SENATE BILL 20-042

SENATE SPONSORSHIP
Rodriguez and Fields,

HOUSE SPONSORSHIP
Singer, Benavidez

Senate Committees
Judiciary
Appropriations

House Committees

A BILL FOR AN ACT
CONCERNING THE REAUTHORIZATION OF THE LEGISLATIVE
OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF
PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

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
legislative oversight committee concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems (committee), and the associated task force (task force), to July 1, 2023. Substantive changes included in the reauthorization include broadening the name and scope of the committee and task force from "persons with mental health disorders" to "persons with behavioral health disorders"; making collaboration mandatory between members of the committee and the task force; allowing the task force to research topics for members of the committee upon request; adjusting task force membership; further defining issues for the task force to study; and providing staff support by the legislative council staff.

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

**SECTION 1.** In Colorado Revised Statutes, *repeal and reenact,* with amendments, article 1.9 of title 18 as follows:

**ARTICLE 1.9**

*Continuing Examination of the Treatment of Persons with Mental Health Disorders Who are Involved in the Criminal and Juvenile Justice Systems*

**18-1.9-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) THE UNITED STATES IS IN A PUBLIC HEALTH CRISIS WHERE PERSONS WITH BEHAVIORAL HEALTH NEEDS ARE NEGLECTED, STIGMATIZED, OR INADEQUATELY SUPPORTED, WHICH GREATLY INCREASES THE RISK OF SUCH PERSONS BECOMING INVOLVED WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM;

(b) PERSONS WITH BEHAVIORAL HEALTH DISORDERS ARE DISPROPORTIONATELY REPRESENTED IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS. THE PREVALENCE RATES NATIONALLY OF SUCH INDIVIDUALS ENTERING JAIL ARE THREE TIMES GREATER THAN THAT OF THE GENERAL POPULATION. BUREAU OF JUSTICE STATISTICS DATA FROM
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.

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

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

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

(2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

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

   (b) RESEARCH DEMONSTRATES A NEED TO DIVERT PERSONS WITH
19. BEHAVIORAL HEALTH DISORDERS TO TREATMENT PROGRAMS AND TO
20. PROVIDE WRAPAROUND SERVICES, SUCH AS HOUSING AND CONTINUED
21. MEDICAL AND BEHAVIORAL HEALTH TREATMENT UPON RELEASE; AND
(c) Prevention and intervention needs range from, but are not limited to, school-based behavioral health services; law enforcement directed diversion; community screening, assessment, and treatment; secure settings within correction facilities; and supportive re-entry services, including housing, as critical components of dignity, safety, and recovery.

(3) In addition, the General Assembly finds that the results of a report requested by the Joint Budget Committee in 1999 recommended cross-system collaboration and communication as a method for reducing the number of persons with mental health disorders who are involved in the criminal and juvenile justice systems. The committee and task force created by this article 1.9 shall consider the broader continuum of behavioral health disorders to better account for the needs of the at-risk population being studied.

(4) Therefore, the General Assembly declares that, despite the impact and reach of the previous work of the legislative oversight committee and task force, a significant need remains for ongoing innovation to address these and related issues. The General Assembly therefore determines that it is necessary to continue the legislative oversight committee and task force to examine the identification, diagnosis, and treatment of persons with behavioral health disorders who are at risk of involvement with or who are already involved in the criminal or juvenile justice systems and to develop strategies to address the issues such people face.

18-1.9-102. Definitions. As used in this article 1.9, unless
THE CONTEXT OTHERWISE REQUIRES:

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

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

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

(4) "TASK FORCE" MEANS THE TASK FORCE CONCERNING THE TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO SECTION 18-1.9-104.
18-1.9-103. Legislative oversight committee concerning the

treatment of persons with behavioral health disorders in the criminal
and juvenile justice systems - creation - duties. (1) Creation.

(a) There is created a legislative oversight committee
concerning the treatment of persons with behavioral health
disorders in the criminal and juvenile justice systems.

(b) The committee consists of six members as follows:

(I) The president of the senate shall appoint two senators
to serve on the committee, and the minority leader of the senate
shall appoint one senator to serve on the committee; and

(II) The speaker of the house of representatives shall
appoint three representatives to serve on the committee, no
more than two of whom are members of the same political party.

(c) Appointees to the committee must have experience with
or interest in the study areas of the committee and task force,
as set forth in section 18-1.9-104.

(d) The terms of the members who are serving on the
effective date of this section are extended to and expire on or
terminate on the convening date of the first regular session of
the seventy-third general assembly. As soon as practicable
after such convening date, but no later than the end of the
legislative session, the speaker, the president, and the minority
leader of the senate shall each appoint or reappoint members in
the same manner as provided in subsection (1)(b) of this section.
Thereafter, the terms of members appointed or reappointed by
the speaker, the president, and the minority leader of the senate
expire on the convening date of the first regular session of each
GENERAL ASSEMBLY, AND ALL SUBSEQUENT APPOINTMENTS AND
REAPPOINTMENTS BY THE SPEAKER, THE PRESIDENT, AND THE MINORITY
LEADER OF THE SENATE MUST BE MADE AS SOON AS PRACTICABLE AFTER
SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE
LEGISLATIVE SESSION.

(e) The person making the original appointment or
reappointment shall fill any vacancy by appointment for the
remainder of an unexpired term. Members appointed or
reappointed serve at the pleasure of the appointing authority
and continue in office until the member's successor is appointed.

(f) The president of the senate shall select the first chair
of the committee, and the speaker of the house of
representatives shall select the first vice-chair. The chair and
vice-chair shall alternate annually thereafter between the
two houses.

(g) The chair and vice-chair of the committee may
establish such organizational and procedural rules as are
necessary for the operation of the committee and, in
collaboration with the task force, guidelines and expectations
for ongoing collaboration with the task force.

(h) (I) Members of the committee may receive payment of
per diem and reimbursement for actual and necessary expenses
authorized pursuant to section 2-2-307.

(II) The director of research of the legislative council
and the director of the office of legislative legal services shall
supply staff assistance to the committee as they deem
appropriate, within existing appropriations.
Duties. (a) The committee shall meet at least three times each year and at such other times as it deems necessary.

(b) The committee is responsible for the oversight of the task force and shall submit annual reports to the general assembly regarding the task force’s findings and recommendations. In addition, the committee may recommend legislative changes that are treated as bills recommended by an interim legislative committee for purposes of any introduction deadlines or bill limitations imposed by the joint rules of the general assembly.

(c) On or before January 15 of each year, the committee shall submit, and make publicly available on its website, a report to the general assembly. The annual reports must briefly summarize the study issues, recommendations considered, and any actions taken by the committee during the previous year. The reports must comply with the provisions of section 24-1-136(9). Notwithstanding section 24-1-136(11)(a)(i), the requirement in this section to report to the general assembly continues indefinitely.
SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION 18-1.9-105.

(b) The chief justice of the Colorado supreme court shall appoint two members who represent the judicial department, one of whom represents the division of probation within the department.

(c) The chair and vice-chair of the committee shall appoint twenty-six members as follows:

(I) One member who represents the division of criminal justice within the department of public safety;

(II) One member who represents the department of corrections;

(III) Two members who represent local law enforcement agencies, one of whom represents police officers and the other of whom represents the sheriff departments throughout the state;

(IV) Three members who represent the department of human services, as follows:

(A) One member who represents the office of behavioral health;

(B) One member who represents the division of youth services; and

(C) One member who represents the unit within the department of human services that is responsible for child welfare services;

(V) One member who represents the interests of county departments of human or social services and can represent a
RURAL COLORADO PERSPECTIVE;

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

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

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

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

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

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

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

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

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

(XV) THREE MEMBERS OF THE PUBLIC AS FOLLOWS:

(A) ONE MEMBER WHO IS LIVING WITH A BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE CRIMINAL OR JUVENILE JUSTICE SYSTEM IN THIS STATE;
(B) **ONE MEMBER** WHO HAS AN ADULT FAMILY MEMBER WHO HAS
A BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE
CRIMINAL JUSTICE SYSTEM IN THIS STATE; AND

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

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

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

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

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

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

(e) **A VACANCY OCCURRING IN A POSITION** APPOINTED BY THE
CHIEF JUSTICE OF THE **COLORADO SUPREME COURT** PURSUANT TO
**SUBSECTION (1)(b)** OF THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE
BY THE CHIEF JUSTICE OF THE **COLORADO SUPREME COURT** IN
ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN **SUBSECTION (1)(b)** OF
THIS SECTION. IN ADDITION, THE CHIEF JUSTICE OF THE **COLORADO
SUPREME COURT** MAY REMOVE AND REPLACE ANY APPOINTMENT TO THE
TASK FORCE MADE PURSUANT TO **SUBSECTION (1)(b)** OF THIS SECTION.
(f) A VACANCY OCCURRING IN A POSITION FILLED BY THE CHAIR AND VICE-CHAIR OF THE COMMITTEE PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE BY THE CHAIR AND VICE-CHAIR OF THE COMMITTEE IN ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SUBSECTION (1)(c) OF THIS SECTION. IN ADDITION, THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY REMOVE AND REPLACE ANY APPOINTMENT TO THE TASK FORCE MADE PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION.

