

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

ENGROSSED

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

LLS NO. 24-0350.01 Jacob Baus x2173

HOUSE BILL 24-1031

HOUSE SPONSORSHIP

Bradley and Joseph, Duran, Evans, Froelich, Pugliese, Young

SENATE SPONSORSHIP

Kirkmeyer and Michaelson Jenet, Fields, Zenzinger

House Committees

Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO INCREASE ACCESSIBILITY PROVIDED TO**
102 **PERSONS WHO ARE INVOLVED IN MATTERS REGARDING A**
103 **CHILD'S WELFARE, AND, IN CONNECTION THEREWITH, MAKING**
104 **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/>.)

Colorado's Child Welfare System Interim Study Committee.
The bill requires that certain services provided to children or their families comply with the provisions of Title VI of the federal "Civil

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.

HOUSE
Amended 2nd Reading
April 29, 2024

Rights Act of 1964" if they are provided by a county department, city and county, or a private-entity contractor. Furthermore, the bill requires that the county department, city and county, or private-entity contractor make reasonable efforts to ensure meaningful language access to services in the person's primary language for a person with limited English proficiency in a timely manner and without unreasonable delay.

The bill requires a court to provide language access, including translation and interpretation services, to a child, parent, guardian, custodian, or other party in a dependency and neglect case if the person has limited English proficiency.

The bill requires that during a dispositional hearing concerning the best interests of a child, reasonable efforts must be made to ensure meaningful access to services in the person's primary language for a person with limited English proficiency in a timely manner and without unreasonable delay.

The bill requires the department of human services (department) to develop and implement a language access plan to address the rights and needs of persons with limited English proficiency. The department is also required to develop a resource bank of common documents that are in plain language, translated into non-English languages, and are made accessible to counties, cities and counties, or private-entity contractors.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-1-103, **add** (61.5),
3 (92.5) and (95.5) as follows:

4 **19-1-103. Definitions.** As used in this title 19 or in the specified
5 portion of this title 19, unless the context otherwise requires:

6 (61.5) "EFFECTIVE COMMUNICATION" HAS THE SAME MEANING AS
7 SET FORTH IN THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF
8 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, AND ITS RELATED
9 AMENDMENTS AND IMPLEMENTING REGULATIONS.

10 (92.5) "LANGUAGE ACCESS" MEANS SERVICES PROVIDED BY A
11 COURT, THE STATE DEPARTMENT, A COUNTY DEPARTMENT OF HUMAN OR
12 SOCIAL SERVICES, A CITY AND COUNTY, OR A PRIVATE-ENTITY
13 CONTRACTOR IN THE PERSON'S PRIMARY LANGUAGE FOR A PERSON WITH

1 LIMITED ENGLISH PROFICIENCY.

2 (95.5) "LIMITED ENGLISH PROFICIENCY" MEANS THE LIMITED
3 ABILITY TO SPEAK, READ, WRITE, OR UNDERSTAND THE ENGLISH
4 LANGUAGE FOR A PERSON WHOSE PRIMARY LANGUAGE IS NOT ENGLISH.

5 **SECTION 2.** In Colorado Revised Statutes, 19-3-208, **add** (2)(h)
6 as follows:

7 **19-3-208. Services - county required to provide - out-of-home**
8 **placement options - rules - definitions.** (2) (h) SERVICES PROVIDED
9 PURSUANT TO THIS SECTION MUST MEET THE PROVISIONS OF TITLE VI OF
10 THE FEDERAL "CIVIL RIGHTS ACT OF 1964", AND ITS RELATED
11 AMENDMENTS AND IMPLEMENTING REGULATIONS, REGARDLESS OF
12 WHETHER THE SERVICES ARE PROVIDED BY A COUNTY DEPARTMENT, CITY
13 AND COUNTY, OR PRIVATE-ENTITY CONTRACTOR. A COUNTY DEPARTMENT,
14 CITY AND COUNTY, OR PRIVATE-ENTITY CONTRACTOR SHALL TAKE
15 REASONABLE STEPS TO ENSURE MEANINGFUL LANGUAGE ACCESS TO A
16 PERSON WITH LIMITED ENGLISH PROFICIENCY IN ACCORDANCE WITH RULES
17 PROMULGATED PURSUANT TO SECTION 26-5-102.5. THE LANGUAGE
18 ACCESS MUST BE PROVIDED IN A TIMELY MANNER AND WITHOUT
19 UNREASONABLE DELAY. A COUNTY DEPARTMENT OR A CITY AND COUNTY
20 SHALL PROVIDE SERVICES UNDER THE SUPERVISION OF AND WITH THE
21 SUPPORT OF THE STATE DEPARTMENT OF HUMAN SERVICES PURSUANT TO
22 SECTION 26-1-111.

23 **SECTION 3.** In Colorado Revised Statutes, **add** 19-3-218 as
24 follows:

25 **19-3-218. Language access.** (1) PURSUANT TO THIS ARTICLE 3,
26 THE COURT SHALL PROVIDE LANGUAGE ACCESS TO A CHILD OR A PARENT,
27 GUARDIAN, OTHER CUSTODIAN, OR OTHER PARTY IF THE PERSON

1 REQUESTS LANGUAGE ACCESS OR THE COURT FINDS THAT A PERSON HAS
2 LIMITED ENGLISH PROFICIENCY.

3 (2) A PERSON WHO RECEIVES LANGUAGE ACCESS PURSUANT TO
4 THIS SECTION MUST RECEIVE TRANSLATION AND INTERPRETATION
5 SERVICES IN CIRCUMSTANCES WHEN A SIMILARLY SITUATED PERSON
6 WOULD RECEIVE THE COMMUNICATION IN ENGLISH. TRANSLATION MUST
7 BE PROVIDED IN A TIMELY MANNER AND WITHOUT UNREASONABLE DELAY
8 IF REQUESTED BY THE PARTY, AND INTERPRETATION MUST BE PROVIDED
9 AT EVERY PROCEEDING.

10 **SECTION 4.** In Colorado Revised Statutes, 19-3-507, **add** (6) as
11 follows:

12 **19-3-507. Dispositional hearing - rules.** (6) IN ADOPTING A
13 TREATMENT PLAN, THE COURT SHALL CONSIDER SERVICES AND PROGRAMS
14 THAT PROVIDE THE PARENT AND CHILD WITH LANGUAGE ACCESS AND
15 EFFECTIVE COMMUNICATION AND IDENTIFY THE MANNER IN WHICH THE
16 COUNTY DEPARTMENT ENSURES THE PROVISION OF LANGUAGE ACCESS
17 AND EFFECTIVE COMMUNICATION CONSISTENT WITH THE REQUIREMENTS
18 OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42
19 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, AND ITS RELATED AMENDMENTS
20 AND IMPLEMENTING REGULATIONS, AND TITLE IV OF THE FEDERAL "CIVIL
21 RIGHTS ACT OF 1964", 42 U.S.C. SEC. 2000d ET SEQ., AS AMENDED, AND
22 ITS RELATED AMENDMENTS AND IMPLEMENTING REGULATIONS. ■ ■ ■

23 **SECTION 5. Appropriation.** For the 2024-25 state fiscal year,
24 \$74,953 is appropriated to the judicial department for use by courts
25 administration. This appropriation is from the judicial stabilization cash
26 fund created in section 13-32-101 (6), C.R.S. To implement this act, the
27 division may use this appropriation as follows:

1 (a) \$67,753 for general courts administration, which amount is
2 based on an assumption that the division will require an additional 0.8
3 FTE; and

4 (b) \$7,200 for capital outlay.

5 **SECTION 6. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2024 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.