

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
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BILL 5

LLS NO. 20-0260.02 Jane Ritter x4342

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: "Extend Cmt Treatment Persons In Crim & Juv Jus Sys"

A BILL FOR AN ACT

101 CONCERNING THE REAUTHORIZATION OF THE LEGISLATIVE
102 OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF
103 PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
104 CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

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 extends the repeal date for the

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

legislative oversight committee concerning the treatment of persons with mental health disorders in the criminal and juvenile justice systems (committee), and the associated task force (task force), to July 1, 2025. Substantive changes included in the reauthorization include broadening the name and scope of the committee and task force from "persons with mental health disorders" to "persons with behavioral health disorders"; making collaboration mandatory between members of the committee and the task force; allowing the task force to research topics for members of the committee upon request; adjusting task force membership; further defining issues for the task force to study; and providing staff support by the legislative council staff.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**
3 **with amendments,** article 1.9 of title 18 as follows:

4 **18-1.9-101. Legislative declaration.** (1) THE GENERAL
5 ASSEMBLY FINDS THAT:

6 (a) THE UNITED STATES IS IN A PUBLIC HEALTH CRISIS WHERE
7 PERSONS WITH BEHAVIORAL HEALTH NEEDS ARE NEGLECTED,
8 STIGMATIZED, OR INADEQUATELY SUPPORTED, WHICH GREATLY INCREASES
9 THE RISK OF SUCH PERSONS BECOMING INVOLVED WITH THE CRIMINAL OR
10 JUVENILE JUSTICE SYSTEM;

11 (b) PERSONS WITH BEHAVIORAL HEALTH DISORDERS ARE
12 DISPROPORTIONATELY REPRESENTED IN THE CRIMINAL AND JUVENILE
13 JUSTICE SYSTEMS. THE PREVALENCE RATES NATIONALLY OF SUCH
14 INDIVIDUALS ENTERING JAIL ARE THREE TIMES GREATER THAN THAT OF
15 THE GENERAL POPULATION. BUREAU OF JUSTICE STATISTICS DATA FROM
16 2011 THROUGH 2012 INDICATE THAT HALF OF THE PEOPLE INCARCERATED
17 IN PRISONS, AND TWO-THIRDS OF THOSE IN JAIL, HAVE EITHER A CURRENT
18 SERIOUS PSYCHOLOGICAL DISTRESS OR A HISTORY OF MENTAL HEALTH
19 CONCERNS.

1 (c) THE DEPARTMENT OF CORRECTIONS DATA INDICATE THAT ONE
2 OUT OF EVERY THREE MEN AND FOUR OUT OF EVERY FIVE WOMEN
3 IMPRISONED IN COLORADO HAVE A MODERATE TO SEVERE MENTAL
4 HEALTH DISORDER;

5 (d) THE DIVISION OF YOUTH SERVICES DATA INDICATE THAT
6 FIFTY-NINE PERCENT OF NEWLY COMMITTED YOUTH REQUIRE MENTAL
7 HEALTH INTERVENTION OR SERVICES, AND NATIONALLY, JUVENILE
8 INSTITUTION ARE ILL-EQUIPPED TO PROVIDE A COMPREHENSIVE ARRAY OF
9 SUCH SERVICES TO MEET THE NEEDS; AND

10 (e) LARGE NUMBERS OF PEOPLE WITH BEHAVIORAL HEALTH
11 DISORDERS ARE BEING SENT TO SECURE JUSTICE SETTINGS INSTEAD OF
12 RECEIVING COMMUNITY TREATMENT. AS A RESULT, THE CRIMINAL JUSTICE
13 SYSTEM HAS BECOME THE STOPGAP PROVIDER TO ADDRESS CHRONIC AND
14 ACUTE BEHAVIORAL HEALTH NEEDS IN OUR STATE.

15 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

16 (a) ACTIONS FOCUSED ON PERSONS WHO ARE AT RISK OF ENTRY
17 INTO THE SYSTEM DUE TO BEHAVIORAL HEALTH DISORDERS, AND ACTIONS
18 TO HELP REDUCE AND PREVENT RECIDIVISM ONCE SUCH INDIVIDUALS ARE
19 IN THE SYSTEM, ARE CRITICAL IN ADDRESSING THE PROBLEM;

20 (b) RESEARCH DEMONSTRATES A NEED TO DIVERT PERSONS WITH
21 BEHAVIORAL HEALTH DISORDERS TO TREATMENT PROGRAMS AND TO
22 PROVIDE WRAPAROUND SERVICES, SUCH AS HOUSING AND CONTINUED
23 MEDICAL AND BEHAVIORAL HEALTH TREATMENT UPON RELEASE; AND

24 (c) PREVENTION AND INTERVENTION NEEDS RANGE FROM, BUT ARE
25 NOT LIMITED TO, SCHOOL-BASED BEHAVIORAL HEALTH SERVICES; LAW
26 ENFORCEMENT DIRECTED DIVERSION; COMMUNITY SCREENING,
27 ASSESSMENT, AND TREATMENT; SECURE SETTINGS WITHIN CORRECTION

1 FACILITIES; AND SUPPORTIVE RE-ENTRY SERVICES, INCLUDING HOUSING,
2 AS CRITICAL COMPONENTS OF DIGNITY, SAFETY, AND RECOVERY.

3 (3) IN ADDITION, THE GENERAL ASSEMBLY FINDS THAT THE
4 RESULTS OF A REPORT REQUESTED BY THE JOINT BUDGET COMMITTEE IN
5 1999 RECOMMENDED CROSS-SYSTEM COLLABORATION AND
6 COMMUNICATION AS A METHOD FOR REDUCING THE NUMBER OF PERSONS
7 WITH MENTAL HEALTH DISORDERS WHO ARE INVOLVED IN THE CRIMINAL
8 AND JUVENILE JUSTICE SYSTEMS. THE COMMITTEE AND TASK FORCE
9 CREATED BY THIS ARTICLE 1.9 SHALL CONSIDER THE BROADER CONTINUUM
10 OF BEHAVIORAL HEALTH DISORDERS TO BETTER ACCOUNT FOR THE NEEDS
11 OF THE AT-RISK POPULATION BEING STUDIED.

12 (4) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT,
13 DESPITE THE IMPACT AND REACH OF THE PREVIOUS WORK OF THE
14 LEGISLATIVE OVERSIGHT COMMITTEE AND TASK FORCE, A SIGNIFICANT
15 NEED REMAINS FOR ONGOING INNOVATION TO ADDRESS THESE AND
16 RELATED ISSUES. THE GENERAL ASSEMBLY THEREFORE DETERMINES THAT
17 IT IS NECESSARY TO CONTINUE THE LEGISLATIVE OVERSIGHT COMMITTEE
18 AND TASK FORCE TO EXAMINE THE IDENTIFICATION, DIAGNOSIS, AND
19 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE
20 AT RISK OF INVOLVEMENT WITH OR WHO ARE ALREADY INVOLVED IN THE
21 CRIMINAL OR JUVENILE JUSTICE SYSTEMS AND TO DEVELOP STRATEGIES TO
22 ADDRESS THE ISSUES SUCH PEOPLE FACE.

23 **18-1.9-102. Definitions.** AS USED IN THIS ARTICLE 1.9, UNLESS
24 THE CONTEXT OTHERWISE REQUIRES:

25 (1) "BEHAVIORAL HEALTH" REFERS TO AN INDIVIDUAL'S MENTAL
26 AND EMOTIONAL WELL-BEING AND ACTIONS THAT AFFECT AN INDIVIDUAL'S
27 OVERALL WELLNESS. BEHAVIORAL HEALTH PROBLEMS AND DISORDERS

1 INCLUDE SUBSTANCE USE DISORDERS, SERIOUS PSYCHOLOGICAL DISTRESS,
2 SUICIDE, AND OTHER MENTAL HEALTH DISORDERS. PROBLEMS RANGING
3 FROM UNHEALTHY STRESS OR SUBCLINICAL CONDITIONS TO DIAGNOSABLE
4 AND TREATABLE DISEASES ARE INCLUDED IN THE TERM "BEHAVIORAL
5 HEALTH". THE TERM "BEHAVIORAL HEALTH" IS ALSO USED TO DESCRIBE
6 SERVICE SYSTEMS THAT ENCOMPASS PREVENTION AND PROMOTION OF
7 EMOTIONAL HEALTH, PREVENTION AND TREATMENT SERVICES FOR MENTAL
8 HEALTH AND SUBSTANCE USE DISORDERS, AND RECOVERY SUPPORT.

9 (2) "CO-OCCURRING DISORDER" MEANS A DISORDER THAT
10 COMMONLY COINCIDES WITH MENTAL HEALTH DISORDERS AND MAY
11 INCLUDE, BUT IS NOT LIMITED TO, SUBSTANCE ABUSE AND SUBSTANCE USE
12 DISORDERS, BEHAVIORAL HEALTH DISORDERS, INTELLECTUAL AND
13 DEVELOPMENTAL DISABILITIES, FETAL ALCOHOL SYNDROME, AND
14 TRAUMATIC BRAIN INJURY.

15 (3) "LEGISLATIVE OVERSIGHT COMMITTEE" OR "COMMITTEE"
16 MEANS THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE
17 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
18 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO
19 SECTION 18-1.9-103.

20 (4) "TASK FORCE" MEANS THE TASK FORCE CONCERNING THE
21 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
22 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO
23 SECTION 18-1.9-104.

24 **18-1.9-103. Legislative oversight committee concerning the**
25 **treatment of persons with behavioral health disorders in the criminal**
26 **and juvenile justice systems - creation - duties. (1) Creation.**

27 (a) THERE IS CREATED A LEGISLATIVE OVERSIGHT COMMITTEE

1 CONCERNING THE TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH
2 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

3 (b) THE COMMITTEE CONSISTS OF SIX MEMBERS AS FOLLOWS:

4 (I) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO SENATORS
5 TO SERVE ON THE COMMITTEE, AND THE MINORITY LEADER OF THE SENATE
6 SHALL APPOINT ONE SENATOR TO SERVE ON THE COMMITTEE; AND

7 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
8 APPOINT THREE REPRESENTATIVES TO SERVE ON THE COMMITTEE, NO
9 MORE THAN TWO OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY;

10 (c) APPOINTEES TO THE COMMITTEE MUST HAVE EXPERIENCE WITH
11 OR INTEREST IN THE STUDY AREAS OF THE COMMITTEE AND TASK FORCE,
12 AS SET FORTH IN SECTION 18-1.9-104.

13 (d) THE TERMS OF THE MEMBERS WHO ARE SERVING ON THE
14 EFFECTIVE DATE OF THIS SECTION ARE EXTENDED TO AND EXPIRE ON OR
15 TERMINATE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF
16 THE SEVENTY-THIRD GENERAL ASSEMBLY. AS SOON AS PRACTICABLE
17 AFTER SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE
18 LEGISLATIVE SESSION, THE SPEAKER, THE PRESIDENT, AND THE MINORITY
19 LEADER OF THE SENATE SHALL EACH APPOINT OR REAPPOINT MEMBERS IN
20 THE SAME MANNER AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION.
21 THEREAFTER, THE TERMS OF MEMBERS APPOINTED OR REAPPOINTED BY
22 THE SPEAKER, THE PRESIDENT, AND THE MINORITY LEADER OF THE SENATE
23 EXPIRE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF EACH
24 GENERAL ASSEMBLY, AND ALL SUBSEQUENT APPOINTMENTS AND
25 REAPPOINTMENTS BY THE SPEAKER, THE PRESIDENT, AND THE MINORITY
26 LEADER OF THE SENATE MUST BE MADE AS SOON AS PRACTICABLE AFTER
27 SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE

1 LEGISLATIVE SESSION.

2 (e) THE PERSON MAKING THE ORIGINAL APPOINTMENT OR
3 REAPPOINTMENT SHALL FILL ANY VACANCY BY APPOINTMENT FOR THE
4 REMAINDER OF AN UNEXPIRED TERM. MEMBERS APPOINTED OR
5 REAPPOINTED SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY
6 AND CONTINUE IN OFFICE UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED.

7 (f) THE PRESIDENT OF THE SENATE SHALL SELECT THE FIRST CHAIR
8 OF THE COMMITTEE, AND THE SPEAKER OF THE HOUSE OF
9 REPRESENTATIVES SHALL SELECT THE FIRST VICE-CHAIR. THE CHAIR AND
10 VICE-CHAIR SHALL ALTERNATE ANNUALLY THEREAFTER BETWEEN THE
11 TWO HOUSES.

12 (g) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY
13 ESTABLISH SUCH ORGANIZATIONAL AND PROCEDURAL RULES AS ARE
14 NECESSARY FOR THE OPERATION OF THE COMMITTEE AND, IN
15 COLLABORATION WITH THE TASK FORCE, GUIDELINES AND EXPECTATIONS
16 FOR ONGOING COLLABORATION WITH THE TASK FORCE.

17 (h) (I) MEMBERS OF THE COMMITTEE MAY RECEIVE PAYMENT OF
18 PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES
19 AUTHORIZED PURSUANT TO SECTION 2-2-307.

20 (II) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL
21 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL
22 SUPPLY STAFF ASSISTANCE TO THE COMMITTEE AS THEY DEEM
23 APPROPRIATE, WITHIN EXISTING APPROPRIATIONS.

24 (2) **Duties.** (a) (I) THE COMMITTEE SHALL MEET AT LEAST THREE
25 TIMES EACH YEAR AND AT SUCH OTHER TIMES AS IT DEEMS NECESSARY.

26 (II) EACH COMMITTEE MEMBER SHALL ANNUALLY EITHER ATTEND
27 OR CALL INTO AT LEAST ONE REGULAR TASK FORCE MEETING. COMMITTEE

1 MEMBERS ARE ENCOURAGED TO ATTEND SEPARATE MEETINGS AND INFORM
2 THE REST OF THE COMMITTEE ABOUT THE CURRENT WORK OF THE TASK
3 FORCE.

4 (b) THE COMMITTEE IS RESPONSIBLE FOR THE OVERSIGHT OF THE
5 TASK FORCE AND SHALL SUBMIT ANNUAL REPORTS TO THE GENERAL
6 ASSEMBLY REGARDING THE TASK FORCE'S FINDINGS AND
7 RECOMMENDATIONS. IN ADDITION, THE COMMITTEE MAY RECOMMEND
8 LEGISLATIVE CHANGES THAT ARE TREATED AS BILLS RECOMMENDED BY
9 AN INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES OF ANY
10 INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT
11 RULES OF THE GENERAL ASSEMBLY.

12 (c) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE COMMITTEE
13 SHALL SUBMIT, AND MAKE PUBLICLY AVAILABLE ON ITS WEBSITE, A
14 REPORT TO THE GENERAL ASSEMBLY. THE ANNUAL REPORTS MUST BRIEFLY
15 SUMMARIZE THE STUDY ISSUES, RECOMMENDATIONS CONSIDERED, AND
16 ANY ACTIONS TAKEN BY THE COMMITTEE DURING THE PREVIOUS YEAR.
17 THE REPORTS MUST COMPLY WITH THE PROVISIONS OF SECTION 24-1-136
18 (9). NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT
19 IN THIS SECTION TO REPORT TO THE GENERAL ASSEMBLY CONTINUES
20 INDEFINITELY.

21 **18-1.9-104. Task force concerning the treatment of persons**
22 **with behavioral health disorders in the criminal and juvenile justice**
23 **systems - creation - membership - duties. (1) Creation. (a) THERE IS**
24 **CREATED A TASK FORCE CONCERNING THE TREATMENT OF PERSONS WITH**
25 **BEHAVIORAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE**
26 **SYSTEMS. THE TASK FORCE CONSISTS OF TWENTY-SEVEN MEMBERS**
27 **APPOINTED AS PROVIDED IN SUBSECTIONS (1)(b) AND (1)(c) OF THIS**

1 SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION
2 18-1.9-105.

3 (b) THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT SHALL
4 APPOINT TWO MEMBERS WHO REPRESENT THE JUDICIAL DEPARTMENT, ONE
5 OF WHOM REPRESENTS THE DIVISION OF PROBATION WITHIN THE
6 DEPARTMENT.

7 (c) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE SHALL APPOINT
8 TWENTY-FIVE MEMBERS AS FOLLOWS:

9 (I) ONE MEMBER WHO REPRESENTS THE DIVISION OF CRIMINAL
10 JUSTICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY;

11 (II) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
12 CORRECTIONS;

13 (III) TWO MEMBERS WHO REPRESENT LOCAL LAW ENFORCEMENT
14 AGENCIES, ONE OF WHOM REPRESENTS POLICE OFFICERS AND THE OTHER
15 OF WHOM REPRESENTS THE SHERIFF DEPARTMENTS THROUGHOUT THE
16 STATE;

17 (IV) THREE MEMBERS WHO REPRESENT THE DEPARTMENT OF
18 HUMAN SERVICES, AS FOLLOWS:

19 (A) ONE MEMBER WHO REPRESENTS THE OFFICE OF BEHAVIORAL
20 HEALTH;

21 (B) ONE MEMBER WHO REPRESENTS THE DIVISION OF YOUTH
22 SERVICES; AND

23 (C) ONE MEMBER WHO REPRESENTS THE UNIT WITHIN THE
24 DEPARTMENT OF HUMAN SERVICES THAT IS RESPONSIBLE FOR CHILD
25 WELFARE SERVICES;

26 (V) ONE MEMBER WHO REPRESENTS THE INTERESTS OF COUNTY
27 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES AND CAN REPRESENT A

1 RURAL COLORADO PERSPECTIVE;

2 (VI) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
3 EDUCATION;

4 (VII) ONE MEMBER WHO REPRESENTS THE STATE ATTORNEY
5 GENERAL'S OFFICE;

6 (VIII) ONE MEMBER WHO REPRESENTS THE DISTRICT ATTORNEYS
7 WITHIN THE STATE;

8 (IX) TWO MEMBERS WHO REPRESENT THE CRIMINAL DEFENSE BAR
9 WITHIN THE STATE, ONE OF WHOM HAS EXPERIENCE REPRESENTING
10 JUVENILES IN THE JUVENILE JUSTICE SYSTEM;

11 (X) TWO MEMBERS WHO ARE LICENSED MENTAL HEALTH
12 PROFESSIONALS PRACTICING WITHIN THE STATE, ONE OF WHOM HAS
13 EXPERIENCE TREATING JUVENILES;

14 (XI) ONE MEMBER WHO REPRESENTS COMMUNITY MENTAL
15 HEALTH CENTERS WITHIN THE STATE;

16 (XII) ONE MEMBER WHO IS A PERSON WITH KNOWLEDGE OF PUBLIC
17 BENEFITS AND PUBLIC HOUSING WITHIN THE STATE;

18 (XIII) ONE MEMBER WHO IS A MENTAL HEALTH PROFESSIONAL
19 PRACTICING IN FORENSIC ENVIRONMENTS;

20 (XIV) THREE MEMBERS OF THE PUBLIC AS FOLLOWS:

21 (A) ONE MEMBER WHO IS LIVING WITH A BEHAVIORAL HEALTH
22 DISORDER AND HAS BEEN INVOLVED IN THE CRIMINAL OR JUVENILE
23 JUSTICE SYSTEM IN THIS STATE;

24 (B) ONE MEMBER WHO HAS AN ADULT FAMILY MEMBER WHO HAS
25 A BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE
26 CRIMINAL JUSTICE SYSTEM IN THIS STATE; AND

27 (C) ONE MEMBER WHO IS THE PARENT OF A CHILD WHO HAS A

1 BEHAVIORAL HEALTH DISORDER AND HAS BEEN INVOLVED IN THE
2 JUVENILE JUSTICE SYSTEM IN THIS STATE;

3 (XV) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
4 HEALTH CARE POLICY AND FINANCING;

5 (XVI) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF
6 LABOR AND EMPLOYMENT;

7 (XVII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE CHILD'S
8 REPRESENTATIVE; AND

9 (XVIII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE
10 ALTERNATE DEFENSE COUNSEL.

11 (d) MEMBERS OF THE TASK FORCE SERVE WITHOUT
12 COMPENSATION. HOWEVER, MEMBERS OF THE TASK FORCE APPOINTED
13 PURSUANT TO SUBSECTION (1)(c)(XIV) OF THIS SECTION MAY RECEIVE
14 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES ASSOCIATED
15 WITH THEIR DUTIES ON THE TASK FORCE.

16 (e) A VACANCY OCCURRING IN A POSITION APPOINTED BY THE
17 CHIEF JUSTICE OF THE COLORADO SUPREME COURT PURSUANT TO
18 SUBSECTION (1)(b) OF THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE
19 BY THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT IN
20 ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SUBSECTION (1)(b) OF
21 THIS SECTION. IN ADDITION, THE CHIEF JUSTICE OF THE COLORADO
22 SUPREME COURT MAY REMOVE AND REPLACE ANY APPOINTMENT TO THE
23 TASK FORCE MADE PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION.

24 (f) A VACANCY OCCURRING IN A POSITION FILLED BY THE CHAIR
25 AND VICE-CHAIR OF THE COMMITTEE PURSUANT TO SUBSECTION (1)(c) OF
26 THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE BY THE CHAIR AND
27 VICE-CHAIR OF THE COMMITTEE IN ACCORDANCE WITH THE LIMITATIONS

1 SPECIFIED IN SUBSECTION (1)(c) OF THIS SECTION. IN ADDITION, THE CHAIR
2 AND VICE-CHAIR OF THE COMMITTEE MAY REMOVE AND REPLACE ANY
3 APPOINTMENT TO THE TASK FORCE MADE PURSUANT TO SUBSECTION (1)(c)
4 OF THIS SECTION.

5 (g) IN MAKING APPOINTMENTS TO THE TASK FORCE, THE
6 APPOINTING AUTHORITIES SHALL ENSURE THAT THE MEMBERSHIP OF THE
7 TASK FORCE INCLUDES PERSONS WHO HAVE EXPERIENCE WITH OR
8 INTEREST IN THE STUDY AREAS OF THE TASK FORCE AS SET FORTH IN
9 SUBSECTION (2) OF THIS SECTION; PERSONS WHO REFLECT THE ETHNIC,
10 CULTURAL, AND GENDER DIVERSITY OF THE STATE; REPRESENTATION OF
11 ALL AREAS OF THE STATE; AND, TO THE EXTENT PRACTICABLE, PERSONS
12 WITH DISABILITIES.

13 (h) (I) ALL TASK FORCE MEMBERS ARE EXPECTED TO SEEK INPUT
14 FROM THE VARIOUS NETWORKS OR ORGANIZATIONAL STRUCTURES OF THE
15 BODY THEY REPRESENT, IF ANY. EVERY AGENCY IS ENCOURAGED TO
16 NOMINATE A REPRESENTATIVE WHO CAN PARTICIPATE IN MAKING TASK
17 FORCE SUBJECT MATTER EXPERT RECOMMENDATIONS YET STILL
18 APPROPRIATELY REPRESENT THE AGENCY'S CONSTITUENCY.

19 (II) IN ORDER TO ADVANCE THE WORK OF THE TASK FORCE,
20 MEMBERS ARE ENCOURAGED TO PARTICIPATE IN DECISION-MAKING, WITH
21 THE UNDERSTANDING THAT INDIVIDUAL VOTES ON TASK FORCE ISSUES ARE
22 BASED ON SUBJECT MATTER EXPERTISE AND DO NOT COMMIT
23 REPRESENTATIVE AGENCIES OR ORGANIZATIONS TO ANY POSITION OR
24 ACTION. TASK FORCE MEMBERS SHALL ADHERE TO ANY AGREED-UPON
25 PROCEDURAL RULES AND GUIDELINES.

26 (2) **Issues for study.** (a) THE TASK FORCE SHALL STUDY BEST AND
27 PROMISING PRACTICES TO PROMOTE POSITIVE SOCIAL AND EMOTIONAL

1 OUTCOMES FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS WHO
2 ARE AT RISK OF INITIAL OR CONTINUED INVOLVEMENT IN THE CRIMINAL OR
3 JUVENILE JUSTICE SYSTEMS, WITH THE FOCUS ON BETTER UNDERSTANDING
4 AND ADDRESSING NECESSARY RESOURCES AND ACTIONS FOR
5 IMPLEMENTATION TO PREVENT INITIAL OR CONTINUED INVOLVEMENT WITH
6 THE CRIMINAL OR JUVENILE JUSTICE SYSTEMS.

7 (b) THE REQUIREMENTS SET FORTH IN THIS SUBSECTION (2) DO NOT
8 PROHIBIT THE TASK FORCE, AT ANY TIME DURING ITS EXISTENCE, FROM
9 STUDYING, PRESENTING FINDINGS AND RECOMMENDATIONS ON, OR
10 REQUESTING PERMISSION TO DRAFT LEGISLATIVE PROPOSALS CONCERNING
11 ANY ISSUE DESCRIBED IN THIS SUBSECTION (2).

12 (c) THE TASK FORCE SHALL SPECIFICALLY CONSIDER ISSUES
13 INCLUDING:

14 (I) EARLY IDENTIFICATION OF AND INTERVENTION STRATEGIES FOR
15 INDIVIDUALS WHO ARE AT A HIGHER RISK OF INVOLVEMENT WITH THE
16 CRIMINAL OR JUVENILE JUSTICE SYSTEM DUE TO ESTABLISHED OR
17 DEVELOPING BEHAVIORAL HEALTH CONCERNS;

18 (II) THE PROMOTION OF RESILIENCE AND HEALTH FOR PERSONS AT
19 RISK OF OR ALREADY EXPERIENCING INVOLVEMENT WITH THE CRIMINAL
20 OR JUVENILE JUSTICE SYSTEM DUE TO BEHAVIORAL HEALTH CONCERNS;

21 (III) THE INTERSECTION OF BEHAVIORAL HEALTH DISORDERS AND
22 THE RISK OF INVOLVEMENT IN THE JUVENILE OR CRIMINAL JUSTICE
23 SYSTEMS, WITH A SPECIFIC FOCUS ON DIVERTING PERSONS WITH MENTAL
24 HEALTH, SUBSTANCE USE, OR CO-OCCURRING DISORDERS AWAY FROM
25 INITIAL OR CONTINUED JUVENILE OR CRIMINAL JUSTICE INVOLVEMENT;
26 AND

27 (IV) ISSUES RELATING TO PERSONS WITH BEHAVIORAL HEALTH

1 DISORDERS WHO ARE ALREADY INVOLVED IN THE CRIMINAL OR JUVENILE
2 JUSTICE SYSTEM, UTILIZING SAFE AND EFFECTIVE INTERVENTIONS WITH A
3 FOCUS ON PREVENTING FURTHER INVOLVEMENT, PROMOTING GOOD
4 HEALTH OUTCOMES UPON RELEASE, AND ENHANCING RECOVERY SUCCESS.

