROM
27 ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES;

28 (III) HAS THE PRIMARY PURPOSE OF MAKING AVAILABLE ONLINE
29 GAMING SERVICES, PRODUCTS, OR FEATURES THAT ARE REASONABLY
30 LIKELY TO BE ACCESSED BY A YOUTH;

31 (IV) COLLECTS USERS' PERSONAL DATA OR HAS USERS' PERSONAL
32 DATA COLLECTED ON ITS BEHALF BY A PROCESSOR; AND

33 (V) SOLELY OR JOINTLY WITH OTHERS DETERMINES THE PURPOSES
34 AND MEANS OF THE PROCESSING OF USERS' PERSONAL DATA.

35 (b) "COVERED PLATFORM" DOES NOT INCLUDE AN INTERNET
36 SERVICE PROVIDER OR TELECOMMUNICATIONS CARRIER THAT PROVIDES
37 CONNECTIVITY TO A THIRD-PARTY SERVICE AND THAT DOES NOT:

38 (I) DIRECTLY PROCESS ADD-ON TRANSACTIONS; AND

39 (II) DETERMINE DATA PROCESSING PURPOSES FOR THE
40 THIRD-PARTY SERVICE.

41 (3) "ENTERPRISE" MEANS THE YOUTH PROGRAMMING AND
42 PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104.

43 (4) "FEE" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS

1 FEE IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605.

2 (5) "FUND" MEANS THE YOUTH PROGRAMMING AND PROTECTIONS
3 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6).

4 (6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN
5 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303
6 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

7 (7) "PROCESS" OR "PROCESSING" HAS THE MEANING SET FORTH IN
8 SECTION 6-1-1303 (18).

9 (8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION
10 6-1-1303 (19).

11 (9) "REASONABLY LIKELY TO BE ACCESSED BY A YOUTH" MEANS
12 THAT AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS REASONABLY
13 LIKELY TO BE ACCESSED BY A YOUTH BECAUSE THE ONLINE GAMING
14 SERVICE, PRODUCT, OR FEATURE IS DIRECTED TO CHILDREN, AS DESCRIBED
15 BY THE FEDERAL "CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF
16 1998", 15 U.S.C. SECS. 6501 TO 6506, AND THE ASSOCIATED RULES OF THE
17 FEDERAL TRADE COMMISSION.

18 (10) "YOUTH" HAS THE MEANING SET FORTH IN SECTION 27-60-109
19 (1)(e).

20 **22-109-104. Youth programming and protections enterprise**
21 **- created - board - powers and duties - rules and policies - fund -**
22 **repeal.**

23 (1)(a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
24 IS CREATED IN THE DEPARTMENT OF EDUCATION. THE ENTERPRISE IS AND
25 OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT
26 FOR THE BUSINESS PURPOSE OF COLLECTING FEES IMPOSED BY COVERED
27 PLATFORMS PURSUANT TO SECTION 27-60-605 AND UTILIZING THE FEE
28 REVENUE TO AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME
29 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND TO
30 SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS
31 DESCRIBED IN SECTION 22-109-105. THE ENTERPRISE IS A **TYPE 1** ENTITY,
32 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND
33 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

34 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
35 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT
36 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS
37 THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL
38 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT
39 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (1), THE
40 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE
41 CONSTITUTION.

42 (c) THE ENTERPRISE SHALL BE DIRECTED BY A BOARD OF
43 INDIVIDUALS TO CONSIST OF THE FOLLOWING INDIVIDUALS:

- 1 (I) THE COMMISSIONER OF EDUCATION, OR THE COMMISSIONER'S
2 DESIGNEE, WHO SHALL SERVE AS AN EX-OFFICIO NONVOTING MEMBER;
- 3 (II) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE SPECIAL
4 EDUCATION CONSORTIUM, TO BE APPOINTED BY THE SPEAKER OF THE
5 HOUSE OF REPRESENTATIVES;
- 6 (III) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE
7 OUT-OF-SCHOOL TIME PROGRAMMING ENTITY, TO BE APPOINTED BY THE
8 PRESIDENT OF THE SENATE;
- 9 (IV) ONE INDIVIDUAL WHO REPRESENTS A LOCAL GOVERNMENT
10 ENTITY WITH A FOCUS ON SUPPORTING OUT-OF-SCHOOL TIME PROGRAMS,
11 TO BE APPOINTED BY THE GOVERNOR;
- 12 (V) ONE INDIVIDUAL WHO REPRESENTS AN ORGANIZATION THAT
13 PROVIDES FINANCIAL SUPPORT TO FAMILIES TO ACCESS OUT-OF-SCHOOL
14 TIME PROGRAMS, TO BE APPOINTED BY THE MINORITY LEADER OF THE
15 HOUSE OF REPRESENTATIVES;
- 16 (VI) ONE INDIVIDUAL WHO REPRESENTS A PHILANTHROPIC
17 FOUNDATION WHOSE MISSION INCLUDES SUPPORT FOR OUT-OF-SCHOOL
18 TIME PROGRAMS, TO BE APPOINTED BY THE GOVERNOR;
- 19 (VII) ONE INDIVIDUAL WHO REPRESENTS AN ADVOCACY
20 ORGANIZATION THAT REPRESENTS STUDENTS WITH DISABILITIES, TO BE
21 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;
- 22 (VIII) ONE INDIVIDUAL WITH EXPERTISE IN FINANCIAL
23 ADMINISTRATION OR GRANT ADMINISTRATION FOR NONPROFIT
24 ORGANIZATIONS, TO BE APPOINTED BY THE MINORITY LEADER OF THE
25 SENATE;
- 26 (IX) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME
27 PROGRAM PROVIDER IN A RURAL AREA, TO BE APPOINTED BY THE
28 MINORITY LEADER OF THE SENATE;
- 29 (X) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME
30 PROGRAM PROVIDER IN A METROPOLITAN AREA, TO BE APPOINTED BY THE
31 SPEAKER OF THE HOUSE OF REPRESENTATIVES;
- 32 (XI) ONE INDIVIDUAL WHO IS A SPECIAL EDUCATION DIRECTOR FOR
33 A SCHOOL DISTRICT, TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;
34 AND
- 35 (XII) ONE INDIVIDUAL WITH EXPERTISE IN PROGRAMS THAT
36 SUPPORT ACADEMIC ACHIEVEMENT AND SOCIAL-EMOTIONAL SKILL
37 DEVELOPMENT, TO BE APPOINTED BY THE GOVERNOR.
- 38 (d) THE APPOINTING AUTHORITIES DESCRIBED IN SUBSECTION
39 (1)(c) OF THIS SECTION SHALL APPOINT THE INITIAL MEMBERS OF THE
40 BOARD ON OR BEFORE DECEMBER 1, 2026.
- 41 (e) EACH MEMBER OF THE BOARD SERVES AT THE PLEASURE OF THE
42 MEMBER'S APPOINTING AUTHORITY AND MAY BE REPLACED BY THE
43 MEMBER'S APPOINTING AUTHORITY AT ANY TIME. A MEMBER APPOINTED

1 AS A REPLACEMENT SHALL SERVE OUT THE REPLACED MEMBER'S TERM
2 AND MAY BE REAPPOINTED TO A FULL TERM.

3 (f) BOARD MEMBERS SHALL SERVE TERMS OF THREE YEARS,
4 EXCEPT THAT:

5 (I) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO
6 SUBSECTIONS (1)(c)(II), (1)(c)(III), AND (1)(c)(IV) OF THIS SECTION SHALL
7 SERVE INITIAL TERMS OF ONE YEAR; AND

8 (II) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO
9 SUBSECTIONS (1)(c)(V), (1)(c)(VI), AND (1)(c)(VII) OF THIS SECTION
10 SHALL SERVE INITIAL TERMS OF TWO YEARS.

11 (g) A BOARD MEMBER MAY NOT SERVE MORE THAN TWO
12 CONSECUTIVE THREE-YEAR TERMS.

13 (h) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE
14 FEBRUARY 1, 2027. AT THE BOARD'S FIRST MEETING, THE BOARD SHALL
15 ELECT A CHAIR AND A VICE-CHAIR FROM THE MEMBERS OF THE BOARD.

16 (2) THE ENTERPRISE, ACTING THROUGH THE BOARD, MAY:

17 (a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND
18 TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES
19 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT
20 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE
21 24;

22 (b) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT
23 ARE PAYABLE ONLY FROM THE MONEY IN THE FUND;

24 (c) ADOPT RULES AS NECESSARY TO CARRY OUT THIS ARTICLE 109;
25 AND

26 (d) ADOPT POLICIES FOR THE REGULATION OF ITS AFFAIRS AND THE
27 CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS ARTICLE 109.

28 (3) THE ENTERPRISE SHALL:

29 (a) PROVIDE GRANTS THROUGH THE OUT-OF-SCHOOL TIME
30 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

31 (b) SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF
32 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105.

33 (4) (a) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS
34 PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", PART 4 OF
35 ARTICLE 6 OF TITLE 24.

36 (b) THE ENTERPRISE IS SUBJECT TO THE "COLORADO OPEN
37 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. FOR PURPOSES OF THE
38 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24,
39 AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR
40 REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC
41 RECORDS, AS DEFINED IN SECTION 24-72-202, REGARDLESS OF WHETHER
42 THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL
43 REVENUE IN GRANTS, AS DEFINED IN SECTION 24-77-102, FROM ALL

1 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED.

2 (c) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF THE
3 "SUPPLEMENTAL PUBLIC SECURITIES ACT", PART 2 OF ARTICLE 57 OF
4 TITLE 11.

5 (5) THE DEPARTMENT OF EDUCATION SHALL PROVIDE OFFICE
6 SPACE AND ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT TO A
7 CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS
8 SECTION.

9 (6) (a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
10 FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
11 CREDITED TO THE FUND IN ACCORDANCE WITH SECTION 27-60-605; ANY
12 MONEY RECEIVED FROM THE ISSUANCE OF REVENUE BONDS, AS DESCRIBED
13 IN SUBSECTION (2)(b) OF THIS SECTION; AND ANY OTHER MONEY THAT THE
14 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

15 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
16 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
17 FUND TO THE FUND.

18 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
19 ENTERPRISE. THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR
20 THE PURPOSES OF THIS ARTICLE 109, SUBJECT TO THE REQUIREMENTS OF
21 SUBSECTION (6)(d) OF THIS SECTION.

22 (d) THE ENTERPRISE MAY SPEND NO MORE THAN THREE PERCENT
23 OF THE ANNUAL FEE REVENUE FOR THE ENTERPRISE'S ADMINISTRATIVE
24 EXPENSES.

25 (7) (a) SECTION 24-77-108 DOES NOT APPLY TO THE ENTERPRISE
26 BECAUSE THE TOTAL AMOUNT OF MONEY CREDITED OR APPROPRIATED TO
27 THE FUND AS FEE REVENUE SHALL NOT EXCEED ONE HUNDRED MILLION
28 DOLLARS IN THE FIRST FIVE FISCAL YEARS OF THE ENTERPRISE'S
29 EXISTENCE.

30 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2033.

31 (8) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
32 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
33 THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND
34 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S
35 TOTAL ANNUAL REVENUE.

36 **22-109-105. Educational rights enforcement.**

37 THE DEPARTMENT OF EDUCATION SHALL USE MONEY MADE
38 AVAILABLE FROM THE YOUTH PROGRAMMING AND PROTECTIONS
39 ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6) TO ENFORCE
40 EDUCATIONAL RIGHTS ON BEHALF OF CHILDREN.

41 **SECTION 5.** In Colorado Revised Statutes, 22-105.5-104,
42 **amend** (3)(a) and (3)(b); and **add** (5) as follows:

43 **22-105.5-104. Out-of-school time program grant program -**

1 **created - use of grants - funding - rules - repeal.**

2 (3) (a) The department shall administer the grant program IN
3 CONSULTATION WITH THE YOUTH PROGRAMMING AND PROTECTIONS
4 ENTERPRISE CREATED IN SECTION 22-109-104.

5 (b) Subject to available appropriations, the state board, IN
6 CONSULTATION WITH THE YOUTH PROGRAMMING AND PROTECTIONS
7 ENTERPRISE CREATED IN SECTION 22-109-104, shall award grants as
8 provided in section 22-105.5-105.

9 (5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 105.5 TO
10 THE CONTRARY, IN AWARDING GRANTS FROM THE GRANT PROGRAM, THE
11 STATE BOARD, IN CONSULTATION WITH THE YOUTH PROGRAMMING AND
12 PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104, MAY AWARD
13 GRANTS FROM THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
14 FUND CREATED IN SECTION 22-109-104 (6).

15 **SECTION 6.** In Colorado Revised Statutes, 22-105.5-105,
16 **amend** (1) and (3)(a) as follows:

17 **22-105.5-105. Grant program eligibility - application - criteria**
18 **- awards.**

19 (1) To be eligible to receive a grant, an entity:

20 (a) Must be a nonprofit organization that is exempt from taxation
21 pursuant to section 501 (c)(3) of the federal "Internal Revenue Code of
22 1986", as amended, with at least five years' experience providing
23 affordable and comprehensive academic enrichment and related services
24 to students in the state; ~~and~~

25 (b) May, but is not required to, have a partnership with a school
26 district in which the entity will provide affordable and comprehensive
27 academic enrichment and related services to students; AND

28 (c) MUST PROVIDE PROGRAMMING AND SERVICES THAT SUPPORT
29 THE MENTAL HEALTH AND WELL-BEING OF CHILDREN AND YOUTH,
30 INCLUDING, BUT NOT LIMITED TO, SOCIAL AND EMOTIONAL LEARNING,
31 TRAUMA-INFORMED CARE, FAMILY ENGAGEMENT, SUICIDE PREVENTION
32 SCREENINGS, COMMUNITY MENTAL HEALTH RESOURCE NAVIGATION, AND
33 SMALL-GROUP OR INDIVIDUAL INTERVENTIONS.

34 (3) (a) The department, IN CONSULTATION WITH THE YOUTH
35 PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION
36 22-109-104, shall review the applications received pursuant to this section
37 to determine eligibility for the grant program, and, subject to available
38 appropriations, the state board, IN CONSULTATION WITH THE YOUTH
39 PROGRAMMING AND PROTECTIONS ENTERPRISE, shall award grants to
40 eligible entities.

41 **SECTION 7. Severability.** If any provision of this act or the
42 application of this act to any person or circumstance is held invalid, the
43 invalidity does not affect other provisions or applications of the act that

1 can be given effect without the invalid provision or application, and to
2 this end the provisions of this act are declared to be severable."

3 Renumber succeeding section accordingly.

4 Page 1, strike lines 107 through 110 and substitute "**ENTERPRISE IS**
5 **CREATED IN THE BILL, AND TO THE YOUTH PROGRAMMING AND**
6 **PROTECTIONS ENTERPRISE, WHICH ENTERPRISE IS ALSO CREATED IN**
7 **THE BILL, TO BE USED TO FUND PROGRAMS THAT PROVIDE SERVICES TO**
8 **YOUNG PEOPLE.**".

** *** ** *** **