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COLORADO GENERAL ASSEMBLY



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MEMORANDUM

TO: Colorado's Child Welfare System Interim Study Committee

FROM: Jane Ritter, Assistant Team Leader and Managing Senior Attorney,
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Jessica Chapman, Legislative Editor, Jessica.chapman@coleg.gov

DATE: July 18, 2023

SUBJECT: Bill History: 2021-23 Legislative Sessions

Summary

Office of Legislative Legal Services (OLLS) staff assigned to Colorado's Child Welfare System Interim Study Committee identified bills from the 2021, 2022, and 2023 legislative sessions related to the committee's charges. See [Charge Memorandum for Colorado's Child Welfare System Interim Committee](#). The chart below includes information on the 32 bills identified as relevant to the committee. These bills do not comprise all bills related to child welfare introduced during this period of time but rather those that OLLS staff deemed most closely related to the charges of the committee.

The chart below provides:

- A list of bills by legislative session, in ascending numerical order, with House Bills first, followed by Senate Bills;
- A link to each bill on the Colorado General Assembly website;
- The bill title; and
- A brief summary of each bill



Bill History: 2021-23 Legislative Sessions

Office of Legislative Legal Services

Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2021 Legislative Session		
Bill Number	Bill Title	Bill Summary
House Bill 21-1072	Concerning equal access to services related to out-of-home placements.	Requires a service provider related to child and youth out-of-home placement to provide fair and equal access to all available programs, benefits, and services offered by the service provider; requires foster parent training on fair and equal access to services.
House Bill 21-1094	Concerning the transition of youth in Colorado's foster care system to successful adulthood, and, in connection therewith, making an appropriation.	Creates the foster youth in transition program in the Department of Human Services (DHS) to be implemented in county departments of human or social services throughout the state.
House Bill 21-1099	Concerning authorization to implement best practices for child welfare caseworkers to recognize domestic abuse, and in connection therewith, addressing domestic abuse as a form of child abuse or neglect, and making an appropriation.	Creates the domestic abuse task force to develop a definition for "domestic abuse" in the Children's Code; requires DHS to create training standards for child welfare caseworkers to recognize, respond to, and assess child abuse or neglect related to domestic abuse.
House Bill 21-1101	Concerning preserving familial connections in actions initiated pursuant to the children's code, and in connection therewith, making an appropriation.	Sets forth parameters for parent visitation for children in custody upon allegations of neglect or for other reasons; sets forth requirements for open adoption in the state; creates the high-quality parenting time task force.



Bill History: 2021-23 Legislative Sessions

Office of Legislative Legal Services

Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2021 Legislative Session		
Bill Number	Bill Title	Bill Summary
House Bill 21-1228	Concerning oversight of court personnel who are regularly involved in cases related to domestic matters, and, in connection therewith, making an appropriation.	Increases and clarifies domestic violence training requirements for certain court personnel, including child and family investigators, parenting responsibility evaluators, and legal representatives of children.
House Bill 21-1272	Concerning child protections.	Exempts the Office of Child Protection Ombudsman (CPO) from testifying or providing information, documents, and reports reviewed by the CPO in a civil or criminal proceeding; authorizes ombudsman to receive information, records, or documents related to a complaint about an incident of egregious abuse or neglect, near fatality, or fatality of a child during the course of an investigation of a complaint.
House Bill 21-1313	Concerning permitting the office of the child protection ombudsman to initiate investigations on behalf of unaccompanied immigrant children who are housed in state-licensed residential child care facilities, and, in connection therewith, making an appropriation.	Extends the scope of the ombudsman's duties to include self-initiation of investigations and ongoing reviews of the safety and well-being of unaccompanied immigrant children who live in a state-licensed residential child care facility and who are in the custody of the office of refugee resettlement of the federal department of health and human services.
Senate Bill 21-059	Concerning the reorganization of the juvenile justice code in article 2 of title 19, Colorado Revised Statutes, by the Colorado juvenile justice and delinquency prevention council as authorized by House Joint Resolution 18-1013.	Makes conforming amendments and includes a cleanup of the main definition section for title 19, Colorado Revised Statutes, to reflect changes made through the reorganization of article 2 of title 19.



Bill History: 2021-23 Legislative Sessions

Office of Legislative Legal Services

Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2021 Legislative Session		
Bill Number	Bill Title	Bill Summary
Senate Bill 21-071	Concerning measures to limit the detention of juveniles, and, in connection therewith, making and reducing an appropriation.	Prohibits the imposition of secured monetary or property conditions on a bond for juveniles; reduces the number of juvenile beds; requires the working group for criteria for placement of juvenile offenders to examine the availability of alternatives to youth detention.
Senate Bill 21-201	Concerning stricter enforcement for child care facilities, and, in connection therewith, making an appropriation.	Addresses concerns related to child care providers operating without a valid license or exempt from licensure; requires publication of cease-and-desist orders that have been issued against a child care provider on the website of the Department of Early Childhood.
Senate Bill 21-278	Concerning reimbursement for placement of children in out-of-home placement, and, in connection therewith, making an appropriation.	Aligns out-of-home placements with the federal "Family First Prevention Services Act of 2018;" requires use of federal "Family First Transition and Support Act of 2019" funding to support placement options that meet the needs of children and youth; maximizes federal Title IV-E and Medicaid reimbursements; creates a working group to study the collection of fees for residential care of children or youth in out-of-home placement who are not adjudicated dependent or neglected.



Bill History: 2021-23 Legislative Sessions
Office of Legislative Legal Services
Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2022 Legislative Session		
Bill Number	Bill Title	Bill Summary
<u>House Bill 22-1038</u>	Concerning client-directed legal representation for youth in court proceedings for youth.	Requires client-directed counsel for youth be appointed for children or youth 12 years of age or older to provide specialized client-directed legal representation.
<u>House Bill 22-1056</u>	Concerning emergency temporary care for children, and, in connection therewith, making an appropriation.	Requires the General Assembly to annually appropriate money to DHS sufficient to fund 5 nights of care for each juvenile placed in a licensed temporary shelter.
<u>House Bill 22-1113</u>	Concerning amending the appeals procedures in dependency and neglect cases to minimize delay in achieving permanency for children.	Requires the child welfare appeals workgroup to monitor changes and recommendations from past legislation and study changes to the child welfare appeals system.
<u>House Bill 22-1240</u>	Concerning enhancing mandatory reporting for people required to report child abuse, and, in connection therewith, making an appropriation.	Creates mandatory reporter task force to analyze best practices and recommend changes to training requirements and reporting procedures for people required by law to report child abuse or neglect.



Bill History: 2021-23 Legislative Sessions

Office of Legislative Legal Services

Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2022 Legislative Session		
Bill Number	Bill Title	Bill Summary
<u>House Bill 22-1283</u>	Concerning enhanced residential services for persons with behavioral health needs, and, in connection therewith, making an appropriation.	Provides operational support for psychiatric residential treatment facilities and qualified residential treatment programs for youth, and capital construction and staffing associated with a neuro-psych facility at the Colorado mental health institute at Fort Logan.
<u>House Bill 22-1319</u>	Concerning dependency orders for an unaccompanied child in federal custody in Colorado.	Provides juvenile court jurisdiction over an unaccompanied child in the custody of the federal office of refugee resettlement who is housed in a facility in Colorado and who has been subjected to parental abuse or neglect.
<u>House Bill 22-1374</u>	Concerning measures to improve the educational attainment of students in out-of-home placement, and, in connection therewith, making an appropriation.	Requires the Department of Education to identify specific goals for its foster care education initiative to improve the educational attainment of youth in foster care; creates the fostering educational opportunities for youth in foster care program in DHS.
<u>House Bill 22-1375</u>	Concerning measures to improve the outcomes for those placed in out-of-home placement facilities, and, in connection therewith, making an appropriation.	Creates the Timothy Montoya task force to prevent children from running away from out-of-home placement in the office of the CPO.



Bill History: 2021-23 Legislative Sessions

Office of Legislative Legal Services

Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2023 Legislative Session		
Bill Number	Bill Title	Bill Summary
House Bill 23-1012	Concerning issues related to juvenile competency to proceed, and, in connection therewith, making an appropriation.	Addresses issues related to determination of juvenile competency to proceed and restoration of competency.
House Bill 23-1024	Concerning measures to increase family resiliency by providing greater supports and protections for children placed with kin, including relatives, and, in connection therewith, making an appropriation.	Establishes measures to protect the best interests of a child or youth that will not hinder reunification with the child's or youth's family when the child or youth has been temporarily placed with a relative or kin.
House Bill 23-1027	Concerning family time provided pursuant to the children's code, and in connection therewith, making an appropriation.	Defines "family time", creates new requirements for dependency and neglect court proceedings, and requires the task force on high-quality family time to commission and evaluate a state study on family time.
House Bill 23-1042	Concerning narrowing admissibility standards for juvenile statements to protect the voluntariness of such statements, and, in connection therewith, making an appropriation.	Makes any statement or admission obtained during a juvenile custodial interrogation by a law enforcement official or agent who knowingly communicated any untruthful information or belief to the juvenile to be presumptively inadmissible against the juvenile at trial.



Bill History: 2021-23 Legislative Sessions

Office of Legislative Legal Services

Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2023 Legislative Session		
Bill Number	Bill Title	Bill Summary
House Bill 23-1043	Concerning the safety of children and youth through required background checks on adults when a child or youth is placed out of the home with kin, including relatives.	Clarifies procedures for continuing placement of a child or youth that a county department of human or social services or a law enforcement agency with custody of the child or youth shall follow; sets forth criminal offenses and other matters that qualify for denial of placement.
House Bill 23-1172	Concerning changes to child welfare proceedings.	Provides juvenile courts jurisdiction to enter permanent allocations of parental responsibilities without requiring full adjudication of a child as dependent or neglected.
House Bill 23-1178	Concerning enhancing court personnel's recognition of domestic violence to access federal funding, and, in connection therewith, including the recognition of child abuse.	Complies with the federal "Keeping Children Safe from Family Violence Act" by requiring courts to consider certain evidence of child abuse. It also establishes training requirements for certain court professionals.
House Bill 23-1223	Concerning the creation of a task force to establish shared guidance for entities to utilize in prioritizing grant money to achieve maximum impact to reduce negative outcomes for youth, and, in connection therewith, making an appropriation.	Establishes a task force to establish priorities for distributing grant money to target communities with high rates of youth violence, suicide, and delinquency factors.



Bill History: 2021-23 Legislative Sessions
Office of Legislative Legal Services
Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2023 Legislative Session		
Bill Number	Bill Title	Bill Summary
<u>House Bill 23-1269</u>	Concerning efforts to promote clinical stabilization for youth involved in the behavioral health system, and, in connection therewith, making an appropriation.	Creates a plan to facilitate an adequate network of high-acuity services for children and youth.
<u>House Bill 23-1307</u>	Concerning enhanced supports for youth who are in detention, and, in connection therewith, making an appropriation.	Appropriates money to DHS for services for youth who are detained or eligible for placement; temporarily increases emergency detention beds.
<u>Senate Bill 23-039</u>	Concerning measures to reduce family separation caused by a parent's detention, and, in connection therewith, making an appropriation.	Establishes proceedings related to the relationship of and communication between a parent and a child if the parent is incarcerated and proceedings for a parent who is incarcerated in order to participate in dependency and neglect proceedings.



Bill History: 2021-23 Legislative Sessions
Office of Legislative Legal Services
Colorado's Child Welfare System Interim Study Committee - July 18, 2023

2023 Legislative Session		
Bill Number	Bill Title	Bill Summary
<u>Senate Bill 23-082</u>	Concerning creation of the Colorado fostering success voucher program to assist foster youth, and, in connection therewith, making an appropriation.	Establishes the Colorado fostering success voucher program to provide housing vouchers and case management services to eligible foster youth.
<u>Senate Bill 23-210</u>	Concerning updates to administrative statutes for specific administrative entities that focus on human and social services.	Requires resolution of grievances filed against county departments of human or social services concerning conduct of personnel in the performance of duties relating to children who may be neglected or dependent by requiring referral to the CPO; requires county departments of human or social services to post information about the grievance process.