

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0865.01 Jane Ritter x4342

**HOUSE BILL 21-1248**

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**HOUSE SPONSORSHIP**

**Amabile,**

**SENATE SPONSORSHIP**

**Story and Hisey,**

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**House Committees**

Public & Behavioral Health & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING UPDATING THE PROVISIONS OF THE "COLORADO**  
102 **CHILDREN'S TRUST FUND ACT".**

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**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 updates various provisions of the "Colorado Children's Trust Fund Act", including renaming it the "Colorado Child Abuse Prevention Trust Fund Act" (act). Changes include:

- Expanding the membership of the Colorado child abuse prevention board (board) from the current 9 members to 17 members;

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



1 HOUSING INSECURITY AND POVERTY; AND HOUSEHOLD CHALLENGES,  
2 INCLUDING GROWING UP IN A HOUSEHOLD WITH SUBSTANCE ABUSE,  
3 MENTAL HEALTH DISORDERS, VIOLENCE, OR PARENTAL INCARCERATION.  
4 ADVERSE CHILDHOOD EXPERIENCES SUCH AS THESE HAVE BEEN SHOWN TO  
5 HAVE A LIFELONG IMPACT ON HEALTH, BEHAVIOR, AND AGE OF  
6 MORTALITY.

7 (2) It is the purpose of this ~~article~~ ARTICLE 3.5 to promote primary  
8 and secondary prevention ~~and education~~ programs that are designed to  
9 PREVENT CHILD TRAUMA AND MALTREATMENT BEFORE IT OCCURS, lessen  
10 the occurrence of child abuse and neglect, and ~~to~~ MITIGATE THE IMPACTS  
11 OF ADVERSE CHILDHOOD EXPERIENCES TO reduce the need for state  
12 intervention ~~in child abuse and neglect prevention and education~~  
13 THROUGH CHILD WELFARE ACTIONS AND ECONOMIC SUPPORT FOR  
14 FAMILIES EXPERIENCING POVERTY.

15 **19-3.5-103. Definitions. (Repealed) [Formerly**  
16 **19-3.5-104] Colorado child abuse prevention board - creation -**  
17 **members - terms - vacancies.** (1) ~~(a) There is hereby created, in the~~  
18 ~~department of public health and environment, the Colorado children's~~  
19 ~~trust fund board. The board shall exercise its powers and duties as if~~  
20 ~~transferred by a type 2 transfer.~~

21 ~~(b) The Colorado children's trust fund~~ CHILD ABUSE PREVENTION  
22 board, REFERRED TO IN THIS ARTICLE 3.5 AS THE "BOARD", is transferred  
23 to the department of human services FROM THE DEPARTMENT OF PUBLIC  
24 HEALTH AND ENVIRONMENT. The board shall exercise its powers and  
25 duties as if transferred by a **type 2** transfer. Persons appointed to the  
26 ~~Colorado children's trust fund~~ board shall continue serving until  
27 completion of their terms and may be reappointed as provided in this

1 section.

2 (2) The board consists of ~~nine~~ SEVENTEEN members, as follows:

3 (a) The executive director of the department of human services or  
4 ~~his~~ THE EXECUTIVE DIRECTOR'S designee;

5 ~~(a.5)~~ (b) The executive director of the department of public health  
6 and environment or ~~such~~ THE EXECUTIVE director's designee;

7 ~~(b)~~ (c) The commissioner of education or ~~his~~ THE COMMISSIONER'S  
8 designee; ~~and~~

9 ~~(c)~~ (d) ~~Six~~ FOUR persons appointed by the governor and  
10 confirmed by the senate ~~five of whom shall be~~ WHO ARE knowledgeable  
11 in the area of child abuse prevention and represent some of the following  
12 areas: Law enforcement, medicine, law, business, PUBLIC POLICY, mental  
13 health, ~~domestic relations; child abuse prevention; education;~~ INTIMATE  
14 PARTNER VIOLENCE, EARLY CHILDHOOD EDUCATION, K-12 EDUCATION,  
15 REDUCING POVERTY AND HELPING FAMILIES GAIN ECONOMIC STABILITY,  
16 THE CONNECTION BETWEEN HOUSING INSTABILITY AND TRAUMA, HIGHER  
17 EDUCATION, RESEARCH AND PROGRAM EVALUATION, and social work. ~~and~~  
18 ~~one who is a parent or a representative of a parent organization.~~ In  
19 making appointments to the board, the governor is encouraged to include  
20 representation by at least one member who is a person with a disability,  
21 as defined in section 24-34-301 (2.5), a family member of a person with  
22 a disability, or a member of an advocacy group for persons with  
23 disabilities, ~~provided that~~ SO LONG AS the other requirements of this  
24 subsection ~~(2)(c)~~ SUBSECTION (2)(d) are met.

25 (e) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH  
26 CARE POLICY AND FINANCING OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

27 (f) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL

1 AFFAIRS OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

2 (g) THE CHILD PROTECTION OMBUDSMAN, AS APPOINTED  
3 PURSUANT TO SECTION 19-3.3-102;

4 (h) TWO APPOINTEES WHO REPRESENT COUNTY LEADERSHIP, AS  
5 EITHER A COUNTY COMMISSIONER OR A DIRECTOR OF PUBLIC HEALTH OR  
6 OF HUMAN OR SOCIAL SERVICES, AS DESIGNATED BY STATEWIDE  
7 ORGANIZATIONS REPRESENTING HUMAN SERVICES DIRECTORS AND PUBLIC  
8 HEALTH OFFICIALS;

9 (i) THREE MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF  
10 THE DEPARTMENT OF HUMAN SERVICES. SUCH APPOINTEES MUST BE  
11 COMMUNITY MEMBERS WITH LIVED EXPERIENCE THAT CAN INCLUDE  
12 CHILDHOOD HISTORY OF ADVERSE CHILDHOOD EXPERIENCES OR  
13 EXPERIENCE PARTICIPATING IN PREVENTION, PARENTING, OR FAMILY  
14 STRENGTHENING PROGRAMS. ONE OF THE THREE APPOINTEES MUST BE A  
15 PARENT.

16 (j) ONE MEMBER WHO IS A MEMBER OF THE SENATE AND WHO IS  
17 APPOINTED BY THE PRESIDENT OF THE SENATE AND ONE MEMBER WHO IS  
18 A MEMBER OF THE HOUSE OF REPRESENTATIVES AND WHO IS APPOINTED BY  
19 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

20 (3) (a) Each appointed member of the board ~~shall serve for~~  
21 ~~SERVES~~ a term of three years. ~~except that the original members appointed~~  
22 ~~by the governor shall serve staggered terms not to exceed three years. to~~  
23 ~~be decided by the board.~~

24 (b) THE ORIGINAL APPOINTING ENTITY SHALL FILL a vacancy on the  
25 board ~~shall be filled~~ for the balance of the BOARD MEMBER'S unexpired  
26 term.

27 (c) A BOARD MEMBER, WHETHER ORIGINAL OR OTHERWISE, MAY

1 NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

2 (4) The board shall meet regularly and shall adopt its own rules of  
3 procedure.

4 (5) EXCEPT AS PROVIDED IN SECTION 2-2-326, members shall serve  
5 without compensation but shall be ARE entitled to reimbursement for  
6 actual and necessary expenses incurred in the performance of their duties.

7 **19-3.5-104. [Formerly 19-3.5-105] Powers and duties of the**  
8 **board.** (1) The board has the following powers and duties:

9 (a) ~~To provide for the coordination and exchange of information~~  
10 ~~on the establishment and maintenance of primary and secondary~~  
11 ~~prevention programs~~ To ADVISE AND MAKE RECOMMENDATIONS TO THE  
12 GOVERNOR, STATE AGENCIES, AND OTHER RELEVANT ENTITIES  
13 CONCERNING THE IMPLEMENTATION OF AND FUTURE REVISIONS TO ANY  
14 STATE PLAN DEVELOPED TO PREVENT CHILD MALTREATMENT;

