

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

BILL 1

LLS NO. 17-0147.01 Jane Ritter x4342

INTERIM COMMITTEE BILL

**Legislative Oversight Committee Concerning the Treatment of Persons
with Mental Illness in the Criminal and Juvenile Justice Systems**

A BILL FOR AN ACT

101 **CONCERNING ONGOING STAFFING FOR THE TASK FORCE CONCERNING**
102 **TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE**
103 **CRIMINAL AND JUVENILE JUSTICE SYSTEMS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Legislative Oversight Committee Concerning the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems. The bill amends provisions in current statute to provide for ongoing staff support for the task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems.

Shading denotes HOUSE amendment! Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.9-104, amend
3 (1) (a) as follows:

4 **18-1.9-104. Task force concerning treatment of persons with**
5 **mental illness in the criminal and juvenile justice systems - creation**
6 **- membership - duties.** (1) **Creation.** (a) There is hereby created a task
7 force concerning treatment of persons with mental illness in the criminal
8 and juvenile justice systems in Colorado. The task force ~~shall consist~~
9 ~~CONSISTS~~ of thirty-two members appointed as provided in ~~paragraphs (b)~~
10 ~~and (c) of this subsection~~ (1) SUBSECTIONS (1)(b) AND (1)(c) OF THIS
11 SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION
12 18-1.9-105.

13 **SECTION 2.** In Colorado Revised Statutes, amend 18-1.9-105
14 as follows:

15 **18-1.9-105. Task force funding - staff support.** (1) The division
16 of criminal justice of the department of public safety, ~~on behalf of the~~
17 ~~task force,~~ is THE UNIT IN THE DEPARTMENT OF HUMAN SERVICES THAT
18 ADMINISTERS BEHAVIORAL HEALTH PROGRAMS AND SERVICES, INCLUDING
19 THOSE RELATED TO MENTAL HEALTH AND SUBSTANCE USE, ALSO KNOWN
20 AS THE OFFICE OF BEHAVIORAL HEALTH, AND ANY STATE DEPARTMENT OR
21 AGENCY WITH AN ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE
22 authorized to receive and expend ~~contributions~~ GIFTS, grants, services,
23 ~~and in-kind~~ AND donations, INCLUDING DONATIONS OF IN-KIND SERVICES
24 FOR STAFF SUPPORT, from any public or private entity for any direct or
25 indirect costs associated with the duties of the task force. ~~set forth in this~~
26 ~~article.~~

1 (2) The director of research of the legislative council, the director
2 of the office of legislative legal services, the director of the division of
3 criminal justice within the department of public safety, THE DIRECTOR OF
4 THE UNIT IN THE DEPARTMENT OF HUMAN SERVICES THAT ADMINISTERS
5 BEHAVIORAL HEALTH PROGRAMS AND SERVICES, INCLUDING THOSE
6 RELATED TO MENTAL HEALTH AND SUBSTANCE USE, ALSO KNOWN AS THE
7 OFFICE OF BEHAVIORAL HEALTH, and the executive directors of the
8 departments represented on the task force may supply staff assistance to
9 the task force as they deem appropriate within existing appropriations If
10 ~~staff assistance is not available from a governmental agency within~~
11 ~~existing appropriations, then the executive directors of the departments~~
12 ~~represented on the task force, the director of research of the legislative~~
13 ~~council, and the director of the office of legislative legal services may~~
14 ~~supply staff assistance to the task force only~~ OR if moneys are credited to
15 the treatment of persons with mental illness in the criminal and juvenile
16 justice systems cash fund created in section 18-1.9-106 FOR THE PURPOSE
17 OF AND in an amount sufficient to fund staff assistance. The task force
18 may also accept DONATIONS OF IN-KIND SERVICES FOR staff support from
19 the private sector.

20 **SECTION 3.** In Colorado Revised Statutes, 18-1.9-106, amend

21 (1) as follows:

22 **18-1.9-106. Treatment of persons with mental illness in the**
23 **criminal and juvenile justice systems cash fund.** (1) ~~All private and~~
24 ~~public funds received through grants, contributions, and donations~~
25 ~~pursuant to this article shall be transmitted to the state treasurer, who shall~~
26 ~~credit the same to~~ The treatment of persons with mental illness in the
27 criminal and juvenile justice systems cash fund, ~~which fund is hereby~~

1 ~~created and~~ referred to in this section as the "fund", IS HEREBY CREATED
2 IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED
3 OR TRANSFERRED TO THE FUND BY THE GENERAL ASSEMBLY AND ANY
4 PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR
5 DONATIONS FOR THE PURPOSE OF IMPLEMENTING THE PROVISIONS OF THIS
6 ARTICLE. ~~The moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual
7 appropriation by the general assembly for the direct and indirect costs
8 associated with the implementation of this article. ~~All moneys~~ MONEY in
9 the fund not expended for the purpose of IMPLEMENTING this article may
10 be invested by the state treasurer as provided by law. ~~All interest and~~
11 ~~income derived from the investment and deposit of moneys in the fund~~
12 ~~shall be credited to the fund. Any unexpended and unencumbered moneys~~
13 ~~remaining in the fund at the end of a fiscal year shall remain in the fund~~
14 ~~and shall not be credited or transferred to the general fund or another~~
15 ~~fund. All unexpended and unencumbered moneys remaining in the fund~~
16 ~~as of July 1, 2020, shall be transferred to the general fund.~~ THE STATE
17 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE
18 DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE
19 STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND
20 UNENCUMBERED MONEY REMAINING IN THE FUND AS OF JULY 1, 2020, TO
21 THE GENERAL FUND.

22 **SECTION 4. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2018 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.