5 (3) **Additional duties of the task force.** THE TASK FORCE SHALL
6 ANNUALLY DELIVER POLICY AND LEGISLATIVE RECOMMENDATIONS TO THE
7 COMMITTEE PURSUANT TO THIS SECTION. IN ADDITION, THE TASK FORCE
8 SHALL:

9 (a) ON OR BEFORE AUGUST 1 OF EACH YEAR, SELECT A CHAIR AND
10 VICE-CHAIR FROM AMONG ITS MEMBERS;

11 (b) MEET AT LEAST SIX TIMES EACH YEAR, OR MORE OFTEN AS
12 DIRECTED BY THE CHAIR OF THE COMMITTEE;

13 (c) ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES FOR THE
14 OPERATION OF THE TASK FORCE AND FOR COLLABORATION WITH THE
15 COMMITTEE;

16 (d) DESIGNATE SPECIFIC TASK FORCE MEMBERS RESPONSIBLE FOR
17 COLLABORATING WITH AND OBTAINING INPUT FROM OTHER GROUPS, TASK
18 FORCES, OR STATEWIDE INITIATIVES THAT COMPLEMENT OR RELATE TO
19 THE TASK FORCE'S IDENTIFIED AREAS OF STUDY;

20 (e) CREATE SUBCOMMITTEES AS NEEDED TO CARRY OUT THE
21 DUTIES OF THE TASK FORCE. THE SUBCOMMITTEES MAY CONSIST, IN PART,
22 OF PERSONS WHO ARE NOT MEMBERS OF THE TASK FORCE. SUCH PERSONS
23 MAY VOTE ON ISSUES BEFORE THE SUBCOMMITTEE BUT ARE NOT ENTITLED
24 TO A VOTE AT TASK FORCE MEETINGS.

25 (f) STUDY THE IMPLEMENTATION OF COMMITTEE LEGISLATION
26 PASSED BY THE GENERAL ASSEMBLY;

27 (g) UPON REQUEST BY A COMMITTEE MEMBER, PROVIDE

1 EVIDENCE-BASED FEEDBACK ON THE POTENTIAL BENEFITS OR
2 CONSEQUENCES OF A LEGISLATIVE OR OTHER POLICY PROPOSAL NOT
3 DIRECTLY AFFILIATED WITH OR GENERATED BY THE TASK FORCE. THE
4 FEEDBACK MUST BE DELIVERED WITHIN TWO WEEKS TO THE ENTIRE
5 COMMITTEE AND REMAIN AS CONCISE AS POSSIBLE WHILE CAPTURING ANY
6 AVAILABLE EVIDENCE. IF THE TASK FORCE CANNOT IDENTIFY EVIDENCE TO
7 EFFECTIVELY INFORM A RESPONSE, THE FEEDBACK WILL INDICATE A LACK
8 OF EVIDENCE AND REPORT ON ANY ACTIONS TAKEN.

9 (h) ON OR BEFORE OCTOBER 1 OF EACH YEAR, PREPARE AND
10 SUBMIT TO THE COMMITTEE, WHICH MAY MAKE PUBLICLY AVAILABLE ON
11 ITS WEBSITE, A REPORT THAT, AT A MINIMUM, INCLUDES:

12 (I) ISSUES STUDIED BY THE TASK FORCE, AS WELL AS FINDINGS FOR
13 LEGISLATIVE OR OTHER RECOMMENDATIONS;

14 (II) LEGISLATIVE OR POLICY PROPOSALS OF THE TASK FORCE THAT
15 IDENTIFY THE POLICY ISSUES INVOLVED, THE AGENCIES RESPONSIBLE FOR
16 THE IMPLEMENTATION OF THE CHANGES, AND THE FUNDING SOURCES
17 REQUIRED FOR IMPLEMENTATION;

18 (III) A SUMMARY OF MONTHLY TASK FORCE MEETING ACTIVITIES
19 AND DISCUSSIONS;

20 (IV) ANY EVIDENCE-BASED FEEDBACK PROVIDED TO THE
21 COMMITTEE PURSUANT TO SUBSECTION (3)(g) OF THIS SECTION; AND

22 (V) A SUMMARY OF EFFORTS MADE TO COMMUNICATE,
23 COLLABORATE, OR COORDINATE WITH OTHER GROUPS, TASK FORCES, OR
24 STATE INITIATIVES.

