

CHAPTER 95

CHILDREN AND DOMESTIC MATTERS

SENATE BILL 23-217

BY SENATOR(S) Bridges and Zenzinger, Kirkmeyer, Buckner, Coleman, Cutter, Danielson, Exum, Ginal, Gonzales, Jaquez Lewis, Kolker, Marchman, Moreno, Priola, Winter F.;
also REPRESENTATIVE(S) Bird and Sirota, Bockenfeld.

AN ACT

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

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

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

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

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.

(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 same to the records and reports fund, which fund is hereby created. The fund also consists of fees credited to the fund pursuant to section 26-3.1-111. The money in the records and reports fund is subject to annual appropriation by the general assembly for the direct and indirect costs of administering subsections (2)(i), (2)(k) to (2)(o), (2)(t), and (2)(y) of this section ~~for the direct and indirect costs of administering section 19-3-313.5 (3) and (4)~~ and for the direct and indirect costs described in section 26-3.1-111.

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

(1) Executive Director's Office

(A) General Administration

Health, Life, and Dental	\$400
Short-term Disability	\$3
Amortization Equalization Disbursement	\$86
Supplemental Amortization Equalization Disbursement	\$86
Salary Survey	\$40
PERA Direct Distribution	\$3,603
Workers Compensation	\$1,481
Legal Services	\$807,323
Administrative Law Judge Services	\$203,273
Payments to Risk Management and Property Funds	\$253

(2) Administration and Finance

(A) Administration

Personal Services	\$32,639
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(B) Information Technology

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

Capitol Complex Leased Space \$8,240

(D) Special Purpose

Records and Reports of Child Abuse and Neglect \$270,520

(2) To implement this act, cash funds appropriations from the records and reports cash fund, created in section 19-1-307 (2.5)(b), C.R.S. made in the annual general appropriation act for the 2023-24 state fiscal year to the department of human services are decreased as follows:

(1) Executive Director's Office

(A) General Administration

Health, Life, and Dental \$400

Short-term Disability \$3

Amortization Equalization Disbursement \$86

Supplemental Amortization Equalization Disbursement \$86

Salary Survey \$40

(D) Special Purpose

Records and Reports of Child Abuse and Neglect \$270,520

(7) Office of Adults, Aging, and Disability Services

(E) Indirect Cost Assessment \$1,070,429

(3) To implement this act, reappropriated funds appropriations from indirect cost recoveries made in the annual general appropriation act for the 2023-24 state fiscal year to the department of human services are decreased as follows:

(1) Executive Director's Office

(A) General Administration

PERA Direct Distribution \$3,603

Workers Compensation \$1,481

Legal Services \$807,323

Administrative Law Judge Services \$203,273

Payments to Risk Management and Property Funds \$253

(2) Administration and Finance

(A) Administration

Personal Services \$32,639

(B) Information Technology

Payments to OIT \$13,617

(C) Operations

Capitol Complex Leased Space \$8,240

SECTION 3. 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.

Approved: April 20, 2023