

CHAPTER 325

GENERAL ASSEMBLY

SENATE BILL 23-076

BY SENATOR(S) Coleman and Marchman, Buckner, Fields, Kolker, Rich, Baisley, Bridges, Cutter, Exum, Gardner, Ginal, Hansen, Hinrichsen, Jaquez Lewis, Lundeen, Moreno, Mullica, Pelton B., Pelton R., Roberts, Simpson, Sullivan, Will, Winter F., Zenzinger, Fenberg;
 also REPRESENTATIVE(S) McLachlan and Vigil, Amabile, Bacon, Bird, Brown, deGruy Kennedy, Duran, English, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Joseph, Kipp, Lindsay, Lukens, Martinez, Michaelson Jenet, Ricks, Sirota, Snyder, Story, Titone, Velasco, Weissman, Willford, Young, McCluskie.

AN ACT

CONCERNING THE CONTINUATION OF THE COLORADO YOUTH ADVISORY COUNCIL, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

2-2-1304. Duties - meetings - community outreach - designation of organization to accept donations - authority to contract. (4) (a) On or before September 1, 2013, and every third September 1 thereafter THROUGH SEPTEMBER 1, 2019, the council shall, in conjunction with the director of the legislative council, use a request for proposal process to contract with and designate one or more nonprofit organizations to provide staffing and operational assistance and to serve as the custodian of ~~moneys~~ MONEY donated to the council through the designated organization. THE CONTRACTOR SELECTED FOLLOWING THE 2019 REQUEST FOR PROPOSAL PROCESS SHALL, PURSUANT TO ONE OR MORE CONTRACTS, PROVIDE SUCH STAFFING, OPERATIONAL, AND CUSTODIAN SERVICES THROUGH JUNE 30, 2023. THEREAFTER, THE COUNCIL SHALL, IN CONJUNCTION WITH THE DIRECTOR OF THE LEGISLATIVE COUNCIL, ON OR BEFORE APRIL 30, 2023, AND, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (4)(a), ON OR BEFORE EVERY SECOND APRIL 15 THEREAFTER, USE A REQUEST FOR PROPOSAL PROCESS TO CONTRACT WITH AND DESIGNATE ONE OR MORE NONPROFIT ORGANIZATIONS TO PROVIDE SUCH STAFFING, OPERATIONAL, AND CUSTODIAN SERVICES. THE TERM OF EACH CONTRACT ENTERED INTO FOR A TERM COMMENCING ON OR AFTER JULY 1, 2023, IS TWO STATE FISCAL

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.

YEARS; EXCEPT THAT ANY SUCH CONTRACT MAY BE EXTENDED FOR ONE ADDITIONAL TWO-YEAR TERM. IF A CONTRACT IS EXTENDED, THE REQUEST FOR PROPOSAL FOR THE NEXT CONTRACT MUST BE ISSUED ON OR BEFORE THE APRIL 15 IMMEDIATELY PRECEDING THE EXPIRATION OF THE EXTENSION TERM. The designated organization shall not be the custodian of any ~~moneys~~ MONEY appropriated by the state and credited to the fund created in section 2-2-1306. The designated organization is authorized to expend any ~~moneys~~ MONEY it receives as is necessary for the operation of the council and may solicit and accept monetary and in-kind gifts, grants, and donations used to further the council's duties and responsibilities. Any ~~such moneys~~ MONEY donated or awarded to the designated organization for the benefit of the council ~~are~~ IS not subject to appropriation by the general assembly. Any ~~such moneys~~ MONEY obtained by the council or the designated organization and not in the fund that ~~are~~ IS unexpended and unencumbered at the time the council is dissolved shall be distributed according to appropriate federal and state laws governing nonprofit organizations. If a different nonprofit or private organization is subsequently designated as the custodian of donated ~~moneys~~ MONEY in accordance with this paragraph (a), any ~~moneys~~ MONEY that ~~are~~ IS unexpended and unencumbered at the time of the change in designation shall be promptly transferred by the previously designated organization to the newly designated organization.

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

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

2-2-1305.5. Colorado youth advisory council review committee - created.

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

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

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

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

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

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

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

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

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

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

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

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

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

(III) THE COLORADO YOUTH ADVISORY COUNCIL CREATED IN SECTION 2-2-1302.

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

SECTION 8. 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.

Approved: June 2, 2023