

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 22-1000.01 Shelby Ross x4510

HOUSE BILL 22-1378

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A BILL FOR AN ACT

101 **CONCERNING THE DENVER-METROPOLITAN REGIONAL NAVIGATION**
102 **CAMPUS GRANT TO ADDRESS HOMELESSNESS, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 directs the division of housing in the department of local affairs (division) to award a grant to a local government in the Denver metropolitan area or a community partner in conjunction with a local government in order to build or acquire, and then facilitate, a regional navigation campus to respond to and prevent homelessness.

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
3rd Reading Unamended
April 29, 2022

HOUSE
Amended 2nd Reading
April 28, 2022

The bill requires the division, in collaboration with the department of human services and the behavioral health administration in the department of human services, to establish the application requirements, review applications, select a grant recipient, and ensure the grant is only awarded after a fair and rigorous open competition among eligible applicants.

The bill creates the regional navigation campus cash fund and requires the state treasurer to transfer \$50 million from the economic recovery and relief cash fund to the regional navigation campus cash fund on July 1, 2022.

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

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

4 (a) On March 11, 2021, the federal government enacted the
5 "American Rescue Plan Act of 2021" (ARPA), Pub.L. 117-2, pursuant to
6 which Colorado has received \$3,828,761,790 from the federal
7 coronavirus state fiscal recovery fund (SFRF) to be used for certain
8 specified purposes;

9 (b) These specified purposes include providing programs,
10 services, or other assistance for populations disproportionately impacted
11 by the COVID-19 pandemic. More specifically, federal regulations and
12 United States treasury guidance construing the allocation of the SFRF
13 identify a nonexclusive list of uses that address the disproportionate
14 negative economic effects of the COVID-19 pandemic, including
15 building stronger communities through investments in housing and
16 neighborhoods. Services in this category alleviate the immediate
17 economic impact of the COVID-19 pandemic on housing insecurity while
18 addressing conditions that contributed to poor public health and economic
19 outcomes during the pandemic, namely concentrated areas with limited
20 economic opportunity and inadequate or poor-quality housing.

1 (c) Under these regulations, SFRF money may be used for
2 programs or services that address housing insecurity, lack of affordable
3 and workforce housing, or homelessness;

4 (d) As the federal department of housing and urban development
5 stated, the COVID-19 pandemic has exacerbated our nation's already
6 severe housing affordability crisis;

7 (e) Today, one in 5 renters are behind on rent and just over 10
8 million homeowners are behind on mortgage payments, and people of
9 color face even greater hardship and are more likely to have deferred or
10 missed payments, putting them at greater risk of eviction and foreclosure;

11 (f) At the same time, our nation's homelessness crisis has
12 worsened during the pandemic as people experiencing homelessness are
13 highly vulnerable to COVID-19 transmission, illness, and severity due to
14 their use of congregate shelters and their high prevalence of underlying
15 health conditions;

16 (g) Colorado is no exception, as COVID-19 has been hitting low-
17 and extremely low-income individuals and families who were already
18 severely cost-burdened especially hard, increasing their risk of
19 experiencing homelessness or inability to resolve their homelessness;

20 (h) In the Denver metropolitan area, shelters saw a 99% increase
21 in people experiencing homelessness for the first time between January
22 2020 and January 2021. The number of deaths due to overdose among
23 people experiencing homelessness in Denver county increased by 34%
24 from 2020 to 2021, highlighting the need for joint efforts to address
25 substance use disorders among those experiencing homelessness.

26 (i) There is currently a lack of both transitional and supportive
27 housing and lack of access to specialty care, particularly for people with

1 complex needs. Persons experiencing homelessness face many challenges
2 in accessing long-term treatment of chronic illness and are far more likely
3 to receive care in emergency departments. Without trained and dedicated
4 providers or advocates, unhoused individuals often end up in a cycle of
5 expensive treatment with little to no follow-up.

6 (2) Therefore, the general assembly finds and declares it is within
7 the interest of the state to create a regional campus for individuals
8 experiencing homelessness to help alleviate the need that has been
9 exacerbated by the COVID-19 pandemic.

10 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-726 as
11 follows:

12 **24-32-726. Denver-metropolitan regional navigation campus**
13 **grant - regional navigation campus cash fund - creation - definitions.**

14 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
15 REQUIRES:

16 (a) "COMMUNITY PARTNER" MEANS A NONPROFIT ORGANIZATION
17 THAT UNDERTAKES ANY OF THE ACTIVITIES DESCRIBED IN SUBSECTION (3)
18 OF THIS SECTION.

19 (b) "LOCAL GOVERNMENT" MEANS THE CITY AND COUNTY OF
20 DENVER, ADAMS COUNTY, ARAPAHOE COUNTY, JEFFERSON COUNTY,
21 DOUGLAS COUNTY, THE CITY AND COUNTY OF BROOMFIELD, THE
22 DENVER REGIONAL COUNCIL OF GOVERNMENTS, OR A MUNICIPALITY
23 LOCATED WITHIN ONE OF THOSE COUNTIES.

