

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

**PREAMENDED**

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

LLS NO. 22-0139.01 Jane Ritter x4342

**SENATE BILL 22-021**

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**SENATE SPONSORSHIP**

**Rodriguez and Lee**, Simpson, Buckner, Gonzales, Kolker, Moreno, Pettersen, Story

**HOUSE SPONSORSHIP**

**Benavidez and Amabile**, Pelton

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**Senate Committees**

Judiciary  
Appropriations

**House Committees**

Judiciary  
Appropriations

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**A BILL FOR AN ACT**

101     **CONCERNING THE TREATMENT OF PERSONS WITH BEHAVIORAL**  
102             **HEALTH DISORDERS IN THE JUSTICE SYSTEM, AND, IN**  
103             **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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/>.)*

**Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems.** The bill updates provisions of the existing article 1.9 of title 18, Colorado Revised Statutes, concerning the treatment of persons with mental health disorders in the criminal and juvenile

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  
March 14, 2022

SENATE  
Amended 2nd Reading  
March 11, 2022



1 2011 THROUGH 2012 INDICATE THAT HALF OF THE PEOPLE INCARCERATED  
2 IN PRISONS, AND TWO-THIRDS OF THOSE IN JAIL, HAVE EITHER A CURRENT  
3 SERIOUS PSYCHOLOGICAL DISTRESS OR A HISTORY OF BEHAVIORAL HEALTH  
4 CONCERNS.

5 (c) THE DEPARTMENT OF CORRECTIONS' DATA INDICATE THAT ONE  
6 OUT OF EVERY THREE MEN AND FOUR OUT OF EVERY FIVE WOMEN  
7 IMPRISONED IN COLORADO HAVE A MODERATE TO SEVERE BEHAVIORAL  
8 HEALTH DISORDER;

9 (d) THE DIVISION OF YOUTH SERVICES' DATA INDICATE THAT  
10 FIFTY-NINE PERCENT OF NEWLY COMMITTED YOUTH REQUIRE BEHAVIORAL  
11 HEALTH INTERVENTION OR SERVICES, AND NATIONALLY, JUVENILE  
12 INSTITUTIONS ARE ILL-EQUIPPED TO PROVIDE A COMPREHENSIVE ARRAY OF  
13 SUCH SERVICES TO MEET THE NEEDS; AND

14 (e) LARGE NUMBERS OF PEOPLE WITH BEHAVIORAL HEALTH  
15 DISORDERS ARE BEING SENT TO SECURE JUSTICE SETTINGS INSTEAD OF  
16 RECEIVING COMMUNITY TREATMENT. AS A RESULT, THE CRIMINAL JUSTICE  
17 SYSTEM HAS BECOME THE STOPGAP PROVIDER TO ADDRESS CHRONIC AND  
18 ACUTE BEHAVIORAL HEALTH NEEDS IN OUR STATE.

19 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

20 (a) ACTIONS FOCUSED ON PERSONS WHO ARE AT RISK OF ENTRY  
21 INTO THE SYSTEM DUE TO BEHAVIORAL HEALTH DISORDERS, AND ACTIONS  
22 TO HELP REDUCE AND PREVENT RECIDIVISM ONCE SUCH INDIVIDUALS ARE  
23 IN THE SYSTEM, ARE CRITICAL IN ADDRESSING THE PROBLEM;

24 (b) RESEARCH DEMONSTRATES A NEED TO DIVERT PERSONS WITH  
25 BEHAVIORAL HEALTH DISORDERS TO TREATMENT PROGRAMS AND TO  
26 PROVIDE WRAPAROUND SERVICES, SUCH AS HOUSING AND CONTINUED  
27 MEDICAL AND BEHAVIORAL HEALTH TREATMENT UPON RELEASE; AND

1 (c) PREVENTION AND INTERVENTION NEEDS RANGE FROM, BUT ARE  
2 NOT LIMITED TO, SCHOOL-BASED BEHAVIORAL HEALTH SERVICES; LAW  
3 ENFORCEMENT DIRECTED DIVERSION; COMMUNITY SCREENING,  
4 ASSESSMENT, AND TREATMENT; SECURE SETTINGS WITHIN CORRECTION  
5 FACILITIES; AND SUPPORTIVE REENTRY SERVICES THAT ARE CRITICAL  
6 COMPONENTS OF DIGNITY, SAFETY, AND RECOVERY.

7 (3) IN ADDITION, THE GENERAL ASSEMBLY FINDS THAT THE  
8 RESULTS OF A REPORT REQUESTED BY THE JOINT BUDGET COMMITTEE IN  
9 1999 RECOMMENDED CROSS-SYSTEM COLLABORATION AND  
10 COMMUNICATION AS A METHOD FOR REDUCING THE NUMBER OF PERSONS  
11 WITH MENTAL HEALTH DISORDERS WHO ARE INVOLVED IN THE CRIMINAL  
12 AND JUVENILE JUSTICE SYSTEMS. THE COMMITTEE AND TASK FORCE  
13 CREATED BY THIS ARTICLE 1.9 SHALL CONSIDER THE BROADER CONTINUUM  
14 OF BEHAVIORAL HEALTH DISORDERS TO BETTER ACCOUNT FOR THE NEEDS  
15 OF THE AT-RISK POPULATION BEING STUDIED.

16 (4) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT,  
17 DESPITE THE IMPACT AND REACH OF THE PREVIOUS WORK OF THE  
18 LEGISLATIVE OVERSIGHT COMMITTEE AND TASK FORCE, A SIGNIFICANT  
19 NEED REMAINS FOR ONGOING INNOVATION TO ADDRESS THESE AND  
20 RELATED ISSUES. THE GENERAL ASSEMBLY THEREFORE DETERMINES THAT  
21 IT IS NECESSARY TO CONTINUE THE LEGISLATIVE OVERSIGHT COMMITTEE  
22 AND TASK FORCE TO EXAMINE THE IDENTIFICATION, DIAGNOSIS, AND  
23 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE  
24 AT RISK OF INVOLVEMENT OR CONTINUED INVOLVEMENT WITH THE  
25 CRIMINAL OR JUVENILE JUSTICE SYSTEMS AND TO DEVELOP STRATEGIES TO  
26 ADDRESS THE ISSUES SUCH PEOPLE FACE.

27 **18-1.9-102. Definitions.** AS USED IN THIS ARTICLE 1.9, UNLESS

1 THE CONTEXT OTHERWISE REQUIRES:

2 (1) "BEHAVIORAL HEALTH" REFERS TO AN INDIVIDUAL'S MENTAL  
3 ANDEMOITIONAL WELL-BEING AND ACTIONS THAT AFFECT AN INDIVIDUAL'S  
4 OVERALL WELLNESS. BEHAVIORAL HEALTH PROBLEMS AND DISORDERS  
5 INCLUDE SUBSTANCE USE DISORDERS, SERIOUS PSYCHOLOGICAL DISTRESS,  
6 SUICIDE, DEPRESSION, AND OTHER MENTAL HEALTH DISORDERS. PROBLEMS  
7 RANGING FROM UNHEALTHY STRESS OR SUBCLINICAL CONDITIONS TO  
8 DIAGNOSABLE AND TREATABLE DISEASES ARE INCLUDED IN THE TERM  
9 "BEHAVIORAL HEALTH". THE TERM "BEHAVIORAL HEALTH" IS ALSO USED  
10 TO DESCRIBE SERVICE SYSTEMS THAT ENCOMPASS PREVENTION AND  
11 PROMOTION OF EMOTIONAL HEALTH, PREVENTION AND TREATMENT  
12 SERVICES FOR MENTAL HEALTH AND SUBSTANCE USE DISORDERS, AND  
13 RECOVERY SUPPORT.

14 (2) "CO-OCCURRING DISORDER" MEANS A DISORDER THAT  
15 COMMONLY COINCIDES WITH MENTAL HEALTH DISORDERS AND MAY  
16 INCLUDE, BUT IS NOT LIMITED TO, SUBSTANCE ABUSE AND SUBSTANCE USE  
17 DISORDERS, BEHAVIORAL HEALTH DISORDERS, INTELLECTUAL AND  
18 DEVELOPMENTAL DISABILITIES, FETAL ALCOHOL SYNDROME, AND  
19 TRAUMATIC BRAIN INJURY.

20 (3) "LEGISLATIVE OVERSIGHT COMMITTEE" OR "COMMITTEE"  
21 MEANS THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE  
22 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE  
23 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO  
24 SECTION 18-1.9-103.

25 (4) "PREVIOUS TASK FORCE" MEANS THE TASK FORCE CONCERNING  
26 THE TREATMENT OF PERSONS WITH MENTAL HEALTH DISORDERS IN THE  
27 CRIMINAL AND JUVENILE JUSTICE SYSTEMS THAT EXISTED PRIOR TO JULY

1 1, 2022.

2 (5) "TASK FORCE" MEANS THE TASK FORCE CONCERNING THE  
3 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE  
4 CRIMINAL AND JUVENILE JUSTICE SYSTEMS ESTABLISHED PURSUANT TO  
5 SECTION 18-1.9-104.

6 **18-1.9-103. Legislative oversight committee concerning the**  
7 **treatment of persons with behavioral health disorders in the criminal**  
8 **and juvenile justice systems - creation - duties. (1) Creation.**

9 (a) THERE IS CREATED A LEGISLATIVE OVERSIGHT COMMITTEE  
10 CONCERNING THE TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH  
11 DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

12 (b) THE COMMITTEE CONSISTS OF SIX MEMBERS AS FOLLOWS:

13 (I) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO SENATORS  
14 TO SERVE ON THE COMMITTEE, AND THE MINORITY LEADER OF THE SENATE  
15 SHALL APPOINT ONE SENATOR TO SERVE ON THE COMMITTEE; AND

16 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
17 APPOINT THREE REPRESENTATIVES TO SERVE ON THE COMMITTEE, NO  
18 MORE THAN TWO OF WHOM ARE MEMBERS OF THE SAME POLITICAL PARTY.

19 (c) THE TERMS OF THE MEMBERS WHO ARE SERVING ON THE  
20 LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF  
21 PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND  
22 JUVENILE JUSTICE SYSTEMS AS OF THE EFFECTIVE DATE OF THIS SECTION  
23 ARE EXTENDED TO THE CONVENING DATE OF THE FIRST REGULAR SESSION  
24 OF THE SEVENTY-FOURTH GENERAL ASSEMBLY. AS SOON AS PRACTICABLE  
25 AFTER SUCH CONVENING DATE, BUT NO LATER THAN THE END OF THE  
26 LEGISLATIVE SESSION, THE SPEAKER, THE PRESIDENT, AND THE MINORITY  
27 LEADER OF THE SENATE SHALL EACH APPOINT OR REAPPOINT MEMBERS IN

1 THE SAME MANNER AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION.  
2 THEREAFTER, THE TERMS OF MEMBERS APPOINTED OR REAPPOINTED BY  
3 THE SPEAKER, THE PRESIDENT, AND THE MINORITY LEADER OF THE SENATE  
4 EXPIRE ON THE CONVENING DATE OF THE FIRST REGULAR SESSION OF THE  
5 NEXT GENERAL ASSEMBLY, AND ALL SUBSEQUENT APPOINTMENTS AND  
6 REAPPOINTMENTS BY THE SPEAKER, THE PRESIDENT, AND THE MINORITY  
7 LEADER OF THE SENATE MUST BE MADE AS SOON AS PRACTICABLE AFTER  
8 THE CONVENING DATE, BUT NO LATER THAN THE END OF THE LEGISLATIVE  
9 SESSION.

10 (d) THE PERSON MAKING THE ORIGINAL APPOINTMENT OR  
11 REAPPOINTMENT SHALL FILL ANY VACANCY BY APPOINTMENT FOR THE  
12 REMAINDER OF AN UNEXPIRED TERM. MEMBERS APPOINTED OR  
13 REAPPOINTED SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY  
14 AND CONTINUE IN OFFICE UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED.

15 (e) THE PRESIDENT OF THE SENATE SHALL SELECT THE FIRST CHAIR  
16 OF THE COMMITTEE, AND THE SPEAKER OF THE HOUSE OF  
17 REPRESENTATIVES SHALL SELECT THE FIRST VICE-CHAIR. THE CHAIR AND  
18 VICE-CHAIR SHALL ALTERNATE ANNUALLY THEREAFTER BETWEEN THE  
19 TWO HOUSES.

20 (f) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY  
21 ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES AS ARE NECESSARY  
22 FOR THE OPERATION OF THE COMMITTEE AND, IN COLLABORATION WITH  
23 THE TASK FORCE, GUIDELINES AND EXPECTATIONS FOR ONGOING  
24 COLLABORATION WITH THE TASK FORCE.

25 (g) (I) MEMBERS OF THE COMMITTEE MAY RECEIVE PAYMENT OF  
26 PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES  
27 AUTHORIZED PURSUANT TO SECTION 2-2-307.

1           (II) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
2           AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL  
3           SUPPLY STAFF ASSISTANCE TO THE COMMITTEE AS THEY DEEM  
4           APPROPRIATE, WITHIN EXISTING APPROPRIATIONS.

5           (2) **Duties.** (a) (I) THE COMMITTEE SHALL MEET AT LEAST THREE  
6           TIMES EACH YEAR AND AT SUCH OTHER TIMES AS IT DEEMS NECESSARY.

7           (II) EACH COMMITTEE MEMBER SHALL ANNUALLY EITHER ATTEND  
8           OR CALL INTO AT LEAST ONE REGULAR TASK FORCE MEETING. COMMITTEE  
9           MEMBERS ARE ENCOURAGED TO ATTEND SEPARATE MEETINGS AND INFORM  
10          THE REST OF THE COMMITTEE ABOUT THE CURRENT WORK OF THE TASK  
11          FORCE.

12          (b) THE COMMITTEE IS RESPONSIBLE FOR THE OVERSIGHT OF THE  
13          TASK FORCE AND SHALL SUBMIT ANNUAL REPORTS PURSUANT TO  
14          SUBSECTION (2)(c) OF THIS SECTION TO THE GENERAL ASSEMBLY  
15          REGARDING THE TASK FORCE'S FINDINGS AND RECOMMENDATIONS. IN  
16          ADDITION, THE COMMITTEE MAY RECOMMEND LEGISLATIVE CHANGES  
17          THAT ARE TREATED AS BILLS RECOMMENDED BY AN INTERIM LEGISLATIVE  
18          COMMITTEE FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL  
19          LIMITATIONS IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY.

20          (c) (I) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE COMMITTEE  
21          IS REQUIRED TO SUBMIT A REPORT TO THE GENERAL ASSEMBLY AND MAKE  
22          SUCH REPORT PUBLICLY AVAILABLE ON ITS WEBSITE; HOWEVER, DURING  
23          ANY INTERIM IN WHICH THE GENERAL ASSEMBLY HAS SUSPENDED INTERIM  
24          COMMITTEE ACTIVITIES, THE COMMITTEE IS NOT REQUIRED TO SUBMIT  
25          SUCH A REPORT. THE ANNUAL REPORT MUST BRIEFLY SUMMARIZE THE  
26          STUDY ISSUES, RECOMMENDATIONS CONSIDERED, AND ANY ACTIONS  
27          TAKEN BY THE COMMITTEE AND THE TASK FORCE DURING THE PREVIOUS



1 YEAR.

2 (II) THE REPORT MUST COMPLY WITH THE PROVISIONS OF SECTION  
3 24-1-136 (9). NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
4 REQUIREMENT IN THIS SECTION TO REPORT TO THE GENERAL ASSEMBLY  
5 CONTINUES INDEFINITELY.

6 **18-1.9-104. Task force concerning the treatment of persons**  
7 **with behavioral health disorders in the criminal and juvenile justice**  
8 **systems - creation - membership - duties. (1) Creation.** THERE IS  
9 CREATED A TASK FORCE CONCERNING THE TREATMENT OF PERSONS WITH  
10 BEHAVIORAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE  
11 SYSTEMS. THE TASK FORCE CONSISTS OF THIRTY-ONE MEMBERS  
12 APPOINTED AS PROVIDED IN SUBSECTION (2) OF THIS SECTION AND ANY  
13 STAFF SUPPORT AS PROVIDED FOR IN SECTION 18-1.9-105.

14 (2) **Membership - terms. (a)** THE CHIEF JUSTICE OF THE  
15 COLORADO SUPREME COURT SHALL APPOINT TWO MEMBERS WHO  
16 REPRESENT THE JUDICIAL DEPARTMENT, ONE OF WHOM REPRESENTS THE  
17 DIVISION OF PROBATION WITHIN THE DEPARTMENT. NOTHING IN THIS  
18 SECTION PROHIBITS THE CHIEF JUSTICE FROM APPOINTING MEMBERS WHO  
19 SERVED ON THE PREVIOUS TASK FORCE.

20 (b) THE FOLLOWING EXECUTIVE BRANCH AGENCIES, DIVISIONS,  
21 AND OFFICES SHALL APPOINT OR REAPPOINT FROM THE PREVIOUS TASK  
22 FORCE ELEVEN MEMBERS. NOTHING IN THIS SECTION PROHIBITS THE  
23 EXECUTIVE BRANCH AGENCIES LISTED FROM APPOINTING MEMBERS WHO  
24 SERVED ON THE PREVIOUS TASK FORCE. THE FOLLOWING EXECUTIVE  
25 BRANCH AGENCIES SHALL APPOINT A REPRESENTATIVE ON OR BEFORE  
26 AUGUST 1, 2022:

27 (I) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE IN THE

1 DEPARTMENT OF PUBLIC SAFETY SHALL APPOINT ONE MEMBER TO  
2 REPRESENT THE DIVISION;

3 (II) THE DIRECTOR OF THE DIVISION OF PAROLE IN THE  
4 DEPARTMENT OF CORRECTIONS SHALL APPOINT ONE MEMBER TO  
5 REPRESENT THE DIVISION;

6 (III) THE DEPARTMENT OF HUMAN SERVICES SHALL APPOINT FOUR  
7 MEMBERS AS FOLLOWS:

8 (A) THE DIRECTOR OF THE COLORADO MENTAL HEALTH INSTITUTE  
9 AT PUEBLO, OR THE DIRECTOR'S DESIGNEE;

10 (B) THE COMMISSIONER OF THE BEHAVIORAL HEALTH  
11 ADMINISTRATION, OR THE COMMISSIONER'S DESIGNEE;

12 (C) THE DIRECTOR OF THE DIVISION OF YOUTH SERVICES SHALL  
13 APPOINT ONE MEMBER TO REPRESENT THE DIVISION; AND

14 (D) THE DIRECTOR OF THE UNIT WITHIN THE DEPARTMENT OF  
15 HUMAN SERVICES THAT IS RESPONSIBLE FOR CHILD WELFARE SERVICES  
16 SHALL APPOINT ONE MEMBER TO REPRESENT THE UNIT;

17 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
18 EDUCATION SHALL APPOINT ONE MEMBER TO REPRESENT THE  
19 DEPARTMENT;

20 (V) THE ATTORNEY GENERAL SHALL APPOINT ONE MEMBER TO  
21 REPRESENT THE ATTORNEY GENERAL'S OFFICE;

22 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH  
23 CARE POLICY AND FINANCING SHALL APPOINT ONE MEMBER TO REPRESENT  
24 THE DEPARTMENT;

25 (VII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR  
26 AND EMPLOYMENT SHALL APPOINT ONE MEMBER TO REPRESENT THE  
27 DEPARTMENT;

1 (VIII) THE DIRECTOR OF THE OFFICE OF THE CHILD'S  
2 REPRESENTATIVE SHALL APPOINT ONE MEMBER TO REPRESENT THE OFFICE;  
3 AND

4 (IX) THE DIRECTOR OF THE OFFICE OF THE ALTERNATE DEFENSE  
5 COUNSEL SHALL APPOINT ONE MEMBER TO REPRESENT THE OFFICE.

6 (c) THE CHAIR AND VICE-CHAIR OF THE LEGISLATIVE OVERSIGHT  
7 COMMITTEE SHALL APPOINT OR REAPPOINT FROM THE PREVIOUS TASK  
8 FORCE SIXTEEN ADDITIONAL MEMBERS. COMMITTEE STAFF IS RESPONSIBLE  
9 FOR PUBLICLY ANNOUNCING VACANCIES FOR THE FOLLOWING POSITIONS,  
10 AND REQUESTING CANDIDATES SUBMIT A LETTER OF INTEREST FOR THE  
11 SPECIFIC POSITION, SO THAT THE LETTERS OF INTEREST ARE DUE NO LATER  
12 THAN ONE WEEK AFTER THE EFFECTIVE DATE OF THIS SECTION. THE  
13 LEGISLATIVE OVERSIGHT COMMITTEE, BY MAJORITY VOTE, SHALL APPROVE  
14 THE APPOINTMENTS FOR THESE POSITIONS. NOTHING IN THIS SECTION  
15 PROHIBITS THE LEGISLATIVE OVERSIGHT COMMITTEE FROM APPOINTING  
16 MEMBERS WHO SERVED ON THE PREVIOUS TASK FORCE. THE TASK FORCE  
17 MEMBERS TO BE APPOINTED PURSUANT TO THIS SUBSECTION (2)(c)  
18 INCLUDE:

19 (I) TWO MEMBERS WHO REPRESENT LOCAL LAW ENFORCEMENT  
20 AGENCIES, ONE OF WHOM IS IN ACTIVE SERVICE AS A POLICE OFFICER IN  
21 THE STATE, AND THE OTHER IS IN ACTIVE SERVICE AS A SHERIFF IN THE  
22 STATE;

23 (II) TWO MEMBERS FROM COUNTY DEPARTMENTS OF HUMAN OR  
24 SOCIAL SERVICES, ONE OF WHOM REPRESENTS A RURAL COLORADO  
25 PERSPECTIVE;

26 (III) ONE MEMBER WHO REPRESENTS DISTRICT ATTORNEYS WITHIN  
27 THE STATE;

1 (IV) ONE MEMBER WHO REPRESENTS PUBLIC DEFENDERS WITHIN  
2 THE STATE;

3 (V) TWO MEMBERS WHO REPRESENT THE CRIMINAL DEFENSE BAR  
4 WITHIN THE STATE, ONE OF WHOM HAS EXPERIENCE REPRESENTING  
5 JUVENILES IN THE JUVENILE JUSTICE SYSTEM;

6 (VI) TWO MEMBERS WHO ARE LICENSED MENTAL HEALTH  
7 PROFESSIONALS PRACTICING WITHIN THE STATE, ONE OF WHOM HAS  
8 EXPERIENCE TREATING JUVENILES;

9 (VII) ONE MEMBER WHO IS FROM A COMMUNITY MENTAL HEALTH  
10 CENTER WITHIN THE STATE;

11 (VIII) ONE MEMBER WHO HAS KNOWLEDGE OF PUBLIC BENEFITS  
12 AND PUBLIC HOUSING WITHIN THE STATE;

13 (IX) ONE MEMBER WHO IS A MENTAL HEALTH PROFESSIONAL  
14 PRACTICING IN FORENSIC ENVIRONMENTS;

15 (X) THREE MEMBERS OF THE PUBLIC AS FOLLOWS:

16 (A) ONE MEMBER WHO IS LIVING WITH A BEHAVIORAL HEALTH  
17 DISORDER AND HAS BEEN INVOLVED IN THE CRIMINAL OR JUVENILE  
18 JUSTICE SYSTEM IN THE STATE;

19 (B) ONE MEMBER WHO HAS AN ADULT FAMILY MEMBER WHO HAS  
20 A BEHAVIORAL HEALTH DISORDER AND WHO IS OR WAS INVOLVED IN THE  
21 CRIMINAL JUSTICE SYSTEM IN THE STATE; AND

22 (C) ONE MEMBER WHO IS THE PARENT OF A CHILD WHO HAS A  
23 BEHAVIORAL HEALTH DISORDER AND WHO IS OR WAS INVOLVED IN THE  
24 JUVENILE JUSTICE SYSTEM IN THE STATE; AND

25 (XI) ONE MEMBER WHO REPRESENTS A NONPROFIT ORGANIZATION  
26 THAT WORKS ON STATEWIDE LEGISLATION AND ORGANIZING COLORADANS  
27 TO PROMOTE BEHAVIORAL, MENTAL, AND PHYSICAL HEALTH NEEDS.

1 (d) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION,  
2 MEMBERS APPOINTED TO THE TASK FORCE PURSUANT TO THIS SUBSECTION  
3 (2) SHALL SERVE NO MORE THAN TWO CONSECUTIVE TWO-YEAR TERMS.  
4 WITH THE APPOINTING AUTHORITY'S APPROVAL, A MEMBER OF THE TASK  
5 FORCE WHO IS SERVING ON THE TASK FORCE AS OF THE EFFECTIVE DATE OF  
6 THIS SECTION IS CONSIDERED TO BE BEGINNING THE MEMBER'S FIRST  
7 TWO-YEAR TERM.

8 (e) (I) A VACANCY OCCURRING IN A POSITION APPOINTED BY THE  
9 CHIEF JUSTICE OF THE COLORADO SUPREME COURT PURSUANT TO  
10 SUBSECTION (2)(a) OF THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE  
11 BY THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT IN  
12 ACCORDANCE WITH THE LIMITATIONS SPECIFIED IN SUBSECTION (2)(a) OF  
13 THIS SECTION. IN ADDITION, THE CHIEF JUSTICE OF THE COLORADO  
14 SUPREME COURT MAY REMOVE AND REPLACE ANY APPOINTMENT TO THE  
15 TASK FORCE MADE PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

16 (II) A VACANCY OCCURRING IN A POSITION THAT IS APPOINTED BY  
17 AN EXECUTIVE BRANCH AGENCY PURSUANT TO SUBSECTION (2)(b) OF THIS  
18 SECTION MUST BE FILLED AS SOON AS POSSIBLE BY THE INITIAL APPOINTING  
19 EXECUTIVE BRANCH AGENCY. IN ADDITION, THE INITIAL APPOINTING  
20 EXECUTIVE BRANCH AGENCY MAY REMOVE AND REPLACE ANY  
21 APPOINTMENT IT MADE TO THE TASK FORCE MADE PURSUANT TO  
22 SUBSECTION (2)(b) OF THIS SECTION.

23 (III) A VACANCY OCCURRING IN A POSITION FILLED BY THE CHAIR  
24 AND VICE-CHAIR OF THE COMMITTEE PURSUANT TO SUBSECTION (2)(c) OF  
25 THIS SECTION MUST BE FILLED AS SOON AS POSSIBLE BY THE CHAIR AND  
26 VICE-CHAIR OF THE COMMITTEE IN ACCORDANCE WITH THE LIMITATIONS  
27 SPECIFIED IN SUBSECTION (2)(c) OF THIS SECTION. IN ADDITION, THE CHAIR

1 AND VICE-CHAIR OF THE COMMITTEE MAY REMOVE AND REPLACE ANY  
2 APPOINTMENT TO THE TASK FORCE MADE PURSUANT TO SUBSECTION (2)(c)  
3 OF THIS SECTION.

