

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

INTRODUCED

LLS NO. 17-0554.01 Jane Ritter x4342

HOUSE BILL 17-1101

HOUSE SPONSORSHIP

Rosenthal,

SENATE SPONSORSHIP

(None),

House Committees

Public Health Care & Human Services
Finance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE YOUTH CORRECTIONS MONETARY**
102 **INCENTIVES AWARD PROGRAM IN THE DIVISION OF YOUTH**
103 **CORRECTIONS.**

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>.)

The bill creates the youth corrections monetary incentives award program (program) in the division of youth corrections in the department of human services (department). The purpose of the program is to provide monetary awards and incentives for academic, social, and psychological achievement to juveniles committed to the department. The department

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

is directed to adopt rules concerning the administration of the program, including participation criteria, guidelines, and award amounts. At a minimum, a juvenile in the program must maintain an outstanding academic record during each academic term and make continual progress in therapeutic or other programs he or she is assigned to. Rules for the program must state that the incentive money may only be used for educational purposes, independent living expenses, restitution expenses, or other expenses approved as necessary and valid by the juvenile's case manager.

The department shall credit and hold in trust any incentive money awarded to a juvenile to that juvenile's account, if he or she has one established. If the juvenile does not have an account established, the department shall establish an account for a juvenile at such time as he or she begins to earn incentive awards through the program.

The department is authorized to accept gifts, grants, and donations for the purposes of the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 19-2-312 as
3 follows:

4 **19-2-312. Youth corrections monetary incentives award**
5 **program - established - rules.** (1) THERE IS ESTABLISHED IN THE
6 DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN
7 SERVICES THE YOUTH CORRECTIONS MONETARY INCENTIVES AWARD
8 PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM". THE
9 PURPOSE OF THE PROGRAM IS TO PROVIDE MONETARY AWARDS AND
10 INCENTIVES FOR ACADEMIC, SOCIAL, AND PSYCHOLOGICAL ACHIEVEMENT
11 TO JUVENILES COMMITTED TO THE DIVISION OF YOUTH CORRECTIONS OR
12 THE DEPARTMENT OF HUMAN SERVICES.

13 (2) ON OR BEFORE SEPTEMBER 1, 2017, THE STATE DEPARTMENT
14 SHALL ADOPT RULES FOR THE ADMINISTRATION OF THE PROGRAM,
15 INCLUDING PARTICIPATION CRITERIA, GUIDELINES, AMOUNT OF MONETARY
16 INCENTIVES TO BE AWARDED FOR DIFFERENT ACHIEVEMENTS, AND THE

1 ITEMS FOR WHICH A JUVENILE MAY PROPERLY USE INCENTIVE MONEY. THE
2 RULES MUST SPECIFICALLY INCLUDE THAT A JUVENILE:

3 (a) MAINTAIN THE HIGHEST GRADES POSSIBLE EACH ACADEMIC
4 TERM;

5 (b) MAKES CONSISTENT PROGRESS IN HIS OR HER THERAPY OR
6 OTHER ASSIGNED PROGRAM DURING EACH ACADEMIC TERM, AS
7 DETERMINED BY THE TEAM OF PROFESSIONALS WORKING WITH HIM OR
8 HER; AND

9 (c) USE THE MONEY EARNED ONLY FOR EDUCATIONAL PURPOSES,
10 INDEPENDENT LIVING EXPENSES, RESTITUTION EXPENSES, OR OTHER
11 EXPENSES APPROVED AS NECESSARY AND VALID BY THE JUVENILE'S CASE
12 MANAGER.

13 (3) THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF
14 HUMAN SERVICES SHALL CREDIT AND HOLD IN TRUST ANY INCENTIVE
15 MONEY AWARDED TO A JUVENILE TO THAT JUVENILE'S ACCOUNT, IF HE OR
16 SHE HAS ONE ESTABLISHED. IF THE JUVENILE DOES NOT HAVE AN ACCOUNT
17 ESTABLISHED, THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT
18 OF HUMAN SERVICES SHALL ESTABLISH AN ACCOUNT FOR A JUVENILE AT
19 SUCH TIME AS HE OR SHE BEGINS TO EARN INCENTIVE AWARDS THROUGH
20 THE PROGRAM.

21 (4) THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF
22 HUMAN SERVICES MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, AND
23 DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS
24 SECTION.

25 **SECTION 2. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2018 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.