15 (b) ~~To develop and publicize criteria regarding grants from the~~  
16 ~~trust fund, including the duration of grants and any requirements for~~  
17 ~~matching funds which are received from the trust fund;~~ TO DEVELOP  
18 STRATEGIES AND MONITOR EFFORTS TO ACHIEVE:

19 (I) INCREASES IN CHILD WELL-BEING AND ACHIEVEMENT;

20 (II) INCREASES IN CAREGIVER WELL-BEING AND ACHIEVEMENT;

21 (III) INCREASES IN CONSISTENT HIGH-QUALITY CAREGIVING;

22 (IV) INCREASES IN SAFE, SUPPORTIVE NEIGHBORHOODS AND  
23 COMMUNITIES; AND

24 (V) DECREASES IN THE INCIDENCE OF CHILD MALTREATMENT AND  
25 CHILD MALTREATMENT FATALITIES;

26 (c) ~~To review and monitor the expenditure of moneys by~~  
27 ~~recipients~~ TO ASSIST PUBLIC AND PRIVATE AGENCIES IN COORDINATING

1 EFFORTS ON BEHALF OF FAMILIES, INCLUDING SECURING FUNDING AND  
2 ADDITIONAL INVESTMENTS FOR SERVICES AND PROGRAMS, AND  
3 IMPROVING ACCESS TO THESE SERVICES FOR CHILDREN AND THEIR  
4 FAMILIES;

5 ~~(d) Repealed.~~

6 ~~(e) (d) To accept grants from the federal government as well as to~~  
7 ~~solicit and accept contributions, grants, gifts, bequests, and donations~~  
8 ~~from individuals, private organizations, and foundations~~ TO PROVIDE FOR  
9 THE COORDINATION AND EXCHANGE OF INFORMATION CONCERNING THE  
10 ESTABLISHMENT AND MAINTENANCE OF PRIMARY AND SECONDARY  
11 PREVENTION PROGRAMS AND TO FACILITATE THE EXCHANGE OF  
12 INFORMATION BETWEEN GROUPS CONCERNED WITH CHILD  
13 MALTREATMENT;

14 ~~(f) (I) (e) (I) To expend moneys of the trust fund for the~~  
15 ~~establishment, promotion, and maintenance of primary and secondary~~  
16 ~~prevention programs, including pilot programs, for programs to prevent~~  
17 ~~and reduce the occurrence of prenatal drug exposure, and for operational~~  
18 ~~expenses of the board;~~ TO IDENTIFY OPPORTUNITIES FOR, AND BARRIERS  
19 TO, THE ALIGNMENT OF STANDARDS, RULES, POLICIES, AND PROCEDURES  
20 ACROSS PROGRAMS AND AGENCIES THAT SUPPORT FAMILIES. THE BOARD  
21 SHALL SUBMIT RECOMMENDATIONS DEVELOPED PURSUANT TO THIS  
22 SUBSECTION (1)(e)(I) TO THE DEPARTMENT OF HUMAN SERVICES, WHICH  
23 SHALL THEN INCLUDE SUCH RECOMMENDATIONS AS PART OF ITS  
24 PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD  
25 PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR  
26 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)  
27 GOVERNMENT ACT" IN JANUARY 2022.

1 (II) THE BOARD SHALL ALSO PROVIDE ONGOING  
2 RECOMMENDATIONS ON CHANGES TO ENHANCE THE ALIGNMENT AND  
3 PROVISION OF SERVICES AND SUPPORTS FOR FAMILIES TO PREVENT CHILD  
4 TRAUMA AND MALTREATMENT TO APPROPRIATE GOVERNMENT AND  
5 NONPROFIT AGENCIES AND POLICY BOARDS.

