

CHAPTER 22

HUMAN SERVICES - BEHAVIORAL HEALTH

HOUSE BILL 15-1023

BY REPRESENTATIVE(S) Lontine, Arndt, Buckner, Conti, Duran, Esgar, Fields, Ginal, Hamner, Kagan, Lebsock, Lee, Lundeen, Melton, Mitsch Bush, Moreno, Pabon, Pettersen, Primavera, Priola, Rosenthal, Salazar, Singer, Tyler, Williams, Winter, Young; also SENATOR(S) Aguilar, Carroll, Guzman, Heath, Kefalas, Newell, Todd.

AN ACT**CONCERNING THE AGE LIMITATION FOR PERSONS SERVED IN A DAY TREATMENT CENTER.**

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

SECTION 1. In Colorado Revised Statutes, 26-6-102, **amend** (2.5) as follows:

26-6-102. Definitions. As used in this article, unless the context otherwise requires:

(2.5) (a) (I) "Day treatment center" means a facility that:

~~(A)~~ **(A)** EXCEPT AS PROVIDED IN SUBPARAGRAPH **(II)** OF THIS PARAGRAPH **(a)**, provides less than twenty-four-hour care for groups of five or more children who are

~~(A) Five~~ THREE years of age or older, but less than ~~eighteen~~ TWENTY-ONE years of age; ~~or~~ AND

~~(B) Less than twenty-one years of age and who are placed in the program by court order prior to their eighteenth birthday; and~~

~~(B)~~ **(B)** Provides a structured program of various types of psycho-social and behavioral treatment to prevent or reduce the need for placement of the child out of the home or community.

(II) NOTHING IN THIS SUBSECTION **(2.5)** PROHIBITS A DAY TREATMENT CENTER FROM ALLOWING A PERSON WHO REACHES TWENTY-ONE YEARS OF AGE AFTER THE COMMENCEMENT OF AN ACADEMIC YEAR FROM ATTENDING AN EDUCATIONAL PROGRAM AT THE DAY TREATMENT CENTER THROUGH THE END OF THE SEMESTER IN

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

WHICH THE TWENTY-FIRST BIRTHDAY OCCURS OR UNTIL THE PERSON COMPLETES THE EDUCATIONAL PROGRAM, WHICHEVER COMES FIRST.

(b) "Day treatment center" shall not include special education programs operated by a public or private school system or programs that are licensed by other rules of the department for less than twenty-four-hour care of children, such as a child care center.

SECTION 2. 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: March 13, 2015