

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

BILL C

LLS NO. 20-0258.01 Megan Waples x4348

HOUSE BILL

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Fields,

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PROGRAMS TO BUILD STATEWIDE CAPACITY TO ACCESS
102 SUPPORTIVE HOUSING SERVICES, AND, IN CONNECTION
103 THEREWITH, PROVIDING FOR PROGRAMS FOCUSED ON
104 UNDERSERVED COMMUNITIES WITH A PREFERENCE FOR RURAL
105 AND FRONTIER COMMUNITIES TO SERVE PEOPLE WITH
106 BEHAVIORAL, MENTAL HEALTH, AND SUBSTANCE USE DISORDERS
107 WHO HAVE CONTACT WITH THE JUSTICE SYSTEM.

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/>.)

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

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, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system, including:

- Expanding statewide training and technical assistance to help communities develop and implement supportive housing programs for individuals who have behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with 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 behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with 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 prioritize applicants that will serve rural or frontier communities and 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 behavioral, mental health, or substance use disorders who are homeless or at risk of becoming homeless and who have contact with the criminal or juvenile justice system. The division is required to prioritize applicants that will serve rural or frontier communities and 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.

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

6 (d) Of the respondents experiencing homelessness, over sixty
7 percent reported needing mental health treatment, compared with
8 forty-five percent of nonhomeless respondents;

9 (e) Similarly, the Colorado department of corrections reported in
10 2017 that over seventy-eight percent of the female inmate population and
11 over forty-three percent of the male inmate population had moderate to
12 severe mental health needs, and the Colorado department of adult parole
13 reported in 2019 that over one thousand individuals were paroling to
14 "unsheltered homelessness" or to "short term, temporary housing";

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

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

23 (h) Supportive housing programs combine affordable housing
24 with access to supportive services tailored to an individual's needs,
25 including, for example, in-reach and outreach, housing search and
26 counseling support, engagement, vocational or occupational training,
27 clinical services, support with daily living activities, and other ongoing

1 supports. Supportive housing can reduce the cycling of individuals with
2 behavioral or mental health disorders, including substance use disorders,
3 between prison, jail, homelessness, and other public services.

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

6 (j) Unfortunately, not all communities across the state are able to
7 take advantage of the available state and federal funding for supportive
8 housing services due to various barriers;

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

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

17 (m) Many communities, particularly in rural and frontier areas, do
18 not have nonprofit organizations experienced in applying for grants and
19 implementing supportive housing programs, do not have the
20 programmatic or staff capacity to do so, and need technical assistance to
21 develop evidence-based, innovative solutions that are scaled and tailored
22 to their specific community needs.

23 (2) The general assembly further finds and declares that it is
24 therefore in Colorado's best interest to provide assistance and create
25 opportunities for communities across the state that are currently unable
26 to access federal and state housing and supportive service funds through
27 training, technical assistance, and grant funding to support the

1 development and implementation of supportive housing and homelessness
2 prevention services for individuals with behavioral, mental health, and
3 substance use disorders who have been involved with or are at risk of
4 falling into the criminal or juvenile justice system.

5 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-726,
6 24-32-727, 24-32-728, and 24-32-729 as follows:

7 **24-32-726. Training and technical assistance for supportive**
8 **housing - report - definition.** (1) ON OR BEFORE JANUARY 1, 2021, THE
9 DIVISION SHALL EXPAND STATEWIDE TECHNICAL ASSISTANCE TO ASSIST
10 COMMUNITIES IN DEVELOPING SUPPORTIVE HOUSING INTERVENTIONS THAT
11 CAN SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE
12 USE DISORDERS. THE PROGRAM MUST:

13 (a) PROVIDE TRAINING, EDUCATION, AND ASSISTANCE TO ENTITIES
14 INTERESTED IN ADDRESSING HOMELESSNESS AMONG PERSONS WITH
15 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS,
16 INCLUDING HOMELESS SERVICE PROVIDERS, LAW ENFORCEMENT AGENCIES,
17 FIRST RESPONDERS, REENTRY PROGRAMS, MUNICIPAL COURT PROGRAMS,
18 AND OTHER ORGANIZATIONS;

19 (b) PROVIDE PROGRAMMING THAT IS SPECIFICALLY TARGETED TO
20 COMMUNITIES THAT FACE BARRIERS TO ACCESSING EXISTING STATE AND
21 FEDERAL FUNDS FOR HOUSING AND SUPPORTIVE SERVICES, INCLUDING
22 RURAL COMMUNITIES; AND

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

24 (I) DEVELOP THEIR KNOWLEDGE OF SUPPORTIVE HOUSING
25 INTERVENTIONS IN THEIR REGION;

26 (II) LEVERAGE EXISTING STATE AND FEDERAL FUNDING SOURCES
27 FOR HOUSING AND SUPPORTIVE SERVICES;

1 (III) ENGAGE AND RECRUIT LANDLORDS TO PARTICIPATE IN
2 SUPPORTIVE HOUSING PROGRAMS;

3 (IV) PROVIDE LANDLORD-TENANT RELATIONSHIP SUPPORT;

4 (V) ACCESS AND USE RELEVANT DATA SYSTEMS AND SERVICES,
5 INCLUDING USING THE COLORADO HOMELESS MANAGEMENT INFORMATION
6 SYSTEM AND THE COORDINATED ENTRY SYSTEM DEVELOPED BY
7 CONTINUUMS OF CARE IN ACCORDANCE WITH 24 C.F.R. 578.7 OR ANY
8 SUCCESSOR SYSTEMS, AND PARTICIPATING IN THE STATE MEDICAL
9 ASSISTANCE PROGRAM DESCRIBED IN ARTICLES 4, 5, AND 6 OF TITLE 25.5;
10 AND

11 (VI) DEVELOP, IMPLEMENT, AND EVALUATE SUPPORTIVE HOUSING
12 PROGRAM SERVICES USING EVIDENCE-BASED, INNOVATIVE APPROACHES,
13 INCLUDING PROGRAMS TO PREVENT HOMELESSNESS AMONG PERSONS WITH
14 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS WHO HAVE
15 CONTACT WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM.

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

25 **24-32-727. Supportive housing predevelopment grant**
26 **program - created - rules - report - definitions - repeal.** (1) AS USED
27 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

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

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

6 (2) THERE IS HEREBY CREATED IN THE DIVISION THE SUPPORTIVE
7 HOUSING PREDEVELOPMENT GRANT PROGRAM TO PROVIDE GRANTS TO
8 ENTITIES WORKING TO DEVELOP SUPPORTIVE HOUSING INTERVENTIONS
9 THAT WILL SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
10 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
11 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
12 JUSTICE SYSTEM.

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

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

25 (4) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
26 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
27 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,

1 GRANTS SHALL BE PAID OUT OF THE FUND.

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

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

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

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

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

19 (7) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
20 PURSUANT TO THIS SECTION. TO BE ELIGIBLE TO RECEIVE A GRANT, THE
21 APPLICATION MUST ESTABLISH:

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

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

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

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

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

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

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

1 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (12) OF THIS
2 SECTION.

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

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

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

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

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

26 (c) "GRANT PROGRAM" MEANS THE SUPPORTIVE HOUSING
27 SERVICES AND HOMELESSNESS PREVENTION GRANT PROGRAM

1 ESTABLISHED IN THIS SECTION.

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

5 (e) "SUPPORTIVE HOUSING SERVICES" INCLUDES SERVICES
6 INTENDED TO ALLOW A PERSON WITH A BEHAVIORAL, MENTAL HEALTH, OR
7 SUBSTANCE USE DISORDER TO SECURE AND RETAIN STABLE HOUSING.

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

14 (3) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH
15 THE GRANT PROGRAM TO:

16 (a) DEVELOP AND IMPLEMENT EVIDENCE-BASED PROGRAMS
17 INTENDED TO PREVENT HOMELESSNESS AMONG PERSONS WITH
18 BEHAVIORAL, MENTAL HEALTH, OR SUBSTANCE USE DISORDERS IN THE
19 COMMUNITY WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
20 JUSTICE SYSTEM; OR

21 (b) COVER THE COSTS OF PROVIDING SUPPORTIVE HOUSING
22 SERVICES TO PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
23 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
24 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
25 JUSTICE SYSTEM, IF:

26 (I) THE PERSON OR ENTITY PROVIDING THE SERVICE IS NOT
27 CURRENTLY ABLE TO BILL THE STATE MEDICAL ASSISTANCE PROGRAM FOR

1 SUPPORTIVE HOUSING SERVICES AND IS IN THE PROCESS OF BECOMING
2 AUTHORIZED TO BILL THE PROGRAM FOR THOSE SERVICES OR IS
3 ESTABLISHING A RELATIONSHIP WITH A REGIONAL ACCOUNTABLE ENTITY
4 OR SUCCESSOR ORGANIZATION; OR

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

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

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

27 (6) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,

1 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
2 PROVIDED IN THIS SECTION. SUBJECT TO AVAILABLE APPROPRIATIONS,
3 GRANTS SHALL BE PAID OUT OF THE FUND.

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

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

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

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

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

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

23 (9) (a) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
24 PURSUANT TO THIS SECTION. TO BE ELIGIBLE TO RECEIVE A GRANT, THE
25 APPLICATION MUST ESTABLISH:

26 (I) THE COMMUNITY'S NEED FOR ASSISTANCE IN OVERCOMING
27 BARRIERS TO ACCESSING EXISTING FUNDS FOR SUPPORTIVE HOUSING

1 PROGRAMS THAT SERVE PERSONS WITH BEHAVIORAL, MENTAL HEALTH, OR
2 SUBSTANCE USE DISORDERS WHO ARE HOMELESS OR AT RISK OF BECOMING
3 HOMELESS AND WHO HAVE CONTACT WITH THE CRIMINAL OR JUVENILE
4 JUSTICE SYSTEM;

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

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

14 (b) THE DIVISION SHALL PRIORITIZE APPLICATIONS FROM ENTITIES
15 THAT PROVIDE SERVICES OR PLAN TO PROVIDE SERVICES TO PERSONS WITH
16 SEVERE AND PERSISTENT MENTAL ILLNESS OR TO RURAL OR FRONTIER
17 COMMUNITIES.

18 (10) AS A CONDITION OF RECEIVING THE GRANT, ALL GRANT
19 RECIPIENTS SHALL:

20 (a) PARTICIPATE IN DIVISION TRAININGS, TECHNICAL ASSISTANCE,
21 AND REPORTING REQUIREMENTS; AND

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

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

3 (12) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
4 JANUARY 1, 2022, AND ON OR BEFORE JANUARY 1 OF THE SUCCEEDING
5 TWO YEARS, THE EXECUTIVE DIRECTOR SHALL AWARD GRANTS IN
6 ACCORDANCE WITH THIS SECTION.

7 (13) ON OR BEFORE AUGUST 1, 2022, AND ON OR BEFORE AUGUST
8 1 OF EACH YEAR THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON
9 THE GRANT PROGRAM TO THE LEGISLATIVE OVERSIGHT COMMITTEE
10 CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH
11 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, OR ANY
12 SUCCESSOR COMMITTEE, AND TO THE ADVISORY TASK FORCE TO THE
13 COMMITTEE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
14 REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE UNTIL
15 THE GRANT PROGRAM REPEALS PURSUANT TO SUBSECTION (15) OF THIS
16 SECTION.

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

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

4 **24-32-729. Data integration and resource collection related to**
5 **homelessness.** (1) THE DIVISION SHALL PLAN TO INCREASE
6 PARTICIPATION IN REGIONAL HOMELESS DATA SYSTEMS, SUPPORT
7 ACCURATE DATA REPORTING BY PARTICIPANTS, AND ASSESS
8 HOUSING-RELATED NEEDS FOR PERSONS WITH BEHAVIORAL, MENTAL
9 HEALTH, OR SUBSTANCE USE DISORDERS. THE PROGRAM MUST:

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

16 (I) IDENTIFYING THE TECHNICAL NEEDS AND ASSOCIATED COSTS
17 FOR INCREASING USE AND SUPPORT OF THE DATA SYSTEMS ACROSS THE
18 STATE;

19 (II) PROVIDING TECHNICAL ASSISTANCE AND TRAINING TO LOCAL
20 COMMUNITIES TO ALLOW THEM TO CONNECT TO AND USE THE DATA
21 SYSTEMS EFFECTIVELY; AND

22 (III) WORKING WITH LOCAL COMMUNITIES TO IDENTIFY WAYS TO
23 USE THE DATA SYSTEMS TO INCREASE PROGRAM EFFECTIVENESS AND
24 CONDUCT PROGRAM EVALUATIONS;

25 (b) WORK WITH LOCAL COMMUNITIES, THE OFFICE OF BEHAVIORAL
26 HEALTH IN THE DEPARTMENT OF HUMAN SERVICES, STATE AGENCIES,
27 CONTINUUMS OF CARE, SERVICE DELIVERY ORGANIZATIONS, AND OTHER

1 STAKEHOLDERS TO INTEGRATE OR DEVELOP AN INTEGRATED USER
2 INTERFACE FOR DATA SYSTEMS RELATED TO HOUSING AND SUPPORTIVE
3 SERVICES, INCLUDING THE COLORADO HOMELESS MANAGEMENT
4 INFORMATION SYSTEM, THE COORDINATED ENTRY SYSTEM, THE
5 BEHAVIORAL HEALTH CAPACITY TRACKING SYSTEM CREATED IN SECTION
6 27-60-104.5, AND THE COLORADO 2-1-1 COLLABORATIVE, AND ANY
7 SUCCESSOR SYSTEMS; AND

8 (c) ENHANCE INFORMATION RELATED TO SUPPORTIVE HOUSING
9 BEST PRACTICES, TRAININGS, AND RESOURCES THAT CAN BE ACCESSED
10 STATEWIDE.

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

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

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

22 (II) IMPLEMENT THE GRANT PROGRAMS CREATED IN SECTIONS
23 24-32-727 AND 24-32-728.

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

26 **24-34-104. General assembly review of regulatory agencies**
27 **and functions for repeal, continuation, or reestablishment - legislative**

1 **declaration - repeal.** (25) (a) The following agencies, functions, or both,
2 are scheduled for repeal on September 1, 2024:

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

5 (28) (a) The following agencies, functions, or both, are scheduled
6 for repeal on September 1, 2027:

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

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