

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

REVISED

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

LLS NO. 23-0959.01 Shelby Ross x4510

SENATE BILL 23-217

SENATE SPONSORSHIP

Bridges and Zenzinger, Kirkmeyer, Buckner, Coleman, Cutter, Danielson, Exum, Ginal, Gonzales, Jaquez Lewis, Kolker, Marchman, Moreno, Priola, Winter F.

HOUSE SPONSORSHIP

Bird and Sirota, Bockenfeld

Senate Committees
Appropriations

House Committees
Appropriations

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

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
2nd Reading Unamended
April 3, 2023

SENATE
3rd Reading Unamended
March 30, 2023

SENATE
2nd Reading Unamended
March 29, 2023

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
17 a minimum, the rules must include a provision requiring the state
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

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

5 (b) All fees collected in accordance with subsection (2.5)(a) of
6 this section must be transmitted to the state treasurer who shall credit the
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 Health, Life, and Dental	\$400
22 Short-term Disability	\$3
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
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15 **(B) Information Technology**

16	Payments to OIT	\$13,617
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17 **(C) Operations**

18	Capitol Complex Leased Space	\$8,240
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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.