

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 23-1258

BY REPRESENTATIVE(S) Sharbini and Garcia, Amabile, Boesenecker, Brown, deGruy Kennedy, Dickson, Gonzales-Gutierrez, Jodeh, Lindsay, Mabrey, Michaelson Jenet, Ortiz, Ricks, Valdez, Velasco, Vigil, Weissman, Willford, Woodrow;  
also SENATOR(S) Cutter and Priola, Gonzales, Hinrichsen, Rodriguez.

CONCERNING CREATING A TASK FORCE TO STUDY THE COSTS ASSOCIATED WITH DRUG CRIMES, 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, **add** 25-1.5-121 as follows:

**25-1.5-121. Evaluating the costs associated with enforcement of drug laws and incarceration for drug crimes task force - definitions - duties - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DRUG CRIMES" MEANS THE CRIMES DESCRIBED IN PART 4 OF ARTICLE 18 OF TITLE 18.

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*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.*

(b) "TASK FORCE" MEANS THE EVALUATING THE COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS AND INCARCERATION FOR DRUG CRIMES TASK FORCE CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THERE IS CREATED IN THE DEPARTMENT THE EVALUATING THE COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS AND INCARCERATION FOR DRUG CRIMES TASK FORCE TO STUDY STATE AND LOCAL GOVERNMENT COSTS ASSOCIATED WITH ENFORCING DRUG LAWS, INVESTIGATING AND PUNISHING DRUG CRIMES, AND REHABILITATING THOSE CONVICTED OF DRUG CRIMES.

(3) THE TASK FORCE MEMBERS MUST BE APPOINTED ON OR BEFORE JANUARY 15, 2024. THE TASK FORCE CONSISTS OF NINE MEMBERS AS FOLLOWS:

(a) A MEMBER OF THE HOUSE OF THE REPRESENTATIVES, APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND WHO IS CHAIR OF THE TASK FORCE;

(b) A MEMBER OF THE SENATE, APPOINTED BY THE MAJORITY LEADER OF THE SENATE AND WHO IS THE VICE-CHAIR OF THE TASK FORCE;

(c) A PUBLIC HEALTH EXPERT WHO WORKS FOR A NONPROFIT, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(d) A REPRESENTATIVE OF DISTRICT ATTORNEYS, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT ATTORNEYS' COUNCIL;

(e) A REPRESENTATIVE OF THE COLORADO DRUG INVESTIGATORS ASSOCIATION;

(f) TWO REPRESENTATIVES OF LAW ENFORCEMENT, ONE OF WHOM IS APPOINTED BY A STATEWIDE ORGANIZATION REPRESENTING CHIEFS OF POLICE, AND ONE WHOM IS APPOINTED BY THE COUNTY SHERIFF'S ASSOCIATION;

(g) AN EXPERT ON HOUSING AND THE UNHOUSED WHO WORKS FOR A NONPROFIT, APPOINTED BY THE STATE DIRECTOR OF HOUSING IN THE

DIVISION OF HOUSING IN THE DEPARTMENT OF LOCAL AFFAIRS; AND

(h) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION THAT WORKS ON DRUG POLICY, APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(4) (a) ON OR BEFORE MARCH 1, 2024, THE CHAIR OF THE TASK FORCE SHALL CALL THE FIRST MEETING OF THE TASK FORCE. DURING THE FIRST MEETING, THE TASK FORCE SHALL ESTABLISH PROCEDURES TO ALLOW MEMBERS OF THE TASK FORCE TO PARTICIPATE IN MEETINGS REMOTELY, DEVELOP BEST PRACTICES FOR THE ADMINISTRATION OF TASK FORCE MEETINGS, AND CREATE A PLAN FOR ENGAGEMENT OF STAKEHOLDERS AND EXPERTS TO SUPPORT AND INFORM THE TASK FORCE'S WORK.

(b) THE TASK FORCE SHALL MEET AT LEAST TWO TIMES BETWEEN MARCH 1, 2024, AND MAY 1, 2024.

(c) EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326, THE TASK FORCE MEMBERS SHALL SERVE WITHOUT COMPENSATION BUT MUST RECEIVE REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED TO PARTICIPATE IN TASK FORCE MEETINGS.

(d) IF A VACANCY OCCURS ON THE TASK FORCE FOR ANY REASON, THE ORIGINAL APPOINTING AUTHORITY SHALL APPOINT A PERSON WHO MEETS THE REQUIREMENTS OF THE VACANT POSITION TO FILL THE VACANCY AS SOON AS POSSIBLE AFTER THE VACANCY OCCURS.

(e) UPON REQUEST OF THE CHAIR OF THE TASK FORCE, THE DEPARTMENT SHALL PROVIDE THE TASK FORCE WITH STAFF ASSISTANCE, MEETING SPACE, OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY RESOURCES, AS NECESSARY, FOR THE TASK FORCE TO MEET THE DUTIES DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

(5) (a) THE TASK FORCE SHALL CONSIDER THE STUDY CONDUCTED PURSUANT TO SECTION 23-20-146 AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING HOW MONEY SAVED BY A REDUCTION IN DRUG CRIMES OR SENTENCING FOR DRUG CRIMES COULD BE SPENT TO REDUCE SUBSTANCE USE AND DEPENDENCE IN COLORADO.

(b) THE TASK FORCE SHALL CONSULT WITH STAKEHOLDERS AND

EXPERTS AS NEEDED TO INFORM DISCUSSIONS AND TO ADDRESS QUESTIONS NECESSARY TO FINALIZE ITS FINDINGS AND RECOMMENDATIONS.

(6) ON OR BEFORE JUNE 1, 2024, THE TASK FORCE SHALL SUBMIT A FINAL REPORT, INCLUDING ITS FINDINGS AND RECOMMENDATIONS REGARDING ISSUES IDENTIFIED IN SUBSECTION (5) OF THIS SECTION TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

(7) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2025.

**SECTION 2.** In Colorado Revised Statutes, **add** 23-20-146 as follows:

**23-20-146. Actuarial cost study of the costs associated with enforcement of drug laws and incarceration for drug crimes - repeal.**

(1) BEGINNING BY SEPTEMBER 1, 2023, THE COLORADO SCHOOL OF PUBLIC HEALTH SHALL CONDUCT AN ACTUARIAL COST STUDY EVALUATING THE COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS AND INCARCERATION IN THE STATE.

(2) THE ACTUARIAL COST STUDY MUST:

(a) CONSIDER AND DETERMINE STATE AND LOCAL GOVERNMENT COSTS ASSOCIATED WITH THE INVESTIGATION AND ENFORCEMENT OF DRUG CRIMES;

(b) CONSIDER AND DETERMINE THE COSTS INCURRED BY THE JUDICIAL DEPARTMENT TO ADJUDICATE DRUG CRIMES AND TO SUPERVISE DEFENDANTS CONVICTED OF DRUG CRIMES;

(c) CONSIDER AND DETERMINE STATE AND LOCAL GOVERNMENT COSTS ASSOCIATED WITH CONFINEMENT AND INCARCERATION OF INDIVIDUALS ACCUSED OF AND CONVICTED OF DRUG CRIMES AND THE STATE COSTS ASSOCIATED WITH PAROLE SUPERVISION FOR THOSE CONVICTED OF DRUG CRIMES;

(d) DETERMINE THE TOTAL STATE AND LOCAL GOVERNMENT COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS; INVESTIGATION OF AND PUNISHMENT FOR DRUG CRIMES, INCLUDING COSTS FOR TREATMENT

RECOVERY SERVICES, IF NEEDED, RELATED TO DRUG USE; AND REHABILITATION OF THOSE CONVICTED OF DRUG CRIMES.

(3) THE COLORADO SCHOOL OF PUBLIC HEALTH SHALL PROVIDE THE ACTUARIAL COST STUDY TO THE EVALUATING THE COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS AND INCARCERATION FOR DRUG CRIMES TASK FORCE CREATED IN SECTION 25-1.5-121 BY FEBRUARY 15, 2024.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

**SECTION 3.** In Colorado Revised Statutes, 23-3.3-103, **add** (20) as follows:

**23-3.3-103. Annual appropriations - repeal.** (20) (a) THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS ARTICLE 3.3 DO NOT APPLY TO APPROPRIATIONS MADE PURSUANT TO SECTION 23-20-146 FOR THE ACTUARIAL COST STUDY OF THE COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS AND INCARCERATION FOR DRUG CRIMES.

(b) THIS SUBSECTION (20) IS REPEALED, EFFECTIVE JULY 1, 2025.

**SECTION 4. Appropriation.** (1) For the 2023-24 state fiscal year, \$79,914 is appropriated to the department of higher education for use by the regents of the university of Colorado. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the enforcement of drug laws and incarceration actuarial cost study.

(2) For the 2023-24 state fiscal year, \$16,138 is appropriated to the department of public health and environment for use by the division of administration and support. This appropriation is from the general fund. To implement this act, the division may use this appropriation for operating expenses related to administration.

(3) For the 2023-24 state fiscal year, \$1,324 is appropriated to the legislative department for use by the general assembly. This appropriation is from the general fund. To implement this act, the general assembly may use this appropriation for per diem and expense reimbursement.

**SECTION 5. Act subject to petition - effective date.** This act

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

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Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Steve Fenberg  
PRESIDENT OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO