

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0492.01 Jacob Baus x2173

SENATE BILL 21-071

SENATE SPONSORSHIP

Buckner, Danielson, Fenberg, Garcia, Gonzales, Hansen, Kolker, Lee, Moreno, Pettersen, Priola, Story, Winter, Zenzinger

HOUSE SPONSORSHIP

Daugherty and Boesenecker,

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO LIMIT THE DETENTION OF JUVENILES, AND,**
102 **IN CONNECTION THEREWITH, MAKING AND REDUCING AN**
103 **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 prohibits the imposition of secured monetary or property conditions on a bond for juveniles charged with or accused of committing a delinquent act.

The bill reduces the juvenile detention bed cap from 327 beds to 188 beds beginning in fiscal year 2021-22.

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
3rd Reading Unamended
May 5, 2021

SENATE
Amended 2nd Reading
May 4, 2021

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-2-503, **amend** (3)
3 as follows:

4 **19-2-503. Issuance of a lawful warrant taking a juvenile into**
5 **custody.** (3) A warrant for the arrest of a juvenile for violation of the
6 conditions of probation or of a ~~bail~~ bond may be issued by any judge of
7 a court of record or juvenile magistrate upon the report of a juvenile
8 probation officer or upon the verified complaint of any person,
9 establishing to the satisfaction of the judge or juvenile magistrate
10 probable cause to believe that a condition of probation or of a ~~bail~~ bond
11 has been violated and that the arrest of the juvenile is reasonably
12 necessary. The warrant may be executed by any juvenile probation officer
13 or by a peace officer authorized to execute warrants in the county in
14 which the juvenile is found. If the warrant is for a juvenile found in
15 contempt of court in a truancy proceeding, the court shall follow the
16 procedures set forth in section 22-33-108 (7).

17 **SECTION 2.** In Colorado Revised Statutes, 19-2-508, **amend** (3)
18 (a)(VII) introductory portion, (3)(a)(VII)(C), (4)(e)(I), and (5) as follows:

19 **19-2-508. Detention and temporary shelter - hearing - time**
20 **limits - findings - review - confinement with adult offenders -**
21 **restrictions.** (3) (a) (VII) Except as provided in subsection (3)(a)(IX) of
22 this section, at the conclusion of the hearing, the court shall enter one of
23 the following orders, while ensuring efforts are made to keep the juvenile
24 with ~~his or her~~ THE JUVENILE'S parent, guardian, or legal custodian:

25 (C) That ~~bail~~ AN UNSECURED PERSONAL RECOGNIZANCE BOND be
26 set and that the juvenile be released ACCORDINGLY; ~~upon the posting of~~

1 ~~that bail;~~

2 (4) (e) (I) Any juvenile arrested and detained for an alleged
3 violation of any article of title 42, or for any alleged violation of a
4 municipal or county ordinance, and not released on bond, must be taken
5 before a judge with jurisdiction of such violation within forty-eight hours
6 for the fixing of ~~bail~~ BOND and conditions of bond pursuant to subsection
7 (3)(a)(VII) of this section. A juvenile may be detained in a jail, lockup,
8 or other place used for the confinement of adult offenders only for
9 processing for no longer than six hours and during such time must be
10 placed in a setting that is physically segregated by sight and sound from
11 the adult offenders, and in no case may the juvenile be detained in such
12 place overnight. After six hours, the juvenile may be further detained only
13 in a juvenile detention facility operated by or under contract with the
14 department of human services. In calculating time pursuant to this
15 subsection (4), Saturdays, Sundays, and legal holidays are included.

16 (5) A juvenile has the right to ~~bail~~ BOND as limited by the
17 provisions of this section.

18 **SECTION 3.** In Colorado Revised Statutes, 19-2-509, **amend** (1)
19 introductory portion, (2), (3), (4), (6), (7), and (8); **repeal** (5); and **add**
20 (10) as follows:

21 **19-2-509. Personal recognizance bond.** (1) Unless the district
22 attorney consents, ~~no~~ A juvenile charged or accused of having committed
23 a delinquent act that constitutes a felony or a class 1 misdemeanor shall
24 NOT be released without ~~a bond or on a~~ AN UNSECURED personal
25 recognizance bond, if:

26 (2) In lieu of ~~a~~ AN UNSECURED PERSONAL RECOGNIZANCE bond,
27 a juvenile who the court determines poses a substantial risk of serious

1 harm to others may be placed in a preadjudication service program
2 established pursuant to section 19-2-302.

3 (3) Any application for the revocation or modification of the
4 ~~amount, type, or conditions of bail~~ AN UNSECURED PERSONAL
5 RECOGNIZANCE BOND must be made in accordance with section 16-4-109;
6 except that the presumption described in section 19-2-508 (3)(a)(IV) must
7 continue to apply for the purposes of this section.

8 (4) (a) In determining the ~~type of bond and~~ conditions of release
9 for the juvenile, the judge or magistrate fixing the same shall consider the
10 criteria set forth in section 16-4-103. ~~C.R.S.~~

11 (b) In setting, modifying, or continuing ~~any bail~~ AN UNSECURED
12 PERSONAL RECOGNIZANCE bond, it must be a condition that the released
13 juvenile appear at any place and upon any date to which the proceeding
14 is transferred or continued. Further conditions of ~~every bail~~ THE
15 UNSECURED PERSONAL RECOGNIZANCE bond must be that the released
16 juvenile not commit any delinquent acts or harass, intimidate, or threaten
17 any potential witnesses. EXCEPT AS DESCRIBED IN SUBSECTION (10) OF
18 THIS SECTION, the judge or magistrate may set any other conditions or
19 limitations on the release of the juvenile as are reasonably necessary for
20 the protection of the community. Any juvenile who is ORDERED held
21 without bail or whose bail or bail bond is revoked or increased under AT
22 THE DETENTION HEARING OR PURSUANT TO an order entered at any time
23 after the initial detention hearing pursuant to subsection (3) of this section
24 and who remains in custody or detention must be tried on the charges on
25 which the bail is denied or the bail or bail bond is revoked or increased
26 within sixty days after the entry of such THE COURT order DETAINING THE
27 JUVENILE or within sixty days after the juvenile's entry of a plea,

1 whichever date is earlier; except that, if the juvenile requests a jury trial
2 pursuant to section 19-2-107, ~~the provisions of section 19-2-107 (4) apply~~
3 APPLIES.

4 (5) ~~A surety or security on a bail bond may be subject to forfeiture~~
5 ~~only if the juvenile fails to appear for any scheduled court proceedings,~~
6 ~~of which the juvenile received proper notice.~~

7 (6) The court ~~may~~ SHALL NOT order that any personal
8 recognizance bond be secured by ~~the personal obligation~~ MONETARY OR
9 PROPERTY CONDITIONS of the juvenile, ~~and his or her~~ THE JUVENILE'S
10 ~~parents~~ PARENT, guardian, legal custodian, or other responsible adult.

11 (7) The parent, guardian, or legal custodian, for any juvenile
12 released on bond pursuant to this section or any other responsible adult
13 who secures FOR A JUVENILE RELEASED ON a personal recognizance bond
14 for a juvenile pursuant to subsection (6) of this section may petition the
15 court prior to forfeiture or exoneration of the bond, to revoke the bond
16 and remand the juvenile into custody if the parent, guardian, legal
17 custodian, or other responsible adult determines that he or she is unable
18 to control the juvenile. The court shall apply the presumption specified in
19 section 19-2-508 (3)(a)(IV) in determining whether to revoke the
20 PERSONAL RECOGNIZANCE bond.

21 (8) A juvenile may be released on AN UNSECURED PERSONAL
22 RECOGNIZANCE bond, or as otherwise provided in this section regardless
23 of whether the juvenile appears in court pursuant to a summons or a
24 warrant.

25 (10) A JUDGE OR MAGISTRATE MAY ONLY IMPOSE AN UNSECURED
26 PERSONAL RECOGNIZANCE BOND WITHOUT MONETARY OR PROPERTY
27 CONDITIONS TO SECURE THE JUVENILE'S FUTURE APPEARANCE. A JUDGE OR

1 MAGISTRATE SHALL NOT IMPOSE A BOND WITH SECURED MONETARY OR
2 PROPERTY CONDITIONS FOR A JUVENILE.

3 **SECTION 4.** In Colorado Revised Statutes, 19-2-1201, **amend**
4 (4); and **add** (5) as follows:

5 **19-2-1201. Juvenile detention bed cap.** (4) For the fiscal year
6 ~~2019-20 and each fiscal year thereafter~~ YEARS 2019-20 AND 2020-21, the
7 number of available juvenile detention beds statewide is limited to three
8 hundred twenty-seven.

9 (5) FOR THE FISCAL YEAR 2021-22 AND EACH FISCAL YEAR
10 THEREAFTER, THE NUMBER OF AVAILABLE JUVENILE DETENTION BEDS
11 STATEWIDE IS LIMITED TO TWO HUNDRED FIFTEEN.

12 **SECTION 5.** In Colorado Revised Statutes, 19-2-1202, **amend**
13 (1) introductory portion and (1)(b) as follows:

14 **19-2-1202. Working group - allocation of beds.** (1) The
15 executive director of the department of human services and the state court
16 administrator in the judicial department, or a designee of such persons, in
17 consultation with the division of criminal justice of the department of
18 public safety, the office of state planning and budgeting, the Colorado
19 district attorneys ATTORNEYS' council, and law enforcement
20 representatives, shall form a working group which THAT shall carry out
21 the following duties:

22 (b) The working group shall develop a mechanism for judicial
23 districts within the same catchment area to loan detention beds to other
24 judicial districts within the catchment area in cases of need.

25 **SECTION 6.** In Colorado Revised Statutes, 19-2-1303, **amend**
26 (4) as follows:

27 **19-2-1303. Procedure after determination of competency or**

1 **incompetency.** (4) A determination under subsection (2) of this section
2 that a juvenile is incompetent to proceed ~~shall~~ MUST not preclude the
3 court from considering the release of the juvenile on ~~bail~~ BOND upon
4 compliance with the standards and procedures for such release prescribed
5 by statute. At any hearing to determine eligibility for release on ~~bail~~
6 BOND, the court may consider any effect the juvenile's incompetency may
7 have on the juvenile's ability to insure his or her presence for trial.

8 **SECTION 7.** In Colorado Revised Statutes, 19-2-212, **amend**
9 (1)(a) introductory portion, (1)(a)(IV), (1)(a)(VIII), (1)(a)(IX), and
10 (1)(b)(I); and add (1)(a)(X), (1)(a)(XI), (1)(a)(XII), (1)(a)(XIII), (1)(a.5),
11 and (3) as follows:

12 **19-2-212. Working group for criteria for placement of juvenile**
13 **offenders - establishment of formula - review of criteria - report.**

14 (1) (a) The executive director of the department of human services and
15 the state court administrator of the judicial department, or any designees
16 of such persons, shall form a working group that ~~must include~~ INCLUDES
17 representatives from:

18 (IV) Law enforcement, INCLUDING AT LEAST ONE
19 REPRESENTATIVE FROM A STATEWIDE ORGANIZATION OF COUNTY
20 SHERIFFS;

21 (VIII) Juvenile court judges and magistrates; and

22 (IX) Local and county governments, including AT LEAST THREE
23 REPRESENTATIVES FROM county departments of human or social services;

24 (X) THE DIVISION OF YOUTH SERVICES;

25 (XI) THE DIVISION OF CHILD WELFARE;

26 (XII) THE LOCAL JUVENILE SERVICES PLANNING COMMITTEES,
27 CREATED IN SECTION 19-2-211; AND

1 (XIII) ORGANIZATIONS THAT ADVOCATE FOR YOUTH INVOLVED IN
2 THE JUVENILE JUSTICE SYSTEM.

3 (a.5) THE WORKING GROUP MUST ALSO INCLUDE AT LEAST TWO
4 PERSONS DIRECTLY AFFECTED BY THE INCARCERATION OF YOUTH, OF
5 WHOM, AT LEAST ONE PERSON WHO IS OR WAS A YOUTH IN THE CUSTODY
6 OF A DIVISION OF YOUTH SERVICES FACILITY.

7 (b) The working group shall carry out the following duties:

8 (1) To establish a set of criteria for both detention and
9 commitment for the purposes of determining which juvenile offenders are
10 appropriate for placement in the physical or legal custody of the
11 department of human services. Such criteria must conform with section
12 19-2-508. This set of criteria, when adopted by the department of human
13 services and the judicial department, must promote a more uniform
14 system of determining which juveniles should be placed in the physical
15 custody of the department of human services or in the legal custody of the
16 department of human services so that decisions for such placement of a
17 juvenile are made based upon a uniform set of criteria throughout the
18 state. In addition, the criteria shall specifically take into account the
19 educational needs of the juvenile and ensure the juvenile's access to
20 appropriate educational services. The working group established pursuant
21 to this subsection (1) shall hold a meeting at least ~~once~~ FOUR TIMES each
22 year and as necessary to review and propose revision to the criteria
23 established pursuant to this subsection (1) and the formula created
24 pursuant to subsection (1)(b)(V) of this section.

25 (3) (a) ON OR BEFORE OCTOBER 31, 2021, AND AT LEAST FOUR
26 TIMES EACH YEAR THEREAFTER AND AS NECESSARY TO PERFORM THE
27 DUTIES DESCRIBED IN THIS SUBSECTION (3), THE WORKING GROUP SHALL

1 CONVENE FOR THE PURPOSE OF EXAMINING THE AVAILABILITY OF
2 ALTERNATIVES TO YOUTH DETENTION AND THE USE OF DETENTION BEDS,
3 AND EXAMINING NECESSARY INVESTMENTS IN ALTERNATIVES TO YOUTH
4 DETENTION, INCLUDING LESS RESTRICTIVE PLACEMENTS THAT SERVE
5 ALLEGED AND ADJUDICATED JUVENILE OFFENDERS AND
6 COMMUNITY-BASED SERVICES THAT ALLOW ALLEGED AND ADJUDICATED
7 JUVENILE OFFENDERS TO LIVE WITH FAMILY OR KIN. THE WORKING GROUP
8 SHALL CARRY OUT THE FOLLOWING DUTIES:

9 (I) BY OCTOBER 31, 2022, THE WORKING GROUP SHALL DEVELOP
10 PERFORMANCE STANDARDS AND OUTCOME MEASURES TO EVALUATE THE
11 DEGREE TO WHICH ALLEGED AND ADJUDICATED OFFENDERS ARE IN THE
12 LEAST RESTRICTIVE SETTING WITH APPROPRIATE SERVICES. THE
13 PERFORMANCE STANDARDS AND OUTCOME MEASURES MUST:

14 (A) EVALUATE WHETHER THE NUMBER OF ALTERNATIVE
15 PLACEMENTS, RANGE OF SERVICES OFFERED BY SUCH PLACEMENTS, AND
16 COMMUNITY-BASED SERVICES AVAILABLE MEET THE NEEDS OF YOUTH IN
17 EACH JUDICIAL DISTRICT AND COUNTY; AND

18 (B) DETERMINE WHETHER AND HOW SPECIFIC DATA AND OUTCOME
19 MEASURES MUST BE REPORTED TO EVALUATE THE EFFICACY OF LESS
20 RESTRICTIVE PLACEMENTS AND COMMUNITY-BASED SERVICES.

21 (II) THE WORKING GROUP SHALL ADVISE THE DEPARTMENT OF
22 HUMAN SERVICES CONCERNING POLICIES, PROCEDURES, AND BEST
23 PRACTICES RELATED TO SERVING YOUTH IN THE LEAST RESTRICTIVE
24 SETTING.

25 (III) THE WORKING GROUP SHALL REVIEW THE DATA PROVIDED BY
26 THE DEPARTMENT OF HUMAN SERVICES PURSUANT TO SUBSECTION (3)(b)
27 OF THIS SECTION, AND PROVIDE RECOMMENDATIONS:

1 (A) TO ENHANCE THE CONTINUUM OF COMMUNITY-BASED
2 SERVICES AND PLACEMENT OPTIONS FOR ALLEGED AND ADJUDICATED
3 JUVENILE OFFENDERS, INCLUDING RECOMMENDATIONS TO IMPROVE
4 AVAILABILITY AND QUALITY OF LESS RESTRICTIVE ALTERNATIVE
5 PLACEMENTS AND COMMUNITY-BASED SERVICES FOR YOUTH;

6 (B) REGARDING ANY CHANGES TO SECURE DETENTION BED
7 CAPACITY LIMITS AND THE ALLOCATION OF DETENTION BEDS ACROSS THE
8 STATE; AND

9 (C) FOR FUTURE DATA COLLECTION AND REPORTING TO ASSIST THE
10 WORKING GROUP IN COMPLETING ITS DUTIES.

11 (b) ON OR BEFORE JULY 1, 2023, AND ON OR BEFORE JULY 1 EACH
12 YEAR THEREAFTER, THE DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT
13 A REPORT TO THE WORKING GROUP, THE JUDICIARY COMMITTEES OF THE
14 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
15 COMMITTEES, AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE
16 SENATE AND THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES
17 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
18 COMMITTEES, INCLUDING:

19 (I) AN ANALYSIS OF THE DATA COLLECTED IN ACCORDANCE WITH
20 THE PERFORMANCE STANDARDS AND OUTCOME MEASURES DEVELOPED
21 PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION, AND AN ANALYSIS
22 OF THE PROGRESS TOWARD MEETING THE PERFORMANCE STANDARDS AND
23 OUTCOME MEASURES DEVELOPED PURSUANT TO SUBSECTION (3)(a)(I) OF
24 THIS SECTION;

25 (II) THE STATUS OF IMPLEMENTATION OF EFFORTS GUIDED BY THE
26 WORKING GROUP'S RECOMMENDATIONS PURSUANT TO SUBSECTION
27 (3)(a)(II) OF THIS SECTION;

1 (III) AN ANALYSIS OF THE CONTINUUM OF IN-HOME AND OUT-OF-
2 HOME PLACEMENT OPTIONS AND SUPPORTS FOR ALLEGED JUVENILE
3 OFFENDERS, INCLUDING THE CURRENT AVAILABILITY CAPACITIES OF THE
4 OPTIONS AND SUPPORTS, INCLUDING:

5 (A) AN ANALYSIS OF THE AVAILABILITY OF AND DEMAND FOR LESS
6 RESTRICTIVE ALTERNATIVE PLACEMENTS IN EACH JUDICIAL DISTRICT AND
7 COUNTY, INCLUDING BUT NOT LIMITED TO RESIDENTIAL TREATMENT
8 FACILITIES, QUALIFIED RESIDENTIAL TREATMENT PROGRAMS,
9 NONQUALIFIED RESIDENTIAL TREATMENT PROGRAMS, RESIDENTIAL
10 COMMUNITY PLACEMENTS, SHELTER PLACEMENTS, AND FAMILY-TYPE
11 SETTINGS, INCLUDING BUT NOT LIMITED TO FOSTER CARE;

12 (B) AN ANALYSIS OF THE AVAILABILITY AND USE OF FUNDING FOR
13 LESS RESTRICTIVE ALTERNATIVE PLACEMENTS IN EACH JUDICIAL DISTRICT
14 AND COUNTY, INCLUDING BUT NOT LIMITED TO RESIDENTIAL TREATMENT
15 FACILITIES, QUALIFIED RESIDENTIAL TREATMENT PROGRAMS,
16 NONQUALIFIED RESIDENTIAL TREATMENT PROGRAMS, RESIDENTIAL
17 COMMUNITY PLACEMENTS, SHELTER PLACEMENTS, AND FAMILY-TYPE
18 SETTINGS, INCLUDING BUT NOT LIMITED TO FOSTER CARE;

19 (C) AN ANALYSIS OF THE AVAILABILITY OF AND DEMAND FOR
20 COMMUNITY-BASED SERVICES IN EACH JUDICIAL DISTRICT AND COUNTY
21 OFFERED TO ALLEGED AND ADJUDICATED JUVENILE OFFENDERS THAT
22 ASSIST IN ALLOWING CHILDREN TO LIVE WITH FAMILY OR KIN, INCLUDING
23 THE TYPES OF COMMUNITY-BASED SERVICES AVAILABLE AND CAPACITY
24 FOR EACH TYPE OF SERVICE IN EACH JUDICIAL DISTRICT AND COUNTY; AND

25 (D) AN ANALYSIS OF THE AVAILABILITY AND USE OF FUNDING FOR
26 COMMUNITY-BASED SERVICES IN EACH JUDICIAL DISTRICT AND COUNTY
27 OFFERED TO ALLEGED AND ADJUDICATED JUVENILE OFFENDERS,

1 INCLUDING THE AMOUNT OF FUNDING SPENT ON DIFFERENT TYPES OF
2 SERVICES.

3 (IV) AN ANALYSIS OF BARRIERS TO PLACING YOUTH IN LESS
4 RESTRICTIVE ALTERNATIVE PLACEMENTS;

5 (V) THE NUMBER OF YOUTH IN DETENTION AWAITING PLACEMENT
6 IN A LESS RESTRICTIVE COMMUNITY SETTING;

7 (VI) THE NUMBER OF YOUTH IN DETENTION CHARGED BY DIRECT
8 FILING PURSUANT TO SECTION 19-2-517 BY JUDICIAL DISTRICT OR COUNTY,
9 AND THE AVERAGE LENGTH OF STAY IN DETENTION FOR THESE YOUTH;

10 (VII) AN ANALYSIS OF THE NUMBER OF YOUTH PLACED IN LESS
11 RESTRICTIVE ALTERNATIVE PLACEMENTS, INCLUDING BUT NOT LIMITED TO
12 RESIDENTIAL TREATMENT FACILITIES, QUALIFIED RESIDENTIAL TREATMENT
13 PROGRAMS, NONQUALIFIED RESIDENTIAL TREATMENT PROGRAMS,
14 RESIDENTIAL COMMUNITY PLACEMENTS, SHELTER PLACEMENTS, AND
15 FAMILY-TYPE SETTINGS, INCLUDING BUT NOT LIMITED TO FOSTER CARE,
16 AND THE LENGTH OF STAY IN THESE PLACEMENTS FOR ALLEGED AND
17 ADJUDICATED OFFENDERS;

18 (VIII) AN ANALYSIS OF THE INVOLVEMENT OF YOUTH AND THEIR
19 FAMILIES, AND THEIR SATISFACTION WITH LESS RESTRICTIVE ALTERNATIVE
20 PLACEMENTS;

21 (IX) AN ANALYSIS OF THE NUMBER OF ALLEGED AND ADJUDICATED
22 JUVENILE OFFENDERS WHO ARE SERVED BY COUNTY HUMAN SERVICES
23 DEPARTMENTS THROUGH THEIR CHILD WELFARE SYSTEMS AND THE IMPACT
24 ON THOSE COUNTY DEPARTMENTS; AND

25 (X) THE RECOMMENDATIONS OF THE WORKING GROUP MADE
26 PURSUANT TO SUBSECTION (3)(a)(III) OF THIS SECTION.

27 (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT

1 REQUIRED IN SUBSECTION (3)(b) OF THIS SECTION CONTINUES
2 INDEFINITELY.

3 **SECTION 8. Appropriation - adjustments to 2021 long bill.**

4 (1) To implement this act, appropriations made in the annual general
5 appropriation act for the 2021-22 state fiscal year to the department of
6 human services are adjusted as follows:

7 (a) The general fund appropriation for use by the executive
8 director's office for health, life, and dental is decreased by \$305,000;

9 (b) The general fund appropriation for use by the executive
10 director's office for short term disability is decreased by \$2,005;

11 (c) The general fund appropriation for use by the executive
12 director's office for S.B. 04-257 amortization equalization disbursement
13 is decreased by \$58,979;

14 (d) The general fund appropriation for use by the executive
15 director's office for S.B. 06-235 supplemental amortization equalization
16 disbursement is decreased by \$58,979;

17 (e) The general fund appropriation for use by the division of youth
18 services for personal services related to institutional programs is
19 decreased by \$1,786,782, and the related FTE is decreased by 36.0 FTE;

20 (f) The appropriation for use by the division of youth services for
21 operating expenses related to institutional programs is decreased by
22 \$137,378, which consists of \$39,179 from the general fund and \$98,199
23 from reappropriated funds received from the department of education;
24 and

25 (g) The general fund appropriation for use by the division of youth
26 services for medical services related to institutional programs is decreased
27 by \$12,202.

1 (2) For the 2021-22 state fiscal year, \$158,295 is appropriated to
2 the department of human services for use by the office of information
3 technology services. This appropriation is from the general fund. To
4 implement this act, the office may use this appropriation for Colorado
5 trails.

6 (3) For the 2021-22 state fiscal year, the general assembly
7 anticipates that the department of human services will receive \$81,546 in
8 federal funds for use by the office of information technology services for
9 Colorado trails to implement this act. The appropriation in subsection (2)
10 of this section is based on the assumption that the department will receive
11 this amount of federal funds, which is subject to the "(I)" notation as
12 defined in the annual general appropriation act for the same fiscal year.

13 (4) For the 2021-22 state fiscal year, \$481,063 is appropriated to
14 the department of human services for use by the division of child welfare.
15 This appropriation is from the general fund and is based on an assumption
16 that the division will require an additional 5.5 FTE. To implement this
17 act, the division may use this appropriation for administration.

18 (5) For the 2021-22 state fiscal year, the general assembly
19 anticipates that the department of human services will receive \$25,167 in
20 federal funds for use by the division of child welfare for administration
21 to implement this act. The appropriation in subsection (4) of this section
22 is based on the assumption that the department will receive this amount
23 of federal funds, which is subject to the "(I)" notation as defined in the
24 annual general appropriation act for the same fiscal year.

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