

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 21-1038.01 Alana Rosen x2606

SENATE BILL 21-290

SENATE SPONSORSHIP

Danielson and Buckner,

HOUSE SPONSORSHIP

Young,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ALLOCATION OF FIFTEEN MILLION DOLLARS FROM**
102 **THE GENERAL FUND TO ESTABLISH THE AREA AGENCY ON AGING**
103 **GRANT PROGRAM FOR PROGRAMS PROVIDING ASSISTANCE TO**
104 **OLDER COLORADANS, AND, IN CONNECTION THEREWITH,**
105 **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>.)

The bill creates the area agency on aging grant program (grant program) in the department of human service's state office on aging (state

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.

SENATE
Amended 2nd Reading
June 1, 2021

office). The purpose of the grant program is to assist and support the health, well-being, and security of older Coloradans.

The bill requires the state office and the area agency on aging to collaborate and establish criteria for the following:

- Adopting the policies and procedures for the administration of the grant program;
- Establishing and publishing criteria for the grant program; and
- Creating application procedures by which eligible organizations may apply for and receive money from the grant program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Colorado currently has more than 1.25 million residents over
5 the age of sixty, and by 2030, there will be over 1.5 million residents over
6 the age of sixty;

7 (b) The statewide population of Coloradans over the age of
8 seventy-five is approximately 327,000, and by 2030, 559,000 Coloradans
9 will be over the age of seventy-five;

10 (c) Compared to the rest of the United States, Colorado has the
11 second-fastest aging population, with Coloradans over the age of sixty
12 outnumbering Coloradans eighteen years of age and younger as soon as
13 2023, with a widening margin through 2050;

14 (d) The federal "Older Americans Act of 1965" designates area
15 agencies on aging as the leader on all aging issues in the planning and
16 service areas. The mission of the area agency on aging network is to assist
17 older adults to lead independent, meaningful, and dignified lives in their
18 own homes and communities for as long as they choose.

19 (e) The COVID-19 public health emergency has amplified the

1 demand for community-based services, with the pandemic significantly
2 impacting older Coloradans and highlighting the importance of
3 supporting aging Coloradans in the community. As of December 2020,
4 Coloradans over the age of sixty accounted for 90% of COVID-19-related
5 deaths.

6 (2) Therefore, the general assembly finds there must be
7 investments in area agencies on aging that address the systemic health and
8 economic challenges that have been exacerbated by the COVID-19 public
9 health emergency. Providing critical programs for older Coloradans will
10 immediately improve their physical and mental health. Fall prevention
11 programs will keep seniors out of the hospital and free from long-term
12 debilitating effects that often require moving into a nursing home facility.
13 Home modifications for increased accessibility will allow seniors to
14 safely live independently in their own homes for as long as possible.
15 Transportation services will guarantee greater access to critical services
16 and ensure independence for seniors. These programs will improve the
17 health, well-being, and security of older Coloradans and provide much
18 needed relief and recovery to the population hit hardest by the COVID-19
19 pandemic.

20 **SECTION 2.** In Colorado Revised Statutes, **add** 26-11-208 as
21 follows:

22 **26-11-208. Area agency on aging grant program - fund created**
23 **- report - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (a) "ELIGIBLE ORGANIZATION" MEANS AN AREA AGENCY ON AGING,
26 AS DEFINED IN SECTION 26-11-201.

27 (b) "FUND" MEANS THE AREA AGENCY ON AGING CASH FUND

1 CREATED IN SUBSECTION (5) OF THIS SECTION.

2 (c) "GRANT PROGRAM" OR "PROGRAM" MEANS THE AREA AGENCY
3 ON AGING GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

4 (2) THE AREA AGENCY ON AGING GRANT PROGRAM IS ESTABLISHED
5 IN THE STATE OFFICE. THE STATE OFFICE SHALL ESTABLISH AND
6 ADMINISTER THE GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM
7 IS TO PROVIDE STATE ASSISTANCE RECEIVED IN THE FORM OF GRANT
8 AWARDS TO FINANCE VARIOUS PROJECTS ACROSS THE STATE THAT ARE
9 INTENDED TO ASSIST AND SUPPORT OLDER COLORADANS. THE GRANT
10 PROGRAM IS INTENDED TO SUPPORT PROJECTS THAT PROMOTE THE
11 HEALTH, WELL-BEING, AND SECURITY OF OLDER COLORADANS ACROSS THE
12 STATE, INCLUDING:

13 (a) COMMUNITY SERVICES FOR OLDER COLORADANS;

14 (b) INFRASTRUCTURE IMPROVEMENTS;

15 (c) HEALTH PROMOTION, CONGREGATE MEALS, AND
16 SOCIALIZATION ACTIVITIES;

17 (d) TRANSPORTATION SERVICES;

18 (e) HOME MODIFICATION PROGRAMS; AND

19 (f) IMPLEMENTATION OF EVIDENCE-BASED FALL PREVENTION AND
20 CHRONIC DISEASE MANAGEMENT PROGRAMS.

