

NOTE: The governor signed this measure on 6/10/2016.

An Act

SENATE BILL 16-178

BY SENATOR(S) Lambert and Kefalas, Grantham, Steadman, Baumgardner, Aguilar, Guzman, Heath, Hodge, Jahn, Lundberg, Marble, Merrifield, Neville T., Scheffel, Todd, Ulibarri, Woods, Cadman; also REPRESENTATIVE(S) Young and Brown, Hamner, Rankin, Vigil, Becker K., Esgar, Fields, Ginal, Kagan, Lontine, Melton, Mitsch Bush, Pabon, Pettersen, Priola, Rosenthal, Ryden, Salazar, Thurlow, Hullinghorst.

CONCERNING THE GRAND JUNCTION REGIONAL CENTER CAMPUS.

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

SECTION 1. In Colorado Revised Statutes, **add** 27-10.5-312 as follows:

27-10.5-312. Grand Junction regional center campus - vacating the campus and listing it for sale - legislative declaration - definition - repeal. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT CERTAIN GUIDING PRINCIPLES SHOULD BE CONSIDERED BY THE DEPARTMENT WHEN IT VACATES THE GRAND JUNCTION REGIONAL CENTER CAMPUS AS REQUIRED IN SUBSECTION (3) OF THIS SECTION. THE DEPARTMENT'S PROCESS AND PLAN MUST:

(a) EMPHASIZE PERSON-CENTERED SERVICES THAT SUPPORT THE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

WELL-BEING AND CHOICE OF THE PERSON RECEIVING SERVICES AT THE CAMPUS;

(b) INVOLVE THE MEANINGFUL ENGAGEMENT OF THE PARENTS OR GUARDIANS OF THE PERSON RECEIVING SERVICES AT THE CAMPUS;

(c) FOSTER COMMUNITY INTEGRATION AND INVOLVEMENT;

(d) FIND A SOLUTION THAT IS PROGRAMMATICALLY AND FISCALLY SUSTAINABLE;

(e) PRESERVE THE CAPACITY FOR THE SERVICES AND SUPPORT PROVIDED BY THE REGIONAL CENTER IN GRAND JUNCTION AND MUST NOT COMPROMISE THE CAPACITY FOR THE SERVICES AND SUPPORT PROVIDED AT THE REGIONAL CENTERS IN PUEBLO AND WHEAT RIDGE;

(f) ENSURE THAT PERSONS RECEIVING SERVICES AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS ARE TRANSITIONED TO HOME-LIKE SETTINGS THAT SERVE NO MORE THAN EIGHT PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

(g) RELOCATE DAY SERVICES AND SUPPORT FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND USE THIS OPPORTUNITY TO ENHANCE THE QUALITY OF DAY SERVICES AND SUPPORT THAT ARE OFFERED AND INCREASE THE QUALITY OF THE EXPERIENCE THAT PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES HAVE WITH SUCH DAY SERVICES AND SUPPORT;

(h) ENSURE THE ONGOING SUCCESS AND SECURITY OF THE REGIONAL CENTER'S STAFF MEMBERS IN GRAND JUNCTION;

(i) ENSURE THAT THE REGIONAL CENTER'S ADMINISTRATIVE OFFICES WILL BE MOVED TO A LEASED OFFICE LOCATION THAT WILL HOUSE BOTH THE ACCOUNTING AND SUPPORT FUNCTIONS THAT ARE CURRENTLY LOCATED ON THE GRAND JUNCTION REGIONAL CENTER CAMPUS;

(j) ENSURE THAT THE DIVISION OF FACILITY MANAGEMENT EMPLOYEES WILL BE INCLUDED IN THE RELOCATION OF THE OFFICE AND THE WORKSPACE;

(k) WORK WITH THE JOINT BUDGET COMMITTEE TO ENSURE THAT THE DIVISION OF FACILITY MANAGEMENT'S RESOURCES BE REDIRECTED TO MEET THE NEEDS OF THE EXISTING DEPARTMENT FACILITIES AND OPERATIONS IN THE GRAND JUNCTION AREA THAT ARE NOT ON THE CAMPUS;

(l) EXPLORE OPTIONS FOR THE FUTURE OF LAUNDRY SERVICES CURRENTLY PROVIDED AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS; AND

(m) GIVE REASONABLE NOTICE TO ANY CURRENT TENANTS OF THE GRAND JUNCTION REGIONAL CENTER CAMPUS, CONSISTENT WITH THE TERMS OF THE LEASE, THAT THEIR LEASE AGREEMENTS ARE TERMINATING AND WILL NOT BE EXTENDED.

(2) FOR PURPOSES OF THIS SECTION, "GRAND JUNCTION REGIONAL CENTER CAMPUS" OR "CAMPUS" MEANS THE REAL PROPERTY THAT COMPRISES THE DEPARTMENT OF HUMAN SERVICES' CAMPUS ON THE NORTHEAST CORNER OF 28TH ROAD AND RIVERSIDE PARKWAY IN GRAND JUNCTION, COLORADO 81501.

(3) (a) NO LATER THAN JULY 1, 2018, OR AS SOON AS EACH PERSON RECEIVING SERVICES ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a) AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS IS TRANSITIONED TO NONREGIONAL CENTER CAMPUS RESIDENCES, IF SUCH TRANSITION OCCURS BEFORE JULY 1, 2018, THE DEPARTMENT SHALL VACATE THE GRAND JUNCTION REGIONAL CENTER CAMPUS AND SHALL LIST THE CAMPUS FOR SALE.

(b) IF THE DEPARTMENT CANNOT VACATE THE GRAND JUNCTION REGIONAL CENTER CAMPUS OR LIST THE CAMPUS FOR SALE BY THE DEADLINE SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3), THE DEPARTMENT SHALL PROVIDE QUARTERLY UPDATES IN WRITING, COMMENCING NO LATER THAN JUNE 1, 2018, TO THE JOINT BUDGET COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE THAT SET FORTH THE PROJECTED TIMELINE FOR VACATING THE CAMPUS AND LISTING THE CAMPUS FOR SALE.

(c) (I) NO LATER THAN DECEMBER 10, 2016, THE DEPARTMENT SHALL SUBMIT TO THE CAPITAL DEVELOPMENT COMMITTEE A PLAN FOR THE DISPOSITION OF THE GRAND JUNCTION REGIONAL CENTER CAMPUS, INCLUDING A PLAN TO SPEND THE PROCEEDS OF THE SALE, AND SHALL MAKE

ANY ASSOCIATED CAPITAL CONSTRUCTION BUDGET REQUESTS FOR CAPITAL CONSTRUCTION, CAPITAL RENEWAL, OR CONTROLLED MAINTENANCE NEEDS RELATED TO THE TRANSITIONING OF PERSONS RECEIVING SERVICES AT THE GRAND JUNCTION REGIONAL CENTER CAMPUS, BASED ON SUCH PERSON'S CHOICE, TO NONREGIONAL CENTER CAMPUS RESIDENCES. ANY NEW FACILITY THAT IS CONSTRUCTED MUST BE A HOME-LIKE SETTING THAT SERVES NO MORE THAN SIX PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

(II) THE DEPARTMENT SHALL CONVENE AN ADVISORY GROUP COMPOSED OF NO MORE THAN SEVEN MEMBERS TO HELP THE DEPARTMENT FORMULATE THE PLAN AND BUDGET REQUESTS PURSUANT TO THE DEADLINE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c). THE MEMBERS SHALL BE APPOINTED BY THE DEPARTMENT AND MUST INCLUDE DIRECT CARE STAFF OF THE CAMPUS, FAMILIES OF PERSONS RECEIVING SERVICES AT THE CAMPUS, AND OTHER STAKEHOLDERS. MEMBERS OF THE ADVISORY GROUP ARE VOLUNTEERS AND ARE NOT ENTITLED TO REIMBURSEMENT FOR ANY ACTUAL AND NECESSARY EXPENSES. NOTWITHSTANDING SECTION 2-2-307, C.R.S., IF THE DEPARTMENT APPOINTS A LEGISLATIVE MEMBER TO THE ADVISORY GROUP, SUCH LEGISLATIVE MEMBER IS NOT ENTITLED TO PER DIEM COMPENSATION.

(4) THE GRAND JUNCTION REGIONAL CENTER CAMPUS TRANSITION CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF TWO MILLION DOLLARS TRANSFERRED FROM THE INTELLECTUAL AND DEVELOPMENTAL DISABILITIES SERVICES CASH FUND CREATED IN SECTION 25.5-10-207 (1), C.R.S., AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER SHALL CREDIT ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF THE 2019-20 FISCAL YEAR TO THE GENERAL FUND. SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR FUTURE COSTS RELATED TO ADEQUATE HOUSING FOR EACH PERSON RECEIVING SERVICES, INCLUDING TRANSITION AND MOVING COSTS, ON THE EFFECTIVE DATE OF THIS SUBSECTION (4) ON THE GRAND JUNCTION REGIONAL CENTER CAMPUS.

(5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2021.

SECTION 2. In Colorado Revised Statutes, **amend** 27-10.5-311 as follows:

27-10.5-311. Regional centers - waiver beds - prohibition on closure or sale - repeal. (1) Prior to ~~May 16, 2016~~ MAY 30, 2017, the department shall not close or sell any state-operated beds licensed pursuant to the home- and community-based services for persons with developmental disabilities waiver and shall maintain an adequate number of beds at the regional centers for individuals who transitioned to the community within the preceding six months, but who have been identified by a community-centered board and the individual's legal guardian as having had an unsuccessful transition. The department shall permit the individual to return to a state-operated regional center bed pursuant to section 27-10.5-110 and applicable federal law.

(2) This section is repealed, effective ~~July 1, 2016~~ JULY 1, 2017.

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, and safety.

Bill L. Cadman
PRESIDENT OF
THE SENATE

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO