

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0488.01 Jacob Baus x2173

HOUSE BILL 22-1131

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A BILL FOR AN ACT

101 CONCERNING MEASURES TO REDUCE JUSTICE-INVOLVEMENT FOR  
102 YOUNG CHILDREN, AND, IN CONNECTION THEREWITH, FOCUS ON  
103 PREVENTION AND AGE-APPROPRIATE INTERVENTIONS.

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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 bill changes the minimum age of a juvenile who is subject to the juvenile court's jurisdiction. Under current law, juveniles who are 10 years of age and older can be prosecuted in juvenile court. The bill removes juveniles who are 10, 11, and 12 years of age from the juvenile court's jurisdiction and increases the age for a prosecution in juvenile

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.

court to 13 years of age; except in the case of a homicide, then the juvenile court's jurisdiction extends to juveniles who are 10, 11, and 12 years of age.

The bill changes the minimum age of a county court's concurrent original jurisdiction with the district court in criminal actions that constitute misdemeanors or petty offenses to a person who is 13 years of age.

The bill changes the minimum age of a municipal court's jurisdiction for a charge of a municipal offense to a person who is 13 years of age.

The bill clarifies that juveniles who are 10, 11, and 12 years of age may be taken into temporary custody by law enforcement for safety and then may be referred to appropriate services. Existing funding used to serve children who are 10, 11, and 12 years of age through the Colorado youth detention continuum may continue to serve those children.

Under current law, a juvenile court may transfer the juvenile to district court for criminal proceedings under certain conditions. The bill eliminates the ability for the juvenile court to transfer the juvenile to the district court for juveniles who are 12 or 13 years of age. Furthermore, for a juvenile who is 14 years of age or older, the bill changes the current authority of the juvenile court to transfer the juvenile's case for any delinquent act that constitutes any felony to only any delinquent act that constitutes a class 1 or class 2 felony or a crime of violence.

The bill extends certain sentencing limitations that are currently provided to juveniles who are 10 or 11 years of age to juveniles who are 13 or 14 years of age.

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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) Children who are charged with crimes and subjected to the  
5 juvenile justice system are more likely to enter the criminal justice system  
6 as adults, more likely to present a future threat to community safety, more  
7 likely to face mental health challenges, and less likely to graduate from  
8 high school;

9           (b) Younger children who are in the juvenile justice system are at  
10 a higher risk of becoming victims of violence within the juvenile justice

1 system;

2 (c) Children of color are more likely to be referred to the juvenile  
3 justice system and detained in juvenile justice facilities than white  
4 children; and

5 (d) Existing systems, including behavioral health programs,  
6 schools, child welfare systems, and other local programs and services, are  
7 better equipped than the juvenile justice system to address the needs of  
8 young children and to provide developmentally appropriate services to  
9 improve community safety by reducing the risk that these children  
10 commit future crimes as adults.

11 (2) Therefore, the general assembly declares its intent to empower  
12 community-based responses in the health, education, and child welfare  
13 systems to serve children who are under thirteen years of age. The general  
14 assembly supports evidence-based and promising practices and programs  
15 that improve outcomes for children and community safety, and reduce  
16 and eliminate racial and ethnic disparities.

17 **SECTION 2.** In Colorado Revised Statutes, 13-6-106, **amend**  
18 (1)(a) as follows:

19 **13-6-106. Original criminal jurisdiction.** (1) The county court  
20 shall have concurrent original jurisdiction with the district court in the  
21 following criminal matters:

22 (a) Criminal actions AGAINST A PERSON WHO IS THIRTEEN YEARS  
23 OF AGE OR OLDER for the violation of state laws which constitute  
24 misdemeanors or petty offenses, except those actions involving children  
25 over which the juvenile court of the city and county of Denver or the  
26 district courts of the state, other than in Denver, have exclusive  
27 jurisdiction;

1           **SECTION 3.** In Colorado Revised Statutes, **amend** 13-10-103 as  
2 follows:

3           **13-10-103. Applicability.** This article 10 applies to and governs  
4 the operation of municipal courts in the cities and towns of this state.  
5 Except for the provisions relating to the method of salary payment for  
6 municipal judges, the incarceration of children pursuant to sections  
7 19-2.5-305 and 19-2.5-1511, the appearance of the parent, guardian, or  
8 lawful custodian of ~~any~~ A child WHO IS THIRTEEN YEARS OF AGE OR OLDER  
9 BUT under eighteen years of age who is charged with a municipal offense  
10 as required by section 13-10-111, the right to a trial by jury for petty  
11 offenses pursuant to section 16-10-109, rules of procedure promulgated  
12 by the supreme court, and appellate procedure, this article 10 may be  
13 superseded by charter or ordinance enacted by a home rule city.

14           **SECTION 4.** In Colorado Revised Statutes, 13-10-111, **amend**  
15 (5) as follows:

16           **13-10-111. Commencement of actions - process.** (5) Upon the  
17 request of the municipal court, the prosecuting municipality, or the  
18 defendant, the clerk of the municipal court shall issue a subpoena for the  
19 appearance, at any and all stages of the court's proceedings, of the parent,  
20 guardian, or lawful custodian of any child WHO IS THIRTEEN YEARS OF  
21 AGE OR OLDER BUT under eighteen years of age who is charged with a  
22 municipal offense. Whenever a person who is issued a subpoena pursuant  
23 to this subsection (5) fails, without good cause, to appear, the court may  
24 issue an order for the person to show cause to the court as to why the  
25 person should not be held in contempt. Following a show cause hearing,  
26 the court may make findings of fact and conclusions of law and may enter  
27 an appropriate order, which may include finding the person in contempt.

1           **SECTION 5.** In Colorado Revised Statutes, 13-10-113, **amend**  
2 (4) and (5) as follows:

3           **13-10-113. Fines and penalties.** (4) Notwithstanding any  
4 provision of law to the contrary, a municipal court has the authority to  
5 order a child WHO IS THIRTEEN YEARS OF AGE OR OLDER BUT under  
6 eighteen years of age confined in a juvenile detention facility operated or  
7 contracted by the department of human services or a temporary holding  
8 facility operated by or under contract with a municipal government for  
9 failure to comply with a lawful order of the court, including an order to  
10 pay a fine. Any confinement of a child for contempt of municipal court  
11 ~~shall~~ MUST not exceed forty-eight hours.

12           (5) Notwithstanding any other provision of law, ~~a juvenile, as~~  
13 ~~defined in section 19-2.5-102,~~ A CHILD WHO IS THIRTEEN YEARS OF AGE  
14 OR OLDER BUT UNDER EIGHTEEN YEARS OF AGE WHO IS arrested for an  
15 alleged violation of a municipal ordinance, convicted of violating a  
16 municipal ordinance or probation conditions imposed by a municipal  
17 court, or found in contempt of court in connection with a violation or  
18 alleged violation of a municipal ordinance must not be confined in a jail,  
19 lockup, or other place used for the confinement of adult offenders but  
20 may be held in a juvenile detention facility operated by or under contract  
21 with the department of human services or a temporary holding facility  
22 operated by or under contract with a municipal government that ~~shall~~  
23 ~~receive and provide~~ RECEIVES AND PROVIDES care for the ~~juvenile~~ CHILD  
24 WHO IS THIRTEEN YEARS OF AGE OR OLDER BUT UNDER EIGHTEEN YEARS  
25 OF AGE. A municipal court imposing penalties for violation of probation  
26 conditions imposed by such court or for contempt of court in connection  
27 with a violation or alleged violation of a municipal ordinance may confine

1 a ~~juvenile~~ CHILD WHO IS THIRTEEN YEARS OF AGE OR OLDER BUT UNDER  
2 EIGHTEEN YEARS OF AGE pursuant to section 19-2.5-305 for up to  
3 forty-eight hours in a juvenile detention facility operated by or under  
4 contract with the department of human services. ~~In imposing any jail~~  
5 ~~sentence upon a juvenile for violating any municipal ordinance when the~~  
6 ~~municipal court has jurisdiction over the juvenile pursuant to section~~  
7 ~~19-2.5-103 (1)(a)(H)~~; A municipal court does not have the authority to  
8 order a ~~juvenile~~ CHILD WHO IS under eighteen years of age to a juvenile  
9 detention facility operated or contracted by the department of human  
10 services.

11 **SECTION 6.** In Colorado Revised Statutes, 17-1-103, **repeal**  
12 (1)(n) as follows:

13 **17-1-103. Duties of the executive director.** (1) The duties of the  
14 executive director are:

15 (n) ~~To contract with the department of human services to house~~  
16 ~~in a facility operated by the department of human services any juvenile~~  
17 ~~under the age of fourteen years who is sentenced as an adult to the~~  
18 ~~department of corrections; and to provide services for the juvenile~~  
19 ~~pursuant to section 19-2.5-802 (1)(c);~~

20 **SECTION 7.** In Colorado Revised Statutes, 19-2.5-103, **amend**  
21 (1)(a) introductory portion and (5); and **add** (1)(c) as follows:

22 **19-2.5-103. Jurisdiction.** (1) Except as otherwise provided by  
23 law, the juvenile court has exclusive original jurisdiction in proceedings:

24 (a) Concerning ~~any~~ A juvenile ~~ten~~ WHO IS THIRTEEN years of age  
25 or older who has violated:

26 (c) CONCERNING A JUVENILE WHO IS TEN YEARS OF AGE OR OLDER  
27 WHO HAS VIOLATED AN OFFENSE PURSUANT TO PART 1 OF ARTICLE 3 OF

1 TITLE 18.

2 (5) Notwithstanding any other provision of this section to the  
3 contrary, the juvenile court and the county court have concurrent  
4 jurisdiction over a juvenile who is THIRTEEN YEARS OF AGE OR OLDER BUT  
5 under eighteen years of age and who is charged with a violation of section  
6 18-13-122, 18-18-406 (5)(b)(I) and (5)(b)(II), 18-18-428, 18-18-429,  
7 18-18-430, or 42-4-1301; except that, if the juvenile court accepts  
8 jurisdiction over such a juvenile, the county court jurisdiction terminates.

9 **SECTION 8.** In Colorado Revised Statutes, 19-2.5-208, **amend**  
10 (1)(a) introductory portion as follows:

11 **19-2.5-208. Petty tickets - summons - contracts - data.**

12 (1) (a) If a law enforcement officer contacts a juvenile ~~ten~~ WHO IS  
13 THIRTEEN years of age or older for a delinquent act that would be a petty  
14 offense if committed by an adult or a municipal ordinance violation, the  
15 officer may issue the juvenile a petty ticket that requires the juvenile to  
16 go through an assessment process or procedure as designated by the  
17 municipal, county, or district court, including assessment by a law  
18 enforcement officer, assessment officer, or a screening team, referred to  
19 in this section as the "screening entity". When a petty ticket is issued, an  
20 assessment officer or screening team officer shall offer a petty offense  
21 contract to the juvenile and the juvenile's parent or legal guardian if:

22 **SECTION 9.** In Colorado Revised Statutes, 19-2.5-303, **amend**  
23 (1); and **add** (2)(g) as follows:

24 **19-2.5-303. Duty of officer - screening teams - notification -**  
25 **release or detention.** (1) When a juvenile WHO IS THIRTEEN YEARS OF  
26 AGE OR OLDER is taken into temporary custody and not released pending  
27 charges, the officer shall notify the screening team for the judicial district

1 in which the juvenile is taken into custody. The screening team shall  
2 notify the juvenile's parent, guardian, or legal custodian without  
3 unnecessary delay and inform the juvenile's parent, guardian, or legal  
4 custodian that, if the juvenile is placed in detention or a temporary  
5 holding facility, all parties have a right to a prompt hearing to determine  
6 whether the juvenile is to be detained further. Such notification may be  
7 made to a person with whom the juvenile is residing if a parent, guardian,  
8 or legal custodian cannot be located. If the screening team is unable to  
9 make such notification, the notification may be made by any law  
10 enforcement officer, juvenile probation officer, detention center  
11 counselor, or detention facility staff in whose physical custody the  
12 juvenile is placed.

13 (2) (g) (I) NOTHING IN THIS SECTION PROHIBITS A LAW  
14 ENFORCEMENT OFFICER FROM TAKING A CHILD WHO IS UNDER THIRTEEN  
15 YEARS OF AGE INTO TEMPORARY CUSTODY PURSUANT TO SECTION  
16 19-3-401 OR PLACING A CHILD WHO IS UNDER THIRTEEN YEARS OF AGE  
17 OUT OF THE HOME PURSUANT TO SECTION 19-3-402.

18 (II) A CHILD IS CONSIDERED ABANDONED PURSUANT TO SECTIONS  
19 19-3-102 AND 19-3-401 IF THE CHILD'S PARENT, GUARDIAN, OR LEGAL  
20 CUSTODIAN REFUSES TO TAKE THE CHILD INTO HIS OR HER HOME AFTER  
21 CONTACT WITH LAW ENFORCEMENT.

22 **SECTION 10.** In Colorado Revised Statutes, 19-2.5-304, **repeal**  
23 (2) as follows:

24 **19-2.5-304. Limitations on detention.** (2) ~~A juvenile court shall~~  
25 ~~not order a juvenile who is ten years of age and older but less than~~  
26 ~~thirteen years of age to detention unless the juvenile has been arrested for~~  
27 ~~a felony or weapons charge pursuant to section 18-12-102, 18-12-105,~~

1 ~~18-12-106, or 18-12-108.5. A preadjudication service program created~~  
2 ~~pursuant to section 19-2.5-606 shall evaluate a juvenile described in this~~  
3 ~~subsection (2). The evaluation may result in the juvenile:~~

- 4 (a) ~~Remaining in the custody of a parent or legal guardian;~~
- 5 (b) ~~Being placed in the temporary legal custody of kin, for~~  
6 ~~purposes of a kinship foster care home or noncertified kinship care~~  
7 ~~placement, as defined in section 19-1-103, or other suitable person under~~  
8 ~~such conditions as the court may impose;~~
- 9 (c) ~~Being placed in a temporary shelter facility; or~~
- 10 (d) ~~Being referred to a local county department of human or social~~  
11 ~~services for assessment for placement.~~

12 **SECTION 11.** In Colorado Revised Statutes, 19-2.5-305, **amend**  
13 (3)(a)(V) introductory portion and (6) as follows:

14 **19-2.5-305. Detention and shelter - hearing - time limits -**  
15 **findings - review - confinement with adult offenders - restrictions.**

16 (3) (a) (V) ~~A court shall not order further detention for a juvenile who is~~  
17 ~~ten years of age and older but less than thirteen years of age unless the~~  
18 ~~juvenile has been arrested or adjudicated for a felony or weapons charge~~  
19 ~~pursuant to section 18-12-102, 18-12-105, 18-12-106, or 18-12-108.5.~~

20 The court shall receive any information having probative value regardless  
21 of its admissibility under the rules of evidence. In determining whether  
22 a juvenile requires detention, the court shall consider the results of the  
23 detention screening instrument. There is a rebuttable presumption that a  
24 juvenile poses a substantial risk of serious harm to others if:

25 (6) ~~Except for a juvenile described in section 19-2.5-304 (2),~~ The  
26 court may also issue temporary orders for legal custody pursuant to  
27 section 19-1-115.

1           **SECTION 12.** In Colorado Revised Statutes, 19-2.5-802, **amend**  
2 (1)(a)(I); and **repeal** (1)(e) as follows:

3           **19-2.5-802. Transfers.** (1) (a) The juvenile court may enter an  
4 order certifying a juvenile to be held for criminal proceedings in the  
5 district court if:

6           (I) A petition filed in juvenile court alleges the juvenile is:

7           (A) ~~Twelve or thirteen years of age at the time of the commission~~  
8 ~~of the alleged offense and is a juvenile delinquent by virtue of having~~  
9 ~~committed a delinquent act that constitutes a class 1 or class 2 felony or~~  
10 ~~a crime of violence, as defined in section 18-1.3-406; or~~

11           (B) Fourteen years of age or older at the time of the commission  
12 of the alleged offense and is a juvenile delinquent by virtue of having  
13 committed a delinquent act that constitutes a CLASS 1 OR CLASS 2 felony  
14 OR A CRIME OF VIOLENCE, AS DEFINED IN SECTION 18-1.3-406; and

15           (e) ~~Whenever a juvenile under the age of fourteen years is~~  
16 ~~sentenced pursuant to section 18-1.3-401 as provided in subsection (1)(d)~~  
17 ~~of this section, the department of corrections shall contract with the~~  
18 ~~department of human services to house and provide services to the~~  
19 ~~juvenile in a facility operated by the department of human services until~~  
20 ~~the juvenile reaches the age of fourteen years. On reaching the age of~~  
21 ~~fourteen years, the juvenile must be transferred to an appropriate facility~~  
22 ~~operated by the department of corrections for the completion of the~~  
23 ~~juvenile's sentence.~~

24           **SECTION 13.** In Colorado Revised Statutes, 19-2.5-1108,  
25 **amend** (1)(a) as follows:

26           **19-2.5-1108. Probation - terms - release - revocation -**  
27 **graduated responses system - rules - report - definition.** (1) (a) The

1 terms and conditions of probation must be specified by rules or orders of  
2 the court. The court, as a condition of probation for a juvenile who is ~~ten~~  
3 THIRTEEN years of age or older but less than eighteen years of age on the  
4 date of the sentencing hearing, may impose a commitment or detention.  
5 The aggregate length of any such commitment or detention, whether  
6 continuous or at designated intervals, must not exceed forty-five days;  
7 except that such limit does not apply to any placement out of the home  
8 through a county department. ~~of human or social services.~~ Each juvenile  
9 placed on probation must be given a written statement of the terms and  
10 conditions of the juvenile's probation and have the terms and conditions  
11 fully explained.

12           **SECTION 14.** In Colorado Revised Statutes, 19-2.5-1117,  
13 **amend** (1)(a) and (6)(c) as follows:

14           **19-2.5-1117. Sentencing - commitment to the department of**  
15 **human services - definitions.** (1) (a) Except as otherwise required in  
16 subsection (6) of this section and section 19-2.5-1127 for an aggravated  
17 juvenile offender, the court may commit a juvenile to the department of  
18 human services for a determinate period of up to two years if the juvenile  
19 is adjudicated for an offense that would constitute a felony or a  
20 misdemeanor if committed by an adult; except that, if the juvenile is  
21 ~~younger than twelve~~ UNDER FIFTEEN years of age and is not adjudicated  
22 an aggravated juvenile offender, the court may commit the juvenile to the  
23 department of human services only if the juvenile is adjudicated for an  
24 offense that would constitute a class 1, class 2, or class 3 felony if  
25 committed by an adult.

26           (6) (c) The juvenile court may commit any juvenile who is not  
27 adjudicated an aggravated juvenile offender pursuant to section

1 19-2.5-1127 but who is adjudicated for an offense that would constitute  
2 a felony or a misdemeanor to the department of human services, and the  
3 determinate period of commitment must not exceed two years; except  
4 that, if the juvenile is ~~ten or eleven~~ THIRTEEN OR FOURTEEN years of age  
5 and is not adjudicated an aggravated juvenile offender pursuant to section  
6 19-2.5-1127, the juvenile may be committed to the department of human  
7 services only if the juvenile is adjudicated for an offense that would  
8 constitute a class 1, class 2, or class 3 felony if committed by an adult.

9 **SECTION 15.** In Colorado Revised Statutes, 19-2.5-1123,  
10 **amend** (2) introductory portion as follows:

11 **19-2.5-1123. Sentencing - mandatory detention - weapons and**  
12 **crimes of violence.** (2) A juvenile who is ~~less than thirteen~~ UNDER  
13 FIFTEEN years of age may not be sentenced to detention unless the  
14 juvenile has been adjudicated for a felony or weapons charge pursuant to  
15 section 18-12-102, 18-12-105, 18-12-106, or 18-12-108.5. As an  
16 alternative, the juvenile probation department may conduct a presentence  
17 investigation pursuant to section 19-2.5-1101. The investigation may  
18 result in the juvenile:

19 **SECTION 16.** In Colorado Revised Statutes, 19-2.5-1126,  
20 **amend** (1)(c)(I)(A) as follows:

21 **19-2.5-1126. Sentencing - special offenders.** (1) The court shall  
22 sentence a juvenile adjudicated as a special offender as follows:

23 (c) **Violent juvenile offender.** (I) (A) Upon adjudication as a  
24 violent juvenile offender, as described in section 19-2.5-1125 (3), the  
25 juvenile must be placed or committed out of the home for not less than  
26 one year; except that this subsection (1)(c) does not apply to a juvenile  
27 who is ~~ten~~ THIRTEEN years of age or older, but ~~less than twelve~~ UNDER

1 FIFTEEN years of age, when the court finds that an alternative sentence or  
2 a commitment of less than one year out of the home would be more  
3 appropriate.

4 **SECTION 17.** In Colorado Revised Statutes, 19-2.5-1404,  
5 **amend** (1)(b)(V), (1)(b)(VI)(B), and (1)(b)(VI)(C); and **add**  
6 (1)(b)(VI)(D) as follows:

7 **19-2.5-1404. Working group for criteria for placement of**  
8 **juvenile offenders - establishment of formula - review of criteria -**  
9 **report.** (1) (b) The working group shall carry out the following duties:

10 (V) To establish a formula for the purpose of allocating funds by  
11 each judicial district in the state of Colorado for alternative services to  
12 placing juveniles WHO ARE TEN YEARS OF AGE OR OLDER in the physical  
13 custody of the department of human services or in the legal custody of the  
14 department of human services. The allocation must take into  
15 consideration such factors as the population of the judicial district, the  
16 incidence of offenses committed by juveniles in such judicial district, and  
17 other factors as deemed appropriate. The working group shall consider  
18 and take into account whether any federal money or matching funds are  
19 available to cover the costs of juveniles within the system, including  
20 parent fees and third-party reimbursement as authorized by law or  
21 reimbursements under Title IV-E of the federal "Social Security Act", as  
22 amended.

23 (VI) Before January 1, 2021, to establish criteria for juveniles  
24 served through alternative services funded pursuant to subsection  
25 (1)(b)(V) of this section. The criteria must prioritize:

26 (B) Juveniles who are in secure detention; ~~and~~

27 (C) Juveniles under the supervision of probation when the results

1 of a detention screening instrument indicate that the juvenile is eligible  
2 for detention; AND

3 (D) CHILDREN WHO ARE TEN YEARS OF AGE OR OLDER BUT UNDER  
4 THIRTEEN YEARS OF AGE WHO ARE AT RISK OF ENTERING DETENTION AT AN  
5 OLDER AGE IF THEY DO NOT RECEIVE ALTERNATIVE SERVICES.

6 **SECTION 18.** In Colorado Revised Statutes, 19-2.5-1407,  
7 **amend** (2) as follows:

8 **19-2.5-1407. Appropriations to department of human services**  
9 **for services to juveniles - definition.** (2) For the purposes of this  
10 section, a "juvenile" also includes a ~~youth~~ ~~ten~~ PERSON WHO IS THIRTEEN  
11 years of age or older but ~~less than~~ UNDER seventeen years of age who is  
12 habitually truant, as defined in section 22-33-102 (3.5), and who the court  
13 has ordered to show cause why the juvenile should not be held in  
14 contempt of court pursuant to section 22-33-108 (7), when funds are  
15 expended for services that are intended to prevent the ~~youth~~ JUVENILE  
16 from being held in detention or sentenced to detention.

17 **SECTION 19.** In Colorado Revised Statutes, 19-2.5-1511,  
18 **amend** (1)(a); and **repeal** (1)(c) as follows:

19 **19-2.5-1511. Juvenile detention services and facilities to be**  
20 **provided by department of human services - education - expenses -**  
21 **definition.** (1) (a) ~~Except as set forth in subsection (1)(c) of this section,~~  
22 The department of human services shall provide detention services for  
23 temporary care of a juvenile, pursuant to this article 2.5. The department  
24 of human services shall consult on a regular basis with the court in any  
25 district where a detention facility is located concerning the detention  
26 program at that facility. The department of human services may use staff  
27 secure facilities to provide preadjudication and postadjudication detention

1 services.

2 (c) ~~The department of human services is not required to receive~~  
3 ~~and provide care for any juvenile who is ten years of age and older but~~  
4 ~~less than thirteen years of age, unless such juvenile has been arrested or~~  
5 ~~adjudicated for a felony or weapons charge pursuant to section~~  
6 ~~18-12-102, 18-12-105, 18-12-106, or 18-12-108.5.~~

7 **SECTION 20.** In Colorado Revised Statutes, 19-2.5-1527,  
8 **amend** (2) as follows:

9 **19-2.5-1527. Lookout Mountain school.** (2) The school shall  
10 provide care, education, training, and rehabilitation for juveniles ~~ten~~ WHO  
11 ARE THIRTEEN years of age or older who have been committed to the  
12 custody of the department of human services pursuant to section  
13 19-2.5-1127 or 19-2.5-1103. In addition, the school may provide care,  
14 education, training, and rehabilitation for any juvenile who has been  
15 sentenced to the department of corrections and is being housed in a  
16 facility operated by the department of human services pursuant to a  
17 contract with the department of corrections pursuant to section  
18 19-2.5-1502 (4).

19 **SECTION 21.** In Colorado Revised Statutes, 19-2.5-1528,  
20 **amend** (2) as follows:

21 **19-2.5-1528. Mount View school.** (2) The school shall provide  
22 care, education, training, and rehabilitation for juveniles ~~ten~~ WHO ARE  
23 THIRTEEN years of age or older who have been committed to the custody  
24 of the department of human services pursuant to section 19-2.5-1127 or  
25 19-2.5-1103. In addition, the school may provide care, education,  
26 training, and rehabilitation for any juvenile who has been sentenced to the  
27 department of corrections and is being housed in a facility operated by the

1 department of human services pursuant to a contract with the department  
2 of corrections pursuant to section 19-2.5-1502 (4).

3 **SECTION 22.** In Colorado Revised Statutes, **amend** 19-2.5-1529  
4 as follows:

5 **19-2.5-1529. Youth camps.** The department of human services  
6 may establish and administer youth camps. Staff at youth camps shall  
7 provide care, education, training, rehabilitation, and supervision for  
8 juveniles ~~ten~~ WHO ARE THIRTEEN years of age or older who have been  
9 committed to the custody of the department of human services pursuant  
10 to section 19-2.5-1127 or 19-2.5-1103.

11 **SECTION 23.** In Colorado Revised Statutes, 19-3-308, **amend**  
12 (5.3)(a) as follows:

13 **19-3-308. Action upon report of intrafamilial, institutional, or**  
14 **third-party abuse - investigations - child protection team - rules -**  
15 **report.** (5.3) (a) Local law enforcement agencies have the responsibility  
16 for the coordination and investigation of all reports of third-party abuse  
17 or neglect by persons ~~ten~~ THIRTEEN years of age or older. Upon receipt of  
18 a report, if the local law enforcement agency reasonably believes that the  
19 protection and safety of a child is at risk due to an act or omission on the  
20 part of persons responsible for the child's care, such agency shall notify  
21 the county department ~~of human or social services~~ for an assessment  
22 regarding neglect or dependency. In addition, the local law enforcement  
23 agency shall refer to the county department ~~of human or social services~~  
24 any report of third-party abuse or neglect in which the person allegedly  
25 responsible for such abuse or neglect is under ~~age ten~~ THIRTEEN YEARS OF  
26 AGE. Upon the completion of an investigation, the local law enforcement  
27 agency shall forward a copy of its investigative report to the county

1 department. ~~of human or social services~~. The county department shall  
2 review the law enforcement investigative report and shall determine  
3 whether the report contains information that constitutes a case of  
4 confirmed child abuse and requires it to be submitted to the state  
5 department, which report, upon such determination, ~~shall~~ MUST be  
6 submitted to the state department in the manner prescribed by the state  
7 department within sixty days after the receipt of the report by the county  
8 department.

9           **SECTION 24.** In Colorado Revised Statutes, 22-33-108, **amend**  
10 (7)(c)(I) introductory portion as follows:

11           **22-33-108. Judicial proceedings.** (7) (c) (I) If the court finds that  
12 the child or youth WHO IS THIRTEEN YEARS OF AGE OR OLDER BUT UNDER  
13 SEVENTEEN YEARS OF AGE has refused to comply with the plan created for  
14 the child or youth pursuant to section 22-33-107 (3), the court may  
15 impose on the child or youth, as a sanction for contempt of court, a  
16 sentence of detention for no more than forty-eight hours in a juvenile  
17 detention facility operated by or under contract with the department of  
18 human services pursuant to section 19-2.5-1511 and any rules  
19 promulgated by the Colorado supreme court. The court shall not sentence  
20 a child or youth WHO IS THIRTEEN YEARS OF AGE OR OLDER BUT UNDER  
21 SEVENTEEN YEARS OF AGE to detention as a sanction for contempt of court  
22 unless the court finds that detention is in the best interest of the child or  
23 youth as well as the public. In making such a finding, the court shall  
24 consider the following factors, including that:

25           **SECTION 25. Effective date - applicability.** This act takes  
26 effect January 1, 2023, and applies to offenses committed on or after said  
27 date and to confinement or detention ordered on or after said date.

1           **SECTION 26. Act subject to petition - effective date.** This act  
2 takes effect at 12:01 a.m. on the day following the expiration of the  
3 ninety-day period after final adjournment of the general assembly; except  
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
5 of the state constitution against this act or an item, section, or part of this  
6 act within such period, then the act, item, section, or part will not take  
7 effect unless approved by the people at the general election to be held in  
8 November 2022 and, in such case, will take effect on the date of the  
9 official declaration of the vote thereon by the governor.