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An Act

SENATE BILL 23-241

BY SENATOR(S) Bridges and Kirkmeyer, Baisley, Buckner, Coleman, Cutter, Exum, Fields, Gardner, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Liston, Lundeen, Moreno, Mullica, Pelton B., Pelton R., Priola, Rich, Roberts, Simpson, Smallwood, Sullivan, Van Winkle, Will, Winter F., Fenberg;
also REPRESENTATIVE(S) Bird and Bockenfeld, Amabile, Armagost, Boesenecker, Bradley, Brown, Daugherty, Duran, Frizell, Hamrick, Kipp, Lieder, Lindsay, Lindstedt, Marshall, Martinez, McCormick, Michaelson Jenet, Ricks, Sharbini, Snyder, Taggart, Titone, Valdez, Vigil, Weinberg, Willford, Wilson, Winter T., Young, Froelich, Lukens, McLachlan, Parenti, McCluskie.

CONCERNING THE CREATION OF THE OFFICE OF SCHOOL SAFETY, AND, IN CONNECTION THEREWITH, REQUIRING THE DIRECTOR OF THE OFFICE OF SCHOOL SAFETY TO APPOINT A GRANTS MANAGER, CREATING A CRISIS RESPONSE UNIT WITHIN THE OFFICE OF SCHOOL SAFETY, SPECIFYING THAT THE OFFICE OF SCHOOL SAFETY HAS OVERSIGHT OVER THE SCHOOL SAFETY RESOURCE CENTER, SPECIFYING THAT THE SCHOOL ACCESS FOR EMERGENCY RESPONSE GRANT PROGRAM IS ADMINISTERED BY THE OFFICE OF SCHOOL SAFETY, CREATING A YOUTH VIOLENCE GRANT PROGRAM ADMINISTERED BY THE OFFICE, AND MAKING AN APPROPRIATION.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

SECTION 1. In Colorado Revised Statutes, 24-33.5-1802, **amend** (1), and (2); and **add** (3.5) as follows:

24-33.5-1802. Definitions. As used in this part 18, unless the context otherwise requires:

(1) "Advisory board" means the school safety resource center advisory board created in the OFFICE IN THE department pursuant to section 24-33.5-1804.

(2) "Center" means the school safety resource center created in the ~~department~~ OFFICE pursuant to section 24-33.5-1803.

(3.5) "OFFICE" MEANS THE OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702.

SECTION 2. In Colorado Revised Statutes, 24-33.5-1803, **amend** (1), (2), and (3)(g) as follows:

24-33.5-1803. School safety resource center - created - duties.

(1) There is hereby created within the ~~department~~ OFFICE the school safety resource center to assist schools in preventing, preparing for, responding to, and recovering from emergencies and crisis situations and to foster positive learning environments. The director of the center ~~shall be~~ IS appointed by the ~~executive director~~ DIRECTOR OF THE OFFICE pursuant to section 13 of article XII of the state constitution.

(2) The center ~~and the director shall exercise their powers and perform their duties and functions under the department and the executive director as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE OFFICE.

(3) The center has the following duties:

(g) To provide information and resources relating to school safety, school emergency response planning and training, and interoperable communications in schools, as determined by the center, to the division of fire prevention and control in the department of public safety to be distributed to school districts and schools pursuant to section 24-33.5-1213.4. NOTHING IN THIS SUBSECTION (3)(g) PERMITS PROVIDING A FIREARM, AS DEFINED IN SECTION 18-1-901, TO A SCHOOL DISTRICT OR A SCHOOL.

SECTION 3. In Colorado Revised Statutes, 24-33.5-1804, **amend** (1) as follows:

24-33.5-1804. School safety resource center advisory board - created. (1) There is hereby created in the ~~department~~ OFFICE the school safety resource center advisory board to recommend policies of the center.

SECTION 4. In Colorado Revised Statutes, **amend** 24-33.5-1805 as follows:

24-33.5-1805. Authorization to contract for services. The ~~department~~ OFFICE is authorized to contract for services with any state, county, local, municipal, NONPROFIT ENTITY, or private agency to implement the provisions of this part 18 and fulfill the duties of the center, which duties are described in section 24-33.5-1803 (3).