25 (4) **Flexibility.** A REQUIREMENT SET FORTH IN SUBSECTION (2) OF
26 THIS SECTION SHALL NOT, AT ANY TIME DURING THE EXISTENCE OF THE
27 TASK FORCE, PROHIBIT THE TASK FORCE FROM STUDYING, PRESENTING

1 FINDINGS AND RECOMMENDATIONS ON, OR REQUESTING PERMISSION TO
2 DRAFT LEGISLATIVE PROPOSALS CONCERNING ANY ISSUE DESCRIBED IN
3 SUBSECTION (2) OF THIS SECTION.

4 (5) **Coordination.** THE TASK FORCE SHALL WORK WITH OTHER
5 GROUPS, TASK FORCES, OR STATEWIDE INITIATIVES THAT ARE PURSUING
6 ISSUES AND POLICY INITIATIVES SIMILAR TO THOSE ADDRESSED IN
7 SUBSECTION (2) OF THIS SECTION. THE TASK FORCE SHALL DEVELOP
8 RELATIONSHIPS WITH OTHER TASK FORCES, COMMITTEES, AND
9 ORGANIZATIONS TO LEVERAGE EFFICIENT POLICY-MAKING OPPORTUNITIES
10 THROUGH COLLABORATIVE EFFORTS.

11 **18-1.9-105. Task force funding - staff support.** (1) THE
12 LEGISLATIVE COUNCIL STAFF SHALL SUPPLY STAFF ASSISTANCE, WITHIN
13 EXISTING APPROPRIATIONS, TO THE TASK FORCE AS THE COMMITTEE
14 DEEMS APPROPRIATE. IF EXISTING APPROPRIATIONS ARE NOT ADEQUATE
15 TO SUPPLY STAFF ASSISTANCE THROUGH THE LEGISLATIVE COUNCIL STAFF,
16 THE DIRECTOR OF LEGISLATIVE COUNCIL STAFF SHALL REQUEST
17 ADDITIONAL NECESSARY FUNDING IN ITS ANNUAL BUDGET REQUEST.

18 (2) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF
19 PUBLIC SAFETY, THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT
20 OF HUMAN SERVICES, AND ANY STATE DEPARTMENT OR AGENCY WITH AN
21 ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE AUTHORIZED TO
22 RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS, INCLUDING
23 DONATIONS OF IN-KIND SERVICES FOR STAFF SUPPORT, FROM ANY PUBLIC
24 OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED
25 WITH THE DUTIES OF THE TASK FORCE.

26 **18-1.9-106. Treatment of persons with behavioral health**
27 **disorders in the criminal and juvenile justice systems fund.** (1) THE

1 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE
2 CRIMINAL AND JUVENILE JUSTICE SYSTEMS FUND, REFERRED TO IN THIS
3 SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND
4 CONSISTS OF MONEY APPROPRIATED OR TRANSFERRED TO THE FUND BY
5 THE GENERAL ASSEMBLY AND ANY PRIVATE AND PUBLIC FUNDS RECEIVED
6 THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF
7 IMPLEMENTING THE PROVISIONS OF THIS ARTICLE 1.9. MONEY IN THE FUND
8 IS SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR
9 THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION
10 OF THIS ARTICLE 1.9. MONEY IN THE FUND NOT EXPENDED FOR THE
11 PURPOSE OF IMPLEMENTING THIS ARTICLE 1.9 MAY BE INVESTED BY THE
12 STATE TREASURER AS PROVIDED BY LAW. THE STATE TREASURER SHALL
13 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND
14 INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER
15 SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY
16 REMAINING IN THE FUND AS OF JULY 1, 2025, TO THE GENERAL FUND.

17 (2) THE CHAIR OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE
18 COUNCIL SHALL APPROVE ANY COMPENSATION PROVIDED FOR IN SECTIONS
19 18-1.9-103 (1)(h), 18-1.9-104 (1)(d), AND 18-1.9-105 FOR MEMBERS OF
20 THE GENERAL ASSEMBLY, SPECIFIED MEMBERS OF THE TASK FORCE, AND
21 STAFF ASSISTANCE TO THE COMMITTEE AND TASK FORCE, AS PROVIDED BY
22 THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AND THE
23 DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES.
24 COMPENSATION MUST BE PAID BY VOUCHERS AND WARRANTS DRAWN AS
25 PROVIDED BY LAW FROM MONEY APPROPRIATED FOR SUCH PURPOSE AND
26 ALLOCATED TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL
27 FROM THE FUND.

1 **18-1.9-107. Repeal of article.** THIS ARTICLE 1.9 IS REPEALED,
2 EFFECTIVE JULY 1, 2025.

3 **SECTION 2. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.