

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0260.02 Jane Ritter x4342

SENATE BILL 20-042

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SENATE SPONSORSHIP

Rodriguez and Fields,

HOUSE SPONSORSHIP

Singer, Benavidez

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Senate Committees  
Judiciary

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE REAUTHORIZATION OF THE LEGISLATIVE  
102 OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF  
103 PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE  
104 CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

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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 Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems.** The bill extends the repeal date for the

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.



1 2011 THROUGH 2012 INDICATE THAT HALF OF THE PEOPLE INCARCERATED  
2 IN PRISONS, AND TWO-THIRDS OF THOSE IN JAIL, HAVE EITHER A CURRENT  
3 SERIOUS PSYCHOLOGICAL DISTRESS OR A HISTORY OF MENTAL HEALTH  
4 CONCERNS.

5 (c) THE DEPARTMENT OF CORRECTIONS DATA INDICATE THAT ONE  
6 OUT OF EVERY THREE MEN AND FOUR OUT OF EVERY FIVE WOMEN  
7 IMPRISONED IN COLORADO HAVE A MODERATE TO SEVERE MENTAL  
8 HEALTH DISORDER;

9 (d) THE DIVISION OF YOUTH SERVICES DATA INDICATE THAT  
10 FIFTY-NINE PERCENT OF NEWLY COMMITTED YOUTH REQUIRE MENTAL  
11 HEALTH INTERVENTION OR SERVICES, AND NATIONALLY, JUVENILE  
12 INSTITUTIONS ARE ILL-EQUIPPED TO PROVIDE A COMPREHENSIVE ARRAY OF  
13 SUCH SERVICES TO MEET THE NEEDS; AND

14 (e) LARGE NUMBERS OF PEOPLE WITH BEHAVIORAL HEALTH  
15 DISORDERS ARE BEING SENT TO SECURE JUSTICE SETTINGS INSTEAD OF  
16 RECEIVING COMMUNITY TREATMENT. AS A RESULT, THE CRIMINAL JUSTICE  
17 SYSTEM HAS BECOME THE STOPGAP PROVIDER TO ADDRESS CHRONIC AND  
18 ACUTE BEHAVIORAL HEALTH NEEDS IN OUR STATE.

19 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

20 (a) ACTIONS FOCUSED ON PERSONS WHO ARE AT RISK OF ENTRY  
21 INTO THE SYSTEM DUE TO BEHAVIORAL HEALTH DISORDERS, AND ACTIONS  
22 TO HELP REDUCE AND PREVENT RECIDIVISM ONCE SUCH INDIVIDUALS ARE  
23 IN THE SYSTEM, ARE CRITICAL IN ADDRESSING THE PROBLEM;

24 (b) RESEARCH DEMONSTRATES A NEED TO DIVERT PERSONS WITH  
25 BEHAVIORAL HEALTH DISORDERS TO TREATMENT PROGRAMS AND TO  
26 PROVIDE WRAPAROUND SERVICES, SUCH AS HOUSING AND CONTINUED  
27 MEDICAL AND BEHAVIORAL HEALTH TREATMENT UPON RELEASE; AND

1 (c) PREVENTION AND INTERVENTION NEEDS RANGE FROM, BUT ARE  
2 NOT LIMITED TO, SCHOOL-BASED BEHAVIORAL HEALTH SERVICES; LAW  
3 ENFORCEMENT DIRECTED DIVERSION; COMMUNITY SCREENING,  
4 ASSESSMENT, AND TREATMENT; SECURE SETTINGS WITHIN CORRECTION  
5 FACILITIES; AND SUPPORTIVE RE-ENTRY SERVICES, INCLUDING HOUSING,  
6 AS CRITICAL COMPONENTS OF DIGNITY, SAFETY, AND RECOVERY.

7 (3) IN ADDITION, THE GENERAL ASSEMBLY FINDS THAT THE  
8 RESULTS OF A REPORT REQUESTED BY THE JOINT BUDGET COMMITTEE IN  
9 1999 RECOMMENDED CROSS-SYSTEM COLLABORATION AND  
10 COMMUNICATION AS A METHOD FOR REDUCING THE NUMBER OF PERSONS  
11 WITH MENTAL HEALTH DISORDERS WHO ARE INVOLVED IN THE CRIMINAL  
12 AND JUVENILE JUSTICE SYSTEMS. THE COMMITTEE AND TASK FORCE  
13 CREATED BY THIS ARTICLE 1.9 SHALL CONSIDER THE BROADER CONTINUUM  
14 OF BEHAVIORAL HEALTH DISORDERS TO BETTER ACCOUNT FOR THE NEEDS  
15 OF THE AT-RISK POPULATION BEING STUDIED.

