

## CHAPTER 256

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**HUMAN SERVICES - BEHAVIORAL HEALTH**


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## SENATE BILL 13-276

BY SENATOR(S) Steadman, Aguilar, King, Newell, Roberts;  
 also REPRESENTATIVE(S) Gerou, Hamner, Hullinghorst, Labuda, Landgraf, Navarro, Pabon, Pettersen, Salazar, Schafer,  
 Stephens, Young.

## AN ACT

CONCERNING THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND, AND, IN CONNECTION  
 THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 25.5-6-111, **repeal** (1), (2), (3), (5), (6), and (7).

**SECTION 2.** In Colorado Revised Statutes, 25.5-6-111, **amend** (4) as follows:

**25.5-6-111. Pilot program for coordinated care for people with a disability - fund - report - rules - repeal.** (4) (a) There is hereby created in the state treasury the coordinated care for people with disabilities fund, referred to in this section as the "fund", that shall consist of moneys transferred to the fund pursuant to section 25.5-5-308 (8), any moneys that may be appropriated to the fund by the general assembly, and any gifts, grants, or donations received by the state department for the purpose of implementing this section. The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of the pilot program. Any moneys in the fund not expended for the purpose of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund ~~at the end of a fiscal year~~ AS OF JULY 1, 2013, shall ~~remain in the fund and shall not be credited or~~ BE transferred to the ~~general fund or another fund.~~ DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED IN SECTION 24-30-2205.5, C.R.S. If this section is repealed, prior to its repeal, all unexpended and unencumbered moneys remaining in the fund shall be transferred to the general fund.

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

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2014.

**SECTION 3.** In Colorado Revised Statutes, **add** 24-30-2205.5 as follows:

**24-30-2205.5. Disability investigational and pilot support fund.** THERE IS HEREBY CREATED IN THE STATE TREASURY THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND, REFERRED TO IN THIS SECTION AS THE "FUND", THAT SHALL CONSIST OF MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 25.5-5-308 (8), C.R.S., ANY MONEYS THAT MAY BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, AND ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE DEPARTMENT OF PERSONNEL FOR THE PURPOSE OF IMPLEMENTING THIS SECTION. THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE PILOT PROGRAM. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND MUST BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND. IF THIS SECTION IS REPEALED, PRIOR TO ITS REPEAL, ALL UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND MUST BE TRANSFERRED TO THE GENERAL FUND.

**SECTION 4.** In Colorado Revised Statutes, 24-30-2203, **amend** (1) introductory portion, (1) (a), and (1) (f); and **add** (1) (h), (1) (i), and (4.5) as follows:

**24-30-2203. Disability-benefit support contract committee.** (1) The ~~disabled-benefit~~ DISABILITY-BENEFIT support contract committee is hereby created within the department of personnel. The committee consists of ~~nine~~ THIRTEEN members appointed by the governor as follows:

(a) ~~Three~~ FIVE members who are ~~disabled~~ PERSONS WITH DISABILITIES and currently receiving disability benefits or have received application assistance;

(f) One member who is an expert in nonprofit management; ~~and~~

(h) ONE MEMBER WHO HAS EXPERIENCE AND EXPERTISE IN BUSINESS; AND

(i) ONE MEMBER WHO HAS EXPERIENCE WITH GRANT PROGRAMS.

(4.5) THE COMMITTEE SHALL IMPLEMENT SECTION 24-30-2204.5 USING THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED IN SECTION 24-30-2205.5.

**SECTION 5.** In Colorado Revised Statutes, **add** 24-30-2204.5 as follows:

**24-30-2204.5. Program to investigate, fund, and pilot projects or programs to benefit persons with disabilities.** (1) THE COMMITTEE SHALL ACCEPT AND REVIEW PROPOSALS TO FUND PROJECTS OR PROGRAMS THAT STUDY OR PILOT NEW AND INNOVATIVE IDEAS THAT WILL LEAD TO AN IMPROVED QUALITY OF LIFE OR

INCREASED INDEPENDENCE FOR PERSONS WITH DISABILITIES. PROPOSALS MAY BE ACCEPTED THROUGHOUT THE YEAR, AND GRANTS OR LOANS MAY BE MADE BY THE COMMITTEE AT ITS REGULAR MEETINGS. THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED IN SECTION 24-30-2205.5 SHALL BE THE SOLE SOURCE TO FUND ANY GRANTS OR LOANS MADE PURSUANT TO THIS SECTION.

(2) TO BE ELIGIBLE FOR FUNDING PURSUANT TO THIS SECTION, A PROJECT OR PROGRAM MUST:

(a) (I) DEMONSTRATE A CAPABILITY TO BE SELF-SUSTAINING OR OTHERWISE BE ABLE TO DEVELOP LONG-TERM INDEPENDENT FUNDING; AND

(II) HAVE A GOVERNING BODY OR BOARD THAT IS COMPOSED OF PERSONS WITH A DEMONSTRATED COMMITMENT TO IMPROVING THE LIVES OF PERSONS WITH DISABILITIES AND HAVE A MAJORITY BE PERSONS WITH DISABILITIES OR FAMILY MEMBERS OF PERSONS WITH DISABILITIES; OR

(b) BE THE LICENSE PLATE AUCTION GROUP ESTABLISHED IN SECTION 42-1-403, C.R.S.

**SECTION 6.** In Colorado Revised Statutes, 24-30-2202, **amend** (1) as follows:

**24-30-2202. Definitions.** As used in this part 22, unless the context otherwise requires:

(1) "Committee" means the ~~disabled-benefit~~ DISABILITY-BENEFIT support contract committee created in section 24-30-2203.

**SECTION 7.** In Colorado Revised Statutes, **amend** 24-30-2206 as follows:

**24-30-2206. Implementation.** (1) EXCEPT AS PROVIDED FOR IN SUBSECTION (2) OF THIS SECTION, the general assembly does not intend to require the department of personnel to expend moneys to implement this part 22. Notwithstanding any other section of this part 22, the department of personnel and the committee need not implement this part 22 until the disability-benefit support fund contains enough money to implement this part 22.

(2) THE DEPARTMENT OF PERSONNEL SHALL BEGIN IMPLEMENTATION OF SECTION 24-30-2204.5 AT SUCH TIME AS THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CONTAINS SUFFICIENT FUNDS FOR IMPLEMENTATION, AS DETERMINED BY THE COMMITTEE.

**SECTION 8.** In Colorado Revised Statutes, 25.5-5-308, **amend** (8) (a) (I) and (8) (c) (II); **repeal** (8) (b); and **add** (8) (b.5) as follows:

**25.5-5-308. Breast and cervical cancer prevention and treatment program - creation - legislative declaration - definitions - funds - repeal.** (8) (a) (I) There is hereby created in the state treasury the breast and cervical cancer prevention and treatment fund, referred to in this subsection (8) as the "fund". The fund shall consist of any moneys credited thereto pursuant to section 24-22-115 (1), C.R.S., any gifts, grants, and donations, any moneys appropriated thereto by the general

assembly, and any moneys transferred from the eligibility expansion account pursuant to subparagraph (III) of paragraph (c) of this subsection (8). Except as provided for in ~~paragraph (b)~~ PARAGRAPH (b.5) of this subsection (8), all moneys credited to the fund and all interest and income earned on the moneys in the fund shall remain in the fund for the purposes set forth in this section. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund. The state department is encouraged to secure private gifts, grants, and donations to fund the state costs of the breast and cervical cancer prevention and treatment program.

~~(b) Until section 25.5-6-111 is repealed, the state treasurer shall transfer any interest or income earned on moneys in the fund to the coordinated care for people with disabilities fund, created in section 25.5-6-111 (4).~~

(b.5) UNTIL SECTION 24-30-2204.5, C.R.S., IS REPEALED, THE STATE TREASURER SHALL TRANSFER ANY INTEREST OR INCOME EARNED ON MONEYS IN THE FUND TO THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND, CREATED IN SECTION 24-30-2205.5, C.R.S.

(c) (II) Notwithstanding ~~paragraph (b)~~ PARAGRAPH (b.5) of this subsection (8), all moneys credited to the account and all interest and income earned on the moneys in the account shall remain in the account for the purposes set forth in this paragraph (c) and shall not be credited or transferred to the general fund or any other fund except as provided in subparagraph (III) of this paragraph (c). The state department is encouraged to secure private gifts, grants, and donations to help fund the costs to expand the eligibility criteria for participation in the breast and cervical cancer prevention and treatment program as described in this paragraph (c).

**SECTION 9.** In Colorado Revised Statutes, **repeal** 25.5-5-407.7.

**SECTION 10.** In Colorado Revised Statutes, **repeal** 25.5-6-112.

**SECTION 11.** In Colorado Revised Statutes, 42-1-407, **amend** (1), (2), and (3) (a) (I); and **add** (3) (c) as follows:

**42-1-407. Registration number fund.** (1) The registration number fund is hereby created in the state treasury. The moneys in the fund consist of the proceeds from the sale of registration numbers under section 42-1-404, ~~and~~ the royalty from private sales of registration numbers under section 42-1-405, AND ANY LOANS, GIFTS, GRANTS, OR DONATIONS MADE TO THE FUND. THE FUND IS HEREBY AUTHORIZED TO SEEK AND ACCEPT SUCH LOANS, GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSES OF IMPLEMENTING AND ADMINISTRATING THIS SECTION; EXCEPT THAT THE FUND SHALL NOT ACCEPT A LOAN, GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR STATE LAW.

(2) The general assembly shall appropriate the amounts necessary, not to exceed five percent of ~~the fund~~ REVENUE, to implement this part 4 from the registration number fund to the department, the governor's office, and the group.

(3) (a) (I) Except as specified in ~~paragraph (b)~~ PARAGRAPHS (b) AND (c) of this

subsection (3), at the end of each fiscal year, the state treasurer shall transfer one million five hundred thousand dollars, or the balance of the registration number fund if the balance is a lesser amount, from the registration number fund to the disability-benefit support fund created in section 24-30-2205, C.R.S.

(c) THE TREASURER SHALL ADJUST THE TRANSFERS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3) TO EXCLUDE ANY LOANS, GIFTS, GRANTS, OR DONATIONS MADE TO THE FUND FROM THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED IN SECTION 24-30-2205.5, C.R.S.

**SECTION 12. Appropriation - adjustments to 2013 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2013, are adjusted as follows:

(a) The appropriation for the executive's director's office is decreased by \$65,392 and 1.0 FTE. Of said sum, \$32,696 is from the coordinated care for people with disabilities fund created in section 25.5-6-111 (4), Colorado Revised Statutes, and \$32,696 is from federal funds.

(b) The appropriation for the executive director's office, indirect cost recoveries, is increased by \$1,743. Of said sum, \$1,402 is from the hospital provider fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes, \$202 is from the children's basic health plan trust created in section 25.5-8-105 (1), Colorado Revised Statutes, \$48 is from the medicaid nursing facility cash fund created in section 25.5-6-203 (2) (a), Colorado Revised Statutes, \$45 is from the primary care fund created in section 24-22-117 (2) (b) (I), Colorado Revised Statutes, \$26 is from the Colorado autism treatment fund created in section 25.5-6-805 (1), Colorado Revised Statutes, and \$20 is from the breast and cervical cancer prevention and treatment fund created in section 25.5-5-308 (8) (a) (I), Colorado Revised Statutes.

(c) The appropriation for medical services premiums is decreased by \$100,000. Of said sum, \$50,000 is from the coordinated care for people with disabilities fund created in section 25.5-6-111 (4), Colorado Revised Statutes, and \$50,000 is from federal funds.

**SECTION 13. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the disability investigational and pilot support fund created in section 24-30-2205.5, Colorado Revised Statutes, not otherwise appropriated, to the department of personnel, for the fiscal year beginning July 1, 2013, the sum of \$1,173,976, or so much thereof as may be necessary, for allocation to the state purchasing office for the dips procurement line item related to the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the registration number fund created in section 42-1-407, Colorado Revised Statutes, not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$300,000, or so much thereof as may be necessary, for allocation to the license plate auction group to implement this act.

**SECTION 14. 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, 2013