

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 18-1147.01 Megan Waples x4348

HOUSE BILL 18-1413

HOUSE SPONSORSHIP

Lee and Neville P.,

SENATE SPONSORSHIP

Zenzinger,

House Committees

Education
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A SCHOOL SAFETY GRANT PROGRAM,**
102 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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://leg.colorado.gov>.)

The bill creates the enhance school safety incident response grant program in the division of homeland security and emergency management in the department of public safety (grant program) to provide funding for research, program development, and training to improve school safety incident response. The funding can be used by recipients to provide training, develop best practices and protocols, conduct research and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
May 3, 2018

HOUSE
3rd Reading Unamended
April 27, 2018

HOUSE
Amended 2nd Reading
April 26, 2018

development, and upgrade technology and infrastructure used for training related to school safety incident response.

Applications for the grants must be made by October 1 and grants must be awarded by December 1 for each year of the grant program. Applicants must be nonprofit, tax-exempt organizations and must have experience providing school safety incident response training and working with law enforcement, first responders, school districts, and school personnel on issues related to school safety incident response.

The bill makes an appropriation from the marijuana tax cash fund and makes a conforming amendment to the statute creating that fund. The grant program and conforming amendment are repealed effective June 30, 2021.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 21 to article
3 33.5 of title 24 as follows:

4 **PART 21**
5 **ENHANCE SCHOOL SAFETY INCIDENT RESPONSE**
6 **GRANT PROGRAM**

7 **24-33.5-2101. Short title.** THE SHORT TITLE OF THIS PART 21 IS
8 THE "ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT PROGRAM
9 ACT".

10 **24-33.5-2102. Definitions.** AS USED IN THIS PART 21, UNLESS THE
11 CONTEXT OTHERWISE REQUIRES:

12 (1) "DIVISION" MEANS THE DIVISION OF HOMELAND SECURITY AND
13 EMERGENCY MANAGEMENT CREATED IN SECTION 24-33.5-1603.

14 (2) "FIRST RESPONDER" MEANS AN INDIVIDUAL WHO RESPONDS IN
15 A PROFESSIONAL CAPACITY TO A SCHOOL SAFETY INCIDENT, INCLUDING
16 PEACE OFFICERS, FIREFIGHTERS, EMERGENCY MEDICAL SERVICE
17 PROVIDERS, SCHOOL ADMINISTRATORS, TEACHERS, AND OTHER SCHOOL
18 PERSONNEL.

19 (3) "GRANT PROGRAM" MEANS THE ENHANCE SCHOOL SAFETY

1 INCIDENT RESPONSE GRANT PROGRAM CREATED IN SECTION 24-33.5-2103.

2 (4) "LAW ENFORCEMENT AGENCY" MEANS THE COLORADO STATE
3 PATROL, AN AGENCY OF STATE OR LOCAL GOVERNMENT AUTHORIZED TO
4 ENFORCE THE LAWS OF COLORADO, OR A CAMPUS POLICE AGENCY.

5 (5) "SCHOOL" MEANS AN INSTITUTION AT WHICH INSTRUCTION IS
6 PROVIDED BY INSTRUCTORS TO STUDENTS IN ONE OR MORE BUILDINGS ON
7 A CAMPUS, INCLUDING A SCHOOL SERVING ANY OF GRADES PRESCHOOL
8 THROUGH TWELFTH AND AN INSTITUTION OF HIGHER EDUCATION.

9 (6) "SCHOOL SAFETY INCIDENT" MEANS THE OCCURRENCE OR
10 IMMINENT THREAT OF AN UNEXPECTED EVENT THAT PLACES LIFE OR
11 PROPERTY IN DANGER AND REQUIRES AN IMMEDIATE RESPONSE,
12 INCLUDING A SCHOOL INVASION, ACTIVE ATTACKER, BOMB OR EXPLOSIVE
13 DEVICE, OR OTHER ACT OF TERRORISM OR VIOLENCE WITHIN A SCHOOL OR
14 ITS CAMPUS.

15 (7) "SCHOOL SAFETY INCIDENT RESPONSE" MEANS THE ACTIONS
16 TAKEN DIRECTLY FOLLOWING THE ONSET OF A SCHOOL SAFETY INCIDENT
17 TO PROVIDE IMMEDIATE ASSISTANCE TO PROTECT LIVES; CONTAIN THE
18 INCIDENT; ENSURE THE SECURITY OF THE SCHOOL, ITS STUDENTS AND
19 PERSONNEL, AND THE SURROUNDING COMMUNITY; AND RESTORE
20 ESSENTIAL FUNCTIONS.

21 **24-33.5-2103. Enhance school safety incident response grant**
22 **program - creation - guidelines.** (1) THERE IS HEREBY CREATED IN THE
23 DIVISION THE ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT
24 PROGRAM TO PROVIDE FUNDING FOR RESEARCH, PROGRAM DEVELOPMENT,
25 AND TRAINING TO IMPROVE SCHOOL SAFETY INCIDENT RESPONSE.

26 (2) GRANT RECIPIENTS MAY USE THE MONEY RECEIVED THROUGH
27 THE GRANT PROGRAM FOR THE FOLLOWING PURPOSES:

1 (a) DEVELOPING AND PROVIDING TRAINING PROGRAMS,
2 CURRICULUMS, AND SEMINARS RELATED TO SCHOOL SAFETY INCIDENT
3 RESPONSE;

4 (b) DEVELOPING BEST PRACTICES AND PROTOCOLS RELATED TO
5 SCHOOL SAFETY INCIDENT RESPONSE;

6 (c) CONDUCTING RESEARCH AND DEVELOPMENT RELATING TO
7 SCHOOL SAFETY INCIDENT RESPONSE; AND

8 (d) UPGRADING TECHNOLOGY AND INFRASTRUCTURE USED TO
9 PROVIDE TRAINING AND EDUCATION RELATED TO SCHOOL SAFETY
10 INCIDENT RESPONSE.

11 (3) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,
12 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
13 PROVIDED IN THIS PART 21. SUBJECT TO AVAILABLE APPROPRIATIONS,
14 GRANTS SHALL BE PAID OUT OF MONEY APPROPRIATED FOR THE GRANT
15 PROGRAM AS PROVIDED IN SECTION 24-33.5-2106.

16 (4) THE DIVISION SHALL IMPLEMENT THE GRANT PROGRAM IN
17 ACCORDANCE WITH THIS PART 21 AND SHALL ESTABLISH GUIDELINES AS
18 NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS PART 21.

19 **24-33.5-2104. Enhance school safety incident response grant**
20 **program - application - criteria - awards.** (1) TO RECEIVE A GRANT, AN
21 APPLICANT MUST SUBMIT AN APPLICATION TO THE DIVISION IN THE FORM
22 PRESCRIBED BY THE DIVISION ON OR BEFORE OCTOBER 1 EACH YEAR OF
23 THE GRANT PROGRAM. AT A MINIMUM, THE APPLICATION MUST INCLUDE
24 DOCUMENTATION DEMONSTRATING THAT THE APPLICANT:

25 (a) IS A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM
26 TAXATION UNDER SECTION 501 (c)(3) OF THE FEDERAL "INTERNAL
27 REVENUE CODE OF 1986", AS AMENDED;

1 (b) HAS EXPERIENCE PROVIDING TRAINING FOR SCHOOL SAFETY
2 INCIDENT RESPONSE;

3 (c) HAS EXPERIENCE WORKING WITH LAW ENFORCEMENT AGENCIES
4 AND OTHER FIRST RESPONDERS; AND

5 (d) HAS EXPERIENCE WORKING WITH SCHOOL DISTRICTS, SCHOOL
6 PERSONNEL, AND STUDENTS ON ISSUES RELATED TO SCHOOL SAFETY
7 INCIDENT RESPONSE.

8 (2) THE DIVISION SHALL REVIEW THE APPLICATIONS RECEIVED
9 PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE DIVISION SHALL
10 CONSIDER THE FOLLOWING CRITERIA:

11 (a) THE APPLICANT'S CAPACITY TO COORDINATE WITH LAW
12 ENFORCEMENT AGENCIES AND FIRST RESPONDERS STATEWIDE;

13 (b) THE APPLICANT'S CAPACITY TO SERVE SCHOOL DISTRICTS,
14 SCHOOL PERSONNEL, AND STUDENTS STATEWIDE;

15 (c) THE APPLICANT'S EXPERIENCE IN PROVIDING TRAINING
16 RELATED TO SCHOOL SAFETY INCIDENT RESPONSE;

17 (d) THE APPLICANT'S EXPERIENCE IN ADDRESSING THE
18 PSYCHOLOGICAL AND MENTAL HEALTH TRAUMA AFFECTING VICTIMS AND
19 FIRST RESPONDERS FOLLOWING SCHOOL SAFETY INCIDENTS, THE
20 PSYCHOLOGICAL FOOTPRINT OF A SCHOOL SAFETY INCIDENT, AND TRAUMA
21 RECOVERY; AND

22 (e) THE APPLICANT'S EXPERIENCE PROVIDING RECOMMENDATIONS
23 TO LAW ENFORCEMENT AGENCIES AND OTHER FIRST RESPONDERS, SCHOOL
24 DISTRICTS, AND COMMUNITIES TO SUPPORT MENTAL HEALTH RECOVERY
25 AFTER SCHOOL SAFETY INCIDENTS.

26 (3) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
27 DECEMBER 1 EACH YEAR OF THE GRANT PROGRAM, THE DIVISION SHALL

1 AWARD GRANTS AS PROVIDED IN THIS PART 21. THE DIVISION SHALL
2 DISTRIBUTE THE GRANT MONEY WITHIN THIRTY DAYS AFTER AWARDING
3 THE GRANTS.

4 **24-33.5-2105. Reporting requirements.** ON OR BEFORE
5 DECEMBER 1, 2019, AND ON OR BEFORE DECEMBER 1 EACH YEAR
6 THEREAFTER, EACH ORGANIZATION THAT RECEIVES A GRANT THROUGH
7 THE GRANT PROGRAM SHALL SUBMIT A REPORT TO THE DIVISION. AT A
8 MINIMUM, THE REPORT MUST DOCUMENT THE ACTIVITIES CONDUCTED,
9 SERVICES OR TRAININGS PROVIDED, TOOLS OR PROTOCOLS DEVELOPED,
10 AND SUCH OTHER INFORMATION AS THE DIVISION MAY REQUEST TO
11 MONITOR THE EFFECTIVENESS OF THE GRANT.

12 **24-33.5-2106. Funding for grant program.** THE GENERAL
13 ASSEMBLY SHALL ■ APPROPRIATE MONEY ■ ■ ■ TO THE DIVISION TO
14 IMPLEMENT THE GRANT PROGRAM. THE DIVISION MAY USE A PORTION OF
15 THE MONEY ■ APPROPRIATED FOR THE PROGRAM TO PAY THE DIRECT AND
16 INDIRECT COSTS THAT THE DIVISION INCURS TO ADMINISTER THE GRANT
17 PROGRAM.

18 **24-33.5-2107. Repeal of part.** THIS PART 21 IS REPEALED,
19 EFFECTIVE JUNE 30, 2021.

20 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-1807, **add**
21 (6) as follows:

22 **24-33.5-1807. School safety resource center cash fund - repeal.**
23 (6) (a) IN ADDITION TO ANY OTHER PURPOSE AUTHORIZED BY THIS
24 SECTION, SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
25 ASSEMBLY, THE DIVISION OF HOMELAND SECURITY AND EMERGENCY
26 MANAGEMENT IS AUTHORIZED TO EXPEND MONEY FROM THE FUND FOR
27 THE ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT PROGRAM

1 CREATED IN PART 21 OF THIS ARTICLE 33.5.

2 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JUNE 30, 2021.

3 **SECTION 3. Appropriation.** For the 2018-19 state fiscal year,
4 \$500,000 is appropriated to the department of public safety for use by the
5 office of preparedness. This appropriation is from the school safety
6 resource center cash fund created in section 24-33.5-1807, C.R.S. To
7 implement this act, the office may use this appropriation for the enhance
8 school safety incident response grant program.

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