

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

REVISED

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

LLS NO. 23-0871.02 Conrad Imel x2313

SENATE BILL 23-229

SENATE SPONSORSHIP

Bridges and Kirkmeyer, Zenzinger, Buckner, Coleman, Cutter, Exum, Gardner, Gonzales, Hinrichsen, Jaquez Lewis, Kolker, Lundeen, Moreno, Mullica, Priola, Simpson, Will, Winter F.

HOUSE SPONSORSHIP

Sirota and Bockenfeld, Bird

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE OFFICE OF THE STATEWIDE BEHAVIORAL HEALTH**
102 **COURT LIAISON, AND, IN CONNECTION THEREWITH, MAKING AND**
103 **REDUCING APPROPRIATIONS.**

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/>.)

Joint Budget Committee. Under existing law, the state court administrator administers a statewide behavioral health court liaison program, known as the bridges program (program), to identify local behavioral health professionals to serve as court liaisons in each state judicial district who facilitate communication and collaboration between

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
Amended 2nd Reading
April 5, 2023

SENATE
3rd Reading Unamended
March 30, 2023

SENATE
2nd Reading Unamended
March 29, 2023

judicial and behavioral health systems.

The bill establishes the office of the statewide behavioral health court liaison (office) as an independent agency within the judicial department to administer the program. The head of the office is the director.

The bill establishes the bridges program commission (commission) to support the office. The commission appoints the director of the office, provides guidance to the office, provides fiscal oversight of the office's general operating budget, participates in program services funding decisions, and assists with the office's duties concerning program training and public outreach.

The bill clarifies the scope, requirements, and duties of the program, including requiring the program to inform county attorneys of available behavioral health services and connect participants to, and support engagement with, relevant services. The bill clarifies the duties of the program's court liaisons, including:

- Addressing system gaps and barriers and promoting positive outcomes for program participants;
- Keeping judges, district attorneys, county attorneys, and defense attorneys informed about available community-based behavioral health services; and
- Providing consultation and training to criminal and juvenile justice personnel regarding behavioral health and community treatment options and program best practices.

The bill authorizes the office to fund services for participants, either by providing the services or contracting with an entity to provide the services.

The office is required to annually report to the joint budget committee about the office's work and administration of the program.

The bill makes and reduces appropriations.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add with amended**
3 **and relocated provisions** article 95 to title 13 as follows:

4 **ARTICLE 95**

5 **Office of the Statewide Behavioral Health Court Liaison**

6 **13-95-101. [Formerly 16-11.9-201] Legislative declaration and**
7 **intent.** (1) The general assembly finds and declares that:

8 (a) Colorado's citizens who are living with mental health and

1 substance use disorders are overrepresented in the criminal justice system,
2 and they are at a significantly greater risk of incurring criminal justice
3 involvement, longer terms of involvement, and harsher consequences of
4 that involvement when compared to the general public;

5 (b) Colorado must make a commitment to ensure that all
6 individuals within the criminal justice system are treated fairly and
7 humanely, regardless of their behavioral health history or mental state;
8 and

9 (c) There is a significant need for enhanced communication
10 among health-care systems, behavioral health systems, and criminal
11 justice entities, including law enforcement, defense attorneys, district
12 attorneys, COUNTY ATTORNEYS, judges, and probation, to foster
13 collaboration that provides all individuals with a fair chance of living a
14 healthy and productive life.

15 (2) The general assembly further finds that:

16 (a) Colorado has an obligation to ensure that entities within the
17 criminal justice system are equipped with a greater understanding of
18 behavioral health treatment options in the community; and

19 (b) Community mental health providers, including community
20 mental health centers, are a critical component of achieving positive
21 outcomes for individuals living with mental health, behavioral health, and
22 substance use disorders and have long held an essential role in engaging
23 criminal justice entities.

24 (3) The general assembly therefore finds that it is critical to create
25 a network of professionals who can comprehensively bridge the criminal
26 justice system and the community behavioral health systems across the
27 state in order to:

1 (a) Promote positive outcomes for individuals living with mental
2 health or co-occurring behavioral health conditions;

3 (b) Inform criminal justice entities about community treatment
4 options; and

5 (c) Connect individuals to behavioral health services.

6 (4) Therefore, the general assembly declares that a statewide
7 behavioral health court liaison program ~~must provide~~ PROVIDES a method
8 for collaboration and consultation among behavioral health providers,
9 district attorneys, COUNTY ATTORNEYS, and defense attorneys about
10 available community-based behavioral health services and supports,
11 competency evaluations, restoration to competency services, and other
12 relevant decisions and issues facing individuals with mental health or
13 co-occurring behavioral health ~~conditions~~ CHALLENGES, INCLUDING
14 MENTAL HEALTH DISABILITIES, who are involved with the criminal OR
15 JUVENILE justice system, including appropriateness for community
16 treatment and resource availability.

17 **13-95-102. [Formerly 16-11.9-202] Definitions.** As used in this
18 ~~part 2~~ ARTICLE 95, unless the context otherwise requires:

19 (1) "Behavioral health ~~condition~~ CHALLENGE" refers to mental
20 health and co-occurring ~~substance use conditions that are indicative of a~~
21 ~~possible behavioral health problem, concern, or disorder~~ CHALLENGES
22 THAT MAY OR MAY NOT HAVE BEEN PREVIOUSLY DIAGNOSED, INCLUDING
23 SUBSTANCE USE CHALLENGES AND MENTAL DISABILITIES.

24 (2) "Behavioral health services" or "behavioral health systems"
25 means service systems that encompass prevention and promotion of
26 emotional health, prevention and treatment services for ~~mental health and~~
27 ~~substance use conditions~~ BEHAVIORAL HEALTH CHALLENGES, and

1 recovery support.

2 (3) "CO-OCCURRING CHALLENGE" MEANS A DISORDER THAT MAY
3 OR MAY NOT HAVE BEEN PREVIOUSLY DIAGNOSED THAT COMMONLY
4 COINCIDES WITH BEHAVIORAL HEALTH CHALLENGES AND MAY INCLUDE,
5 BUT IS NOT LIMITED TO, SUBSTANCE ABUSE AND SUBSTANCE USE
6 DISORDERS, INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, FETAL
7 ALCOHOL SYNDROME, AND TRAUMATIC BRAIN INJURY.

8 (4) "COMMISSION" MEANS THE BRIDGES PROGRAM COMMISSION
9 CREATED IN SECTION 13-95-104.

10 ~~(3)~~ (5) "Court liaison" means a person who is hired OR
11 CONTRACTED BY THE OFFICE as a dedicated behavioral health court liaison
12 for the program pursuant to ~~section 16-11.9-203~~ THIS ARTICLE 95.

13 (6) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE DESCRIBED
14 IN SECTION 13-95-103.

15 (7) "MENTAL DISABILITY" MEANS A PSYCHIATRIC DISABILITY,
16 DEVELOPMENTAL DISABILITY, LEARNING DISABILITY, OR COGNITIVE
17 IMPAIRMENT, INCLUDING A TRAUMATIC BRAIN INJURY AND DEMENTIA
18 DISEASES AND RELATED DISABILITIES AS DEFINED IN SECTION 25-1-502.

19 (8) "OFFICE" MEANS THE OFFICE OF THE STATEWIDE BEHAVIORAL
20 HEALTH COURT LIAISON ESTABLISHED IN SECTION 13-95-103.

21 (9) "PARTICIPANT" MEANS AN INDIVIDUAL WITH BEHAVIORAL
22 HEALTH CHALLENGES WHO IS INVOLVED WITH THE CRIMINAL OR JUVENILE
23 JUSTICE SYSTEM AND FOR WHOM A COURT LIAISON HAS BEEN APPOINTED
24 PURSUANT TO A COURT ORDER.

25 ~~(4)~~ (10) "Program" OR "BRIDGES PROGRAM" means the statewide
26 behavioral health court liaison program established in ~~section~~
27 ~~16-11.9-203~~ SECTION 13-95-105.

1 (11) "SOCIAL DETERMINANTS OF HEALTH" MEANS THE
2 NON-MEDICAL FACTORS THAT INFLUENCE HEALTH OUTCOMES, INCLUDING
3 HEALTH-CARE ACCESS AND QUALITY, EDUCATION ACCESS AND QUALITY,
4 SOCIAL AND COMMUNITY CONTEXT, ECONOMIC STABILITY, HOUSING, AND
5 TRANSPORTATION.

6 ~~(5)~~ (12) "State court administrator" means the state court
7 administrator established pursuant to section 13-3-101.

8 **13-95-103. Office of statewide behavioral health court liaison**
9 **- administrative support - director - repeal.** (1) (a) THERE IS CREATED
10 THE OFFICE OF STATEWIDE BEHAVIORAL HEALTH COURT LIAISON AS AN
11 INDEPENDENT AGENCY IN THE JUDICIAL DEPARTMENT. THE OFFICE HAS
12 THE POWERS AND DUTIES DESCRIBED IN THIS ARTICLE 95.

13 (b) THE OFFICE AND COURT LIAISONS SHALL PROVIDE BRIDGES
14 PROGRAM SERVICES, AS DESCRIBED IN SECTIONS 13-95-104 AND
15 13-95-105, TO PERSONS ACCUSED OF CRIMES OR DELINQUENT ACTS. THE
16 OFFICE AND COURT LIAISONS SHALL PROVIDE BRIDGES PROGRAM SERVICES
17 TO PARTICIPANTS INDEPENDENTLY OF ANY POLITICAL CONSIDERATIONS OR
18 PRIVATE INTERESTS.

19 (c) (I) THE HEAD OF THE OFFICE IS THE DIRECTOR. EXCEPT FOR THE
20 INITIAL DIRECTOR OF THE OFFICE DESCRIBED IN SUBSECTION (1)(c)(II) OF
21 THIS SECTION, THE COMMISSION SHALL APPOINT THE DIRECTOR. THE
22 DIRECTOR SHALL EMPLOY OR CONTRACT WITH PERSONS NECESSARY TO
23 DISCHARGE THE FUNCTIONS OF THE OFFICE IN ACCORDANCE WITH THIS
24 ARTICLE 95.

25 (II) (A) NOTWITHSTANDING THE APPOINTMENT AUTHORITY
26 DESCRIBED IN SUBSECTION (1)(c)(I) OF THIS SECTION, THE PERSON WHO,
27 ON THE EFFECTIVE DATE OF THIS ACT, IS SERVING AS DIRECTOR OF THE

1 STATEWIDE BEHAVIORAL HEALTH COURT LIAISON PROGRAM, AS IT EXISTED
2 PRIOR TO ITS REPEAL IN 2023, IS THE DIRECTOR OF THE OFFICE FOR A TERM
3 EXPIRING JUNE 30, 2026. AFTER THE INITIAL TERM OF APPOINTMENT, THE
4 COMMISSION MAY APPOINT THE PERSON AS DIRECTOR PURSUANT TO
5 SUBSECTION (1)(c)(I) OF THIS SECTION. THE COMMISSION MAY REMOVE
6 THE DIRECTOR SERVING PURSUANT TO THIS SUBSECTION (1)(c)(II)(A) FOR
7 CAUSE.

8 (B) THIS SUBSECTION (1)(c)(II) IS REPEALED, EFFECTIVE
9 DECEMBER 31, 2026.

10 (2) THE DIRECTOR SHALL ADMINISTER THE OFFICE IN ACCORDANCE
11 WITH THE MEMORANDUM OF UNDERSTANDING WITH THE JUDICIAL
12 DEPARTMENT. THE OFFICE AND JUDICIAL DEPARTMENT SHALL ENTER INTO
13 A MEMORANDUM OF UNDERSTANDING THAT CONTAINS, AT A MINIMUM:

14 (a) A REQUIREMENT THAT THE OFFICE HAS ITS OWN PERSONNEL
15 RULES;

16 (b) A REQUIREMENT THAT THE DIRECTOR HAS INDEPENDENT
17 HIRING AND TERMINATION AUTHORITY OVER OFFICE EMPLOYEES AND
18 CONTRACTED COURT LIAISONS;

19 (c) A REQUIREMENT THAT THE OFFICE MUST FOLLOW THE JUDICIAL
20 DEPARTMENT'S FISCAL RULES; AND

21 (d) TERMS TO PROVIDE ADMINISTRATIVE SUPPORT FOR THE OFFICE
22 THAT WILL HELP MAINTAIN THE INDEPENDENCE OF THE OFFICE.

23 (3) (a) AS AN INCLUDED AGENCY FOR THE PURPOSES OF ARTICLE
24 100 OF THIS TITLE 13, THE OFFICE RECEIVES ADMINISTRATIVE AND FISCAL
25 SUPPORT SERVICES FROM THE OFFICE OF ADMINISTRATIVE SERVICES FOR
26 INDEPENDENT AGENCIES.

27 (b) (I) THE JUDICIAL DEPARTMENT SHALL PROVIDE THE OFFICE

1 WITH CENTRAL ACCOUNTING, BUDGETING, AND HUMAN RESOURCES AND
2 PAYROLL SUPPORT TO THE EXTENT AND PERIOD NECESSARY UNTIL THOSE
3 SUPPORT SERVICES CAN BE PROVIDED INDEPENDENTLY BY THE OFFICE OF
4 ADMINISTRATIVE SERVICES FOR INDEPENDENT AGENCIES.

5 (II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JUNE 30,
6 2024.

7 (4) (a) THE OFFICE AND JUDICIAL DEPARTMENT SHALL ENTER INTO
8 A MEMORANDUM OF UNDERSTANDING TO PROVIDE THE OFFICE AND COURT
9 LIAISONS ELECTRONIC READ-ONLY ACCESS TO THE NAME INDEX AND
10 REGISTER OF ACTIONS FOR THOSE CASE TYPES NECESSARY TO CARRY OUT
11 THE OFFICE'S AND COURT LIAISONS' STATUTORY PURPOSE AND THE DUTIES
12 OF THEIR COURT APPOINTMENT. THE MEMORANDUM OF UNDERSTANDING
13 MUST ALSO DELINEATE A FILING PROCESS FOR COURT LIAISONS TO SUBMIT
14 REPORTS TO THE COURT.

15 (b) THE JUDICIAL DEPARTMENT SHALL PROVIDE TRANSITION
16 SERVICES TO ESTABLISH THE OFFICE UNTIL THE DEPARTMENT AND THE
17 OFFICE DETERMINE THAT THE TRANSITION IS COMPLETE.

18 (5) THE OFFICE SHALL PAY THE EXPENSES OF THE BRIDGES
19 PROGRAM COMMISSION, ESTABLISHED IN SECTION 13-95-104.

20 **13-95-104. Bridges program commission - creation -**
21 **membership - duties - repeal.** (1) THERE IS CREATED IN THE OFFICE THE
22 BRIDGES PROGRAM COMMISSION TO SUPPORT THE OFFICE.

23 (2) (a) THE COMMISSION IS COMPRISED OF THE FOLLOWING
24 MEMBERS:

25 (I) THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT
26 ATTORNEYS' COUNCIL, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

27 (II) THE STATE PUBLIC DEFENDER, OR THE STATE PUBLIC

1 DEFENDER'S DESIGNEE;

2 (III) THE COMMISSIONER OF THE BEHAVIORAL HEALTH
3 ADMINISTRATION, OR THE COMMISSIONER'S DESIGNEE;

4 (IV) THE DIRECTOR OF THE OFFICE WITHIN A STATE DEPARTMENT
5 RESPONSIBLE FOR ASSISTING CIVIL AND FORENSIC MENTAL HEALTH
6 PATIENTS, OR THE DIRECTOR'S DESIGNEE;

7 (V) THE STATE COURT ADMINISTRATOR, OR THE STATE COURT
8 ADMINISTRATOR'S DESIGNEE; AND

9 (VI) THE FOLLOWING MEMBERS, APPOINTED BY THE CHIEF JUSTICE
10 OF THE COLORADO SUPREME COURT:

11 (A) A REPRESENTATIVE FROM A DISABILITY RIGHTS ORGANIZATION
12 THAT PROVIDES SERVICES TO THE POPULATIONS SERVED BY THE BRIDGES
13 PROGRAM;

14 (B) A REPRESENTATIVE FROM A BEHAVIORAL HEALTH, DISABILITY,
15 OR CRIMINAL JUSTICE ADVOCACY ORGANIZATION THAT ADVOCATES FOR
16 THE POPULATIONS SERVED BY THE BRIDGES PROGRAM;

17 (C) A REPRESENTATIVE FROM AN ORGANIZATION THAT PROVIDES
18 HOUSING OR OTHER RESOURCES TO THE POPULATIONS SERVED BY THE
19 BRIDGES PROGRAM; AND

20 (D) THREE COLORADO RESIDENTS, AT LEAST TWO OF WHOM ARE
21 INDIVIDUALS WITH LIVED EXPERIENCE REFLECTIVE OF THE POPULATIONS
22 SERVED BY THE BRIDGES PROGRAM.

23 (b) THE CHIEF JUSTICE SHALL MAKE APPOINTMENTS TO THE
24 COMMISSION PURSUANT TO SUBSECTION (2)(a)(VI) OF THIS SECTION NO
25 LATER THAN JULY 1, 2023.

26 (c) MEMBERS APPOINTED BY THE CHIEF JUSTICE SHALL NOT BE
27 EMPLOYED OR UNDER CONTRACT WITH THE OFFICE OF THE STATEWIDE

1 BEHAVIORAL HEALTH COURT LIAISON OR THE OFFICE WITHIN A STATE
2 DEPARTMENT RESPONSIBLE FOR ASSISTING CIVIL AND FORENSIC MENTAL
3 HEALTH PATIENTS. TO REPRESENT THE DIVERSITY OF THE COMMUNITIES
4 SERVED BY THE BRIDGES PROGRAM, WHEN MAKING DESIGNATIONS OR
5 APPOINTMENTS TO THE COMMISSION, THE DESIGNATING AND APPOINTING
6 AUTHORITIES SHALL CONSIDER A DESIGNEE'S OR APPOINTEE'S PLACE OF
7 RESIDENCE OR EMPLOYMENT, GENDER AND GENDER IDENTITY, SEXUAL
8 ORIENTATION, ABILITY, RACE, ETHNIC BACKGROUND, AND LIVED
9 EXPERIENCE.

10 (d) (I) EXCEPT FOR THE INITIAL APPOINTMENTS MADE PURSUANT
11 TO SUBSECTION (2)(d)(II) OF THIS SECTION, THE TERM OF APPOINTMENT
12 FOR EACH MEMBER APPOINTED BY THE CHIEF JUSTICE PURSUANT TO
13 SUBSECTION (2)(a)(VI) OF THIS SECTION IS THREE YEARS. THE CHIEF
14 JUSTICE MAY REAPPOINT A MEMBER FOR ADDITIONAL TERMS.

15 (II) (A) FOR THE INITIAL TERM OF APPOINTMENT OF THE MEMBERS
16 PURSUANT TO SUBSECTION (2)(a)(VI) OF THIS SECTION, THE CHIEF JUSTICE
17 SHALL APPOINT TWO MEMBERS TO A THREE-YEAR TERM, TWO MEMBERS TO
18 A TWO-YEAR TERM, AND ONE MEMBER TO A ONE-YEAR TERM.

19 (B) THIS SUBSECTION (2)(d)(II) IS REPEALED, EFFECTIVE
20 DECEMBER 31, 2025.

21 (e) EACH MEMBER OF THE COMMISSION SERVES WITHOUT
22 COMPENSATION BUT IS ENTITLED TO REIMBURSEMENT FOR ACTUAL AND
23 REASONABLE EXPENSES INCURRED IN THE PERFORMANCE OF THE
24 MEMBER'S DUTIES.

25 (3) THE DIRECTOR SHALL CALL THE FIRST MEETING OF THE
26 COMMISSION TO OCCUR NO LATER THAN JULY 31, 2023.

27 (4) THE DIRECTOR AND THE COMMISSION SHALL ESTABLISH

1 PROCEDURES FOR THE OPERATION OF THE COMMISSION.

2 (5) THE COMMISSION SHALL:

3 (a) APPOINT THE DIRECTOR OF THE OFFICE. THE COMMISSION MAY
4 REMOVE A DIRECTOR FOR CAUSE.

5 (b) WORK COOPERATIVELY WITH THE DIRECTOR TO PROVIDE
6 GUIDANCE TO THE OFFICE; PROVIDE FISCAL OVERSIGHT OF THE GENERAL
7 OPERATING BUDGET OF THE OFFICE; PARTICIPATE IN FUNDING DECISIONS
8 RELATING TO THE PROVISION OF PROGRAM SERVICES; AND ASSIST WITH
9 THE DUTIES OF THE OFFICE CONCERNING BRIDGES PROGRAM TRAINING AND
10 PUBLIC OUTREACH, AS NEEDED.

11 **13-95-105. Statewide behavioral health court liaison program**

12 **- established - purpose - administration. (1) [Formerly 16-11.9-203**

13 **(1)(a)]** The statewide behavioral health court liaison program, KNOWN AS
14 THE BRIDGES PROGRAM, is established in the office. ~~of the state court~~
15 ~~administrator. The state court administrator is responsible for program~~
16 ~~administration including ensuring that each judicial district implements~~

17 ~~a local program design that is~~ BEGINNING JULY 1, 2023, THE OFFICE SHALL
18 OPERATE THE BRIDGES PROGRAM IN EACH JUDICIAL DISTRICT IN THE
19 STATE. THE OFFICE SHALL DISTRIBUTE COURT LIAISON AND PROGRAM
20 RESOURCES EQUITABLY IN EACH JUDICIAL DISTRICT AND SHALL ENSURE
21 THAT THE PROGRAM SERVICES IN EACH JUDICIAL DISTRICT ARE
22 CONSISTENT WITH THE POLICIES, PROCEDURES, AND BEST PRACTICES OF
23 THE BRIDGES PROGRAM, AS ESTABLISHED BY THE OFFICE AND
24 COMMISSION, AND ARE aligned with statewide goals and legislative intent.

25 (2) [Formerly 16-11.9-203 (1)(b)] The purpose of the BRIDGES
26 program is to identify and dedicate ~~local~~ behavioral health professionals
27 TO SERVE as court liaisons in each state judicial district. The court liaisons

1 shall facilitate communication and collaboration between judicial and
2 behavioral health systems. THE OFFICE SHALL HIRE, OR ENTER INTO
3 CONTRACTS FOR, INDIVIDUALS TO SERVE AS COURT LIAISONS WHO
4 PROVIDE PROGRAM SERVICES TO COURTS AND PARTICIPANTS IN JUDICIAL
5 DISTRICTS.

6 (3) [Formerly 16-11.9-203 (2)] (a) The BRIDGES program is
7 ~~designed to~~ MUST keep judges, district attorneys, COUNTY ATTORNEYS,
8 and defense attorneys informed about available community-based
9 behavioral health services, including services for defendants who have
10 been ordered to undergo a competency evaluation or receive competency
11 restoration services pursuant to article 8.5 of this title 16 AND ARTICLE 2.5
12 OF TITLE 19.

13 (b) The BRIDGES program is ~~further designed to~~ MUST MAKE
14 EFFORTS TO CONNECT PARTICIPANTS TO, AND SUPPORT ENGAGEMENT
15 WITH, BEHAVIORAL HEALTH SERVICES AND SERVICES FOR SOCIAL
16 DETERMINANTS OF HEALTH AND TO promote positive outcomes for
17 individuals living with ~~mental health or co-occurring~~ behavioral health
18 ~~conditions~~ CHALLENGES.

19 (c) THE BRIDGES PROGRAM MUST MAKE EFFORTS TO COLLABORATE
20 WITH SERVICE PROVIDERS, INCLUDING THE OFFICE WITHIN A STATE
21 DEPARTMENT RESPONSIBLE FOR ASSISTING CIVIL AND FORENSIC MENTAL
22 HEALTH PATIENTS AND JAIL-BASED BEHAVIORAL HEALTH PROVIDERS, TO
23 ENSURE CONTINUITY OF CARE AND SERVICE DELIVERY IN A MANNER THAT
24 AVOIDS DUPLICATION AND BIFURCATION OF SERVICES.