24 (2) A LOCAL GOVERNMENT OR LOCAL GOVERNMENTS APPLYING
25 TOGETHER OR A COMMUNITY PARTNER IN CONJUNCTION WITH ONE OR
26 MORE LOCAL GOVERNMENTS MAY SUBMIT AN APPLICATION FOR A GRANT
27 TO THE DIVISION IN ACCORDANCE WITH POLICIES, PROCEDURES, AND

1 GUIDELINES ADOPTED BY THE DIVISION IN ORDER TO BUILD OR ACQUIRE,
2 AND THEN FACILITATE, A REGIONAL NAVIGATION CAMPUS IN THE DENVER
3 METROPOLITAN AREA TO RESPOND TO AND PREVENT HOMELESSNESS. THE
4 DIVISION, IN COLLABORATION WITH THE DEPARTMENT OF HUMAN SERVICES
5 AND THE BEHAVIORAL HEALTH ADMINISTRATION IN THE DEPARTMENT OF
6 HUMAN SERVICES, SHALL ESTABLISH THE APPLICATION REQUIREMENTS,
7 WHICH MUST INCLUDE A PLAN BY WHICH THE APPLICANT INTENDS TO
8 SUSTAIN FUNDING THE REGIONAL NAVIGATION CAMPUS AFTER THE GRANT
9 PERIOD ENDS.

10 (3) EACH APPLICANT SHALL DEMONSTRATE HOW THE APPLICANT
11 PLANS TO BUILD OR ACQUIRE, AND THEN FACILITATE, A NAVIGATION
12 CAMPUS THAT MAY INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING:

13 (a) SERVICES FOR BEHAVIORAL HEALTH, MENTAL HEALTH, AND
14 SUBSTANCE USE DISORDERS, INCLUDING A CONTINUUM OF BEHAVIORAL
15 HEALTH SERVICES AND TREATMENT;

16 (b) MEDICAL CARE, INCLUDING DENTAL CARE;

17 (c) TRANSITIONAL HOUSING;

18 (d) PERMANENT SUPPORTIVE HOUSING;

19 (e) EMERGENCY SHELTER;

20 (f) RECOVERY-ORIENTED SERVICES AND CARE;

21 (g) VOCATIONAL REHABILITATION AND EMPLOYMENT SKILLS
22 TRAINING WITH THE REQUISITE SUPPORTIVE SERVICES THAT SUPPORT
23 THOSE INITIATIVES;

24 (h) ASSISTANCE ENROLLING ELIGIBLE INDIVIDUALS INTO PUBLIC
25 ASSISTANCE BENEFITS PROGRAMS; [REDACTED]

26 (i) SERVICES FOR INDIVIDUALS EXITING OTHER RESIDENTIAL
27 FACILITIES OR PROGRAMS AND WHO ARE AT RISK OR IMMINENTLY AT RISK

1 OF EXPERIENCING HOMELESSNESS; AND

2 (j) OTHER SUPPORTIVE SERVICES INCLUDING, BUT NOT LIMITED TO,
3 TRANSPORTATION, CASE MANAGEMENT, LIFE SKILLS TRAINING, AND OTHER
4 SUPPORTIVE SERVICES DESCRIBED IN 42 CFR 578.53 AND OTHERS
5 DETERMINED BY THE DIVISION.

6 (4) IN SELECTING A GRANT RECIPIENT, THE DIVISION, IN
7 COLLABORATION WITH THE DEPARTMENT OF HUMAN SERVICES AND THE
8 BEHAVIORAL HEALTH ADMINISTRATION IN THE DEPARTMENT OF HUMAN
9 SERVICES, SHALL CONSIDER:

10 (a) AN APPLICANT'S COMMITMENT TO REGIONAL AND
11 TRANSFORMATIONAL PROJECTS THAT ADDRESSES HOMELESSNESS;

12 (b) AN APPLICANT'S COMMITMENT TO PROVIDING WRAPAROUND
13 SERVICES FOR THE RESIDENTS AT THE SUPPORTIVE RESIDENTIAL CAMPUS;

14 (c) THE IMPACT OF THE PROPOSED NAVIGATION CAMPUS IN THE
15 COMMUNITY WHERE IT WILL BE LOCATED AND IN THE
16 DENVER-METROPOLITAN REGION AS A WHOLE; AND

17 (d) THE ABILITY OF THE APPLICANT TO MANAGE THE LOCATION
18 AND DETERMINE LONG-TERM OPERATIONAL COSTS AND SUSTAINABILITY.

19 (5) IN ADOPTING POLICIES, PROCEDURES, AND GUIDELINES, THE
20 DIVISION SHALL COLLABORATE WITH THE DEPARTMENT OF HUMAN
21 SERVICES AND THE BEHAVIORAL HEALTH ADMINISTRATION IN THE
22 DEPARTMENT OF HUMAN SERVICES TO CREATE A PROCESS THAT ENSURES
23 THE GRANT IS ONLY AWARDED AFTER A FAIR AND RIGOROUS OPEN
24 COMPETITION AMONG ELIGIBLE APPLICANTS. THE DIVISION SHALL REVIEW
25 APPLICATIONS AND SELECT THE GRANT RECIPIENT IN COLLABORATION
26 WITH PARTNERING AGENCIES.

27 (6) THE DIVISION, GRANT RECIPIENT, OR ANY OTHER PERSON WHO

1 RECEIVES MONEY FROM THE DIVISION PURSUANT TO THIS SECTION SHALL
2 COMPLY WITH THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND
3 PROGRAM EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF
4 STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER IN
5 ACCORDANCE WITH SECTION 24-75-226 (5).

6 (7) ON JULY 1, 2022, THE STATE TREASURER SHALL TRANSFER
7 FIFTY MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF
8 CASH FUND, CREATED IN SECTION 24-75-228, THAT ORIGINATES FROM THE
9 MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE
10 FISCAL RECOVERY FUND, TO THE REGIONAL NAVIGATION CAMPUS CASH
11 FUND FOR THE PURPOSES OF THIS SECTION. THE DIVISION MAY EXPEND UP
12 TO TEN PERCENT OF THE MONEY APPROPRIATED OR TRANSFERRED TO THE
13 FUND TO PAY FOR ITS DIRECT AND INDIRECT COSTS IN ADMINISTERING THE
14 GRANT. ALL ADMINISTRATIVE COSTS MUST BE PAID OUT OF THE MONEY
15 TRANSFERRED TO THE FUND PURSUANT TO THIS SUBSECTION (7).

16 (8)(a) THE REGIONAL NAVIGATION CAMPUS CASH FUND, REFERRED
17 TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY.
18 THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND PURSUANT TO
19 SUBSECTION (7) OF THIS SECTION AND ANY OTHER MONEY THAT THE
20 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

21 (b) 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. EXCEPT AS OTHERWISE REQUIRED BY THIS
24 SUBSECTION (8)(b), ALL MONEY NOT EXPENDED OR ENCUMBERED, AND
25 ALL INTEREST EARNED ON THE INVESTMENT OR DEPOSIT OF MONEY IN THE
26 FUND, REMAINS IN THE FUND AND DOES NOT REVERT TO THE GENERAL
27 FUND OR ANY OTHER FUND AT THE END OF ANY FISCAL YEAR. THE MONEY

1 IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF
2 LOCAL AFFAIRS FOR USE BY THE DIVISION FOR THE PURPOSES OF THIS
3 SECTION.

4 (c) FOR STATE FISCAL YEAR 2022-23, THE GENERAL ASSEMBLY
5 SHALL APPROPRIATE MONEY FROM THE FUND TO THE DEPARTMENT OF
6 HUMAN SERVICES FOR THE IMPLEMENTATION OF THIS SECTION.

7 (d) THE GRANT RECIPIENT SHALL EXPEND OR OBLIGATE ANY
8 MONEY RECEIVED PURSUANT TO THIS SECTION NO LATER THAN DECEMBER
9 30, 2024. ANY MONEY THE GRANT RECIPIENT OBLIGATES MUST BE
10 EXPENDED NO LATER THAN DECEMBER 30, 2026.

11 **SECTION 3.** In Colorado Revised Statutes, 24-75-402, **amend**
12 (5)(tt) and (5)(uu); and **add** (5)(vv) as follows:

13 **24-75-402. Cash funds - limit on uncommitted reserves -**
14 **reduction in the amount of fees - exclusions - repeal.**

15 (5) Notwithstanding any provision of this section to the contrary, the
16 following cash funds are excluded from the limitations specified in this
17 section:

18 (tt) The community impact cash fund created in section 25-7-129
19 (1); and

20 (uu) The 988 crisis hotline cash fund created in section 27-64-104;

21 AND

22 (vv) THE REGIONAL NAVIGATION CAMPUS CASH FUND CREATED IN
23 SECTION 24-32-726.

24 **SECTION 4. Appropriation.** (1) For the 2022-23 state fiscal
25 year, \$44,557 is appropriated to the department of human services for use
26 by the behavioral health administration. This appropriation is from funds
27 transferred from the division of housing in the department of local affairs

1 from the regional navigation campus cash fund created in section
2 24-32-726 (8)(a), C.R.S., that originates from the money the state
3 received from the federal coronavirus state fiscal recovery fund, and is
4 based on an assumption that the administration will require an additional
5 0.4 FTE. To implement this act, the administration may use this
6 appropriation for program administration.

7 **SECTION 5. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety.