

Second 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. 18-0280.01 Jerry Barry x4341

SENATE BILL 18-016

SENATE SPONSORSHIP

Martinez Humenik and Fields,

HOUSE SPONSORSHIP

Singer and Benavidez,

Senate Committees

Judiciary
Appropriations

House Committees

Public Health Care & Human Services
Appropriations

A BILL FOR AN ACT

101 CONCERNING THE REPEAL DATE FOR THE TRANSFER OF MONEY FROM
102 COMMUNITY CORRECTIONS TO THE HOUSING ASSISTANCE FOR
103 PERSONS TRANSITIONING FROM THE CRIMINAL OR JUVENILE
104 JUSTICE SYSTEM CASH FUND, AND, IN CONNECTION THEREWITH,
105 MAKING AN APPROPRIATION.

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 Health Disorders in the Criminal and

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.

HOUSE
Amended 2nd Reading
May 2, 2018

SENATE
3rd Reading Unamended
April 23, 2018

SENATE
Amended 2nd Reading
April 19, 2018

Juvenile Justice Systems. In 2017, the general assembly enacted a provision requiring at the end of the 2016-17 fiscal year the state treasurer to transfer unexpended and unencumbered money appropriated for community corrections programs to a new fund to assist persons transitioning from the criminal or juvenile justice systems. The act repealed the provision in 2018.

The bill eliminates the repeal of the provision so that the transfer occurs at the end of each state fiscal year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-27-108, **amend**
3 (7) as follows:

4 **17-27-108. Division of criminal justice of the department of**
5 **public safety - duties - community corrections contracts.**

6 (7) (a) Notwithstanding any law to the contrary, for the fiscal year
7 commencing July 1, 2016, AND FOR EACH FISCAL YEAR THEREAFTER, any
8 money appropriated from the general fund to the division of criminal
9 justice for the purposes of this article 27 that is unexpended or
10 unencumbered as of the close of that fiscal year shall not revert to the
11 general fund, and the state treasurer and the controller shall transfer such
12 money to the housing assistance for persons transitioning from the
13 criminal or juvenile justice system cash fund created pursuant to section
14 24-32-721 (4)(d).

15 (b) ~~This subsection (7) is repealed, effective July 1, 2018.~~

16 **SECTION 2.** In Colorado Revised Statutes, 24-32-721, **amend**
17 (4)(d) as follows:

18 **24-32-721. Colorado affordable housing construction grants**
19 **and loans - housing development grant fund - creation - housing**
20 **assistance for a person with a behavioral or mental health disorder**
21 **in the criminal or juvenile justice system - cash fund - definition.**

1 (4)(d) There is created in the state treasury the housing assistance for
2 persons transitioning from the criminal or juvenile justice system cash
3 fund, referred to in this subsection (4) as the "cash fund". The cash fund
4 consists of all money transferred to the fund pursuant to section
5 17-27-108 (7) and all money that the general assembly appropriates to the
6 cash fund. Subject to annual appropriation by the general assembly, the
7 division may expend money in the cash fund for the purposes set forth in
8 this subsection (4). All interest earned from the investment of money in
9 the cash fund is credited to the cash fund. All money not expended at the
10 end of the fiscal year remains in the cash fund, ~~and~~ does not revert to the
11 general fund or any other fund, AND REMAINS AVAILABLE FOR
12 EXPENDITURE BY THE DIVISION IN THE NEXT FISCAL YEAR FOR THE
13 PURPOSES OF THIS SUBSECTION (4) WITHOUT FURTHER APPROPRIATION.

14 **SECTION 3. Appropriation.** (1) For the 2018-19 state fiscal
15 year, \$60,788 is appropriated to the department of local affairs for use by
16 the division of housing. This appropriation is from reappropriated funds
17 transferred from the housing assistance for persons transitioning from the
18 criminal or juvenile justice system line item appropriation to the division,
19 and is based on an assumption that the division will require an additional
20 1.0 FTE. To implement this act, the division may use this appropriation
21 for affordable housing program costs.

22 **SECTION 4. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety.