

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

REVISED

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

LLS NO. 21-0865.01 Jane Ritter x4342

HOUSE BILL 21-1248

HOUSE SPONSORSHIP

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House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

Health & Human Services
Legislative Council
Appropriations

A BILL FOR AN ACT

101 **CONCERNING UPDATING THE PROVISIONS OF THE "COLORADO**
102 **CHILDREN'S TRUST FUND ACT", AND, IN CONNECTION**
103 **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 updates various provisions of the "Colorado Children's Trust Fund Act", including renaming it the "Colorado Child Abuse Prevention Trust Fund Act" (act). Changes include:

- Expanding the membership of the Colorado child abuse prevention board (board) from the current 9 members to 17

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
Amended 2nd Reading
May 20, 2021

HOUSE
3rd Reading Unamended
April 26, 2021

HOUSE
Amended 2nd Reading
April 23, 2021

- members;
 - Expanding the powers and duties of the board to include advising and making recommendations to the governor, state agencies, and other entities regarding child maltreatment prevention; developing strategies to decrease the incidences of child maltreatment and other adverse childhood experiences; and implementing and monitoring the ongoing development of local child maltreatment prevention plans throughout the state; and
 - Extending the repeal of the act from 2022 to 2027.
-

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend with**
3 **relocated provisions** article 3.5 of title 19 as follows:

4 **ARTICLE 3.5**

5 **Colorado Child Abuse Prevention Trust Fund Act**

6 **19-3.5-101. Short title.** ~~This article shall be known and may be~~
7 ~~cited as the "Colorado Children's Trust Fund Act"~~ THE SHORT TITLE OF
8 THIS ARTICLE 3.5 IS THE "COLORADO CHILD ABUSE PREVENTION TRUST
9 FUND ACT".

10 **19-3.5-102. Legislative declaration.** (1) The general assembly
11 ~~hereby~~ finds that:

12 (a) Child abuse and neglect are a threat to the family unit and
13 impose major expenses on society; ~~The general assembly further finds~~
14 ~~that~~

15 (b) There is a need to assist private and public agencies in
16 identifying, planning, and establishing statewide programs for the
17 prevention of child abuse and neglect; AND

18 (c) THE TYPES OF TRAUMA EXPERIENCED BY CHILDREN WHO ARE
19 UNDER EIGHTEEN YEARS OF AGE INCLUDE CHILDHOOD EMOTIONAL,
20 PHYSICAL, AND SEXUAL ABUSE; EMOTIONAL AND PHYSICAL NEGLECT;

1 HOUSING INSECURITY AND POVERTY; AND HOUSEHOLD CHALLENGES,
2 INCLUDING GROWING UP IN A HOUSEHOLD WITH SUBSTANCE ABUSE,
3 MENTAL HEALTH DISORDERS, VIOLENCE, OR PARENTAL INCARCERATION.
4 ADVERSE CHILDHOOD EXPERIENCES SUCH AS THESE HAVE BEEN SHOWN TO
5 HAVE A LIFELONG IMPACT ON HEALTH, BEHAVIOR, AND AGE OF
6 MORTALITY.

7 (2) It is the purpose of this ~~article~~ ARTICLE 3.5 to promote primary
8 and secondary prevention ~~and education~~ programs that are designed to
9 PREVENT CHILD TRAUMA AND MALTREATMENT BEFORE IT OCCURS, lessen
10 the occurrence of child abuse and neglect, and ~~to~~ MITIGATE THE IMPACTS
11 OF ADVERSE CHILDHOOD EXPERIENCES TO reduce the need for state
12 intervention ~~in child abuse and neglect prevention and education~~
13 THROUGH CHILD WELFARE ACTIONS AND ECONOMIC SUPPORT FOR
14 FAMILIES EXPERIENCING POVERTY.

15 **19-3.5-103. Definitions. (Repealed) [Formerly**
16 **19-3.5-104] Colorado child abuse prevention board - creation -**
17 **members - terms - vacancies.** (1) ~~(a) There is hereby created, in the~~
18 ~~department of public health and environment, the Colorado children's~~
19 ~~trust fund board. The board shall exercise its powers and duties as if~~
20 ~~transferred by a type 2 transfer.~~

21 ~~(b) The Colorado children's trust fund~~ CHILD ABUSE PREVENTION
22 board, REFERRED TO IN THIS ARTICLE 3.5 AS THE "BOARD", is transferred
23 to the department of human services FROM THE DEPARTMENT OF PUBLIC
24 HEALTH AND ENVIRONMENT. The board shall exercise its powers and
25 duties as if transferred by a **type 2** transfer. Persons appointed to the
26 ~~Colorado children's trust fund~~ board shall continue serving until
27 completion of their terms and may be reappointed as provided in this

1 section.

2 (2) The board consists of ~~nine~~ SEVENTEEN members, WITH A
3 CONSIDERATION FOR GEOGRAPHIC DIVERSITY, as follows:

4 (a) The executive director of the department of human services or
5 his designee; ONE PERSON FROM THE DEPARTMENT OF HUMAN SERVICES'
6 DIVISION OF CHILD WELFARE, APPOINTED BY THE EXECUTIVE DIRECTOR OF
7 THE DEPARTMENT OF HUMAN SERVICES;

8 ~~(a.5)~~ (b) The executive director of the department of public health
9 and environment or ~~such~~ THE EXECUTIVE director's designee;

10 ~~(b)~~ (c) The commissioner of education or ~~his~~ THE COMMISSIONER'S
11 designee; ~~and~~

12 ~~(c)~~ (d) ~~Six~~ TWO persons appointed by the governor and confirmed
13 by the senate ~~five of whom shall be~~ WHO ARE knowledgeable in the area
14 of child abuse prevention and represent some of the following areas: Law
15 enforcement, medicine, law, business, PUBLIC POLICY, mental health,
16 ~~domestic relations; child abuse prevention; education;~~ INTIMATE PARTNER
17 VIOLENCE, EARLY CHILDHOOD EDUCATION, K-12 EDUCATION, REDUCING
18 POVERTY AND HELPING FAMILIES GAIN ECONOMIC STABILITY, THE
19 CONNECTION BETWEEN HOUSING INSTABILITY AND TRAUMA, HIGHER
20 EDUCATION, RESEARCH AND PROGRAM EVALUATION, and social work. ~~and~~
21 ~~one who is a parent or a representative of a parent organization.~~ In
22 making appointments to the board, the governor is encouraged to include
23 representation by at least one member who is a person with a disability,
24 as defined in section 24-34-301 (2.5), a family member of a person with
25 a disability, or a member of an advocacy group for persons with
26 disabilities, ~~provided that~~ SO LONG AS the other requirements of this
27 ~~subsection (2)(c)~~ SUBSECTION (2)(d) are met.

1 (e) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH
2 CARE POLICY AND FINANCING OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

3 (f) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
4 AFFAIRS OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

5 (g) THE CHILD PROTECTION OMBUDSMAN, AS APPOINTED
6 PURSUANT TO SECTION 19-3.3-102;

7 (h) FOUR APPOINTEES WHO REPRESENT COUNTY LEADERSHIP, AS
8 EITHER A COUNTY COMMISSIONER OR A DIRECTOR OF PUBLIC HEALTH OR
9 OF HUMAN OR SOCIAL SERVICES, AS DESIGNATED BY STATEWIDE
10 ORGANIZATIONS REPRESENTING COUNTY COMMISSIONERS, HUMAN
11 SERVICES DIRECTORS, AND PUBLIC HEALTH OFFICIALS, THREE OF WHOM
12 MUST HAVE EXPERTISE IN HUMAN SERVICES OR CHILD WELFARE PRACTICE;

13 (i) THREE MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF
14 THE DEPARTMENT OF HUMAN SERVICES. SUCH APPOINTEES MUST BE
15 COMMUNITY MEMBERS WITH LIVED EXPERIENCE THAT CAN INCLUDE
16 CHILDHOOD HISTORY OF ADVERSE CHILDHOOD EXPERIENCES OR
17 EXPERIENCE PARTICIPATING IN PREVENTION, PARENTING, OR FAMILY
18 STRENGTHENING PROGRAMS. ONE OF THE THREE APPOINTEES MUST BE A
19 PARENT.

20 (j) ONE MEMBER WHO IS A MEMBER OF THE SENATE AND WHO IS
21 APPOINTED BY THE PRESIDENT OF THE SENATE AND ONE MEMBER WHO IS
22 A MEMBER OF THE HOUSE OF REPRESENTATIVES AND WHO IS APPOINTED BY
23 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

24 (3) (a) Each appointed member of the board ~~shall serve for~~
25 ~~SERVES~~ a term of three years. ~~except that the original members appointed~~
26 ~~by the governor shall serve staggered terms not to exceed three years. to~~
27 ~~be decided by the board.~~

1 (b) THE ORIGINAL APPOINTING ENTITY SHALL FILL a vacancy on the
2 board ~~shall be filled~~ for the balance of the BOARD MEMBER'S unexpired
3 term.

4 (c) A BOARD MEMBER, WHETHER ORIGINAL OR OTHERWISE, MAY
5 NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

6 (4) The board shall meet regularly and ~~shall~~ adopt its own rules of
7 procedure.

8 (5) EXCEPT AS PROVIDED IN SECTION 2-2-326, members ~~shall~~ serve
9 without compensation but ~~shall be~~ ARE entitled to reimbursement for
10 actual and necessary expenses incurred in the performance of their duties.

11 **19-3.5-104. [Formerly 19-3.5-105] Powers and duties of the**
12 **board.** (1) The board has the following powers and duties:

13 (a) ~~To provide for the coordination and exchange of information~~
14 ~~on the establishment and maintenance of primary and secondary~~
15 ~~prevention programs~~ TO ADVISE AND MAKE RECOMMENDATIONS TO THE
16 GOVERNOR, STATE AGENCIES, AND OTHER RELEVANT ENTITIES
17 CONCERNING THE IMPLEMENTATION OF AND FUTURE REVISIONS TO ANY
18 STATE PLAN DEVELOPED TO PREVENT CHILD MALTREATMENT;

19 (b) ~~To develop and publicize criteria regarding grants from the~~
20 ~~trust fund, including the duration of grants and any requirements for~~
21 ~~matching funds which are received from the trust fund;~~ TO DEVELOP
22 STRATEGIES AND MONITOR EFFORTS TO ACHIEVE:

23 (I) INCREASES IN CHILD WELL-BEING AND ACHIEVEMENT;

24 (II) INCREASES IN CAREGIVER WELL-BEING AND ACHIEVEMENT;

25 (III) INCREASES IN CONSISTENT HIGH-QUALITY CAREGIVING;

26 (IV) INCREASES IN SAFE, SUPPORTIVE NEIGHBORHOODS AND
27 COMMUNITIES; AND

1 (V) DECREASES IN THE INCIDENCE OF CHILD MALTREATMENT AND
2 CHILD MALTREATMENT FATALITIES;

3 (c) ~~To review and monitor the expenditure of moneys by~~
4 ~~recipients~~ TO ASSIST PUBLIC AND PRIVATE AGENCIES IN COORDINATING
5 EFFORTS ON BEHALF OF FAMILIES, INCLUDING SECURING FUNDING AND
6 ADDITIONAL INVESTMENTS FOR SERVICES AND PROGRAMS, AND
7 IMPROVING ACCESS TO THESE SERVICES FOR CHILDREN AND THEIR
8 FAMILIES;

9 (d) ~~Repealed.~~

10 (e) (d) ~~To accept grants from the federal government as well as to~~
11 ~~solicit and accept contributions, grants, gifts, bequests, and donations~~
12 ~~from individuals, private organizations, and foundations~~ TO PROVIDE FOR
13 THE COORDINATION AND EXCHANGE OF INFORMATION CONCERNING THE
14 ESTABLISHMENT AND MAINTENANCE OF PRIMARY AND SECONDARY
15 PREVENTION PROGRAMS AND TO FACILITATE THE EXCHANGE OF
16 INFORMATION BETWEEN GROUPS CONCERNED WITH CHILD
17 MALTREATMENT;

18 (f) (I) (e) (I) ~~To expend moneys of the trust fund for the~~
19 ~~establishment, promotion, and maintenance of primary and secondary~~
20 ~~prevention programs, including pilot programs, for programs to prevent~~
21 ~~and reduce the occurrence of prenatal drug exposure, and for operational~~
22 ~~expenses of the board;~~ TO IDENTIFY OPPORTUNITIES FOR, AND BARRIERS
23 TO, THE ALIGNMENT OF STANDARDS, RULES, POLICIES, AND PROCEDURES
24 ACROSS PROGRAMS AND AGENCIES THAT SUPPORT FAMILIES. THE BOARD
25 SHALL SUBMIT RECOMMENDATIONS DEVELOPED PURSUANT TO THIS
26 SUBSECTION (1)(e)(I) TO THE DEPARTMENT OF HUMAN SERVICES, WHICH
27 SHALL THEN INCLUDE SUCH RECOMMENDATIONS AS PART OF ITS

1 PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD
2 PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR
3 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
4 GOVERNMENT ACT" IN JANUARY 2022.

5 (II) THE BOARD SHALL ALSO PROVIDE ONGOING
6 RECOMMENDATIONS ON CHANGES TO ENHANCE THE ALIGNMENT AND
7 PROVISION OF SERVICES AND SUPPORTS FOR FAMILIES TO PREVENT CHILD
8 TRAUMA AND MALTREATMENT TO APPROPRIATE GOVERNMENT AND
9 NONPROFIT AGENCIES AND POLICY BOARDS.

10 ~~(f.5) To expend the money of the trust fund for the development,~~
11 ~~promotion, maintenance, and monitoring of an evidence-based or~~
12 ~~research-based child sexual abuse prevention training model to prevent~~
13 ~~and reduce the occurrence of child sexual abuse. The training model must~~
14 ~~be available to persons who interact with young children, including but~~
15 ~~not limited to parents, child care providers, librarians, church staff and~~
16 ~~volunteers, medical professionals, family resource centers staff, and other~~
17 ~~mandatory reporters of child abuse and neglect.~~

18 ~~(g) (f) To sue and be sued as a board without individual liability~~
19 ~~for acts of the board~~ TO COLLABORATE WITH OTHER RELEVANT BOARDS,
20 COMMISSIONS, AND COUNCILS THAT EXIST WITHIN THE EXECUTIVE BRANCH
21 TO ADDRESS SERVICES AND SUPPORTS FOR FAMILIES;

22 ~~(h) (g) To exercise any other powers or perform any other duties~~
23 ~~which are consistent with the purposes for which the board was created~~
24 ~~and which are reasonably necessary for the fulfillment of the board's~~
25 ~~responsibilities.~~ TO PROMOTE ACADEMIC RESEARCH ON THE EFFICACY AND
26 COST-EFFECTIVENESS OF CHILD MALTREATMENT PREVENTION INITIATIVES;

27 ~~(i) and (j) Repealed.~~

1 (h) TO DISTRIBUTE MONEY AND MAKE GRANT AWARDS FROM THE
2 COLORADO CHILD ABUSE PREVENTION TRUST FUND, CREATED IN SECTION
3 19-3.5-105, IN ACCORDANCE WITH SECTION 19-3.5-106 AND FOR:

4 (I) THE ESTABLISHMENT, PROMOTION, AND MAINTENANCE OF
5 PRIMARY AND SECONDARY CHILD MALTREATMENT PREVENTION
6 PROGRAMS, INCLUDING PILOT PROGRAMS OR SERVICES IDENTIFIED IN THE
7 FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE AND
8 PROGRAMS THAT ARE UNDER EVALUATION FOR PURPOSES OF PETITIONING
9 THE FEDERAL GOVERNMENT FOR INCLUSION IN THE FEDERAL TITLE IV-E
10 PREVENTION SERVICES CLEARINGHOUSE;

11 (II) PROGRAMS TO PREVENT CHILD SEXUAL ABUSE;

12 (III) PROGRAMS TO REDUCE THE OCCURRENCE OF PRENATAL
13 SUBSTANCE EXPOSURE;

14 (IV) PROGRAMS TO REDUCE THE OCCURRENCE OF OTHER ADVERSE
15 CHILDHOOD EXPERIENCES;

16 (V) PROGRAMS TO REDUCE POVERTY OR HELP FAMILIES GET OUT
17 OF POVERTY;

18 (VI) PROGRAMS TO CREATE HOUSING STABILITY; AND

19 (VII) OPERATIONAL EXPENSES OF THE BOARD, INCLUDING
20 ALLOWABLE EXPENSES PURSUANT TO SECTION 19-3.5-103 (5);

21 (i) TO ACCEPT GRANTS FROM THE FEDERAL GOVERNMENT, AS WELL
22 AS TO SOLICIT AND ACCEPT CONTRIBUTIONS, GRANTS, GIFTS, BEQUESTS,
23 AND DONATIONS FROM INDIVIDUALS, PRIVATE ORGANIZATIONS, AND
24 FOUNDATIONS; AND

25 (j) TO EXERCISE OR PERFORM ANY OTHER POWERS OR DUTIES
26 CONSISTENT WITH THE PURPOSES FOR WHICH THE BOARD WAS CREATED
27 AND THAT ARE REASONABLY NECESSARY FOR THE FULFILLMENT OF THE

1 BOARD'S RESPONSIBILITIES AS SET FORTH IN THIS SECTION.

2 **19-3.5-105. [Formerly 19-3.5-106] Colorado child abuse**
3 **prevention trust fund - creation - source of funds.** (1) There is hereby
4 created in the state treasury the Colorado ~~children's~~ CHILD ABUSE
5 PREVENTION trust fund, ~~which shall be administered by the board and~~
6 ~~which shall consist of~~ REFERRED TO IN THIS ARTICLE 3.5 AS THE "TRUST
7 FUND". THE BOARD SHALL ADMINISTER THE TRUST FUND, WHICH CONSISTS
8 OF:

9 (a) ~~All moneys which shall be~~ MONEY transferred ~~thereto~~ INTO
10 THE TRUST FUND in accordance with section 13-32-101 (5)(a)(I); ~~C.R.S.;~~
11 ~~and~~

12 (b) ~~All moneys~~ MONEY collected by the board pursuant to ~~section~~
13 ~~19-3.5-105 (1)(c)~~ SECTION 19-3.5-104 (1)(i) from federal grants and other
14 contributions, grants, gifts, bequests, AND donations. ~~and any moneys~~
15 ~~appropriated thereto by the state.~~ Such ~~moneys shall~~ MONEY MUST be
16 transmitted to the state treasurer, ~~for credit~~ WHO SHALL CREDIT THE
17 MONEY to the trust fund; AND

18 (c) ANY MONEY APPROPRIATED TO THE TRUST FUND BY THE STATE;
19 AND

20 (d) REIMBURSEMENT MONEY RECEIVED FOR PREVENTION SERVICES
21 AND PROGRAMS IDENTIFIED IN THE FEDERAL TITLE IV-E CLEARINGHOUSE
22 PURSUANT TO THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT
23 OF 2018". BEGINNING JULY 1, 2021, THE STATE DEPARTMENT SHALL
24 TRANSMIT FEDERAL TITLE IV-E REIMBURSEMENTS FOR PREVENTION
25 SERVICES TO THE STATE TREASURER WHO SHALL CREDIT THE
26 REIMBURSEMENTS TO THE TRUST FUND.

27 (2) THE TRUST FUND SHALL CLAIM FEDERAL TITLE IV-E

1 REIMBURSEMENT FOR ALL ELIGIBLE GRANTS FOR PREVENTION SERVICES ON
2 THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE.

3 ~~(2)(3)~~ All ~~moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual
4 appropriation by the general assembly. Any ~~moneys not appropriated shall~~
5 ~~remain~~ MONEY REMAINING in the fund ~~and shall~~ MUST not be transferred
6 to or revert to the general fund of the state at the end of any fiscal year.
7 Any interest earned on the investment or deposit of ~~moneys~~ MONEY in the
8 fund ~~shall~~ MUST also remain in the fund and ~~shall~~ MUST not be credited
9 to the general fund of the state.

10 ~~(3) Repealed.~~

11 **19-3.5-106. [Formerly 19-3.5-107] Disbursement of grants from**
12 **the trust fund - restrictions.** (1) Grants may be awarded to provide
13 money for the start-up, continuance, or expansion of primary or secondary
14 prevention programs, including pilot programs and ~~home visitation~~
15 ~~programs, to provide educational and public informational seminars~~
16 EDUCATIONAL PROGRAMS FOR PROFESSIONALS AND THE PUBLIC, and to
17 study and evaluate primary and secondary prevention programs. ~~pilot~~
18 ~~programs, and home visitation programs.~~ In addition, grants may be
19 awarded for programs to prevent and reduce the occurrence of prenatal
20 ~~drug~~ SUBSTANCE exposure and an evidence-based or research-based child
21 sexual abuse prevention training model to prevent and reduce the
22 occurrence of child sexual abuse.

23 (2) THE DISTRIBUTION OF MONEY CREDITED TO THE TRUST FUND
24 BY REIMBURSEMENT FOR PREVENTION SERVICES AND PROGRAMS
25 IDENTIFIED IN THE FEDERAL TITLE IV-E PREVENTION SERVICES
26 CLEARINGHOUSE MUST FUND PROGRAMS AND SERVICES THAT ALIGN WITH
27 THE STATE'S PREVENTION STRATEGY, PURSUANT TO THE FEDERAL "FAMILY

1 FIRST PREVENTION SERVICES ACT OF 2018", INCLUDING CONSIDERATION
2 OF VARIABLE NEEDS AND RESOURCES ACROSS THE STATE AND
3 DATA-DRIVEN APPROACHES, AND BE INFORMED BY THE STATE
4 DEPARTMENT IN CONSULTATION WITH COUNTY DEPARTMENTS AND OTHER
5 ENTITIES THAT DELIVER THE ELIGIBLE SERVICES OR PROGRAMS. ELIGIBLE
6 SERVICES OR PROGRAMS MAY INCLUDE THOSE UNDER EVALUATION FOR
7 THE PURPOSES OF PETITIONING THE FEDERAL GOVERNMENT FOR INCLUSION
8 IN THE FEDERAL TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE;
9 EXCEPT THAT, IF THE SERVICE OR PROGRAM AT THE TIME OF FEDERAL
10 REVIEW IS RATED TO NOT MEET CRITERIA FOR INCLUSION IN THE FEDERAL
11 TITLE IV-E PREVENTION SERVICES CLEARINGHOUSE, MONEY CREDITED TO
12 THE TRUST FUND BY REIMBURSEMENT FOR PREVENTION SERVICES MUST
13 NOT BE ALLOCATED FOR THAT PURPOSE IN THE NEXT FISCAL YEAR, UNLESS
14 THERE IS AN EVALUATION OF THE SERVICE OR PROGRAM ALREADY
15 UNDERWAY THAT WILL BUILD SUBSTANTIAL NEW EVIDENCE THAT HAS THE
16 POTENTIAL TO CHANGE THE SERVICE OR PROGRAM RATING, OR THE
17 SERVICE OR PROGRAM HAS BEEN SUBMITTED TO THE FEDERAL
18 CLEARINGHOUSE FOR RE-REVIEW.

19 ~~(2) (3)~~ The board shall have HAS discretion in ~~determining the~~
20 ~~amount of money to be awarded under each grant; except that:~~ TO
21 OVERSEE THE DISBURSEMENT OF MONEY FROM THE TRUST FUND TO
22 ENSURE ITS APPROPRIATE USE AND MAKE RECOMMENDATIONS FOR THE
23 TOTAL GRANT AMOUNT TO BE AWARDED EACH YEAR.

24 (a) ~~Until the total amount of assets in the trust fund exceeds five~~
25 ~~million dollars, not more than seventy-five percent of the moneys credited~~
26 ~~to the trust fund each year pursuant to section 13-32-101 (5)(a)(I), C.R.S.;~~
27 ~~plus any interest credited thereon to the trust fund during the previous~~

1 year shall be available for disbursement or expenditure by the board;
2 however, any other moneys deposited or maintained in the fund may be
3 disbursed by the board pursuant to the provisions of this article in
4 accordance with an appropriation from the fund made by the general
5 assembly;

6 (b) After such time that the state treasurer certifies that the assets
7 in the trust fund exceed five million dollars, no further moneys shall be
8 collected for the trust fund pursuant to section 13-32-101 (5)(a)(I),
9 C.R.S.; however, nothing in this paragraph (b) shall be construed to
10 prohibit the continued collection of moneys for the trust fund pursuant to
11 section 19-3.5-105 (1)(e);

12 (c) After such time that the state treasurer certifies that the assets
13 in the trust fund exceed five million dollars, only the interest credited to
14 the trust fund, together with any moneys collected for such fund pursuant
15 to section 19-3.5-105 (1)(e), shall be available for disbursement or
16 expenditure by the board.

