

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

REREVISED

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

LLS NO. 07-0308.01 Bart Miller

HOUSE BILL 07-1064

HOUSE SPONSORSHIP

Mitchell V.,

SENATE SPONSORSHIP

Sandoval,

House Committees

Local Government
Appropriations

Senate Committees

Health and Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING GRANTS TO ENCOURAGE THE USE OF TRACKING**
102 **TECHNOLOGY BY COUNTIES TO LOCATE PEOPLE WHO BECOME**
103 **LOST AS A RESULT OF A COGNITIVE IMPAIRMENT, AND MAKING**
104 **AN APPROPRIATION IN CONNECTION THEREWITH.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Makes legislative declarations relating to the number of people in the United States and Colorado who have medical conditions that cause them to wander and become lost and missing. Makes legislative findings with respect to the resources local law enforcement agencies currently

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
May 2, 2007

SENATE
Amended 2nd Reading
May 1, 2007

HOUSE
3rd Reading Unamended
April 18, 2007

HOUSE
Amended 2nd Reading
April 16, 2007

expend searching for individuals with such medical conditions who wander and become lost and missing. Acknowledges the existence of technology enabling the quick location of missing and lost individuals, and states that it would be beneficial to Colorado to establish a matching grant program to allow county law enforcement agencies to establish lifesaver programs, which are search and rescue programs in which a transmitter is worn on a participant's wrist so that the participant may be located electronically if necessary.

Encourages each county or combination of counties to implement a lifesaver program. Makes the executive director of the department of public safety the liaison to lifesaver programs and administrator of the state grant program. Sets forth parameters of the grant program and basic application requirements. Requires the executive director to prioritize grant awards.

Specifies that counties accepting grant moneys shall purchase transmitters and emergency response kits, including equipment necessary to track and triangulate searches, and provide training for search personnel. Requires counties to fund the costs of the management and operation of lifesaver programs after initial implementation. Sets a ceiling on the amount of state moneys that will be made available for grants to lifesaver programs.

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

2 **SECTION 1.** 24-33.5-102 (1), Colorado Revised Statutes, is
3 amended, and the said 24-33.5-102 is further amended BY THE
4 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

5 **24-33.5-102. Definitions.** As used in this article, unless the
6 context otherwise requires:

7 (1) ~~"Department" means the department of public safety.~~
8 "COUNTY" MEANS ANY COUNTY IN THIS STATE AND INCLUDES A CITY AND
9 COUNTY.

10 (1.5) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY.

11 (4) "LIFESAVER PROGRAM" OR "PROGRAM" MEANS A SEARCH AND
12 RESCUE PROGRAM DESIGNED TO QUICKLY FIND A WANDERING, LOST, AND
13 MISSING PERSON, AS DESCRIBED IN SECTION 24-33.5-415.9 (2).

1 **SECTION 2.** Part 4 of article 33.5 of title 24, Colorado Revised
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
3 read:

4 **24-33.5-415.9. Local lifesaver programs - legislative**
5 **declaration - administration - rules - grants to counties - program**
6 **requirements - cash fund.** (1) THE GENERAL ASSEMBLY HEREBY FINDS,
7 DETERMINES, AND DECLARES THAT:

8 (a) THERE ARE CURRENTLY MILLIONS OF PEOPLE IN THE UNITED
9 STATES WITH MEDICAL CONDITIONS THAT CAUSE WANDERING, WITH MANY
10 OF THESE INDIVIDUALS BECOMING LOST AND MISSING.

11 (b) IN COLORADO, THERE ARE CURRENTLY ESTIMATED TO BE
12 APPROXIMATELY SEVENTY-NINE THOUSAND PEOPLE WITH MEDICAL
13 CONDITIONS, SUCH AS ALZHEIMER'S DISEASE, AUTISM, DOWN SYNDROME,
14 AND OTHER MENTAL IMPAIRMENTS, THAT CAUSE WANDERING.

15 (c) IT IS ESTIMATED THAT THE NUMBER OF PEOPLE IN COLORADO
16 WITH ALZHEIMER'S DISEASE ALONE WILL INCREASE TO APPROXIMATELY
17 ONE HUNDRED FORTY THOUSAND BY 2025.

18 (d) LOCAL LAW ENFORCEMENT AGENCIES CURRENTLY EXPEND
19 SIGNIFICANT RESOURCES SEARCHING FOR INDIVIDUALS WITH MEDICAL
20 CONDITIONS WHO WANDER AND BECOME LOST AND MISSING.

21 (e) TECHNOLOGY ENABLING THE QUICK LOCATION OF MISSING AND
22 LOST INDIVIDUALS NOW EXISTS, AND THE USE OF THIS TECHNOLOGY
23 WOULD BE BENEFICIAL TO THE CITIZENS OF COLORADO BY ALLOWING LOST
24 AND MISSING INDIVIDUALS TO BE LOCATED QUICKLY AND SAFELY IN A
25 MANNER THAT IS MORE COST-EFFECTIVE FOR THE CITIZENS OF COLORADO.

26 (f) ESTABLISHING A GRANT PROGRAM TO ENCOURAGE COUNTY
27 SHERIFFS' DEPARTMENTS TO ESTABLISH LIFESAVER PROGRAMS PURSUANT

1 TO THIS SECTION WILL BE BENEFICIAL TO THE CITIZENS OF COLORADO BY
2 SAVING THE LIVES OF LOST AND MISSING PERSONS.

3 (2) THE GENERAL ASSEMBLY ENCOURAGES EACH COUNTY OR ANY
4 COMBINATION OF COUNTIES TO IMPLEMENT A LIFESAVER PROGRAM, UNDER
5 WHICH A PARTICIPANT WEARS A SMALL TRANSMITTER ON HIS OR HER
6 WRIST TO ALLOW THE COUNTY SHERIFFS' DEPARTMENTS TO
7 ELECTRONICALLY LOCATE THE PARTICIPANT IF NECESSARY USING A RADIO
8 RECEIVER.

9 (3) THE EXECUTIVE DIRECTOR SHALL SERVE AS THE LIAISON TO
10 LIFESAVER PROGRAMS IN COUNTIES THAT CHOOSE TO IMPLEMENT THEM
11 AND SHALL ADMINISTER THE STATE GRANT MONEYS AWARDED FOR THE
12 PURPOSE OF STARTING THE PROGRAMS. THE EXECUTIVE DIRECTOR MAY
13 PROMULGATE SUCH RULES AS ARE NECESSARY FOR THE ADMINISTRATION
14 OF THIS SECTION, INCLUDING BUT NOT LIMITED TO ANNUAL DEADLINES FOR
15 SUBMITTING APPLICATIONS, REPORTING OF SEARCH AND RESCUE
16 STATISTICS USING TECHNOLOGY OBTAINED UNDER THIS SECTION, AND
17 IMPLEMENTATION POLICIES FOR PROGRAMS. THE MAXIMUM AMOUNT
18 THAT A COUNTY MAY RECEIVE FOR STARTUP IS TEN THOUSAND DOLLARS.

19 (4) (a) IF A COUNTY INITIATES A LIFESAVER PROGRAM, IT MAY
20 SUBMIT A WRITTEN APPLICATION IN A FORM SPECIFIED BY THE EXECUTIVE
21 DIRECTOR. COUNTIES MAY SUBMIT APPLICATIONS JOINTLY. THE
22 APPLICATION SHALL INCLUDE, BUT NOT BE LIMITED TO:

23 (I) AN ESTIMATE OF THE NUMBER OF PEOPLE WHO MIGHT QUALIFY
24 FOR ASSISTANCE IN THE COUNTY;

25 (II) AN ESTIMATE OF THE STARTUP COST; AND

26 (III) A STATEMENT OF THE NUMBER OF PERSONNEL AVAILABLE FOR
27 TRACKING LOST INDIVIDUALS.

1 (b) THE EXECUTIVE DIRECTOR SHALL PRIORITIZE THE GRANT
2 AWARDS IN ACCORDANCE WITH THE RESPECTIVE NEEDS OF EACH COUNTY
3 FOR TRACKING SERVICES AND THE AVAILABILITY OF LOCAL FUNDING
4 SOURCES, AS DOCUMENTED IN THE APPLICATIONS SUBMITTED PURSUANT
5 TO PARAGRAPH (a) OF THIS SUBSECTION (4). AWARDS TO QUALIFYING
6 COUNTIES SHALL BE PRORATED IN ACCORDANCE WITH THE AVAILABILITY
7 OF STATE GRANT FUNDS.

8 (5) (a) IF A COUNTY ACCEPTS A GRANT UNDER THIS SECTION, THE
9 COUNTY SHALL USE SUCH GRANT MONEYS TO PURCHASE EMERGENCY
10 RESPONSE KITS, WHICH SHALL INCLUDE EQUIPMENT NECESSARY TO TRACK
11 AND TRIANGULATE SEARCHES, AS WELL AS TRANSMITTERS, AND SHALL
12 PROVIDE SUCH TRAINING AS IS NECESSARY FOR SEARCH PERSONNEL.
13 GRANT MONEYS AWARDED UNDER THIS SECTION SHALL BE USED FOR
14 STARTUP CAPITAL EQUIPMENT COSTS AND INITIAL TRAINING OF SEARCH
15 PERSONNEL AND INVENTORY INCLUDING TRANSMITTERS OR ANY OTHER
16 RELATED EQUIPMENT OR TRAINING REQUIRED IN ORDER TO IMPLEMENT
17 THE PROGRAM. COUNTIES ACCEPTING GRANT MONEYS UNDER THIS
18 SECTION SHALL MANAGE AND PROVIDE ONGOING COSTS ASSOCIATED WITH
19 LIFESAVER PROGRAMS ONCE IMPLEMENTED.

20 (b) FOR ALL COUNTIES ESTABLISHING A LIFESAVER PROGRAM
21 UNDER THIS SECTION, THE ALZHEIMER'S ASSOCIATION COLORADO
22 CHAPTER, OR ITS SUCCESSOR ORGANIZATION, SHALL PROVIDE FREE
23 TRAINING FOR LAW ENFORCEMENT AND FAMILIES ABOUT THE DANGERS OF
24 WANDERING AND OTHER POTENTIALLY HAZARDOUS BEHAVIOR
25 SECONDARY TO ALZHEIMER'S DISEASE, AS WELL AS FOLLOW-UP WITH
26 FAMILIES WHEN A WANDERING INCIDENT HAS OCCURRED. THE TRAINING
27 SHALL DELINEATE THE COURSE OF THE DISEASE AND THE POTENTIAL FOR

1 PROBLEMATIC BEHAVIOR THAT EXISTS IN EACH STAGE, AND SHALL
2 PROVIDE FAMILIES AND THE LAW ENFORCEMENT COMMUNITY WITH THE
3 TOOLS FOR HANDLING DIFFICULT SITUATIONS WHEN THEY ARISE AND
4 STRATEGIES FOR WARDING OFF BEHAVIOR BEFORE IT THREATENS THE LIFE
5 AND SAFETY OF AN INDIVIDUAL WITH ALZHEIMER'S DISEASE.

6 (6) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
7 LIFESAVER PROGRAM CASH FUND. THE MONEYS IN THE CASH FUND SHALL
8 BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR
9 THE DIRECT AND INDIRECT COSTS OF THE ADMINISTRATION OF THIS
10 SECTION, INCLUDING GRANTS TO COUNTIES TO IMPLEMENT LIFESAVER
11 PROGRAMS. ANY INTEREST EARNED ON THE INVESTMENT OF MONEYS IN
12 THE CASH FUND SHALL REMAIN IN THE CASH FUND AND SHALL NOT REVERT
13 TO THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR.
14 IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE MAXIMUM
15 AMOUNT OF STATE MONEYS MADE AVAILABLE TO IMPLEMENT LIFESAVER
16 PROGRAMS UNDER THIS SECTION SHALL BE THREE HUNDRED EIGHTY
17 THOUSAND DOLLARS.

18 **SECTION 3.** 25-36-101, Colorado Revised Statutes, as enacted
19 by Senate Bill 07-097, enacted at the First Regular Session of the
20 Sixty-sixth General Assembly, is amended BY THE ADDITION OF A
21 NEW SUBSECTION to read:

22 **25-36-101. Short-term grants for innovative health programs**
23 **- grant fund - creation.** (3) NOTWITHSTANDING ANY OTHER PROVISION
24 OF THIS SECTION, FOR THE 2007-08 FISCAL YEAR, THE STATE TREASURER
25 SHALL TRANSFER THE LESSER OF ONE HUNDRED TWENTY-FIVE THOUSAND
26 DOLLARS OR TWELVE AND FIVE, TENTHS PERCENT OF THE AMOUNT
27 ALLOCATED TO THE SHORT-TERM INNOVATIVE HEALTH PROGRAM GRANT

1 FUND FOR THE FISCAL YEAR AS PROVIDED BY LAW, FROM THE SHORT-TERM
2 INNOVATIVE HEALTH PROGRAM GRANT FUND TO THE LIFESAVER PROGRAM
3 CASH FUND CREATED IN SECTION 24-33.5-415.9 (6), C.R.S., FOR PURPOSES
4 OF GRANTS TO ENCOURAGE COUNTY SHERIFFS' DEPARTMENTS TO
5 ESTABLISH LIFESAVER PROGRAMS.

6 SECTION 4. Section 14 (5) (c) of Senate Bill 07-097, enacted at
7 the First Regular Session of the Sixty-sixth General Assembly, is
8 amended to read:

9 Section 14. Appropriation. (5) (c) In addition to any other
10 appropriation, there is hereby appropriated, out of any moneys in the
11 short-term innovative health program grant fund created in section
12 25-36-101 (2), Colorado Revised Statutes, not otherwise appropriated, to
13 the department of public health and environment, for the fiscal year
14 beginning July 1, 2007, the sum of ~~one million four hundred thousand~~
15 dollars ~~(\$1,400,000); ONE MILLION TWO HUNDRED SEVENTY-FIVE~~
16 THOUSAND DOLLARS (\$1,275,000), cash funds exempt, and 1.0 FTE, or
17 so much thereof as may be necessary, for the implementation of this act.

18 SECTION 5. Appropriation. In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the
20 lifesaver program cash fund created in section 24-33.5-415.9, Colorado
21 Revised Statutes, not otherwise appropriated, to the department of public
22 safety, for allocation to the executive director of the department of public
23 safety, for the fiscal year beginning July 1, 2007, the lesser of the sum of
24 one hundred twenty-five thousand dollars (\$125,000) or twelve and five
25 tenths percent (12.5%) of the amount allocated to the short-term
26 innovative health program grant fund for the fiscal year as provided by
27 law, or so much thereof as may be necessary, for the implementation of

1 this act.

2 **SECTION 6. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.