

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 21-0644.01 Shelby Ross x4510

**SENATE BILL 21-154**

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**SENATE SPONSORSHIP**

**Kolker and Simpson**, Bridges, Buckner, Coram, Danielson, Fenberg, Garcia, Gardner, Ginal, Gonzales, Hansen, Hisey, Jaquez Lewis, Lee, Moreno, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Winter, Zenzinger

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Health & Human Services  
Finance  
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**House Committees**

Public & Behavioral Health & Human Services  
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Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING THE IMPLEMENTATION OF THE 988 NATIONAL SUICIDE**  
102                    **PREVENTION LIFELINE NETWORK IN COLORADO, AND, IN**  
103                    **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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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>.)*

On October 17, 2020, congress passed the "National Suicide Hotline Designation Act of 2020" designating 988 as the 3-digit number for the national suicide prevention lifeline to aid rapid access to suicide prevention and mental health support services. The bill implements 988 as the 3-digit number for crisis response services in Colorado.

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.*

HOUSE  
2nd Reading Unamended  
June 1, 2021

SENATE  
3rd Reading Unamended  
May 10, 2021

SENATE  
Amended 2nd Reading  
May 7, 2021

On or before July 1, 2022, the department of human services (department) shall contract with a nonprofit organization to create the 988 crisis hotline center to provide intervention services and crisis care coordination to individuals calling the 988 crisis hotline 24 hours a day, 7 days a week.

Beginning January 1, 2022, a 988 surcharge (surcharge) is imposed on service users in an amount to be established by the public utilities commission (commission) on an annual basis. The bill requires each service supplier to collect the surcharge from its service users and remit the collected surcharges to the commission on a monthly basis. The state treasurer shall credit the surcharge collections to the 988 surcharge cash fund (fund).

The bill imposes a prepaid wireless 988 charge on each retail transaction in an amount to be established by the commission on an annual basis. The bill requires each seller to collect the prepaid wireless 988 charge from the consumer on each retail transaction occurring in the state and remit the collected charges to the department of revenue. The state treasurer shall credit the prepaid wireless 988 charge to the fund.

The office of behavioral health in the department may expend money from the fund for the administration and operation of the 988 crisis hotline center.

Beginning January 1, 2023, and each January 1 thereafter, the department shall submit information about the usage of the 988 crisis hotline center to the federal substance abuse and mental health services administration, and information about the expenditures of the fund to the federal communications commission.

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

2 **SECTION 1. In Colorado Revised Statutes, add article 64 to title**  
3 **27 as follows:**

4 **ARTICLE 64**

5 **988 Crisis Hotline Enterprise**

6 **27-64-101. Legislative declaration.** (1) **THE GENERAL ASSEMBLY**  
7 **FINDS AND DECLARES THAT:**

8 **(a) ON JULY 16, 2020, THE FEDERAL COMMUNICATIONS**  
9 **COMMISSION ADOPTED RULES, AND ON OCTOBER 17, 2020, CONGRESS**  
10 **PASSED THE "NATIONAL SUICIDE HOTLINE DESIGNATION ACT OF 2020",**

1 DESIGNATING 988 AS THE THREE-DIGIT NUMBER FOR THE NATIONAL  
2 SUICIDE PREVENTION LIFELINE TO AID RAPID ACCESS TO SUICIDE  
3 PREVENTION AND MENTAL HEALTH SUPPORT SERVICES;

4 (b) IT IS IMPERATIVE FOR COLORADO TO IMPLEMENT 988 AS THE  
5 THREE-DIGIT NUMBER FOR CRISIS RESPONSE SERVICES IN COLORADO IN  
6 ORDER TO COMPLY WITH FEDERAL REGULATIONS; IMPROVE QUALITY AND  
7 ACCESS TO BEHAVIORAL HEALTH CRISIS SERVICES, ESPECIALLY FOR  
8 UNDERSERVED POPULATIONS AND IN RURAL AREAS OF THE STATE; AND  
9 REDUCE STIGMA SURROUNDING SUICIDE, MENTAL HEALTH, AND  
10 SUBSTANCE USE CONDITIONS;

11 (c) THE 988 CRISIS HOTLINE ENTERPRISE PROVIDES VALUABLE  
12 BENEFITS AND SERVICES TO TELEPHONE SERVICE USERS WHEN THE  
13 ENTERPRISE FUNDS THE 988 CRISIS HOTLINE AND PROVIDES CRISIS  
14 OUTREACH, STABILIZATION, AND ACUTE CARE TO INDIVIDUALS CALLING  
15 THE 988 CRISIS HOTLINE FROM ANY JURISDICTION IN COLORADO  
16 TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK;

17 (d) BY PROVIDING THE BENEFITS AND SERVICES SPECIFIED IN  
18 SUBSECTION (1)(c) OF THIS SECTION, THE 988 CRISIS HOTLINE ENTERPRISE  
19 ENGAGES IN AN ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN,  
20 OR LIVELIHOOD, AND THEREFORE OPERATES AS A BUSINESS;

21 (e) CONSISTENT WITH THE DETERMINATION OF THE COLORADO  
22 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896  
23 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS  
24 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE  
25 X OF THE STATE CONSTITUTION, IT IS THE CONCLUSION OF THE GENERAL  
26 ASSEMBLY THAT THE CHARGES IMPOSED BY THE ENTERPRISE IS A FEE, NOT  
27 A TAX, BECAUSE THE CHARGES ARE IMPOSED FOR THE SPECIFIC PURPOSE

1 OF ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE  
2 BENEFITS AND SERVICES SPECIFIED IN SUBSECTION (1)(c) OF THIS SECTION  
3 TO TELEPHONE SERVICE USERS AND THE CHARGES ARE IMPOSED AT RATES  
4 THAT ARE REASONABLY CALCULATED BASED ON THE COST OF THE  
5 SERVICES RECEIVED BY TELEPHONE SERVICE USERS;

6 (f) SO LONG AS THE 988 CRISIS HOTLINE ENTERPRISE QUALIFIES AS  
7 AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE  
8 CONSTITUTION, THE REVENUE FROM THE CHARGES IMPOSED BY THE  
9 ENTERPRISE ARE NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN  
10 SECTION 24-77-102 (17), OR STATE REVENUES, AS DEFINED IN SECTION  
11 24-77-103.6 (6)(c), AND DO NOT COUNT AGAINST EITHER THE STATE  
12 FISCAL YEAR SPENDING LIMIT IMPOSED BY SECTION 20 ARTICLE X OF THE  
13 STATE CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED  
14 IN SECTION 24-77-103.6 (6)(b)(I); AND

15 (g) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN  
16 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE  
17 988 CRISIS HOTLINE ENTERPRISE AND THE 988 CRISIS HOTLINE ENTERPRISE  
18 WILL GENERATE REVENUE FROM CHARGES OF LESS THAN ONE HUNDRED  
19 MILLION DOLLARS TOTAL IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY,  
20 THE CREATION OF THE 988 CRISIS HOTLINE ENTERPRISE DOES NOT REQUIRE  
21 VOTER APPROVAL PURSUANT TO SECTION 24-77-108.

22 **27-64-102. Definitions.** AS USED IN THIS ARTICLE 64, UNLESS THE  
23 CONTEXT OTHERWISE REQUIRES:

24 (1) "988 CRISIS HOTLINE" MEANS A STATE-IDENTIFIED HOTLINE  
25 PARTICIPATING IN THE NATIONAL SUICIDE PREVENTION LIFELINE NETWORK  
26 TO RESPOND TO STATEWIDE OR REGIONAL BEHAVIORAL HEALTH CRISIS  
27 CALLS.

1           (2) "CHARGE" MEANS THE 988 SURCHARGE IMPOSED BY THE  
2 ENTERPRISE PURSUANT TO SECTION 27-64-103 (4)(a) AND THE PREPAID  
3 WIRELESS 988 CHARGE IMPOSED BY THE ENTERPRISE PURSUANT TO  
4 SECTION 27-64-103 (4)(b).

5           (3) "ENTERPRISE" MEANS THE 988 CRISIS HOTLINE ENTERPRISE  
6 CREATED IN SECTION 27-64-103.

7           (4) "NATIONAL SUICIDE PREVENTION LIFELINE" MEANS A  
8 NATIONAL NETWORK OF LOCAL CRISIS CENTERS MAINTAINED BY THE  
9 FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES  
10 ADMINISTRATION THAT PROVIDES FREE AND CONFIDENTIAL EMOTIONAL  
11 SUPPORT TO PEOPLE IN SUICIDAL CRISIS OR EMOTIONAL DISTRESS  
12 TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK.

13           (5) "VETERANS CRISIS LINE" MEANS THE VETERANS CRISIS LINE  
14 MAINTAINED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

15           **27-64-103. 988 crisis hotline enterprise - creation - powers and**  
16 **duties.** (1) THERE IS CREATED IN THE DEPARTMENT OF HUMAN SERVICES  
17 THE 988 CRISIS HOTLINE ENTERPRISE. THE ENTERPRISE IS AND OPERATES  
18 AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT OF HUMAN  
19 SERVICES FOR THE BUSINESS PURPOSE OF IMPOSING CHARGES PURSUANT  
20 TO SUBSECTIONS (4)(a) AND (4)(b) OF THIS SECTION, AND UTILIZING THE  
21 CHARGES' REVENUE TO FUND THE 988 CRISIS HOTLINE AND PROVIDE CRISIS  
22 OUTREACH, STABILIZATION, AND ACUTE CARE TO INDIVIDUALS CALLING  
23 THE 988 CRISIS HOTLINE. THE ENTERPRISE EXERCISES ITS POWER AND  
24 PERFORMS ITS DUTIES AS IF THE SAME WERE TRANSFERRED BY A **TYPE 1**  
25 TRANSFER, AS DEFINED IN SECTION 24-1-105, TO THE STATE DEPARTMENT.

26           (2) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES  
27 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT

1 RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS  
2 THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL  
3 COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT  
4 CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (2), THE  
5 ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE  
6 CONSTITUTION.

7 (3) THE ENTERPRISE IS GOVERNED BY A BOARD OF DIRECTORS  
8 APPOINTED BY THE GOVERNOR.

9 (4) THE ENTERPRISE'S PRIMARY POWERS AND DUTIES ARE TO:

10 (a) EFFECTIVE JANUARY 1, 2022, IMPOSE A 988 SURCHARGE ON  
11 SERVICE USERS, AS DEFINED IN SECTION 40-17.5-101 (13), IN AN AMOUNT  
12 TO BE ESTABLISHED ANNUALLY BY THE ENTERPRISE, IN COLLABORATION  
13 WITH THE PUBLIC UTILITIES COMMISSION, BUT NOT TO EXCEED THIRTY  
14 CENTS PER MONTH PER 988 ACCESS CONNECTION, AS DEFINED IN SECTION  
15 40-17.5-101 (2). ON OR BEFORE OCTOBER 1, 2021, AND ON OR BEFORE  
16 OCTOBER 1 OF EACH YEAR THEREAFTER, THE ENTERPRISE, IN  
17 COLLABORATION WITH THE PUBLIC UTILITIES COMMISSION, SHALL  
18 ESTABLISH THE AMOUNT OF THE SURCHARGE FOR THE NEXT CALENDAR  
19 YEAR. THE AMOUNT OF THE SURCHARGE MUST BE REASONABLY  
20 CALCULATED BASED ON THE COST OF THE SERVICES RECEIVED BY  
21 TELEPHONE SERVICE USERS. THE AMOUNT OF THE SURCHARGE IMPOSED  
22 PER 988 ACCESS CONNECTION MUST BE UNIFORM, REGARDLESS OF THE  
23 TECHNOLOGY USED TO PROVIDE THE 988 ACCESS CONNECTION.

24 (b) EFFECTIVE JANUARY 1, 2022, IMPOSE A PREPAID WIRELESS 988  
25 CHARGE ON EACH RETAIL TRANSACTION, AS DEFINED IN SECTION  
26 40-17.5-104 (1)(d), IN AN AMOUNT TO BE ESTABLISHED ANNUALLY BY THE  
27 ENTERPRISE, IN COLLABORATION WITH THE PUBLIC UTILITIES COMMISSION,

1 BUT NOT TO EXCEED THIRTY CENTS PER EACH RETAIL TRANSACTION IN  
2 WHICH PREPAID WIRELESS SERVICE IS PURCHASED IN COLORADO. ON OR  
3 BEFORE OCTOBER 1, 2021, AND ON OR BEFORE OCTOBER 1 OF EACH YEAR  
4 THEREAFTER, THE ENTERPRISE, IN COLLABORATION WITH THE PUBLIC  
5 UTILITIES COMMISSION, SHALL ESTABLISH THE AMOUNT OF THE CHARGE  
6 FOR THE NEXT CALENDAR YEAR. THE AMOUNT OF THE CHARGE MUST BE  
7 REASONABLY CALCULATED TO MEET THE NEEDS OF THE ENTERPRISE.

8 (c) AS REQUIRED BY SUBSECTION (5) OF THIS SECTION, FUND THE  
9 988 CRISIS HOTLINE TO PROVIDE INTERVENTION SERVICES AND CRISIS CARE  
10 COORDINATION TO INDIVIDUALS CALLING THE 988 CRISIS HOTLINE;

11 (d) (I) ENGAGE THE SERVICES OF THIRD PARTIES SERVING AS CRISIS  
12 VENDORS TO PROVIDE CRISIS OUTREACH, STABILIZATION, ACUTE CARE,  
13 AND MARKETING FOR THE 988 CRISIS HOTLINE;

14 (II) ENTER INTO ANY OTHER CONTRACTS NECESSARY FOR  
15 PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY  
16 OTHER SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF THE  
17 ENTERPRISE, WITHOUT REGARD TO THE "PROCUREMENT CODE", ARTICLES  
18 101 TO 112 OF TITLE 24.

19 (III) THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE  
20 OFFICE SPACE AND ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT  
21 TO A CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (4)(d)(II) OF  
22 THIS SECTION.

23 (e) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT  
24 ARE PAYABLE ONLY FROM THE MONEY IN THE 988 CRISIS HOTLINE CASH  
25 FUND CREATED IN SECTION 27-64-104; AND

26 (f) ADOPT, AMEND, OR REPEAL POLICIES FOR THE REGULATION OF  
27 ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS

1 SECTION.

2 (5) (a) ON OR BEFORE JULY 1, 2022, THE ENTERPRISE SHALL FUND  
3 A NONPROFIT ORGANIZATION TO OPERATE THE 988 CRISIS HOTLINE AND  
4 PROVIDE INTERVENTION SERVICES AND CRISIS CARE COORDINATION TO  
5 INDIVIDUALS CALLING THE 988 CRISIS HOTLINE FROM ANY JURISDICTION  
6 WITHIN COLORADO TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK.

7 (b) THE NONPROFIT ORGANIZATION SHALL:

8 (I) HAVE AN ACTIVE AGREEMENT WITH THE ADMINISTRATOR OF  
9 THE NATIONAL SUICIDE PREVENTION LIFELINE FOR PARTICIPATION WITHIN  
10 THE NETWORK;

11 (II) MEET THE NATIONAL SUICIDE PREVENTION LIFELINE  
12 REQUIREMENTS AND BEST PRACTICE GUIDELINES FOR OPERATIONAL AND  
13 CLINICAL STANDARDS;

14 (III) MEET THE NATIONAL SUICIDE PREVENTION LIFELINE  
15 REQUIREMENTS FOR SERVING HIGH-RISK AND SPECIALIZED POPULATIONS;

16 (IV) DEPLOY MOBILE RESPONSE UNITS AND CO-RESPONDER  
17 PROGRAMS THAT ARE PART OF THE BEHAVIORAL HEALTH CRISIS RESPONSE  
18 SYSTEM, CREATED PURSUANT TO SECTION 27-60-103, AND COORDINATE  
19 ACCESS TO CRISIS WALK-IN CENTERS, AS APPROPRIATE; AND

20 (V) PROVIDE FOLLOW-UP SERVICES TO INDIVIDUALS ACCESSING  
21 THE 988 CRISIS HOTLINE.

22 (6) THE ENTERPRISE SHALL COLLABORATE WITH THE NATIONAL  
23 SUICIDE PREVENTION LIFELINE AND THE VETERANS CRISIS LINE FOR THE  
24 PURPOSE OF ENSURING CONSISTENT PUBLIC MESSAGING ABOUT THE 988  
25 CRISIS HOTLINE CENTER AND AVAILABLE SERVICES.

26 (7) THE ENTERPRISE SHALL CONSIDER RECOMMENDATIONS FROM  
27 THE STATE'S 988 PLANNING COMMITTEE TO DETERMINE HOW THE 988



1 CRISIS HOTLINE WILL INTERACT WITH THE TWENTY-FOUR-HOUR  
2 TELEPHONE CRISIS SERVICES ESTABLISHED IN SECTION 27-60-103 (1)(b)(I).

3 (8) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS  
4 PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", CONTAINED IN  
5 PART 4 OF ARTICLE 6 OF TITLE 24, AND THE "COLORADO OPEN RECORDS  
6 ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

7 (9) FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART  
8 2 OF ARTICLE 72 OF TITLE 24, AND EXCEPT AS MAY OTHERWISE BE  
9 PROVIDED BY FEDERAL LAW OR REGULATION OR STATE LAW, THE RECORDS  
10 OF THE ENTERPRISE ARE PUBLIC RECORDS, AS DEFINED IN SECTION  
11 24-72-202 (6), REGARDLESS OF WHETHER THE ENTERPRISE RECEIVES LESS  
12 THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN GRANTS, AS  
13 DEFINED IN SECTION 24-77-102 (7), FROM ALL COLORADO STATE AND  
14 LOCAL GOVERNMENTS COMBINED.

15 (10) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF PART  
16 2 OF ARTICLE 57 OF TITLE 11.

17 **27-64-104. 988 crisis hotline cash fund - creation.** (1) THE 988  
18 CRISIS HOTLINE CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND",  
19 IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY  
20 CREDITED TO THE FUND IN ACCORDANCE WITH ARTICLE 17.5 OF TITLE 40.

21 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
22 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
23 FUND TO THE FUND.

24 (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
25 ASSEMBLY, THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR  
26 THE PURPOSES OUTLINED IN SECTION 27-64-103 (4)(c) AND (4)(d).

27 (4) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,

1 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF  
2 THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND  
3 LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S  
4 TOTAL ANNUAL REVENUE.

5 **27-64-105. Reports.** (1) BEGINNING JANUARY 1, 2023, AND EACH  
6 JANUARY 1 THEREAFTER, THE DEPARTMENT OF HUMAN SERVICES SHALL:

7 (a) SUBMIT INFORMATION ABOUT THE USAGE OF THE 988 CRISIS  
8 HOTLINE AND SERVICES PROVIDED TO THE FEDERAL SUBSTANCE ABUSE  
9 AND MENTAL HEALTH SERVICES ADMINISTRATION AND INFORMATION  
10 ABOUT THE EXPENDITURES OF THE 988 CRISIS HOTLINE CASH FUND TO THE  
11 FEDERAL COMMUNICATIONS COMMISSION; AND

12 (b) REPORT PROGRESS ON THE IMPLEMENTATION OF THE 988 CRISIS  
13 HOTLINE, INCLUDING THE USAGE OF THE 988 CRISIS HOTLINE, THE  
14 SERVICES PROVIDED, AND THE DEPOSITS AND EXPENDITURES FROM THE  
15 988 CRISIS HOTLINE CASH FUND AS PART OF ITS "STATE MEASUREMENT  
16 FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)  
17 GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203.

18 **SECTION 2.** In Colorado Revised Statutes, **add** article 17.5 to  
19 title 40 as follows:

20 **ARTICLE 17.5**

21 **988 Surcharge and Prepaid Wireless 988 Charge**  
22 **for the 988 Crisis Hotline**

23 **40-17.5-101. Definitions.** AS USED IN THIS ARTICLE 17.5, UNLESS  
24 THE CONTEXT OTHERWISE REQUIRES:

25 (1) "988" MEANS THE THREE-DIGIT ABBREVIATED DIALING CODE  
26 USED TO REPORT A BEHAVIORAL HEALTH CRISIS.

27 (2) "988 ACCESS CONNECTION" MEANS ANY COMMUNICATIONS

1 SERVICE INCLUDING WIRELINE, WIRELESS CELLULAR, INTERCONNECTED  
2 VOICE OVER INTERNET PROTOCOL , OR SATELLITE IN WHICH CONNECTIONS  
3 ARE ENABLED, CONFIGURED, OR CAPABLE OF MAKING 988 CALLS. "988  
4 ACCESS CONNECTION" DOES NOT INCLUDE FACILITIES-BASED BROADBAND  
5 SERVICES. THE NUMBER OF 988 ACCESS CONNECTIONS IS DETERMINED BY  
6 THE CONFIGURED CAPACITY FOR SIMULTANEOUS OUTBOUND CALLING. FOR  
7 EXAMPLE, FOR A DIGITAL SIGNAL-1 (DS-1) LEVEL SERVICE OR  
8 EQUIVALENT THAT IS CHANNELIZED AND SPLIT INTO SEPARATE CHANNELS  
9 FOR VOICE COMMUNICATIONS, THE NUMBER OF 988 ACCESS CONNECTIONS  
10 WOULD BE EQUAL TO THE NUMBER OF CHANNELS CAPABLE OF MAKING  
11 SIMULTANEOUS CALLS.

12 (3) "988 CRISIS HOTLINE ENTERPRISE" OR "ENTERPRISE" MEANS  
13 THE 988 CRISIS HOTLINE ENTERPRISE CREATED IN SECTION 27-64-103.

14 (4) "988 SURCHARGE" OR "SURCHARGE" MEANS THE 988  
15 SURCHARGE IMPOSED BY THE 988 CRISIS HOTLINE ENTERPRISE PURSUANT  
16 TO SECTION 27-64-103 (4)(a).

17 (5) "COMMISSION" OR "PUBLIC UTILITIES COMMISSION" MEANS THE  
18 PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO CREATED IN  
19 SECTION 40-2-101.

20 (6) "CONSUMER" MEANS A PERSON WHO PURCHASES PREPAID  
21 WIRELESS TELECOMMUNICATIONS SERVICE IN A RETAIL TRANSACTION.

22 (7) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

23 (8) "PERSON" MEANS ANY INDIVIDUAL; FIRM; PARTNERSHIP;  
24 COPARTNERSHIP; JOINT VENTURE; ASSOCIATION; COOPERATIVE  
25 ORGANIZATION; CORPORATION, EITHER MUNICIPAL OR PRIVATE AND  
26 ORGANIZED FOR PROFIT OR NOT; GOVERNMENTAL AGENCY; STATE;  
27 COUNTY OR CITY AND COUNTY; POLITICAL SUBDIVISION; STATE

1 DEPARTMENT; COMMISSION; BOARD; OR BUREAU, FRATERNAL  
2 ORGANIZATION, NONPROFIT ORGANIZATION, ESTATE, TRUST, BUSINESS OR  
3 COMMON LAW TRUST, RECEIVER, ASSIGNEE FOR THE BENEFIT OF  
4 CREDITORS, TRUSTEE, OR TRUSTEE IN BANKRUPTCY; OR ANY OTHER  
5 SERVICE USER.

6 (9) "PREPAID WIRELESS 988 CHARGE" OR "CHARGE" MEANS THE  
7 CHARGE IMPOSED BY THE 988 CRISIS HOTLINE ENTERPRISE PURSUANT TO  
8 SECTION 27-64-103 (4)(b).

9 (10) "RETAIL TRANSACTION" MEANS THE PURCHASE OF PREPAID  
10 WIRELESS TELECOMMUNICATIONS SERVICE FROM A SELLER FOR ANY  
11 PURPOSE OTHER THAN RESALE.

12 (11) "SELLER" MEANS A PERSON WHO SELLS PREPAID WIRELESS  
13 TELECOMMUNICATIONS SERVICES TO ANOTHER PERSON.

14 (12) "SERVICE SUPPLIER" MEANS A PERSON PROVIDING 988 ACCESS  
15 CONNECTIONS TO ANY SERVICE USER IN THE STATE, EITHER DIRECTLY OR  
16 BY RESALE.

17 (13) "SERVICE USER" MEANS A PERSON WHO IS PROVIDED A 988  
18 ACCESS CONNECTION IN THE STATE.

19 **40-17.5-102. 988 surcharge - collection - rules. (1) THE**  
20 **COMMISSION SHALL COLLECT, ON BEHALF OF THE 988 CRISIS HOTLINE**  
21 **ENTERPRISE, THE 988 SURCHARGE IMPOSED BY THE ENTERPRISE PURSUANT**  
22 **TO SECTION 27-64-103 (4)(a) TO FUND THE ENTERPRISE. THE COMMISSION**  
23 **SHALL COLLABORATE WITH THE ENTERPRISE TO ESTABLISH THE AMOUNT**  
24 **OF THE SURCHARGE FOR THE NEXT CALENDAR YEAR.**

25 (2) EACH SERVICE SUPPLIER SHALL COLLECT THE SURCHARGE  
26 FROM ITS SERVICE USERS. THE SURCHARGE IS THE LIABILITY OF THE  
27 SERVICE USER AND NOT OF THE SERVICE SUPPLIER; EXCEPT THAT THE

1 SERVICE SUPPLIER IS LIABLE TO REMIT ALL SURCHARGES THAT THE  
2 SERVICE SUPPLIER COLLECTS FROM SERVICE USERS.

3 (3) (a) THE SERVICE SUPPLIER SHALL REMIT THE COLLECTED  
4 SURCHARGES TO THE COMMISSION ON A MONTHLY BASIS IN A MANNER  
5 ESTABLISHED BY THE COMMISSION. THE COMMISSION SHALL ESTABLISH  
6 REMITTANCE PROCEDURES BY RULE. A SERVICE SUPPLIER IS SUBJECT TO  
7 THE PENALTIES AND PROCEDURES IN SECTION 40-17.5-103 FOR THE  
8 FAILURE TO COLLECT OR CORRECTLY REMIT A SURCHARGE IN  
9 ACCORDANCE WITH THIS SECTION.

10 (b) A SERVICE SUPPLIER MAY DEDUCT AND RETAIN ONE PERCENT  
11 OF THE SURCHARGES THAT ARE COLLECTED BY THE SERVICE SUPPLIER  
12 FROM ITS SERVICE USERS.

13 (c) (I) THE STATE TREASURER SHALL CREDIT THE SURCHARGE  
14 COLLECTIONS REMITTED TO THE COMMISSION PURSUANT TO SUBSECTION  
15 (3)(a) OF THIS SECTION TO THE 988 CRISIS HOTLINE CASH FUND CREATED  
16 IN SECTION 27-64-104. ANY SURCHARGE TRANSMITTED TO THE STATE  
17 TREASURER THAT IS COLLECTED ON BEHALF OF THE 988 CRISIS HOTLINE  
18 ENTERPRISE IS EXCLUDED FROM STATE FISCAL YEAR SPENDING.

19 (II) THE COMMISSION MAY RETAIN UP TO FOUR PERCENT OF THE  
20 COLLECTED SURCHARGES NECESSARY TO REIMBURSE THE COMMISSION FOR  
21 ITS DIRECT AND INDIRECT COSTS OF ADMINISTERING THE COLLECTION AND  
22 REMITTANCE OF SURCHARGES FOR THE 988 CRISIS HOTLINE, INCLUDING  
23 COSTS RELATED TO CONDUCTING AUDITS OF SERVICE SUPPLIERS IN  
24 ACCORDANCE WITH SECTION 40-17.5-103.

25 (4) THE SURCHARGE IMPOSED BY THE ENTERPRISE PURSUANT TO  
26 SECTION 27-64-103 (4)(a) IS THE ONLY DIRECT 988 FUNDING OBLIGATION  
27 IMPOSED UPON SERVICE USERS IN THE STATE. NO TAX, FEE, SURCHARGE,

1 OR OTHER CHARGE TO FUND THE 988 CRISIS HOTLINE IS IMPOSED BY THE  
2 STATE, ANY POLITICAL SUBDIVISION OF THE STATE, OR ANY  
3 INTERGOVERNMENTAL AGENCY UPON A SELLER OR CONSUMER WITH  
4 RESPECT TO THE SALE, PURCHASE, USE, OR PROVISION OF 988 ACCESS  
5 CONNECTION IN THE STATE.

6 (5) THIS SECTION DOES NOT APPLY TO PREPAID WIRELESS  
7 TELECOMMUNICATIONS SERVICES.

8 **40-17.5-103. Remittance of surcharges - incorrect or**  
9 **delinquent reports - penalties - administrative fees - rules.** (1) EVERY  
10 SERVICE SUPPLIER SHALL COLLECT THE 988 SURCHARGE BY THE 988 CRISIS  
11 HOTLINE ENTERPRISE PURSUANT TO SECTION 27-64-103 (4)(a) FROM ITS  
12 SERVICE USERS.