17 ~~(3)~~ (4) Any grant or moneys received by the board and credited to
18 the trust fund pursuant to section 19-3.5-106 (1)(b) shall not be subject to
19 the disbursement restriction of paragraph (a) of subsection (2) of this
20 section THE BOARD SHALL NOT AUTHORIZE ANY GRANT AWARDS
21 PURSUANT TO SUBSECTION (1) OF THIS SECTION FOR POLITICAL, ELECTION,
22 OR LOBBYING PURPOSES.

23 **19-3.5-108. Repeal of article. (Repealed)**

24 **19-3.5-107. [Formerly 19-3.5-109] Report - repeal of article.**

25 (1) The department of human services shall contract for an independent
26 evaluation of the trust fund, including administrative costs of operating
27 the trust fund and the cost-effectiveness and the impact of the grants on

1 reducing and preventing child abuse. THE DEPARTMENT OF HUMAN
2 SERVICES SHALL PROVIDE a report of the evaluation ~~shall be provided~~ to
3 the house OF REPRESENTATIVES and senate health and human services
4 committees, or any successor committees, ~~by November 1, 2011, and by~~
5 ~~November 1, 2021~~ ON OR BEFORE NOVEMBER 1, 2026.

6 (2) This ~~article~~ ARTICLE 3.5 is repealed, effective ~~July 1, 2022~~
7 JULY 1, 2027.

8 **SECTION 2.** In Colorado Revised Statutes, 13-32-101, **amend**
9 (5)(a) introductory portion and (5)(a)(I) as follows:

10 **13-32-101. Docket fees in civil actions - judicial stabilization**
11 **cash fund - justice center cash fund - justice center maintenance fund**
12 **- created - legislative declaration - report.** (5) (a) Each fee collected
13 pursuant to ~~paragraph (a) or (a.5) of subsection (1)~~ SUBSECTION (1)(a) OR
14 (1)(a.5) of this section ~~shall~~ MUST be transmitted to the state treasurer and
15 divided as follows:

16 (I) Fifteen dollars ~~shall~~ MUST be deposited in the Colorado
17 ~~children's~~ CHILD ABUSE PREVENTION trust fund created in ~~section~~
18 ~~19-3.5-106, C.R.S.~~ SECTION 19-3.5-105;

19 **SECTION 3.** In Colorado Revised Statutes, 19-1-103, **amend**
20 (16), (91), and (110) as follows:

21 **19-1-103. Definitions.** As used in this title 19 or in the specified
22 portion of this title 19, unless the context otherwise requires:

23 (16) "Board", as used in article 3.5 of this ~~title~~ TITLE 19, means the
24 Colorado ~~children's trust fund~~ CHILD ABUSE PREVENTION board created in
25 ~~section 19-3.5-104~~ SECTION 19-3.5-103.

26 (91) "Recipient", as used in article 3.5 of this ~~title~~ TITLE 19, means
27 and is limited to a nonprofit or public organization that receives a grant

1 from the trust fund created in ~~section 19-3.5-106~~ SECTION 19-3.5-105.

2 (110) "Trust fund", as used in article 3.5 of this ~~title~~ TITLE 19,
3 means the Colorado ~~children's~~ CHILD ABUSE PREVENTION trust fund
4 created in ~~section 19-3.5-106~~ SECTION 19-3.5-105.

5 **SECTION 4.** In Colorado Revised Statutes, 24-1-120, **amend**
6 (10) as follows:

7 **24-1-120. Department of human services - creation.** (10) The
8 powers, duties, and functions of the Colorado ~~children's trust fund~~ CHILD
9 ABUSE PREVENTION board, created in ~~section 19-3.5-104, C.R.S.~~ SECTION
10 19-3.5-103, are transferred by a **type 2** transfer to the department of
11 human services.

12 **SECTION 5. Appropriation.** For the 2021-22 state fiscal year,
13 \$890 is appropriated to the legislative department for use by the general
14 assembly. This appropriation is from the general fund. To implement this
15 act, the general assembly may use this appropriation for legislator per
16 diem.

17 **SECTION 6. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2022 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.