

SB021_L.009

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB17-021 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

5 (a) Individuals with serious mental health disorders number fewer
6 than four in every 100 American adults but occupy at least one in five of
7 America's prison and jail beds; whereas, in the community, only 11.7 state
8 hospital beds remain per 100,000 people, leaving the state with fewer
9 hospital beds per capita than at any time since before the nation stopped
10 criminalizing mental health disorders in the 1850s;

11 (b) Inmates with a mental health disorder spend five and a half
12 times longer in custody than the average inmate;

13 (c) In 2010, the department of corrections and county jail systems
14 spent \$93 million of taxpayers' money on mental health services. This
15 amounts to \$2,083 per prisoner for mental health services. In that same
16 year, only 53% of the state's known behavioral health expenditures were
17 spent through the formal public health system, the remainder being spent
18 through the prison and jail system, child welfare system, and hospitals.

19 (d) Correctional facilities and county jails are not designed and do
20 not have the resources to handle or treat inmates with a behavioral or
21 mental health disorder but have become de facto mental health
22 institutions;

23 (e) Inmates with behavioral or mental health disorders are
24 frequently released into the community after incarceration homeless and
25 with no or insufficient supportive services;

26 (f) Housing alone is not sufficient to improve outcomes; however,
27 supportive housing models with specific support services are critical to
28 success in reducing recidivism of persons with behavioral or mental
29 health disorders transitioning between homelessness and incarceration;

30 (g) The state spends \$666 per day for a bed at the Colorado mental
31 health institute at Pueblo, one of Colorado's state-operated inpatient,
32 psychiatric hospitals; and

33 (h) The state has a shortage of crisis beds, which results in
34 individuals in crisis remaining homeless or in less than ideal housing, like
35 jails, while awaiting appropriate placement.

36 SECTION 2. In Colorado Revised Statutes, add 24-32-723.5 as
37 follows:



1 (a) "PERSON WITH A BEHAVIORAL OR MENTAL HEALTH DISORDER"
2 HAS THE SAME MEANING AS SET FORTH IN SECTION 24-32-723.5 (1).

3 (b) "UNIT" MEANS THE UNIT IN THE DEPARTMENT OF HUMAN
4 SERVICES THAT ADMINISTERS BEHAVIORAL HEALTH PROGRAMS AND
5 SERVICES, INCLUDING THOSE RELATED TO MENTAL HEALTH AND
6 SUBSTANCE ABUSE.

7 (2) THE UNIT, IN COLLABORATION WITH THE DEPARTMENT OF
8 CORRECTIONS, SHALL ADMINISTER APPROPRIATE REENTRY PROGRAMS FOR
9 PERSONS WITH MENTAL HEALTH DISORDERS OR CO-OCCURRING
10 BEHAVIORAL HEALTH DISORDERS WHILE HOMELESS OR PRIOR TO AND
11 AFTER RELEASE FROM INCARCERATION OR ADJUDICATION, OR FROM
12 INSTITUTIONS. THE PURPOSE OF THE PROGRAMS IS TO ASSIST INDIVIDUALS
13 WITH REENTRY INTO SOCIETY BASED UPON THE ASSESSED NEED AND
14 SUITABILITY OF INDIVIDUALS FOR SUCH SERVICES. THE UNIT SHALL DESIGN
15 EACH REENTRY PROGRAM TO REDUCE THE POSSIBILITY OF EACH
16 INDIVIDUAL RETURNING TO AN INSTITUTIONAL SETTING OR
17 HOMELESSNESS, TO ASSIST EACH INDIVIDUAL IN REHABILITATION, AND TO
18 PROVIDE EACH INDIVIDUAL WITH LIFE MANAGEMENT SKILLS THAT ALLOW
19 HIM OR HER TO FUNCTION SUCCESSFULLY IN SOCIETY.

20 (3) SUBJECT TO APPROPRIATIONS, THE UNIT, IN CONJUNCTION WITH
21 THE DIVISION OF HOUSING IN THE DEPARTMENT OF LOCAL AFFAIRS, SHALL
22 DEVELOP AND IMPLEMENT INITIATIVES SPECIFICALLY DESIGNED TO ASSIST
23 EACH INDIVIDUAL'S TRANSITION FROM AN INSTITUTIONAL SETTING OR
24 CHRONIC HOMELESSNESS INTO THE COMMUNITY. AN INITIATIVE
25 DEVELOPED AND IMPLEMENTED PURSUANT TO THIS SUBSECTION (3) MAY
26 INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

- 27 (a) HOUSING VOUCHERS;
28 (b) ACQUISITION, CONSTRUCTION, OR REHABILITATION OF RENTAL
29 HOUSING;
30 (c) SUPPORTIVE EMPLOYMENT SERVICES;
31 (d) MEDICAID ENROLLMENT SERVICES;
32 (e) MENTAL HEALTH TREATMENT SERVICES INCLUDING
33 PSYCHIATRIC AND COUNSELING SERVICES;
34 (f) CASE MANAGEMENT SERVICES;
35 (g) MEDICATION MONITORING;
36 (h) PEER SPECIALIST SUPPORT; AND
37 (i) POSITIVE RECREATIONAL ACTIVITIES.

38 **SECTION 4:** In Colorado Revised Statutes, 17-27-108, amend
39 (5); and add (7) as follows:

40 **17-27-108. Division of criminal justice of the department of**
41 **public safety - duties - community corrections contracts. (5) The**



1 division of criminal justice is authorized to transfer up to ten percent of
2 annual appropriations among or between line items for community
3 corrections program services OR THE REENTRY INITIATIVE DESCRIBED IN
4 SECTION 27-70-101 (3). Advance notice of such transfers shall MUST be
5 provided to the general assembly, the governor, the executive director of
6 the department of corrections, and the chief justice of the supreme court.

7 (7) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ON AND
8 AFTER JULY 1, 2016, ANY MONEY APPROPRIATED FROM THE GENERAL
9 FUND TO THE DIVISION OF CRIMINAL JUSTICE FOR THE PURPOSES OF THIS
10 ARTICLE 27 THAT IS UNEXPENDED OR UNENCUMBERED AS OF THE CLOSE OF
11 THAT FISCAL YEAR SHALL NOT REVERT TO THE GENERAL FUND, AND THE
12 STATE TREASURER AND THE CONTROLLER SHALL TRANSFER SUCH MONEY
13 TO THE HOUSING ASSISTANCE FOR PERSONS TRANSITIONING FROM
14 INSTITUTIONS OR THE CHRONICALLY HOMELESS CASH FUND CREATED
15 PURSUANT TO SECTION 24-32-723.5 (4).

16 **SECTION 5.** In Colorado Revised Statutes, 39-28.8-501, amend
17 (2)(b)(IV)(K) and (2)(b)(IV)(L); and add (2)(b)(IV)(M) as follows:

18 **39-28.8-501. Marijuana tax cash fund - creation - distribution**
19 **- legislative declaration.** (2) (b) (IV) Subject to the limitation in
20 subsection (5) of this section, the general assembly may annually
21 appropriate any money in the fund for any fiscal year following the fiscal
22 year in which they were received by the state for the following purposes:

23 (K) Grants to local governments for documented retail marijuana
24 impacts through the local government retail marijuana impact grant
25 program created in section 24-32-117; ~~C.R.S.~~; and

26 (L) For the Colorado veterans' service-to-career pilot program
27 created in part 2 of article 14.3 of title 8; ~~C.R.S.~~ AND

28 (M) FOR HOUSING, RENTAL ASSISTANCE, AND REENTRY
29 ASSISTANCE PURSUANT TO SECTION 24-32-723.5.

30 **SECTION 6. Appropriation.** For the 2017-18 state fiscal year,
31 \$4,000,000 is appropriated to the department of local affairs for use by
32 the division of housing. This appropriation is from the marijuana tax cash
33 fund established pursuant to section 39-28.8-501, C.R.S. To implement
34 this act, the division may use this appropriation to provide housing, rental
35 assistance, and reentry services to persons described in section
36 24-32-723.5, C.R.S.

37 **SECTION 7. Safety clause.** The general assembly hereby finds,
38 determines, and declares that this act is necessary for the immediate
39 preservation of the public peace, health, and safety."

** *** ** *** **

