

CHAPTER 237

GOVERNMENT - STATE

HOUSE BILL 18-1413

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also SENATOR(S) Zenzinger, Aguilar, Cooke, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Jahn, Jones, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., Grantham.

AN ACT

CONCERNING THE CREATION OF A SCHOOL SAFETY GRANT PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** part 22 to article 33.5 of title 24 as follows:

**PART 22
ENHANCE SCHOOL SAFETY INCIDENT RESPONSE
GRANT PROGRAM**

24-33.5-2201. Short title. THE SHORT TITLE OF THIS PART 22 IS THE "ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT PROGRAM ACT".

24-33.5-2202. Definitions. AS USED IN THIS PART 22, UNLESS THE CONTEXT OTHERWISE REQUIRES:

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

(2) "FIRST RESPONDER" MEANS AN INDIVIDUAL WHO RESPONDS IN A PROFESSIONAL CAPACITY TO A SCHOOL SAFETY INCIDENT, INCLUDING PEACE OFFICERS, FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, SCHOOL ADMINISTRATORS, TEACHERS, AND OTHER SCHOOL PERSONNEL.

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(3) "GRANT PROGRAM" MEANS THE ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT PROGRAM CREATED IN SECTION 24-33.5-2203.

(4) "LAW ENFORCEMENT AGENCY" MEANS THE COLORADO STATE PATROL, AN AGENCY OF STATE OR LOCAL GOVERNMENT AUTHORIZED TO ENFORCE THE LAWS OF COLORADO, OR A CAMPUS POLICE AGENCY.

(5) "SCHOOL" MEANS AN INSTITUTION AT WHICH INSTRUCTION IS PROVIDED BY INSTRUCTORS TO STUDENTS IN ONE OR MORE BUILDINGS ON A CAMPUS, INCLUDING A SCHOOL SERVING ANY OF GRADES PRESCHOOL THROUGH TWELFTH AND AN INSTITUTION OF HIGHER EDUCATION.

(6) "SCHOOL SAFETY INCIDENT" MEANS THE OCCURRENCE OR IMMINENT THREAT OF AN UNEXPECTED EVENT THAT PLACES LIFE OR PROPERTY IN DANGER AND REQUIRES AN IMMEDIATE RESPONSE, INCLUDING A SCHOOL INVASION, ACTIVE ATTACKER, BOMB OR EXPLOSIVE DEVICE, OR OTHER ACT OF TERRORISM OR VIOLENCE WITHIN A SCHOOL OR ITS CAMPUS.

(7) "SCHOOL SAFETY INCIDENT RESPONSE" MEANS THE ACTIONS TAKEN DIRECTLY FOLLOWING THE ONSET OF A SCHOOL SAFETY INCIDENT TO PROVIDE IMMEDIATE ASSISTANCE TO PROTECT LIVES; CONTAIN THE INCIDENT; ENSURE THE SECURITY OF THE SCHOOL, ITS STUDENTS AND PERSONNEL, AND THE SURROUNDING COMMUNITY; AND RESTORE ESSENTIAL FUNCTIONS.

24-33.5-2203. Enhance school safety incident response grant program - creation - guidelines. (1) THERE IS HEREBY CREATED IN THE DIVISION THE ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT PROGRAM TO PROVIDE FUNDING FOR RESEARCH, PROGRAM DEVELOPMENT, AND TRAINING TO IMPROVE SCHOOL SAFETY INCIDENT RESPONSE.

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

(a) DEVELOPING AND PROVIDING TRAINING PROGRAMS, CURRICULUMS, AND SEMINARS RELATED TO SCHOOL SAFETY INCIDENT RESPONSE;

(b) DEVELOPING BEST PRACTICES AND PROTOCOLS RELATED TO SCHOOL SAFETY INCIDENT RESPONSE;

(c) CONDUCTING RESEARCH AND DEVELOPMENT RELATING TO SCHOOL SAFETY INCIDENT RESPONSE; AND

(d) UPGRADING TECHNOLOGY AND INFRASTRUCTURE USED TO PROVIDE TRAINING AND EDUCATION RELATED TO SCHOOL SAFETY INCIDENT RESPONSE.

(3) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS PROVIDED IN THIS PART 22. SUBJECT TO AVAILABLE APPROPRIATIONS, GRANTS SHALL BE PAID OUT OF MONEY APPROPRIATED FOR THE GRANT PROGRAM AS PROVIDED IN SECTION 24-33.5-2206.

(4) THE DIVISION SHALL IMPLEMENT THE GRANT PROGRAM IN ACCORDANCE WITH THIS PART 22 AND SHALL ESTABLISH GUIDELINES AS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS PART 22.

24-33.5-2204. Enhance school safety incident response grant program - application - criteria - awards. (1) TO RECEIVE A GRANT, AN APPLICANT MUST SUBMIT AN APPLICATION TO THE DIVISION IN THE FORM PRESCRIBED BY THE DIVISION ON OR BEFORE OCTOBER 1 EACH YEAR OF THE GRANT PROGRAM. AT A MINIMUM, THE APPLICATION MUST INCLUDE DOCUMENTATION DEMONSTRATING THAT THE APPLICANT:

(a) IS A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER SECTION 501 (c)(3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED;

(b) HAS EXPERIENCE PROVIDING TRAINING FOR SCHOOL SAFETY INCIDENT RESPONSE;

(c) HAS EXPERIENCE WORKING WITH LAW ENFORCEMENT AGENCIES AND OTHER FIRST RESPONDERS; AND

(d) HAS EXPERIENCE WORKING WITH SCHOOL DISTRICTS, SCHOOL PERSONNEL, AND STUDENTS ON ISSUES RELATED TO SCHOOL SAFETY INCIDENT RESPONSE.

(2) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE DIVISION SHALL CONSIDER THE FOLLOWING CRITERIA:

(a) THE APPLICANT'S CAPACITY TO COORDINATE WITH LAW ENFORCEMENT AGENCIES AND FIRST RESPONDERS STATEWIDE;

(b) THE APPLICANT'S CAPACITY TO SERVE SCHOOL DISTRICTS, SCHOOL PERSONNEL, AND STUDENTS STATEWIDE;

(c) THE APPLICANT'S EXPERIENCE IN PROVIDING TRAINING RELATED TO SCHOOL SAFETY INCIDENT RESPONSE;

(d) THE APPLICANT'S EXPERIENCE IN ADDRESSING THE PSYCHOLOGICAL AND MENTAL HEALTH TRAUMA AFFECTING VICTIMS AND FIRST RESPONDERS FOLLOWING SCHOOL SAFETY INCIDENTS, THE PSYCHOLOGICAL FOOTPRINT OF A SCHOOL SAFETY INCIDENT, AND TRAUMA RECOVERY; AND

(e) THE APPLICANT'S EXPERIENCE PROVIDING RECOMMENDATIONS TO LAW ENFORCEMENT AGENCIES AND OTHER FIRST RESPONDERS, SCHOOL DISTRICTS, AND COMMUNITIES TO SUPPORT MENTAL HEALTH RECOVERY AFTER SCHOOL SAFETY INCIDENTS.

(3) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE DECEMBER 1 EACH YEAR OF THE GRANT PROGRAM, THE DIVISION SHALL AWARD GRANTS AS PROVIDED IN THIS PART 22. THE DIVISION SHALL DISTRIBUTE THE GRANT MONEY WITHIN THIRTY DAYS AFTER AWARDING THE GRANTS.

24-33.5-2205. Reporting requirements. ON OR BEFORE DECEMBER 1, 2019, AND ON OR BEFORE DECEMBER 1 EACH YEAR THEREAFTER, EACH ORGANIZATION THAT RECEIVES A GRANT THROUGH THE GRANT PROGRAM SHALL SUBMIT A REPORT TO THE DIVISION. AT A MINIMUM, THE REPORT MUST DOCUMENT THE ACTIVITIES CONDUCTED, SERVICES OR TRAININGS PROVIDED, TOOLS OR PROTOCOLS DEVELOPED, AND SUCH OTHER INFORMATION AS THE DIVISION MAY REQUEST TO MONITOR THE EFFECTIVENESS OF THE GRANT.

24-33.5-2206. Funding for grant program. THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE DIVISION TO IMPLEMENT THE GRANT PROGRAM. THE DIVISION MAY USE A PORTION OF THE MONEY APPROPRIATED FOR THE PROGRAM TO PAY THE DIRECT AND INDIRECT COSTS THAT THE DIVISION INCURS TO ADMINISTER THE GRANT PROGRAM.

24-33.5-2207. Repeal of part. THIS PART 22 IS REPEALED, EFFECTIVE JUNE 30, 2021.

SECTION 2. In Colorado Revised Statutes, 24-33.5-1807, **add** (7) as follows:

24-33.5-1807. School safety resource center cash fund - repeal. (7) (a) IN ADDITION TO ANY OTHER PURPOSE AUTHORIZED BY THIS SECTION, SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT IS AUTHORIZED TO EXPEND MONEY FROM THE FUND FOR THE ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT PROGRAM CREATED IN PART 22 OF THIS ARTICLE 33.5.

(b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JUNE 30, 2021.

SECTION 3. Appropriation. For the 2018-19 state fiscal year, \$500,000 is appropriated to the department of public safety for use by the office of preparedness. This appropriation is from the school safety resource center cash fund created in section 24-33.5-1807, C.R.S. To implement this act, the office may use this appropriation for the enhance school safety incident response grant program.

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

Approved: May 24, 2018