

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0162.01 Shelby Ross x4510

HOUSE BILL 21-1030

HOUSE SPONSORSHIP

McCluskie and McKean, Baisley, Bird, Bockenfeld, Carver, Catlin, Cutter, Kennedy, Kipp, Larson, Lontine, Michaelson Jenet, Pelton, Rich, Roberts, Sandridge, Soper, Titone, Van Winkle, Will, Young

SENATE SPONSORSHIP

Buckner and Cooke, Danielson, Fenberg, Kirkmeyer, Kolker, Liston, Priola, Rankin, Story, Zenzinger

House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EXPANDING THE PEACE OFFICERS MENTAL HEALTH**
102 **SUPPORT GRANT PROGRAM TO INCLUDE COMMUNITY**
103 **PARTNERSHIPS.**

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 expands the peace officers mental health support grant program to include funding for on-scene response services to enhance law enforcement's handling of calls for services related to persons with mental health disorders and social service needs, including calls that do not require the presence of a peace officer.

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.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Colorado peace officers have been asked for many years to
5 respond to a magnitude of societal issues that far exceed what law
6 enforcement can address. Law enforcement personnel care deeply about
7 the safety and well-being of the communities they serve, but law
8 enforcement personnel cannot shoulder the responsibility of addressing
9 community challenges that impact crime rates, such as unemployment,
10 high school dropout rates, homelessness, or people in crisis due to mental
11 health or substance use disorders, without strong and coordinated
12 community partnerships.

13 (b) The extensive use of law enforcement resources for social
14 issues can strain law enforcement and community relations and result in
15 crime victims being underserved. Each call for service from Colorado's
16 citizens must be answered with the utmost compassion and professional
17 expertise, which requires partnership. Communities throughout Colorado
18 have been piloting a number of such partnerships with first responders
19 and community-based organizations. These programs and training are
20 showing great benefit to communities, and now is the time for Colorado
21 to support local communities in creating and sustaining these initiatives
22 throughout the state.

23 (c) Locally driven and innovative programs that leverage
24 partnerships between safety net care providers and first responders are
25 effective and critical strategies for bolstering overall community
26 resilience, connecting people to care, and preventing criminal justice

1 involvement and recidivism; and

2 (d) With the current public health crisis exacerbating existing
3 systemic inequities, we must pivot away from overutilizing the criminal
4 justice system for what are public health and social determinants of health
5 needs and utilize other community resources in a richer way to be leaders
6 in the solution to these challenges.

7 (2) Therefore, the general assembly finds and declares that
8 investing in community-based public safety partnerships will allow for a
9 wider spectrum of responses to calls for service by fostering coordination
10 with behavioral health clinicians, emergency medical service providers,
11 community resource and housing navigators, and others. By diversifying
12 the available tools for individuals responding to calls for service,
13 Colorado can better support the needs of its residents.

14 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-32-3501
15 as follows:

16 **24-32-3501. Peace officers mental health support and**
17 **community partnerships grant program - created - report - rules -**
18 **fund - definitions - repeal.** (1) There is created in the department of
19 local affairs, referred to in this section as the "department", the peace
20 officers mental health support AND COMMUNITY PARTNERSHIPS grant
21 program to provide grants ~~of money to eligible agencies~~ LAW
22 ENFORCEMENT AGENCIES, PEACE OFFICER ORGANIZATIONS, AND PUBLIC
23 SAFETY AGENCIES for the ~~purpose of helping these agencies provide~~
24 ~~mental health services to peace officers, including~~ PURPOSES IDENTIFIED
25 IN SUBSECTION (2) OF THIS SECTION.

26 (a) ~~On-scene response services to support peace officers' handling~~
27 ~~of persons with mental health disorders;~~

- 1 ~~(b) Counseling services;~~
- 2 ~~(c) Assistance for law enforcement agencies' development and~~
3 ~~implementation of policies to support peace officers who are involved in~~
4 ~~a shooting or a fatal use of force;~~
- 5 ~~(d) Training and education programs that teach peace officers the~~
6 ~~symptoms of job-related mental trauma and how to prevent and treat such~~
7 ~~trauma; and~~
- 8 ~~(e) Peer support programs.~~

9 (2) Grant recipients may use money received through the grant
10 program to ~~provide mental health services to peace officers, including~~
11 FOR THE FOLLOWING PURPOSES:

- 12 (a) On-scene response services to support ~~peace officers'~~ AND
13 ENHANCE LAW ENFORCEMENT'S handling of CALLS FOR SERVICE RELATED
14 TO persons with mental health disorders AND SOCIAL SERVICE NEEDS,
15 INCLUDING CALLS THAT TO DO NOT REQUIRE THE PRESENCE OF A PEACE
16 OFFICER;
- 17 (b) Counseling services FOR PEACE OFFICERS, INCLUDING
18 REIMBURSING PEACE OFFICERS WHO HAVE PAID THE COSTS OF THEIR OWN
19 COUNSELING SERVICES;
- 20 (c) Assistance for law enforcement agencies' development and
21 implementation of policies to support peace officers who are involved in
22 a shooting or a fatal use of force;
- 23 (d) Training and education programs that teach peace officers the
24 symptoms of job-related mental trauma and how to prevent and treat such
25 trauma; and
- 26 (e) Peer support programs FOR PEACE OFFICERS.

27 ~~(2.5) For the purposes of subsections (1)(b) and (2)(b) of this~~

1 ~~section, grant recipients may use money received through the grant~~
2 ~~program to reimburse peace officers who have paid the costs of their own~~
3 ~~counseling services.~~

4 (3) PUBLIC SAFETY AGENCIES, law enforcement agencies, AND
5 PEACE OFFICER ORGANIZATIONS that apply for grants ~~from the grant~~
6 ~~program~~ PURSUANT TO SUBSECTION (2) OF THIS SECTION are encouraged
7 to do so, to the extent possible, in collaboration with the community
8 mental health centers AND OTHER COMMUNITY-BASED SERVICE PROVIDERS
9 in their regions.

10 (4) The department shall administer the grant program and,
11 subject to available appropriations, shall award grants as provided in this
12 section FROM THE FUND CREATED IN SUBSECTION (7) OF THIS SECTION.
13 ~~Subject to available appropriations, grants shall be paid out of the fund~~
14 ~~created in subsection (10) of this section.~~

15 (5) The executive director of the department, or the executive
16 director's designee, shall develop ~~such~~ policies and procedures ~~as are~~
17 ~~required in this section and such additional policies and procedures~~ as
18 may be necessary to implement AND ADMINISTER the grant program. At
19 a minimum, the policies and procedures must SPECIFY:

20 (a) ~~Specify~~ The time frames for applying for grants, the form of
21 the grant program application, AND the time frames for distributing grant
22 money; and

23 (b) THE criteria for the ~~executive director, or the executive~~
24 ~~director's designee~~, DEPARTMENT to use in awarding and denying grants;
25 ~~The policies and procedures must also;~~ AND

26 (c) ~~Require the department to transfer grant money to each grant~~
27 ~~recipient as soon as is practicable after a grant application is approved~~

1 THAT A PUBLIC SAFETY AGENCY MAY APPLY FOR A GRANT FOR THE
2 PURPOSE OUTLINED IN SUBSECTION (2)(a) OF THIS SECTION AND A LAW
3 ENFORCEMENT AGENCY OR PEACE OFFICER ORGANIZATION MAY APPLY FOR
4 A GRANT FOR THE PURPOSES OUTLINED IN SUBSECTIONS (2)(a) TO (2)(e) OF
5 THIS SECTION.

6 ~~(6) To receive a grant, an eligible agency must submit an~~
7 ~~application to the department in accordance with policies and procedures~~
8 ~~developed by the executive director, or the executive director's designee.~~

9 (7) (6) (a) In accordance with a schedule to be determined
10 pursuant to rules promulgated by the executive director of the department,
11 each grant recipient shall submit to the department a report that describes
12 and includes documentation of the grant recipient's use of the grant
13 money. The report must also include any information required by the
14 department pursuant to ~~any~~ THE policies or procedures developed by the
15 department pursuant to subsection (5) of this section. In preparing ~~each~~
16 ~~such~~ THE report, each grant recipient shall redact the names and any other
17 personal identifying information of each peace officer ~~to whom the grant~~
18 ~~recipient provided~~ WHO RECEIVED services, training, or education with
19 grant money.

20 (b) (I) ~~On and after November 1, 2021,~~ The department shall
21 include a summarized report of the activities of the grant program
22 BEGINNING IN FISCAL YEAR 2017 THROUGH FISCAL YEAR 2021 in the
23 department's annual presentation to the committees of reference pursuant
24 to section 2-7-203 FOR THE 2022 LEGISLATIVE SESSION. ~~Notwithstanding~~
25 ~~section 24-1-136 (11)(a)(I), the reporting requirements set forth in this~~
26 ~~section continue until the grant program is repealed pursuant to~~
27 ~~subsection (11) of this section.~~ THIS SUBSECTION (6)(b)(I) IS REPEALED,

1 EFFECTIVE NOVEMBER 1, 2021.

2 (II) BEGINNING WITH THE 2023 REGULAR LEGISLATIVE SESSION
3 ANDEACH REGULAR LEGISLATIVE SESSION THEREAFTER, THE DEPARTMENT
4 SHALL INCLUDE A SUMMARIZED REPORT OF THE ACTIVITIES OF THE GRANT
5 PROGRAM IN THE DEPARTMENT'S ANNUAL PRESENTATION TO THE
6 COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203.
7 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING
8 REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE INDEFINITELY.

9 ~~(8) The department may use up to five percent of the money~~
10 ~~annually appropriated for the program to pay the direct and indirect costs~~
11 ~~that the department incurs in administering the grant program.~~

12 ~~(9) Notwithstanding any other provision of this section, the~~
13 ~~department is not required to implement the grant program until sufficient~~
14 ~~funds are received in the fund created in subsection (10) of this section.~~

15 ~~(10)~~ (7) (a) The peace officers mental health support AND
16 COMMUNITY PARTNERSHIP fund, referred to in this section as the "fund",
17 is created in the state treasury. The fund consists of gifts, grants, and
18 donations credited to the fund pursuant to ~~subsection (10)(b)~~ SUBSECTION
19 (7)(b) of this section and any other money that the general assembly may
20 appropriate or transfer to the fund. ~~The executive director, or his or her~~
21 ~~designee~~ SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
22 ASSEMBLY, THE DEPARTMENT may expend money from the fund for the
23 purposes of this section. THE DEPARTMENT MAY USE UP TO FIVE PERCENT
24 OF THE MONEY ANNUALLY APPROPRIATED TO THE FUND TO PAY THE
25 DIRECT AND INDIRECT COSTS THAT THE DEPARTMENT INCURS IN
26 ADMINISTERING THE GRANT PROGRAM.

27 (b) The department may seek, accept, and expend gifts, grants, or

1 donations from private or public sources for the purposes of this section.
2 The department shall transmit all money received through gifts, grants,
3 or donations to the state treasurer, who shall credit the money to the fund.

4 (c) The state treasurer shall credit all interest and income derived
5 from the deposit and investment of money in the fund to the fund. At the
6 end of any fiscal year, all unexpended and unencumbered money in the
7 fund remains therein and shall not be credited or transferred to the general
8 fund or any other fund.

9 ~~(d) The state treasurer shall transfer all unexpended and~~
10 ~~unencumbered money in the fund on August 31, 2027, to the general~~
11 ~~fund.~~ FOR EACH FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2021,
12 THE DEPARTMENT SHALL ANNUALLY EXPEND THE FIRST TWO MILLION
13 DOLLARS OF STATE MONEY FROM THE FUND FOR GRANTS FOR THE
14 PURPOSES DESCRIBED IN SUBSECTIONS (2)(b) TO (2)(e) OF THIS SECTION
15 AND FOR ASSOCIATED ADMINISTRATIVE EXPENSES. THE DEPARTMENT MAY
16 EXPEND ANY ADDITIONAL STATE MONEY FROM THE FUND FOR GRANTS FOR
17 ANY OF THE PURPOSES DESCRIBED IN SUBSECTION (2) OF THIS SECTION AND
18 FOR ADMINISTRATIVE EXPENSES.

19 ~~(10.5)~~ (8) As used in this section, unless the context otherwise
20 requires:

21 ~~(a) "Eligible agency" means a law enforcement agency within the~~
22 ~~state, or a peace officer organization within the state.~~

23 ~~(b)~~ (a) "Law enforcement agency" means the Colorado state
24 patrol, the Colorado bureau of investigation, the department of
25 corrections, the department of revenue, a county sheriff's office, a
26 municipal police department, a campus police department, a town
27 marshal's office, or the division of parks and wildlife.

1 (e) (b) "Peace officer organization" means:

2 (I) A statewide association of police officers and former police
3 officers; or

4 (II) An organization within the state that provides services and
5 programs that promote the mental health wellness of peace officers and
6 that has at least one peace officer or former peace officer serving on its
7 board of directors or in a comparable capacity.

8 (c) "PUBLIC SAFETY AGENCY" MEANS AN AGENCY PROVIDING LAW
9 ENFORCEMENT, FIRE PROTECTION, EMERGENCY MEDICAL, OR EMERGENCY
10 RESPONSE SERVICES.

11 ~~(11) This section is repealed, effective September 1, 2027.~~

12 **SECTION 3.** In Colorado Revised Statutes, 30-10-527, **amend**
13 (3) as follows:

14 **30-10-527. Mental health professionals - grant applications**
15 **encouraged - definition - repeal.** (3) For the purposes of this section,
16 each sheriff's office is encouraged to apply annually for a grant from the
17 peace officers mental health support AND COMMUNITY PARTNERSHIPS
18 grant program created in section 24-32-3501.

19 **SECTION 4.** In Colorado Revised Statutes, 31-30-109, **amend**
20 (3) as follows:

21 **31-30-109. Mental health professionals - grant applications**
22 **encouraged - definition - repeal.** (3) For the purposes of this section,
23 each municipal police department is encouraged to apply annually for a
24 grant from the peace officers mental health support AND COMMUNITY
25 PARTNERSHIPS grant program created in section 24-32-3501.

26 **SECTION 5. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2022 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.