A BILL FOR AN ACT

Concerning recovery from substance use disorders.

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/)

Opioid and Other Substance Use Disorders Study Committee.

Section 1 of the bill implements a voluntary designation process for recovery-friendly workplaces.

Section 2 allows a school district to include in the annual pupil count a student who has transferred to a recovery high school before the pupil count date.

Section 3 allows a recovery community organization that receives a grant through the recovery support services grant program to use the
money to provide guidance to individuals on the many pathways for recovery.

Section 4 declares that recovery residences, sober living facilities, and sober homes are a residential use of land for zoning purposes.

Sections 5 and 6 place restrictions on where liquor-licensed drugstores and fermented malt beverage and wine retailers may display alcohol beverages on the stores' licensed premises.

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

SECTION 1. In Colorado Revised Statutes, add part 3 to article 2 of title 8 as follows:

PART 3
RECOVERY-FRIENDLY WORKPLACES

8-2-301. Definitions. As used in this part 3, unless the context otherwise requires:

(1) "Certified recovery-ready workplace" means a workplace that meets the criteria for certification as established by this part 3, attains designation as certified by the recovery-ready workplace program, and receives written documentation from the program of such designation.

(2) "Department" means the Department of Labor and Employment.

(3) "Employee" means any person who works for salary, wages, or other remuneration for an employer subject to the provisions of this part 3 and includes individuals in managerial positions, those working for or on behalf of the state, contractors, and individuals in work-from-home positions.

(4) "Employer" means any public or private person or entity that has one or more employees who are residents of the state and who are covered by the "Workers' Compensation Act
OF COLORADO”, ARTICLES 40 TO 47 OF THIS TITLE 8, OR THAT CONDUCTS
BUSINESS IN OR WITHIN THE STATE. "EMPLOYER" INCLUDES THE STATE
AND ANY DEPARTMENT, AGENCY, OR INSTRUMENTALITY OF THE STATE;
ANY COUNTY; ANY MUNICIPAL CORPORATION; AND ANY EMPLOYER THAT
IS SELF-INSURED. A SINGLE EMPLOYER MAY HAVE MULTIPLE WORKPLACES.

(5) "PARTICIPANT" MEANS A WORKPLACE THAT MEETS THE
CRITERIA FOR PARTICIPANT STATUS AS ESTABLISHED BY THIS PART 3,
ATTAINS DESIGNATION AS A PARTICIPANT BY THE RECOVERY-READY
WORKPLACE PROGRAM, AND RECEIVES DOCUMENTATION FROM THE
PROGRAM OF SUCH DESIGNATION.

(6) "PREVENTION" MEANS THE PREVENTION OF SUBSTANCE MISUSE
THROUGH STRATEGIES DESIGNED TO REDUCE THE RISK OF INJURY AND
STRESS IN THE WORKPLACE AND ADDRESS OTHER FACTORS THAT MAY
INCREASE THE RISK OF SUBSTANCE MISUSE AND THROUGH TRAINING AND
EDUCATION TO BUILD SUBSTANCE USE DISORDER AND RECOVERY
LITERACY.

(7) "RECOVERY" MEANS A PROCESS OF CHANGE THROUGH WHICH
INDIVIDUALS IMPROVE THEIR HEALTH AND WELLNESS, LIVE A
SELF-DIRECTED LIFE, AND STRIVE TO REACH THEIR FULL POTENTIAL.

(8) "RECOVERY-READY WORKPLACE ADVISOR" MEANS AN
INDIVIDUAL WHO IS AN EMPLOYEE OF OR CONTRACTOR FOR THE
RECOVERY-READY WORKPLACE PROGRAM AND WHOSE DUTIES INCLUDE
ASSISTING EMPLOYERS THROUGH THE PROCESS OF BECOMING A
RECOVERY-READY WORKPLACE PARTICIPANT OR A CERTIFIED
RECOVERY-READY WORKPLACE.

(9) "RECOVERY-READY WORKPLACE PROGRAM" OR "PROGRAM"
MEANS THE PROGRAM ESTABLISHED IN SECTION 8-2-302.
(10) "Recovery-ready workplace task force" means a task force established by an employer or its employees that reflects different components of the workforce and includes different levels of staff to lead recovery-ready workplace policy development and implementation and to continuously review and update the employer's policies and practices to make them more recovery-ready.

(11) "Recovery support services" means nonclinical services that assist individuals in achieving or sustaining recovery from a substance use disorder and may include mentorship, recovery coaching, information sharing, recovery planning, and linkage to services or other resources.

(12) "Substance use disorder" has the same meaning as set forth in section 27-50-101 (20).

(13) "Workplace" means any office, warehouse, building, or other location, whether permanent or temporary, where an employee performs any work-related duty or duties in the scope and course of the employee’s employment. Employers may have more than one workplace. "Workplace" does not include an employee’s residence or other remote work location. If an employer operates exclusively through telework, the designated workplace address is the address listed on the employer’s articles of incorporation filed with the secretary of state, if incorporated in this state, or, if not incorporated in this state, the address of the employer's official headquarters in this state.
**duties.** (1) There is hereby established a Recovery-Ready Workplace program. The department may contract with one or more public or private entities to perform some or all of the duties outlined in this Part 3 but shall maintain oversight of the program. Any such public or private entity shall be required to meet all requirements for certification as a Recovery-Ready Workplace.

(2) At a minimum, the program must:

(a) Develop or adopt a process through which employers may apply to become Recovery-Ready Workplace participants or certified as Recovery-Ready as set forth in Section 8-2-303;

(b) Develop or adopt an orientation process that includes training materials for new employers that provides a baseline introduction to substance use disorders, treatment, and recovery, including information on the science of addiction, stigma, substance use in the workforce, prevention measures, available local resources, and the ways in which employers can amend and implement Recovery-Ready policies and practices to help their employees with substance use disorders;

(c) Provide consultation, guidance, technical assistance, training and education, and other support to employers seeking to become participants or certified Recovery-Ready workplaces, as well as to current participants and certified Recovery-Ready employers and key stakeholders within the workplace, such as human resources directors and union leaders;

(d) Conduct outreach to key stakeholders within the state, including employers that are not engaged in the program,
LABOR UNIONS, AND RECOVERY SUPPORT SERVICES ORGANIZATIONS TO PROVIDE INFORMATION REGARDING THE PROGRAM AND PROGRAM BENEFITS;

(e) DEPENDENT ON FUNDING, HIRE OR CONTRACT WITH AT LEAST ONE RECOVERY-READY WORKPLACE ADVISOR FOR EVERY ONE HUNDRED PARTICIPANTS AND CERTIFIED RECOVERY-READY WORKPLACES;

(f) ASSIGN A RECOVERY-READY WORKPLACE ADVISOR TO EACH EMPLOYER THAT HAS SUBMITTED A LETTER OF INTENT WHO WILL:

(I) ASSIST EMPLOYERS THROUGH THE PROCESS OF BECOMING A PARTICIPANT OR CERTIFIED RECOVERY-READY WORKPLACE;


(III) PROVIDE ONGOING ASSISTANCE TO EMPLOYERS BY:

(A) WORKING WITH EMPLOYERS TO REVIEW THE EMPLOYERS' POLICIES AND PROCEDURES AND PROVIDING SUGGESTIONS TO MAKE SUCH POLICIES AND PROCEDURES MORE RECOVERY-READY;

(B) REFERRING EMPLOYERS TO ORGANIZATIONS AND INDIVIDUALS WITH SPECIALIZED KNOWLEDGE AND EXPERTISE THAT MAY ASSIST THE EMPLOYER IN BECOMING OR MAINTAINING ITS STATUS AS
RECOVERY-READY OR IN REVISING ITS POLICIES OR PROCEDURES TO
BETTER ASSIST EMPLOYEES WITH SUBSTANCE USE DISORDERS, ADDRESSING
STIGMA AND BUILDING A RECOVERY-SUPPORTIVE WORKPLACE CULTURE,
OR IN PROVIDING EMPLOYEES ACCESS TO ADDITIONAL SERVICES AND
SUPPORTS; AND

