

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 17-0147.01 Jane Ritter x4342

HOUSE BILL 17-1020

HOUSE SPONSORSHIP

Singer, Lee

SENATE SPONSORSHIP

Martinez Humenik,

House Committees

Public Health Care & Human Services

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING ONGOING STAFFING FOR THE TASK FORCE CONCERNING**
102 **TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE**
103 **CRIMINAL AND JUVENILE JUSTICE SYSTEMS.**

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/>.)

Legislative Oversight Committee Concerning the Treatment of Persons with Mental Illness in the Criminal and Juvenile Justice Systems. The bill amends provisions in current statute to provide for ongoing staff support for the task force concerning treatment of persons with mental illness in the criminal and juvenile justice systems.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
February 21, 2017

SENATE
Amended 2nd Reading
February 17, 2017

HOUSE
3rd Reading Unamended
January 31, 2017

HOUSE
2nd Reading Unamended
January 30, 2017

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.9-104, **amend**
3 (1)(a) as follows:

4 **18-1.9-104. Task force concerning treatment of persons with**
5 **mental illness in the criminal and juvenile justice systems - creation**
6 **- membership - duties. (1) Creation.** (a) There is ~~hereby~~ created a task
7 force concerning treatment of persons with mental illness in the criminal
8 and juvenile justice systems in Colorado. The task force ~~shall consist~~
9 ~~CONSISTS~~ of thirty-two members appointed as provided in ~~paragraphs (b)~~
10 ~~and (c) of this subsection (1)~~ SUBSECTIONS (1)(b) AND (1)(c) OF THIS
11 SECTION AND ANY STAFF SUPPORT AS PROVIDED FOR IN SECTION
12 18-1.9-105.

13 **SECTION 2.** In Colorado Revised Statutes, **amend** 18-1.9-105
14 as follows:

15 **18-1.9-105. Task force funding - staff support.** (1) The division
16 of criminal justice of the department of public safety, ~~on behalf of the~~
17 ~~task force is~~ THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF
18 HUMAN SERVICES, AND ANY STATE DEPARTMENT OR AGENCY WITH AN
19 ACTIVE REPRESENTATIVE ON THE TASK FORCE ARE authorized to receive
20 and expend ~~contributions~~ GIFTS, grants, ~~services, and in-kind~~ AND
21 donations, INCLUDING DONATIONS OF IN-KIND SERVICES FOR STAFF
22 SUPPORT, from any public or private entity for any direct or indirect costs
23 associated with the duties of the task force. ~~set forth in this article.~~

24 (2) The director of research of the legislative council, the director
25 of the office of legislative legal services, the director of the division of
26 criminal justice within the department of public safety, THE DIRECTOR OF

1 ~~THE~~ OFFICE OF BEHAVIORAL HEALTH, and the executive directors of the
2 departments represented on the task force may supply staff assistance to
3 the task force as they deem appropriate within existing appropriations ~~If~~
4 ~~staff assistance is not available from a governmental agency within~~
5 ~~existing appropriations, then the executive directors of the departments~~
6 ~~represented on the task force, the director of research of the legislative~~
7 ~~council, and the director of the office of legislative legal services may~~
8 ~~supply staff assistance to the task force only~~ OR if moneys are MONEY IS
9 credited to the treatment of persons with mental illness in the criminal and
10 juvenile justice systems cash fund created in section 18-1.9-106 FOR THE
11 PURPOSE OF AND in an amount sufficient to fund staff assistance. The task
12 force may also accept DONATIONS OF IN-KIND SERVICES FOR staff support
13 from the private sector.

14 **SECTION 3.** In Colorado Revised Statutes, 18-1.9-106, **amend**
15 (1) as follows:

16 **18-1.9-106. Treatment of persons with mental illness in the**
17 **criminal and juvenile justice systems cash fund.** (1) ~~All private and~~
18 ~~public funds received through grants, contributions, and donations~~
19 ~~pursuant to this article shall be transmitted to the state treasurer, who shall~~
20 ~~credit the same to~~ The treatment of persons with mental illness in the
21 criminal and juvenile justice systems cash fund, ~~which fund is hereby~~
22 ~~created and~~ referred to in this section as the "fund", IS HEREBY CREATED
23 IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED
24 OR TRANSFERRED TO THE FUND BY THE GENERAL ASSEMBLY AND ANY
25 PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR
26 DONATIONS FOR THE PURPOSE OF IMPLEMENTING THE PROVISIONS OF THIS
27 ARTICLE. ~~The moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual

1 appropriation by the general assembly for the direct and indirect costs
2 associated with the implementation of this article. ~~All moneys~~ MONEY in
3 the fund not expended for the purpose of IMPLEMENTING this article
4 ARTICLE 1.9 may be invested by the state treasurer as provided by law. ~~All~~
5 ~~interest and income derived from the investment and deposit of moneys~~
6 ~~in the fund shall be credited to the fund. Any unexpended and~~
7 ~~unencumbered moneys remaining in the fund at the end of a fiscal year~~
8 ~~shall remain in the fund and shall not be credited or transferred to the~~
9 ~~general fund or another fund. All unexpended and unencumbered moneys~~
10 ~~remaining in the fund as of July 1, 2020, shall be transferred to the~~
11 ~~general fund.~~ THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
12 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
13 FUND TO THE FUND. THE STATE TREASURER SHALL TRANSFER ALL
14 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AS OF
15 JULY 1, 2020, TO THE GENERAL FUND.

16 **SECTION 4. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2018 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.