

CHAPTER 228

GOVERNMENT - STATE

HOUSE BILL 94-1360

BY REPRESENTATIVES Grampas, Owen, Romero, Berry, Foster, Allen, Armstrong, Blue, Chlouber, Clarke, Coffman, DeGette, Dyer, Eisenach, Faatz, Fleming, Friednash, Gordon, Greenwood, Hagedorn, Hernandez, Keller, Kerns, Knox, Linkhart, Lyle, Martin, Mattingly, Nichol, Pierson, Prinster, Reeser, Reeves, Rupert, Shoemaker, Snyder, Williams, and Wright; also SENATORS Hopper, Traylor, Lacy, Rizzuto, Norton, R. Powers, Schroeder, Wham, Bird, Bishop, Blickensderfer, Casey, Cassidy, Feeley, Gallagher, Johnson, Mares, Martinez, Meiklejohn, Mendez, Mutzebaugh, Owens, Peterson, L. Powers, Ruddick, Wattenberg, and Wells.

AN ACT

CONCERNING CREATION OF THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Article 32 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PART to read:

PART 28**COMMUNITY-BASED YOUTH CRIME PREVENTION AND INTERVENTION**

24-32-2801. Youth crime prevention and intervention program - created - standards - applications. (1) THERE IS HEREBY CREATED THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM TO PROVIDE STATE FUNDING FOR COMMUNITY-BASED PROGRAMS THAT TARGET YOUTH AND THEIR FAMILIES FOR INTERVENTION SERVICES IN AN EFFORT TO REDUCE INCIDENTS OF YOUTH CRIME AND VIOLENCE.

(2) (a) THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM SHALL BE ADMINISTERED THROUGH THE DEPARTMENT OF LOCAL AFFAIRS. THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM BOARD CREATED IN SECTION 24-32-2802 SHALL CHOOSE THOSE ENTITIES THAT WILL RECEIVE GRANTS THROUGH THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM AND THE AMOUNT OF EACH GRANT. IN ADDITION, THE DEPARTMENT OF LOCAL AFFAIRS SHALL MONITOR THE

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

EFFECTIVENESS OF EACH PROGRAM THAT RECEIVES FUNDS THROUGH THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM.

(b) ANY GRANT AWARDED THROUGH THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM SHALL BE PAID FROM MONEYS APPROPRIATED OUT OF THE GENERAL FUND FOR SUCH PROGRAM. THE BOARD, IN ACCORDANCE WITH THE TIMELINES ADOPTED PURSUANT TO SECTION 24-32-2802 (3), SHALL SUBMIT A LIST OF THE ENTITIES CHOSEN TO RECEIVE GRANTS TO THE GOVERNOR FOR APPROVAL. THE GOVERNOR SHALL EITHER APPROVE OR DISAPPROVE THE ENTIRE LIST OF ENTITIES BY RESPONDING TO THE BOARD WITHIN TWENTY DAYS. IF THE GOVERNOR HAS NOT RESPONDED TO THE BOARD WITHIN TWENTY DAYS AFTER RECEIPT OF THE LIST, THE LIST SHALL BE DEEMED APPROVED. NO GRANTS SHALL BE AWARDED THROUGH THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM WITHOUT THE PRIOR APPROVAL OF THE GOVERNOR.

(3) TO PARTICIPATE IN THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM, AN ENTITY MAY APPLY TO THE BOARD IN ACCORDANCE WITH TIMELINES AND GUIDELINES ADOPTED BY THE BOARD PURSUANT TO SECTION 24-32-2802.

(4) FOR PURPOSES OF THIS PART 28, "ENTITY" MEANS ANY LOCAL GOVERNMENT, SCHOOL DISTRICT, STATE AGENCY, OR STATE-OPERATED PROGRAM OR ANY PRIVATE NONPROFIT OR NOT-FOR-PROFIT COMMUNITY-BASED ORGANIZATION.

(5) THE COLORADO YOUTH CONSERVATION AND SERVICE CORPS COUNCIL IS ENCOURAGED TO SUBMIT AN APPLICATION TO THE BOARD FOR GRANTS FOR PROGRAMS OPERATING THROUGH THE COLORADO YOUTH CONSERVATION CORPS ESTABLISHED IN PART 20 OF THIS ARTICLE.

24-32-2802. Youth crime prevention and intervention program board - members - duties. (1) (a) THERE IS HEREBY CREATED THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM BOARD, REFERRED TO IN THIS PART 28 AS THE "BOARD", CONSISTING OF FOUR MEMBERS APPOINTED BY THE GOVERNOR WITH THE CONSENT OF THE SENATE, TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE. FOR THE INITIAL APPOINTMENTS, THE GOVERNOR SHALL APPOINT MEMBERS TO THE BOARD AFTER THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE HAVE MADE APPOINTMENTS. NO MORE THAN FIVE OF THE MEMBERS APPOINTED TO THE BOARD SHALL BE MEMBERS OF THE SAME POLITICAL PARTY. AT THEIR FIRST MEETING, THE MEMBERS OF THE BOARD SHALL CHOOSE A CHAIRPERSON AND A VICE-CHAIRPERSON. IN ADDITION TO THE APPOINTED BOARD MEMBERS, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL SERVE AS THE NINTH MEMBER OF THE BOARD.

(b) IN APPOINTING MEMBERS TO THE BOARD, THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE SENATE SHALL CHOOSE PERSONS WHO HAVE A KNOWLEDGE AND AWARENESS OF INNOVATIVE STRATEGIES FOR YOUTH CRIME PREVENTION AND INTERVENTION.

(c) THE APPOINTED MEMBERS OF THE BOARD SHALL SERVE THREE-YEAR TERMS; EXCEPT THAT, OF THE MEMBERS FIRST APPOINTED, ONE OF THE MEMBERS APPOINTED BY THE GOVERNOR SHALL SERVE A TWO-YEAR TERM, TWO OF THE MEMBERS

APPOINTED BY THE GOVERNOR SHALL SERVE ONE-YEAR TERMS, ONE OF THE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL SERVE A TWO-YEAR TERM, AND ONE OF THE MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE SHALL SERVE A TWO-YEAR TERM. THE RESPECTIVE APPOINTING PERSON SHALL CHOOSE THOSE MEMBERS WHO SHALL SERVE INITIAL SHORTENED TERMS. IF A VACANCY ARISES IN ONE OF THE APPOINTED OFFICES, THE AUTHORITY MAKING THE ORIGINAL APPOINTMENT SHALL FILL THE VACANCY FOR THE REMAINDER OF THE TERM. MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION BUT SHALL BE REIMBURSED OUT OF AVAILABLE APPROPRIATIONS FOR ALL ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

(d) THE BOARD IS AUTHORIZED TO MEET, WHEN NECESSARY, VIA TELECOMMUNICATIONS.

(2) (a) THE BOARD SHALL DEVELOP AND MAKE AVAILABLE PROGRAM GUIDELINES INCLUDING, BUT NOT LIMITED TO:

(I) GUIDELINES FOR PROPOSAL DESIGN;

(II) LOCAL PUBLIC-TO-PRIVATE FUNDING MATCH REQUIREMENTS; AND

(III) PROCESSES FOR LOCAL REVIEW AND PRIORITIZATION OF PROGRAM APPLICATIONS.

(b) IN ADDITION TO THE GUIDELINES DEVELOPED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2), THE BOARD SHALL DEVELOP CRITERIA FOR AWARDING GRANTS UNDER THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING REQUIREMENTS:

(I) THAT THE PROGRAM IS OPERATED IN COOPERATION WITH A LOCAL GOVERNMENT, A LOCAL GOVERNMENTAL AGENCY, OR A LOCAL NONPROFIT OR NOT-FOR-PROFIT AGENCY;

(II) THAT THE PROGRAM IS COMMUNITY-BASED, RECEIVING INPUT FROM ORGANIZATIONS IN THE COMMUNITY SUCH AS SCHOOLS, COMMUNITY MENTAL HEALTH CENTERS, LOCAL NONPROFIT OR NOT-FOR-PROFIT AGENCIES, LOCAL LAW ENFORCEMENT AGENCIES, BUSINESSES, AND INDIVIDUALS WITHIN THE COMMUNITY; AND

(III) THAT THE PROGRAM IS DIRECTED AT PROVIDING INTERVENTION SERVICES TO YOUTH AND THEIR FAMILIES IN AN EFFORT TO DECREASE INCIDENTS OF CRIME AND VIOLENCE.

(c) IN ADDITION TO THE GUIDELINES AND CRITERIA DEVELOPED PURSUANT TO PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (2), THE BOARD SHALL DEVELOP RESULT-ORIENTED CRITERIA FOR MEASURING THE EFFECTIVENESS OF PROGRAMS THAT RECEIVE GRANTS UNDER THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM INCLUDING, BUT NOT LIMITED TO, REQUIRING GRANTEEES TO IMPLEMENT A METHOD OF TRACKING FOR AT LEAST TWO YEARS THE PERSONS SERVED BY THE PROGRAM TO EVALUATE THE IMPACT OF THE SERVICES PROVIDED BY THE PROGRAM.

(3) IN ADDITION TO THE GUIDELINES AND CRITERIA DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE BOARD SHALL ESTABLISH TIMELINES FOR SUBMISSION AND REVIEW OF APPLICATIONS FOR GRANTS THROUGH THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM UNDER WHICH THE BOARD SHALL ACCEPT APPLICATIONS AT LEAST TWICE IN EACH TWELVE-MONTH PERIOD. THE BOARD SHALL ALSO ADOPT TIMELINES FOR SUBMISSION TO THE GOVERNOR OF THE LIST OF ENTITIES CHOSEN TO RECEIVE GRANTS. THE TIMELINES SHALL NOT ALLOW THE BOARD TO SUBMIT SUCH LIST MORE OFTEN THAN ONCE EVERY SIX MONTHS; EXCEPT THAT, IF THE GOVERNOR DISAPPROVES THE LIST, THE BOARD MAY SUBMIT A REPLACEMENT LIST WITHIN THIRTY DAYS AFTER SUCH DISAPPROVAL.

(4) THE BOARD SHALL REVIEW ALL APPLICATIONS RECEIVED PURSUANT TO SECTION 24-32-2801 FOR GRANTS FROM THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM AND CHOOSE THOSE ENTITIES THAT SHALL RECEIVE GRANTS THROUGH THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM AND THE AMOUNT OF EACH GRANT.

24-32-2803. Annual report. (1) ANY ENTITY THAT RECEIVES A GRANT PURSUANT TO THIS PART 28 SHALL SUBMIT A SEMIANNUAL REPORT TO THE DEPARTMENT OF LOCAL AFFAIRS SHOWING THE EFFECTIVENESS OF THE PROGRAM FUNDED PURSUANT TO THIS PART 28. IN MEASURING EFFECTIVENESS, THE ENTITY SHALL APPLY THE CRITERIA DEVELOPED BY THE BOARD PURSUANT TO SECTION 24-32-2802 (2).

(2) ON JANUARY 1, 1996, AND EACH JANUARY 1 THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY REGARDING THE EFFECTIVENESS OF THE YOUTH CRIME PREVENTION AND INTERVENTION PROGRAM, INCLUDING A COMPILATION OF THE GRANTEE REPORTS SUBMITTED PURSUANT TO SUBSECTION (1) OF THIS SECTION. IN MEASURING EFFECTIVENESS, THE DEPARTMENT OF LOCAL AFFAIRS SHALL APPLY THE CRITERIA DEVELOPED BY THE BOARD PURSUANT TO SECTION 24-32-2802 (2).

SECTION 2. Appropriation. 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 local affairs for allocation to the youth crime prevention and intervention program, for the fiscal year beginning July 1, 1994, the sum of three million six hundred thousand dollars (\$3,600,000), or so much thereof as may be necessary, for the implementation of this act.

SECTION 3. 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: May 23, 1994