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Seventy-second General Assembly
STATE OF COLORADO

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BILL 3

LLS NO. 20-0258.01 Megan Waples x4348

INTERIM COMMITTEE BILL

**The Legislative Oversight Committee Concerning the Treatment of
Persons With Mental Health Disorders in the Criminal and Juvenile
Justice Systems**

BILL TOPIC: "Programs To Develop Housing Support Services"

A BILL FOR AN ACT

101 **CONCERNING PROGRAMS TO BUILD STATEWIDE CAPACITY TO ACCESS**
102 **SUPPORTIVE HOUSING SERVICES.**

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 Legislative Oversight Committee Concerning the Treatment of Persons With Mental Health Disorders in the Criminal and Juvenile Justice Systems. The bill establishes and expands programs within the division of housing in the department of local affairs (division) to build the capacity of communities across the state to provide supportive housing services to individuals with behavioral mental health

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

disorders who are homeless or at risk of becoming homeless and who have been involved with the criminal or juvenile justice system or are at risk of becoming so, including:

- Expanding statewide training and technical assistance to help communities develop and implement supportive housing programs for individuals who have mental or behavioral health disorders who are homeless or at risk of becoming homeless and who are at risk of entering or reentering the criminal or juvenile justice system. The program must be targeted to communities that currently face barriers to accessing existing state and federal funding for supportive housing programs.
- Establishing a predevelopment grant program that provides funding to entities working to develop supportive housing interventions for individuals who have mental or behavioral health disorders who are homeless or at risk of becoming homeless and who are at risk of entering or reentering the criminal or juvenile justice system. The grant money can be used to add new or additional staff capacity to allow the development and implementation of such programs. The division is required to provide hands-on technical assistance to grant recipients.
- Establishing a supportive housing services and homelessness prevention grant program. Grant money can be used to cover the costs of providing supportive housing services that are currently not eligible for reimbursement through the state's medical assistance program. It can also be used to fund homelessness prevention projects for individuals who have mental or behavioral health disorders who are homeless or at risk of becoming homeless and who are at risk of entering or reentering the criminal or juvenile justice system. The division is required to provide hands-on technical assistance to grant recipients.
- Developing a plan to increase participation in regional homeless data systems, support accurate data reporting, and assess housing-related needs. The program must work with regional continuums of care to evaluate how to increase participation in data systems in communities across the state, identify technical needs and associated costs for doing so, and work with communities and stakeholders to integrate or develop an integrated user interface for various data systems related to housing and supportive services. It must also enhance information about best practices and training materials available to communities across the state.

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

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

4 (a) Colorado is experiencing a homelessness crisis. The 2018
5 point-in-time estimate of homelessness by the United States department
6 of housing and urban development reported over ten thousand people
7 experiencing homelessness in Colorado. According to the Colorado
8 department of education, over twenty-three thousand students in Colorado
9 schools experienced homelessness at some point during the 2017-18
10 school year. Even more Colorado residents lack stable housing and are on
11 the verge of homelessness.

12 (b) The experience of homelessness can be both a cause and a
13 consequence of both mental illness, including substance use disorders,
14 and incarceration and is intricately related to both issues. The intersection
15 of homelessness, mental illness, and contact with the criminal justice
16 system is extremely costly to communities both in terms of the financial
17 burdens and the humanitarian toll it imposes on individuals and their
18 communities. These impacts are particularly acute in communities that
19 have a shortage of behavioral and mental health care providers and
20 services.

21 (c) According to a 2018 study of homelessness in Colorado jails
22 by the Colorado department of public safety, eighty percent of
23 respondents across facilities reported experiencing homelessness in the
24 year prior, and nearly forty percent reported that they will be homeless
25 after their release from jail;

26 (d) Of the respondents experiencing homelessness, over sixty

1 percent reported needing mental health treatment, compared with
2 forty-five percent of nonhomeless respondents;

3 (e) Similarly, the Colorado department of corrections reported in
4 2017 that over seventy-eight percent of the female inmate population and
5 over forty-three percent of the male inmate population had moderate to
6 severe mental health needs, and the Colorado department of adult parole
7 reported in 2019 that over one thousand individuals were paroling to
8 "unsheltered homelessness" or to "short term, temporary housing";

9 (f) Studies also show that being homeless is linked to sustained
10 deterioration of mental and physical health and that homelessness can be
11 both a cause and a consequence of having a criminal record;

12 (g) Safe and stable housing is a foundation for individuals to
13 engage in the process of reentry from the criminal justice system, and
14 provides a base from which individuals can seek employment, focus on
15 treatment, establish a social network, and comply with community
16 supervision;

17 (h) Supportive housing programs combine affordable housing
18 with access to supportive services tailored to an individual's needs,
19 including, for example, in-reach and outreach, housing search and
20 counseling support, engagement, vocational or occupational training,
21 clinical services, support with daily living activities, and other ongoing
22 supports. Supportive housing can reduce the cycling of individuals with
23 behavioral or mental health disorders, including substance use disorders,
24 between prison, jail, homelessness, and other public services.

25 (i) Colorado has made significant investments in nationally
26 recognized housing best practices, including supportive housing;

27 (j) Unfortunately, not all communities across the state are able to

1 take advantage of the available state and federal funding for supportive
2 housing services due to various barriers;

3 (k) While the department of health care policy and financing has
4 limited funds for supportive services, current restrictions do not allow the
5 department to cover all the services needed to secure and maintain
6 housing, and it is unable to reimburse nonclinical providers for providing
7 those services;

8 (l) As a result, communities are not able to provide sustainable,
9 long-term services to the most vulnerable individuals to keep them safely
10 housed; and

11 (m) Many communities, particularly in rural areas, do not have
12 nonprofit organizations experienced in applying for grants and
13 implementing supportive housing programs, do not have the
14 programmatic or staff capacity to do so, and need technical assistance to
15 develop evidence-based, innovative solutions that are scaled and tailored
16 to their specific community needs.

17 (2) The general assembly further finds and declares that it is
18 therefore in Colorado's best interest to provide assistance and create
19 opportunities for communities across the state that are currently unable
20 to access federal and state housing and supportive service funds through
21 training, technical assistance, and grant funding to support the
22 development and implementation of supportive housing and homelessness
23 prevention services for individuals with behavioral and mental health
24 disorders who have been involved with or are at risk of falling into the
25 criminal or juvenile justice system.

26 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-726,
27 24-32-727, 24-32-728, and 24-32-729 as follows:

1 **24-32-726. Training and technical assistance for supportive**
2 **housing - report - definition.** (1) ON OR BEFORE JANUARY 1, 2021, THE
3 DIVISION SHALL EXPAND STATEWIDE TECHNICAL ASSISTANCE TO ASSIST
4 COMMUNITIES IN DEVELOPING SUPPORTIVE HOUSING INTERVENTIONS THAT
5 CAN SERVE PERSONS WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS.

6 THE PROGRAM MUST:

7 (a) PROVIDE TRAINING, EDUCATION, AND ASSISTANCE TO ENTITIES
8 INTERESTED IN ADDRESSING HOMELESSNESS AMONG PERSONS WITH
9 BEHAVIORAL OR MENTAL HEALTH DISORDERS, INCLUDING HOMELESS
10 SERVICE PROVIDERS, LAW ENFORCEMENT AGENCIES, REENTRY PROGRAMS,
11 MUNICIPAL COURT PROGRAMS, AND OTHER ORGANIZATIONS;

12 (b) PROVIDE PROGRAMMING THAT IS SPECIFICALLY TARGETED TO
13 COMMUNITIES THAT FACE BARRIERS TO ACCESSING EXISTING STATE AND
14 FEDERAL FUNDS FOR HOUSING AND SUPPORTIVE SERVICES, INCLUDING
15 RURAL COMMUNITIES; AND

16 (c) FOCUS ON BUILDING THE CAPACITY FOR COMMUNITIES TO:

17 (I) DEVELOP THEIR KNOWLEDGE OF SUPPORTIVE HOUSING
18 INTERVENTIONS IN THEIR REGION;

19 (II) LEVERAGE EXISTING STATE AND FEDERAL FUNDING SOURCES
20 FOR HOUSING AND SUPPORTIVE SERVICES;

21 (III) ENGAGE AND RECRUIT LANDLORDS TO PARTICIPATE IN
22 SUPPORTIVE HOUSING PROGRAMS;

23 (IV) PROVIDE LANDLORD-TENANT RELATIONSHIP SUPPORT;

24 (V) ACCESS AND USE RELEVANT DATA SYSTEMS AND SERVICES,
25 INCLUDING USING THE COLORADO HOMELESS MANAGEMENT INFORMATION
26 SYSTEM AND THE COORDINATED ENTRY SYSTEM DEVELOPED BY
27 CONTINUUMS OF CARE IN ACCORDANCE WITH 24 C.F.R. 578.7 OR ANY

1 SUCCESSOR SYSTEMS, AND PARTICIPATING IN THE STATE MEDICAL
2 ASSISTANCE PROGRAM DESCRIBED IN ARTICLES 4, 5, AND 6 OF TITLE 25.5;
3 AND

4 (VI) DEVELOP, IMPLEMENT, AND EVALUATE SUPPORTIVE HOUSING
5 PROGRAM SERVICES USING EVIDENCE-BASED, INNOVATIVE APPROACHES,
6 INCLUDING PROGRAMS TO PREVENT HOMELESSNESS AMONG PERSONS WITH
7 BEHAVIORAL AND MENTAL HEALTH DISORDERS WHO HAVE BEEN INVOLVED
8 WITH OR ARE AT RISK OF FALLING INTO THE CRIMINAL OR JUVENILE
9 JUSTICE SYSTEM.

10 (2) ON OR BEFORE AUGUST 1, 2021, AND EVERY AUGUST 1
11 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON THE TRAINING
12 PROGRAM REQUIRED BY THIS SECTION TO THE LEGISLATIVE OVERSIGHT
13 COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL
14 HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR
15 ANY SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THAT
16 COMMITTEE. NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
17 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED BY THIS
18 SECTION CONTINUES INDEFINITELY.

19 (3) AS USED IN THIS SECTION, "PERSON WITH A BEHAVIORAL OR
20 MENTAL HEALTH DISORDER" HAS THE SAME MEANING AS SET FORTH IN
21 SECTION 24-32-721 (4)(a).

22 **24-32-727. Supportive housing predevelopment grant**
23 **program - created - rules - report - definitions - repeal.** (1) AS USED
24 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

25 (a) "FUND" MEANS THE HOUSING ASSISTANCE FOR PERSONS
26 TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH
27 FUND CREATED IN SECTION 24-32-721 (4)(d).

1 (b) "GRANT PROGRAM" MEANS THE SUPPORTIVE HOUSING
2 PREDEVELOPMENT GRANT PROGRAM ESTABLISHED IN THIS SECTION.

3 (c) "PERSON WITH A BEHAVIORAL OR MENTAL HEALTH DISORDER"
4 HAS THE SAME MEANING AS SET FORTH IN SECTION 24-32-721 (4)(a).

5 (2) THERE IS HEREBY CREATED IN THE DIVISION THE SUPPORTIVE
6 HOUSING PREDEVELOPMENT GRANT PROGRAM TO PROVIDE GRANTS TO
7 ENTITIES WORKING TO DEVELOP SUPPORTIVE HOUSING INTERVENTIONS
8 THAT WILL SERVE PERSONS WITH BEHAVIORAL OR MENTAL HEALTH
9 DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING HOMELESS.

10 (3) (a) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED
11 THROUGH THE GRANT PROGRAM TO COVER COSTS ASSOCIATED WITH THE
12 DEVELOPMENT AND IMPLEMENTATION OF AN EVIDENCE-BASED
13 SUPPORTIVE HOUSING PROGRAM THAT WILL SERVE PERSONS WITH
14 BEHAVIORAL OR MENTAL HEALTH DISORDERS IN THE COMMUNITY WHO
15 ARE HOMELESS OR AT RISK OF BECOMING HOMELESS AND WHO HAVE BEEN
16 INVOLVED WITH OR ARE AT RISK OF BECOMING INVOLVED WITH THE
17 CRIMINAL OR JUVENILE JUSTICE SYSTEM, INCLUDING BY CREATING NEW OR
18 ADDITIONAL STAFF CAPACITY TO DEVELOP, SUPPORT, AND EVALUATE THE
19 PROGRAM.

20 (b) THE DIVISION SHALL PROVIDE INTENSIVE, HANDS-ON
21 TECHNICAL ASSISTANCE TO GRANT RECIPIENTS DURING THE
22 IMPLEMENTATION OF THE GRANTS.

23 (4) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
24 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
25 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,
26 GRANTS SHALL BE PAID OUT OF THE FUND.

27 (5) THE DIVISION SHALL DEVELOP AND PUBLISH POLICIES AND

1 PROCEDURES IN CONSULTATION WITH COMMUNITY STAKEHOLDERS TO
2 IMPLEMENT THE GRANT PROGRAM IN ACCORDANCE WITH THIS SECTION. AT
3 A MINIMUM, THE POLICIES AND PROCEDURES MUST SPECIFY THE TIME
4 FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM
5 APPLICATION, AND THE PROGRAM EVALUATION AND REPORTING
6 REQUIREMENTS FOR GRANT RECIPIENTS.

7 (6) TO BE ELIGIBLE TO RECEIVE A GRANT FROM THE GRANT
8 PROGRAM, AN ENTITY MUST:

9 (a) BE AN AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT,
10 A TRIBAL AGENCY OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A
11 NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND
12 IN GOOD STANDING WITH THE COLORADO SECRETARY OF STATE'S OFFICE;

13 (b) DEMONSTRATE PROFICIENCY IN THE AREAS DESCRIBED IN
14 SECTION 24-32-726 (1)(c); AND

15 (c) SATISFY ANY ADDITIONAL CRITERIA AS SET FORTH IN THE
16 DIVISION'S POLICIES AND PROCEDURES.

17 (7) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
18 PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE DIVISION SHALL
19 CONSIDER THE FOLLOWING CRITERIA:

20 (I) THE COMMUNITY'S NEED FOR ASSISTANCE IN OVERCOMING
21 BARRIERS TO ACCESSING EXISTING FUNDS FOR SUPPORTIVE HOUSING
22 PROGRAMS THAT SERVE PERSONS WITH BEHAVIORAL OR MENTAL HEALTH
23 DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING HOMELESS AND
24 WHO HAVE BEEN INVOLVED WITH OR ARE AT RISK OF BECOMING INVOLVED
25 WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM;

26 (II) THE COMMUNITY'S POPULATION OF PERSONS WITH
27 BEHAVIORAL OR MENTAL HEALTH DISORDERS WHO HAVE HAD CONTACT

1 WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM IN THE PREVIOUS
2 TWELVE MONTHS AND ARE HOMELESS, IN UNSTABLE HOUSING
3 ENVIRONMENTS, OR IN TRANSITION FROM INSTITUTIONS, AND THE
4 COMMUNITY'S NEED AND INTENTION TO BUILD ITS CAPACITY TO SUPPORT
5 THOSE INDIVIDUALS; AND

6 (III) ANY ADDITIONAL CRITERIA SET FORTH IN THE DIVISION'S
7 POLICIES AND PROCEDURES.

8 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS FROM ENTITIES
9 THAT PROVIDE SERVICES OR PLAN TO PROVIDE SERVICES TO PERSONS WITH
10 SEVERE AND PERSISTENT MENTAL ILLNESS.

11 (8) GRANT AWARDS ARE IN THE SOLE DISCRETION OF THE
12 EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS SECTION.

13 (9) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
14 JANUARY 1, 2021, AND ON OR BEFORE JANUARY 1 OF THE SUCCEEDING
15 TWO YEARS, THE EXECUTIVE DIRECTOR SHALL AWARD GRANTS IN
16 ACCORDANCE WITH THIS SECTION.

17 (10) ON OR BEFORE AUGUST 1, 2021, AND ON OR BEFORE AUGUST
18 1 EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON THE
19 GRANT PROGRAM TO THE LEGISLATIVE OVERSIGHT COMMITTEE
20 CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH
21 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR ANY
22 SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THAT
23 COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
24 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL
25 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (12) OF THIS
26 SECTION.

27 (11) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM

1 THE GENERAL FUND OR THE MARIJUANA TAX CASH FUND CREATED IN
2 SECTION 39-28.8-501 TO THE FUND IN ACCORDANCE WITH SECTION
3 24-32-721 TO IMPLEMENT THE GRANT PROGRAM. ANY MONEY IN THE FUND
4 AT THE END OF ANY FISCAL YEAR DOES NOT REVERT TO THE GENERAL
5 FUND. THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
6 DIVISION FOR THE PURPOSES SPECIFIED IN THIS SECTION. FOR ANY GIVEN
7 STATE FISCAL YEAR, NO MORE THAN THREE PERCENT OF THE MONEY
8 APPROPRIATED FROM THE FUND FOR THE GRANT PROGRAM MAY BE
9 EXPENDED FOR THE ADMINISTRATIVE COSTS OF THE DIVISION IN
10 ADMINISTERING THE GRANT PROGRAM.

11 (12) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024.
12 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
13 ACCORDANCE WITH SECTION 24-34-104.

14 **24-32-728. Supportive housing services and homelessness**
15 **prevention grant program - created - rules - report - definitions -**
16 **repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
17 REQUIRES:

18 (a) "CONTINUUM OF CARE" HAS THE SAME MEANING AS SET FORTH
19 IN 24 C.F.R. 578.3.

20 (b) "FUND" MEANS THE HOUSING ASSISTANCE FOR PERSONS
21 TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH
22 FUND CREATED IN SECTION 24-32-721 (4)(d).

23 (c) "GRANT PROGRAM" MEANS THE SUPPORTIVE HOUSING
24 SERVICES AND HOMELESSNESS PREVENTION GRANT PROGRAM
25 ESTABLISHED IN THIS SECTION.

26 (d) "PERSON WITH A BEHAVIORAL OR MENTAL HEALTH DISORDER"
27 HAS THE SAME MEANING AS SET FORTH IN SECTION 24-32-721 (4)(a).

1 (e) "STATE MEDICAL ASSISTANCE PROGRAM" MEANS THE PROGRAM
2 OF MEDICAL ASSISTANCE DESCRIBED IN ARTICLES 4, 5, AND 6 OF TITLE
3 25.5.

4 (f) "SUPPORTIVE HOUSING SERVICES" INCLUDES SERVICES
5 INTENDED TO ALLOW A PERSON WITH A BEHAVIORAL OR MENTAL HEALTH
6 DISORDER TO SECURE AND RETAIN STABLE HOUSING.

7 (2) THERE IS HEREBY CREATED IN THE DIVISION THE SUPPORTIVE
8 HOUSING SERVICES AND HOMELESSNESS PREVENTION GRANT PROGRAM TO
9 PROVIDE GRANTS TO COMMUNITIES PROVIDING SUPPORTIVE HOUSING
10 SERVICES AND HOMELESSNESS PREVENTION PROGRAMS INTENDED TO KEEP
11 PERSONS WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS HOUSED.

12 (3) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH
13 THE GRANT PROGRAM TO:

14 (a) DEVELOP AND IMPLEMENT EVIDENCE-BASED PROGRAMS
15 INTENDED TO PREVENT HOMELESSNESS AMONG PERSONS WITH
16 BEHAVIORAL OR MENTAL HEALTH DISORDERS IN THE COMMUNITY WHO
17 ARE AT RISK OF ENTERING OR REENTERING THE CRIMINAL OR JUVENILE
18 JUSTICE SYSTEM; OR

19 (b) COVER THE COSTS OF PROVIDING SUPPORTIVE HOUSING
20 SERVICES TO PERSONS WITH BEHAVIORAL OR MENTAL HEALTH DISORDERS
21 WHO ARE HOMELESS OR AT RISK OF BECOMING HOMELESS AND WHO ARE
22 AT RISK OF ENTERING OR REENTERING THE CRIMINAL OR JUVENILE JUSTICE
23 SYSTEM, IF:

24 (I) THE PERSON OR ENTITY PROVIDING THE SERVICE IS NOT
25 CURRENTLY ABLE TO BILL THE STATE MEDICAL ASSISTANCE PROGRAM FOR
26 SUPPORTIVE HOUSING SERVICES AND IS IN THE PROCESS OF BECOMING
27 AUTHORIZED TO BILL THE PROGRAM FOR THOSE SERVICES OR IS

1 ESTABLISHING A RELATIONSHIP WITH A REGIONAL ACCOUNTABLE ENTITY
2 OR SUCCESSOR ORGANIZATION; OR

3 (II) THE SUPPORTIVE HOUSING SERVICE BEING PROVIDED IS NOT
4 CURRENTLY ELIGIBLE FOR REIMBURSEMENT UNDER THE STATE MEDICAL
5 ASSISTANCE PROGRAM.

6 (4) THE DIVISION SHALL PROVIDE INTENSIVE, HANDS-ON
7 TECHNICAL ASSISTANCE TO GRANT RECIPIENTS DURING THE
8 IMPLEMENTATION OF THE GRANTS.

9 (5) TO SUPPORT THE IMPLEMENTATION OF GRANTS UNDER THIS
10 SECTION, EXPAND THE PROVISION OF SUPPORTIVE HOUSING SERVICES, AND
11 ALLOW INDIVIDUALS SERVED BY THE GRANT PROGRAM TO RECEIVE
12 SUPPORTIVE HOUSING SERVICES ON A LONG-TERM SUSTAINABLE BASIS,
13 THE DIVISION AND THE DEPARTMENT OF HEALTH CARE POLICY AND
14 FINANCING SHALL COLLABORATE ON AN ONGOING BASIS TO IDENTIFY
15 ADDITIONAL PROVIDERS AND SERVICES THAT COULD BE ELIGIBLE FOR
16 REIMBURSEMENT UNDER THE STATE MEDICAL ASSISTANCE PROGRAM. THE
17 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL SUBMIT TO
18 THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES AN
19 AMENDMENT TO THE STATE MEDICAL ASSISTANCE PLAN AND SHALL
20 REQUEST ANY NECESSARY WAIVERS FROM THE SECRETARY OF THE
21 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW SUCH
22 ADDITIONAL REIMBURSEMENTS AS IDENTIFIED THROUGHOUT THE COURSE
23 OF THE GRANT PROGRAM.

24 (6) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
25 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
26 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,
27 GRANTS SHALL BE PAID OUT OF THE FUND.

1 (7) THE DIVISION SHALL DEVELOP AND PUBLISH POLICIES AND
2 PROCEDURES IN CONSULTATION WITH STAKEHOLDERS TO IMPLEMENT THE
3 GRANT PROGRAM IN ACCORDANCE WITH THIS SECTION. AT A MINIMUM,
4 THE POLICIES AND PROCEDURES MUST SPECIFY THE TIME FRAMES FOR
5 APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM APPLICATION,
6 AND THE PROGRAM EVALUATION AND REPORTING REQUIREMENTS FOR
7 GRANT RECIPIENTS.

8 (8) TO BE ELIGIBLE TO RECEIVE A GRANT FROM THE GRANT
9 PROGRAM, AN ENTITY MUST:

10 (a) BE AN AGENCY OF LOCAL GOVERNMENT, A SPECIAL DISTRICT,
11 A TRIBAL AGENCY OR PROGRAM, A FAITH-BASED ORGANIZATION, OR A
12 NONPROFIT OR NOT-FOR-PROFIT ORGANIZATION THAT IS REGISTERED AND
13 IN GOOD STANDING WITH THE COLORADO SECRETARY OF STATE'S OFFICE;

14 (b) DEMONSTRATE A PLAN FOR COLLABORATION WITH A REGIONAL
15 ACCOUNTABLE ENTITY OR SUCCESSOR ORGANIZATION;

16 (c) DEMONSTRATE PROFICIENCY IN THE AREAS DESCRIBED IN
17 SECTION 24-32-726 (1)(c); AND

18 (d) SATISFY ANY ADDITIONAL CRITERIA AS SET FORTH IN THE
19 DIVISION'S POLICIES AND PROCEDURES.

20 (9) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
21 PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE DIVISION SHALL
22 CONSIDER THE FOLLOWING CRITERIA:

23 (I) THE COMMUNITY'S NEED FOR ASSISTANCE IN OVERCOMING
24 BARRIERS TO ACCESSING EXISTING FUNDS FOR SUPPORTIVE HOUSING
25 PROGRAMS THAT SERVE PERSONS WITH BEHAVIORAL OR MENTAL HEALTH
26 DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING HOMELESS AND
27 WHO HAVE BEEN INVOLVED WITH OR ARE AT RISK OF BECOMING INVOLVED

1 WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM;

2 (II) THE COMMUNITY'S POPULATION OF PERSONS WITH
3 BEHAVIORAL OR MENTAL HEALTH DISORDERS WHO HAVE HAD CONTACT
4 WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM IN THE PREVIOUS
5 TWELVE MONTHS AND ARE HOMELESS, IN UNSTABLE HOUSING
6 ENVIRONMENTS, OR IN TRANSITION FROM INSTITUTIONS, AND THE
7 COMMUNITY'S NEED AND INTENTION TO BUILD ITS CAPACITY TO SUPPORT
8 THOSE INDIVIDUALS; AND

9 (III) ANY ADDITIONAL CRITERIA SET FORTH IN THE DIVISION'S
10 POLICIES AND PROCEDURES.

11 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS FROM ENTITIES
12 THAT PROVIDE SERVICES OR PLAN TO PROVIDE SERVICES TO PERSONS WITH
13 SEVERE AND PERSISTENT MENTAL ILLNESS.

14 (10) (a) AS A CONDITION OF RECEIVING THE GRANT, ALL GRANT
15 RECIPIENTS SHALL:

16 (I) PARTICIPATE IN DIVISION TRAININGS, TECHNICAL ASSISTANCE,
17 AND REPORTING REQUIREMENTS; AND

18 (II) USE OR PARTICIPATE IN, AS APPROPRIATE FOR THE PROGRAM
19 BEING FUNDED AND TO THE EXTENT POSSIBLE UNDER STATE AND FEDERAL
20 LAW, THE COLORADO HOMELESS MANAGEMENT INFORMATION SYSTEM
21 AND THE COORDINATED ENTRY SYSTEM DEVELOPED BY CONTINUUMS OF
22 CARE OR ANY SUCCESSOR SYSTEMS, THE STATE MEDICAL ASSISTANCE
23 PROGRAM, AND EXISTING HOUSING VOUCHER PROGRAMS.

24 (11) GRANT AWARDS ARE IN THE SOLE DISCRETION OF THE
25 EXECUTIVE DIRECTOR IN ACCORDANCE WITH THIS SECTION.

26 (12) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
27 JANUARY 1, 2022, AND ON OR BEFORE JANUARY 1 OF THE SUCCEEDING

1 TWO YEARS, THE EXECUTIVE DIRECTOR SHALL AWARD GRANTS IN
2 ACCORDANCE WITH THIS SECTION.

3 (13) ON OR BEFORE AUGUST 1, 2022, AND ON OR BEFORE AUGUST
4 1 OF EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON
5 THE GRANT PROGRAM TO THE LEGISLATIVE OVERSIGHT COMMITTEE
6 CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH
7 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR ANY
8 SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THE
9 COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
10 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL
11 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (14) OF THIS
12 SECTION.

13 (14) THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
14 THE GENERAL FUND OR THE MARIJUANA TAX CASH FUND CREATED IN
15 SECTION 39-28.8-501 TO THE FUND IN ACCORDANCE WITH SECTION
16 24-32-721 TO IMPLEMENT THE GRANT PROGRAM. ANY MONEY IN THE FUND
17 AT THE END OF ANY FISCAL YEAR DOES NOT REVERT TO THE GENERAL
18 FUND. THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
19 DIVISION FOR THE PURPOSES SPECIFIED IN THIS SECTION. FOR ANY GIVEN
20 STATE FISCAL YEAR, NO MORE THAN THREE PERCENT OF THE MONEY
21 APPROPRIATED FROM THE FUND FOR THE GRANT PROGRAM MAY BE
22 EXPENDED FOR THE ADMINISTRATIVE COSTS OF THE DIVISION IN
23 ADMINISTERING THE GRANT PROGRAM.

24 (15) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.
25 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
26 ACCORDANCE WITH SECTION 24-34-104.

27 **24-32-729. Data integration and resource collection related to**

1 **homelessness.** (1) THE DIVISION SHALL PLAN TO INCREASE
2 PARTICIPATION IN REGIONAL HOMELESS DATA SYSTEMS, SUPPORT
3 ACCURATE DATA REPORTING BY PARTICIPANTS, AND ASSESS
4 HOUSING-RELATED NEEDS FOR PERSONS WITH BEHAVIORAL OR MENTAL
5 HEALTH DISORDERS. THE PROGRAM MUST:

6 (a) IN CONSULTATION WITH THE CONTINUUMS OF CARE, EVALUATE
7 HOW TO INCREASE STATEWIDE USE OF THE COLORADO HOMELESS
8 MANAGEMENT INFORMATION SYSTEM AND THE COORDINATED ENTRY
9 SYSTEM DEVELOPED BY CONTINUUMS OF CARE IN ACCORDANCE WITH 24
10 C.F.R. 578.7 IN ORDER TO BETTER TRACK POPULATIONS IN NEED,
11 INCLUDING:

12 (I) IDENTIFYING THE TECHNICAL NEEDS AND ASSOCIATED COSTS
13 FOR INCREASING USE AND SUPPORT OF THE DATA SYSTEMS ACROSS THE
14 STATE;

15 (II) PROVIDING TECHNICAL ASSISTANCE AND TRAINING TO LOCAL
16 COMMUNITIES TO ALLOW THEM TO CONNECT TO AND USE THE DATA
17 SYSTEMS EFFECTIVELY; AND

18 (III) WORKING WITH LOCAL COMMUNITIES TO IDENTIFY WAYS TO
19 USE THE DATA SYSTEMS TO INCREASE PROGRAM EFFECTIVENESS AND
20 CONDUCT PROGRAM EVALUATIONS;

21 (b) WORK WITH LOCAL COMMUNITIES, STATE AGENCIES,
22 CONTINUUMS OF CARE, SERVICE DELIVERY ORGANIZATIONS, AND OTHER
23 STAKEHOLDERS TO INTEGRATE OR DEVELOP AN INTEGRATED USER
24 INTERFACE FOR DATA SYSTEMS RELATED TO HOUSING AND SUPPORTIVE
25 SERVICES, INCLUDING THE COLORADO HOMELESS MANAGEMENT
26 INFORMATION SYSTEM, THE COORDINATED ENTRY SYSTEM, THE
27 BEHAVIORAL HEALTH CAPACITY TRACKING SYSTEM CREATED IN SECTION

1 27-60-104.5, AND THE COLORADO 2-1-1 COLLABORATIVE, AND ANY
2 SUCCESSOR SYSTEMS; AND

3 (c) ENHANCE INFORMATION RELATED TO SUPPORTIVE HOUSING
4 BEST PRACTICES, TRAININGS, AND RESOURCES THAT CAN BE ACCESSED
5 STATEWIDE.

6 **SECTION 3.** In Colorado Revised Statutes, 24-32-721, **amend**
7 (4)(c) as follows:

8 **24-32-721. Colorado affordable housing construction grants**
9 **and loans - housing development grant fund - creation - housing**
10 **assistance for persons with behavioral, mental health, or substance**
11 **use disorders - cash fund - appropriation - report to general assembly**
12 **- definition.** (4) (c) In addition to any other uses specified in this section,
13 the division shall also:

14 (I) Provide grants or loans for the acquisition, construction, or
15 rehabilitation of rental housing for persons with behavioral or mental
16 health disorders; AND

17 (II) IMPLEMENT THE GRANT PROGRAMS CREATED IN SECTIONS
18 24-32-727 AND 24-32-728.

19 **SECTION 4.** In Colorado Revised Statutes, 24-34-104, **add**
20 (25)(a)(XXII) and (28)(a)(III) as follows:

21 **24-34-104. General assembly review of regulatory agencies**
22 **and functions for repeal, continuation, or reestablishment - legislative**
23 **declaration - repeal.** (25) (a) The following agencies, functions, or both,
24 are scheduled for repeal on September 1, 2024:

25 (XXII) THE SUPPORTIVE HOUSING PREDEVELOPMENT GRANT
26 PROGRAM CREATED IN SECTION 24-32-727.

27 (28) (a) The following agencies, functions, or both, are scheduled

1 for repeal on September 1, 2027:

2 (III) THE SUPPORTIVE HOUSING SERVICES AND HOMELESSNESS
3 PREVENTION GRANT PROGRAM CREATED IN SECTION 24-32-728.

4 **SECTION 5. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2020 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.