16 (4) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT,  
17 DESPITE THE IMPACT AND REACH OF THE PREVIOUS WORK OF THE  
18 LEGISLATIVE OVERSIGHT COMMITTEE AND TASK FORCE, A SIGNIFICANT  
19 NEED REMAINS FOR ONGOING INNOVATION TO ADDRESS THESE AND  
20 RELATED ISSUES. THE GENERAL ASSEMBLY THEREFORE DETERMINES THAT  
21 IT IS NECESSARY TO CONTINUE THE LEGISLATIVE OVERSIGHT COMMITTEE  
22 AND TASK FORCE TO EXAMINE THE IDENTIFICATION, DIAGNOSIS, AND  
23 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE  
24 AT RISK OF INVOLVEMENT WITH OR WHO ARE ALREADY INVOLVED IN THE  
25 CRIMINAL OR JUVENILE JUSTICE SYSTEMS AND TO DEVELOP STRATEGIES TO  
26 ADDRESS THE ISSUES SUCH PEOPLE FACE.

27 **18-1.9-102. Definitions.** AS USED IN THIS ARTICLE 1.9, UNLESS

1 THE CONTEXT OTHERWISE REQUIRES:

2 (1) "BEHAVIORAL HEALTH" REFERS TO AN INDIVIDUAL'S MENTAL  
3 ANDEMOITIONAL WELL-BEING AND ACTIONS THAT AFFECT AN INDIVIDUAL'S  
4 OVERALL WELLNESS. BEHAVIORAL HEALTH PROBLEMS AND DISORDERS  
5 INCLUDE SUBSTANCE USE DISORDERS, SERIOUS PSYCHOLOGICAL DISTRESS,  
6 SUICIDE, AND OTHER MENTAL HEALTH DISORDERS. PROBLEMS RANGING  
7 FROM UNHEALTHY STRESS OR SUBCLINICAL CONDITIONS TO DIAGNOSABLE  
8 AND TREATABLE DISEASES ARE INCLUDED IN THE TERM "BEHAVIORAL  
9 HEALTH". THE TERM "BEHAVIORAL HEALTH" IS ALSO USED TO DESCRIBE  
10 SERVICE SYSTEMS THAT ENCOMPASS PREVENTION AND PROMOTION OF  
11 EMOTIONAL HEALTH, PREVENTION AND TREATMENT SERVICES FOR MENTAL  
12 HEALTH AND SUBSTANCE USE DISORDERS, AND RECOVERY SUPPORT.

13 (2) "CO-OCCURRING DISORDER" MEANS A DISORDER THAT  
14 COMMONLY COINCIDES WITH MENTAL HEALTH DISORDERS AND MAY  
15 INCLUDE, BUT IS NOT LIMITED TO, SUBSTANCE ABUSE AND SUBSTANCE USE  
16 DISORDERS, BEHAVIORAL HEALTH DISORDERS, INTELLECTUAL AND  
17 DEVELOPMENTAL DISABILITIES, FETAL ALCOHOL SYNDROME, AND  
18 TRAUMATIC BRAIN INJURY.

19 (3) "LEGISLATIVE OVERSIGHT COMMITTEE" OR "COMMITTEE"  
20 MEANS THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE  
21 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE  
22 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO  
23 SECTION 18-1.9-103.

24 (4) "TASK FORCE" MEANS THE TASK FORCE CONCERNING THE  
25 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE  
26 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO  
27 SECTION 18-1.9-104.

1           **18-1.9-103. Legislative oversight committee concerning the**  
2           **treatment of persons with behavioral health disorders in the criminal**  
3           **and juvenile justice systems - creation - duties. (1) Creation.**

4           (a) THERE IS CREATED A LEGISLATIVE OVERSIGHT COMMITTEE  
5           CONCERNING THE TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH  
6           DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

7           (b) THE COMMITTEE CONSISTS OF SIX MEMBERS AS FOLLOWS:

8           (I) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO SENATORS  
9           TO SERVE ON THE COMMITTEE, AND THE MINORITY LEADER OF THE SENATE  
10          SHALL APPOINT ONE SENATOR TO SERVE ON THE COMMITTEE; AND

11          (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
12          APPOINT THREE REPRESENTATIVES TO SERVE ON THE COMMITTEE, NO  
13          MORE THAN TWO OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY.

14          (c) APPOINTEES TO THE COMMITTEE MUST HAVE EXPERIENCE WITH  
15          OR INTEREST IN THE STUDY AREAS OF THE COMMITTEE AND TASK FORCE,  
16          AS SET FORTH IN SECTION 18-1.9-104.

17          (d) THE TERMS OF THE MEMBERS WHO ARE SERVING ON THE  
18          EFFECTIVE DATE OF THIS SECTION ARE EXTENDED TO AND EXPIRE ON OR  
19          TERMINATE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF  
20          THE SEVENTY-THIRD GENERAL ASSEMBLY. AS SOON AS PRACTICABLE  
21          AFTER SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE  
22          LEGISLATIVE SESSION, THE SPEAKER, THE PRESIDENT, AND THE MINORITY  
23          LEADER OF THE SENATE SHALL EACH APPOINT OR REAPPOINT MEMBERS IN  
24          THE SAME MANNER AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION.  
25          THEREAFTER, THE TERMS OF MEMBERS APPOINTED OR REAPPOINTED BY  
26          THE SPEAKER, THE PRESIDENT, AND THE MINORITY LEADER OF THE SENATE  
27          EXPIRE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF EACH

1 GENERAL ASSEMBLY, AND ALL SUBSEQUENT APPOINTMENTS AND  
2 REAPPOINTMENTS BY THE SPEAKER, THE PRESIDENT, AND THE MINORITY  
3 LEADER OF THE SENATE MUST BE MADE AS SOON AS PRACTICABLE AFTER  
4 SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE  
5 LEGISLATIVE SESSION.

6 (e) THE PERSON MAKING THE ORIGINAL APPOINTMENT OR  
7 REAPPOINTMENT SHALL FILL ANY VACANCY BY APPOINTMENT FOR THE  
8 REMAINDER OF AN UNEXPIRED TERM. MEMBERS APPOINTED OR  
9 REAPPOINTED SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY  
10 AND CONTINUE IN OFFICE UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED.

11 (f) THE PRESIDENT OF THE SENATE SHALL SELECT THE FIRST CHAIR  
12 OF THE COMMITTEE, AND THE SPEAKER OF THE HOUSE OF  
13 REPRESENTATIVES SHALL SELECT THE FIRST VICE-CHAIR. THE CHAIR AND  
14 VICE-CHAIR SHALL ALTERNATE ANNUALLY THEREAFTER BETWEEN THE  
15 TWO HOUSES.

16 (g) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY  
17 ESTABLISH SUCH ORGANIZATIONAL AND PROCEDURAL RULES AS ARE  
18 NECESSARY FOR THE OPERATION OF THE COMMITTEE AND, IN  
19 COLLABORATION WITH THE TASK FORCE, GUIDELINES AND EXPECTATIONS  
20 FOR ONGOING COLLABORATION WITH THE TASK FORCE.

21 (h) (I) MEMBERS OF THE COMMITTEE MAY RECEIVE PAYMENT OF  
22 PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES  
23 AUTHORIZED PURSUANT TO SECTION 2-2-307.

24 (II) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
25 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL  
26 SUPPLY STAFF ASSISTANCE TO THE COMMITTEE AS THEY DEEM  
27 APPROPRIATE, WITHIN EXISTING APPROPRIATIONS.

1           (2) **Duties.** (a) (I) THE COMMITTEE SHALL MEET AT LEAST THREE  
2 TIMES EACH YEAR AND AT SUCH OTHER TIMES AS IT DEEMS NECESSARY.

3           (II) EACH COMMITTEE MEMBER SHALL ANNUALLY EITHER ATTEND  
4 OR CALL INTO AT LEAST ONE REGULAR TASK FORCE MEETING. COMMITTEE  
5 MEMBERS ARE ENCOURAGED TO ATTEND SEPARATE MEETINGS AND INFORM  
6 THE REST OF THE COMMITTEE ABOUT THE CURRENT WORK OF THE TASK  
7 FORCE.

8           (b) THE COMMITTEE IS RESPONSIBLE FOR THE OVERSIGHT OF THE  
9 TASK FORCE AND SHALL SUBMIT ANNUAL REPORTS TO THE GENERAL  
10 ASSEMBLY REGARDING THE TASK FORCE'S FINDINGS AND  
11 RECOMMENDATIONS. IN ADDITION, THE COMMITTEE MAY RECOMMEND  
12 LEGISLATIVE CHANGES THAT ARE TREATED AS BILLS RECOMMENDED BY  
13 AN INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES OF ANY  
14 INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT  
15 RULES OF THE GENERAL ASSEMBLY.

16           (c) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE COMMITTEE  
17 SHALL SUBMIT, AND MAKE PUBLICLY AVAILABLE ON ITS WEBSITE, A  
18 REPORT TO THE GENERAL ASSEMBLY. THE ANNUAL REPORTS MUST BRIEFLY  
19 SUMMARIZE THE STUDY ISSUES, RECOMMENDATIONS CONSIDERED, AND  
20 ANY ACTIONS TAKEN BY THE COMMITTEE DURING THE PREVIOUS YEAR.  
21 THE REPORTS MUST COMPLY WITH THE PROVISIONS OF SECTION 24-1-136  
22 (9). NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT  
23 IN THIS SECTION TO REPORT TO THE GENERAL ASSEMBLY CONTINUES  
24 INDEFINITELY.

25           **18-1.9-104. Task force concerning the treatment of persons**  
26 **with behavioral health disorders in the criminal and juvenile justice**  
27 **systems - creation - membership - duties.** (1) **Creation.** (a) THERE IS

1       CREATED A TASK FORCE CONCERNING THE TREATMENT OF PERSONS WITH  
2       BEHAVIORAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE  
3       SYSTEMS. THE TASK FORCE CONSISTS OF TWENTY-EIGHT MEMBERS  
4       APPOINTED AS PROVIDED IN SUBSECTIONS (1)(b) AND (1)(c) OF THIS  
5       SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION  
6       18-1.9-105.

7               (b) THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT SHALL  
8       APPOINT TWO MEMBERS WHO REPRESENT THE JUDICIAL DEPARTMENT, ONE  
9       OF WHOM REPRESENTS THE DIVISION OF PROBATION WITHIN THE  
10       DEPARTMENT.

11              (c) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE SHALL APPOINT  
12       TWENTY-SIX MEMBERS AS FOLLOWS:

13              (I) ONE MEMBER WHO REPRESENTS THE DIVISION OF CRIMINAL  
14       JUSTICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY;

15              (II) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF  
16       CORRECTIONS;

17              (III) TWO MEMBERS WHO REPRESENT LOCAL LAW ENFORCEMENT  
18       AGENCIES, ONE OF WHOM REPRESENTS POLICE OFFICERS AND THE OTHER  
19       OF WHOM REPRESENTS THE SHERIFF DEPARTMENTS THROUGHOUT THE  
20       STATE;

21              (IV) THREE MEMBERS WHO REPRESENT THE DEPARTMENT OF  
22       HUMAN SERVICES, AS FOLLOWS:

23              (A) ONE MEMBER WHO REPRESENTS THE OFFICE OF BEHAVIORAL  
24       HEALTH;

25              (B) ONE MEMBER WHO REPRESENTS THE DIVISION OF YOUTH  
26       SERVICES; AND

27              (C) ONE MEMBER WHO REPRESENTS THE UNIT WITHIN THE

1 DEPARTMENT OF HUMAN SERVICES THAT IS RESPONSIBLE FOR CHILD  
2 WELFARE SERVICES;

3 (V) ONE MEMBER WHO REPRESENTS THE INTERESTS OF COUNTY  
4 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES AND CAN REPRESENT A  
5 RURAL COLORADO PERSPECTIVE;

6 (VI) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF  
7 EDUCATION;

8 (VII) ONE MEMBER WHO REPRESENTS THE STATE ATTORNEY  
9 GENERAL'S OFFICE;

10 (VIII) ONE MEMBER WHO REPRESENTS THE DISTRICT ATTORNEYS  
11 WITHIN THE STATE;

12 (IX) TWO MEMBERS WHO REPRESENT THE CRIMINAL DEFENSE BAR  
13 WITHIN THE STATE, ONE OF WHOM HAS EXPERIENCE REPRESENTING  
14 JUVENILES IN THE JUVENILE JUSTICE SYSTEM;

15 (X) TWO MEMBERS WHO ARE LICENSED MENTAL HEALTH  
16 PROFESSIONALS PRACTICING WITHIN THE STATE, ONE OF WHOM HAS  
17 EXPERIENCE TREATING JUVENILES;

18 (XI) ONE MEMBER WHO REPRESENTS COMMUNITY MENTAL  
19 HEALTH CENTERS WITHIN THE STATE;

20 (XII) ONE MEMBER WHO IS A PERSON WITH KNOWLEDGE OF PUBLIC  
21 BENEFITS AND PUBLIC HOUSING WITHIN THE STATE;

22 (XIII) ONE MEMBER WHO IS A MENTAL HEALTH PROFESSIONAL  
23 PRACTICING IN FORENSIC ENVIRONMENTS;

24 (XIV) ONE MEMBER WHO REPRESENTS A NONPROFIT  
25 ORGANIZATION THAT WORKS ON STATEWIDE LEGISLATION AND  
26 ORGANIZING COLORADANS TO PROMOTE BEHAVIORAL, MENTAL, AND  
27 PHYSICAL HEALTH NEEDS;

1 (XV) THREE MEMBERS OF THE PUBLIC AS FOLLOWS:

2 (A) ONE MEMBER WHO IS LIVING WITH A BEHAVIORAL HEALTH  
3 DISORDER AND HAS BEEN INVOLVED IN THE CRIMINAL OR JUVENILE  
4 JUSTICE SYSTEM IN THIS STATE;

5 (B) ONE MEMBER WHO HAS AN ADULT FAMILY MEMBER WHO HAS  
6 A BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE  
7 CRIMINAL JUSTICE SYSTEM IN THIS STATE; AND

8 (C) ONE MEMBER WHO IS THE PARENT OF A CHILD WHO HAS A  
9 BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE  
10 JUVENILE JUSTICE SYSTEM IN THIS STATE;

11 (XVI) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF  
12 HEALTH CARE POLICY AND FINANCING;

13 (XVII) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF  
14 LABOR AND EMPLOYMENT;

15 (XVIII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE  
16 CHILD'S REPRESENTATIVE; AND

17 (XIX) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE  
18 ALTERNATE DEFENSE COUNSEL.

19 (d) MEMBERS OF THE TASK FORCE SERVE WITHOUT  
20 COMPENSATION. HOWEVER, MEMBERS OF THE TASK FORCE APPOINTED  
21 PURSUANT TO SUBSECTION (1)(c)(XV) OF THIS SECTION MAY RECEIVE  
22 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES ASSOCIATED  
23 WITH THEIR DUTIES ON THE TASK FORCE.

24 (e) A VACANCY OCCURRING IN A POSITION APPOINTED BY THE  
25 CHIEF JUSTICE OF THE COLORADO SUPREME COURT PURSUANT TO  
26 SUBSECTION (1)(b) OF THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE  
27 BY THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT IN

1 ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SUBSECTION (1)(b) OF  
2 THIS SECTION. IN ADDITION, THE CHIEF JUSTICE OF THE COLORADO  
3 SUPREME COURT MAY REMOVE AND REPLACE ANY APPOINTMENT TO THE  
4 TASK FORCE MADE PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION.

5 (f) A VACANCY OCCURRING IN A POSITION FILLED BY THE CHAIR  
6 AND VICE-CHAIR OF THE COMMITTEE PURSUANT TO SUBSECTION (1)(c) OF  
7 THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE BY THE CHAIR AND  
8 VICE-CHAIR OF THE COMMITTEE IN ACCORDANCE WITH THE LIMITATIONS  
9 SPECIFIED IN SUBSECTION (1)(c) OF THIS SECTION. IN ADDITION, THE CHAIR  
10 AND VICE-CHAIR OF THE COMMITTEE MAY REMOVE AND REPLACE ANY  
11 APPOINTMENT TO THE TASK FORCE MADE PURSUANT TO SUBSECTION (1)(c)  
12 OF THIS SECTION.

13 (g) IN MAKING APPOINTMENTS TO THE TASK FORCE, THE  
14 APPOINTING AUTHORITIES SHALL ENSURE THAT THE MEMBERSHIP OF THE  
15 TASK FORCE INCLUDES PERSONS WHO HAVE EXPERIENCE WITH OR  
16 INTEREST IN THE STUDY AREAS OF THE TASK FORCE AS SET FORTH IN  
17 SUBSECTION (2) OF THIS SECTION; PERSONS WHO REFLECT THE ETHNIC,  
18 CULTURAL, AND GENDER DIVERSITY OF THE STATE; REPRESENTATION OF  
19 ALL AREAS OF THE STATE; AND, TO THE EXTENT PRACTICABLE, PERSONS  
20 WITH DISABILITIES.

21 (h) (I) ALL TASK FORCE MEMBERS ARE EXPECTED TO SEEK INPUT  
22 FROM THE VARIOUS NETWORKS OR ORGANIZATIONAL STRUCTURES OF THE  
23 BODY THEY REPRESENT, IF ANY. EVERY AGENCY IS ENCOURAGED TO  
24 NOMINATE A REPRESENTATIVE WHO CAN PARTICIPATE IN MAKING TASK  
25 FORCE SUBJECT MATTER EXPERT RECOMMENDATIONS YET STILL  
26 APPROPRIATELY REPRESENT THE AGENCY'S CONSTITUENCY.

27 (II) IN ORDER TO ADVANCE THE WORK OF THE TASK FORCE,

1 MEMBERS ARE ENCOURAGED TO PARTICIPATE IN DECISION-MAKING, WITH  
2 THE UNDERSTANDING THAT INDIVIDUAL VOTES ON TASK FORCE ISSUES ARE  
3 BASED ON SUBJECT MATTER EXPERTISE AND DO NOT COMMIT  
4 REPRESENTATIVE AGENCIES OR ORGANIZATIONS TO ANY POSITION OR  
5 ACTION. TASK FORCE MEMBERS SHALL ADHERE TO ANY AGREED-UPON  
6 PROCEDURAL RULES AND GUIDELINES.

7 (2) **Issues for study.** (a) THE TASK FORCE SHALL STUDY BEST AND  
8 PROMISING PRACTICES TO PROMOTE POSITIVE SOCIAL AND EMOTIONAL  
9 OUTCOMES FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS WHO  
10 ARE AT RISK OF INITIAL OR CONTINUED INVOLVEMENT IN THE CRIMINAL OR  
11 JUVENILE JUSTICE SYSTEMS, WITH THE FOCUS ON BETTER UNDERSTANDING  
12 AND ADDRESSING NECESSARY RESOURCES AND ACTIONS FOR  
13 IMPLEMENTATION TO PREVENT INITIAL OR CONTINUED INVOLVEMENT WITH  
14 THE CRIMINAL OR JUVENILE JUSTICE SYSTEMS.

15 (b) THE REQUIREMENTS SET FORTH IN THIS SUBSECTION (2) DO NOT  
16 PROHIBIT THE TASK FORCE, AT ANY TIME DURING ITS EXISTENCE, FROM  
17 STUDYING, PRESENTING FINDINGS AND RECOMMENDATIONS ON, OR  
18 REQUESTING PERMISSION TO DRAFT LEGISLATIVE PROPOSALS CONCERNING  
19 ANY ISSUE DESCRIBED IN THIS SUBSECTION (2).

20 (c) THE TASK FORCE SHALL SPECIFICALLY CONSIDER ISSUES  
21 INCLUDING:

22 (I) EARLY IDENTIFICATION OF AND INTERVENTION STRATEGIES FOR  
23 INDIVIDUALS WHO ARE AT A HIGHER RISK OF INVOLVEMENT WITH THE  
24 CRIMINAL OR JUVENILE JUSTICE SYSTEM DUE TO ESTABLISHED OR  
25 DEVELOPING BEHAVIORAL HEALTH CONCERNS;

26 (II) THE PROMOTION OF RESILIENCE AND HEALTH FOR PERSONS AT  
27 RISK OF OR ALREADY EXPERIENCING INVOLVEMENT WITH THE CRIMINAL

1 OR JUVENILE JUSTICE SYSTEM DUE TO BEHAVIORAL HEALTH CONCERNS;

2 (III) THE INTERSECTION OF BEHAVIORAL HEALTH DISORDERS AND  
3 THE RISK OF INVOLVEMENT IN THE JUVENILE OR CRIMINAL JUSTICE  
4 SYSTEMS, WITH A SPECIFIC FOCUS ON DIVERTING PERSONS WITH MENTAL  
5 HEALTH, SUBSTANCE USE, OR CO-OCCURRING DISORDERS AWAY FROM  
6 INITIAL OR CONTINUED JUVENILE OR CRIMINAL JUSTICE INVOLVEMENT;  
7 AND

8 (IV) ISSUES RELATING TO PERSONS WITH BEHAVIORAL HEALTH  
9 DISORDERS WHO ARE ALREADY INVOLVED IN THE CRIMINAL OR JUVENILE  
10 JUSTICE SYSTEM, UTILIZING SAFE AND EFFECTIVE INTERVENTIONS WITH A  
11 FOCUS ON PREVENTING FURTHER INVOLVEMENT, PROMOTING GOOD  
12 HEALTH OUTCOMES UPON RELEASE, AND ENHANCING RECOVERY SUCCESS.

13 (3) **Additional duties of the task force.** THE TASK FORCE SHALL  
14 ANNUALLY DELIVER POLICY AND LEGISLATIVE RECOMMENDATIONS TO THE  
15 COMMITTEE PURSUANT TO THIS SECTION. IN ADDITION, THE TASK FORCE  
16 SHALL:

17 (a) ON OR BEFORE AUGUST 1 OF EACH YEAR, SELECT A CHAIR AND  
18 VICE-CHAIR FROM AMONG ITS MEMBERS;

19 (b) MEET AT LEAST SIX TIMES EACH YEAR, OR MORE OFTEN AS  
20 DIRECTED BY THE CHAIR OF THE COMMITTEE;

21 (c) ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES FOR THE  
22 OPERATION OF THE TASK FORCE AND FOR COLLABORATION WITH THE  
23 COMMITTEE;

24 (d) DESIGNATE SPECIFIC TASK FORCE MEMBERS RESPONSIBLE FOR  
25 COLLABORATING WITH AND OBTAINING INPUT FROM OTHER GROUPS, TASK  
26 FORCES, OR STATEWIDE INITIATIVES THAT COMPLEMENT OR RELATE TO  
27 THE TASK FORCE'S IDENTIFIED AREAS OF STUDY;

1           (e) CREATE SUBCOMMITTEES AS NEEDED TO CARRY OUT THE  
2 DUTIES OF THE TASK FORCE. THE SUBCOMMITTEES MAY CONSIST, IN PART,  
3 OF PERSONS WHO ARE NOT MEMBERS OF THE TASK FORCE. SUCH PERSONS  
4 MAY VOTE ON ISSUES BEFORE THE SUBCOMMITTEE BUT ARE NOT ENTITLED  
5 TO A VOTE AT TASK FORCE MEETINGS.

6           (f) STUDY THE IMPLEMENTATION OF COMMITTEE LEGISLATION  
7 PASSED BY THE GENERAL ASSEMBLY;

8           (g) UPON REQUEST BY A COMMITTEE MEMBER, PROVIDE  
9 EVIDENCE-BASED FEEDBACK ON THE POTENTIAL BENEFITS OR  
10 CONSEQUENCES OF A LEGISLATIVE OR OTHER POLICY PROPOSAL NOT  
11 DIRECTLY AFFILIATED WITH OR GENERATED BY THE TASK FORCE. THE  
12 FEEDBACK MUST BE DELIVERED WITHIN TWO WEEKS TO THE ENTIRE  
13 COMMITTEE AND REMAIN AS CONCISE AS POSSIBLE WHILE CAPTURING ANY  
14 AVAILABLE EVIDENCE. IF THE TASK FORCE CANNOT IDENTIFY EVIDENCE TO  
15 EFFECTIVELY INFORM A RESPONSE, THE FEEDBACK WILL INDICATE A LACK  
16 OF EVIDENCE AND REPORT ON ANY ACTIONS TAKEN.

17           (h) ON OR BEFORE OCTOBER 1 OF EACH YEAR, PREPARE AND  
18 SUBMIT TO THE COMMITTEE, WHICH MAY MAKE PUBLICLY AVAILABLE ON  
19 ITS WEBSITE, A REPORT THAT, AT A MINIMUM, INCLUDES:

20           (I) ISSUES STUDIED BY THE TASK FORCE, AS WELL AS FINDINGS FOR  
21 LEGISLATIVE OR OTHER RECOMMENDATIONS;

22           (II) LEGISLATIVE OR POLICY PROPOSALS OF THE TASK FORCE THAT  
23 IDENTIFY THE POLICY ISSUES INVOLVED, THE AGENCIES RESPONSIBLE FOR  
24 THE IMPLEMENTATION OF THE CHANGES, AND THE FUNDING SOURCES  
25 REQUIRED FOR IMPLEMENTATION;

26           (III) A SUMMARY OF MONTHLY TASK FORCE MEETING ACTIVITIES  
27 AND DISCUSSIONS;

1 (IV) ANY EVIDENCE-BASED FEEDBACK PROVIDED TO THE  
2 COMMITTEE PURSUANT TO SUBSECTION (3)(g) OF THIS SECTION; AND

3 (V) A SUMMARY OF EFFORTS MADE TO COMMUNICATE,  
4 COLLABORATE, OR COORDINATE WITH OTHER GROUPS, TASK FORCES, OR  
5 STATE INITIATIVES.

6 (4) **Flexibility.** A REQUIREMENT SET FORTH IN SUBSECTION (2) OF  
7 THIS SECTION SHALL NOT, AT ANY TIME DURING THE EXISTENCE OF THE  
8 TASK FORCE, PROHIBIT THE TASK FORCE FROM STUDYING, PRESENTING  
9 FINDINGS AND RECOMMENDATIONS ON, OR REQUESTING PERMISSION TO  
10 DRAFT LEGISLATIVE PROPOSALS CONCERNING ANY ISSUE DESCRIBED IN  
11 SUBSECTION (2) OF THIS SECTION.

12 (5) **Coordination.** THE TASK FORCE MAY WORK WITH OTHER  
13 GROUPS, TASK FORCES, OR STATEWIDE INITIATIVES THAT ARE PURSUING  
14 ISSUES AND POLICY INITIATIVES SIMILAR TO THOSE ADDRESSED IN  
15 SUBSECTION (2) OF THIS SECTION. THE TASK FORCE MAY DEVELOP  
16 RELATIONSHIPS WITH OTHER TASK FORCES, COMMITTEES, AND  
17 ORGANIZATIONS TO LEVERAGE EFFICIENT POLICY-MAKING OPPORTUNITIES  
18 THROUGH COLLABORATIVE EFFORTS.

19 **18-1.9-105. Task force funding - staff support.** (1) THE  
20 LEGISLATIVE COUNCIL STAFF SHALL SUPPLY STAFF ASSISTANCE, WITHIN  
21 EXISTING APPROPRIATIONS, TO THE TASK FORCE AS THE COMMITTEE  
22 DEEMS APPROPRIATE. IF EXISTING APPROPRIATIONS ARE NOT ADEQUATE  
23 TO SUPPLY STAFF ASSISTANCE THROUGH THE LEGISLATIVE COUNCIL STAFF,  
24 THE DIRECTOR OF LEGISLATIVE COUNCIL STAFF SHALL REQUEST  
25 ADDITIONAL NECESSARY FUNDING IN ITS ANNUAL BUDGET REQUEST.

26 (2) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF  
27 PUBLIC SAFETY, THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT

1 OF HUMAN SERVICES, AND ANY STATE DEPARTMENT OR AGENCY WITH AN  
2 ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE AUTHORIZED TO  
3 RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS, INCLUDING  
4 DONATIONS OF IN-KIND SERVICES FOR STAFF SUPPORT, FROM ANY PUBLIC  
5 OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED  
6 WITH THE DUTIES OF THE TASK FORCE.

7 **18-1.9-106. Treatment of persons with behavioral health**  
8 **disorders in the criminal and juvenile justice systems fund.** (1) THE  
9 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE  
10 CRIMINAL AND JUVENILE JUSTICE SYSTEMS FUND, REFERRED TO IN THIS  
11 SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND  
12 CONSISTS OF MONEY APPROPRIATED OR TRANSFERRED TO THE FUND BY  
13 THE GENERAL ASSEMBLY AND ANY PRIVATE AND PUBLIC FUNDS RECEIVED  
14 THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF  
15 IMPLEMENTING THE PROVISIONS OF THIS ARTICLE 1.9. MONEY IN THE FUND  
16 IS SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR  
17 THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION  
18 OF THIS ARTICLE 1.9. MONEY IN THE FUND NOT EXPENDED FOR THE  
19 PURPOSE OF IMPLEMENTING THIS ARTICLE 1.9 MAY BE INVESTED BY THE  
20 STATE TREASURER AS PROVIDED BY LAW. THE STATE TREASURER SHALL  
21 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND  
22 INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER  
23 SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY  
24 REMAINING IN THE FUND AS OF JULY 1, 2025, TO THE GENERAL FUND.

25 (2) THE CHAIR OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE  
26 COUNCIL SHALL APPROVE ANY COMPENSATION PROVIDED FOR IN SECTIONS  
27 18-1.9-103 (1)(h), 18-1.9-104 (1)(d), AND 18-1.9-105 FOR MEMBERS OF

1 THE GENERAL ASSEMBLY, SPECIFIED MEMBERS OF THE TASK FORCE, AND  
2 STAFF ASSISTANCE TO THE COMMITTEE AND TASK FORCE, AS PROVIDED BY  
3 THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AND THE  
4 DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES.  
5 COMPENSATION MUST BE PAID BY VOUCHERS AND WARRANTS DRAWN AS  
6 PROVIDED BY LAW FROM MONEY APPROPRIATED FOR SUCH PURPOSE AND  
7 ALLOCATED TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL  
8 FROM THE FUND.

9 **18-1.9-107. Repeal of article.** THIS ARTICLE 1.9 IS REPEALED,  
10 EFFECTIVE JULY 1, 2023.

11 **SECTION 2. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, or safety.