

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0426.01 Michael Dohr x4347

SENATE BILL 12-104

SENATE SPONSORSHIP

Steadman, Aguilar, Guzman, Morse, Newell, Renfroe, Roberts

HOUSE SPONSORSHIP

DelGrosso, Kerr A., Lee, Pabon, Vigil

Senate Committees

Judiciary

Finance

Appropriations

House Committees

Judiciary

Finance

Appropriations

A BILL FOR AN ACT

101 **CONCERNING CONSOLIDATION OF DRUG TREATMENT FUNDING INTO**
102 **THE CORRECTIONAL TREATMENT FUND, AND, IN CONNECTION**
103 **THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**

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://www.leg.state.co.us/billsummaries>.)

Currently, there are 3 major state funding sources for substance abuse treatment. The bill consolidates the 3 sources into the correctional treatment cash fund (fund). The bill creates the correctional treatment board (board) that will prepare an annual treatment plan that the judicial

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
April 27, 2012

SENATE
Amended 2nd Reading
April 26, 2012

department shall include in its annual presentation to the joint budget committee. The board shall review information regarding drug treatment programs in the state provided by the department of human services and suggestions from judicial district drug treatment boards before preparing the annual treatment plan.

Currently, the drug treatment board for each judicial district recommends allocations of moneys for local drug treatment needs from one of the existing treatment funds. Each judicial district drug treatment board will be expanded to include a community corrections board chair, a local parole officer, a person with expertise in juvenile matters, and a county sheriff. The judicial district drug treatment boards will make suggestions to the board regarding assessed local drug treatment needs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-19-103, **amend**
3 (3) (d), (3.5) (b), (4) (a), (5), and (5.5); **add** (4) (a.5); and **repeal** (3.5) (a)
4 as follows:

5 **18-19-103. Source of revenues - allocation of moneys - repeal.**

6 (3) The clerk of the court shall disburse the surcharge required by
7 subsection (1) of this section as follows:

8 (d) Ninety percent shall be disbursed to the state treasurer who
9 shall credit the same to the ~~drug offender surcharge fund~~ CORRECTIONAL
10 TREATMENT CASH FUND created pursuant to subsection (4) of this section.

11 (3.5) (a) ~~Moneys appropriated by the general assembly pursuant~~
12 ~~to House Bill 10-1352, enacted in 2010, shall be deposited into the drug~~
13 ~~offender surcharge fund created pursuant to subsection (4) of this section.~~
14 ~~and shall be allocated pursuant to section 16-11.5-102 (3) (c), C.R.S.~~

15 (b) Each fiscal year, The general assembly shall appropriate to the
16 ~~drug offender surcharge fund~~ CORRECTIONAL TREATMENT CASH FUND
17 created pursuant to subsection (4) of this section the savings generated by
18 AT LEAST SEVEN MILLION SIX HUNDRED FIFTY-SIX THOUSAND TWO
19 HUNDRED DOLLARS IN FISCAL YEAR 2012-13 FROM THE GENERAL FUND, AT

1 LEAST NINE MILLION FIVE HUNDRED THOUSAND DOLLARS IN FISCAL YEAR
2 2013-14 FROM THE GENERAL FUND, AND EACH YEAR THEREAFTER
3 GENERATED FROM ESTIMATED SAVINGS FROM House Bill 10-1352,
4 enacted in 2010. The appropriation shall be made after consideration of
5 the division of criminal justice's annual report required pursuant to
6 section 24-33.5-503 (1) (u), C.R.S.

7 (4) (a) There is hereby created in the state treasury a ~~drug offender~~
8 ~~surcharge fund~~ THE CORRECTIONAL TREATMENT CASH FUND, REFERRED TO
9 IN THIS PARAGRAPH (a) AS THE "FUND", which shall consist of moneys
10 received by the state treasurer pursuant to paragraph (d) of subsection (3)
11 of this section and subsection (3.5) of this section, AND, IN ADDITION,
12 EACH YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE AT LEAST TWO
13 MILLION TWO HUNDRED THOUSAND DOLLARS GENERATED FROM
14 ESTIMATED SAVINGS FROM THE ENACTMENT OF SENATE BILL 03-318,
15 ENACTED IN 2003, TO THE FUND. THE MONEYS IN THE FUND SHALL BE
16 USED FOR THE PURPOSES DESCRIBED IN PARAGRAPH (c) OF SUBSECTION (5)
17 OF THIS SECTION. All interest derived from the deposit and investment of
18 moneys in the fund shall be credited to the fund. Any moneys not
19 appropriated by the general assembly shall remain in the ~~drug offender~~
20 ~~surcharge fund~~ and shall not be transferred or revert to the general fund
21 of the state at the end of any fiscal year. ~~All moneys in the fund shall be~~
22 ~~subject to annual appropriation by the general assembly to the judicial~~
23 ~~department, the department of corrections, the division of criminal justice~~
24 ~~of the department of public safety, and the department of human services,~~
25 ~~after consideration of the plan developed pursuant to section 16-11.5-102~~
26 ~~(3), C.R.S., to cover the costs associated with substance abuse~~
27 ~~assessment, testing, education, and treatment.~~

1 (a.5) AFTER THE DRUG OFFENDER SURCHARGE FUND IS RENAMED
2 THE CORRECTIONAL TREATMENT CASH FUND, ANY APPROPRIATION MADE
3 BY THE GENERAL ASSEMBLY FROM THE DRUG OFFENDER SURCHARGE FUND
4 FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2011, IS FROM THE
5 CORRECTIONAL TREATMENT CASH FUND CREATED IN PARAGRAPH (a) OF
6 THIS SUBSECTION (4). THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE
7 JULY 1, 2012.

8 ~~(5) The department of public safety shall award such moneys~~
9 ~~received by it pursuant to subsection (4) of this section as are designated~~
10 ~~in the plan developed pursuant to section 16-11.5-102 (3), C.R.S., and~~
11 ~~appropriated by the general assembly for such purpose~~ (a) THE
12 CORRECTIONAL TREATMENT BOARD, CREATED HEREIN AND REFERRED TO
13 IN THIS SUBSECTION (5) AS THE "BOARD", SHALL PREPARE AN ANNUAL
14 TREATMENT FUNDING PLAN THAT INCLUDES A FAIR AND REASONABLE
15 ALLOCATION OF RESOURCES FOR PROGRAMS THROUGHOUT THE STATE.
16 THE JUDICIAL DEPARTMENT SHALL INCLUDE THE ANNUAL TREATMENT
17 FUNDING PLAN IN ITS ANNUAL PRESENTATION TO THE JOINT BUDGET
18 COMMITTEE.

19 (b) THE BOARD CONSISTS OF:

20 (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
21 CORRECTIONS OR HIS OR HER DESIGNEE;

22 (II) THE DIRECTOR OF THE DIVISION OF PROBATION SERVICES IN
23 THE JUDICIAL DEPARTMENT OR HIS OR HER DESIGNEE;

24 (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
25 SAFETY OR HIS OR HER DESIGNEE;

26 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
27 SERVICES OR HIS OR HER DESIGNEE. IF THE EXECUTIVE DIRECTOR APPOINTS

1 A DESIGNEE, THE EXECUTIVE DIRECTOR IS ENCOURAGED TO SELECT
2 SOMEONE WITH EXPERTISE IN ADDICTION COUNSELING AND SUBSTANCE
3 ABUSE ISSUES;

4 (V) THE STATE PUBLIC DEFENDER OR HIS OR HER DESIGNEE;

5 (VI) THE PRESIDENT OF THE STATEWIDE ASSOCIATION
6 REPRESENTING DISTRICT ATTORNEYS OR HIS OR HER DESIGNEE; AND

7 (VII) THE PRESIDENT OF THE STATEWIDE ASSOCIATION
8 REPRESENTING COUNTY SHERIFFS OR HIS OR HER DESIGNEE.

9 ==

10 (c) THE BOARD MAY DIRECT THAT MONEYS IN THE CORRECTIONAL
11 TREATMENT CASH FUND MAY BE USED FOR THE FOLLOWING PURPOSES:

12 (I) ALCOHOL AND DRUG SCREENING, ASSESSMENT, AND
13 EVALUATION;

14 (II) ALCOHOL AND DRUG TESTING;

15 (III) SUBSTANCE ABUSE EDUCATION AND TRAINING;

16 (IV) AN ANNUAL STATEWIDE CONFERENCE REGARDING
17 SUBSTANCE ABUSE TREATMENT;

18 (V) TREATMENT FOR ASSESSED SUBSTANCE ABUSE AND
19 CO-OCCURRING DISORDERS;

20 (VI) RECOVERY SUPPORT SERVICES; AND

21 (VII) ADMINISTRATIVE SUPPORT TO THE CORRECTIONAL
22 TREATMENT BOARD INCLUDING, BUT NOT LIMITED TO, FACILITATING AND
23 COORDINATING DATA COLLECTION, CONDUCTING DATA ANALYSIS,
24 DEVELOPING CONTRACTS, PREPARING REPORTS, SCHEDULING AND
25 STAFFING BOARD AND SUBCOMMITTEE MEETINGS, AND ENGAGING IN
26 BUDGET PLANNING AND ANALYSIS.

27 (d) MONEYS FROM THE CORRECTIONAL TREATMENT CASH FUND

1 MAY BE USED TO SERVE THE FOLLOWING POPULATIONS:

2 (I) ADULTS AND JUVENILES SERVING A DIVERSION SENTENCE FOR
3 A STATE OFFENSE;

4 (II) ADULTS AND JUVENILES SERVING A PROBATION SENTENCE FOR
5 A STATE OFFENSE, INCLUDING DENVER COUNTY;

6 (III) ADULTS AND JUVENILES ON PAROLE;

7 (IV) OFFENDERS SENTENCED OR TRANSITIONED TO A COMMUNITY
8 CORRECTIONS PROGRAM; AND

9 (V) OFFENDERS SERVING A SENTENCE IN A COUNTY JAIL, ON A
10 WORK-RELEASE PROGRAM SUPERVISED BY THE COUNTY JAIL, OR
11 RECEIVING AFTER-CARE TREATMENT FOLLOWING RELEASE FROM JAIL IF
12 THE OFFENDER PARTICIPATED IN A JAIL TREATMENT PROGRAM.

13 (e) BEFORE ADOPTING THE ANNUAL TREATMENT FUND PLAN, THE
14 BOARD SHALL REVIEW THE INFORMATION SPECIFIED IN PARAGRAPH (f) OF
15 THIS SUBSECTION (5) AND SHALL CONSIDER PROPOSALS FROM THE DRUG
16 OFFENDER TREATMENT BOARDS CREATED IN SECTION 18-19-104 FOR
17 FUNDING LOCAL ASSESSED TREATMENT NEEDS.

18 (f) THE BOARD SHALL DETERMINE THE SCOPE, METHOD, AND
19 FREQUENCY OF THE DATA COLLECTION AND THE PARTIES RESPONSIBLE FOR
20 DATA COLLECTION, ANALYSIS, AND REPORTING. THE DATA SHALL BE
21 ORGANIZED BY JUDICIAL DISTRICT AND SHALL INCLUDE, AT A MINIMUM,
22 THE FOLLOWING FROM EACH TREATMENT PROGRAM:

23 (I) NAME AND LOCATION OF THE PROGRAM, INCLUDING THE
24 COUNTY AND JUDICIAL DISTRICT;

25 (II) THE REFERRING CRIMINAL AGENCY;

26 (III) DEMOGRAPHIC INFORMATION INCLUDING GENDER AND
27 ETHNICITY;

- 1 (IV) LEVEL OF TREATMENT DELIVERED;
- 2 (V) ACTUAL LENGTH OF TIME IN TREATMENT FOR EACH CLIENT;
- 3 (VI) DISCHARGE STATUS AND, IF THE STATUS IS NEGATIVE, THE
- 4 REASON FOR THE NEGATIVE DISCHARGE; AND
- 5 (VII) ANY SPECIAL LICENSES HELD BY THE TREATMENT PROGRAM.

6 (5.5) (a) ~~There is hereby created in the state treasury a drug~~
7 ~~offender treatment fund that shall consist of moneys appropriated thereto.~~
8 ~~In addition, the fund may accept gifts, grants, and donations. All interest~~
9 ~~derived from the deposit and investment of moneys in the fund shall be~~
10 ~~credited to the fund. Any moneys not appropriated by the general~~
11 ~~assembly shall remain in the drug offender treatment fund and shall not~~
12 ~~be transferred or revert to the general fund of the state at the end of any~~
13 ~~fiscal year. All moneys in the fund shall be subject to annual~~
14 ~~appropriation by the general assembly to the judicial department for~~
15 ~~allocation to the interagency task force on treatment for costs associated~~
16 ~~with community-based substance abuse treatment~~ ON JULY 1, 2012, THE
17 STATE TREASURER SHALL TRANSFER ALL UNENCUMBERED MONEYS THAT
18 REMAIN IN THE DRUG OFFENDER TREATMENT FUND TO THE CORRECTIONAL
19 TREATMENT CASH FUND CREATED IN SUBSECTION (4) OF THIS SECTION.
20 THIS SUBSECTION (5.5) IS REPEALED, EFFECTIVE JULY 2, 2012.

21 (b) ~~Notwithstanding any provision of paragraph (a) of this~~
22 ~~subsection (5.5) to the contrary, on April 20, 2009, the state treasurer~~
23 ~~shall deduct three hundred fifty thousand dollars from the fund and~~
24 ~~transfer such sum to the general fund.~~

25 (c) ~~Notwithstanding any provision of paragraph (a) of this~~
26 ~~subsection (5.5) to the contrary, on June 30, 2011, the state treasurer shall~~
27 ~~deduct six hundred seventy-two thousand seven hundred twenty-five~~

1 dollars from the drug offender treatment fund and transfer such sum to
2 the general fund.

3 **SECTION 2.** In Colorado Revised Statutes, 18-19-104, **amend**
4 (1) and (2) and **repeal** (4) as follows:

5 **18-19-104. Judicial district drug offender treatment boards.**

6 (1) Each judicial district shall create a drug offender treatment board,
7 WHOSE MEMBERSHIP IS KNOWLEDGEABLE ABOUT ADULT CRIMINAL AND
8 JUVENILE JUSTICE MATTERS, consisting of:

9 (a) The district attorney serving the judicial district or his or her
10 designee;

11 (b) The chief public defender serving the judicial district or his or
12 her designee;

13 (c) THE CHAIR OF THE LOCAL COMMUNITY CORRECTIONS BOARD
14 OR HIS OR HER DESIGNEE;

15 (d) A PAROLE OFFICER WORKING IN THE JUDICIAL DISTRICT CHOSEN
16 BY THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS OR HIS OR HER
17 DESIGNEE;

18 (e) A SHERIFF THAT SERVES THE JUDICIAL DISTRICT CHOSEN BY
19 THE CHIEF JUDGE OF THE JUDICIAL DISTRICT;

20 (f) A REPRESENTATIVE OF A DRUG COURT OR SIMILAR
21 PROBLEM-SOLVING COURT IF SUCH A COURT EXISTS IN THE JUDICIAL
22 DISTRICT CHOSEN BY THE CHIEF JUDGE OF THE JUDICIAL DISTRICT;

23 (g) A PERSON WITH EXPERTISE IN JUVENILE MATTERS CHOSEN BY
24 THE CHIEF JUDGE OF THE JUDICIAL DISTRICT; AND

25 (h) A probation officer working in the judicial district chosen by
26 the chief judge of the judicial district.

27 (2) Each drug offender treatment board shall receive moneys from

1 the state drug offender treatment board pursuant to section 16-11.5-102
2 (7) (a), C.R.S., and shall distribute those moneys to drug treatment
3 programs based in the judicial district. No program shall receive moneys
4 from the drug offender treatment board without a majority vote of the
5 board. The board shall give priority to drug court funding if the
6 jurisdiction operates a drug court AND THE DRUG COURT OPERATES WITH
7 BEST EVIDENCE-BASED OR PROMISING PRACTICES. EACH DRUG OFFENDER
8 TREATMENT BOARD SHALL ANNUALLY MAKE RECOMMENDATIONS TO THE
9 CORRECTIONAL TREATMENT BOARD FOR FUNDING LOCAL ASSESSED
10 TREATMENT NEEDS.

11 (4) Each judicial district's drug offender treatment board shall
12 submit a report to the interagency task force on treatment created in
13 section 16-11.5-102 (4), C.R.S., and the judiciary committees of the
14 senate and house of representatives detailing the amount and to whom the
15 board distributed its funding in the previous year and the amount of
16 funding received by the board from the interagency task force on
17 treatment by January 31 of each year beginning the first year after the
18 judicial district drug offender treatment boards receive funding.

19 **SECTION 3.** In Colorado Revised Statutes, 16-11.5-102, **repeal**
20 (2), (3), (4), (5), (6), (7), and (8) as follows:

21 **16-11.5-102. Substance abuse assessment - standardized**
22 **procedure.** (2) The procedures for assessment, treatment, and sanctions
23 required to be developed by subsection (1) of this section shall be
24 implemented only to the extent moneys are available in the drug offender
25 surcharge fund created in section 18-19-103 (4), C.R.S., on July 1, 1992.

26 (3) (a) The executive directors of the department of corrections,
27 department of public safety, department of human services, and the state

1 court administrator shall appoint six members including the directors or
2 designees of the division of adult parole, community corrections and
3 youthful offender system in the department of corrections, division of
4 criminal justice of the department of public safety, the unit in the
5 department of human services that administers behavioral health
6 programs and services, including those related to mental health and
7 substance abuse, youth corrections within the department of human
8 services, and the division of probation services in the judicial department
9 who shall cooperate to develop a plan for the allocation of moneys
10 deposited in the drug offender surcharge fund created pursuant to section
11 18-19-103 (4), C.R.S., among the judicial department, the department of
12 corrections, the division of criminal justice of the department of public
13 safety, and the department of human services. The plan developed
14 pursuant to this subsection (3) shall be submitted to the general assembly
15 with the judicial department's annual budget request.

16 (b) Repealed

17 (c) (I) The moneys allocated to the drug offender surcharge fund
18 pursuant to section 18-19-103 (3.5), C.R.S., shall only be used to cover
19 the costs associated with the treatment of substance abuse or co-occurring
20 disorders of adult offenders who are assessed to be in need of treatment
21 and who are:

22 (A) On diversion;

23 (B) On probation;

24 (C) On parole;

25 (D) In community corrections; or

26 (E) In jail.

27 (H) The plan to allocate moneys deposited in the drug offender

1 surcharge fund pursuant to section 18-19-103 (3.5), C.R.S., shall be
2 developed pursuant to paragraph (a) of this subsection (3) and shall also
3 include a representative designated by the Colorado district attorney's
4 council, the state public defender, a representative from a statewide
5 association representing county sheriffs, and a representative from a
6 statewide association representing counties.

7 (4) There is hereby created the interagency task force on treatment
8 that shall consist of the following members:

9 (a) The individuals referenced in paragraph (a) of subsection (3)
10 of this section;

11 (b) Three elected district attorneys or their designees selected by
12 the president of the Colorado district attorneys' council as follows:

13 (I) One from the third, sixth, tenth, twelfth, fifteenth, sixteenth, or
14 twenty-second judicial district;

15 (II) One from the fifth, seventh, ninth, fourteenth, or twenty-first
16 judicial district;

17 (III) One from the first, second, fourth, eighth, eleventh,
18 thirteenth, seventeenth, eighteenth, nineteenth, or twentieth judicial
19 district; and

20 (c) The state public defender or his or her designee.

21 (5) The interagency task force on treatment shall elect a chairman
22 and vice-chairman at the first meeting. The chairman shall call the
23 meetings of the interagency task force on treatment and set the agenda for
24 each meeting called.

25 (6) The interagency task force on treatment's authority shall be
26 limited to those duties specified in subsections (7) and (8) of this section.

27 (7) (a) The interagency task force on treatment shall allocate at

1 least eighty percent of the yearly drug offender treatment fund allocation
2 to the judicial district drug offender treatment boards created pursuant to
3 section 18-19-104, C.R.S. Such allocation shall be based upon a formula
4 developed by the state drug offender treatment board. The interagency
5 task force on treatment shall develop an allocation formula for the
6 allocation of the moneys from the drug offender treatment fund. The
7 formula shall only be based upon a judicial district's population and the
8 number of use and possession drug case filings in the judicial district.
9 Each judicial district drug treatment board shall submit a plan, based upon
10 the proposed allocation formula, to the interagency task force on
11 treatment beginning September 1 of the first year funding is appropriated
12 to the judicial department from the drug offender treatment fund and
13 September 1 of each year thereafter to be included in the judicial
14 department's annual budget request. The interagency task force on
15 treatment shall not have the authority to reject the plan submitted from the
16 local judicial drug treatment boards.

17 (b) The interagency task force on treatment may allocate up to
18 twenty percent of the yearly drug offender treatment fund allocation to
19 drug treatment programs that serve more than one judicial district. When
20 allocating funds pursuant to this paragraph (b), the state drug offender
21 treatment board is encouraged to fund and develop innovative and
22 effective drug treatment programs.

23 (8) The interagency task force on treatment shall report to the
24 judiciary committees of the house of representatives and senate on or
25 before January 31, 2005, and January 31, 2007, regarding the anticipated
26 savings generated by the enactment of Senate Bill 03-318, enacted at the
27 first regular session of the sixty-fourth general assembly.

1 **SECTION 4. In Colorado Revised Statutes, repeal 24-33.5-503**

2 (1) (u).

3 **SECTION 5. Appropriation - adjustments in 2012 long bill.**

4 (1) For the implementation of this act, appropriations made in the annual
5 general appropriation act to the department of corrections for the fiscal
6 year beginning July 1, 2012, are adjusted as follows:

7 (a) The cash funds appropriation for inmate programs, drug and
8 alcohol treatment subprogram, drug offender surcharge program, is
9 decreased by \$995,127. Said sum is from the drug offender surcharge
10 fund created in section 18-19-103 (4) (a), Colorado Revised Statutes.

11 (b) The cash funds appropriation for inmate programs, drug and
12 alcohol treatment subprogram, contract services, is decreased by
13 \$250,000. Said sum is from the drug offender surcharge fund created in
14 section 18-19-103 (4) (a), Colorado Revised Statutes.

15 (c) The reappropriated funds appropriation for community
16 services, parole subprogram, contract services, is decreased by
17 \$1,757,100. Said sum is from moneys transferred from the judicial
18 department.

19 (2) For the implementation of this act, appropriations made in the
20 annual general appropriation act to the department of human services for
21 the fiscal year beginning July 1, 2012, are adjusted as follows:

22 (a) The cash funds appropriation for mental health and alcohol
23 and drug abuse services, alcohol and drug abuse division, treatment
24 services, treatment and detoxification contracts, is decreased by \$887,300.
25 Said sum is from the drug offender surcharge fund created in section
26 18-19-103 (4) (a), Colorado Revised Statutes.

27 (b) The cash funds appropriation for mental health and alcohol

1 and drug abuse services, alcohol and drug abuse division, treatment
2 services, short-term intensive residential remediation and treatment
3 (STIRRT), is decreased by \$383,316. Said sum is from the drug offender
4 surchage fund created in section 18-19-103 (4) (a), Colorado Revised
5 Statutes.

6 (c) The reappropriated funds appropriation for mental health and
7 alcohol and drug abuse services, co-occurring behavioral health services,
8 substance use disorder offender services (H.B. 10-1352), is decreased by
9 \$1,819,900. Said sum is from moneys transferred from the judicial
10 department.

11 (3) For the implementation of this act, appropriations made in the
12 annual general appropriation act to the judicial department for the fiscal
13 year beginning July 1, 2012, are adjusted as follows:

14 (a) The cash funds appropriation for courts administration, central
15 appropriations, for various centrally appropriated line items, is decreased
16 by \$81,998. Said sum is from the drug offender surcharge fund created in
17 section 18-19-103 (4) (a), Colorado Revised Statutes.

18 (b) The cash funds appropriation for probation and related
19 services, probation programs, is decreased by \$702,114. Said sum is from
20 the drug offender surcharge fund created in section 18-19-103 (4) (a),
21 Colorado Revised Statutes.

22 (c) The cash funds appropriation for probation and related
23 services, offender treatment and services, is decreased by \$1,010,006.
24 Said sum is from the drug offender surcharge fund created in section
25 18-19-103 (4) (a), Colorado Revised Statutes.

26 (d) The reappropriated funds appropriation for probation and
27 related services, offender treatment and services, is decreased by

1 \$7,656,200. Said sum is from general fund moneys credited to the drug
2 offender surcharge fund pursuant to section 18-19-103 (3.5), Colorado
3 Revised Statutes.

4 (e) The general fund appropriation for probation and related
5 services, S.B. 03-318 community treatment funding, is decreased by
6 \$2,200,000.

7 (f) The general fund appropriation for probation and related
8 services, H.B. 10-1352 appropriation to drug offender surcharge fund, is
9 decreased by \$7,656,200.

10 (4) For the implementation of this act, appropriations made in the
11 annual general appropriation act to the department of public safety for the
12 fiscal year beginning July 1, 2012, are adjusted as follows:

13 (a) The cash funds appropriation for the executive director's
14 office, administration, for various centrally appropriated line items, is
15 decreased by \$10,793. Said sum is from the drug offender surcharge fund
16 created in section 18-19-103 (4) (a), Colorado Revised Statutes.

17 (b) The cash funds appropriation for the division of criminal
18 justice, administration, DCJ administrative services, is decreased by
19 \$84,803. Said sum is from the drug offender surcharge fund created in
20 section 18-19-103 (4) (a), Colorado Revised Statutes.

21 (c) The general fund appropriation for the division of criminal
22 justice, administration, DCJ administrative services, is decreased by
23 \$37,964 and 0.5 FTE.

24 (d) The cash funds appropriation for the division of criminal
25 justice, administration, indirect cost assessment, is decreased by \$8,401.
26 Said sum is from the drug offender surcharge fund created in section
27 18-19-103 (4) (a), Colorado Revised Statutes.

1 (e) The cash funds appropriation for the division of criminal
2 justice, community corrections, community corrections placement, is
3 decreased by \$994,019. Said sum is from the drug offender surcharge
4 fund created in section 18-19-103 (4) (a), Colorado Revised Statutes.

5 (f) The reappropriated funds appropriation for the division of
6 criminal justice, community corrections, treatment for substance abuse
7 and co-occurring disorders, is decreased by \$1,568,750. Said sum is from
8 moneys transferred from the judicial department.

9 **SECTION 6. Appropriation.** (1) In addition to any other
10 appropriation, there is hereby appropriated, to the department of
11 corrections, for the fiscal year beginning July 1, 2012, the sum of
12 \$3,002,227, or so much thereof as may be necessary, for services and
13 activities authorized by sections 18-19-103 (5) (c) and (d), Colorado
14 Revised Statutes. Said sum is from reappropriated funds transferred from
15 the judicial department from the appropriations made in paragraphs (b)
16 and (c) of subsection (3) of this section.

17 (2) In addition to any other appropriation, there is hereby
18 appropriated, to the department of human services, for the fiscal year
19 beginning July 1, 2012, the sum of \$3,090,516, or so much thereof as may
20 be necessary, for allocation to the mental health and alcohol and drug
21 abuse services section for services and activities authorized by sections
22 18-19-103 (5) (c) and (d), Colorado Revised Statutes. Said sum is from
23 reappropriated funds transferred from the judicial department from the
24 appropriations made in paragraphs (b) and (c) of subsection (3) of this
25 section.

26 (3) In addition to any other appropriation, there is hereby
27 appropriated, to the judicial department, for the fiscal year beginning July

1 1, 2012, the sum of \$25,120,277, or so much thereof as may be necessary,
2 to be allocated for implementation of this act as follows:

3 (a) \$90,128 reappropriated funds and 1.0 FTE for courts
4 administration, administration and technology, general courts
5 administration, for personal services; said sum is from general fund
6 moneys credited to the correctional treatment cash fund through the
7 appropriation made in paragraph (d) of subsection (3) of this section;

8 (b) \$950 reappropriated funds for courts administration,
9 administration and technology, general courts administration, for
10 operating expenses; said sum is from general fund moneys credited to the
11 correctional treatment cash fund through the appropriation made in
12 paragraph (d) of subsection (3) of this section;

13 (c) \$4,703 reappropriated funds for courts administration,
14 centrally administered programs, courthouse capital/infrastructure
15 maintenance, for capital outlay expenses; said sum is from general fund
16 moneys credited to the correctional treatment cash fund through the
17 appropriation made in paragraph (d) of subsection (3) of this section;

18 (d) \$9,856,200 general fund for probation and related services, to
19 be credited to the correctional treatment cash fund pursuant to sections
20 18-19-103 (3.5) (b) and 18-19-103 (4) (a), Colorado Revised Statutes;

21 (e) \$5,407,877 cash funds for probation and related services, for
22 services and activities authorized by sections 18-19-103 (5) (c) and (d),
23 Colorado Revised Statutes; said sum is from the correctional treatment
24 cash fund created in section 18-19-103 (3.5) (b), Colorado Revised
25 Statutes; and

26 (f) \$9,760,419 reappropriated funds for probation and related
27 services, for services and activities authorized by sections 18-19-103 (5)

1 (c) and (d), Colorado Revised Statutes; said sum is from general fund
2 moneys credited to the correctional treatment cash fund through the
3 appropriation made in paragraph (d) of subsection (3) of this section.

4 (4) In addition to any other appropriation, there is hereby
5 appropriated, to the department of public safety, for the fiscal year
6 beginning July 1, 2012, the sum of \$2,666,766, or so much thereof as may
7 be necessary, for allocation to the division of criminal justice for services
8 and activities authorized by sections 18-19-103 (5) (c) and (d), Colorado
9 Revised Statutes. Said sum shall be from reappropriated funds transferred
10 from the judicial department from the appropriations made in paragraphs
11 (b) and (c) of subsection (3) of this section.

12 **SECTION 7. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.