

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

**INTRODUCED**

LLS NO. 25-0344.01 Alana Rosen x2606

**SENATE BILL 25-151**

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**SENATE SPONSORSHIP**

**Michaelson Jenet,**

**HOUSE SPONSORSHIP**

**Froelich,**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING MEASURES TO PREVENT YOUTH FROM RUNNING AWAY**  
102             **FROM OUT-OF-HOME PLACEMENTS, AND, IN CONNECTION**  
103             **THEREWITH, PREVENTING CHILDREN OR YOUTH FROM RUNNING**  
104             **AWAY FROM RESIDENTIAL CHILD CARE FACILITIES.**

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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 Timothy Montoya task force (task force):

- Analyzed the root causes of why a child or youth runs away from an out-of-home placement;

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.

- Developed consistent, prompt and effective responses to recover a missing child or youth;
- Addressed the safety and well-being of a child or youth upon the child's or youth's return to the out-of-home placement; and
- Made recommendations.

The bill implements the task force recommendations that focus on preventing a child or youth from running away from a residential child care facility (facility).

The bill requires the office of the child protection ombudsman (office) to contract with one or more institutions of higher education or third-party consultants (contractors), on or before July 1, 2025, to:

- Identify and adapt a runaway risk assessment tool to predict a child's or youth's risk for running away from a facility;
- Begin the process of developing a statewide data platform to collect and store data regarding children or youth who run away from facilities across the state; and
- Conduct an inventory survey of the physical infrastructure of facilities statewide to assess the physical infrastructure needs of the facilities.

On or before June 1, 2026, the contractors shall submit reports to the office summarizing the progress and development of the runaway risk assessment tool, the statewide data platform, and the inventory survey. On or before July 1, 2026, the office shall submit a report to the health and human services committees of the house of representatives and the senate, or their successor committees, summarizing the reports of the contractors.

The bill requires each facility, on or before July 1, 2026, to develop a policy that outlines how the facility responds to a child or youth who threatens or attempts to run away from care. The policy must include whether the facility uses physical restraints. Each facility shall provide a copy of the policy to parents, legal guardians, or custodians during the child's or youth's intake at the facility.

When a facility discovers that a child or youth is missing from its care, the facility shall notify the child's or youth's parent, legal guardian, or custodian within 24 hours after the discovery of the missing child or youth. If the facility cannot make initial contact with the child's or youth's parent, legal guardian, or custodian, the facility must make repeated efforts to notify the child's or youth's parent, legal guardian, or custodian.

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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:

1 (a) Colorado provides out-of-home care to some of Colorado's  
2 most vulnerable youth, including children or youth who are placed in  
3 out-of-home placements for their behavioral health needs;

4 (b) Children or youth run away from out-of-home placements each  
5 year, but Colorado does not have:

6 (I) A standardized statewide system in place to prevent children  
7 or youth from running away;

8 (II) Protocols to actively locate children or youth while they are  
9 gone; or

10 (III) A standard process to provide consistent care for children or  
11 youth when they return to out-of-home placements;

12 (c) In June 2020, 12-year-old Timothy Montoya ran away from a  
13 residential child care facility. While he was away from the residential  
14 child care facility, he was hit by a car and killed.

15 (d) In response to Timothy Montoya's death, the Timothy  
16 Montoya Task Force to Prevent Children from Running Away from  
17 Out-of-Home Placements was formed to analyze the root causes of why  
18 children or youth run away from out-of-home placements and to issue  
19 recommendations to help improve the system designated to care for  
20 children or youth;

21 (e) The Task Force found that there is no cohesive statewide  
22 system in place to address the needs of the children or youth who run  
23 away from out-of-home placements;

24 (f) To address this problem, the Task Force issued a series of  
25 recommendations to develop an appropriate continuum of care for  
26 children or youth, beginning when they are admitted into an out-of-home  
27 placement and ending after they return to the out-of-home placement after

1 running away; and

2 (g) The Task Force's recommendations to develop an appropriate  
3 continuum of care focus on the following areas:

4 (I) Preventing children or youth from running away from  
5 out-of-home placements;

6 (II) Responding when children or youth run away from  
7 out-of-home placements; and

8 (III) Ensuring that children or youth who run away receive  
9 appropriate medical and mental evaluations and care when they return to  
10 the out-of-home placements.

11 (2) (a) The general assembly finds, therefore, that the first step in  
12 the foundation of a continuum of care for children or youth who run away  
13 from out-of-home placements is to implement the Task Force's  
14 recommendation regarding efforts to prevent children or youth from  
15 running away, beginning with a focus on residential child care facilities  
16 and later expanding efforts to other out-of-home placements.

17 (b) The general assembly further declares that an appropriate  
18 continuum of care must be implemented in whole to effectively serve  
19 children or youth.

20 **SECTION 2.** In Colorado Revised Statutes, **add** 19-3.3-112 as  
21 follows:

22 **19-3.3-112. Systems and tools to prevent children or youth**  
23 **from running away - residential child care facility - data system -**  
24 **reports - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE  
25 CONTEXT OTHERWISE REQUIRES:

26 (a) "CHILD OR YOUTH WHO HAS RUN AWAY" MEANS A CHILD OR  
27 YOUTH WHO HAS LEFT AND REMAINS AWAY FROM A RESIDENTIAL CHILD

1 CARE FACILITY WITHOUT PERMISSION.

2 (b) "INSTITUTION OF HIGHER EDUCATION" MEANS A  
3 POSTSECONDARY INSTITUTION THAT CONTRACTS WITH THE OFFICE TO  
4 DEVELOP SYSTEMS OR TOOLS TO PROVIDE SUPPORT TO CHILDREN OR  
5 YOUTH WHO RUN AWAY FROM CARE.

6 (c) "RESIDENTIAL CHILD CARE FACILITY" HAS THE SAME MEANING  
7 AS SET FORTH IN SECTION 26-6-903.

8 (d) "STATEWIDE DATA PLATFORM" OR "DATA PLATFORM" MEANS  
9 THE STATEWIDE DATA PLATFORM DESCRIBED IN SUBSECTION (3) OF THIS  
10 SECTION.

11 (e) "THIRD-PARTY CONSULTANT" OR "CONSULTANT" MEANS A  
12 THIRD-PARTY CONSULTANT WHO CONTRACTS WITH THE OFFICE TO  
13 DEVELOP SYSTEMS OR TOOLS TO PROVIDE SUPPORT TO CHILDREN OR  
14 YOUTH WHO RUN AWAY FROM CARE.

15 (2) (a) ON OR BEFORE JULY 1, 2025, THE OFFICE SHALL CONTRACT  
16 WITH AN INSTITUTION OF HIGHER EDUCATION OR A THIRD-PARTY  
17 CONSULTANT TO:

18 (I) REVIEW NATIONAL LITERATURE ON RUNAWAY RISK  
19 ASSESSMENT TOOLS AND ENGAGE STAKEHOLDERS TO UNDERSTAND  
20 RUNAWAY RISK ASSESSMENT PROTOCOLS FOR DIFFERENT TYPES OF  
21 RESIDENTIAL CHILD CARE FACILITIES; AND

22 (II) SELECT ONE OR MORE EXISTING RUNAWAY RISK ASSESSMENT  
23 TOOLS REVIEWED IN SUBSECTION (2)(a)(I) OF THIS SECTION TO ADAPT FOR  
24 USE IN THE STATE, INCLUDING ADAPTING THE ADMINISTRATIVE FUNCTIONS  
25 OF THE TOOL FOR THE NEEDS OF THE STATE AGENCY THAT WILL  
26 ADMINISTER THE TOOL. TO ADAPT THE RUNAWAY RISK ASSESSMENT TOOL  
27 FOR USE IN THE STATE, THE INSTITUTION OF HIGHER EDUCATION OR

1 CONSULTANT SHALL ENGAGE, AT A MINIMUM, WITH THE FOLLOWING  
2 STAKEHOLDERS:

3 (A) A REPRESENTATIVE OF THE DIVISION OF CHILD WELFARE  
4 WITHIN THE STATE DEPARTMENT, AS SELECTED BY THE EXECUTIVE  
5 DIRECTOR OF THE STATE DEPARTMENT;

6 (B) A DIRECTOR OF A RESIDENTIAL CHILD CARE FACILITY, AS  
7 SELECTED BY THE OFFICE;

8 (C) A PARENT OR FAMILY MEMBER OF A CHILD OR YOUTH WHO HAS  
9 RUN AWAY FROM A RESIDENTIAL CHILD CARE FACILITY, AS SELECTED BY  
10 THE OFFICE; AND

11 (D) A YOUNG ADULT WHO RESIDED AT A RESIDENTIAL CHILD CARE  
12 FACILITY WITHIN THE LAST SEVEN YEARS, AS SELECTED BY THE OFFICE.

13 (b) AS PART OF THE RUNAWAY RISK ASSESSMENT TOOL, THE  
14 INSTITUTION OF HIGHER EDUCATION OR THIRD-PARTY CONSULTANT SHALL  
15 DEVELOP A STANDARD SET OF POST-RUN QUESTIONS PERTAINING TO A  
16 CHILD'S OR YOUTH'S EXPERIENCE.

17 (c) ON OR BEFORE JUNE 1, 2026, THE INSTITUTION OF HIGHER  
18 EDUCATION OR CONSULTANT SHALL PROVIDE A REPORT TO THE OFFICE ON  
19 HOW THE RUNAWAY RISK ASSESSMENT TOOL WAS DEVELOPED AND  
20 RECOMMENDATIONS FOR HOW THE RUNAWAY RISK ASSESSMENT TOOL IS  
21 IMPLEMENTED AND USED.

22 (3) (a) ON OR BEFORE JULY 1, 2025, THE OFFICE SHALL CONTRACT  
23 WITH AN INSTITUTION OF HIGHER EDUCATION OR A CONSULTANT TO BEGIN  
24 THE PROCESS OF DEVELOPING A STATEWIDE DATA PLATFORM TO COLLECT  
25 AND STORE DATA REGARDING CHILDREN OR YOUTH WHO RUN AWAY FROM  
26 RESIDENTIAL CHILD CARE FACILITIES ACROSS THE STATE.

27 (b) IN DEVELOPING THE DATA PLATFORM, THE INSTITUTION OF

1 HIGHER EDUCATION OR CONSULTANT SHALL, AT A MINIMUM:

2 (I) IDENTIFY POTENTIAL USERS OF THE DATA PLATFORM;

3 (II) CREATE A FICTIONAL USER TO HELP DEVELOP PERMISSIONS TO

4 THE DATA PLATFORM;

5 (III) IDENTIFY DATA ELEMENTS;

6 (IV) USE THE FICTIONAL USER CREATED IN SUBSECTION (3)(b)(II)

7 OF THIS SECTION TO ADD, EDIT, AND VIEW DATA ON THE DATA PLATFORM;

8 (V) RECOMMEND WHO HAS AUTHORITY TO ENTER DATA, VALIDATE

9 DATA, AND RETRIEVE DATA;

10 (VI) ASSESS THE QUALITY OF DATA THAT CURRENTLY EXISTS IN

11 DATA PLATFORMS IN THE DEPARTMENT, LAW ENFORCEMENT AGENCIES,

12 COUNTY DEPARTMENTS, AND OTHER APPLICABLE STATE AGENCY OFFICES;

13 (VII) ENGAGE WITH RELEVANT INFORMATION TECHNOLOGY

14 PROFESSIONALS TO UNDERSTAND HOW TO SHARE ROUTINELY COLLECTED

15 DATA ON THE DATA PLATFORM;

16 (VIII) CREATE A STEP-BY-STEP DESCRIPTION OF THE DATA

17 PLATFORM SOFTWARE FROM THE PERSPECTIVE OF THE POTENTIAL USERS

18 DESCRIBED IN SUBSECTION (3)(b)(I) OF THIS SECTION; AND

19 (IX) CONSULT WITH THE FOLLOWING STAKEHOLDERS:

20 (A) A REPRESENTATIVE OF THE DIVISION OF CHILD WELFARE

21 WITHIN THE STATE DEPARTMENT, AS SELECTED BY THE EXECUTIVE

22 DIRECTOR OF THE STATE DEPARTMENT;

23 (B) A DIRECTOR OF A RESIDENTIAL CHILD CARE FACILITY, AS

24 SELECTED BY THE OFFICE;

25 (C) A PARENT OR FAMILY MEMBER OF A CHILD OR YOUTH WHO HAS

26 RUN AWAY FROM A RESIDENTIAL CHILD CARE FACILITY, AS SELECTED BY

27 THE OFFICE; AND

1 (D) A YOUNG ADULT WHO RESIDED AT A RESIDENTIAL CHILD CARE  
2 FACILITY WITHIN THE LAST SEVEN YEARS, AS SELECTED BY THE OFFICE.

3 (c) ON OR BEFORE JUNE 1, 2026, THE INSTITUTION OF HIGHER  
4 EDUCATION OR CONSULTANT SHALL SUBMIT A REPORT TO THE OFFICE  
5 SUMMARIZING THE PROGRESS AND DEVELOPMENT OF THE DATA  
6 PLATFORM.

7 (4) (a) ON OR BEFORE JULY 1, 2025, THE OFFICE SHALL CONTRACT  
8 WITH AN INSTITUTION OF HIGHER EDUCATION OR A CONSULTANT TO  
9 DEVELOP AND CONDUCT AN INVENTORY SURVEY OF THE PHYSICAL  
10 INFRASTRUCTURE OF RESIDENTIAL CHILD CARE FACILITIES STATEWIDE TO  
11 ASSESS THE PHYSICAL INFRASTRUCTURE NEEDS OF THE RESIDENTIAL CHILD  
12 CARE FACILITIES. THE INSTITUTION OF HIGHER EDUCATION OR  
13 CONSULTANT SHALL CONSULT WITH THE STATE DEPARTMENT TO DEVELOP  
14 THE INVENTORY SURVEY. PHYSICAL INFRASTRUCTURE NEEDS MAY  
15 INCLUDE, BUT ARE NOT LIMITED TO, THE USE OF DELAYED EGRESS LOCKS,  
16 ALARMS, FENCING, SIGNS, AND LIGHTING.

17 (b) ON OR BEFORE JUNE 1, 2026, THE INSTITUTION OF HIGHER  
18 EDUCATION OR CONSULTANT SHALL SUBMIT A REPORT TO THE OFFICE  
19 SUMMARIZING THE RESULTS OF THE SURVEY DESCRIBED IN SUBSECTION  
20 (4)(a) OF THIS SECTION.

21 (5) THE INSTITUTION OF HIGHER EDUCATION OR CONSULTANT  
22 SELECTED PURSUANT TO SUBSECTIONS (2), (3), AND (4) OF THIS SECTION  
23 MAY BE THE SAME INSTITUTION OF HIGHER EDUCATION OR CONSULTANT.

24 (6) ON OR BEFORE JULY 1, 2026, THE OFFICE SHALL SUBMIT A  
25 REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE  
26 OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR  
27 COMMITTEES, THAT SUMMARIZES THE REPORTS SUBMITTED BY THE



1 INSTITUTION OF HIGHER EDUCATION OR CONSULTANT ON THE:

2 (a) DEVELOPMENT OF THE RUNAWAY RISK ASSESSMENT TOOL  
3 DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION;

4 (b) PROGRESS OF THE DATA PLATFORM DESCRIBED IN SUBSECTION  
5 (3)(c) OF THIS SECTION; AND

6 (c) RESULTS OF THE PHYSICAL INFRASTRUCTURE SURVEY OF  
7 RESIDENTIAL CHILD CARE FACILITIES DESCRIBED IN SUBSECTION (4)(b) OF  
8 THIS SECTION.

9 **SECTION 3.** In Colorado Revised Statutes, **add 26-6-924** as  
10 follows:

11 **26-6-924. Residential child care facility - notice - policy -**  
12 **definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
13 OTHERWISE REQUIRES:

14 (a) "CHILD" HAS THE SAME MEANING AS SET FORTH IN SECTION  
15 19-1-103.

16 (b) "YOUTH" HAS THE SAME MEANING AS SET FORTH IN SECTION  
17 19-1-103.

18 (2) (a) ON OR BEFORE JULY 1, 2026, EACH RESIDENTIAL CHILD  
19 CARE FACILITY IN THE STATE SHALL DEVELOP A POLICY THAT OUTLINES  
20 HOW THE RESIDENTIAL CHILD CARE FACILITY RESPONDS TO A CHILD OR  
21 YOUTH WHO THREATENS OR ATTEMPTS TO RUN AWAY FROM CARE. THE  
22 POLICY MUST INCLUDE WHETHER THE RESIDENTIAL CHILD CARE FACILITY  
23 USES PHYSICAL RESTRAINTS. THE POLICY MUST INCLUDE ANY OTHER  
24 INFORMATION THE STATE DEPARTMENT ADOPTS BY RULE PURSUANT TO  
25 SUBSECTION (2)(c) OF THIS SECTION.

26 (b) EACH RESIDENTIAL CHILD CARE FACILITY SHALL PROVIDE A  
27 COPY OF THE POLICY TO THE CHILD'S OR YOUTH'S PARENT, LEGAL

1 GUARDIAN, OR CUSTODIAN DURING THE CHILD'S OR YOUTH'S INTAKE AT  
2 THE RESIDENTIAL CHILD CARE FACILITY.

3 (c) THE STATE DEPARTMENT SHALL ADOPT RULES REGARDING  
4 ADDITIONAL INFORMATION FOR THE POLICY DESCRIBED IN SUBSECTION  
5 (2)(a) OF THIS SECTION. IN DEVELOPING THE RULES, THE STATE  
6 DEPARTMENT SHALL CONSULT:

7 (I) THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN;

8 (II) A DIRECTOR OF A RESIDENTIAL CHILD CARE FACILITY;

9 (III) A PARENT OR FAMILY MEMBER OF A CHILD OR YOUTH WHO  
10 HAS RUN AWAY FROM A RESIDENTIAL CHILD CARE FACILITY;

11 (IV) A YOUNG ADULT WHO RESIDED AT A RESIDENTIAL CHILD CARE  
12 FACILITY WITHIN THE LAST SEVEN YEARS; AND

13 (V) COUNTY DEPARTMENTS.

14 (3) WHEN A RESIDENTIAL CHILD CARE FACILITY DISCOVERS THAT  
15 A CHILD OR YOUTH IS MISSING FROM ITS CARE, THE RESIDENTIAL CHILD  
16 CARE FACILITY SHALL NOTIFY THE CHILD'S OR YOUTH'S PARENT, LEGAL  
17 GUARDIAN, OR CUSTODIAN WITHIN TWENTY-FOUR HOURS AFTER THE  
18 DISCOVERY OF THE MISSING CHILD OR YOUTH. IF THE RESIDENTIAL CHILD  
19 CARE FACILITY CANNOT MAKE INITIAL CONTACT WITH THE CHILD'S OR  
20 YOUTH'S PARENT, LEGAL GUARDIAN, OR CUSTODIAN, THE RESIDENTIAL  
21 CHILD CARE FACILITY MUST MAKE REPEATED EFFORTS TO NOTIFY THE  
22 CHILD'S OR YOUTH'S PARENT, LEGAL GUARDIAN, OR CUSTODIAN.

23 (4) ON OR AFTER JANUARY 1, 2027, EACH RESIDENTIAL CHILD  
24 CARE FACILITY SHALL USE THE RUNAWAY RISK ASSESSMENT TOOL  
25 DESCRIBED IN SECTION 19-3.3-112 (2).

26 **SECTION 4. Safety clause.** The general assembly finds,  
27 determines, and declares that this act is necessary for the immediate

1 preservation of the public peace, health, or safety or for appropriations for  
2 the support and maintenance of the departments of the state and state  
3 institutions.