13 (2) THE DUTY TO COLLECT OR REMIT THE 988 SURCHARGE  
14 COMMENCES ON JANUARY 1, 2022. THE 988 SURCHARGE MUST BE STATED  
15 SEPARATELY OR ON THE SAME LINE ITEM AS THE 911 SURCHARGE CREATED  
16 IN SECTION 29-11-102.3. THE REVENUES COLLECTED FROM THE 988 AND  
17 911 SURCHARGES MUST NOT BE COMBINED IN ANY WAY AND MUST BE  
18 COLLECTED AND REMITTED TO THE COMMISSION SEPARATELY.

19 (3) A SERVICE SUPPLIER IS LIABLE ONLY FOR THE 988 SURCHARGE  
20 COLLECTED PURSUANT TO THIS ARTICLE 17.5 UNTIL IT IS REMITTED TO THE  
21 COMMISSION. THE AMOUNT REMITTED BY THE SERVICE SUPPLIER MUST  
22 REFLECT THE ACTUAL COLLECTIONS BASED ON THE ACTUAL 988 ACCESS  
23 CONNECTIONS BILLED.

24 (4) A SERVICE SUPPLIER SHALL REMIT THE 988 SURCHARGE IN  
25 ACCORDANCE WITH SECTION 40-17.5-102 AND RULES ADOPTED BY THE  
26 COMMISSION.

27 (5) (a) THE SERVICE SUPPLIER SHALL MAINTAIN A RECORD OF THE

1 AMOUNT OF EACH 988 SURCHARGE COLLECTED AND REMITTED BY SERVICE  
2 USER ADDRESS FOR A PERIOD OF THREE YEARS AFTER THE TIME THE  
3 CHARGE WAS COLLECTED AND REMITTED.

4 (b) IF A SERVICE SUPPLIER FAILS TO TIMELY FILE A REPORT AND  
5 REMIT THE 988 SURCHARGE AS REQUIRED BY THIS SECTION, OR IF A  
6 SERVICE SUPPLIER FILES AN INCORRECT REPORT OR FAILS TO REMIT THE  
7 CORRECT AMOUNT, THE COMMISSION SHALL ESTIMATE THE AMOUNT OF  
8 THE REMITTANCE DUE FOR THE PERIOD OR PERIODS FOR WHICH THE  
9 SERVICE SUPPLIER IS DELINQUENT. THE COMMISSION SHALL MAKE THE  
10 ESTIMATE BASED UPON THE INFORMATION AVAILABLE. THE COMMISSION  
11 SHALL COMPUTE AND ASSESS A PENALTY EQUAL TO FIFTEEN PERCENT OF  
12 THE ESTIMATE OF THE DELINQUENT AMOUNT, AND SHALL ASSESS INTEREST  
13 ON THE DELINQUENT CHARGES AT THE RATE OF ONE PERCENT EACH MONTH  
14 FROM THE DATE WHEN DUE UNTIL THE DATE PAID.

15 (c) EXCEPT AS PROVIDED IN THIS SECTION AND UNLESS SUCH TIME  
16 IS EXTENDED BY AGREEMENT PURSUANT TO SUBSECTION (5)(d) OF THIS  
17 SECTION, THE AMOUNT OF A DELINQUENT REMITTANCE AND THE PENALTY  
18 AND INTEREST OWED PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION,  
19 OTHER THAN INTEREST ACCRUING THEREAFTER, MUST BE ASSESSED  
20 WITHIN THREE YEARS AFTER THE DATE THE INCORRECT REPORT WAS FILED  
21 OR THE DELINQUENT REPORT WAS TO BE FILED. THE COMMISSION SHALL  
22 NOT FILE A NOTICE OF LIEN, ISSUE A DISTRAINT WARRANT, INSTITUTE A  
23 SUIT FOR COLLECTION, OR TAKE OTHER ACTION TO COLLECT THE AMOUNT  
24 AFTER THE EXPIRATION OF SUCH PERIOD UNLESS THE COMMISSION ISSUES  
25 A NOTICE OF ASSESSMENT FOR THE AMOUNT WITHIN SUCH PERIOD OR  
26 WITHIN AN EXTENDED PERIOD PURSUANT TO SUBSECTION (5)(d) OF THIS  
27 SECTION.

1           (d) IF, BEFORE THE EXPIRATION OF THE TIME PRESCRIBED FOR THE  
2           ASSESSMENT OF DELINQUENT AMOUNTS IN SUBSECTION (5)(c) OF THIS  
3           SECTION, THE COMMISSION AND THE SERVICE SUPPLIER CONSENT IN  
4           WRITING TO AN ASSESSMENT AFTER SUCH TIME, THE AMOUNT  
5           CALCULATED IN ACCORDANCE WITH SUBSECTION (5)(b) OF THIS SECTION  
6           MAY BE ASSESSED AT ANY TIME PRIOR TO THE EXPIRATION OF THE PERIOD  
7           AGREED UPON. THE PERIOD AGREED UPON MAY BE EXTENDED BY  
8           SUBSEQUENT AGREEMENTS IN WRITING MADE BEFORE THE EXPIRATION OF  
9           THE PERIOD PREVIOUSLY AGREED UPON. THE COMMISSION MAY FILE A LIEN  
10          AGAINST THE PROPERTY OF THE SERVICE SUPPLIER FOR UP TO ONE YEAR  
11          AFTER THE EXPIRATION OF ANY SUCH PERIOD, UNLESS OTHERWISE  
12          SPECIFICALLY PROVIDED IN THIS ARTICLE 17.5.

13           (e) THE COMMISSION MAY CONDUCT AN AUDIT OF A SERVICE  
14          SUPPLIER'S BOOKS AND RECORDS CONCERNING THE COLLECTION AND  
15          REMITTANCE OF THE CHARGES AUTHORIZED BY THIS ARTICLE 17.5. A  
16          PUBLIC INSPECTION OF THE AUDIT AND OF DOCUMENTS REVIEWED IN THE  
17          AUDIT IS SUBJECT TO SECTION 24-72-204. THE COMMISSION IS RESPONSIBLE  
18          FOR EXPENSES THE COMMISSION MAY INCUR TO CONDUCT THE AUDIT. IN  
19          CONNECTION WITH AUDITS PERFORMED, SERVICE SUPPLIERS SHALL MAKE  
20          RELEVANT RECORDS AVAILABLE TO THE AUDITORS AT NO CHARGE. THE  
21          COMMISSION SHALL PROMULGATE RULES GOVERNING THE AUDIT AND  
22          APPEAL PROCEDURES.

23           (f) THE COMMISSION SHALL DEPOSIT ANY PENALTIES OR INTEREST  
24          IN THE 988 CRISIS HOTLINE CASH FUND CREATED IN SECTION 27-64-104.

25           **40-17.5-104. Prepaid wireless 988 charge - collection - rules.**

26          (1) (a) THE SELLER SHALL COLLECT, ON BEHALF OF THE 988 CRISIS  
27          HOTLINE ENTERPRISE, THE PREPAID WIRELESS 988 CHARGE IMPOSED BY



1 THE ENTERPRISE PURSUANT TO SECTION 27-64-103 (4)(b) FROM THE  
2 CONSUMER ON EACH RETAIL TRANSACTION OCCURRING IN THE STATE. THE  
3 AMOUNT OF THE PREPAID WIRELESS 988 CHARGE SHALL BE EITHER  
4 DISCLOSED TO THE CONSUMER, OR SEPARATELY STATED OR STATED ON  
5 THE SAME LINE ITEM AS THE 911 SURCHARGE CREATED IN SECTION  
6 29-11-102.3 ON AN INVOICE, RECEIPT, OR OTHER SIMILAR DOCUMENT THE  
7 SELLER PROVIDES TO THE CONSUMER. A SELLER SHALL ELECT TO EITHER  
8 DISCLOSE OR SEPARATELY STATE THE CHARGE AND SHALL NOT CHANGE  
9 THE ELECTION WITHOUT THE WRITTEN CONSENT OF THE DEPARTMENT. THE  
10 SELLER IS DEEMED TO HAVE COLLECTED THE CHARGE NOTWITHSTANDING  
11 THE SELLER'S FAILURE TO SEPARATELY DISCLOSE OR STATE THE CHARGE  
12 ON AN INVOICE, RECEIPT, OR OTHER SIMILAR DOCUMENT THE SELLER  
13 PROVIDES TO THE CONSUMER.

14 (b) FOR PURPOSES OF THIS SECTION, A RETAIL TRANSACTION  
15 OCCURS IN COLORADO IF:

16 (I) THE CONSUMER EFFECTS THE RETAIL TRANSACTION IN PERSON  
17 AT A BUSINESS LOCATION IN COLORADO;

18 (II) IF SUBSECTION (1)(b)(I) OF THIS SECTION DOES NOT APPLY, THE  
19 PRODUCT IS DELIVERED TO THE CONSUMER AT A COLORADO ADDRESS  
20 PROVIDED TO THE SELLER;

21 (III) IF SUBSECTIONS (1)(b)(I) AND (1)(b)(II) OF THIS SECTION DO  
22 NOT APPLY, THE SELLER'S RECORDS, MAINTAINED IN THE ORDINARY  
23 COURSE OF BUSINESS, INDICATE THAT THE CONSUMER'S ADDRESS IS IN  
24 COLORADO AND THE RECORDS ARE NOT MADE OR KEPT IN BAD FAITH;

25 (IV) IF SUBSECTIONS (1)(b)(I) TO (1)(b)(III) OF THIS SECTION DO  
26 NOT APPLY, THE CONSUMER GIVES A COLORADO ADDRESS DURING THE  
27 CONSUMMATION OF THE SALE, INCLUDING THE CONSUMER'S PAYMENT

1 INSTRUMENT IF NO OTHER ADDRESS IS AVAILABLE, AND THERE IS NO  
2 INDICATION THAT THE ADDRESS IS GIVEN IN BAD FAITH; OR

3 (V) IF SUBSECTIONS (1)(b)(I) TO (1)(b)(IV) OF THIS SECTION DO  
4 NOT APPLY, THE MOBILE TELEPHONE NUMBER IS ASSOCIATED WITH A  
5 COLORADO LOCATION.

6 (c) THE PREPAID WIRELESS 988 CHARGE IS THE LIABILITY OF THE  
7 CONSUMER AND NOT OF THE SELLER; EXCEPT THAT THE SELLER IS LIABLE  
8 TO REMIT ALL PREPAID WIRELESS 988 CHARGES THAT THE SELLER  
9 COLLECTS FROM A CONSUMER AS PROVIDED IN SUBSECTION (2) OF THIS  
10 SECTION.

11 (d) THE AMOUNT OF THE PREPAID WIRELESS 988 CHARGE THAT IS  
12 COLLECTED BY A SELLER FROM A CONSUMER IS NOT INCLUDED IN THE BASE  
13 FOR MEASURING ANY TAX, FEE, SURCHARGE, OR OTHER CHARGE THAT IS  
14 IMPOSED BY THE STATE, ANY POLITICAL SUBDIVISION OF THE STATE, OR  
15 ANY INTERGOVERNMENTAL AGENCY.

16 (2) (a) THE SELLER SHALL REMIT ANY COLLECTED PREPAID  
17 WIRELESS 988 CHARGES TO THE DEPARTMENT AT THE TIMES AND IN THE  
18 MANNER PROVIDED IN PART 1 OF ARTICLE 26 OF TITLE 39. THE  
19 DEPARTMENT SHALL ESTABLISH, BY RULE, REGISTRATION AND PAYMENT  
20 PROCEDURES THAT SUBSTANTIALLY COINCIDE WITH THE REGISTRATION  
21 AND PAYMENT PROCEDURES THAT APPLY UNDER PART 1 OF ARTICLE 26 OF  
22 TITLE 39. A SELLER IS SUBJECT TO THE PENALTIES UNDER PART 1 OF  
23 ARTICLE 26 OF TITLE 39 FOR FAILURE TO COLLECT OR REMIT A PREPAID  
24 WIRELESS 988 CHARGE IN ACCORDANCE WITH THIS SECTION.

25 (b) A SELLER MAY DEDUCT AND RETAIN THREE AND THREE-TENTHS  
26 PERCENT OF THE PREPAID WIRELESS 988 CHARGES THAT ARE COLLECTED  
27 BY THE SELLER FROM THE CONSUMERS.

1           (c) THE AUDIT AND APPEAL PROCEDURES APPLICABLE TO THE  
2           STATE SALES TAX PURSUANT TO PART 1 OF ARTICLE 26 OF TITLE 39 APPLY  
3           TO PREPAID WIRELESS 988 CHARGES.

4           (d) THE DEPARTMENT SHALL, BY RULE, ESTABLISH PROCEDURES BY  
5           WHICH A SELLER MAY DOCUMENT THAT A TRANSACTION IS NOT A RETAIL  
6           TRANSACTION, WHICH PROCEDURES MUST SUBSTANTIALLY COINCIDE WITH  
7           THE PROCEDURES FOR DOCUMENTING THAT A SALE WAS WHOLESALE FOR  
8           PURPOSES OF THE SALES TAX PURSUANT TO PART 1 OF ARTICLE 26 OF TITLE  
9           39.

10           (e) (I) THE STATE TREASURER SHALL CREDIT THE PREPAID  
11           WIRELESS 988 CHARGES REMITTED TO THE DEPARTMENT PURSUANT TO  
12           SUBSECTION (2)(a) OF THIS SECTION TO THE 988 CRISIS HOTLINE CASH  
13           FUND CREATED IN SECTION 27-64-104.

14           (II) THE DEPARTMENT MAY RETAIN UP TO THREE PERCENT OF THE  
15           COLLECTED CHARGES NECESSARY TO REIMBURSE THE DEPARTMENT FOR  
16           ITS DIRECT COSTS OF ADMINISTERING THE COLLECTION AND REMITTANCE  
17           OF PREPAID WIRELESS 988 CHARGES.

18           (3) THE PREPAID WIRELESS 988 CHARGE IMPOSED PURSUANT TO  
19           SECTION 27-60-103 (4)(b) IS THE ONLY DIRECT 988 FUNDING OBLIGATION  
20           IMPOSED WITH RESPECT TO PREPAID WIRELESS TELECOMMUNICATIONS  
21           SERVICE IN THE STATE. NO TAX, FEE, SURCHARGE, OR OTHER CHARGE TO  
22           FUND THE 988 CRISIS HOTLINE IS IMPOSED BY THE STATE, ANY POLITICAL  
23           SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL AGENCY UPON  
24           A SELLER OR CONSUMER WITH RESPECT TO THE SALE, PURCHASE, USE, OR  
25           PROVISION OF PREPAID WIRELESS TELECOMMUNICATIONS SERVICE.

26           **40-17.5-105. Immunity of providers.** NO SERVICE PROVIDER OR  
27           SERVICE SUPPLIER, OR ANY EMPLOYEE OR AGENT THEREOF, SHALL BE

1 LIABLE FOR ANY DAMAGES IN A CIVIL ACTION FOR INJURIES, DEATH, OR  
2 LOSS TO PERSON OR PROPERTY INCURRED AS A RESULT OF ANY ACT OR  
3 OMISSION OF SUCH SERVICE PROVIDER, SERVICE SUPPLIER, EMPLOYEE, OR  
4 AGENT IN CONNECTION WITH DEVELOPING, ADOPTING, IMPLEMENTING,  
5 MAINTAINING, ENHANCING, OR PROVIDING 988 ACCESS CONNECTION OR  
6 SERVICE, UNLESS SUCH DAMAGE OR INJURY WAS INTENTIONALLY CAUSED  
7 BY OR RESULTED FROM GROSS NEGLIGENCE OF THE PROVIDER, SUPPLIER,  
8 EMPLOYEE, OR AGENT.

9 **SECTION 3.** In Colorado Revised Statutes, 24-75-402, **add**  
10 **(5)(rr)** as follows:

11 **24-75-402. Cash funds - limit on uncommitted reserves -**  
12 **reduction in the amount of fees - exclusions.** (5) Notwithstanding any  
13 provision of this section to the contrary, the following cash funds are  
14 excluded from the limitations specified in this section:

15 (rr) THE 988 CRISIS HOTLINE CASH FUND CREATED IN SECTION  
16 27-64-104.

17 **SECTION 4. Appropriation.** (1) For the 2021-22 state fiscal  
18 year, \$5,687,692 is appropriated to the department of human services for  
19 use by the office of behavioral health. This appropriation is from the 988  
20 crisis hotline cash fund created in section 27-64-104 (1), C.R.S and is  
21 based on an assumption that the office will require an additional 1.9 FTE.  
22 To implement this act, the office may use this appropriation for the 988  
23 crisis hotline.

24 (2) For the 2021-22 state fiscal year, \$74,566 is appropriated to  
25 the department of revenue. This appropriation is from the general fund.  
26 To implement this act, the department may use this appropriation as  
27 follows:

1           (a) \$1,600 for use by the executive director's office for personal  
2 services related to administration and support;  
3           (b) \$45,000 for tax administration IT system (GenTax) support;  
4           (c) \$1,966 for IDS print production; and  
5           (d) \$26,000 for use by the taxation business group for operating  
6 expenses related to taxation services.

7           (3) For the 2021-22 state fiscal year, \$1,966 is appropriated to the  
8 department of personnel. This appropriation is from reappropriated funds  
9 received from the department of revenue under subsection (2)(c) of this  
10 section. To implement this act, the department of personnel may use this  
11 appropriation to provide document management services for the  
12 department of revenue.

13           **SECTION 5. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly; except  
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
17 of the state constitution against this act or an item, section, or part of this  
18 act within such period, then the act, item, section, or part will not take  
19 effect unless approved by the people at the general election to be held in  
20 November 2022 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.