

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0167.02 Jacob Baus x2173

HOUSE BILL 23-1009

HOUSE SPONSORSHIP

Lindsay,

SENATE SPONSORSHIP

Moreno,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES TO IMPROVE SERVICES FOR STUDENTS WHO
102 USE SUBSTANCES.

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/>.)

Colorado Youth Advisory Council Committee. The bill creates the secondary school student substance use committee (committee) in the department of education (department) to develop a practice, or identify or modify an existing practice, for secondary schools to implement that identifies students who need substance use treatment, offers a brief intervention, and refers the student to substance use treatment resources.

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.

The department is required to publicly publish a report of the committee's findings and submit the report to the superintendent of every school district and chief administrator of every institute charter school that is a secondary school.

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) Substance use is a major issue afflicting Colorado youth;

5 (b) Colorado has higher levels of substance use, particularly
6 among youth, than most other states;

7 (c) Colorado schools' substance use intervention programs lack
8 uniformity, resulting in inequitable interventions and treatment referrals
9 for youth;

10 (d) A screening, brief intervention, and referral to treatment
11 methodology has been adopted by schools with school-based health
12 centers, and this methodology has revolutionized substance use treatment
13 for youth;

14 (e) The screening, brief intervention, and referral to treatment
15 methodology, if modified appropriately, may be implemented in
16 secondary schools without school-based health centers in order to provide
17 more support to youth who use substances;

18 (f) Access to the crisis response system is critical for youth
19 suffering from behavioral health and substance use crises; and

20 (g) Adequate funding for the crisis response system is necessary
21 to ensure that youth suffering from behavioral health and substance use
22 crises may seek and receive timely support in order to prevent avoidable
23 outcomes.

1 **SECTION 2.** In Colorado Revised Statutes, **add** 22-2-148 as
2 follows:

3 **22-2-148. Secondary school student substance use - committee**
4 **- definitions - repeal.** (1) (a) THERE IS CREATED IN THE DEPARTMENT THE
5 SECONDARY SCHOOL STUDENT SUBSTANCE USE COMMITTEE, REFERRED TO
6 IN THIS SECTION AS THE "COMMITTEE". ON OR BEFORE AUGUST 1, 2023,
7 THE COMMISSIONER SHALL APPOINT THE FOLLOWING MEMBERS TO SERVE
8 ON THE COMMITTEE:

9 (I) TWO MEMBERS WHO ARE STUDENTS AT A PUBLIC SECONDARY
10 SCHOOL, ONE WHO ATTENDS A SCHOOL THAT IS LOCATED IN A RURAL
11 SCHOOL DISTRICT AND ONE WHO ATTENDS A SCHOOL THAT IS NOT
12 LOCATED IN RURAL SCHOOL DISTRICT;

13 (II) TWO MEMBERS WHO ARE TEACHERS AT A PUBLIC SECONDARY
14 SCHOOL, ONE WHO TEACHES AT A SCHOOL THAT IS LOCATED IN A RURAL
15 SCHOOL DISTRICT AND ONE WHO TEACHES AT A SCHOOL THAT IS NOT
16 LOCATED IN A RURAL SCHOOL DISTRICT;

17 (III) TWO MEMBERS WHO ARE SCHOOL COUNSELORS AT A PUBLIC
18 SECONDARY SCHOOL, ONE WHO IS A SCHOOL COUNSELOR AT A SCHOOL
19 THAT IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO IS A SCHOOL
20 COUNSELOR AT A SCHOOL THAT IS NOT LOCATED IN A RURAL SCHOOL
21 DISTRICT;

22 (IV) TWO MEMBERS WHO ARE SCHOOL ADMINISTRATORS AT A
23 PUBLIC SECONDARY SCHOOL, ONE WHO IS A SCHOOL ADMINISTRATOR AT
24 A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO
25 IS A SCHOOL ADMINISTRATOR AT A SCHOOL THAT IS NOT LOCATED IN A
26 RURAL SCHOOL DISTRICT;

27 (V) TWO MEMBERS WHO ARE PARENTS OR LEGAL GUARDIANS OF

1 A STUDENT ATTENDING A PUBLIC SECONDARY SCHOOL, ONE WHO IS A
2 PARENT OR LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT
3 IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO IS A PARENT OR
4 LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT NOT IS
5 LOCATED IN A RURAL SCHOOL DISTRICT; AND

6 (VI) TWO MEMBERS WHO ARE LICENSED MEDICAL PROFESSIONALS
7 WITH EXPERTISE IN ADOLESCENT SUBSTANCE USE DISORDERS, ONE WHO
8 PRACTICES IN A RURAL REGION AND ONE WHO PRACTICES IN AN URBAN OR
9 SUBURBAN REGION.

10 (b) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
11 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND
12 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

13 (c) MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE
14 COMMISSIONER, AND SERVE WITHOUT COMPENSATION OR PER DIEM.

15 (2) THE COMMITTEE SHALL DEVELOP A PRACTICE, OR IDENTIFY OR
16 MODIFY AN EXISTING PRACTICE, FOR SECONDARY SCHOOLS TO IMPLEMENT
17 THAT IDENTIFIES STUDENTS WHO NEED SUBSTANCE USE TREATMENT,
18 OFFERS A BRIEF INTERVENTION, AND REFERS THE STUDENTS TO SUBSTANCE
19 USE TREATMENT RESOURCES. THE COMMITTEE SHALL CONSIDER EXISTING
20 AND AVAILABLE INFORMATION CONCERNING SECONDARY SCHOOL
21 STUDENT SUBSTANCE USE IN COLORADO, AND HOW THE PRACTICE MUST
22 ADDRESS THE CHALLENGES, RESOURCES, AND NEEDS IDENTIFIED FROM THE
23 EXISTING AND AVAILABLE INFORMATION.

24 (3) ON OR BEFORE JANUARY 5, 2024, THE COMMITTEE SHALL
25 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE RECOMMENDED
26 PRACTICE PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE
27 DEPARTMENT SHALL PUBLISH THE REPORT ON ITS WEBSITE AND SUBMIT

1 THE REPORT TO THE SUPERINTENDENT OF EVERY SCHOOL DISTRICT AND
2 THE CHIEF ADMINISTRATOR OF EVERY INSTITUTE CHARTER SCHOOL THAT
3 IS A SECONDARY SCHOOL.

4 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
5 REQUIRES:

6 (a) "LICENSED MEDICAL PROFESSIONAL" MEANS A PSYCHOLOGIST
7 OR PHYSICIAN LICENSED TO PRACTICE IN COLORADO.

8 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
9 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE
10 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
11 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

12 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

13 **SECTION 3. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety.