

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

REENGROSSED

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

LLS NO. 23-0167.02 Jacob Baus x2173

HOUSE BILL 23-1009

HOUSE SPONSORSHIP

Lindsay, Amabile, Bacon, Bird, Boesenecker, Brown, deGruy Kennedy, Dickson, English, Epps, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Lieder, Lukens, McCluskie, McCormick, McLachlan, Michaelson Jenet, Ricks, Sharbini, Snyder, Titone, Willford, Young

SENATE SPONSORSHIP

Moreno,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE SERVICES FOR STUDENTS WHO**
102 **USE SUBSTANCES, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **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/>.)

Colorado Youth Advisory Council Committee. The bill creates the secondary school student substance use committee (committee) in the department of education (department) to develop a practice, or identify or modify an existing practice, for secondary schools to implement that identifies students who need substance use treatment, offers a brief

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
March 15, 2023

HOUSE
Amended 2nd Reading
March 14, 2023

intervention, and refers the student to substance use treatment resources.

The department is required to publicly publish a report of the committee's findings and submit the report to the superintendent of every school district and chief administrator of every institute charter school that is a secondary school.

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) Substance use is a major issue afflicting Colorado youth;

5 (b) Colorado has higher levels of substance use, particularly
6 among youth, than most other states;

7 (c) Colorado schools' substance use intervention programs lack
8 uniformity, resulting in inequitable interventions and treatment referrals
9 for youth;

10 (d) A screening, brief intervention, and referral to treatment
11 methodology has been adopted by schools with school-based health
12 centers, and this methodology has revolutionized substance use treatment
13 for youth;

14 (e) The screening, brief intervention, and referral to treatment
15 methodology, if modified appropriately, may be implemented in
16 secondary schools without school-based health centers in order to provide
17 more support to youth who use substances;

18 (f) Access to the crisis response system is critical for youth
19 suffering from behavioral health and substance use crises; and

20 (g) Adequate funding for the crisis response system is necessary
21 to ensure that youth suffering from behavioral health and substance use
22 crises may seek and receive timely support in order to prevent avoidable
23 outcomes.

1 **SECTION 2.** In Colorado Revised Statutes, **add 22-2-148** as
2 follows:

3 **22-2-148. Secondary school student substance use - committee**
4 **- definitions - repeal.** (1) (a) THERE IS CREATED IN THE DEPARTMENT THE
5 SECONDARY SCHOOL STUDENT SUBSTANCE USE COMMITTEE, REFERRED TO
6 IN THIS SECTION AS THE "COMMITTEE". ON OR BEFORE **SEPTEMBER 1,**
7 **2023,** THE COMMISSIONER SHALL APPOINT THE FOLLOWING MEMBERS TO
8 SERVE ON THE COMMITTEE:

9 (I) TWO MEMBERS WHO ARE STUDENTS AT A PUBLIC SECONDARY
10 SCHOOL, ONE WHO ATTENDS A SCHOOL THAT IS LOCATED IN A RURAL
11 SCHOOL DISTRICT AND ONE WHO ATTENDS A SCHOOL THAT IS NOT
12 LOCATED IN RURAL SCHOOL DISTRICT;

13 (II) TWO MEMBERS WHO ARE TEACHERS AT A PUBLIC SECONDARY
14 SCHOOL, ONE WHO TEACHES AT A SCHOOL THAT IS LOCATED IN A RURAL
15 SCHOOL DISTRICT AND ONE WHO TEACHES AT A SCHOOL THAT IS NOT
16 LOCATED IN A RURAL SCHOOL DISTRICT;

17 (III) TWO MEMBERS WHO ARE **LICENSED SPECIAL SERVICES**
18 **PROVIDERS WITH A SCHOOL COUNSELOR ENDORSEMENT** AT A PUBLIC
19 **SECONDARY SCHOOL WHOSE RESPONSIBILITIES INCLUDE MENTAL HEALTH**
20 **COUNSELING,** ONE WHO IS A **LICENSED SPECIAL SERVICES PROVIDER WITH**
21 **A SCHOOL COUNSELOR ENDORSEMENT** AT A SCHOOL THAT IS LOCATED IN
22 A RURAL SCHOOL DISTRICT AND ONE WHO IS A **LICENSED SPECIAL SERVICES**
23 **PROVIDER WITH A SCHOOL COUNSELOR ENDORSEMENT** AT A SCHOOL THAT
24 IS NOT LOCATED IN A RURAL SCHOOL DISTRICT;

25 (IV) TWO MEMBERS WHO ARE SCHOOL ADMINISTRATORS AT A
26 PUBLIC SECONDARY SCHOOL, ONE WHO IS A SCHOOL ADMINISTRATOR AT
27 A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO

1 IS A SCHOOL ADMINISTRATOR AT A SCHOOL THAT IS NOT LOCATED IN A
2 RURAL SCHOOL DISTRICT;

3 (V) TWO MEMBERS WHO ARE PARENTS OR LEGAL GUARDIANS OF
4 A STUDENT ATTENDING A PUBLIC SECONDARY SCHOOL, ONE WHO IS A
5 PARENT OR LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT
6 IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO IS A PARENT OR
7 LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT NOT IS
8 LOCATED IN A RURAL SCHOOL DISTRICT;

9 (VI) TWO MEMBERS WHO ARE LICENSED MEDICAL PROFESSIONALS
10 WITH EXPERTISE IN ADOLESCENT SUBSTANCE USE DISORDERS, ONE WHO
11 PRACTICES IN A RURAL REGION AND ONE WHO PRACTICES IN AN URBAN OR
12 SUBURBAN REGION;

13 (VII) TWO MEMBERS WHO ARE SCHOOL NURSES, ONE WHO IS A
14 SCHOOL NURSE AT A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL
15 DISTRICT AND ONE WHO IS A SCHOOL NURSE AT A SCHOOL THAT IS NOT
16 LOCATED IN A RURAL SCHOOL DISTRICT;

17 (VIII) TWO MEMBERS WHO ARE EXPERTS IN THE PRACTICE OF
18 SUBSTANCE USE SCREENING, BRIEF INTERVENTION, AND REFERRAL TO
19 TREATMENT, ONE WHO PRACTICES IN A RURAL REGION AND ONE WHO
20 PRACTICES IN AN URBAN OR SUBURBAN REGION;

21 (IX) ONE MEMBER WHO REPRESENTS THE OFFICE OF CHILDREN,
22 YOUTH, AND FAMILIES IN THE DEPARTMENT OF HUMAN SERVICES; AND

23 (X) ONE MEMBER WHO REPRESENTS THE PREVENTION SERVICES
24 DIVISION WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND
25 ENVIRONMENT.

26 (b) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
27 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND

1 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

2 (c) MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE
3 COMMISSIONER, AND SERVE WITHOUT COMPENSATION OR PER DIEM.

4 (2) THE COMMITTEE SHALL DEVELOP A PRACTICE, OR IDENTIFY OR
5 MODIFY AN EXISTING PRACTICE, FOR SECONDARY SCHOOLS TO IMPLEMENT
6 THAT IDENTIFIES STUDENTS' SUBSTANCE USE, OFFERS BRIEF INTERVENTION
7 WITH INFORMATION REGARDING SUBSTANCE USE AND CONSEQUENTIAL
8 HEALTH RISKS, AND REFERS THE STUDENTS TO SUBSTANCE USE
9 TREATMENT RESOURCES. THE COMMITTEE SHALL CONSIDER EXISTING AND
10 AVAILABLE INFORMATION CONCERNING SECONDARY SCHOOL STUDENT
11 SUBSTANCE USE IN COLORADO, AND HOW THE PRACTICE MUST ADDRESS
12 THE CHALLENGES, RESOURCES, AND NEEDS IDENTIFIED FROM THE EXISTING
13 AND AVAILABLE INFORMATION.

14 (3) ON OR BEFORE JANUARY 5, 2024, THE COMMITTEE SHALL
15 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE RECOMMENDED
16 PRACTICE PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE
17 DEPARTMENT SHALL PUBLISH THE REPORT ON ITS WEBSITE AND SUBMIT
18 THE REPORT TO THE SUPERINTENDENT OF EVERY SCHOOL DISTRICT AND
19 THE CHIEF ADMINISTRATOR OF EVERY INSTITUTE CHARTER SCHOOL THAT
20 IS A SECONDARY SCHOOL.

21 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

23 (a) "LICENSED MEDICAL PROFESSIONAL" MEANS A PSYCHOLOGIST
24 OR PHYSICIAN LICENSED TO PRACTICE IN COLORADO.

25 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
26 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE
27 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE

1 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

2 (c) "SECONDARY SCHOOL" MEANS A MIDDLE SCHOOL, JUNIOR HIGH
3 SCHOOL, OR HIGH SCHOOL.

4 (d) "SUBSTANCE USE" MEANS THE USE OF ALCOHOL, TOBACCO,
5 CONTROLLED SUBSTANCES, OR PRESCRIPTION MEDICATION.

6 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

7 **SECTION 3. Appropriation.** For the 2023-24 state fiscal year,
8 \$49,950 is appropriated to the department of education. This
9 appropriation is from the general fund and is based on an assumption that
10 the department will require an additional 0.2 FTE. To implement this act,
11 the department may use this appropriation for a secondary school student
12 substance use committee.

13 **SECTION 4. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2024 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.