4 (f) IN MAKING APPOINTMENTS TO THE TASK FORCE, THE  
5 APPOINTING AUTHORITIES SHALL ENSURE THAT THE MEMBERSHIP OF THE  
6 TASK FORCE INCLUDES PERSONS WHO HAVE EXPERIENCE WITH OR  
7 INTEREST IN THE STUDY AREAS OF THE TASK FORCE AS SET FORTH IN  
8 SUBSECTION (3) OF THIS SECTION; PERSONS WHO REFLECT THE ETHNIC,  
9 CULTURAL, AND GENDER DIVERSITY OF THE STATE; REPRESENTATION OF  
10 ALL AREAS OF THE STATE; AND, TO THE EXTENT PRACTICABLE, PERSONS  
11 WITH DISABILITIES.

12 (g) (I) ALL TASK FORCE MEMBERS ARE EXPECTED TO SEEK INPUT  
13 FROM THE VARIOUS NETWORKS OR ORGANIZATIONAL STRUCTURES OF THE  
14 BODY THEY REPRESENT, IF ANY. EVERY EXECUTIVE BRANCH AGENCY IS  
15 ENCOURAGED TO NOMINATE A REPRESENTATIVE WHO CAN PARTICIPATE IN  
16 MAKING TASK FORCE SUBJECT MATTER EXPERT RECOMMENDATIONS, YET  
17 STILL APPROPRIATELY REPRESENT THE EXECUTIVE BRANCH AGENCY'S  
18 CONSTITUENCY.

19 (II) IN ORDER TO ADVANCE THE WORK OF THE TASK FORCE, TASK  
20 FORCE MEMBERS ARE ENCOURAGED TO PARTICIPATE IN DECISION-MAKING,  
21 WITH THE UNDERSTANDING THAT INDIVIDUAL VOTES ON TASK FORCE  
22 ISSUES ARE BASED ON SUBJECT MATTER EXPERTISE AND DO NOT COMMIT  
23 REPRESENTATIVE AGENCIES OR ORGANIZATIONS TO ANY POSITION OR  
24 ACTION. TASK FORCE MEMBERS SHALL ADHERE TO ANY AGREED-UPON  
25 PROCEDURAL RULES AND GUIDELINES.

26 (h) MEMBERS OF THE TASK FORCE SERVE WITHOUT  
27 COMPENSATION. HOWEVER, MEMBERS OF THE TASK FORCE APPOINTED

1 PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION MAY RECEIVE  
2 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES ASSOCIATED  
3 WITH THEIR DUTIES ON THE TASK FORCE.

4 (3) **Issues for study.** (a) THE TASK FORCE SHALL STUDY  
5 BEHAVIORAL HEALTH ISSUES WITHIN ITS SCOPE FOR PERSONS INVOLVED  
6 WITH THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, AS ANNUALLY  
7 DEFINED IN WRITING BY THE COMMITTEE EVERY YEAR ON OR BEFORE  
8 JANUARY 30, AND SHALL DEVELOP AND PROPOSE POLICY MODIFICATIONS  
9 FOR COMMITTEE CONSIDERATION.

10 (b) THE REQUIREMENTS SET FORTH IN THIS SUBSECTION (3) DO NOT  
11 PROHIBIT THE TASK FORCE, AT ANY TIME DURING ITS EXISTENCE, FROM  
12 REQUESTING PERMISSION FROM THE COMMITTEE TO STUDY, PRESENT  
13 FINDINGS, AND MAKE RECOMMENDATIONS ON ANY ISSUE RELATED TO THE  
14 SCOPE OF THE TASK FORCE AND OVERSIGHT COMMITTEE.

15 (c) THE TASK FORCE SHALL STUDY BEST AND PROMISING  
16 PRACTICES TO PROMOTE POSITIVE SOCIAL AND EMOTIONAL OUTCOMES FOR  
17 INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS WHO ARE INVOLVED  
18 OR AT RISK OF INVOLVEMENT OR CONTINUED INVOLVEMENT IN THE  
19 CRIMINAL OR JUVENILE JUSTICE SYSTEMS, WITH THE FOCUS ON BETTER  
20 UNDERSTANDING AND ADDRESSING NECESSARY RESOURCES AND ACTIONS  
21 FOR IMPLEMENTATION TO PREVENT INITIAL OR CONTINUED INVOLVEMENT  
22 WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEMS.

23 (d) IN EVALUATING THE ISSUES SET FORTH IN SUBSECTION (3)(a)  
24 OF THIS SECTION, THE TASK FORCE SHALL SPECIFICALLY CONSIDER THE  
25 FOLLOWING RELATED ISSUES, INCLUDING:

26 (I) EARLY IDENTIFICATION OF AND INTERVENTION STRATEGIES FOR  
27 INDIVIDUALS WHO ARE AT A HIGHER RISK OF CONTINUED INVOLVEMENT

1 WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM DUE TO ESTABLISHED  
2 OR DEVELOPING BEHAVIORAL HEALTH CONCERNS;

3 (II) THE PROMOTION OF RESILIENCE AND HEALTH FOR PERSONS  
4 ALREADY EXPERIENCING INVOLVEMENT OR WHO ARE AT RISK OF  
5 CONTINUING INVOLVEMENT WITH THE CRIMINAL OR JUVENILE JUSTICE  
6 SYSTEM DUE TO BEHAVIORAL HEALTH CONCERNS;

7 (III) THE INTERSECTION OF BEHAVIORAL HEALTH DISORDERS AND  
8 THE INVOLVEMENT OR RISK OF CONTINUED INVOLVEMENT IN THE JUVENILE  
9 OR CRIMINAL JUSTICE SYSTEMS, WITH A SPECIFIC FOCUS ON DIVERTING  
10 PERSONS WITH MENTAL HEALTH, SUBSTANCE USE, OR CO-OCCURRING  
11 DISORDERS AWAY FROM THE RISK OF CONTINUED JUVENILE OR CRIMINAL  
12 JUSTICE INVOLVEMENT; AND

13 (IV) ISSUES RELATING TO PERSONS WITH BEHAVIORAL HEALTH  
14 DISORDERS WHO ARE ALREADY INVOLVED IN THE CRIMINAL OR JUVENILE  
15 JUSTICE SYSTEM, UTILIZING SAFE AND EFFECTIVE INTERVENTIONS WITH A  
16 FOCUS ON PREVENTING FURTHER INVOLVEMENT, PROMOTING GOOD  
17 HEALTH OUTCOMES UPON RELEASE, AND ENHANCING RECOVERY SUCCESS.

18 (4) **Additional duties of the task force.** THE TASK FORCE SHALL  
19 ANNUALLY DELIVER POLICY AND LEGISLATIVE RECOMMENDATIONS TO THE  
20 COMMITTEE PURSUANT TO THIS SECTION. IN ADDITION, THE TASK FORCE  
21 SHALL:

22 (a) ON OR BEFORE AUGUST 1 OF EACH YEAR, SELECT A CHAIR AND  
23 VICE-CHAIR FROM AMONG ITS MEMBERS;

24 (b) MEET AT LEAST SIX TIMES EACH YEAR, OR MORE OFTEN AS  
25 DIRECTED BY THE CHAIR OF THE COMMITTEE;

26 (c) ESTABLISH ORGANIZATIONAL AND PROCEDURAL RULES FOR THE  
27 OPERATION OF THE TASK FORCE AND FOR COLLABORATION WITH THE



1 COMMITTEE;

2 (d) DESIGNATE SPECIFIC TASK FORCE MEMBERS RESPONSIBLE FOR  
3 COLLABORATING WITH AND OBTAINING INPUT FROM OTHER GROUPS, TASK  
4 FORCES, OR STATEWIDE INITIATIVES THAT COMPLEMENT OR RELATE TO  
5 THE TASK FORCE'S IDENTIFIED AREAS OF STUDY;

6 (e) CREATE SUBCOMMITTEES AS NEEDED TO CARRY OUT THE  
7 DUTIES OF THE TASK FORCE. THE SUBCOMMITTEES MAY CONSIST, IN PART,  
8 OF PERSONS WHO ARE NOT MEMBERS OF THE TASK FORCE. SUCH PERSONS  
9 MAY VOTE ON ISSUES BEFORE THE SUBCOMMITTEE BUT ARE NOT ENTITLED  
10 TO A VOTE AT TASK FORCE MEETINGS.

11 (f) STUDY THE IMPLEMENTATION OF COMMITTEE LEGISLATION  
12 PASSED BY THE GENERAL ASSEMBLY;

13 (g) UPON REQUEST BY A COMMITTEE MEMBER, PROVIDE  
14 EVIDENCE-BASED FEEDBACK ON THE POTENTIAL BENEFITS OR  
15 CONSEQUENCES OF A LEGISLATIVE OR OTHER POLICY PROPOSAL NOT  
16 DIRECTLY AFFILIATED WITH OR GENERATED BY THE TASK FORCE. THE  
17 FEEDBACK MUST BE DELIVERED WITHIN TWO WEEKS TO THE ENTIRE  
18 COMMITTEE AND REMAIN AS CONCISE AS POSSIBLE WHILE CAPTURING ANY  
19 AVAILABLE EVIDENCE. IF THE TASK FORCE CANNOT IDENTIFY EVIDENCE TO  
20 EFFECTIVELY INFORM A RESPONSE, THE FEEDBACK WILL INDICATE A LACK  
21 OF EVIDENCE AND REPORT ON ANY ACTIONS TAKEN.

22 (h) (I) ON OR BEFORE AUGUST 1 OF EACH YEAR, PREPARE AND  
23 SUBMIT TO THE COMMITTEE, A REPORT THAT, AT A MINIMUM, INCLUDES:

24 (A) ISSUES STUDIED BY THE TASK FORCE, AS WELL AS FINDINGS  
25 FOR LEGISLATIVE OR OTHER RECOMMENDATIONS;

26 (B) LEGISLATIVE OR POLICY PROPOSALS OF THE TASK FORCE THAT  
27 IDENTIFY THE POLICY ISSUES INVOLVED, THE AGENCIES RESPONSIBLE FOR

1 THE IMPLEMENTATION OF THE CHANGES, AND THE FUNDING SOURCES  
2 REQUIRED FOR IMPLEMENTATION;

3 (C) A SUMMARY OF TASK FORCE MEETING ACTIVITIES AND  
4 DISCUSSIONS;

5 (D) ANY EVIDENCE-BASED FEEDBACK PROVIDED TO THE  
6 COMMITTEE PURSUANT TO SUBSECTION (4)(g) OF THIS SECTION; AND

7 (E) A SUMMARY OF EFFORTS MADE TO COMMUNICATE,  
8 COLLABORATE, OR COORDINATE WITH OTHER GROUPS, TASK FORCES, OR  
9 STATE INITIATIVES.

10 (II) THE TASK FORCE MAY POST THE REPORT ON THE COMMITTEE'S  
11 WEBSITE.

12 (5) **Coordination.** THE TASK FORCE MAY WORK WITH OTHER  
13 GROUPS, TASK FORCES, OR STATEWIDE INITIATIVES THAT ARE PURSUING  
14 ISSUES AND POLICY INITIATIVES SIMILAR TO THOSE ADDRESSED IN  
15 SUBSECTION (3) OF THIS SECTION. THE TASK FORCE MAY DEVELOP  
16 RELATIONSHIPS WITH OTHER TASK FORCES, COMMITTEES, AND  
17 ORGANIZATIONS TO LEVERAGE EFFICIENT POLICY-MAKING OPPORTUNITIES  
18 THROUGH COLLABORATIVE EFFORTS.

19 (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, THE  
20 TASK FORCE IS NOT REQUIRED TO MEET, SUBMIT ANNUAL POLICY AND  
21 LEGISLATIVE RECOMMENDATIONS, OR SUBMIT AN ANNUAL REPORT TO THE  
22 COMMITTEE DURING ANY INTERIM IN WHICH THE GENERAL ASSEMBLY HAS  
23 SUSPENDED INTERIM COMMITTEE ACTIVITIES.

24 **18-1.9-105. Task force funding - staff support.** (1) THE  
25 LEGISLATIVE COUNCIL STAFF SHALL SUPPLY STAFF ASSISTANCE, WITHIN  
26 EXISTING APPROPRIATIONS, TO THE TASK FORCE AS THE COMMITTEE  
27 DEEMS APPROPRIATE. IF EXISTING APPROPRIATIONS ARE NOT ADEQUATE

1 TO SUPPLY STAFF ASSISTANCE THROUGH THE LEGISLATIVE COUNCIL STAFF,  
2 THE DIRECTOR OF LEGISLATIVE COUNCIL STAFF SHALL REQUEST  
3 ADDITIONAL NECESSARY FUNDING IN ITS ANNUAL BUDGET REQUEST.

4 (2) THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF  
5 PUBLIC SAFETY, THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT  
6 OF HUMAN SERVICES, AND ANY STATE DEPARTMENT OR AGENCY WITH AN  
7 ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE AUTHORIZED TO  
8 RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS, INCLUDING  
9 DONATIONS OF IN-KIND SERVICES FOR STAFF SUPPORT, FROM ANY PUBLIC  
10 OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED  
11 WITH THE DUTIES OF THE TASK FORCE.

12 **18-1.9-106. Treatment of persons with behavioral health**  
13 **disorders in the criminal and juvenile justice systems fund.** (1) THE  
14 TREATMENT OF PERSONS WITH BEHAVIORAL HEALTH DISORDERS IN THE  
15 CRIMINAL AND JUVENILE JUSTICE SYSTEMS FUND, REFERRED TO IN THIS  
16 SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND  
17 CONSISTS OF MONEY APPROPRIATED OR TRANSFERRED TO THE FUND BY  
18 THE GENERAL ASSEMBLY AND ANY PRIVATE AND PUBLIC FUNDS RECEIVED  
19 THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF  
20 IMPLEMENTING THE PROVISIONS OF THIS ARTICLE 1.9. MONEY IN THE FUND  
21 IS SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR  
22 THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION  
23 OF THIS ARTICLE 1.9. MONEY IN THE FUND NOT EXPENDED FOR THE  
24 PURPOSE OF IMPLEMENTING THIS ARTICLE 1.9 MAY BE INVESTED BY THE  
25 STATE TREASURER AS PROVIDED BY LAW. THE STATE TREASURER SHALL  
26 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND  
27 INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER

1 SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY  
2 REMAINING IN THE FUND AS OF JULY 1, 2025, TO THE GENERAL FUND.

3 (2) THE CHAIR OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE  
4 COUNCIL SHALL APPROVE ANY COMPENSATION PROVIDED FOR IN SECTIONS  
5 18-1.9-103 (1)(g), 18-1.9-104 (2)(h) AND 18-1.9-105 FOR MEMBERS OF  
6 THE GENERAL ASSEMBLY, SPECIFIED MEMBERS OF THE TASK FORCE, AND  
7 STAFF ASSISTANCE TO THE COMMITTEE AND TASK FORCE, AS PROVIDED BY  
8 THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AND THE  
9 DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES.  
10 COMPENSATION MUST BE PAID BY VOUCHERS AND WARRANTS DRAWN AS  
11 PROVIDED BY LAW FROM MONEY APPROPRIATED FOR SUCH PURPOSE AND  
12 ALLOCATED TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL  
13 FROM THE FUND.

14 **18-1.9-107. Repeal of article.** THIS ARTICLE 1.9 IS REPEALED,  
15 EFFECTIVE JULY 1, 2027.

16 **SECTION 2. Appropriation.** (1) For the 2022-23 state fiscal  
17 year, \$106,643 is appropriated to the legislative department. This  
18 appropriation is from the general fund. To implement this act, the  
19 department may use this appropriation as follows:

20 (a) \$28,053 for use by the general assembly;

21 (b) \$60,255 for use by the legislative council, which amount is  
22 based on an assumption that the legislative council will require an  
23 additional 0.8 FTE; and

24 (b) \$18,335 for use by the office of legislative legal services,  
25 which amount is based on an assumption that the office will require an  
26 additional 0.2 FTE.

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

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