SECTION 5. In Colorado Revised Statutes, **amend** 24-33.5-1806 as follows:

24-33.5-1806. Evaluation - report. (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before January 1, 2010, AND ON OR BEFORE JANUARY 1 OF EACH YEAR THEREAFTER, the director shall prepare and submit to the executive director a report evaluating the efficacy and value of the services provided by the center to schools.

(2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before January 15, 2010, AND ON OR BEFORE JANUARY 15 OF EACH YEAR THEREAFTER, the executive director shall prepare and submit to the education and judiciary committees of the house of representatives and the senate, or any successor committees, a report evaluating the efficacy and value of the services provided by the center to schools.

SECTION 6. In Colorado Revised Statutes, 24-33.5-1810, **amend** (3)(f); and **add** (3)(h) and (3)(i) as follows:

24-33.5-1810. School security disbursement program - created - rules - definitions - repeal. (3) An eligible entity that receives a disbursement from the disbursement program may use the disbursed money only for the following purposes:

(f) Developing and providing training programs, curriculums, and seminars related to school safety incident response; **and**

(h) IMPLEMENTING A SCHOOL RESOURCE OFFICER PROGRAM; AND

(i) TO IMPLEMENT A CO-RESPONDER PROGRAM.

SECTION 7. In Colorado Revised Statutes, 24-33.5-2103, **amend** (3) as follows:

24-33.5-2103. Definitions. As used in this part 21, unless the context otherwise requires:

(3) "Director" means the director of the ~~division of homeland security and emergency management created in section 24-33.5-1603~~ OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702.

SECTION 8. In Colorado Revised Statutes, 24-33.5-2104, **amend** (1) and (3) as follows:

24-33.5-2104. School access for emergency response grant program - created - rules. (1) There is hereby created in the department in the ~~division of homeland security and emergency management~~ OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702 the school access for emergency response grant program to provide grants to schools and public safety communications system owners to provide funding for needed interoperable communication hardware, software, equipment maintenance, and training to allow for seamless communications between new or existing school communications systems and first responder communications systems.

(3) The ~~division of homeland security and emergency management~~

OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702 shall administer the grant program and, subject to available appropriations, shall award grants as provided in this part 21. Subject to available appropriations, grants shall MUST be paid out of the fund created in section 24-33.5-2107.

SECTION 9. In Colorado Revised Statutes, 24-33.5-2105, **amend** (1) introductory portion as follows:

24-33.5-2105. Grant program - application - criteria - awards.

(1) A school is required to have a memorandum of understanding with its regional public safety 911 answering point or the local law enforcement agency or agencies that serve the school for communications interoperability to be eligible to apply for a grant. To receive a grant, a school must submit an application to the ~~division of homeland security and emergency management~~ OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702 in accordance with rules promulgated by the director. At a minimum, the application must include the following information:

SECTION 10. In Colorado Revised Statutes, 24-33.5-2106, **amend** (1) introductory portion as follows:

24-33.5-2106. Reporting requirements. (1) On or before January 15, 2020, and on or before January 15 each year thereafter for the duration of the grant program, each school that receives a grant through the grant program shall submit a report to the ~~division of homeland security and emergency management~~ OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702. At a minimum, the report must include the following information:

SECTION 11. In Colorado Revised Statutes, 24-33.5-2107, **amend** (1)(b) and (4) as follows:

24-33.5-2107. School access for emergency response grant program cash fund. (1) (b) On July 1, 2018, and each July 1 thereafter through ~~July 1, 2023~~ JULY 1, 2028, the state treasurer shall transfer five million dollars to the fund from the state public school fund created in section 22-54-114.

(4) The state treasurer shall transfer all unexpended and unencumbered money in the fund to the general fund ~~after the grant~~

~~program repeals pursuant to section 24-33.5-2108 ON JUNE 30, 2029.~~

SECTION 12. In Colorado Revised Statutes, **amend** 24-33.5-2108 as follows:

24-33.5-2108. Repeal of part. This part 21 is repealed, effective ~~July 1, 2024~~ JULY 1, 2029.

SECTION 13. In Colorado Revised Statutes, **add** part 27 to article 33.5 of title 24 as follows:

PART 27
OFFICE OF SCHOOL SAFETY

24-33.5-2701. Definitions. AS USED IN THIS PART 27, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CENTER" MEANS THE SCHOOL SAFETY RESOURCE CENTER CREATED IN SECTION 24-33.5-1803.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY.

(3) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE.

(4) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(5) "OFFICE" MEANS THE OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702.

(6) "SCHOOL" MEANS AN INSTITUTION AT WHICH INSTRUCTION IS PROVIDED BY INSTRUCTORS TO STUDENTS IN ONE OR MORE BUILDINGS ON A CAMPUS. "SCHOOL" INCLUDES A SCHOOL SERVING ANY OF GRADES PRESCHOOL THROUGH TWELVE AND AN INSTITUTION OF HIGHER EDUCATION.

24-33.5-2702. Office of school safety - created - duties - grants manager - crisis response unit. (1) THE OFFICE OF SCHOOL SAFETY IS HEREBY CREATED WITHIN THE OFFICE OF THE EXECUTIVE DIRECTOR. THE EXECUTIVE DIRECTOR SHALL APPOINT A DIRECTOR OF THE OFFICE PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION. THE OFFICE IS

A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE EXECUTIVE DIRECTOR.

(2) THE OFFICE HAS THE FOLLOWING DUTIES:

(a) TO OVERSEE THE CENTER;

(b) TO ADMINISTER THE SCHOOL ACCESS FOR EMERGENCY RESPONSE GRANT PROGRAM CREATED IN SECTION 24-33.5-2104;

(c) TO PROMOTE EQUITABLE ACCESS TO SCHOOL SAFETY SUPPORT FOR ALL SCHOOLS;

(d) TO ASSIST SCHOOLS IN ASSESSING ANY SCHOOL SAFETY CHALLENGES;

(e) TO ASSIST SCHOOLS IN OBTAINING ANY AVAILABLE FUNDING OR GRANTS RELATED TO SCHOOL SAFETY;

(f) TO PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS TO IMPROVE SCHOOL SAFETY;

(g) TO ADMINISTER THE YOUTH VIOLENCE PREVENTION GRANT PROGRAM; AND

(h) ANY OTHER DUTIES RELATED TO THE IMPLEMENTATION OF THIS SECTION.

(3) THE DIRECTOR SHALL APPOINT A GRANTS MANAGER TO ASSIST SCHOOLS IN OBTAINING ANY FUNDING OR GRANTS AVAILABLE PURSUANT TO SECTION 24-33.5-2703, ANY FUNDING AVAILABLE PURSUANT TO PART 18 OF ARTICLE 33.5 OF TITLE 24, ANY FUNDING AVAILABLE PURSUANT TO PART 21 OF ARTICLE 33.5 OF TITLE 24, AND ANY OTHER AVAILABLE FUNDING RELATED TO SCHOOL SAFETY.

(4) THE CRISIS RESPONSE UNIT IS HEREBY CREATED WITHIN THE OFFICE. THE UNIT SHALL ASSIST SCHOOLS IN RESPONDING TO A CRISIS OR EMERGENCY EVENT.

24-33.5-2703. Youth violence prevention grant program - created. THERE IS HEREBY CREATED IN THE OFFICE THE YOUTH VIOLENCE PREVENTION GRANT PROGRAM TO PROVIDE RAPID RESPONSE GRANTS TO PUBLIC SCHOOLS, PUBLIC CHARTER SCHOOLS, COMMUNITY-BASED ORGANIZATIONS, AND CITIES AND COUNTIES WITH YOUTH DIVERSION OR PROBATION PROGRAMS TO ADDRESS YOUTH VIOLENCE, DEVELOP STRATEGIES FOR PREVENTING YOUTH VIOLENCE, AND DEVELOP STRATEGIES FOR YOUTH VIOLENCE INTERVENTION. THE OFFICE SHALL GIVE PRIORITY TO ORGANIZATIONS IN COMMUNITIES FACING SIGNIFICANT RATES OF YOUTH VIOLENCE. ANY GRANT AWARDED MUST NOT EXCEED ONE HUNDRED THOUSAND DOLLARS. THE OFFICE MAY ESTABLISH GUIDELINES NECESSARY FOR THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING GRANT APPLICATION PROCEDURES, CRITERIA FOR DETERMINING THE AMOUNT AND DURATION OF GRANTS, AND REPORTING REQUIREMENTS FOR ORGANIZATIONS THAT RECEIVE GRANTS.

SECTION 14. In Colorado Revised Statutes, 24-1-128.6, **add** (10) and (11) as follows:

24-1-128.6. Department of public safety - creation - repeal. (10) THE OFFICE OF SCHOOL SAFETY, CREATED IN SECTION 24-33.5-2702, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE OFFICE OF THE EXECUTIVE DIRECTOR IN THE DEPARTMENT OF PUBLIC SAFETY.

(11) THE SCHOOL RESOURCE CENTER, CREATED IN SECTION 24-33.5-1803, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE OFFICE OF SCHOOL SAFETY IN THE OFFICE OF THE EXECUTIVE DIRECTOR IN THE DEPARTMENT OF PUBLIC SAFETY.

SECTION 15. In Colorado Revised Statutes, 25-1.5-113, **amend** (1)(g) as follows:

25-1.5-113. Crisis and suicide prevention training grant program - creation - process - reporting requirements - fund - definitions. (1) As used in this section, unless the context otherwise requires:

(g) "School safety resource center" means the school safety resource

center in the OFFICE OF SCHOOL SAFETY IN THE OFFICE OF THE EXECUTIVE DIRECTOR IN THE department of public safety, established pursuant to section 24-33.5-1803.

SECTION 16. Appropriation. (1) For the 2023-24 state fiscal year, \$25,798,091 is appropriated to the department of public safety for use by the office of school safety. This appropriation consists of \$20,401,600 from the general fund, \$5,000,000 from the school access for emergency response grant program cash fund created in section 24-33.5-2107 (1)(a), C.R.S., \$250,000 from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., \$146,491 from the school safety resource center cash fund created in section 24-33.5-1807 (1), C.R.S. To implement this act, the office may use this appropriation as follows:

(a) \$5,524,916, which consists of \$274,916 from the general fund, \$5,000,000 from the school access for emergency response grant program cash fund, and \$250,000 from the marijuana tax cash fund, for administrative services, which amount is based on an assumption that the office will require an additional 1.8 FTE;

(b) \$1,825,744, which consists of \$1,679,253 from the general fund and \$146,491 from the school safety resource center cash fund for the school safety resource center, which amount is based on an assumption that the office will require an additional 11.2 FTE;

(c) \$1,144,023 from the general fund for the crisis response unit, which amount is based on an assumption that the office will require an additional 3.7 FTE;

(d) \$303,408 from the general fund for threat assessment, which amount is based on an assumption that the office will require an additional 0.5 FTE;

(e) \$16,000,000 from the general fund for the school security disbursement program; and

(f) \$1,000,000 from the general fund for the youth violence prevention program.

(2) For the 2023-24 state fiscal year, \$313,951 is appropriated to the

department of public safety for use by the executive director's office. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) \$108,422 for personal services, which amount is based on an assumption that the office will require an additional 0.9 FTE;

(b) \$80,761 for health, life, and dental;

(c) \$1,141 for short-term disability;

(d) \$35,571 for amortization equalization disbursement;

(e) \$35,571 for supplemental amortization equalization disbursement;

(f) \$9,135 for operating expenses;

(g) \$10,800 for vehicle lease payments; and,

(h) \$32,550 for leased space.

SECTION 17. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO