

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

REVISED

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

LLS NO. 23-0969.01 Conrad Imel x2313

HOUSE BILL 23-1307

HOUSE SPONSORSHIP

Daugherty and Soper, Amabile, Bird, Boesenecker, Kipp, Lindsay, Marshall, Mauro, McCluskie, Michaelson Jenet, Sirota, Snyder, Young

SENATE SPONSORSHIP

Simpson and Rodriguez,

House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

Appropriations

A BILL FOR AN ACT

101 **CONCERNING ENHANCED SUPPORTS FOR YOUTH WHO ARE IN**
102 **DETENTION, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **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 requires the general assembly to appropriate \$3,340,119 to the department of human services (department) in each fiscal year for services for youth who can be placed in lieu of detention. Of the money, the department shall:

- Allocate \$200,000 to judicial districts for services for

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
2nd Reading Unamended
May 3, 2023

HOUSE
3rd Reading Unamended
May 1, 2023

HOUSE
Amended 2nd Reading
April 29, 2023

- detained youth and supports for youth moving from detention to treatment or other placements;
- Use \$1,780,137 to incentivize and remove barriers for licensed providers to serve youth who may be placed in community residential facilities or family-like settings in lieu of detention; and
- Use \$1,359,982 of the money for temporary emergency detention beds for juveniles.

Existing law limits the number of juvenile detention beds available for juveniles statewide, which are allocated to catchment areas established by the department together with the state court administrator in the judicial department. The beds in each catchment area are allocated to each judicial district in the catchment area. The bill establishes 22 temporary emergency detention beds that may be used, pursuant to a court order, when there are no available judicial detention beds in a catchment area. The department allocates temporary emergency detention beds to each catchment area. The bill sets forth the process for a court to issue an order permitting the use of a temporary emergency detention bed. Temporary emergency detention beds do not count toward the statewide juvenile detention bed limit.

The court is required to immediately appoint a guardian ad litem for each detained juvenile.

Under existing law, the working group for criteria for placement of juvenile offenders, known as the CYDC working group, is required to review data collected by the division of youth services every 2 years. The bill requires the CDYC working group to conduct the review annually.

The department is required to collect statewide data about:

- Youth eligible for release from a detention facility without an additional court order if services or placements are available for the youth;
- The use of temporary emergency detention beds; and
- Youth released from detention solely because the number of youth detained statewide exceeds the statewide detention bed cap.

The department shall annually report the statewide data to the CYDC working group, the house of representatives and senate judiciary committees, the house of representatives public and behavioral health and human services committee, and the senate health and human services committee, or any successor committees.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly

1 finds and declares that:

2 (a) Across the state, there is a need for community-based services
3 and supports spanning the youth services continuum that help to serve
4 youth, including those with high mental health needs, significant
5 substance abuse concerns, or other unmet needs. The state of Colorado
6 must ensure adequate resources to provide community services and
7 supports that could safely keep youth in the home or place youth who are
8 unable to return home in appropriate therapeutic out-of-home placements.

9 (b) Additional investment in alternatives to incarceration is
10 necessary to develop and expand inpatient beds available to treat youth
11 with substance use disorders; residential treatment programs for youth
12 with mental health needs; community-based mental health services for
13 children and families; and other community-based, culturally relevant,
14 developmentally appropriate services, including mentorship programs for
15 youth;

16 (c) The general assembly recognized the need for more inpatient
17 treatment beds for adolescents with substance use disorders in section
18 27-80-127, Colorado Revised Statutes, and required the behavioral health
19 administration to create, develop, or contract for additional substance use
20 treatment beds for youth;

21 (d) The general assembly further recognized the need to eliminate
22 barriers to youth moving into the least restrictive placements by
23 establishing the high-risk families cash fund in section 27-80-123,
24 Colorado Revised Statutes, to better serve children and youth at risk of
25 entering, or who are involved in, the juvenile justice system, and by
26 providing funding for a youth neuro-psych facility, psychiatric residential
27 treatment programs, and qualified residential treatment programs in

1 section 27-90-112, Colorado Revised Statutes;

2 (e) A lack of appropriate out-of-home, non-secure, specialized
3 placements for youth is causing some youth who could otherwise be
4 placed in lieu of detention to be detained in a division of youth services
5 youth detention center for longer than if the placements were available;

6 (f) The Colorado youth detention continuum (CYDC) advisory
7 board has developed new metrics to determine current needs related to
8 youth detention that can help interested parties understand how many
9 youth are currently held in secure detention until a licensed residential
10 treatment option accepts the youth into their milieu and identify creative
11 solutions that are available to manage the juvenile detention bed cap to
12 best serve Colorado youth; and

13 (g) Guardian ad litem provide critical services for youth involved
14 with the juvenile justice system, including providing advocacy and
15 representation in court settings for detained youth.

16 (2) Therefore, the general assembly declares that support is
17 needed for the department of human services to provide incentives to
18 community-based residential providers to serve youth exiting secure
19 detention and to build additional capacity for community-based, culturally
20 relevant, developmentally appropriate services, including prevention,
21 intervention, and mentorship programs, that can be offered to youth being
22 held in secure detention and as they exit into the community.

23 (3) The general assembly further finds that it is beneficial for the
24 department of human services to track necessary metrics to understand
25 the need for funds for services and placements on an ongoing basis and
26 support the CYDC advisory board in recommending ways to meet this
27 need and manage the current juvenile detention bed cap.

1 **SECTION 2.** In Colorado Revised Statutes, **add** 19-2.5-1407.3
2 as follows:

3 **19-2.5-1407.3. Appropriation to the department of human**
4 **services - allocation to judicial districts - provider incentives -**
5 **temporary emergency detention beds - repeal.** (1) FOR STATE FISCAL
6 YEAR 2023-24, AND FOR EACH STATE FISCAL YEAR THEREAFTER, THE
7 GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION THREE HUNDRED
8 FORTY THOUSAND ONE HUNDRED NINETEEN DOLLARS FROM THE GENERAL
9 FUND TO THE DEPARTMENT FOR YOUTH WHO ARE DETAINED OR CAN BE
10 PLACED IN LIEU OF DETENTION.

11 (2) OF THE MONEY APPROPRIATED PURSUANT TO SUBSECTION (1)
12 OF THIS SECTION, THE DEPARTMENT SHALL ALLOCATE TWO HUNDRED
13 THOUSAND DOLLARS FOR USE BY THE DIVISION OF YOUTH SERVICES TO
14 SUPPORT SERVICES FOR YOUTH WHO ARE DETAINED OR CAN BE PLACED IN
15 LIEU OF DETENTION. THE DIVISION MAY USE THE MONEY FOR ANY OF THE
16 FOLLOWING:

17 (a) COMMUNITY-BASED OUTPATIENT THERAPEUTIC SERVICES,
18 INCLUDING MENTAL AND BEHAVIORAL HEALTH SERVICES, FAMILY
19 THERAPY SERVICES, AND SUBSTANCE USE TREATMENT AND THERAPY;

20 (b) MENTORSHIP SERVICES FOR YOUTH, INCLUDING ENSURING
21 CONTINUITY OF MENTORSHIP SERVICES AFTER A YOUTH IS RELEASED FROM
22 DETENTION; AND

23 (c) SUPPORTS TO ASSIST WITH MOVING YOUTH WHO REQUIRE
24 OUT-OF-HOME PLACEMENT QUICKLY FROM DETENTION TO THE
25 OUT-OF-HOME PLACEMENT, INCLUDING, BUT NOT LIMITED TO:

26 (I) SUPPORT FOR A GRANDPARENT, KIN, OR OTHER SUITABLE
27 PERSON FOR CARE OF A JUVENILE RELEASED TO THE PERSON'S CARE;

- 1 (II) SUPPORT FOR FOSTER PARENTS;
- 2 (III) RECRUITMENT OF FOSTER PARENTS; AND
- 3 (IV) RESPITE CHILD CARE.

4 (3) OF THE MONEY APPROPRIATED PURSUANT TO SUBSECTION (1)
5 OF THIS SECTION, THE DEPARTMENT SHALL USE ONE MILLION SEVEN
6 HUNDRED EIGHTY THOUSAND ONE HUNDRED THIRTY-SEVEN DOLLARS TO
7 PROVIDE INCENTIVES AND REMOVE BARRIERS FOR LICENSED PROVIDERS TO
8 SERVE YOUTH WHO MAY BE PLACED IN COMMUNITY RESIDENTIAL
9 FACILITIES OR FAMILY-LIKE SETTINGS IN LIEU OF DETENTION. IN ORDER TO
10 BE ELIGIBLE TO RECEIVE AN INCENTIVE OR OTHER FUNDING PURSUANT TO
11 THIS SUBSECTION (3), A PROVIDER MUST BE LICENSED TO PROVIDE OR
12 OPERATE ANY OF THE FOLLOWING: TEMPORARY SHELTER, AS DEFINED IN
13 SECTION 19-1-103; A RESIDENTIAL CHILD CARE FACILITY, AS DEFINED IN
14 SECTION 26-6-903; A QUALIFIED RESIDENTIAL TREATMENT PROGRAM, AS
15 DEFINED IN SECTION 26-5.4-102; A PSYCHIATRIC RESIDENTIAL TREATMENT
16 FACILITY, AS DEFINED IN SECTION 25.5-4-103; THERAPEUTIC FOSTER CARE
17 OR TREATMENT FOSTER CARE, AS EACH IS DEFINED IN SECTION 26-6-903;
18 OR A FOSTER CARE HOME, AS DEFINED IN SECTION 26-6-903 (10).

19 (4) (a) OF THE MONEY APPROPRIATED PURSUANT TO SUBSECTION
20 (1) OF THIS SECTION, THE DEPARTMENT SHALL USE ONE MILLION THREE
21 HUNDRED FIFTY-NINE THOUSAND NINE HUNDRED EIGHTY-TWO DOLLARS
22 FOR THE PROVISION OF TEMPORARY EMERGENCY DETENTION BEDS
23 DESCRIBED IN SUBSECTION (4)(b) OF THIS SECTION.

24 (b) TWENTY-TWO TEMPORARY EMERGENCY DETENTION BEDS ARE
25 AVAILABLE STATEWIDE. A TEMPORARY EMERGENCY DETENTION BED DOES
26 NOT COUNT TOWARD THE LIMIT OF JUVENILE DETENTION BEDS AVAILABLE
27 PURSUANT TO SECTION 19-2.5-1514. THE DEPARTMENT SHALL ANNUALLY

1 ALLOCATE THE NUMBER OF TEMPORARY EMERGENCY DETENTION BEDS TO
2 EACH CATCHMENT AREA IN THE STATE CREATED PURSUANT TO SECTION
3 19-2.5-1513. A TEMPORARY EMERGENCY DETENTION BED MAY BE MADE
4 AVAILABLE TO A JUDICIAL DISTRICT PURSUANT TO A COURT ORDER ISSUED
5 PURSUANT TO, AND SUBJECT TO THE RESTRICTIONS SET FORTH IN,
6 SUBSECTION (4)(c) OF THIS SECTION.

7 (c) (I) THE DISTRICT ATTORNEY OF A JUDICIAL DISTRICT OR A
8 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES MAY PETITION THE
9 COURT NO LATER THAN THE NEXT BUSINESS DAY AFTER THE JUVENILE IS
10 DETAINED TO EXCEED THE NUMBER OF JUVENILE DETENTION BEDS
11 ALLOCATED TO A JUDICIAL DISTRICT PURSUANT TO SECTION 19-2.5-1405
12 FOR THE PERIOD OF TIME BEFORE THE DETENTION HEARING FOR THE
13 JUVENILE WHO WOULD UTILIZE THE REQUESTED TEMPORARY EMERGENCY
14 DETENTION BED, IF:

15 (A) WHEN ALL STATUTORILY AVAILABLE DETENTION BEDS
16 ALLOCATED TO THE JUDICIAL DISTRICT AND ANY JUDICIAL DISTRICT
17 SHARING THE SAME FACILITY ARE FULLY UTILIZED, THE JUDICIAL DISTRICT
18 IS PRESENTED WITH A JUVENILE WHO IS CHARGED WITH COMMITTING A
19 DELINQUENT ACT WHO SCREENS INTO DETENTION BASED ON THE CURRENT
20 DETENTION SCREENING INSTRUMENT;

21 (B) EACH BED LOANED BY THE JUDICIAL DISTRICT TO ANOTHER
22 JUDICIAL DISTRICT, AS DESCRIBED IN SECTION 19-2.5-1405 (1)(b), HAS
23 BEEN RELINQUISHED TO THE LOANING JUDICIAL DISTRICT;

24 (C) NO DETENTION BEDS ARE AVAILABLE WITHIN THE JUDICIAL
25 DISTRICT'S CATCHMENT AREA; AND

26 (D) THERE ARE NO AVAILABLE JUVENILE DETENTION BEDS IN ANY
27 FACILITY WITHIN FIFTY MILES OF THE INITIAL RECEIVING JUVENILE

1 DETENTION FACILITY. THIS SUBSECTION (4)(c)(I)(C) DOES NOT APPLY TO
2 A PETITION FOR A TEMPORARY EMERGENCY DETENTION BED IF: THE POINT
3 OF ARREST OF THE JUVENILE WAS FIFTY MILES OR MORE FROM THE INITIAL
4 RECEIVING JUVENILE DETENTION FACILITY; OR IF THE PETITION IS FOR A
5 JUVENILE TO UTILIZE A BED AT THE JUVENILE'S INITIAL RECEIVING
6 FACILITY WHEN THE JUVENILE IS RETURNED TO THE INITIAL RECEIVING
7 FACILITY BECAUSE THE JUVENILE WAS UTILIZING A BED BORROWED FROM
8 ANOTHER JUDICIAL DISTRICT AND THE BORROWED BED IS NO LONGER
9 AVAILABLE FOR USE BY THE JUVENILE.

10 (II) UPON RECEIPT OF A PETITION TO EXCEED THE NUMBER OF
11 JUVENILE DETENTION BEDS ALLOCATED TO A JUDICIAL DISTRICT FILED
12 PURSUANT TO THIS SUBSECTION (4)(c), A COURT SHALL ISSUE AN ORDER
13 PERMITTING A JUDICIAL DISTRICT TO EXCEED THE NUMBER OF JUVENILE
14 DETENTION BEDS ALLOCATED TO THE CATCHMENT AREA UP TO THE
15 NUMBER OF TEMPORARY EMERGENCY DETENTION BEDS ALLOCATED TO
16 THE CATCHMENT AREA BY THE DEPARTMENT IF THE COURT SPECIFICALLY
17 FINDS THAT THE FOLLOWING CIRCUMSTANCES EXIST:

18 (A) NO DETENTION BEDS ARE AVAILABLE IN THE CATCHMENT
19 AREA;

20 (B) THERE IS A LEGAL BASIS FOR DETAINING EACH JUVENILE WHO
21 IS DETAINED IN THE JUDICIAL DISTRICT, WHICH MAY INCLUDE FOR EACH
22 JUVENILE SCREENED THAT THE DETENTION SCREENING INSTRUMENT DOES
23 NOT SUPPORT RELEASE BECAUSE THE JUVENILE PRESENTS A SUBSTANTIAL
24 RISK OF SERIOUS HARM TO OTHERS OR IS A FLIGHT RISK FROM
25 PROSECUTION;

26 (C) SERVICES ARE NOT AVAILABLE FOR ANY JUVENILE CURRENTLY
27 PLACED IN DETENTION IN THE JUDICIAL DISTRICT THAT WOULD MITIGATE

1 THE SUBSTANTIAL RISK OF SERIOUS HARM TO OTHERS PRESENTED BY THE
2 JUVENILE OR THE JUVENILE'S RISK OF FLIGHT FROM PROSECUTION; AND

3 (D) OTHER FORMS OF COMMUNITY-BASED SUPERVISION FOR THE
4 INCOMING JUVENILE ARE NOT SUFFICIENT TO MITIGATE THE SUBSTANTIAL
5 RISK OF SERIOUS HARM TO OTHERS PRESENTED BY THE JUVENILE OR THE
6 JUVENILE'S RISK OF FLIGHT FROM PROSECUTION.

7 (III) IF A DETENTION BED WITHIN THE JUDICIAL DISTRICT'S
8 ALLOCATION THAT IS UNDER THE STATEWIDE DETENTION BED CAP
9 BECOMES AVAILABLE, THE JUVENILE UTILIZING A TEMPORARY EMERGENCY
10 DETENTION BED SHALL REVERT TO THE NONEMERGENCY DETENTION BED
11 AND THE REQUIREMENTS IN THIS SUBSECTION (4) NO LONGER APPLY. IF A
12 DETENTION BED BECOMES AVAILABLE WITHIN THE JUDICIAL DISTRICT'S
13 CATCHMENT AREA BUT AT A DIFFERENT FACILITY, THE JUVENILE MAY, AT
14 THE DISCRETION OF THE JUDICIAL DISTRICT, REMAIN IN THE TEMPORARY
15 EMERGENCY DETENTION BED IN LIEU OF TRANSFERRING TO THE
16 NONEMERGENCY DETENTION BED IN A DIFFERENT FACILITY.

17 (IV) ON THE FIFTH BUSINESS DAY FOLLOWING THE ISSUANCE OR
18 RENEWAL OF EACH COURT ORDER ISSUED PURSUANT TO THIS SUBSECTION
19 (4)(c), IF THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (4)(c)(I) OF THIS
20 SECTION EXIST AND THE JUVENILE REMAINS DETAINED IN THE TEMPORARY
21 EMERGENCY DETENTION BED, THE PERSON WHO FILED THE INITIAL
22 PETITION PURSUANT TO SUBSECTION (4)(c)(I) OF THIS SECTION, OR THE
23 PERSON'S DESIGNEE, SHALL INFORM THE COURT THAT THE CIRCUMSTANCES
24 STILL EXIST AND THE JUVENILE REMAINS DETAINED IN THE TEMPORARY
25 EMERGENCY DETENTION BED. AT THE TIME OF INFORMING THE COURT, THE
26 PERSON SHALL ALSO PROVIDE THE COURT WITH UPDATED INFORMATION
27 ABOUT THE CIRCUMSTANCES THE COURT IS REQUIRED TO FIND PURSUANT

1 TO SUBSECTION (4)(c)(II) OF THIS SECTION. UPON NOTIFICATION FROM THE
2 PERSON, THE COURT SHALL HOLD A HEARING TO DETERMINE WHETHER TO
3 RENEW THE ORDER. THE COURT MAY RENEW ITS ORDER FOR AN
4 ADDITIONAL FIVE DAYS IF IT MAKES THE FINDINGS REQUIRED IN
5 SUBSECTION (4)(c)(II) OF THIS SECTION FOR ISSUANCE OF A COURT ORDER.

6 (5) (a) ACCESS TO SERVICES AND TEMPORARY EMERGENCY
7 DETENTION BEDS CREATED OR EXPANDED WITH MONEY APPROPRIATED
8 PURSUANT TO THIS SECTION MUST BE AVAILABLE AND ACCESSIBLE TO
9 YOUTH BEGINNING NO LATER THAN DECEMBER 1, 2023.

10 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JUNE 30, 2024.

11 **SECTION 3.** In Colorado Revised Statutes, 19-2.5-305, **add** (2.5)
12 as follows:

13 **19-2.5-305. Detention and shelter - hearing - time limits -**
14 **findings - review - guardian ad litem appointed - confinement with**
15 **adult offenders - restrictions.** (2.5) THE COURT SHALL, AT THE
16 JUVENILE'S DETENTION HEARING, APPOINT A GUARDIAN AD LITEM FOR A
17 JUVENILE DETAINED PURSUANT TO THIS ARTICLE 2.5. AN APPOINTMENT
18 MADE PURSUANT TO THIS SUBSECTION (2.5) TERMINATES UPON THE
19 RELEASE OF THE JUVENILE FROM DETENTION UNLESS THE COURT ALSO
20 FINDS A BASIS FOR THE APPOINTMENT PURSUANT TO SECTION 19-1-111
21 (2)(a).

22 **SECTION 4.** In Colorado Revised Statutes, 19-2.5-1404, **amend**
23 (1)(b)(VII) and (3)(b) introductory portion; and **add** (3)(d) and (3)(e) as
24 follows:

25 **19-2.5-1404. Working group for criteria for placement of**
26 **juvenile offenders - establishment of formula - review of criteria -**
27 **report.** (1) (b) The working group shall carry out the following duties:

1 (VII) At least ~~every two years, to~~ ANNUALLY review data collected
2 by the division of youth services on the use of funding pursuant to
3 subsection (1)(b)(V) of this section and its impact on the use of juvenile
4 detention. The working group shall identify the measures that it will
5 collect as part of its review of the impact of preadjudicated funding on
6 detention pursuant to this section.

7 (3) (b) On or before July 1, 2023, and on or before July 1 each
8 year thereafter, the department of human services shall submit a report to
9 the working group, the judiciary committees of the senate and the house
10 of representatives, or any successor committees, and the health and
11 human services committee of the senate and the public and behavioral
12 health and human services committee of the house of representatives, or
13 any successor committees. ~~including~~ THE REPORT MUST INCLUDE THE
14 DATA COLLECTED PURSUANT TO SUBSECTION (3)(d) OF THIS SECTION FOR
15 THE PRIOR CALENDAR YEAR AND THE FOLLOWING:

16 (d) BEGINNING FOR STATE FISCAL YEAR 2023-24, AND FOR EACH
17 FISCAL YEAR THEREAFTER, THE STATE DEPARTMENT SHALL COLLECT DATA
18 STATEWIDE CONCERNING THE FOLLOWING:

19 (I) THE DEMOGRAPHIC INFORMATION, INCLUDING RACE,
20 ETHNICITY, GENDER, AGE, SEXUAL ORIENTATION, GENDER IDENTITY, AND
21 DISABILITY STATUS, TO THE EXTENT THE INFORMATION IS AVAILABLE, OF
22 THE YOUTH IN EACH DETENTION FACILITY WHO ARE ELIGIBLE FOR RELEASE
23 FROM A DETENTION FACILITY WITHOUT AN ADDITIONAL COURT ORDER IF
24 SERVICES OR A PLACEMENT ARE AVAILABLE FOR THE YOUTH BUT WHO ARE
25 BEING HELD IN DETENTION DUE TO LACK OF AVAILABLE SERVICES OR
26 PLACEMENT;

27

1 (II) THE NUMBER OF TEMPORARY EMERGENCY DETENTION BEDS,
2 DESCRIBED IN SECTION 19-2.5-1407.3 (4), USED EACH DAY IN EACH
3 CATCHMENT AREA; AND

4 (III) THE NUMBER OF YOUTH RELEASED FROM DETENTION SOLELY
5 BECAUSE THE NUMBER OF YOUTH DETAINED STATEWIDE EXCEEDED THE
6 STATEWIDE DETENTION BED CAP ESTABLISHED IN SECTION 19-2.5-1514.

7 (e) (I) THE WORKING GROUP SHALL CONDUCT A STUDY TO
8 DETERMINE HOW TO IDENTIFY, WHO POSSESSES, AND THE BEST METHOD TO
9 COLLECT AND REPORT, THE FOLLOWING DATA AND INFORMATION RELATED
10 TO JUVENILES WHO ARE DETAINED:

11 (A) THE NUMBER OF COURT ORDERS REQUESTED IN EACH JUDICIAL
12 DISTRICT TO RELEASE A YOUTH WHO COULD NOT OTHERWISE BE RELEASED
13 FROM DETENTION AND THE ORDER WAS REQUESTED SOLELY BECAUSE THE
14 NUMBER OF YOUTH DETAINED IN THE JUDICIAL DISTRICT EXCEEDED THE
15 NUMBER OF JUVENILE DETENTION BEDS ALLOCATED BY THE DIVISION OF
16 YOUTH SERVICES TO THE JUDICIAL DISTRICT;

17 (B) THE NUMBER OF YOUTH IN EACH JUDICIAL DISTRICT WHO
18 COULD NOT OTHERWISE BE RELEASED FROM DETENTION WHO WERE
19 RELEASED PURSUANT TO A COURT ORDER TO MAKE A DETENTION BED
20 AVAILABLE IN THE CATCHMENT AREA; AND

21 (C) THE NUMBER OF YOUTH ELIGIBLE FOR RELEASE FROM A
22 DETENTION FACILITY WITHOUT AN ADDITIONAL COURT ORDER WHO, AFTER
23 BEING HELD IN DETENTION FOR A PERIOD OF TIME DUE TO A LACK OF
24 AVAILABLE SERVICES OR PLACEMENT, ARE RELEASED FROM DETENTION
25 WITHOUT THE IDENTIFIED SERVICES OR PLACEMENT, AND THE NUMBER OF
26 DAYS BETWEEN THE IDENTIFICATION OF THE NEED FOR SERVICES OR
27 PLACEMENT AND RELEASE, FOR EACH YOUTH.

1 (II) THE WORKING GROUP SHALL INCLUDE THE RESULTS OF THE
2 STUDY IN ITS RECOMMENDATIONS MADE PURSUANT TO SUBSECTION
3 (3)(a)(III) OF THIS SECTION.

4 **SECTION 5. Appropriation.** (1) For the 2023-24 state fiscal
5 year, \$3,340,119 is appropriated to the department of human services for
6 use by the office of children, youth, and families. This appropriation is
7 from the general fund. To implement this act, the office may use this
8 appropriation as follows:

9 (a) \$1,174,816 for use by the division of youth services for
10 program administration related to institutional programs, which amount
11 is based on an assumption that the division will require an additional 15.0
12 FTE;

13 (b) \$11,792 for use by the division of youth services for medical
14 services related to institutional programs;

15 (c) \$300,816 for use by the division of youth services for S.B.
16 91-094 programs related to community programs, which amount is based
17 on an assumption that the division will require an additional 1.0 FTE;

18 (d) \$1,780,137 for use by the division of child welfare for
19 community provider incentives; and

20 (e) \$72,558 for use by the division of child welfare for Colorado
21 Trails.

22 (2) For the 2023-24 state fiscal year, the general assembly
23 anticipates that the department of human services will receive \$39,069 in
24 federal funds for use by the division of child welfare to implement this
25 act. The appropriation in subsection (1)(e) of this section is based on the
26 assumption that the division will receive this amount of federal funds,
27 which is subject to the "(I)" notation as defined in the annual general

1 appropriation act for the same fiscal year.

2 (3) For the 2023-24 state fiscal year, \$463,000 is appropriated to
3 the judicial department for use by the office of the child's representative.
4 This appropriation is from the general fund. To implement this act, the
5 office may use this appropriation for court-appointed counsel.

6 **SECTION 6. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety.