

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

INTRODUCED

LLS NO. 19-1023.01 Jerry Barry x4341

SENATE BILL 19-211

SENATE SPONSORSHIP

Moreno, Zenzinger, Rankin

HOUSE SPONSORSHIP

Esgar, Hansen

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING CHANGES TO THE MENTAL HEALTH CRIMINAL JUSTICE**
102 **DIVERSION PROGRAMS, AND, IN CONNECTION THEREWITH,**
103 **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/>.)

Joint Budget Committee. In 2018, the general assembly established the mental health criminal justice diversion pilot program (pilot program) and the mental health criminal justice grant program (grant program). The bill extends the grant program an additional year and removes the cap on the total of all grants awarded per year. The bill

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.

also requires the state court administrator to provide reports to specified committees of the general assembly concerning both the pilot program and the grant program.

The bill appropriates money to the judicial department for the grant program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-101.5, **amend**
3 (6)(a), (6)(b), and (7); and **add** (6.5) as follows:

4 **18-1.3-101.5. Alternative pilot programs to divert individuals**
5 **with mental health conditions - legislative intent - eligibility - process**
6 **of diversion - grant program - program management - definitions -**
7 **repeal.** (6) There is created in the office of the state court administrator
8 the mental health criminal justice diversion grant program. The state court
9 administrator is responsible for administering and monitoring the grant
10 program including, but not limited to:

11 (a) Establishing grant funding guidelines and acceptable expenses
12 for the distribution of grant program grant money to the pilot program
13 sites based upon specific allocations required by the grant program, the
14 specific award to the district attorney's office in each of the four
15 designated judicial districts, other pilot program needs, and any other
16 criteria, such as case volume, geographical complexity, and density of
17 need. In addition to any other allowable expenses to be paid for by the
18 grant program, each district attorney's office participating in the pilot
19 program shall receive fifty thousand dollars per year from the grant
20 funding for each ~~of the two years~~ YEAR of the grant program. Such money
21 must be used to assist in covering the costs related to personnel and
22 administrative requirements to establish and operate pilot programs in
23 four designated judicial districts.

1 (b) Awarding annual grants to the pilot programs; ~~except that the~~
2 ~~total of all grants awarded per year must not exceed seven hundred fifty~~
3 ~~thousand dollars;~~

4 (6.5) (a) ON OR BEFORE NOVEMBER 1, 2019, AND ON OR BEFORE
5 EACH NOVEMBER 1 THEREAFTER, THE STATE COURT ADMINISTRATOR
6 SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE
7 GENERAL ASSEMBLY AND TO THE JUDICIARY COMMITTEES OF THE SENATE
8 AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, ON
9 THE PILOT PROGRAM AND THE GRANT PROGRAM FOR THE PRECEDING
10 STATE FISCAL YEAR. THE REPORT MUST INCLUDE:

11 (I) A DESCRIPTION OF THE PROGRAMS, INCLUDING ELIGIBILITY
12 CRITERIA, SCREENING AND ASSESSMENT PROCESSES, AND DIFFERENCES
13 AMONG JUDICIAL DISTRICTS;

14 (II) A DISCUSSION OF PROBLEMS AND OBSTACLES THE PROGRAMS
15 ARE ENCOUNTERING;

16 (III) NONIDENTIFYING, DEMOGRAPHIC INFORMATION ON
17 INDIVIDUALS EVALUATED AND PARTICIPANTS ENROLLED IN THE
18 PROGRAMS, INCLUDING AGE, GENDER, RACE, AND ETHNICITY;

19 (IV) PARTICIPANT STATUS, INCLUDING THE NUMBER OF
20 INDIVIDUALS WHO SUCCESSFULLY COMPLETED THE PROGRAMS; THE
21 NUMBER OF PARTICIPANTS REMAINING IN THE PROGRAMS; THE NUMBER OF
22 PARTICIPANTS TERMINATED FROM THE GRANT PROGRAM, AND THE
23 PRIMARY REASONS FOR TERMINATION; AND THE AVERAGE DURATION OF
24 STAY IN THE PROGRAMS;

25 (V) AN ACCOUNTING OF EXPENDITURES UNDER THE GRANT
26 PROGRAM, INCLUDING THE COSTS OF THE STATE COURT ADMINISTRATOR;
27 AND

1 (VI) INFORMATION REGARDING THE ADEQUACY OF AND NEED FOR
2 MONEY TO COVER DISTRICT ATTORNEY PROGRAM-RELATED PERSONNEL
3 AND ADMINISTRATIVE COST, INCLUDING THE NATURE OF SUCH COSTS AND
4 THE EXTENT OF ANY PROGRAM-RELATED PROSECUTORIAL COST SAVINGS.

5 (b) IN ADDITION TO THE INFORMATION REQUIRED IN SUBSECTION
6 (6.5)(a) OF THIS SECTION, THE REPORT DUE ON OR BEFORE NOVEMBER 1,
7 2021, MUST ALSO INCLUDE AN EVALUATION COMPONENT WITH
8 RECOMMENDATIONS FOR BEST PRACTICES, INCLUDING TARGET
9 POPULATIONS, PARTICIPANT TREATMENT AND OVERSIGHT, FUNDING, AND
10 ANY PROPOSED REVISIONS TO THE MODEL RECOMMENDED BY THE
11 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE.

12 (7) This section is repealed, effective ~~December 1, 2021~~ JUNE 30,
13 2022.

14 **SECTION 2. Appropriation.** For the 2019-20 state fiscal year,
15 \$442,543 is appropriated to the judicial department. This appropriation
16 is from the general fund. To implement this act, the department may use
17 this appropriation for the mental health criminal justice diversion grant
18 program.

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.