6 ~~(f.5) To expend the money of the trust fund for the development,~~  
7 ~~promotion, maintenance, and monitoring of an evidence-based or~~  
8 ~~research-based child sexual abuse prevention training model to prevent~~  
9 ~~and reduce the occurrence of child sexual abuse. The training model must~~  
10 ~~be available to persons who interact with young children, including but~~  
11 ~~not limited to parents, child care providers, librarians, church staff and~~  
12 ~~volunteers, medical professionals, family resource centers staff, and other~~  
13 ~~mandatory reporters of child abuse and neglect.~~

14 ~~(g) (f) To sue and be sued as a board without individual liability~~  
15 ~~for acts of the board~~ TO COLLABORATE WITH OTHER RELEVANT BOARDS,  
16 COMMISSIONS, AND COUNCILS THAT EXIST WITHIN THE EXECUTIVE BRANCH  
17 TO ADDRESS SERVICES AND SUPPORTS FOR FAMILIES;

18 ~~(h) (g) To exercise any other powers or perform any other duties~~  
19 ~~which are consistent with the purposes for which the board was created~~  
20 ~~and which are reasonably necessary for the fulfillment of the board's~~  
21 ~~responsibilities.~~ TO PROMOTE ACADEMIC RESEARCH ON THE EFFICACY AND  
22 COST-EFFECTIVENESS OF CHILD MALTREATMENT PREVENTION INITIATIVES;

23 ~~(i) and (j) Repealed.~~

24 (h) TO DISTRIBUTE MONEY AND MAKE GRANT AWARDS FROM THE  
25 COLORADO CHILD ABUSE PREVENTION TRUST FUND, CREATED IN SECTION  
26 19-3.5-105, IN ACCORDANCE WITH SECTION 19-3.5-106 AND FOR:

27 (I) THE ESTABLISHMENT, PROMOTION, AND MAINTENANCE OF

1 PRIMARY AND SECONDARY CHILD MALTREATMENT PREVENTION  
2 PROGRAMS, INCLUDING PILOT PROGRAMS;

3 (II) PROGRAMS TO PREVENT CHILD SEXUAL ABUSE;

4 (III) PROGRAMS TO REDUCE THE OCCURRENCE OF PRENATAL  
5 SUBSTANCE EXPOSURE;

6 (IV) PROGRAMS TO REDUCE THE OCCURRENCE OF OTHER ADVERSE  
7 CHILDHOOD EXPERIENCES;

8 (V) PROGRAMS TO REDUCE POVERTY OR HELP FAMILIES GET OUT  
9 OF POVERTY;

10 (VI) PROGRAMS TO CREATE HOUSING STABILITY; AND

11 (VII) OPERATIONAL EXPENSES OF THE BOARD, INCLUDING  
12 ALLOWABLE EXPENSES PURSUANT TO SECTION 19-3.5-103 (5);

13 (i) TO ACCEPT GRANTS FROM THE FEDERAL GOVERNMENT, AS WELL  
14 AS TO SOLICIT AND ACCEPT CONTRIBUTIONS, GRANTS, GIFTS, BEQUESTS,  
15 AND DONATIONS FROM INDIVIDUALS, PRIVATE ORGANIZATIONS, AND  
16 FOUNDATIONS; AND

17 (j) TO EXERCISE OR PERFORM ANY OTHER POWERS OR DUTIES  
18 CONSISTENT WITH THE PURPOSES FOR WHICH THE BOARD WAS CREATED  
19 AND THAT ARE REASONABLY NECESSARY FOR THE FULFILLMENT OF THE  
20 BOARD'S RESPONSIBILITIES AS SET FORTH IN THIS SECTION.

21 **19-3.5-105. [Formerly 19-3.5-106] Colorado child abuse**  
22 **prevention trust fund - creation - source of funds.** (1) There is hereby  
23 created in the state treasury the Colorado ~~children's~~ CHILD ABUSE  
24 PREVENTION trust fund, ~~which shall be administered by the board and~~  
25 ~~which shall consist of~~ REFERRED TO IN THIS ARTICLE 3.5 AS THE "TRUST  
26 FUND". THE BOARD SHALL ADMINISTER THE TRUST FUND, WHICH CONSISTS  
27 OF:

1 (a) ~~All moneys which shall be~~ MONEY transferred ~~thereto~~ INTO  
2 THE TRUST FUND in accordance with section 13-32-101 (5)(a)(I); ~~C.R.S.;~~  
3 ~~and~~

4 (b) ~~All moneys~~ MONEY collected by the board pursuant to ~~section~~  
5 ~~19-3.5-105(1)(c)~~ SECTION 19-3.5-104 (1)(i) from federal grants and other  
6 contributions, grants, gifts, bequests, AND donations. ~~and any moneys~~  
7 ~~appropriated thereto by the state.~~ Such ~~moneys shall~~ MONEY MUST be  
8 transmitted to the state treasurer, ~~for credit~~ WHO SHALL CREDIT THE  
9 MONEY to the trust fund; AND

10 (c) ANY MONEY APPROPRIATED TO THE TRUST FUND BY THE STATE.

11 (2) ~~All moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual  
12 appropriation by the general assembly. Any ~~moneys not appropriated shall~~  
13 ~~remain~~ MONEY REMAINING in the fund ~~and shall~~ MUST not be transferred  
14 to or revert to the general fund of the state at the end of any fiscal year.  
15 Any interest earned on the investment or deposit of ~~moneys~~ MONEY in the  
16 fund ~~shall~~ MUST also remain in the fund and ~~shall~~ MUST not be credited  
17 to the general fund of the state.

18 (3) ~~Repealed.~~

19 **19-3.5-106. [Formerly 19-3.5-107] Disbursement of grants from**  
20 **the trust fund - restrictions.** (1) Grants may be awarded to provide  
21 money for the start-up, continuance, or expansion of primary or secondary  
22 prevention programs, including pilot programs and ~~home visitation~~  
23 ~~programs, to provide educational and public informational seminars~~  
24 EDUCATIONAL PROGRAMS FOR PROFESSIONALS AND THE PUBLIC, and to  
25 study and evaluate primary and secondary prevention programs. ~~pilot~~  
26 ~~programs, and home visitation programs.~~ In addition, grants may be  
27 awarded for programs to prevent and reduce the occurrence of prenatal

1 ~~drug~~ SUBSTANCE exposure and an evidence-based or research-based child  
2 sexual abuse prevention training model to prevent and reduce the  
3 occurrence of child sexual abuse.

4 (2) The board ~~shall have~~ HAS discretion ~~in determining the amount~~  
5 ~~of money to be awarded under each grant; except that:~~ TO OVERSEE THE  
6 DISBURSEMENT OF MONEY FROM THE TRUST FUND TO ENSURE ITS  
7 APPROPRIATE USE AND MAKE RECOMMENDATIONS FOR THE TOTAL GRANT  
8 AMOUNT TO BE AWARDED EACH YEAR.

9 (a) ~~Until the total amount of assets in the trust fund exceeds five~~  
10 ~~million dollars, not more than seventy-five percent of the moneys credited~~  
11 ~~to the trust fund each year pursuant to section 13-32-101 (5)(a)(I), C.R.S.;~~  
12 ~~plus any interest credited thereon to the trust fund during the previous~~  
13 ~~year shall be available for disbursement or expenditure by the board;~~  
14 ~~however, any other moneys deposited or maintained in the fund may be~~  
15 ~~disbursed by the board pursuant to the provisions of this article in~~  
16 ~~accordance with an appropriation from the fund made by the general~~  
17 ~~assembly;~~

18 (b) ~~After such time that the state treasurer certifies that the assets~~  
19 ~~in the trust fund exceed five million dollars, no further moneys shall be~~  
20 ~~collected for the trust fund pursuant to section 13-32-101 (5)(a)(I);~~  
21 ~~C.R.S.; however, nothing in this paragraph (b) shall be construed to~~  
22 ~~prohibit the continued collection of moneys for the trust fund pursuant to~~  
23 ~~section 19-3.5-105 (1)(e);~~

24 (c) ~~After such time that the state treasurer certifies that the assets~~  
25 ~~in the trust fund exceed five million dollars, only the interest credited to~~  
26 ~~the trust fund, together with any moneys collected for such fund pursuant~~  
27 ~~to section 19-3.5-105 (1)(e), shall be available for disbursement or~~

1 expenditure by the board.

2 (3) ~~Any grant or moneys received by the board and credited to the~~  
3 ~~trust fund pursuant to section 19-3.5-106(1)(b) shall not be subject to the~~  
4 ~~disbursement restriction of paragraph (a) of subsection (2) of this section~~  
5 THE BOARD SHALL NOT AUTHORIZE ANY GRANT AWARDS PURSUANT TO  
6 SUBSECTION (1) OF THIS SECTION FOR POLITICAL, ELECTION, OR LOBBYING  
7 PURPOSES.

8 ~~**19-3.5-108. Repeal of article. (Repealed)**~~

9 **19-3.5-107. [Formerly 19-3.5-109] Report - repeal of article.**

10 (1) The department of human services shall contract for an independent  
11 evaluation of the trust fund, including administrative costs of operating  
12 the trust fund and the cost-effectiveness and the impact of the grants on  
13 reducing and preventing child abuse. THE DEPARTMENT OF HUMAN  
14 SERVICES SHALL PROVIDE a report of the evaluation ~~shall be provided~~ to  
15 the house OF REPRESENTATIVES and senate health and human services  
16 committees, or any successor committees, ~~by November 1, 2011, and by~~  
17 ~~November 1, 2021~~ ON OR BEFORE NOVEMBER 1, 2026.

18 (2) This ~~article~~ ARTICLE 3.5 is repealed, effective ~~July 1, 2022~~  
19 JULY 1, 2027.

20 **SECTION 2.** In Colorado Revised Statutes, 13-32-101, **amend**  
21 (5)(a) introductory portion and (5)(a)(I) as follows:

22 **13-32-101. Docket fees in civil actions - judicial stabilization**  
23 **cash fund - justice center cash fund - justice center maintenance fund**  
24 **- created - legislative declaration - report.** (5) (a) Each fee collected  
25 pursuant to ~~paragraph (a) or (a.5) of subsection (1)~~ SUBSECTION (1)(a) OR  
26 (1)(a.5) of this section ~~shall~~ MUST be transmitted to the state treasurer and  
27 divided as follows:

1 (I) Fifteen dollars ~~shall~~ MUST be deposited in the Colorado  
2 ~~children's~~ CHILD ABUSE PREVENTION trust fund created in ~~section~~  
3 ~~19-3.5-106, C.R.S.~~ SECTION 19-3.5-105;

4 **SECTION 3.** In Colorado Revised Statutes, 19-1-103, **amend**  
5 (16), (91), and (110) as follows:

6 **19-1-103. Definitions.** As used in this title 19 or in the specified  
7 portion of this title 19, unless the context otherwise requires:

8 (16) "Board", as used in article 3.5 of this ~~title~~ TITLE 19, means the  
9 Colorado ~~children's trust fund~~ CHILD ABUSE PREVENTION board created in  
10 ~~section 19-3.5-104~~ SECTION 19-3.5-103.

11 (91) "Recipient", as used in article 3.5 of this ~~title~~ TITLE 19, means  
12 and is limited to a nonprofit or public organization that receives a grant  
13 from the trust fund created in ~~section 19-3.5-106~~ SECTION 19-3.5-105.

14 (110) "Trust fund", as used in article 3.5 of this ~~title~~ TITLE 19,  
15 means the Colorado ~~children's~~ CHILD ABUSE PREVENTION trust fund  
16 created in ~~section 19-3.5-106~~ SECTION 19-3.5-105.

17 **SECTION 4.** In Colorado Revised Statutes, 24-1-120, **amend**  
18 (10) as follows:

19 **24-1-120. Department of human services - creation.** (10) The  
20 powers, duties, and functions of the Colorado ~~children's trust fund~~ CHILD  
21 ABUSE PREVENTION board, created in ~~section 19-3.5-104, C.R.S.~~ SECTION  
22 19-3.5-103, are transferred by a **type 2** transfer to the department of  
23 human services.

24 **SECTION 5. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly; except  
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this  
2 act within such period, then the act, item, section, or part will not take  
3 effect unless approved by the people at the general election to be held in  
4 November 2022 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.