(C) ENCOURAGING EMPLOYEE INVOLVEMENT IN THE EMPLOYER'S
PROCESS OF BECOMING A PARTICIPANT OR CERTIFIED RECOVERY-READY
WORKPLACE OR IN MAINTAINING SUCH STATUS, INCLUDING THROUGH
ACTIVITIES SUCH AS PARTICIPATING IN A RECOVERY-READY WORKPLACE
TASK FORCE, ORIENTING NEW EMPLOYEES ON THE EMPLOYER'S
RECOVERY-READY POLICIES, MONITORING THE IMPLEMENTATION PROCESS,
AND PROVIDING FEEDBACK ON THE EMPLOYER'S RECOVERY-READY
WORKPLACE EFFORTS; AND

(IV) ASSIST EMPLOYERS IN RENEWING THEIR STATUS AS A
PARTICIPANT OR CERTIFIED RECOVERY-READY WORKPLACE THROUGH THE
COMPLETION OF AN ANNUAL REVIEW AS SET FORTH IN SECTION 8-2-303
(5);

(g) PROVIDE EACH PARTICIPATING EMPLOYER WITH A CERTIFICATE
OR OTHER DOCUMENTATION EVIDENCING THE EMPLOYER'S STATUS AS A
PARTICIPANT OR AS A CERTIFIED RECOVERY-READY WORKPLACE, WHICH
MUST REFLECT THE NAME OF THE EMPLOYER, THE ADDRESS OF EACH
WORKPLACE COVERED BY THE CERTIFICATE, THE DATE THE CERTIFICATE
WAS ISSUED, AND THE DATE OF EXPIRATION;

(h) DEVELOP A RECOVERY-READY WORKPLACE PROGRAM WEBSITE
THAT PROVIDES RESOURCES AND INFORMATION ON SUBSTANCE USE IN THE
WORKPLACE TO EMPLOYERS, EMPLOYEES, AND THE GENERAL PUBLIC OR
INCORPORATE SUCH INFORMATION INTO THE DEPARTMENT'S EXISTING
WEBSITE;

(i) Develop or adopt already existing educational and training resources for employers and employees that must be posted to the program website and must include materials such as guideline documents, flyers, posters, webinars, panel discussions, online interactive modules, and training modules tailored to specific employers or industries and may include interactive classroom-based training;

(j) Develop or adopt already existing model recovery-ready policies and procedures for use by employers; and

(k) Compile the information to be submitted to the department pursuant to section 8-2-304 (2)(b).

8-2-303. Recovery-ready workplace program - participants - certified recovery-ready workplaces - requirements - renewal - termination. (1) An employer seeking to participate in the recovery-ready workplace program may choose to do so as a participant or as a certified recovery-ready workplace.

(2)(a) To become a participant in the program, an employer must:

(I) Submit of a letter of intent to the program in a form and manner prescribed by the program that must include, at a minimum, the name and address of the employer and, if the employer has more than one workplace, the street address of each workplace to which the letter of intent applies;

(II) Complete the orientation process as required by the program, including completion of the orientation training
MODULE;

(III) Prepare a recovery-ready workplace pledge or
statement, or use a form provided by the program, that identifies
the values or principles informing the commitment and briefly
describes the key recovery-ready workplace steps the employer
must complete as a participant; and

(IV) Notify all employees and the members of the
employer’s board of directors, if any, in writing of the intent to
become a participant, which the employer must submit to the
program.

(b) Upon submission of the letter of intent, the program
must assign the employer a recovery-ready workplace advisor.

(c) After an employer completes the minimum
requirements as set forth in subsection (2)(a) of this section, the
program must:

(I) List the employer as a participant on the program
website; and

(II) Provide the employer with a certificate or other
documentation verifying the employer’s status as a participant
in the recovery-ready workplace program, which certificate or
documentation must include the date of issuance, the expiration
date, and the address of each workplace covered by the
certificate. The certificate must be valid for a period of at least
one year after the date of issuance.

(3)(a) To become certified as a recovery-ready workplace,
an employer must:

(I) Complete all steps set forth in subsection (2)(a) of this
SECTION FOR BECOMING A PARTICIPANT;

(II) WITH THE EMPLOYER'S RECOVERY-READY WORKPLACE ADVISOR, COMPLETE A STANDARDIZED ASSESSMENT OF THE EMPLOYER'S CURRENT POLICIES, PROCEDURES, AND PRACTICES THAT IMPACT CURRENT AND PROSPECTIVE EMPLOYEES WITH SUBSTANCE USE DISORDERS AND DETERMINE WHERE IMPROVEMENTS CAN BE MADE; AND

(III) WITH THE RECOVERY-READY WORKPLACE ADVISOR, SET TIME-LIMITED GOALS TO MAKE SELECT IMPROVEMENTS IDENTIFIED IN SUBSECTION (3)(a)(II) OF THIS SECTION, WHICH MUST BE COMPLETED WITHIN THE ONE-YEAR TERM OF THE CERTIFICATION, UNLESS AN EXTENSION OF TIME IS GRANTED BY THE PROGRAM.

(b) THE PROGRAM SHALL LIST ON THE PROGRAM WEBSITE EACH EMPLOYER THAT COMPLETES THE MINIMUM REQUIREMENTS AS SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION AS A CERTIFIED RECOVERY-READY WORKPLACE. IF THE EMPLOYER HAS A LOGO, THE PROGRAM SHALL INCLUDE THE LOGO IN THE LISTING.


(4) THE DEPARTMENT SHALL RECOGNIZE EACH CERTIFIED RECOVERY-READY WORKPLACE EMPLOYER THROUGH PROGRAM PRESS
RELEASES AND PROGRAM-SPONSORED EVENTS THROUGHOUT THE YEAR.

(5) AT LEAST THIRTY DAYS PRIOR TO THE EXPIRATION OF A CERTIFICATE DESIGNATING AN EMPLOYER AS A PARTICIPANT OR AS A CERTIFIED RECOVERY-READY WORKPLACE, THE EMPLOYER SHALL:

(a) MEET WITH THE RECOVERY-READY WORKPLACE ADVISOR TO COMPLETE A REVIEW OF THE EMPLOYER'S RECOVERY-READY-RELATED ACTIVITIES FOR THE PAST YEAR, INCLUDING REVISING WORKPLACE POLICIES TO BETTER ASSIST EMPLOYEES WITH SUBSTANCE USE DISORDERS, IMPLEMENTING POLICIES TO ENCOURAGE THE HIRING OF INDIVIDUALS IN RECOVERY FROM SUBSTANCE USE DISORDERS, DECREASING OR ELIMINATING BARRIERS FOR EMPLOYEES SEEKING TREATMENT, ESTABLISHING A RECOVERY-READY WORKPLACE TASK FORCE, AND TAKING STEPS TO REDUCE STIGMA IN THE WORKPLACE;

(b) IN CONSULTATION WITH THE RECOVERY-READY WORKPLACE ADVISOR, SET GOALS FOR THE UPCOMING YEAR; AND

(c) COMPLETE A WRITTEN OR ELECTRONIC PROGRAM SATISFACTION SURVEY.

(6) AN EMPLOYER MAY CHOOSE TO TERMINATE ITS PARTICIPATION IN THE PROGRAM IF THE TERMINATION:

(a) TAKES EFFECT PRIOR TO THE EXPIRATION OF THE EMPLOYER'S CURRENT DESIGNATION AND THE EMPLOYER PROVIDES WRITTEN NOTICE TO THE PROGRAM OF THE INTENT TO TERMINATE PARTICIPATION WITHIN THIRTY DAYS PRIOR TO THE PROPOSED DATE OF TERMINATION; OR

(b) TAKES EFFECT ON THE EXPIRATION OF THE EMPLOYER'S CURRENT DESIGNATION AND THE EMPLOYER PROVIDES WRITTEN NOTICE TO THE PROGRAM OF THE EMPLOYER'S INTENT NOT TO RENEW ITS DESIGNATION AS A PARTICIPANT OR A CERTIFIED RECOVERY-READY WORKPLACE.
(7) The program may revoke or decline to renew the designation as a participant or certified recovery-ready workplace for any employer that:

(a) Violates any of the requirements of this Part 3;
(b) Violates any rules implemented by the department in relation to this Part 3; or
(c) Fails to take the necessary steps to renew its participation or certification within the time allowed by the program.

(8) The program shall remove all participants and certified recovery-ready workplaces whose designation is revoked or who do not seek renewal from the program website and terminate all benefits associated with such designation.

(9) The program shall be flexible in granting extensions to participants and certified recovery-ready workplaces that begin the process of renewing their designation but fail to complete the process before their current designation expires.

8-2-304. Program evaluation and reports. (1) The department may conduct an evaluation of the effectiveness of the recovery-ready workplace program and identify ways to improve the program. The department may hire an outside contractor to perform the evaluation.

(2) (a) Beginning one year after the effective date of this Part 3, and on an annual basis thereafter, the program shall collect and aggregate the satisfaction data obtained as the result of the renewal process and shall present such
INFORMATION IN THE FORM OF A REPORT TO THE HOUSE OF
REPRESENTATIVES BUSINESS AFFAIRS AND LABOR COMMITTEE AND THE
SENATE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE, OR THEIR
SUCCESSOR COMMITTEES, FOR THE PURPOSE OF PROGRAM REVIEW. THE
INFORMATION IN THIS REPORT IS CONFIDENTIAL AND NOT SUBJECT TO THE
"COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.
NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT IN
THIS SECTION TO REPORT TO THE GENERAL ASSEMBLY CONTINUES
INDEFINITELY.

(b) ON AN ANNUAL BASIS, THE PROGRAM SHALL COLLECT AND
AGGREGATE DATA REGARDING THE FOLLOWING AND SHALL SUBMIT SUCH
DATA TO THE DEPARTMENT:

(I) THE NUMBER OF EMPLOYERS DESIGNATED AS PARTICIPANTS IN
THE RECOVERY-READY WORKPLACE PROGRAM, INCLUDING INFORMATION
REGARDING THE TYPES OF INDUSTRIES REPRESENTED AND NUMBER OF
EMPLOYEES, IF AVAILABLE;

(II) THE NUMBER OF EMPLOYERS DESIGNATED AS CERTIFIED
RECOVERY-READY WORKPLACES, INCLUDING INFORMATION REGARDING
THE TYPES OF INDUSTRIES REPRESENTED AND NUMBER OF EMPLOYEES, IF
AVAILABLE;

(III) THE NUMBER OF PARTICIPANTS DESIGNATED AS CERTIFIED
RECOVERY-READY WORKPLACES;

(IV) THE NUMBER OF ONLINE AND IN-PERSON TRAININGS
CONDUCTED BY THE PROGRAM, NOT INCLUDING THE ORIENTATION
TRAINING, INCLUDING THE TOPICS, NUMBER OF ATTENDEES, INDUSTRIES
REPRESENTED, AND WHETHER SUCH TRAININGS WERE CONDUCTED AT THE
REQUEST OF ONE OR MORE EMPLOYERS; AND

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(V) Any other information required by the department.

8-2-305. Rules. The department shall promulgate such rules as are necessary to effectuate this Part 3.

SECTION 2. In Colorado Revised Statutes, 22-54-103, add (10)(i) as follows:

22-54-103. Definitions. As used in this article 54, unless the context otherwise requires:

(10)(i) (I) For the 2024-25 budget year and each budget year thereafter, a district may include in its pupil enrollment pupils who were enrolled in the district prior to the pupil enrollment count day and then transferred out of the district prior to the pupil enrollment count day for the purpose of attending a recovery high school.

(II) As used in this subsection (10)(i), "recovery high school" means a school that:

(A) Educates and supports students in recovery from substance use or co-occurring disorders, including self-harm and disordered eating;

(B) Intends that all students enrolled are working in an active and abstinence-focused program of recovery as determined by the student and the school;

(C) Provides support for families learning how to live with, and provide support for, their teens who are entering into the recovery lifestyle; and

(D) Meets state requirements for awarding a high school diploma.

SECTION 3. In Colorado Revised Statutes, 27-80-126, amend...
(3)(b) as follows:

27-80-126. Recovery support services grant program - creation - eligibility - reporting requirements - appropriation - rules - definitions. (3) A recovery community organization that receives a grant from the grant program may use the money to:

(b) Provide guidance to individuals with a substance use disorder or co-occurring substance use and mental health disorder and their family members on THE MANY PATHWAYS FOR RECOVERY, navigating treatment, social service SERVICES, and recovery support systems;

SECTION 4. In Colorado Revised Statutes, 30-28-115, add (2)(b.7) as follows:

30-28-115. Public welfare to be promoted - legislative declaration - construction. (2) (b.7) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT IT IS THE POLICY OF THE STATE TO ENCOURAGE, PROMOTE, AND ASSIST PERSONS WHO ARE IN RECOVERY FROM SUBSTANCE USE DISORDERS TO LIVE IN RESIDENTIAL NEIGHBORHOODS. FURTHER, THE GENERAL ASSEMBLY DECLARES THAT THE USE OF RECOVERY RESIDENCES, SOBER LIVING FACILITIES, AND SOBER HOMES, AS DEFINED IN SECTION 27-80-129 (1)(b), BY PERSONS IN RECOVERY FROM SUBSTANCE USE DISORDERS IS A MATTER OF STATEWIDE CONCERN AND THAT RECOVERY RESIDENCES, SOBER LIVING FACILITIES, AND SOBER HOMES ARE A RESIDENTIAL USE OF PROPERTY FOR ZONING PURPOSES AND SUBJECT ONLY TO THE REGULATIONS OF LIKE DWELLINGS IN THE SAME ZONE.

SECTION 5. In Colorado Revised Statutes, 44-3-410, add (5.5) as follows:

44-3-410. Liquor-licensed drugstore license - multiple licenses permitted - requirements - rules. (5.5) ON AND AFTER JANUARY 1,
2025, A LIQUOR-LICENSED DRUGSTORE LICENSED UNDER SUBSECTION (1)(a)(I) OF THIS SECTION SHALL:

(a) (I) Display all alcohol beverages accessible by and visible to a consumer in no more than one location on the retail sales floor, which location is not adjacent to a display of nonalcohol beverages and must not exceed one percent of the licensee’s total retail space, unless the location is a cooler with a door from which the nonalcohol beverages are not accessible; or

(II) Separate the display of alcohol beverages from the nonalcohol beverages with a display of one or more nonbeverage products or another physical divider;

(b) Display a sign in the area described in subsection (5.5)(a) of this section that:

(I) Is prominent;

(II) Is easily readable by consumers;

(III) Meets all requirements for format established by the executive director by rule; and

(IV) Reads in print that is no smaller than one-half inch, bold-faced type, "These beverages contain alcohol. Please read the label carefully."

SECTION 6. In Colorado Revised Statutes, 44-4-107, add (4.5) as follows:

44-4-107. Local licensing authority - application - fees - definitions - rules. (4.5) On and after January 1, 2025, a fermented malt beverage and wine retailer licensed under subsection (1)(a) of this section shall:
(a) (I) Display all alcohol beverages accessible by and visible to a consumer in no more than one location on the retail sales floor, which location is not adjacent to a display of nonalcohol beverages and must not exceed one percent of the licensee’s total retail space, unless the location is a cooler with a door from which the nonalcohol beverages are not accessible; or

(II) separate the display of alcohol beverages from the display of nonalcohol beverages with a display of one or more nonbeverage products or another physical divider; and

(b) display a sign in the area described in subsection (4.5)(a) of this section that:

(I) is prominent;

(II) is easily readable by consumers;

(III) meets all requirements for format established by the executive director by rule; and

(IV) reads in print that is no smaller than one-half inch, bold-faced type, "These beverages contain alcohol. Please read the label carefully."

SECTION 7. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in
November 2024 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.