First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 13-0913.01 Jerry Barry x4341

SENATE BILL 13-244

SENATE SPONSORSHIP

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Senate Committees
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House Committees
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A BILL FOR AN ACT

101 **CONCERNING A TASK FORCE TO STUDY SUBSTANCE ABUSE.**

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.)

The current state methamphetamine task force repeals on July 1, 2014. The bill renames the task force the state substance abuse trend and response task force (task force) and changes the emphasis of the task force from solely methamphetamine to all substance abuse, including nonfederal-drug-administration-regulated pharmaceutical drugs. The bill expands the members of the task force appointed by the co-chairs from 16 to 22. The bill extends the repeal of the task force to July 1, 2018.

SENATE
3rd Reading Unamended
April 15, 2013

SENATE
2nd Reading Unamended
April 12, 2013

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.

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

SECTION 1. In Colorado Revised Statutes, **repeal and reenact, with amendments,** 18-18.5-101 as follows:

18-18.5-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) EACH YEAR COLORADO SPENDS SIGNIFICANT AMOUNTS OF MONEY RELATED TO UNTREATED SUBSTANCE ABUSE. THE MAGNITUDE OF PUBLIC FUNDS SPENT ON THE DIRECT AND INDIRECT CONSEQUENCES OF SUBSTANCE USE AND ABUSE IS STAGGERING, AND DOZENS OF COLORADO PUBLIC AGENCIES PLAY A PART IN CONTROLLING SUBSTANCE USE OR DEALING WITH ITS CONSEQUENCES.

(b) DEATHS IN COLORADO RELATED TO THE ABUSE OF PRESCRIPTION OPIOIDS, SUCH AS OXYCODONE, HYDROCODONE, AND FENTANYL, NEARLY DOUBLED FROM ONE HUNDRED EIGHTY IN 2000 TO THREE HUNDRED FORTY-THREE IN 2010;

(c) CHILDREN WHOSE PARENTS ABUSE ALCOHOL OR DRUGS ARE THREE TIMES MORE LIKELY TO BE VERBALLY, PHYSICALLY, OR SEXUALLY ABUSED AND FOUR TIMES MORE LIKELY THAN OTHER CHILDREN TO BE NEGLECTED. ADDITIONALLY, RESEARCH INDICATES THAT CHILDREN IN FAMILIES AFFECTED BY SUBSTANCE USE ARE AT AN INCREASED RISK FOR SUBSTANCE USE AND MENTAL HEALTH ISSUES IN ADOLESCENCE. THE HEALTH, SAFETY, AND FUTURE SUCCESS OF DRUG ENDANGERED CHILDREN ARE PRESSING ISSUES IN COLORADO.

(d) SUBSTANCE USE BY YOUTH IS DETRIMENTAL TO BRAIN MATURATION, IMPACTING BRAIN STRUCTURE, FUNCTIONING, AND NEUROCOGNITION;

(e) SUBSTANCE USE DURING PREGNANCY PLACES CHILDREN AT DIRECT RISK FOR COMPLICATIONS, INCLUDING PREMATURE DELIVERY, ALTERED NEONATAL BEHAVIOR PATTERNS SUCH AS ABNORMAL REFLEXES AND EXTREME IRRITABILITY, CONGENITAL DEFORMITIES, LOW BIRTH WEIGHT, ATTENTION DEFICIT DISORDER, AND PRENATAL AND POSTNATAL NEGLECT, MANY OF WHICH CAUSE LIFELONG DEFECTS; AND

(f) EACH YEAR COLORADO SPENDS SIGNIFICANT MONEYS RELATED TO UNTREATED SUBSTANCE ABUSE.

(2) THE GENERAL ASSEMBLY FURTHER FINDS THAT SUBSTANCE ABUSE, INCLUDING THAT RELATED TO ILLICIT DRUGS, PRESCRIPTION DRUGS, UNDERAGE MARIJUANA USE, AND METHAMPHETAMINE LABS AND ABUSE, HARMS CITIZENS OF COLORADO. RESPONSES TO SUBSTANCE ABUSE SHOULD BE SUPPORTED IN THE CRIMINAL JUSTICE SYSTEM, THE PUBLIC HEALTH SYSTEM, MENTAL HEALTH SERVICES, SOCIAL SERVICES, CHILD WELFARE AND YOUTH SERVICES, COMMUNITY TASK FORCES, AND WITH TREATMENT FOR PARENTS WHO ABUSE DRUGS AND PREVENTION AND TREATMENT FOR CHILDREN AFFECTED BY SUBSTANCE ABUSE AND NONFEDERALLY REGULATED PHARMACEUTICAL DRUG PRODUCTION AND DISTRIBUTION, AND OTHER SYSTEMS AFFECTED BY SUBSTANCE ABUSE.

(3) THE GENERAL ASSEMBLY, THEREFORE, DETERMINES AND DECLARES THAT IT IS NECESSARY TO CHANGE THE STATE METHAMPHETAMINE TASK FORCE INTO A SUBSTANCE ABUSE TREND AND RESPONSE TASK FORCE TO:

(a) EXAMINE DRUG TRENDS AND THE MOST EFFECTIVE MODELS AND PRACTICES FOR:

(I) THE PREVENTION OF AND INTERVENTION INTO SUBSTANCE ABUSE;

(II) THE PREVENTION OF UNINTENDED HARMFUL EXPOSURES DUE TO NONFEDERAL-DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL DRUG PRODUCTION AND DISTRIBUTION;

(III) THE PREVENTION OF POTENTIAL NEGATIVE PUBLIC HEALTH IMPACTS DUE TO IMPROPER DISPENSING, MANAGEMENT, AND DISPOSAL OF DRUGS; AND

(IV) THE TREATMENT OF CHILDREN AND ADULTS AFFECTED BY DRUG ADDICTION;

(b) FORMULATE A RESPONSE TO CURRENT AND EMERGING SUBSTANCE ABUSE PROBLEMS FROM THE CRIMINAL JUSTICE, PREVENTION, AND TREATMENT SECTORS; AND

(c) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE DEVELOPMENT OF STATEWIDE STRATEGIES AND LEGISLATIVE PROPOSALS RELATED TO THESE ISSUES. THE RECOMMENDATIONS MADE TO THE GENERAL ASSEMBLY SHALL BE MADE IN COORDINATION WITH THE TASK FORCE AND THE DEPARTMENT OF HUMAN SERVICES, THE AGENCY RESPONSIBLE FOR THE ADMINISTRATION OF BEHAVIORAL HEALTH PROGRAMS AND SERVICES.

SECTION 2. In Colorado Revised Statutes, 18-18.5-102, **amend** (1) as follows:

18-18.5-102. Definitions. As used in this article, unless the context otherwise requires:

(1) "Task force" means the state ~~methamphetamine~~ SUBSTANCE ABUSE TREND AND RESPONSE task force established pursuant to section 18-18.5-103.

SECTION 3. In Colorado Revised Statutes, 18-18.5-103, **amend** (1), (2) (a) (II), (2) (a) (III), (2) (b), (2) (c), (4), (6) (a), and (6) (d)

introductory portion as follows:

18-18.5-103. State substance abuse trend and response task force - creation - membership - duties. (1) There is hereby created the state ~~methamphetamine~~ SUBSTANCE ABUSE TREND AND RESPONSE task force.

(2) The task force shall consist of the following members:

(a) (II) An expert in the field of ~~methamphetamine~~ SUBSTANCE abuse prevention, who shall be appointed by the president of the senate and serve as a vice-chair;

(III) An expert in the field of ~~methamphetamine~~ SUBSTANCE abuse treatment, who shall be appointed by the speaker of the house of representatives and serve as a vice-chair;

(b) ~~Sixteen~~ TWENTY-TWO members appointed by the task force chair and vice-chairs as follows:

(I) A representative of a ~~statewide~~ LOCAL child ~~advocacy organization~~ AND FAMILY SERVICE PROVIDER;

(II) A representative of a major health facility that focuses on the treatment of children;

(III) A representative of a human services agency with experience in child welfare issues;

~~(IV) An expert in alcohol and drug treatment procedures;~~

~~(V)~~ (IV) A representative of the criminal defense bar;

~~(VI)~~ (V) A representative of a ~~mental~~ BEHAVIORAL health treatment provider THAT IS AN EXPERT IN SUBSTANCE ABUSE TREATMENT PROCEDURES;

~~(VII)~~ (VI) A representative of the department of education, who is familiar with the department's drug prevention initiatives;

~~(VIII)~~ (VII) A representative of the Colorado district attorneys council;

~~(IX)~~ (VIII) A representative of a Colorado sheriffs' organization;

~~(X)~~ (IX) A representative of a Colorado police chiefs' organization;

~~(XI)~~ (X) A county commissioner from a rural county;

~~(XII)~~ (XI) A representative of an organization that provides information, advocacy, and support services to municipalities located in rural counties;

~~(XIII)~~ (XII) A licensed pharmacist;

~~(XIV)~~ (XIII) A representative of the department of public safety;

~~(XV)~~ (XIV) A representative of the office of the child's representative;

~~(XVI)~~ (XV) A representative of the division of adult parole of the department of corrections;

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

(XVII) A YOUTH REPRESENTATIVE;

(XVIII) A REPRESENTATIVE OF A SUBSTANCE ABUSE RECOVERY ORGANIZATION;

(XIX) AN EXPERT IN ENVIRONMENTAL PROTECTION;

(XX) A REPRESENTATIVE OF A COMMUNITY PREVENTION COALITION;

(XXI) A REPRESENTATIVE OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH;

(XXII) A REPRESENTATIVE OF THE OFFICE OF BEHAVIORAL HEALTH IN THE COLORADO DEPARTMENT OF HUMAN SERVICES.

(c) Two members appointed by the chief justice of the Colorado supreme court who represent the judicial department, one of whom is a district court judge experienced in handling cases involving ~~methamphetamine~~ SUBSTANCE ABUSE and one of whom represents the division of probation within the judicial department;

(4) The task force, IN COLLABORATION WITH STATE AGENCIES CHARGED WITH PREVENTION, INTERVENTION, OR TREATMENT OF SUBSTANCE ABUSE, shall:

(a) Assist local communities in implementing the most effective models and practices for ~~methamphetamine~~ SUBSTANCE abuse prevention, intervention, and treatment and in developing the responses by the criminal justice system;

(b) Review model programs that have shown the best results in Colorado and across the United States and provide information on the programs to local communities and local drug task forces;

(c) Assist and augment local drug task forces without supplanting them;

(d) Investigate collaborative models on protecting children and other victims of ~~methamphetamine~~ SUBSTANCE ABUSE AND NONFEDERAL-DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL DRUG production AND distribution; ~~and abuse;~~

(e) Measure and evaluate the progress of the state and local jurisdictions in preventing ~~methamphetamine~~ SUBSTANCE ABUSE AND NONFEDERAL-DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL DRUG production AND distribution ~~and abuse~~ and in prosecuting persons engaging in these acts;

(f) Evaluate AND PROMOTE approaches to increase public

awareness of ~~methamphetamine production, distribution, and abuse~~ CURRENT AND EMERGING SUBSTANCE ABUSE PROBLEMS AND STRATEGIES FOR ADDRESSING THOSE PROBLEMS;

(g) Assist local communities with implementation of the most effective practices to respond to ~~illegal methamphetamine~~ CURRENT AND EMERGING SUBSTANCE ABUSE PROBLEMS AND NONFEDERAL-DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL DRUG production AND distribution; ~~and use;~~

(h) Consider any other issues concerning ~~methamphetamine~~ SUBSTANCE ABUSE PROBLEMS AND NONFEDERAL-DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL DRUG production AND distribution ~~and abuse~~ that arise during the course of the task force study.

(6) In addition, the task force shall:

(a) Meet at least four times each year from the date of the first meeting until January 1, ~~2014~~ 2018, or more often as directed by the chair of the task force;

(d) Submit a written report to the judiciary committees, or any successor committees, of the senate and the house of representatives of the general assembly by January 1, ~~2007~~ 2014, and by each January 1 thereafter through January 1, ~~2014~~ 2018, at a minimum specifying the following:

SECTION 4. In Colorado Revised Statutes, 18-18.5-105, **amend** (1) (a) as follows:

18-18.5-105. Cash fund - created. (1) (a) All private and public funds received by the task force or the division of criminal justice in the department of public safety, on behalf of the task force, through grants, contributions, and donations pursuant to this article shall be transmitted

to the state treasurer, who shall credit the same to the ~~methamphetamine~~ SUBSTANCE abuse prevention, intervention, and treatment cash fund, which fund is hereby created and referred to in this section as the "fund". The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of this article. All moneys in the fund not expended for the purpose of this article may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund. All unexpended and unencumbered moneys remaining in the fund as of July 1, ~~2014~~ 2018, shall be transferred to the general fund.

SECTION 5. In Colorado Revised Statutes, **amend** 18-18.5-106 as follows:

18-18.5-106. Repeal of article. This article is repealed, effective July 1, ~~2014~~ 2018.

SECTION 6. 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 (August 7, 2013, if adjournment sine die is on May 8, 2013); 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 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.