21 (3) (a) BY OCTOBER 31, 2021, THE STATE OFFICE SHALL
22 COLLABORATE WITH AREA AGENCIES ON AGING DESCRIBED IN SECTION
23 26-11-204 TO:

24 (I) ADOPT POLICIES AND PROCEDURES FOR THE ADMINISTRATION
25 OF THE PROGRAM;

26 (II) ESTABLISH AND PUBLICIZE CRITERIA FOR THE PROGRAM; AND

27 (III) CREATE APPLICATION PROCEDURES BY WHICH ELIGIBLE

1 ORGANIZATIONS MAY APPLY FOR AND RECEIVE MONEY FROM THE
2 PROGRAM.

3 (b) ON OR BEFORE JANUARY 1, 2022, THE STATE OFFICE SHALL:

4 (I) BEGIN ACCEPTING GRANT APPLICATIONS; AND

5 (II) VERIFY THAT EACH ACCEPTED APPLICATION MEETS THE
6 CRITERIA ESTABLISHED IN SUBSECTION (3)(a) OF THIS SECTION.

7 (c) IN MAKING AN AWARD, THE STATE OFFICE SHALL SPECIFY THE
8 AMOUNT OF EACH GRANT.

9 (d) DURING THE 2023 REGULAR LEGISLATIVE SESSION, THE STATE
10 DEPARTMENT SHALL INCLUDE IN ITS REPORT TO THE COMMITTEES OF
11 REFERENCE PURSUANT TO THE "STATE MEASUREMENT FOR
12 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
13 GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203
14 INFORMATION FROM THE STATE OFFICE REGARDING THE GRANT PROGRAM,
15 AS SET FORTH IN THIS SUBSECTION (3), PRIOR TO ITS REPEAL IN 2022,
16 INCLUDING INFORMATION ON THE TYPE OF PROJECTS FINANCED BY GRANT
17 AWARDS, THE AMOUNT OF MONEY AWARDED TO EACH PROJECT, AND
18 WHERE THOSE PROJECTS WERE CONDUCTED AND THE PROGRAM'S IMPACT
19 ON THE HEALTH, WELL-BEING, AND SECURITY OF OLDER COLORADANS.

20 (4) THE STATE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS,
21 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
22 PURPOSES OF THIS SECTION.

23 (5) (a) THERE IS CREATED IN THE STATE TREASURY THE AREA
24 AGENCY ON AGING CASH FUND. THE FUND CONSISTS OF MONEY
25 APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY.

26 (b) FOR FISCAL YEAR 2021-22, THE GENERAL ASSEMBLY SHALL
27 APPROPRIATE FIFTEEN MILLION DOLLARS FROM THE GENERAL FUND TO THE

1 FUND.

2 (c) ANY UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND
3 AT THE END OF FISCAL YEAR 2021-22 REMAINS IN THE FUND AND IS NOT
4 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND; EXCEPT THAT
5 ANY REMAINING MONEY IN THE FUND AS OF DECEMBER 31, 2022, SHALL
6 BE CREDITED TO THE GENERAL FUND.

7 (d) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
8 ASSEMBLY, THE STATE OFFICE MAY EXPEND MONEY FROM THE FUND FOR
9 THE PURPOSE OF IMPLEMENTING THIS SECTION, INCLUDING ANY DIRECT
10 AND INDIRECT COSTS. THE STATE OFFICE MAY ONLY EXPEND THREE
11 PERCENT OF THE MONEY ON ADMINISTRATIVE COSTS.

12 (6) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

13 **SECTION 3. Appropriation.** (1) For the 2021-22 state fiscal
14 year, \$15,000,000 is appropriated to the area agency on aging cash fund
15 created in section 26-11-208 (5)(a), C.R.S. This appropriation is from the
16 general fund. The department of human services is responsible for the
17 accounting related to this appropriation.

18 (2) For the 2021-22 state fiscal year, \$15,000,000 is appropriated
19 to the department of human services for use by adult assistance programs.
20 This appropriation is from reappropriated funds in the area agency on
21 aging cash fund under subsection (1) of this section. To implement this
22 act, the adult assistance programs may use the appropriation for the area
23 agency on aging grant program related to community services for the
24 elderly.

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