First Regular Session Seventy-fourth General Assembly STATE OF COLORADO

REVISED

This Version Includes All Amendments Adopted on Second Reading in the Second House SENATE BILL 23-217

LLS NO. 23-0959.01 Shelby Ross x4510

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A BILL FOR AN ACT

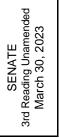
101	CONCERNING NO LONGER REQUIRING THE FEE COLLECTED FOR THE
102	BACKGROUND CHECKS FOR CHILD ABUSE OR NEGLECT TO
103	SUPPORT THE COSTS ASSOCIATED WITH THE APPEALS PROCESS
104	FOR A PERSON WHO IS FOUND RESPONSIBLE IN A CONFIRMED
105	REPORT OF CHILD ABUSE OR NEGLECT.

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 <u>http://leg.colorado.gov/</u>.)

Joint Budget Committee. Current law authorizes the department of human services to establish and collect a fee for background checks for







child abuse or neglect (background checks). That fee then is required to cover the direct and indirect costs of the background check and the direct and indirect costs of administering the appeals process and release of information for a person who is found to be responsible in a confirmed report of child abuse or neglect (appeals processes). The bill eliminates the requirement that the fee for background checks cover the direct and indirect costs associated with the appeals processes.

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

2 SECTION 1. In Colorado Revised Statutes, 19-1-307, amend
3 (2.5) as follows:

4 19-1-307. Dependency and neglect records and information -5 access - fee - records and reports fund - misuse of information -6 penalty - adult protective services data system check - rules. (2.5) Fee 7 - records and reports fund - rules. (a) Any person or agency provided 8 information from the state department of human services or department 9 of early childhood pursuant to subsections (2)(i), (2)(k) to (2)(o), (2)(t), 10 and (2)(y) of this section and any child placement agency must be 11 assessed a fee that is established and collected by the state department of 12 human services OR ESTABLISHED AND COLLECTED BY THE DEPARTMENT 13 OF EARLY CHILDHOOD pursuant to parameters set forth in rule established 14 by the state board of human services or the department of early childhood 15 pursuant to parameters set forth in rule established by the executive 16 director of the department of early childhood, whichever is applicable. At a minimum, the rules must include a provision requiring the state 17 18 department of human services or department of early childhood, as 19 applicable, to provide notice of the fee to interested persons and the 20 maximum fee amount that the department shall not exceed without the 21 express approval of the state board of human services or executive 22 director of the department of early childhood, as applicable. The fee

established must not exceed the direct and indirect costs of administering
subsections (2)(i), (2)(k) to (2)(o), (2)(t), and (2)(y) of this section. and
the direct and indirect costs of administering section 19-3-313.5 (3) and
(4):

5 (b) All fees collected in accordance with subsection (2.5)(a) of this section must be transmitted to the state treasurer who shall credit the 6 7 same to the records and reports fund, which fund is hereby created. The 8 fund also consists of fees credited to the fund pursuant to section 9 26-3.1-111. The money in the records and reports fund is subject to 10 annual appropriation by the general assembly for the direct and indirect 11 costs of administering subsections (2)(i), (2)(k) to (2)(o), (2)(t), and (2)(y)12 of this section for the direct and indirect costs of administering section 13 19-3-313.5 (3) and (4) and for the direct and indirect costs described in 14 section 26-3.1-111.

15 SECTION 2. Appropriation - adjustments to 2023 long bill. 16 (1) To implement this act, general fund appropriations made in the 17 annual general appropriation act for the 2023-24 state fiscal year to the 18 department of human services are increased as follows:

19 (1) Executive Director's Office 20 (A) General Administration 21 \$400 Health, Life, and Dental 22 \$3 Short-term Disability 23 Amortizatin Equalization Disbursement \$86 24 Supplemental Amortizatin Equalization Disbursement \$86 25 Salary Survey \$40 26 PERA Direct Distribution \$3,603 27 Workers Compensation \$1,481

1	Legal Services \$807,323
2	Administrative Law Judge Services \$203,273
3	Payments to Risk Management and Property Funds \$253
4	(2) Administration and Finance
5	(A) Administration
6	Personal Services \$32,639
7	(B) Information Technology
8	Payments to OIT \$13,617
9	(C) Operations
10	Capitol Complex Leased Space \$8,240
11	(D) Special Purpose
12	Records and Reports of Child Abuse and Neglect \$270,520
13	(2) To implement this act, cash funds appropriations from the
14	records and reports cash fund, created in section 19-1-307 (2.5)(b), C.R.S.
15	made in the annual general appropriation act for the 2023-24 state fiscal
16	year to the department of human services are decreased as follows:
17	(1) Executive Director's Office
18	(A) General Administration
19	Health, Life, and Dental \$400
20	Short-term Disability \$3
21	Amortizatin Equalization Disbursement \$86
22	Supplemental Amortizatin Equalization Disbursement \$86
23	Salary Survey \$40
24	(D) Special Purpose
25	Records and Reports of Child Abuse and Neglect \$270,520
26	(7) Office of Adults, Aging, and Disability Services
27	(E) Indirect Cost Assessment \$1,070,429

1	(3) To implement this act, reappropriated funds appropriations
2	from indirect cost recoveries made in the annual general appropriation act
3	for the 2023-24 state fiscal year to the department of human services are
4	decreased as follows:
5	(1) Executive Director's Office
6	(A) General Administration
7	PERA Direct Distribution \$3,603
8	Workers Compensation \$1,481
9	Legal Services \$807,323
10	Administrative Law Judge Services \$203,273
11	Payments to Risk Management and Property Funds \$253
12	(2) Administration and Finance
13	(A) Administration
14	Personal Services \$32,639
15	(B) Information Technology
16	Payments to OIT \$13,617
17	(C) Operations
18	Capitol Complex Leased Space \$8,240
19	SECTION 3. Safety clause. The general assembly hereby finds,
20	determines, and declares that this act is necessary for the immediate
21	preservation of the public peace, health, or safety.