

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 21-290

BY SENATOR(S) Danielson and Buckner, Bridges, Cooke, Coram, Fenberg, Fields, Ginal, Gonzales, Hisey, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Moreno, Pettersen, Rankin, Simpson, Story, Winter, Woodward, Garcia;

also REPRESENTATIVE(S) Young and Bradfield, Amabile, Bacon, Benavidez, Bennett, Bird, Bockenfeld, Boesenecker, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jodeh, Kennedy, Kipp, McCluskie, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Ricks, Roberts, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Valdez D., Weissman, Woodrow, Garnett.

CONCERNING THE ALLOCATION OF FIFTEEN MILLION DOLLARS FROM THE GENERAL FUND TO ESTABLISH THE AREA AGENCY ON AGING GRANT PROGRAM FOR PROGRAMS PROVIDING ASSISTANCE TO OLDER COLORADANS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(a) Colorado currently has more than 1.25 million residents over the age of sixty, and by 2030, there will be over 1.5 million residents over the age of sixty;

(b) The statewide population of Coloradans over the age of seventy-five is approximately 327,000, and by 2030, 559,000 Coloradans will be over the age of seventy-five;

(c) Compared to the rest of the United States, Colorado has the second-fastest aging population, with Coloradans over the age of sixty outnumbering Coloradans eighteen years of age and younger as soon as 2023, with a widening margin through 2050;

(d) The federal "Older Americans Act of 1965" designates area agencies on aging as the leader on all aging issues in the planning and service areas. The mission of the area agency on aging network is to assist older adults to lead independent, meaningful, and dignified lives in their own homes and communities for as long as they choose.

(e) The COVID-19 public health emergency has amplified the demand for community-based services, with the pandemic significantly impacting older Coloradans and highlighting the importance of supporting aging Coloradans in the community. As of December 2020, Coloradans over the age of sixty accounted for 90% of COVID-19-related deaths.

(2) Therefore, the general assembly finds there must be investments in area agencies on aging that address the systemic health and economic challenges that have been exacerbated by the COVID-19 public health emergency. Providing critical programs for older Coloradans will immediately improve their physical and mental health. Fall prevention programs will keep seniors out of the hospital and free from long-term debilitating effects that often require moving into a nursing home facility. Home modifications for increased accessibility will allow seniors to safely live independently in their own homes for as long as possible. Transportation services will guarantee greater access to critical services and ensure independence for seniors. These programs will improve the health, well-being, and security of older Coloradans and provide much needed relief and recovery to the population hit hardest by the COVID-19 pandemic.

SECTION 2. In Colorado Revised Statutes, **add 26-11-208** as follows:

26-11-208. Area agency on aging grant program - fund created - report - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELIGIBLE ORGANIZATION" MEANS AN AREA AGENCY ON AGING, AS DEFINED IN SECTION 26-11-201.

(b) "FUND" MEANS THE AREA AGENCY ON AGING CASH FUND CREATED IN SUBSECTION (5) OF THIS SECTION.

(c) "GRANT PROGRAM" OR "PROGRAM" MEANS THE AREA AGENCY ON AGING GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THE AREA AGENCY ON AGING GRANT PROGRAM IS ESTABLISHED IN THE STATE OFFICE. THE STATE OFFICE SHALL ESTABLISH AND ADMINISTER THE GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE STATE ASSISTANCE RECEIVED IN THE FORM OF GRANT AWARDS TO FINANCE VARIOUS PROJECTS ACROSS THE STATE THAT ARE INTENDED TO ASSIST AND SUPPORT OLDER COLORADANS. THE GRANT PROGRAM IS INTENDED TO SUPPORT PROJECTS THAT PROMOTE THE HEALTH, WELL-BEING, AND SECURITY OF OLDER COLORADANS ACROSS THE STATE, INCLUDING:

(a) COMMUNITY SERVICES FOR OLDER COLORADANS;

(b) INFRASTRUCTURE IMPROVEMENTS;

(c) HEALTH PROMOTION, CONGREGATE MEALS, AND SOCIALIZATION ACTIVITIES;

(d) TRANSPORTATION SERVICES;

(e) HOME MODIFICATION PROGRAMS; AND

(f) IMPLEMENTATION OF EVIDENCE-BASED FALL PREVENTION AND CHRONIC DISEASE MANAGEMENT PROGRAMS.

(3) (a) BY OCTOBER 31, 2021, THE STATE OFFICE SHALL

COLLABORATE WITH AREA AGENCIES ON AGING DESCRIBED IN SECTION 26-11-204 TO:

(I) ADOPT POLICIES AND PROCEDURES FOR THE ADMINISTRATION OF THE PROGRAM;

(II) ESTABLISH AND PUBLICIZE CRITERIA FOR THE PROGRAM; AND

(III) CREATE APPLICATION PROCEDURES BY WHICH ELIGIBLE ORGANIZATIONS MAY APPLY FOR AND RECEIVE MONEY FROM THE PROGRAM.

(b) ON OR BEFORE JANUARY 1, 2022, THE STATE OFFICE SHALL:

(I) BEGIN ACCEPTING GRANT APPLICATIONS; AND

(II) VERIFY THAT EACH ACCEPTED APPLICATION MEETS THE CRITERIA ESTABLISHED IN SUBSECTION (3)(a) OF THIS SECTION.

(c) IN MAKING AN AWARD, THE STATE OFFICE SHALL SPECIFY THE AMOUNT OF EACH GRANT.

(d) DURING THE 2023 REGULAR LEGISLATIVE SESSION, THE STATE DEPARTMENT SHALL INCLUDE IN ITS REPORT TO THE COMMITTEES OF REFERENCE PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203 INFORMATION FROM THE STATE OFFICE REGARDING THE GRANT PROGRAM, AS SET FORTH IN THIS SUBSECTION (3), PRIOR TO ITS REPEAL IN 2022, INCLUDING INFORMATION ON THE TYPE OF PROJECTS FINANCED BY GRANT AWARDS, THE AMOUNT OF MONEY AWARDED TO EACH PROJECT, AND WHERE THOSE PROJECTS WERE CONDUCTED AND THE PROGRAM'S IMPACT ON THE HEALTH, WELL-BEING, AND SECURITY OF OLDER COLORADANS.

(4) THE STATE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(5) (a) THERE IS CREATED IN THE STATE TREASURY THE AREA AGENCY ON AGING CASH FUND. THE FUND CONSISTS OF MONEY APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY.

(b) FOR FISCAL YEAR 2021-22, THE GENERAL ASSEMBLY SHALL APPROPRIATE FIFTEEN MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND.

(c) ANY UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND AT THE END OF FISCAL YEAR 2021-22 REMAINS IN THE FUND AND IS NOT TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND; EXCEPT THAT ANY REMAINING MONEY IN THE FUND AS OF DECEMBER 31, 2022, SHALL BE CREDITED TO THE GENERAL FUND.

(d) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE STATE OFFICE MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSE OF IMPLEMENTING THIS SECTION, INCLUDING ANY DIRECT AND INDIRECT COSTS. THE STATE OFFICE MAY ONLY EXPEND THREE PERCENT OF THE MONEY ON ADMINISTRATIVE COSTS.

(6) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

SECTION 3. Appropriation. (1) For the 2021-22 state fiscal year, \$15,000,000 is appropriated to the area agency on aging cash fund created in section 26-11-208 (5)(a), C.R.S. This appropriation is from the general fund. The department of human services is responsible for the accounting related to this appropriation.

(2) For the 2021-22 state fiscal year, \$15,000,000 is appropriated to the department of human services for use by adult assistance programs. This appropriation is from reappropriated funds in the area agency on aging cash fund under subsection (1) of this section. To implement this act, the adult assistance programs may use the appropriation for the area agency on aging grant program related to community services for the elderly.

SECTION 4. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO