

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

**PREAMENDED**

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

LLS NO. 18-0286.02 Nicole Myers x4326

**SENATE BILL 18-158**

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**SENATE SPONSORSHIP**

**Coram and Garcia,**

**HOUSE SPONSORSHIP**

**Duran and Catlin,**

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**Senate Committees**

Education  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING MEASURES TO INCREASE SCHOOL DISTRICT ACCESS TO**  
102                    **INTEROPERABLE COMMUNICATION TECHNOLOGY TO IMPROVE**  
103                    **SCHOOL SAFETY.**

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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>.)*

The bill creates the school access for emergency response grant program (grant program) in the division of local government (division) in the department of local affairs (department). The purpose of the grant program is to provide funding for interoperable communication hardware, software, equipment maintenance, and training to allow for seamless

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.

communications between existing school communications systems and first responder communications systems. Grant recipients may use the money received through the grant program to provide training in procedures for effective communications with first responders in an emergency, to update school crisis management plans, and to work with the vendor selected by the chief information officer in the office of information technology to make specified upgrades in connection with interoperable communications abilities.

The division is required to administer the grant program and, subject to available appropriations, award grants to be paid from the grant program fund. The director of the division is required to implement the grant program and to promulgate rules necessary to implement the grant program.

To receive a grant, a school district, school, charter school of the district, institute charter school, or state charter school institute must submit an application, including specified information, to the division. The director of the division is required to review the applications received and consider certain criteria in awarding the grants. Each grant recipient is required to submit a report to the division and the department is required to provide an annual update to the general assembly regarding the grant program.

The bill creates the grant program cash fund in the state treasury, which consists of a specified amount of money that the state treasurer transfers to the fund for each of the next 6 fiscal years.

In addition, the chief information officer is required to retain a vendor to provide an interoperable communication technology solution for use by grant recipients. The chief information officer is required to solicit vendors to provide the interoperable communication technology and to select a vendor to provide the interoperable communication technology solution by a specified date.

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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** part 21 to article  
3 33.5 of title 24 as follows:

4 **PART 21**

5 **SCHOOL ACCESS FOR EMERGENCY RESPONSE**

6 **(SAFER) GRANT PROGRAM**

7 **24-33.5-2101. Short title.** THE SHORT TITLE OF THIS PART 21 IS  
8 THE "SCHOOL ACCESS FOR EMERGENCY RESPONSE (SAFER) GRANT

1 PROGRAM ACT".

2 **24-33.5-2102.** **Legislative declaration.** (1) THE GENERAL  
3 ASSEMBLY FINDS THAT:

4 (a) IN 2008, THE GENERAL ASSEMBLY PASSED SENATE BILL 08-181  
5 CALLING FOR THE IMPROVEMENT OF COORDINATION AMONG AGENCIES  
6 WHEN RESPONDING TO SCHOOL INCIDENTS;

7 (b) IN 2011, THE GENERAL ASSEMBLY PASSED ADDITIONAL  
8 LEGISLATION, SENATE BILL 11-173, CONCERNING THE INTEROPERABILITY  
9 OF COMMUNICATIONS IN SCHOOLS;

10 (c) WHILE PROGRESS HAS BEEN MADE IN COORDINATION,  
11 INTEROPERABILITY CONTINUES TO BE AN ISSUE DUE TO LACK OF FUNDING  
12 FOR NEEDED HARDWARE, SOFTWARE, AND TRAINING TO ALLOW FOR  
13 SEAMLESS COMMUNICATIONS BETWEEN EXISTING SCHOOL DISTRICT  
14 COMMUNICATION SYSTEMS AND FIRST RESPONDER COMMUNICATION  
15 SYSTEMS;

16 (d) THE USE OF INTEROPERABLE TECHNOLOGY WOULD ALLOW FOR  
17 SCHOOLS AND SCHOOL DISTRICT STAKEHOLDERS TO PARTICIPATE IN THE  
18 STATE'S ONGOING IMPROVED STATEWIDE RADIO INFRASTRUCTURE;

19 (e) IT IS NECESSARY TO CREATE A PROGRAM TO LEVERAGE THE  
20 PUBLIC SAFETY RADIOS SYSTEM SERVING THE REGION, INCLUDING BUT NOT  
21 LIMITED TO THE STATE'S DIGITAL TRUNKED NETWORK, WHICH IS A  
22 STANDARDS-BASED FIRST RESPONDER COMMUNICATIONS SYSTEM IN PLACE  
23 STATEWIDE, AND TO EXPAND THE INFRASTRUCTURE BY ALLOWING DIRECT  
24 COMMUNICATION FROM SCHOOL RADIOS TO FIRST RESPONDER RADIOS TO  
25 IMPROVE INTEROPERABILITY;

26 (f) AN ADAPTABLE SYSTEM CAN CONNECT ANY SCHOOL'S EXISTING  
27 RADIO EQUIPMENT TO THE RADIO OF A FIRST RESPONDER. IN ADDITION, THE

1 CONNECTION CAN BE SWITCHED ON AND OFF IMMEDIATELY BY PUBLIC  
2 SAFETY PERSONNEL.

3 (g) PUBLIC SAFETY OFFICIALS MUST HAVE THE ABILITY TO ENABLE  
4 AND DISABLE THE INTEROPERABLE TECHNOLOGY; AND

5 (h) GOING BEYOND THE CRITICAL 911 CALL, IT IS IMPORTANT TO  
6 USE TECHNOLOGY THAT ENABLES EMERGENCY SERVICES PERSONNEL AND  
7 SCHOOL OFFICIALS TO COMMUNICATE IN REAL-TIME DURING AN INCIDENT.

8 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT THE PURPOSE  
9 OF THIS PART 21 IS TO CREATE THE SCHOOL ACCESS FOR EMERGENCY  
10 RESPONSE GRANT PROGRAM TO PROVIDE SCHOOLS WITH MONEY FOR  
11 NEEDED HARDWARE, SOFTWARE, AND TRAINING SO THAT WHEN AN  
12 EMERGENCY HAPPENS, DISPATCHERS CAN ACTIVATE THE TECHNOLOGY,  
13 TRAINED SCHOOL-SAFETY TEAMS CAN CONNECT ON THE RADIO, AND FIRST  
14 RESPONDERS CAN ARRIVE ON THE SCENE INFORMED WITH THE MOST  
15 UP-TO-DATE INFORMATION.

16 **24-33.5-2103. Definitions.** AS USED IN THIS PART 21, UNLESS THE  
17 CONTEXT OTHERWISE REQUIRES:

18 (1) "CRISIS MANAGEMENT PLAN" MEANS A PLAN INCLUDING  
19 TACTICAL STRATEGIES AND ACTIONS FOR RESPONDING TO AN EMERGENCY.

20 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY.

21 (3) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT CREATED IN  
22 SECTION 24-33.5-1603.

24 (4) "FUND" MEANS THE SCHOOL ACCESS FOR EMERGENCY  
25 RESPONSE GRANT PROGRAM CASH FUND CREATED IN SECTION 24-32-3607.

26 (5) "GRANT PROGRAM" MEANS THE SCHOOL ACCESS FOR  
27 EMERGENCY RESPONSE GRANT PROGRAM CREATED IN THIS PART 21.

1 (6) "INTEROPERABILITY" MEANS THE ABILITY OF ONE OR MORE  
2 RADIO SYSTEMS TO COMMUNICATE WITH ANOTHER RADIO SYSTEM.

3 (7) "INTEROPERABLE TECHNOLOGY" MEANS SOFTWARE AND  
4 HARDWARE THAT ENABLES TWO DIFFERENT RADIO SYSTEMS TO  
5 COMMUNICATE.

6 (8) "MEMORANDUM OF UNDERSTANDING" MEANS AN AGREEMENT  
7 BETWEEN TWO OR MORE PARTIES THAT IS NOT LEGALLY BINDING TO  
8 FORMALIZE A WORKING RELATIONSHIP.

9 (9) "PUBLIC SAFETY 911 ANSWERING POINT" MEANS THE  
10 PROFESSIONALS THAT ANSWER 911 CALLS.

11 (10) "RADIO SYSTEM" MEANS A PRIVATE NETWORK FOR VOICE  
12 COMMUNICATIONS.

13 (11) "SAFETY TEAM" MEANS PERSONNEL WHO HAVE A ROLE IN  
14 CRISIS MANAGEMENT PLANS.

15 (12) "SCHOOL" MEANS A SCHOOL DISTRICT, PUBLIC SCHOOL WITHIN  
16 A SCHOOL DISTRICT, CHARTER SCHOOL AUTHORIZED BY A SCHOOL  
17 DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, CHARTER  
18 SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE  
19 PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, OR BOARD OF  
20 COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE  
21 5 OF TITLE 22 THAT OPERATES ONE OR MORE PUBLIC SCHOOLS.

22 (13) "STANDARDS BASED" MEANS RADIO SPECIFICATIONS DEFINED  
23 BY A NATIONAL ASSOCIATION OF THE TELECOMMUNICATIONS INDUSTRY  
24 THAT EVERY MANUFACTURER CAN FOLLOW TO IMPLEMENT EQUIPMENT  
25 INTEROPERABILITY.

26 **24-33.5-2104. School access for emergency response grant**  
27 **program - created - rules.** (1) THERE IS HEREBY CREATED IN THE

1 DEPARTMENT IN THE DIVISION OF HOMELAND SECURITY AND EMERGENCY  
2 MANAGEMENT THE SCHOOL ACCESS FOR EMERGENCY RESPONSE GRANT  
3 PROGRAM TO PROVIDE GRANTS TO SCHOOLS TO PROVIDE FUNDING FOR  
4 NEEDED INTEROPERABLE COMMUNICATION HARDWARE, SOFTWARE,  
5 EQUIPMENT MAINTENANCE, AND TRAINING TO ALLOW FOR SEAMLESS  
6 COMMUNICATIONS BETWEEN NEW OR EXISTING SCHOOL COMMUNICATIONS  
7 SYSTEMS AND FIRST RESPONDER COMMUNICATIONS SYSTEMS.

8 (2) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH  
9 THE GRANT PROGRAM FOR THE FOLLOWING PURPOSES:

10 (a) TO PROVIDE TRAINING PROGRAMS TO TEACH DISTRICT-BASED  
11 SECURITY PERSONNEL AND APPROPRIATE SCHOOL PERSONNEL BASIC  
12 PROCEDURES FOR EFFECTIVE COMMUNICATIONS WITH FIRST RESPONDERS  
13 IN AN EMERGENCY;

14 (b) TO WORK WITH THE VENDOR SELECTED BY THE CHIEF  
15 INFORMATION OFFICER IN THE OFFICE OF INFORMATION TECHNOLOGY  
16 PURSUANT TO SECTION 24-37.5-507 TO PROVIDE OR UPGRADE THE  
17 FOLLOWING:

18 (I) A SYSTEM THAT CAN BE ACTIVATED AND DEACTIVATED BY THE  
19 PUBLIC SAFETY 911 ANSWERING POINT;

20 (II) RADIO BRIDGE ABILITY THAT IS NONRADIO VENDOR SPECIFIC;  
21 AND

22 (III) A TWO-WAY RADIO INTEROPERABILITY SOLUTION THAT IS NOT  
23 RELIANT ON CELLULAR, INTERNET, OR DATA NETWORKS;

24 (c) TO MAINTAIN OR IMPROVE A SCHOOL'S EXISTING  
25 INTEROPERABLE COMMUNICATION HARDWARE OR SOFTWARE OR TO  
26 PROVIDE INTEROPERABLE COMMUNICATION HARDWARE AND SOFTWARE TO  
27 A SCHOOL THAT DOES NOT YET HAVE IT; AND

1 (d) TO ESTABLISH A FIVE-YEAR CONTRACT WITH THE SELECTED  
2 VENDOR SUBJECT TO APPROPRIATION, THAT WILL ENSURE A CONSISTENT  
3 PROGRAM FOR INTEROPERABILITY ACROSS THE STATE IN EVERY SCHOOL  
4 AND PUBLIC SAFETY 911 ANSWERING POINT.

5 (3) THE DIVISION OF HOMELAND SECURITY AND EMERGENCY  
6 MANAGEMENT SHALL ADMINISTER THE GRANT PROGRAM AND, SUBJECT TO  
7 AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS PROVIDED IN THIS  
8 PART 21. SUBJECT TO AVAILABLE APPROPRIATIONS, GRANTS SHALL BE  
9 PAID OUT OF THE FUND CREATED IN SECTION 24-33.5-2107.

10 (4) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL  
11 IMPLEMENT THE GRANT PROGRAM IN ACCORDANCE WITH THIS PART 21.  
12 PURSUANT TO ARTICLE 4 OF THIS TITLE 24, THE DIRECTOR OR THE  
13 DIRECTOR'S DESIGNEE SHALL PROMULGATE SUCH RULES AS ARE REQUIRED  
14 IN THIS PART 21 AND SUCH ADDITIONAL RULES AS MAY BE NECESSARY TO  
15 IMPLEMENT THE GRANT PROGRAM. AT A MINIMUM, THE RULES MUST  
16 SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE  
17 GRANT PROGRAM APPLICATION, AND THE TIME FRAMES FOR DISTRIBUTING  
18 GRANT MONEY.

19 **24-33.5-2105. Grant program - application - criteria - awards.**

20 (1) A SCHOOL IS REQUIRED TO HAVE A MEMORANDUM OF  
21 UNDERSTANDING WITH ITS REGIONAL PUBLIC SAFETY 911 ANSWERING  
22 POINT FOR RADIO INTEROPERABILITY TO BE ELIGIBLE TO APPLY FOR A  
23 GRANT. TO RECEIVE A GRANT, A SCHOOL MUST SUBMIT AN APPLICATION  
24 TO THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
25 IN ACCORDANCE WITH RULES PROMULGATED BY THE DIRECTOR. AT A  
26 MINIMUM, THE APPLICATION MUST INCLUDE THE FOLLOWING  
27 INFORMATION:

1 (a) A DESCRIPTION OF THE SCHOOL'S CURRENT INTEROPERABLE  
2 COMMUNICATION TECHNOLOGY, IF ANY;

3 (b) A SUMMARY OF COMPLIANCE WITH THE COLORADO SCHOOL  
4 RESPONSE FRAMEWORK PURSUANT TO SECTION 22-32-109.1 (4) OR  
5 22-30.5-503.5;

6 (c) A DESCRIPTION OF EFFORTS THAT THE SCHOOL HAS TAKEN TO  
7 COORDINATE EMERGENCY COMMUNICATION WITH LAW ENFORCEMENT AND  
8 OTHER SCHOOLS; AND

9 (d) A DESCRIPTION OF THE PURPOSE FOR WHICH THE SCHOOL  
10 WOULD PLAN TO USE THE GRANT MONEY.

11 (2) THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL REVIEW  
12 THE APPLICATIONS RECEIVED PURSUANT TO THIS SECTION. IN AWARDING  
13 GRANTS, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL CONSIDER  
14 THE FOLLOWING CRITERIA:

15 (a) THE EXTENT TO WHICH THE SCHOOL IS FULLY COMPLIANT WITH  
16 THE COLORADO SCHOOL RESPONSE FRAMEWORK PURSUANT TO SECTION  
17 22-32-109.1 (4) OR 22-30.5-503.5; AND

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19 (b) WHETHER THE SCHOOL HAS A CRISIS MANAGEMENT PLAN IN  
20 PLACE WITH SAFETY TEAM MEMBERS DESIGNATED FOR COMMUNICATIONS  
21 WITH FIRST RESPONDERS.

22 (3) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE  
23 DECEMBER 31, 2018, AND ON OR BEFORE SEPTEMBER 1 EACH YEAR  
24 THEREAFTER FOR THE DURATION OF THE GRANT PROGRAM, THE DIRECTOR  
25 OR THE DIRECTOR'S DESIGNEE SHALL AWARD GRANTS AS PROVIDED IN THIS  
26 PART 21. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL DISTRIBUTE  
27 THE GRANT MONEY WITHIN THIRTY DAYS AFTER THE GRANTS ARE



1 AWARDED.

2 **24-33.5-2106. Reporting requirements.** (1) ON OR BEFORE  
3 JANUARY 15, 2019, AND ON OR BEFORE JANUARY 15 EACH YEAR  
4 THEREAFTER FOR THE DURATION OF THE GRANT PROGRAM, EACH SCHOOL  
5 THAT RECEIVES A GRANT THROUGH THE GRANT PROGRAM SHALL SUBMIT  
6 A REPORT TO THE DIVISION OF LOCAL GOVERNMENT. AT A MINIMUM, THE  
7 REPORT MUST INCLUDE THE FOLLOWING INFORMATION:

8 (a) THE NUMBER OF SCHOOLS THAT USED GRANT MONEY TO  
9 PROVIDE TRAINING PROGRAMS TO APPROPRIATE PERSONNEL REGARDING  
10 EFFECTIVE COMMUNICATIONS WITH FIRST RESPONDERS IN AN EMERGENCY;

11 (b) THE NUMBER OF SCHOOLS THAT USED GRANT MONEY TO  
12 PROVIDE OR UPGRADE ITS INTEROPERABLE TECHNOLOGY, INCLUDING  
13 INTEROPERABLE COMMUNICATION HARDWARE OR SOFTWARE; AND

14 (c) THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE SCHOOLS  
15 THAT RECEIVED GRANT MONEY.

16 (2) ON OR BEFORE JANUARY 15, 2019, AND ON OR BEFORE  
17 JANUARY 15 EACH YEAR THEREAFTER FOR THE DURATION OF THE GRANT  
18 PROGRAM, THE DEPARTMENT SHALL INCLUDE A SUMMARIZED REPORT OF  
19 THE ACTIVITIES OF THE GRANT PROGRAM IN THE DEPARTMENT'S ANNUAL  
20 PRESENTATION TO THE APPLICABLE COMMITTEE OF REFERENCE PURSUANT  
21 TO SECTION 2-7-203.

22 (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
23 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL  
24 THE GRANT PROGRAM REPEALS PURSUANT TO SECTION 24-33.5-2108.

25 **24-33.5-2107. School access for emergency response grant**  
26 **program cash fund.** (1) (a) THE SCHOOL ACCESS FOR EMERGENCY  
27 RESPONSE GRANT PROGRAM CASH FUND IS HEREBY CREATED IN THE STATE

1 TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND  
2 PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION AND ANY OTHER MONEY  
3 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND.

4 (b) ON JULY 1, 2018, AND EACH JULY 1 THEREAFTER THROUGH  
5 JULY 1, 2022, THE STATE TREASURER SHALL TRANSFER SEVEN MILLION  
6 DOLLARS TO THE FUND FROM THE GENERAL FUND.

7 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
8 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
9 FUND TO THE FUND.

10 (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
11 ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR  
12 THE PURPOSE OF AWARDING GRANTS TO SCHOOLS PURSUANT TO THIS PART  
13 21. THE DEPARTMENT MAY USE UP TO THREE PERCENT OF THE MONEY  
14 ANNUALLY APPROPRIATED FOR THE GRANT PROGRAM TO PAY THE DIRECT  
15 AND INDIRECT COSTS THAT IT INCURS TO ADMINISTER THE GRANT  
16 PROGRAM.

17 (4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
18 AND UNENCUMBERED MONEY IN THE FUND TO THE GENERAL FUND AFTER  
19 THE GRANT PROGRAM REPEALS PURSUANT TO SECTION 24-33.5-2108.

20 **24-33.5-2108. Repeal of part.** THIS PART 21 IS REPEALED,  
21 EFFECTIVE JULY 1, 2023.

22 **SECTION 2.** In Colorado Revised Statutes, **add** 24-37.5-507 as  
23 follows:

24 **24-37.5-507. Interoperable communication technology - school**  
25 **access for emergency response program - competitive solicitation.**

26 (1) THE CHIEF INFORMATION OFFICER OR THE OFFICER'S DESIGNEE SHALL  
27 RETAIN A VENDOR TO PROVIDE AN INTEROPERABLE COMMUNICATION

1 TECHNOLOGY SOLUTION FOR USE BY SCHOOLS PURSUANT TO THE SCHOOL  
2 ACCESS FOR EMERGENCY RESPONSE GRANT PROGRAM CREATED IN PART 21  
3 OF ARTICLE 33.5 OF THIS TITLE 24. THE CHIEF INFORMATION OFFICER OR  
4 THE OFFICER'S DESIGNEE SHALL SOLICIT VENDORS TO PROVIDE THE  
5 INTEROPERABLE COMMUNICATION TECHNOLOGY FOR USE BY SCHOOLS  
6 THROUGH A COMPETITIVE SOLICITATION PROCESS IN ACCORDANCE WITH  
7 THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE 24. THE  
8 CHIEF INFORMATION OFFICER OR THE OFFICER'S DESIGNEE SHALL SELECT  
9 A VENDOR THAT IS ABLE TO PROVIDE THE FOLLOWING:

10 (a) A SYSTEM THAT CAN BE ACTIVATED AND DEACTIVATED BY THE  
11 PUBLIC SAFETY 911 ANSWERING POINT;

12 (b) RADIO BRIDGE ABILITY THAT IS NONRADIO VENDOR SPECIFIC;  
13 AND

14 (c) A TWO-WAY RADIO INTEROPERABILITY SOLUTION THAT IS NOT  
15 RELIANT ON CELLULAR, INTERNET, OR DATA NETWORKS;

16 (2) THE CHIEF INFORMATION OFFICER OR THE OFFICER'S DESIGNEE  
17 SHALL ENTER INTO A CONTRACT WITH THE SELECTED VENDOR BY  
18 SEPTEMBER 1, 2018.

19 **SECTION 3. Safety clause.** The general assembly hereby finds,  
20 determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, and safety.