

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

PREAMENDED

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

LLS NO. 23-0321.01 Chelsea Princell x4335

SENATE BILL 23-076

SENATE SPONSORSHIP

Coleman and Marchman, Buckner, Fields, Kolker, Rich, Bridges, Cutter, Exum, Ginal, Hansen, Jaquez Lewis, Moreno, Mullica, Roberts, Simpson, Winter F., Zenzinger

HOUSE SPONSORSHIP

McLachlan and Vigil,

Senate Committees

Education
Appropriations

House Committees

Education
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE COLORADO YOUTH**
102 **ADVISORY COUNCIL, AND, IN CONNECTION THEREWITH, MAKING**
103 **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/>.)

Sunset Process - Senate Education Committee. The Colorado youth advisory council (advisory committee) is set to repeal September 1, 2023. The bill implements the department of regulatory agencies' recommendation to continue the advisory committee indefinitely.

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

SENATE
3rd Reading Unamended
February 24, 2023

SENATE
Amended 2nd Reading
February 23, 2023

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-2-1304, **amend**
3 **(4)(a) and (6)(b) as follows:**

4 **2-2-1304. Duties - meetings - community outreach -**
5 **designation of organization to accept donations - authority to**
6 **contract.**

7 (4) (a) On or before September 1, 2013, and every third
8 September 1 thereafter THROUGH SEPTEMBER 1, 2019, the council shall,
9 in conjunction with the director of the legislative council, use a request
10 for proposal process to contract with and designate one or more nonprofit
11 organizations to provide staffing and operational assistance and to serve
12 as the custodian of ~~moneys~~ MONEY donated to the council through the
13 designated organization. THE CONTRACTOR SELECTED FOLLOWING THE
14 2019 REQUEST FOR PROPOSAL PROCESS SHALL, PURSUANT TO ONE OR
15 MORE CONTRACTS, PROVIDE SUCH STAFFING, OPERATIONAL, AND
16 CUSTODIAN SERVICES THROUGH JUNE 30, 2023. THEREAFTER, THE
17 COUNCIL SHALL, IN CONJUNCTION WITH THE DIRECTOR OF THE
18 LEGISLATIVE COUNCIL, ON OR BEFORE APRIL 30, 2023, AND, EXCEPT AS
19 OTHERWISE PROVIDED IN THIS SUBSECTION (4)(a), ON OR BEFORE EVERY
20 SECOND APRIL 15 THEREAFTER, USE A REQUEST FOR PROPOSAL PROCESS
21 TO CONTRACT WITH AND DESIGNATE ONE OR MORE NONPROFIT
22 ORGANIZATIONS TO PROVIDE SUCH STAFFING, OPERATIONAL, AND
23 CUSTODIAN SERVICES. THE TERM OF EACH CONTRACT ENTERED INTO FOR
24 A TERM COMMENCING ON OR AFTER JULY 1, 2023, IS TWO STATE FISCAL
25 YEARS; EXCEPT THAT ANY SUCH CONTRACT MAY BE EXTENDED FOR ONE
26 ADDITIONAL TWO-YEAR TERM. IF A CONTRACT IS EXTENDED, THE REQUEST

1 FOR PROPOSAL FOR THE NEXT CONTRACT MUST BE ISSUED ON OR BEFORE
2 THE APRIL 15 IMMEDIATELY PRECEDING THE EXPIRATION OF THE
3 EXTENSION TERM. The designated organization shall not be the custodian
4 of any ~~moneys~~ MONEY appropriated by the state and credited to the fund
5 created in section 2-2-1306. The designated organization is authorized to
6 expend any ~~moneys~~ MONEY it receives as is necessary for the operation
7 of the council and may solicit and accept monetary and in-kind gifts,
8 grants, and donations used to further the council's duties and
9 responsibilities. Any ~~such moneys~~ MONEY donated or awarded to the
10 designated organization for the benefit of the council ~~are~~ IS not subject to
11 appropriation by the general assembly. Any ~~such moneys~~ MONEY obtained
12 by the council or the designated organization and not in the fund that ~~are~~
13 IS unexpended and unencumbered at the time the council is dissolved
14 shall be distributed according to appropriate federal and state laws
15 governing nonprofit organizations. If a different nonprofit or private
16 organization is subsequently designated as the custodian of donated
17 ~~moneys~~ MONEY in accordance with this paragraph (a), any ~~moneys~~ MONEY
18 that ~~are~~ IS unexpended and unencumbered at the time of the change in
19 designation shall be promptly transferred by the previously designated
20 organization to the newly designated organization.

21 (6) (b) On or before ~~April 30, 2021~~, APRIL 20, 2023, and on or
22 before ~~April 30~~ APRIL 1 of each year thereafter, the council shall select
23 five members to serve as nonvoting members of the review committee
24 during the subsequent legislative interim.

25 **SECTION 2.** In Colorado Revised Statutes, 2-2-1305.5, **amend**
26 (3)(b) and (4) as follows:

27 **2-2-1305.5. Colorado youth advisory council review committee**

1 - **created.** (3) (b) On or before ~~April 30, 2021~~, APRIL 20, 2023, and on or
2 before ~~April 30~~ APRIL 1 of each year thereafter, the chair of the legislative
3 council shall appoint the member serving pursuant to subsection (2)(a)(II)
4 of this section to serve during the subsequent legislative interim.

5 (4) In odd-numbered years, the speaker of the house of
6 representatives shall appoint the chair of the review committee and the
7 president of the senate shall appoint the vice-chair. In even-numbered
8 years, the president of the senate shall appoint the chair and the speaker
9 of the house of representatives shall appoint the vice-chair. The
10 appointing authorities shall make the appointments on or before ~~April 30~~
11 APRIL 20, 2023, AND ON OR BEFORE APRIL 1 of each year THEREAFTER.

12 **SECTION 3.** In Colorado Revised Statutes, 2-3-1301.5, **amend**
13 (4) as follows:

14 **2-2-1301.5. Definitions.** As used in this part 13, unless the
15 context otherwise requires:

16 (4) "Review committee" means the REPRESENTATIVE HUGH
17 MCKEAN Colorado youth advisory council review committee created in
18 section 2-2-1305.5.

19 **SECTION 4.** In Colorado Revised Statutes, 2-2-1305.5, **amend**
20 (1) as follows:

21 **2-2-1305.5. Representative Hugh McKean Colorado youth**
22 **advisory council review committee - created.** (1) There is created in
23 the legislative branch the REPRESENTATIVE HUGH MCKEAN Colorado
24 youth advisory council review committee to review the council's work
25 and to recommend legislation regarding issues affecting Colorado youth.
26 The committee is comprised of ten members, as described in subsection
27 (2) of this section.

1 **SECTION 5.** In Colorado Revised Statutes, **amend** 2-2-1307 as
2 follows:

3 **2-2-1307. Repeal of part.** This part 13 is repealed, effective
4 September 1, 2023 SEPTEMBER 1, 2028. Prior to the repeal of this part 13,
5 the council must be reviewed as provided for in section 2-3-1203.

6 **SECTION 6.** In Colorado Revised Statutes, 2-3-1203, **repeal**
7 (14)(a)(VI); and add (19)(a)(II) as follows:

8 **2-3-1203. Sunset review of advisory committees - legislative**
9 **declaration - definition - repeal.** (14) (a) The following statutory
10 authorizations for the designated advisory committees are scheduled for
11 repeal on September 1, 2023:

12 (VI) ~~The Colorado youth advisory council created in section~~
13 ~~2-2-1302;~~

14 (19) (a) The following statutory authorizations for the designated
15 advisory committees will repeal on September 1, 2028:

16 (II) THE COLORADO YOUTH ADVISORY COUNCIL CREATED IN
17 SECTION 2-2-1302.

18 **SECTION 7. Appropriation.** For the 2023-24 state fiscal year,
19 \$50,000 is appropriated to the youth advisory council cash fund created
20 in section 2-2-1306, C.R.S. This appropriation is from the general fund.
21 The legislative department is responsible for the accounting related to this
22 appropriation.

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