25 **13-95-106. Behavioral health court liaisons - duties and**
26 **responsibilities.** (1) [Formerly 16-11.9-204 (1) introductory portion] A
27 court liaison hired OR CONTRACTED pursuant to this ~~part 2~~ ARTICLE 95 has

1 the following duties and responsibilities:

2 (a) **[Formerly 16-11.9-204 (1)(b)]** CONDUCTING INTAKE,
3 screening, AND ASSESSMENT, WITH PARTICIPANTS, for behavioral health
4 ~~conditions and determining appropriate referral and treatment options~~
5 ~~when necessary~~ HISTORY AND NEEDS AND SOCIAL DETERMINANTS OF
6 HEALTH NEEDS;

7 (b) DETERMINING APPROPRIATE REFERRAL AND TREATMENT
8 OPTIONS WHEN NECESSARY AND MAKING DIRECT CONNECTIONS TO, AND
9 SUPPORTING ENGAGEMENT WITH, SERVICES FOR PARTICIPANTS, INCLUDING
10 OTHER CRIMINAL OR JUVENILE JUSTICE DIVERSION PROGRAMS FOR
11 INDIVIDUALS WITH BEHAVIORAL HEALTH CHALLENGES, WHICH MAY
12 INCLUDE ALTERNATIVES TO COMPETENCY SERVICES, PROSECUTION, AND
13 CUSTODY OR CONFINEMENT; IF A PARTICIPANT IS CONVICTED,
14 ALTERNATIVES TO SENTENCES TO CONFINEMENT WHILE PROMOTING
15 PUBLIC SAFETY; AND OTHER DIVERSION-ORIENTED PROGRAMS, INCLUDING
16 PROBLEM-SOLVING COURTS, COMPETENCY DOCKETS, TREATMENT, SOBER
17 OR SUPPORTIVE HOUSING, AND PEER MENTOR PROGRAMS;

18 (c) **[Formerly 16-11.9-204 (1)(c) introductory portion]** Using
19 the ~~behavioral health~~ COMPETENCY information from the statewide court
20 data system, as updated pursuant to ~~section 16-11.9-203 (4), to make a~~
21 ~~determination regarding whether a behavioral health consultation would~~
22 SECTION 13-3-101 (17), TO IDENTIFY INDIVIDUALS WHO HAVE NOT BEEN
23 APPOINTED A COURT LIAISON BUT FOR WHOM AN APPOINTMENT TO THE
24 BRIDGES PROGRAM MAY be beneficial. ~~in achieving program goals and~~
25 ~~objectives. If the court liaison operating in the judicial district determines~~
26 ~~that a consultation would be beneficial~~ IF A COURT LIAISON OR THE
27 BRIDGES PROGRAM IDENTIFIES AN INDIVIDUAL FOR WHOM SERVICES MAY

1 BE APPROPRIATE, the court liaison ~~shall consult with each~~ MAY
2 RECOMMEND TO THE judicial officer, defense attorney, and district
3 attorney working on the case ~~and the liaison must identify, at a minimum,~~
4 ~~the following information:~~ THAT A COURT LIAISON BE APPOINTED FOR THE
5 INDIVIDUAL.

6 (d) ADDRESSING SYSTEM GAPS AND BARRIERS AND PROMOTING
7 POSITIVE OUTCOMES FOR PARTICIPANTS IN CASES TO WHICH THE LIAISON
8 IS ASSIGNED;

9 (e) KEEPING JUDGES; DISTRICT ATTORNEYS OR COUNTY
10 ATTORNEYS, AS APPLICABLE; AND DEFENSE ATTORNEYS INFORMED ABOUT
11 AVAILABLE COMMUNITY-BASED BEHAVIORAL HEALTH SERVICES FOR THE
12 PARTICIPANT IN A CASE, AND, IF APPLICABLE, CASE PLANNING FOR
13 POSSIBLE RELEASE FROM CUSTODY FOR A PARTICIPANT WHO HAS BEEN
14 ORDERED TO UNDERGO A COMPETENCY EVALUATION OR RECEIVE
15 COMPETENCY RESTORATION SERVICES PURSUANT TO ARTICLE 8.5 OF TITLE
16 16 AND ARTICLE 2.5 OF TITLE 19.

17 (f) **[Formerly 16-11.9-204 (1)(d)]** Facilitating communication
18 AND COLLABORATION between behavioral health systems and criminal
19 justice entities; ~~and providing consultation to criminal justice personnel~~
20 ~~regarding behavioral health and community treatment options;~~

21 (g) PROVIDING CONSULTATION AND TRAINING TO CRIMINAL AND
22 JUVENILE JUSTICE PERSONNEL REGARDING BEHAVIORAL HEALTH AND
23 COMMUNITY TREATMENT OPTIONS AND BRIDGES PROGRAM BEST
24 PRACTICES; AND

25 (h) **[Formerly 16-11.9-204 (1)(e)]** Coordinating with SERVICE
26 PROVIDERS, INCLUDING THE OFFICE WITHIN A STATE DEPARTMENT
27 RESPONSIBLE FOR ASSISTING CIVIL AND FORENSIC MENTAL HEALTH

1 PATIENTS AND jail-based behavioral health providers, to ensure continuity
2 of care and service delivery and IN A MANNER THAT AVOIDS DUPLICATION
3 AND BIFURCATION OF SERVICES.

4 (2) [Formerly 16-11.9-204 (2)] If a consultation occurs pursuant
5 to subsection (1)(c) of this section COURT APPOINTS A COURT LIAISON FOR
6 A PERSON, the statewide court data system must include a record of such
7 consultation THE APPOINTMENT AND ACTIONS RELATED TO THE
8 APPOINTMENT on the individual's PERSON'S case records.

9 (3) A COURT LIAISON APPOINTED IN A CASE SHALL ACT AS A
10 RESOURCE FOR THE COURT AND THE PARTIES TO THE CASE. A COURT
11 LIAISON SHALL NOT BE AN INDEPENDENT PARTY IN A CASE OR SERVE IN A
12 ROLE INTENDED TO MONITOR COMPLIANCE WITH A COURT ORDER BY A
13 PARTY OR OTHER PERSON ASSOCIATED WITH A CASE.

14 (4) A COURT LIAISON MAY CONTINUE TO SERVE A PARTICIPANT FOR
15 UP TO NINETY DAYS AFTER FINAL DISPOSITION OF THE CASE FOR WHICH
16 THE LIAISON WAS APPOINTED.

17 **13-95-107. Bridges program participant services funding.**

18 (1) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY,
19 THE OFFICE MAY EXPEND APPROPRIATED PROGRAM MONEY TO PROVIDE,
20 OR CONTRACT FOR THE PROVISION OF, BEHAVIORAL HEALTH SERVICES,
21 BASIC NECESSITIES, TRANSITIONAL HOUSING, AND OTHER SERVICES TO
22 SUPPORT THE SOCIAL DETERMINANTS OF HEALTH, FOR PARTICIPANTS.

23 (2) REQUESTS FOR MONEY MUST BE SUBMITTED THROUGH THE
24 APPOINTED COURT LIAISON OR OTHER EMPLOYEE OR DESIGNEE OF THE
25 OFFICE.

26 (3) THE OFFICE SHALL MAKE PAYMENTS TO THE ENTITY PROVIDING
27 SERVICES TO PARTICIPANTS AND SHALL NOT MAKE PAYMENTS DIRECTLY

1 TO A PARTICIPANT.

2 **13-95-108. Gifts, grants, and donations.** THE OFFICE MAY SEEK,
3 ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR
4 PUBLIC SOURCES FOR THE PURPOSES OF THIS ARTICLE 95.

5 **13-95-109. Reporting requirements.** (1) ON OR BEFORE
6 NOVEMBER 1 OF EACH YEAR, THE OFFICE SHALL REPORT TO THE JOINT
7 BUDGET COMMITTEE, OR ANY SUCCESSOR COMMITTEE, ABOUT THE
8 OFFICE'S WORK AND ADMINISTRATION OF THE BRIDGES PROGRAM DURING
9 THE PRIOR YEAR. THE REPORT MUST INCLUDE:

10 (a) THE NUMBER AND COMPETENCY STATUS OF CASES IN THE PAST
11 YEAR WHEN A COURT LIAISON WAS APPOINTED AND OUTCOMES IN THOSE
12 CASES RELATED TO THE LEGISLATIVE INTENT AND STATEWIDE GOALS OF
13 THE PROGRAM, AS SET FORTH IN THIS ARTICLE 95, INCLUDING DATA
14 RELATED TO ALTERNATIVES TO COMPETENCY SERVICES, ALTERNATIVES TO
15 CUSTODY, AND ALTERNATIVES TO CRIMINAL JUSTICE SYSTEM
16 INVOLVEMENT; AND

17 (b) INFORMATION CONCERNING THE USE OF MONEY FROM THE
18 BRIDGES PROGRAM PARTICIPANT SERVICE FUND, INCLUDING A SUMMARY
19 OF HOW MONEY FROM THE FUND IS BEING USED TO ALLEVIATE SYSTEM
20 GAPS AND BARRIERS TO SERVICES.

21 (2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
22 REPORTING REQUIREMENT DESCRIBED IN THIS SECTION CONTINUES
23 INDEFINITELY.

24 **SECTION 2. Repeal of relocated and nonrelocated provisions**
25 **in this act.** In Colorado Revised Statutes, **repeal** part 2 of title 11.9 of
26 title 16; except that 16-11.9-203 (3), 16-11.9-203 (4), and 16-11.9-203
27 (5); 16-11.9-204 (1)(a), 16-11.9-204 (1)(c)(I), 16-11.9-204 (1)(c)(II),

1 16-11.9-204 (1)(c)(III), 16-11.9-204(1)(c)(IV), and 16-11.9-204 (1)(f);
2 and 16-11.9-205 are not relocated.

3 **SECTION 3.** In Colorado Revised Statutes, 13-3-101, **add** (17)
4 as follows:

5 **13-3-101. State court administrator - report - definitions -**
6 **repeal.** (17) THE STATE COURT ADMINISTRATOR SHALL HAVE THE
7 CAPABILITIES WITHIN THE EXISTING STATEWIDE COURT DATA SYSTEM TO
8 INDICATE COURT LIAISON APPOINTMENT AND ACTIONS RELATED TO THE
9 APPOINTMENT IN CASES.

10 **SECTION 4.** In Colorado Revised Statutes, 16-8.5-103, **amend**
11 (1)(b) as follows:

12 **16-8.5-103. Determination of competency to proceed.**
13 (1) (b) On or before the date when a court orders that a defendant be
14 evaluated for competency, a court liaison for the district hired OR
15 CONTRACTED pursuant to ~~part 2 of article 11.9 of this title 16~~ ARTICLE 95
16 OF TITLE 13 may be assigned to the defendant.

17 **SECTION 5.** In Colorado Revised Statutes, 16-8.5-105, **amend**
18 (1)(a)(III) and (6) as follows:

19 **16-8.5-105. Evaluations, locations, time frames, and report.**
20 (1) (a) (III) The court shall determine the type of bond and the conditions
21 of release after consideration of the presumptions and factors enumerated
22 in article 4 of this title 16, which include consideration of the information
23 received from any pretrial services program pursuant to the provisions of
24 section 16-4-106 and any information provided by the court liaison hired
25 OR CONTRACTED pursuant to ~~part 2 of article 11.9 of this title 16~~ ARTICLE
26 95 OF TITLE 13. As a condition of any bond, the court shall require the
27 defendant's cooperation with the competency evaluation on an outpatient

1 and out-of-custody basis. In setting the bond, the court shall not consider
2 the need for the defendant to receive an evaluation pursuant to this article
3 8.5 as a factor in determining any monetary condition of bond.

4 (6) Whenever a competency evaluation is ordered upon the
5 request of either party, the court may notify the county attorney or district
6 attorney required to conduct proceedings pursuant to section 27-65-113
7 (6) for the county in which the charges are pending and the court liaison
8 hired OR CONTRACTED pursuant to ~~part 2 of article 11.9 of this title 16~~
9 ARTICLE 95 OF TITLE 13 of all court dates for return of the report on
10 competency to ensure that all parties are on notice of the expected need
11 for coordinated services and planning with consideration of possible civil
12 certification.

13 **SECTION 6. Appropriation - adjustments to 2023 long bill.** To
14 implement this act, the general fund appropriation made in the annual
15 general appropriation act for the 2023-24 state fiscal year to the judicial
16 department for the statewide behavioral health court liaison program is
17 decreased by \$2,802,491, and the related FTE is decreased by 12.0 FTE.

18 **SECTION 7. Appropriation.** (1) For the 2023-24 state fiscal
19 year, \$5,181,020 is appropriated to the judicial department for use by the
20 office of the statewide behavioral health court liaison. This appropriation
21 is from the general fund. To implement this act, the office may use this
22 appropriation as follows:

- 23 (a) \$3,566,814 for personal services, which amount is based on an
24 assumption that the office will require an additional 33.7 FTE;
- 25 (b) \$604,300 for operating expenses;
- 26 (c) \$300,000 for IT and CMS;
- 27 (d) \$388,783 for health, life, and dental;

1 (e) \$5,057 for short-term disability;
2 (f) \$158,033 for S.B. 04-257 amortization equalization
3 disbursement; and
4 (g) \$158,033 for S.B. 06-235 supplemental amortization
5 equalization disbursement.

6 (2) For the 2023-24 state fiscal year, \$100,453 is appropriated to
7 the judicial department. This appropriation is from the general fund. To
8 implement this act, the department may use this appropriation for the
9 purchase of legal services.

10 (3) For the 2023-24 state fiscal year, \$100,453 is appropriated to
11 the department of law. This appropriation is from reappropriated funds
12 received from the judicial department under subsection (2) of this section
13 and is based on an assumption that the department of law will require an
14 additional 0.5 FTE. To implement this act, the department of law may use
15 this appropriation to provide legal services for the judicial department.

16 **SECTION 8. Effective date.** (1) Except as otherwise provided
17 in this section, this act takes effect upon passage.

18 (2) Section 13-95-103 (2), Colorado Revised Statutes, enacted in
19 section 1 of this act, takes effect only if Senate Bill 23-228 does not
20 become law.

21 (3) Section 13-95-103 (3), Colorado Revised Statutes, enacted in
22 section 1 of this act, takes effect only if Senate Bill 23-228 becomes law,
23 in which case section 13-95-103 (3) takes effect on the effective date of
24 this act or Senate Bill 23-228, whichever is later.

25 **SECTION 9. 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.