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

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

(II) IN ORDER TO ADVANCE THE WORK OF THE TASK FORCE, MEMBERS ARE ENCOURAGED TO PARTICIPATE IN DECISION-MAKING, WITH THE UNDERSTANDING THAT INDIVIDUAL VOTES ON TASK FORCE ISSUES ARE BASED ON SUBJECT MATTER EXPERTISE AND DO NOT COMMIT REPRESENTATIVE AGENCIES OR ORGANIZATIONS TO ANY POSITION OR
(2) **Issues for study.** (a) The task force shall study best and promising practices to promote positive social and emotional outcomes for individuals with behavioral health disorders who are at risk of initial or continued involvement in the criminal or juvenile justice systems, with the focus on better understanding and addressing necessary resources and actions for implementation to prevent initial or continued involvement with the criminal or juvenile justice systems.

(b) The requirements set forth in this subsection (2) do not prohibit the task force, at any time during its existence, from studying, presenting findings and recommendations on, or requesting permission to draft legislative proposals concerning any issue described in this subsection (2).

(c) The task force shall specifically consider issues including:

(I) Early identification of and intervention strategies for individuals who are at a higher risk of involvement with the criminal or juvenile justice system due to established or developing behavioral health concerns;

(II) The promotion of resilience and health for persons at risk of or already experiencing involvement with the criminal or juvenile justice system due to behavioral health concerns;

(III) The intersection of behavioral health disorders and the risk of involvement in the juvenile or criminal justice systems, with a specific focus on diverting persons with mental
HEALTH, SUBSTANCE USE, OR CO-OCCURRING DISORDERS AWAY FROM
INITIAL OR CONTINUED JUVENILE OR CRIMINAL JUSTICE INVOLVEMENT;

AND

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

(3) Additional duties of the task force. The task force shall
annually deliver policy and legislative recommendations to the
committee pursuant to this section. In addition, the task force
shall:

(a) On or before August 1 of each year, select a chair and
vice-chair from among its members;

(b) Meet at least six times each year, or more often as
directed by the chair of the committee;

(c) Establish organizational and procedural rules for the
operation of the task force and for collaboration with the
committee;

(d) Designate specific task force members responsible for
collaborating with and obtaining input from other groups, task
forces, or statewide initiatives that complement or relate to
the task force’s identified areas of study;

(e) Create subcommittees as needed to carry out the
duties of the task force. The subcommittees may consist, in part,
of persons who are not members of the task force. Such persons
may vote on issues before the subcommittee but are not entitled
TO A VOTE AT TASK FORCE MEETINGS.

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

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

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

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


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

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

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

(4) **Flexibility.** A requirement set forth in subsection (2) of this section shall not, at any time during the existence of the task force, prohibit the task force from studying, presenting findings and recommendations on, or requesting permission to draft legislative proposals concerning any issue described in subsection (2) of this section.

(5) **Coordination.** The task force may work with other groups, task forces, or statewide initiatives that are pursuing issues and policy initiatives similar to those addressed in subsection (2) of this section. The task force may develop relationships with other task forces, committees, and organizations to leverage efficient policy-making opportunities through collaborative efforts.

18-1.9-105. **Task force funding - staff support.** (1) The legislative council staff shall supply staff assistance, within existing appropriations, to the task force as the committee deems appropriate. If existing appropriations are not adequate to supply staff assistance through the legislative council staff, the director of legislative council staff shall request additional necessary funding in its annual budget request.

(2) The division of criminal justice in the department of public safety, the office of behavioral health in the department of human services, and any state department or agency with an active representative on the task force are authorized to receive and expend gifts, grants, and donations, including donations of in-kind services for staff support, from any public
OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED
WITH THE DUTIES OF THE TASK FORCE.

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

(2) The chair of the executive committee of the legislative
council shall approve any compensation provided for in sections
18-1.9-103 (1)(h), 18-1.9-104 (1)(d), and 18-1.9-105 for members of
the general assembly, specified members of the task force, and
staff assistance to the committee and task force, as provided by
the director of research of the legislative council and the
director of the office of legislative legal services.
COMPENSATION MUST BE PAID BY VOUCHERS AND WARRANTS DRAWN AS
PROVIDED BY LAW FROM MONEY APPROPRIATED FOR SUCH PURPOSE AND
ALLOCATED TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL
FROM THE FUND.

18-1.9-107. Repeal of article. This article 1.9 is repealed,
effective July 1, 2023.

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