

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

March 23, 2010  
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB10-1354 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 4, line 11, after "(4)" insert "(a)".
- 2 Page 4, line 18, strike "(a)" and substitute "(I)".
- 3 Page 4, line 22, strike "(b)" and substitute "(II)".
- 4 Page 4, after line 25 insert:

5           "(b) (I) UPON THE REQUEST OF A REPRESENTATIVE, THE SPEAKER  
6 OF THE HOUSE OF REPRESENTATIVES MAY SUBSTITUTE THE  
7 REPRESENTATIVE AS A MEMBER OF A JOINT COMMITTEE OF REFERENCE FOR  
8 PURPOSES OF A SPECIFIC INTERIM STUDY IN THE PLACE OF A CONSENTING  
9 APPOINTED HOUSE MEMBER OF THE JOINT COMMITTEE OF REFERENCE, BUT  
10 ONLY FOR MEETINGS AT WHICH THE JOINT COMMITTEE OF REFERENCE  
11 CONDUCTS THE INTERIM STUDY. IN MAKING A SUBSTITUTION PURSUANT  
12 TO THIS SUBPARAGRAPH (I), THE SPEAKER SHALL MAINTAIN THE BALANCE  
13 OF PARTY REPRESENTATION ON THE JOINT COMMITTEE OF REFERENCE.

14           (II) IF A SENATOR REQUESTS A SUBSTITUTION, THE MAJORITY  
15 LEADER OR MINORITY LEADER OF THE SENATE, DEPENDING ON THE  
16 REQUESTING SENATOR'S PARTY, MAY SUBSTITUTE THE SENATOR AS A  
17 MEMBER OF A JOINT COMMITTEE OF REFERENCE FOR PURPOSES OF A  
18 SPECIFIC INTERIM STUDY IN THE PLACE OF A CONSENTING APPOINTED  
19 SENATE MEMBER OF THE JOINT COMMITTEE OF REFERENCE, BUT ONLY FOR

1 MEETINGS AT WHICH THE JOINT COMMITTEE OF REFERENCE CONDUCTS THE  
2 INTERIM STUDY. IN MAKING A SUBSTITUTION PURSUANT TO THIS  
3 SUBPARAGRAPH (II), THE MAJORITY LEADER AND THE MINORITY LEADER  
4 SHALL MAINTAIN THE BALANCE OF PARTY REPRESENTATION ON THE JOINT  
5 COMMITTEE OF REFERENCE."

6 Page 9, line 7, strike "part 15 of".

7 Page 9, line 8, strike "article 3 of title 2,".

8 Page 9, line 8, strike "article 1.9 of title 18," and substitute "18-1.9-103,".

9 Page 9, strike lines 24 through 27.

10 Page 10, strike lines 1 through 6 and substitute:

11 "SECTION 4. 18-1.9-101 (4), Colorado Revised Statutes, is  
12 amended to read:

13 **18-1.9-101. Legislative declaration.** (4) Therefore, the general  
14 assembly declares that it is necessary to create a task force to continue to  
15 examine the identification, diagnosis, and treatment of persons with  
16 mental illness who are involved in the state criminal and juvenile justice  
17 systems and to make additional recommendations to ~~a legislative~~  
18 ~~oversight committee~~ THE JUDICIARY COMMITTEES OF THE HOUSE OF  
19 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, for  
20 the continuing development of legislative proposals related to this issue.

21 **SECTION 5.** 18-1.9-102, Colorado Revised Statutes, is amended  
22 to read:

23 **18-1.9-102. Definitions.** As used in this article, unless the context  
24 otherwise requires:

25 ~~(1) "Committee" means the legislative oversight committee established~~  
26 ~~pursuant to section 18-1.9-103.~~

27 ~~(1.5)~~ (1) "Co-occurring disorder" means a disorder that commonly  
28 coincides with mental illness and may include, but is not limited to, substance  
29 abuse, developmental disability, fetal alcohol syndrome, and traumatic brain  
30 injury.

1 (2) "JOINT COMMITTEE CHAIRS" MEANS THE CHAIRS OF THE JUDICIARY  
2 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY  
3 SUCCESSOR COMMITTEES.

4 (3) "JOINT JUDICIARY COMMITTEES" MEANS THE JUDICIARY  
5 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY  
6 SUCCESSOR COMMITTEES, MEETING JOINTLY.

7 ~~(2)~~ (4) "Task force" means the task force for the continuing  
8 examination of the treatment of persons with mental illness who are involved  
9 in the criminal and juvenile justice systems established pursuant to section  
10 18-1.9-104.

11 **SECTION 6.** The introductory portion to 18-1.9-104 (1) (c),  
12 18-1.9-104 (1) (e), the introductory portion to 18-1.9-104 (3), 18-1.9-104  
13 (3) (b), and the introductory portion to 18-1.9-104 (3) (e), Colorado  
14 Revised Statutes, are amended to read:

15 **18-1.9-104. Mentally ill offender task force - creation - membership**  
16 **- duties.** (1) **Creation.** (c) The ~~chair and vice-chair of the committee~~ JOINT  
17 COMMITTEE CHAIRS shall appoint twenty-six members as follows:

18 (e) A vacancy occurring in a position filled by the ~~chair and vice-chair~~  
19 ~~of the~~ JOINT committee CHAIRS pursuant to paragraph (c) of this subsection (1)  
20 shall be filled as soon as possible by the ~~chair and vice-chair of the~~ JOINT  
21 committee CHAIRS in accordance with the limitations specified in paragraph (c)  
22 of this subsection (1). In addition, the ~~chair and vice-chair of the~~ JOINT  
23 committee CHAIRS may remove and replace any appointment to the task force  
24 made pursuant to paragraph (c) of this subsection (1).

25 (3) **Additional duties of the task force.** The task force shall provide  
26 guidance and make findings and recommendations to the ~~committee for its~~  
27 ~~development of reports and legislative recommendations~~ JOINT JUDICIARY  
28 COMMITTEES for modification of the criminal and juvenile justice systems, with  
29 respect to persons with mental illness who are involved in these systems. In  
30 addition, the task force shall:

31 (b) Meet at least six times each year from the date of the first meeting  
32 until January 1, 2015, or more often as directed by the ~~chair of the~~ JOINT  
33 committee CHAIRS;

34 (e) Submit a report to the ~~committee by October 1, 2004, and by each~~  
35 ~~October 1 thereafter through October 1, 2014~~ JOINT JUDICIARY COMMITTEES BY  
36 JANUARY 20, 2011, AND BY JANUARY 20 EACH YEAR THEREAFTER THROUGH  
37 2015. At a minimum, ~~specifying~~ THE REPORT SHALL SPECIFY the following:

1           **SECTION 7.** 18-1.9-106 (2), Colorado Revised Statutes, is amended  
2 to read:

3           **18-1.9-106. Cash fund.** (2) Compensation as provided in sections  
4 18-1.9-103 (1) (d) and 18-1.9-105 (2) for ~~members of the general assembly and~~  
5 ~~for~~ staff assistance to the ~~committee~~ and task force provided by the director of  
6 research of the legislative council and the director of the office of legislative  
7 legal services shall be approved by the chair of the legislative council and paid  
8 by vouchers and warrants drawn as provided by law from moneys appropriated  
9 for such purpose and allocated to the legislative council from the fund.".

10 Renumber succeeding sections accordingly.

11 Page 11, line 2, strike "(7) and (10)," and substitute "(7),".

12 Page 11, line 3, strike "are" and substitute "is".

13 Page 11, strike lines 10 through 27.

14 Page 12, strike lines 1 through 6.

15 Renumber succeeding sections accordingly.

16 Page 12, line 12, strike "~~the task force,~~" and substitute "the task force,".

17 Page 12, line 13, strike "coalition" and substitute "coalition,".

18 Page 12, line 18, strike "~~the task force,~~" and substitute "the task force,".

19 Page 12, line 19, strike "coalitions" and substitute "coalitions,".

20 Page 12, line 27, strike "~~the task~~" and substitute "the task force,".

21 Page 13, line 1, strike "~~force,~~" and strike "programs" and substitute  
22 "programs,".

23 Page 13, line 3, strike "AND family advocacy coalitions ~~and the task~~  
24 ~~force~~" and substitute "family advocacy coalitions, and the task force".

25 Page 13, after line 23 insert:

26           **"SECTION 13.** 31-31-202, Colorado Revised Statutes, is  
27 amended BY THE ADDITION OF A NEW SUBSECTION to read:

1           **31-31-202. Powers and duties of the board.** (7) (a) ON OR  
2 BEFORE JANUARY 20, 2011, AND ON OR BEFORE JANUARY 20 EACH YEAR  
3 THEREAFTER, THE BOARD SHALL SUBMIT TO THE FINANCE COMMITTEES OF  
4 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR  
5 COMMITTEES, A REPORT CONCERNING IMPLEMENTATION OF THE  
6 PROVISIONS OF THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE FOR THE  
7 PRECEDING FISCAL YEAR AND ANY RECOMMENDATIONS FOR LEGISLATION  
8 PERTAINING TO THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE.

9           (b) THE CHAIRPERSONS OF THE FINANCE COMMITTEES OF THE  
10 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR  
11 COMMITTEES, OR DESIGNEES OF THE CHAIRPERSONS, MAY ANNUALLY  
12 INTRODUCE NO MORE THAN FOUR BILLS BASED ON THE  
13 RECOMMENDATIONS MADE IN THE ANNUAL REPORT. ANY BILLS  
14 INTRODUCED PURSUANT TO THIS PARAGRAPH (b) SHALL NOT BE SUBJECT  
15 TO ANY LIMITATIONS IMPOSED BY LEGISLATIVE RULE ON THE NUMBER OF  
16 BILLS THAT A LEGISLATOR MAY INTRODUCE. ANY BILLS INTRODUCED  
17 PURSUANT TO THIS PARAGRAPH (b) SHALL BE SUBJECT TO THE FINAL  
18 INTRODUCTION DEADLINE FOR BILLS IN THE HOUSE OF INTRODUCTION  
19 UNLESS THE INTRODUCTION DEADLINE IS WAIVED AS PROVIDED IN THE  
20 JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE."

21   Renumber succeeding sections accordingly.

\*\* \*\*\* \*\* \*\*\* \*\*