

CHAPTER 340

**CHILDREN AND DOMESTIC MATTERS**

**HOUSE BILL 93-1171**

BY REPRESENTATIVES Foster, Allen, Chlouber, Dyer, Fleming, George, Gordon, Hagedorn, Jerke, June, Lawrence, Reeser, and Taylor;  
also SENATORS Bishop, Casey, Gallagher, Hopper, Mares, Mendez, Norton, Peterson, Tebedo, Traylor, and Weissmann.

**AN ACT**

**CONCERNING A REFORM FOR PROVIDING CHILD WELFARE SERVICES.**

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

**SECTION 1.** 19-1-116, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**19-1-116. Funding - alternatives to placement out of the home - pilot project.**

(7) (a) **MESACOUNTY** IS HEREBY AUTHORIZED TO ESTABLISH A PILOT PROJECT UNDER WHICH A MULTIDISCIPLINARY, NONCATEGORICAL PROGRAM FUND SHALL BE CREATED AND MONEYS FROM SUCH FUND SHALL BE USED TO PROVIDE CHILD WELFARE SERVICES TO AT-RISK CHILDREN AND THEIR FAMILIES. EXCEPT AS OTHERWISE PROVIDED BY FEDERAL LAW, THE MONEYS IN THE FUND CONTRIBUTED BY STATE AGENCIES SHALL BE EXEMPT FROM RESTRICTIVE, CATEGORICAL RULES OTHERWISE GOVERNING THE USE OF SUCH FUNDS, INCLUDING THE "M" NOTATION IN THE STATE'S ANNUAL APPROPRIATIONS ACT WHICH DESCRIBES THE GENERAL AND FEDERAL FUND CONTRIBUTIONS FOR FEDERALLY SUPPORTED PROGRAMS.

(b) SUCH SERVICES SHALL INCLUDE, BUT ARE NOT LIMITED TO, ASSESSMENT, INTERVENTION, TREATMENT, SUPERVISION, AND SHELTER WHEN AND IF APPROPRIATE.

(c) THE FUND SHALL CONSIST OF CONTRIBUTIONS, WHICH SHALL BE MADE BY ANY STATE, COUNTY, OR LOCAL AGENCY, OF FEDERAL, STATE, OR LOCAL FUNDS APPROPRIATED TO OR CONTRIBUTED BY SUCH AGENCIES FOR CHILD WELFARE SERVICES FOR AT-RISK CHILDREN AND THEIR FAMILIES. APPROPRIATED FUNDS SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THOSE APPROPRIATED TO COUNTY AND STATE DEPARTMENTS OF SOCIAL SERVICES, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF INSTITUTIONS, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

OF PUBLIC SAFETY, THE JUDICIAL DEPARTMENT, AND THE JOB TRAINING PARTNERSHIP OFFICE IN THE GOVERNOR'S OFFICE. EACH STATE AGENCY'S CONTRIBUTION TO THE FUND SHALL BE CONTINGENT UPON AND EQUAL TO CONTRIBUTIONS FROM THE PILOT COUNTY AND ANY OTHER LOCAL AGENCY THAT PARTICIPATES AND SEEKS MONEY FROM THE FUND.

(d) THE COUNTY BOARD OF SOCIAL SERVICES FOR THE PILOT COUNTY SHALL CONVENE A MEETING OF THE LOCAL AND STATE AGENCIES THAT PROVIDE CHILD WELFARE SERVICES TO AT-RISK CHILDREN AND THEIR FAMILIES, THAT WILL PARTICIPATE IN THE PILOT PROGRAM, AND THAT SEEK MONEYS FROM THE FUND. THE MEETING SHALL BE FOR THE PURPOSE OF DEVELOPING AND ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN SUCH AGENCIES AND THE COUNTY BOARD OF SOCIAL SERVICES CONCERNING THE AMOUNT OF CONTRIBUTIONS TO THE FUND DESCRIBED IN PARAGRAPH (c) OF THIS SUBSECTION (7) AND THE ALLOCATION AND USE OF MONEYS ALLOCATED FROM THE FUND. THE MEMORANDUM OF UNDERSTANDING SHALL PROVIDE FOR THE DESIGNATION OF A GOVERNING ENTITY TO OVERSEE THE ADMINISTRATION OF THE FUND AND A FISCAL AGENT, A THREE-YEAR PLAN, PROVISIONS FOR EVALUATING THE PROGRAMMATIC AND FISCAL IMPACT AND OVERALL EFFECTIVENESS OF THE PILOT PROJECT, AND A PROCESS FOR SUBMITTING THE RESULTS OF SUCH EVALUATION TO THE GENERAL ASSEMBLY AND STATE OFFICIALS ON AN ANNUAL BASIS.

(e) THE THREE-YEAR PLAN DESCRIBED IN PARAGRAPH (d) OF THIS SUBSECTION (7) SHALL BE REVIEWED FOR APPROVAL BY THE STATE AGENCIES AFFECTED BY THE IMPLEMENTATION OF SUCH PLAN. THE STATE AGENCIES SHALL ACT ON SUCH PLAN WITHIN NINETY DAYS AFTER SUCH PLAN IS SUBMITTED TO THE STATE AGENCIES. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE PLAN DESCRIBED IN SAID PARAGRAPH BE IMPLEMENTED AND THAT THE STATE AGENCIES COOPERATE IN THE DEVELOPMENT AND IMPLEMENTATION OF SUCH PLAN. PRIOR TO THE IMPLEMENTATION OF THE PILOT PROGRAM, A COPY OF THE APPROVED PLAN SHALL BE SUBMITTED TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY.

**SECTION 2. Appropriation - adjustment to 1993 long bill.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of social services for allocation to the Mesa county department of social services, for the fiscal year beginning July 1, 1993, the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, for the alternatives to out-of-home placement pilot project authorized by this act.

(2) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 1993, shall be adjusted as follows:

(a) The general fund appropriation to the department of institutions, division of youth services, community programs, for SB91-94 pilot projects, shall be decreased by fifty thousand dollars (\$50,000);

(b) The general fund appropriation to the department of institutions, division of mental health, mental health institutions, personal services, shall be decreased by fifty thousand dollars (\$50,000); and

(c) The general fund appropriation to the department of social services for child welfare services special purpose funds authorized by section 19-1-116 (1), Colorado Revised Statutes, shall be decreased by one hundred thousand dollars (\$100,000).

**SECTION 3. Effective date.** This act shall take effect July 1, 1993.

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

Approved: June 9, 1993