

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

INTRODUCED

LLS NO. 13-0386.01 Julie Pelegrin x2700

HOUSE BILL 13-1117

HOUSE SPONSORSHIP

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House Committees

Public Health Care & Human Services
Appropriations

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A BILL FOR AN ACT

101 **CONCERNING ALIGNMENT OF CHILD DEVELOPMENT PROGRAMS.**

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>.)

Section 1 of the bill states the general assembly's recognition that it is in the state's best interest for a specific office within the department of human services (department) to administer early childhood programs.

Section 2 of the bill specifies that the department has the responsibility to administer early childhood programs and to assist the state board of human services in awarding grants. Participation in any early childhood program is voluntary and is not intended to interfere with

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.

parental rights.

Section 3 of the bill moves the early childhood leadership council (ECLC) from the governor's office to the department. The overall membership is reduced from 35 to 20 members, by removing representatives of the office of information technology, the office of economic development, the state workforce development council, and the legislature. The reconstituted ECLC will now include representatives from the local public health community. The ECLC's duties are changed to include more advising and monitoring of efforts around early childhood programs. The ECLC was scheduled to repeal July 1, 2013, but this date is extended to September 1, 2018.

The bill relocates several boards and programs from the department of public health and environment to the department of human services without substantive change:

- ! The nurse home visitation program (**section 4**);
- ! The Tony Grampsas youth services program, the Colorado youth mentoring services program, the Colorado student dropout prevention and intervention program, and the Colorado student before-and-after-school project (**section 5**);
- ! The Colorado Children's Trust Fund and its board (**sections 7 and 8**); and
- ! The family resource center program (**sections 9-11**).

The remaining sections of the bill make conforming amendments.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) The early childhood system in Colorado includes four system
5 sectors that address the needs of children, including early learning, child
6 health, child mental health, and family support and parent education.
7 Research confirms that these areas are interrelated and that it is difficult,
8 if not impossible, to separate children's learning needs from their health
9 and wellness or from the involvement and support of their families.

10 (b) The programs that serve the early childhood needs of children
11 and their families across the four system sectors often continue providing

1 services or work with other programs to provide a continuum of services
2 to ensure that, as they develop, these children have access to the services
3 and supports they need to grow into healthy, educated adults who are
4 well-prepared to positively contribute to their society;

5 (c) The support systems and services that comprise Colorado's
6 early childhood system have historically been spread across multiple
7 public agencies, including but not limited to the departments of education,
8 human services, public health and environment, health care policy and
9 financing, and higher education, as well as various private entities;

10 (d) Resources that are available for services and supports for
11 children are derived from several public funding sources. Each source has
12 its own program standards and eligibility, reporting, data-tracking, and
13 funding requirements, making it very difficult for programs that provide
14 services and supports for children to be able to efficiently combine the
15 various funding sources.

16 (e) The community of early childhood services providers in
17 Colorado has for several years worked to establish a coordinated structure
18 within state government to provide and oversee the provision of services
19 across the four system sectors for pregnant women, children from birth
20 to eight years of age, and their families. Coordinating these services
21 through a single system will:

22 (I) Enhance the quality of early childhood services by holding
23 programs accountable to guidelines, standards, and assessments of service
24 delivery and outcomes and implementing a unified approach to resource
25 allocation and referral for families to services and programs;

26 (II) Strengthen the link between state-level programs and services
27 and the local system of service delivery that exists in counties throughout

1 the state;

2 (III) Improve the efficiency, effectiveness, and quality in
3 delivering early childhood services to pregnant women, children, and
4 their families at the state and local levels;

5 (IV) Provide greater support for and improve the ability of
6 program and service providers to work with state and local early
7 childhood programs in providing services to pregnant women, children,
8 and their families;

9 (V) Improve coordination among state departments with regard to
10 the programs that serve pregnant women, children, and their families and
11 that are implemented within each department; and

12 (VI) Improve the coordination of the state's efforts at early
13 identification, promotion, prevention, and intervention with regard to the
14 full spectrum of services provided to pregnant women, children, and their
15 families across the four system sectors of early learning, child health,
16 child mental health, and family support and parent education. Improving
17 the coordination among these programs will improve the state's ability to
18 set a solid foundation for families and their children as they continue to
19 develop academically, physically, emotionally, and socially.

20 (2) Therefore, the general assembly finds that it is in the best
21 interests of the children of the state and their families for an office to exist
22 within the department of human services that will oversee and coordinate
23 the wide range of early childhood programs within the department of
24 human services and within other state departments with the goal of
25 improving outcomes for children and their families.

26 **SECTION 2.** In Colorado Revised Statutes, 26-1-111, **add** (2) (t)
27 as follows:

1 **26-1-111. Activities of the state department under the**
2 **supervision of the executive director - cash fund - report - rules -**
3 **statewide adoption resource registry.** (2) The state department, under
4 the supervision of the executive director, shall:

5 (t) ADMINISTER EARLY CHILDHOOD PROGRAMS IN ACCORDANCE
6 WITH STATUTE AND RULE AND, WHERE APPLICABLE, REVIEW APPLICATIONS
7 SUBMITTED BY ENTITIES TO RECEIVE FUNDING THROUGH THE PROGRAMS,
8 AWARD GRANTS BASED ON THE APPLICATIONS, AND NOTIFY THE STATE
9 BOARD OF THE GRANTS AWARDED AND THE AMOUNTS OF THE GRANTS.
10 PARTICIPATION IN AN EARLY CHILDHOOD PROGRAM ADMINISTERED BY THE
11 STATE DEPARTMENT IS VOLUNTARY. THE OPERATIONS OF THE STATE
12 DEPARTMENT AND THE IMPLEMENTATION OF THE EARLY CHILDHOOD
13 PROGRAMS ADMINISTERED BY THE STATE DEPARTMENT ARE NOT DESIGNED
14 OR INTENDED TO INTERFERE WITH THE RIGHTS OF PARENTS TO RAISE THEIR
15 CHILDREN.

16 **SECTION 3.** In Colorado Revised Statutes, **add with amended**
17 **and relocated provisions** article 6.2 to title 26 as follows:

18 **ARTICLE 6.2**

19 **Early Childhood Leadership Commission**

20 **26-6.2-101. [Formerly 24-44.7-101] Legislative declaration.**

21 (1) The general assembly hereby finds that:

22 (a) Public investments for young children from birth to eight years
23 of age fall behind investments for older Colorado children and lag behind
24 national trends;

25 ~~(b) Resources that are available for services and supports for~~
26 ~~young children are derived from, at a minimum, twenty-three different~~
27 ~~public funding sources;~~

1 ~~(c) Programs that provide services and supports for young~~
2 ~~children blend multiple sources of public funding, although each source~~
3 ~~has its own program standards and eligibility, reporting, data-tracking,~~
4 ~~and funding requirements;~~

5 ~~(d) The early childhood system in Colorado comprises four system~~
6 ~~sectors that address the needs of children, including early learning, child~~
7 ~~health, child mental health, and family support and parent education.~~
8 ~~Research confirms that these areas are interrelated and that it is difficult,~~
9 ~~if not impossible, to separate children's learning needs from their health~~
10 ~~and wellness or from the involvement and support of their families.~~

11 ~~(e) The support systems and services that compose Colorado's~~
12 ~~early childhood system are currently spread across multiple public~~
13 ~~agencies, including but not limited to the departments of education,~~
14 ~~human services, public health and environment, health care policy and~~
15 ~~financing, and higher education, as well as various private entities;~~

16 ~~(f) There are at least six separate councils or commissions created~~
17 ~~in statute or by executive order that address issues relating to services and~~
18 ~~supports for young children and a myriad of related groups created by~~
19 ~~public and private organizations that specialize in early childhood issues;~~

20 ~~(g)~~ (b) For the state's early childhood system to operate
21 effectively, the efforts of the public and private agencies that compose the
22 system must be efficiently coordinated, aligned to state and federal
23 standards, and made accountable across state systems; and

24 ~~(h)~~ (c) While there are several planning efforts related to early
25 childhood services and collaborative bodies within state and local
26 governments, there is no single venue to allow high-level decision
27 making among policy makers, to collectively study recommendations, and

1 to make joint policy and funding recommendations.

2 (2) The general assembly further finds that:

3 (a) A commission to assist in coordinating services and supports
4 for young children from birth to eight years of age will improve the
5 delivery of those services and improve the educational, health, emotional
6 and mental health, child welfare, and employment outcomes for these
7 children and their families; and

8 (b) A commission to assist in coordinating the delivery of services
9 and supports for young children will also significantly improve
10 Colorado's workforce and economic development by:

11 (I) Helping to ensure a healthy, well-educated workforce far into
12 the future;

13 (II) Supporting those persons who currently provide early
14 childhood services and supports and creating additional employment
15 opportunities;

16 (III) Supporting parents of young children who need dependable,
17 high-quality child care and supportive services in order to be fully
18 engaged and productive in their jobs; and

19 (IV) Supporting the market in early childhood services and
20 products as a vibrant element of the state's economy.

21 (3) The general assembly finds, therefore, that it is essential to
22 create a high-level, interagency, public-private leadership commission to
23 identify opportunities for, and address barriers to, the coordination of
24 federal and state early childhood policies and procedures that affect the
25 health and well-being of Colorado's children.

26 **26-6.2-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
27 CONTEXT OTHERWISE REQUIRES:

1 (1) "COMMISSION" MEANS THE EARLY CHILDHOOD LEADERSHIP
2 COMMISSION CREATED IN SECTION 26-6.2-103.

3 (2) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
4 HUMAN SERVICES CREATED IN SECTION 26-1-105.

5 **26-6.2-103. [Formerly 24-44.7-102] Early childhood leadership**
6 **commission - created - mission.** (1) There is ~~hereby~~ created in the office
7 ~~of the governor~~ STATE DEPARTMENT the early childhood leadership
8 commission. ~~referred to in this article as the "commission"~~. The purpose
9 of the commission ~~shall be~~ IS to ensure and advance a comprehensive
10 service delivery system for children from birth to eight years of age using
11 data to improve decision-making, alignment, and coordination among
12 federally funded and state-funded services and programs for young
13 children and their families. At a minimum, the comprehensive service
14 delivery system for children ~~shall~~ MUST include services in the areas of
15 child health, child mental health, early learning, and family support and
16 parent education.

17 (2) The commission shall consist of up to ~~thirty-five~~ TWENTY
18 members as follows:

19 (a) The executive directors of each of the following agencies or
20 their designees:

- 21 (I) The STATE department of human services;
- 22 (II) The department of public health and environment;
- 23 (III) The department of health care policy and financing; and
- 24 (IV) The department of higher education;
- 25 (b) The commissioner of education or his or her designee;
- 26 (c) ~~The executive director of the office of information technology~~
27 ~~or his or her designee;~~

1 ~~(d) The director of the office of economic development or his or~~
2 ~~her designee;~~

3 ~~(e) (c) The head start state collaboration director for Colorado;~~

4 AND

5 ~~(f) (d) No more than ~~twenty-three~~ FOURTEEN persons appointed~~
6 ~~by the governor, which persons collectively have the following expertise,~~
7 ~~affiliations, or backgrounds:~~

8 ~~(I) Representatives of local government groups;~~

9 ~~(H) A representative from the state work force development~~
10 ~~council created in article 46.3 of this title;~~

11 ~~(HH) (II) Representatives of school districts;~~

12 ~~(IV) Representatives of head start programs;~~

13 ~~(V) (III) Providers of early childhood supports and services;~~

14 ~~(VI) (IV) Persons whose families receive early childhood supports~~
15 ~~or services;~~

16 ~~(VII) (V) Representatives of statewide FOUNDATIONS AND~~
17 ~~nonprofit organizations involved in early childhood issues;~~

18 ~~(VIII) (VI) Members of the business community; and~~

19 (VII) REPRESENTATIVES OF THE LOCAL PUBLIC HEALTH
20 COMMUNITY.

21 ~~(g) Four legislative members appointed as follows:~~

22 ~~(I) Two representatives, one each appointed by the speaker and~~
23 ~~the minority leader of the house of representatives; and~~

24 ~~(II) Two senators, one each appointed by the president and the~~
25 ~~minority leader of the senate.~~

26 (3) (a) In appointing persons to the commission, the governor
27 shall ensure that the appointed persons reflect the gender balance and

1 ethnic diversity in the state and provide representation from throughout
2 the state and that the commission includes representation of persons with
3 disabilities.

4 (b) The persons appointed to the commission pursuant to
5 ~~paragraph (f)~~ PARAGRAPH (d) of subsection (2) of this section shall:

6 (I) Serve at the pleasure of the governor; and

7 (II) Serve without compensation but may receive reimbursement
8 for reasonable expenses incurred in fulfilling their duties on the
9 commission, subject to the availability of moneys pursuant to section
10 ~~24-44.7-104~~ 26-6.2-105.

11 (c) If a vacancy occurs in the positions appointed pursuant to
12 ~~paragraph (f)~~ PARAGRAPH (d) of subsection (2) of this section, the
13 governor shall appoint a person to fill the vacancy.

14 ~~(d) Notwithstanding any provision of this section to the contrary,~~
15 ~~the governor may identify one or more of the persons appointed as of~~
16 ~~March 11, 2010, to the governor's early childhood leadership commission~~
17 ~~created by executive order B 2010-002 as a member initially appointed~~
18 ~~to the commission pursuant to paragraph (f) of subsection (2) of this~~
19 ~~section.~~

20 ~~(4) (a) The appointing authorities specified in paragraph (g) of~~
21 ~~subsection (2) of this section shall appoint the legislative members in~~
22 ~~January of each odd-numbered year, beginning in January 2011. The~~
23 ~~legislative members shall serve two-year terms. The appointing~~
24 ~~authorities may appoint persons to serve consecutive terms. If a vacancy~~
25 ~~arises in a legislative position, the appropriate appointing authority shall~~
26 ~~fill the vacancy for the remainder of the unexpired term on the~~
27 ~~commission.~~

1 ~~(b) Notwithstanding the provisions of paragraph (a) of this~~
2 ~~subsection (4) to the contrary, the appointing authorities specified in~~
3 ~~paragraph (g) of subsection (2) of this section shall each appoint a~~
4 ~~legislative member within thirty days after August 11, 2010, who shall~~
5 ~~serve as a member of the commission through December 2010.~~

6 ~~(c) The legislative members appointed pursuant to paragraph (g)~~
7 ~~of subsection (2) of this section shall serve without compensation but may~~
8 ~~receive reimbursement for reasonable expenses incurred in fulfilling their~~
9 ~~duties on the commission, subject to the availability of moneys pursuant~~
10 ~~to section 24-44.7-104.~~

11 (5) (4) The governor shall appoint three persons from among the
12 members of the commission, one representing business interests, one
13 representing private, nonprofit entities, and one representing public
14 entities, to serve as co-chairs of the commission. The commission shall
15 meet regularly at the direction of the co-chairs and as often as necessary
16 to fulfill its duties. The co-chairs may appoint working groups and
17 subcommittees to assist the commission in its work or to address specific
18 issues. The working groups and subcommittees, at the discretion of the
19 co-chairs, may consist of any combination of members of the commission
20 and other persons from the community.

21 (6) (5) The commission, IN COLLABORATION WITH THE EXECUTIVE
22 DIRECTOR OF THE STATE DEPARTMENT, may appoint an executive director
23 to assist the commission in fulfilling its duties pursuant to this article. The
24 executive director may appoint such additional persons as may be
25 necessary to assist the commission. The executive director and any other
26 persons appointed pursuant to this subsection (6) (5) shall be
27 compensated from moneys credited to the early childhood leadership

1 commission fund created in ~~section 24-44.7-104~~ SECTION 26-6.2-105.

2 ~~(7)~~ (6) The governor's office, THE STATE DEPARTMENT, and the
3 OTHER agencies represented on the commission may, at the request of the
4 commission and within existing appropriations, provide necessary support
5 to the commission, including but not limited to administrative support,
6 data, and other analytical information. In addition, the commission may
7 accept in-kind contributions from public and private entities to the extent
8 necessary to cover the expenses of the commission.

9 **26-6.2-104. [Formerly 24-44.7-103] Early childhood leadership**
10 **commission - duties.** (1) In addition to any other duties specified in law,
11 the commission ~~shall have~~ HAS the following duties:

12 ~~(a) To provide advice and recommendations to the general~~
13 ~~assembly concerning methods to promote the sharing and use of common~~
14 ~~data for planning and accountability by state programs and agencies that~~
15 ~~support young children. The commission shall work with the government~~
16 ~~data advisory board created in section 24-37.5-703, C.R.S., in developing~~
17 ~~these recommendations.~~

18 ~~(b)~~ (a) To identify opportunities for, and barriers to, the alignment
19 of standards, rules, policies, and procedures across programs and agencies
20 that support young children and to recommend to the APPROPRIATE
21 COMMITTEES OF REFERENCE OF THE general assembly PURSUANT TO PART
22 2 OF ARTICLE 7 OF TITLE 2, C.R.S., and to government and nonprofit
23 agencies and policy boards changes to enhance the alignment and
24 provision of services and supports for young children;

25 (b) TO ADVISE AND MAKE RECOMMENDATIONS TO THE STATE
26 DEPARTMENT AND TO OTHER RELEVANT EARLY CHILDHOOD ENTITIES
27 CONCERNING IMPLEMENTATION OF THE EARLY CHILDHOOD COLORADO

1 FRAMEWORK;

2 (c) TO ASSIST PUBLIC AND PRIVATE AGENCIES IN COORDINATING
3 EFFORTS ON BEHALF OF CHILDREN, INCLUDING SECURING FUNDING AND
4 ADDITIONAL INVESTMENTS FOR SERVICES AND PROGRAMS FOR CHILDREN
5 AND THEIR FAMILIES;

6 ~~(e)~~ (d) To consider and recommend waivers from state regulations
7 on behalf of early childhood councils as provided in section 26-6.5-104
8 (1); ~~C.R.S.~~;

9 ~~(d) To develop methods for using interagency data to inform~~
10 ~~comprehensive policy and budget decisions relating to children's services~~
11 ~~and supports;~~

12 ~~(e) To ensure the interagency data system infrastructure allows for~~
13 ~~statewide needs assessments concerning the quality and availability of~~
14 ~~early childhood services, including but not limited to health, mental~~
15 ~~health, behavioral health, child protection, family support, and early~~
16 ~~learning services; and~~

17 (e) To ~~develop recommendations regarding~~ MONITOR THE
18 ONGOING DEVELOPMENT, PROMOTION, AND IMPLEMENTATION OF:

19 (I) A quality, cohesive professional development and career
20 advancement system; ~~including performance metrics to guide continuous~~
21 ~~improvement processes for professionals working with young children.~~

22 (II) HIGH-QUALITY, COMPREHENSIVE EARLY LEARNING
23 STANDARDS; AND

24 (III) THE SHARING AND USE OF COMMON DATA FOR PLANNING AND
25 ACCOUNTABILITY AMONG EARLY CHILDHOOD PROGRAMS;

26 (f) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING
27 INCREASING CHILDREN'S SCHOOL READINESS;

1 (g) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING
2 INCREASING PARTICIPATION IN AND ACCESS TO CHILD CARE AND EARLY
3 EDUCATION PROGRAMS; AND

4 (h) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING
5 PROMOTING FAMILY AND COMMUNITY ENGAGEMENT IN CHILDREN'S
6 EDUCATION AND DEVELOPMENT.

7 ~~(2) The commission shall review the overall governance system~~
8 ~~for early childhood services and supports within the state and develop~~
9 ~~recommendations concerning the feasibility and efficacy of creating a~~
10 ~~state-level oversight and coordination structure for the delivery of~~
11 ~~services and supports to young children.~~

12 ~~(3)~~ (2) In fulfilling its duties, the commission shall collaborate, at
13 a minimum, with:

14 ~~(a) Repealed.~~

15 ~~(b)~~ (a) Members of the early childhood councils established
16 pursuant to section 26-6.5-103; ~~C.R.S.~~; AND

17 ~~(c) The prevention leadership council created in the STATE~~
18 ~~department of public health and environment through the implementation~~
19 ~~of section 25-20.5-107, C.R.S.;~~

20 ~~(d) The state work force development council created in article~~
21 ~~46.3 of this title;~~

22 ~~(e) The government data advisory board created in section~~
23 ~~24-37.5-703;~~

24 ~~(f) The economic opportunity poverty reduction task force created~~
25 ~~in section 2-2-1404, C.R.S.;~~

26 ~~(g)~~ (b) Any other boards, commissions, and councils existing
27 within the executive branch agencies that address services and supports

1 for young children. and

2 ~~(h) Any statewide organizations that work in the areas of child~~
3 ~~protection or criminal justice.~~

4 ~~(4) On or before January 31, 2011, and on or before January 31~~
5 ~~each year thereafter, the commission shall meet in a joint session with the~~
6 ~~governor and the health and human services committees and education~~
7 ~~committees of the house of representatives and the senate, or any~~
8 ~~successor committees, to report its advice and recommendations,~~
9 ~~including any recommended legislative or regulatory changes, concerning~~
10 ~~the issues specified in this section. At the joint meeting held on or before~~
11 ~~January 31, 2012, the commission shall report its recommendations~~
12 ~~concerning creation of a state-level oversight and coordination structure~~
13 ~~for the delivery of services and supports to young children.~~

14 **26-6.2-105. [Formerly 24-44.7-104] Early childhood leadership**
15 **commission fund - created.** (1) There is hereby created in the state
16 treasury the early childhood leadership commission fund, referred to in
17 this section as the "fund". The fund shall consist of such federal moneys
18 as the governor may allocate to the fund. The fund shall not include
19 appropriations of moneys from the state general fund. The moneys in the
20 fund are available to the commission for administrative costs and the
21 expenses incurred by the commission in fulfilling its duties pursuant to
22 this article.

23 (2) Any moneys in the fund not expended for the expenses of the
24 commission may be invested by the state treasurer as provided by law. All
25 interest and income derived from the investment and deposit of moneys
26 in the fund shall be credited to the fund. Any unexpended and
27 unencumbered moneys remaining in the fund at the end of a fiscal year

1 shall remain in the fund and shall not be credited or transferred to the
2 general fund or another fund.

3 **26-6.2-106. [Formerly 24-44.7-105] Repeal of article.** This
4 article is repealed, effective ~~July 1, 2013~~ SEPTEMBER 1, 2018. PRIOR TO
5 ITS REPEAL, THE COMMISSION SHALL BE REVIEWED AS PROVIDED IN
6 SECTION 2-3-1203 (3), C.R.S.

7 **SECTION 4.** In Colorado Revised Statutes, **add with amended**
8 **and relocated provisions** article 6.4 to title 26 as follows:

9 **ARTICLE 6.4**

10 **Colorado Nurse Home Visitor Program**

11 **26-6.4-101. [Formerly 25-31-101] Short title.** This article shall
12 be known and may be cited as the "Colorado Nurse Home Visitor
13 Program Act".

14 **26-6.4-102. [Formerly 25-31-102] Legislative declaration.**

15 (1) The general assembly hereby finds that, in order to adequately care
16 for their newborns and young children, new mothers may often benefit
17 from receiving professional assistance and information. Without such
18 assistance and information, a young mother may develop habits or
19 practices that are detrimental to her health and well-being and the health
20 and well-being of her child. The general assembly further finds that
21 inadequate prenatal care and inadequate care in infancy and early
22 childhood often inhibit a child's ability to learn and develop throughout
23 his or her childhood and may have lasting, adverse effects on the child's
24 ability to function as an adult. The general assembly recognizes that
25 implementation of a nurse home visitor program that provides
26 educational, health, and other resources for new young mothers during
27 pregnancy and the first years of their infants' lives has been proven to

1 significantly reduce the amount of drug, including nicotine, and alcohol
2 use and abuse by mothers, the occurrence of criminal activity committed
3 by mothers and their children under fifteen years of age, and the number
4 of reported incidents of child abuse and neglect. Such a program has also
5 been proven to reduce the number of subsequent births, increase the
6 length of time between subsequent births, and reduce the mother's need
7 for other forms of public assistance. It is the intent of the general
8 assembly that such a program be established for the state of Colorado,
9 beginning with a limited number of participants and expanding by the
10 year 2010 to be available to all low-income, first-time mothers in the state
11 who consent to receiving services.

12 (2) The general assembly further finds that, to implement such a
13 program efficiently and effectively and to promote the successful
14 implementation of partnerships between state public entities and the
15 private sector, responsibility for the program should be divided between
16 the STATE department, which shall be responsible for financial
17 administration of the program, and a health sciences facility at the
18 university of Colorado, which shall be responsible for programmatic and
19 clinical support, evaluation, and monitoring for the program, and such
20 other responsibilities as described in this article. It is the intent of the
21 general assembly that the STATE department and the health sciences
22 facility work collaboratively to share information in order to promote
23 efficient and effective program implementation; however, neither entity
24 is responsible for the other entity's statutorily prescribed duties.

25 **26-6.4-103. [Formerly 25-31-103] Definitions.** As used in this
26 article, unless the context otherwise requires:

27 (1) ~~"Department" means the department of public health and~~

1 ~~environment created in section 25-1-102.~~

2 (2) (1) "Entity" means any nonprofit, not-for-profit, or for-profit
3 corporation, religious or charitable organization, institution of higher
4 education, visiting nurse association, existing visiting nurse program,
5 county, district, or municipal public health agency, county department of
6 social services, political subdivision of the state, or other governmental
7 agency or any combination thereof.

8 (3) (2) "Health sciences facility" means the Anschutz medical
9 campus or a successor facility located at the university of Colorado health
10 sciences center that is selected by the president of the university of
11 Colorado pursuant to ~~section 25-31-105~~ SECTION 26-6.4-105 to assist the
12 state board in administering the program.

13 (4) (3) "Low-income" means an annual income that does not
14 exceed two hundred percent of the federal poverty line.

15 (5) (4) "Master settlement agreement" means the master
16 settlement agreement, the smokeless tobacco master settlement
17 agreement, and the consent decree approved and entered by the court in
18 the case denominated *State of Colorado, ex rel. Gale A. Norton, Attorney*
19 *General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.;*
20 *Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard*
21 *Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T.*
22 *Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and*
23 *Tobacco Institute, Inc.*, Case No. 97 CV 3432, in the district court for the
24 city and county of Denver.

25 (6) (5) "Nurse" means a person licensed as a professional nurse
26 pursuant to article 38 of title 12, C.R.S., or accredited by another state or
27 voluntary agency that the state board of nursing has identified by rule

1 pursuant to section 12-38-108 (1) (a), C.R.S., as one whose accreditation
2 may be accepted in lieu of board approval.

3 (6) "Program" means the nurse home visitor program established
4 in this article.

5 (7) "State board" means the state board of ~~health created in section~~
6 ~~25-1-103~~ HUMAN SERVICES CREATED IN SECTION 26-1-107.

7 (8) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
8 HUMAN SERVICES CREATED IN SECTION 26-1-105.

9 **26-6.4-104. [Formerly 25-31-104] Nurse home visitor program**

10 **- created - rules.** (1) (a) There is ~~hereby~~ established the nurse home
11 visitor program to provide regular, in-home, visiting nurse services to
12 low-income, first-time mothers, with their consent, during their
13 pregnancies and through their children's second birthday. The program
14 shall provide trained visiting nurses to help educate mothers on the
15 importance of nutrition and avoiding alcohol and drugs, including
16 nicotine, and to assist and educate mothers in providing general care for
17 their children and in improving health outcomes for their children. In
18 addition, visiting nurses may help mothers in locating assistance with
19 educational achievement and employment. Any assistance provided
20 through the program shall be provided only with the consent of the
21 low-income, first-time mother, and she may refuse further services at any
22 time.

23 (b) THE NURSE HOME VISITOR PROGRAM CREATED IN ARTICLE 31
24 OF TITLE 25, C.R.S., AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS
25 ARTICLE, IS TRANSFERRED TO THE STATE DEPARTMENT OF HUMAN
26 SERVICES. ALL RULES, ORDERS, AND AWARDS OF THE STATE BOARD OF
27 HEALTH CONCERNING THE NURSE HOME VISITOR PROGRAM ADOPTED PRIOR

1 TO THE EFFECTIVE DATE OF THIS ARTICLE CONTINUE TO BE EFFECTIVE
2 UNTIL REVISED, AMENDED, REPEALED, OR NULLIFIED PURSUANT TO LAW.
3 ALL GRANTS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ARTICLE
4 ARE VALID THROUGH JUNE 30, 2014, AND MAY BE EXTENDED OR RENEWED
5 BEYOND SAID DATE.

6 (2) The program shall be administered in communities throughout
7 the state by entities selected on a competitive basis by the state board.
8 Any entity that seeks to administer the program shall submit an
9 application to the STATE department as provided in ~~section 25-31-106~~
10 SECTION 26-6.4-106. The entities selected pursuant to ~~section 25-31-107~~
11 ~~shall be~~ SECTION 26-6.4-107 ARE expected to provide services to a
12 minimum of one hundred low-income, first-time mothers in the
13 community in which the entity administers the program; except that the
14 state board may grant a waiver of this requirement if the population base
15 of the community does not have the capacity to enroll one hundred
16 eligible families. The state board shall consult with the health sciences
17 facility prior to granting the waiver to ensure that the entity can
18 implement the program within the smaller community and maintain
19 compliance with the program requirements. A mother ~~shall be~~ IS eligible
20 to receive services through the program if she is pregnant with her first
21 child, or her first child is less than one month old, and her gross annual
22 income does not exceed two hundred percent of the federal poverty line.

23 (3) The state board shall promulgate, pursuant to the provisions
24 of article 4 of title 24, C.R.S., rules ~~for the implementation of~~ TO
25 IMPLEMENT the program. The state board shall base the rules establishing
26 program training requirements, program protocols, program management
27 information systems, and program evaluation requirements on

1 research-based model programs that have been implemented in one or
2 more other states for a period of at least five years and have shown
3 significant reductions in:

4 (a) The occurrence among families receiving services through the
5 model program of infant behavioral impairments due to use of alcohol
6 and other drugs, including nicotine;

7 (b) The number of reported incidents of child abuse and neglect
8 among families receiving services through the model program;

9 (c) The number of subsequent pregnancies by mothers receiving
10 services through the model program;

11 (d) The receipt of public assistance by mothers receiving services
12 through the model program;

13 (e) Criminal activity engaged in by mothers receiving services
14 through the model program and their children.

15 (4) Notwithstanding the provisions of subsection (3) of this
16 section, the board shall adopt rules pursuant to which a nurse home
17 visitation program that is in operation in the state as of July 1, 1999, may
18 qualify for participation in the program if it can demonstrate that it has
19 been in operation in the state for a minimum of five years and that it has
20 achieved a reduction in the occurrences specified in subsection (3) of this
21 section. Any program so approved ~~shall be~~ IS exempt from the rules
22 adopted regarding program training requirements, program protocols,
23 program management information systems, and program evaluation
24 requirements so long as ~~said~~ THE program continues to demonstrate a
25 reduction in the occurrences specified in subsection (3) of this section.

26 (5) The STATE department may propose to the state board rules
27 concerning program applications under ~~section 25-31-106 (1)~~ SECTION

1 26-6.4-106. Any such proposal shall be made in consultation with the
2 health sciences facility.

3 **26-6.4-105. [Formerly 25-31-105] Health sciences facility -**
4 **duties.** (1) The president of the university of Colorado shall identify a
5 facility at the university of Colorado health sciences center with the
6 knowledge and expertise necessary to:

7 (a) Assist the state board in selecting entities from among the
8 applications submitted pursuant to ~~section 25-31-106~~ SECTION
9 26-6.4-106;

10 (b) Provide programmatic and clinical support, evaluation, and
11 monitoring for the program, including nurse practice support and training,
12 clinical and programmatic technical assistance, compliance monitoring
13 and support, program development and implementation support, and
14 performance improvement monitoring and support, in communities
15 throughout the state;

16 (c) Cooperate with the STATE department in connection with the
17 STATE department's financial administration of the program; and

18 (d) Work with the state auditor's office as required in section
19 2-3-113 (4), C.R.S.

20 (1.5) The health sciences facility is not responsible for the duties
21 assigned to the STATE department with respect to the program under
22 ~~section 25-31-107 (2) (a.5)~~ SECTION 26-6.4-107 (2) (a.5).

23 (2) The health sciences facility shall perform the duties set forth
24 in subsection (1) of this section to ensure that the program is implemented
25 and operated according to the program training requirements, protocols,
26 management information systems, and evaluation requirements
27 established by rule of the state board. The health sciences facility shall

1 evaluate overall program implementation, operation, and effectiveness,
2 and include that evaluation, along with any recommendations concerning
3 the program's selected entities or changes in the program's
4 implementation, operation, and effectiveness, including program training
5 requirements, protocols, management information systems, or evaluation
6 requirements, in the annual report submitted to the STATE department
7 pursuant to ~~section 25-31-108~~ SECTION 26-6.4-108.

8 (3) The STATE department shall compensate the health sciences
9 facility for the health sciences facility's actual costs incurred in
10 performing its duties under this article, as determined by the health
11 sciences facility. Such duties and actual costs shall be included in the
12 scope of work in the agreement between the STATE department and the
13 health sciences facility for implementation of those duties and shall
14 include the costs incurred by any contractor or subcontractor of the health
15 sciences facility for those duties. Such compensation shall be paid out of
16 the amount allocated for the health sciences facility's costs, in accordance
17 with the maximum allocation of three percent of the amount annually
18 allocated for the program under ~~section 25-31-107 (2)~~ SECTION
19 26-6.4-107 (2).

20 **26-6.4-106. [Formerly 25-31-106] Program applications -**
21 **requirements.** (1) An entity that seeks to administer the program in a
22 community shall submit an application to the STATE department in
23 accordance with rules adopted by the state board, in consultation with the
24 STATE department and the health sciences facility. At a minimum, the
25 application ~~shall~~ MUST specify the basic elements and procedures that the
26 entity shall use in administering the program. Basic program elements
27 ~~shall~~ MUST include the following:

1 (a) The specific training ~~to be received by~~ each nurse employed
2 by the entity MUST RECEIVE to provide home nursing services through the
3 program, which training ~~shall~~ MUST meet or exceed the visiting nurse
4 training requirements established by rule of the state board;

5 (b) The protocols ~~to be followed by~~ the entity MUST FOLLOW in
6 administering the program, which protocols at a minimum ~~shall~~ MUST
7 comply with the program protocols established by rule of the state board;

8 (c) The management information system ~~to be used by~~ the entity
9 MUST USE in administering the program, which at a minimum ~~shall~~ MUST
10 comply with the management information system requirements
11 established by rule of the state board;

12 (d) The reporting and evaluation system ~~to be used by~~ the entity
13 MUST USE in measuring the effectiveness of the program in assisting
14 low-income, first-time mothers, which at a minimum ~~shall~~ MUST meet the
15 reporting and evaluation requirements specified by rule of the state board;

16 (e) An annual report to both the health sciences facility and the
17 community in which the entity administers the program that reports on the
18 effectiveness of the program within the community and is written in a
19 manner that is understandable for both the health sciences facility and
20 members of the community.

21 (2) Any program application submitted pursuant to this section
22 ~~shall~~ MUST demonstrate strong, bipartisan public support for and a
23 long-time commitment to operation of the program in the community.

24 (3) The STATE department shall initially review the applications
25 received pursuant to this section and submit to the health sciences facility
26 for review those applications that include the basic program elements as
27 required by the rules adopted by the state board. Following its review, the

1 health sciences facility shall submit to the state board a list of the
2 applying entities that the health sciences facility recommends to
3 administer the program in communities throughout the state.

4 **26-6.4-107. [Formerly 25-31-107] Selection of entities to**
5 **administer the program - grants - nurse home visitor program fund**
6 **- created.** (1) On receipt of the list of entities recommended by the health
7 sciences facility, the state board shall select the entities that will
8 administer the program in communities throughout the state. In selecting
9 entities, the state board shall give special consideration to entities that are
10 proposing to administer the program as a collaborative effort among
11 multiple entities.

12 (2) (a) The entities selected to operate the program shall receive
13 grants in amounts specified by the state board. The grants may include
14 operating costs and additional amounts for training and development of
15 any infrastructure, including but not limited to development of the
16 information management system necessary to administer the program. ~~For~~
17 ~~the 2000-01 fiscal year, the state board shall award grants to no more than~~
18 ~~twelve entities in at least eight communities.~~ THE STATE BOARD SHALL
19 DETERMINE the number of entities selected and the number of
20 communities in which the program shall be IS implemented in subsequent
21 fiscal years shall be determined by BASED ON THE moneys available in the
22 nurse home visitor program fund created in paragraph (b) of this
23 subsection (2).

24 (a.5) Except as otherwise provided in ~~section 25-31-108~~ SECTION
25 26-6.4-108, the STATE department shall be IS responsible for financial
26 administration of this article, which shall include INCLUDES compensating
27 the health sciences facility pursuant to ~~section 25-31-105 (3)~~ SECTION

1 26-6.4-105 (3); paying grants to entities selected to administer the
2 program; monitoring financial, contractual, and regulatory compliance;
3 providing medicaid financing oversight; managing accounting and
4 budgeting; and, in cooperation with the health sciences facility, managing
5 grant applications as set forth in ~~section 25-31-106~~ SECTION 26-6.4-106.
6 The STATE department shall also cooperate with the health sciences
7 facility's administration of programmatic and clinical support, evaluation,
8 and monitoring of the program. The STATE department ~~shall not be~~ IS NOT
9 responsible for any duties assigned to the health sciences facility with
10 respect to the program, as described in ~~section 25-31-105~~ SECTION
11 26-6.4-105.

12 (b) Grants awarded pursuant to paragraph (a) of this subsection
13 (2) ~~shall be~~ ARE payable from the nurse home visitor program fund, which
14 fund is hereby created in the state treasury. The nurse home visitor
15 program fund, referred to in this section as the "fund", ~~shall be~~ IS
16 administered by the STATE department and ~~shall consist~~ CONSISTS of
17 moneys transferred thereto by the state treasurer from moneys received
18 pursuant to the master settlement agreement in the amount described in
19 paragraph (d) of this subsection (2). In addition, the state treasurer shall
20 credit to the fund any public or private gifts, grants, or donations received
21 by the STATE department ~~for implementation of~~ TO IMPLEMENT the
22 program, including any moneys received from the United States federal
23 government for the program. The fund ~~shall be~~ IS subject to annual
24 appropriation by the general assembly to the STATE department for grants
25 to entities for operation of the program. The STATE department may retain
26 a total of up to five percent of the amount annually appropriated from the
27 fund for the program, in order to compensate the health sciences facility

1 pursuant to ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3), as set forth in
2 the scope of work in the agreement between the STATE department and
3 the health sciences facility, and to compensate the STATE department for
4 the actual costs ~~incurred by~~ the STATE department INCURS in
5 implementing the provisions of paragraph (a.5) of this subsection (2), as
6 determined by the STATE department; except that the portion of the costs
7 to compensate the STATE department for implementing the provisions of
8 paragraph (a.5) of this subsection (2) shall not exceed two percent of the
9 amount annually appropriated from the fund for the program, and the
10 portion of such costs to compensate the health sciences facility under
11 ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3), as set forth in the scope of
12 work in the contract between the STATE department and the health
13 sciences facility, shall not exceed three percent of the amount annually
14 appropriated from the fund for the program. In addition, if the total
15 amount annually appropriated from the fund for the program exceeds
16 nineteen million dollars, the STATE department and the health sciences
17 facility shall assess whether a smaller percentage of the appropriated
18 funds exceeding nineteen million dollars is adequate to cover their actual
19 costs and shall jointly submit to the general assembly a report articulating
20 their conclusions on this subject. The actual costs of the STATE
21 department include STATE department personnel and operating costs and
22 any necessary transfers to the department of health care policy and
23 financing for administrative costs incurred for the medicaid program
24 associated with the program. The actual costs of the health sciences
25 facility include the facility's own actual program costs and those of its
26 contractors and subcontractors. Any costs for time studies required to
27 obtain medicaid reimbursement for the program may be paid from

1 program funds and ~~shall not be~~ ARE NOT subject to the five percent limit
2 in this section. Notwithstanding section 24-36-114, C.R.S., all interest
3 derived from the deposit and investment of moneys in the fund shall be
4 credited to the fund. Any unencumbered moneys appropriated from
5 moneys received pursuant to the master settlement agreement remaining
6 in the fund at the end of any fiscal year shall be transferred to the tobacco
7 litigation settlement trust fund created in section 24-22-115.5, C.R.S.

8 (c) It is the intent of the general assembly that general fund
9 moneys not be appropriated for implementation of the program.

10 (d) (I) Pursuant to section 24-75-1104.5 (1) (a), C.R.S., and except
11 as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning with
12 the 2006-07 fiscal year and for each fiscal year thereafter so long as the
13 state receives moneys pursuant to the master settlement agreement, the
14 state treasurer shall transfer to the fund the amounts specified in
15 ~~subparagraph (H)~~ SUBPARAGRAPH (II) of this paragraph (d) from the
16 master settlement agreement moneys received by the state, other than
17 attorney fees and costs, during the preceding fiscal year, not to exceed
18 nineteen million dollars in any fiscal year. The transfer shall be from
19 moneys credited to the tobacco litigation settlement cash fund created in
20 section 24-22-115, C.R.S.

21 ~~(H) Repealed.~~

22 ~~(H)~~ (II) (A) For the 2004-05 fiscal year, the general assembly
23 shall appropriate to the fund nine percent of the total amount of moneys
24 received by the state.

25 (A.5) For the 2005-06 fiscal year, the general assembly shall
26 appropriate to the fund ten percent of the total amount of moneys received
27 by the state.

1 (A.7) For the 2006-07 fiscal year, the state treasurer shall transfer
2 from the moneys received by the state pursuant to the master settlement
3 agreement to the fund eleven percent of the total amount of moneys
4 received by the state.

5 (B) Beginning with the 2007-08 fiscal year and for each fiscal
6 year thereafter through the 2010-11 fiscal year, the state treasurer shall
7 increase the percentage transferred to the fund pursuant to
8 sub-subparagraph (A.7) of this ~~subparagraph (III)~~ SUBPARAGRAPH (II) by
9 one percent; except that the percentage transferred to the fund for the
10 2009-10 fiscal year shall be the same as the percentage transferred to the
11 fund for the 2008-09 fiscal year.

12 (C) For the 2011-12 and 2012-13 fiscal years, the state treasurer
13 shall transfer to the fund the greater of twelve million seven hundred
14 thirty-seven thousand three hundred fifty dollars or the same percentage
15 of the total amount of moneys received by the state as was transferred to
16 the fund for the 2010-11 fiscal year.

17 (D) For the 2013-14 fiscal year, the state treasurer shall transfer
18 to the fund fifteen percent of the total amount of moneys received by the
19 state.

20 (E) For the 2014-15 fiscal year and for each fiscal year thereafter
21 through the 2016-17 fiscal year, the state treasurer shall increase the
22 percentage transferred to the fund by one percent over the percentage
23 transferred to the fund in the preceding fiscal year.

24 (F) For the 2017-18 fiscal year and for each fiscal year thereafter,
25 the state treasurer shall transfer to the fund nineteen percent of the total
26 amount of moneys received by the state.

27 ~~(IV)~~ (III) In addition to all other moneys transferred to the fund

1 pursuant to this paragraph (d), the state treasurer shall transfer moneys
2 from the general fund to the fund as specified in section 24-75-1104.5 (5)
3 (a) (I) (B), C.R.S.

4 **26-6.4-108. [Formerly 25-31-108] Annual program review -**
5 **audit.** (1) The health sciences facility shall annually prepare and submit
6 to the STATE department a report including an evaluation of the
7 implementation of the program, the results achieved by the program based
8 on the annual reports submitted by the administering entities pursuant to
9 ~~section 25-31-106 (1) (e)~~ SECTION 26-6.4-106 (1) (e), the extent to which
10 the program serves medicaid-eligible persons and provides services that
11 may be provided in part through medicaid funding, and any
12 recommendations concerning changes to the program, including any
13 changes that may be appropriate to enable the program to receive
14 medicaid funding. The STATE department shall include the report in the
15 annual report on the program prepared pursuant to section 25-1-108.5 (3),
16 C.R.S. Each program contractor and subcontractor and each entity that
17 administers the program shall work with the health sciences facility and
18 the STATE department to prepare the reports required under this section
19 and sections 2-3-113 (2) and 25-1-108.5 (3), C.R.S. Any entity that is
20 administering the program is subject to a reduction in or cessation of
21 funding if the state board, based on recommendations from the health
22 sciences facility, determines that the entity is not operating the program
23 in accordance with the program requirements established by rule of the
24 state board or is operating the program in such a manner that the program
25 does not demonstrate positive results.

26 (2) The state auditor's office, pursuant to section 2-3-113, C.R.S.,
27 shall audit each entity administering the program to determine whether

1 the entity is administering the program in compliance with the program
2 requirements and in an effective manner. The audit shall be conducted
3 and reported in accordance with the provisions of section 2-3-113, C.R.S.

4 **SECTION 5.** In Colorado Revised Statutes, **add with amended**
5 **and relocated provisions** article 6.8 to title 26 as follows:

6 **ARTICLE 6.8**

7 **Tony Grampsas Youth Services Program**

8 **26-6.8-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
9 CONTEXT OTHERWISE REQUIRES:

10 (1) "BOARD" MEANS THE TONY GRAMPSAS YOUTH SERVICES
11 BOARD CREATED IN SECTION 26-6.8-103.

12 (2) "ENTITY" MEANS A LOCAL GOVERNMENT, A COLORADO PUBLIC
13 OR NONSECTARIAN SECONDARY SCHOOL, A GROUP OF PUBLIC OR
14 NONSECTARIAN SECONDARY SCHOOLS, A SCHOOL DISTRICT OR GROUP OF
15 SCHOOL DISTRICTS, A BOARD OF COOPERATIVE SERVICES, AN INSTITUTION
16 OF HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, A STATE
17 AGENCY, A STATE-OPERATED PROGRAM, OR A PRIVATE NONPROFIT OR
18 NOT-FOR-PROFIT COMMUNITY-BASED ORGANIZATION.

19 (3) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
20 THE STATE DEPARTMENT OF HUMAN SERVICES.

21 (4) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
22 HUMAN SERVICES.

23 **26-6.8-102. [Formerly 25-20.5-201] Tony Grampsas youth**
24 **services program - creation - standards - applications.** (1) (a) ~~The~~
25 ~~youth crime prevention and intervention program created in part 28 of~~
26 ~~article 32 of title 24, C.R.S., as it existed prior to August 1, 2000, is~~
27 ~~hereby transferred to the division and is renamed the Tony Grampsas~~

1 youth services program. All program grants in existence as of July 1,
2 2000, shall continue to be valid through July 31, 2001. Persons appointed
3 to the youth crime prevention and intervention program board, hereby
4 renamed the Tony Grampsas youth services board, shall continue serving
5 until completion of their terms and may be reappointed as provided in
6 section 25-20.5-202. THE TONY GRAMPSAS YOUTH SERVICES PROGRAM
7 IS TRANSFERRED TO THE STATE DEPARTMENT. ALL PROGRAM GRANTS IN
8 EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ARTICLE SHALL CONTINUE
9 TO BE VALID THROUGH JUNE 30, 2014. PERSONS APPOINTED TO THE BOARD
10 SHALL CONTINUE SERVING UNTIL COMPLETION OF THEIR TERMS AND MAY
11 BE REAPPOINTED AS PROVIDED IN SECTION 26-6.8-103.

12 (b) The Tony Grampsas youth services program is established to
13 provide state funding for community-based programs that target youth
14 and their families for intervention services in an effort to reduce incidents
15 of youth crime and violence. In addition, the Tony Grampsas youth
16 services program shall promote prevention and education programs that
17 are designed to reduce the occurrence and reoccurrence of child abuse
18 and neglect and to reduce the need for state intervention in child abuse
19 and neglect prevention and education.

20 (2) (a) ~~The Tony Grampsas youth services program shall be~~
21 ~~administered through the division.~~ Subject to the designation in paragraph
22 (b) of this subsection (2), the Tony Grampsas youth services board
23 ~~created in section 25-20.5-202~~ shall choose those entities that will receive
24 grants through the Tony Grampsas youth services program and the
25 amount of each grant. ~~In addition, the division~~ THE STATE DEPARTMENT
26 shall monitor the effectiveness of programs that receive funds through the
27 Tony Grampsas youth services program.

1 (b) ~~Any grant awarded through the Tony Grampsas youth services~~
2 ~~program shall be paid from moneys appropriated pursuant to paragraph~~
3 ~~(c) of this subsection (2) or out of the general fund for such program.~~
4 Each year, no less than twenty percent of the appropriation shall be
5 designated and used exclusively for programs designed for children
6 younger than nine years of age. THE STATE DEPARTMENT SHALL
7 ADMINISTER THE GRANTS AWARDED TO PROGRAMS DESCRIBED IN THIS
8 PARAGRAPH (b) AND SHALL MONITOR THE EFFECTIVENESS OF THE
9 PROGRAMS.

10 (c) ANY GRANT AWARDED THROUGH THE TONY GRAMPSAS YOUTH
11 SERVICES PROGRAM SHALL BE PAID FROM MONEYS APPROPRIATED
12 PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (2) OR OUT OF THE
13 GENERAL FUND FOR THE PROGRAM. The board, in accordance with the
14 timelines adopted pursuant to ~~section 25-20.5-202(3)~~ SECTION 26-6.8-103
15 (3), shall submit a list of the entities chosen to receive grants to the
16 governor for approval. The governor shall either approve or disapprove
17 the entire list of entities by responding to the board within twenty days.
18 If the governor ~~has~~ DOES NOT ~~responded~~ RESPOND to the board within
19 twenty days after receipt of the list, the list ~~shall be deemed~~ IS approved.
20 ~~No grants shall be awarded~~ THE BOARD SHALL NOT AWARD A GRANT
21 through the Tony Grampsas youth services program without the prior
22 approval of the governor.

23 (e)(d) Pursuant to section 24-75-1104.5 (1) (i), C.R.S., and except
24 as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning in
25 the 2004-05 fiscal year, and for each fiscal year thereafter so long as the
26 state receives moneys pursuant to the master settlement agreement, the
27 general assembly shall appropriate to the ~~division~~ STATE DEPARTMENT for

1 the Tony Grampsas youth services program four percent of the amount of
2 moneys transmitted to the state treasurer in accordance with the master
3 settlement agreement, other than attorney fees and costs, for the preceding
4 fiscal year; except that the amount so appropriated to the ~~division~~ STATE
5 DEPARTMENT in any fiscal year shall not exceed five million dollars. The
6 general assembly shall appropriate the amount specified in this ~~paragraph~~
7 ~~(e)~~ PARAGRAPH (d) from moneys credited to the tobacco litigation
8 settlement cash fund created in section 24-22-115, C.R.S.

9 (3) To participate in the Tony Grampsas youth services program,
10 an entity may apply to the board in accordance with timelines and
11 guidelines adopted by the board pursuant to ~~section 25-20.5-202~~ SECTION
12 26-6.8-103.

13 ~~(4) For purposes of this part 2 "entity" means any local~~
14 ~~government, Colorado public or nonsectarian secondary school, including~~
15 ~~charter schools, group of public or nonsectarian secondary schools,~~
16 ~~school district or group of school districts, board of cooperative services,~~
17 ~~institution of higher education, the Colorado National Guard, state~~
18 ~~agency, or state-operated program or any private nonprofit or~~
19 ~~not-for-profit community-based organization.~~

20 ~~(5)~~ (4) Entities seeking to provide youth mentoring services or to
21 enhance existing youth mentoring programs are encouraged to submit an
22 application to the board for grants directly from the Tony Grampsas youth
23 services program, in addition to any funding the entities may be seeking
24 from the youth mentoring services cash fund pursuant to ~~section~~
25 ~~25-20.5-203~~ ~~(6)~~ SECTION 26-6.8-104 (6), to establish or enhance youth
26 mentoring programs. Entities submitting applications for grants directly
27 from the Tony Grampsas youth services program pursuant to this section

1 need not meet the requirements of ~~section 25-20.5-203 (5) (b)~~ SECTION
2 26-6.8-104 (5) (b).

3 **26-6.8-103. [Formerly 25-20.5-202] Tony Grampsas youth**
4 **services board - members - duties.** (1) (a) There is hereby created the
5 Tony Grampsas youth services board ~~referred to in this part 2 as the~~
6 ~~"board"~~, consisting of four members appointed by the governor, three
7 members appointed by the speaker of the house of representatives, and
8 two members appointed by the president of the senate and one member
9 appointed by the minority leader of the senate. For the initial
10 appointments, the governor shall appoint members to the board after the
11 speaker of the house of representatives and the president and the minority
12 leader of the senate have made appointments. No more than six of the
13 members appointed to the board shall be members of the same political
14 party.

15 (b) In addition to the appointed board members, the executive
16 director shall serve as a member of the board.

17 (c) At the first meeting of the board, the members of the board
18 shall choose a chairperson and a vice-chairperson.

19 (d) (I) In appointing members to the board, the governor, the
20 speaker of the house of representatives, and the president and the minority
21 leader of the senate shall:

22 (A) Choose persons who have a knowledge and awareness of
23 innovative strategies for youth crime prevention and intervention services
24 and for reducing the occurrence and reoccurrence of child abuse and
25 neglect; AND

26 ~~(H) (B) In appointing members of the board, the governor, the~~
27 ~~speaker of the house of representatives, and the president and the minority~~

1 ~~leader of the senate shall~~ Appoint one or more persons who possess
2 knowledge and awareness of early childhood care and education. FOR
3 PURPOSES OF THIS SUB-SUBPARAGRAPH (B), "EARLY CHILDHOOD" MEANS
4 YOUNGER THAN NINE YEARS OF AGE.

5 (II) ~~In addition~~ APPOINTING MEMBERS TO THE BOARD, the speaker
6 of the house of representatives and the president of the senate shall each
7 appoint at least one person who has a knowledge and awareness of
8 student issues, including the causes of student dropout in secondary
9 schools, as well as innovative strategies for reducing the dropout rate
10 among secondary school students. ~~For purposes of this subparagraph (H),~~
11 ~~"early childhood" means younger than nine years of age.~~

12 (III) In appointing members TO THE BOARD, the governor shall:

13 (A) Appoint at least one ~~member to the board~~ PERSON who is
14 representative of a minority community;

15 (B) ~~Beginning with the members appointed to terms beginning~~
16 ~~July 1, 2001, the governor, in appointing members, shall~~ Appoint at least
17 one person who is knowledgeable in the area of child abuse prevention;
18 and

19 (C) APPOINT at least one person who is knowledgeable in the area
20 of community planning for youth violence prevention.

21 (e) The appointed members of the board shall serve three-year
22 terms; except that, of the members first appointed, one of the members
23 appointed by the governor shall serve a two-year term, two of the
24 members appointed by the governor shall serve one-year terms, one of the
25 members appointed by the speaker of the house of representatives shall
26 serve a two-year term, and one of the members appointed by the president
27 of the senate shall serve a two-year term. The respective appointing

1 person shall choose those members who shall serve initial shortened
2 terms. If a vacancy arises in one of the appointed offices, the authority
3 making the original appointment shall fill the vacancy for the remainder
4 of the term. Members of the board shall serve without compensation but
5 shall be reimbursed out of available appropriations for all actual and
6 necessary expenses incurred in the performance of their duties.

7 (f) The board is authorized to meet, when necessary, via
8 telecommunications.

9 (2) (a) The board shall develop and make available program
10 guidelines, including but not limited to:

11 (I) Guidelines for proposal design;

12 (II) Local public-to-private funding match requirements; and

13 (III) Processes for local review and prioritization of program
14 applications.

15 (b) In addition to the guidelines developed pursuant to paragraph
16 (a) of this subsection (2), the board shall develop criteria for awarding
17 grants under the Tony Grampsas youth services program, including but
18 not limited to the following requirements:

19 (I) That the program is operated in cooperation with a local
20 government, a local governmental agency, or a local nonprofit or
21 not-for-profit agency;

22 (II) That the program is community-based, receiving input from
23 organizations in the community such as schools, community mental
24 health centers, local nonprofit or not-for-profit agencies, local law
25 enforcement agencies, businesses, and individuals within the community;
26 and

27 (III) (A) That the program is directed at providing intervention

1 services to youth and their families in an effort to decrease incidents of
2 crime and violence or that the program is directed at providing services
3 to at-risk students and their families in an effort to reduce the dropout rate
4 in secondary schools pursuant to ~~section 25-20.5-204~~ SECTION
5 26-6.8-105.

6 (B) If an entity is seeking a grant from the board for a student
7 dropout prevention and intervention program pursuant to ~~section~~
8 ~~25-20.5-204~~ SECTION 26-6.8-105, one of the criteria that the board shall
9 consider is whether the program has been implemented elsewhere, if
10 known, and, if so, the relative success of the program. It ~~shall not be~~ IS
11 NOT required, however, that the program be previously implemented for
12 the board to award a grant to the entity.

13 (C) If an entity is seeking a grant from the board for a program
14 directed at providing intervention services to youth and their families in
15 an effort to decrease incidents of crime and violence, one of the criteria
16 that the board shall consider is whether the program includes restorative
17 justice components. It ~~shall not be~~ IS NOT required, however, that the
18 program include restorative justice components for the board to award a
19 grant to the entity.

20 (c) In addition to the guidelines and criteria developed pursuant
21 to paragraphs (a) and (b) of this subsection (2), the board shall develop
22 result-oriented criteria for measuring the effectiveness of programs that
23 receive grants under the Tony Grampsas youth services program as
24 deemed appropriate to the nature of each program including, but not
25 limited to, requiring grantees to evaluate the impact of the services
26 provided by the program. Any criteria developed pursuant to this
27 paragraph (c) for measuring the effectiveness of student dropout

1 prevention and intervention programs established pursuant to ~~section~~
2 ~~25-20.5-204~~ SECTION 26-6.8-105 shall include the implementation of a
3 method by which to track the students served by the program to evaluate
4 the impact of the services provided, which tracking shall continue, if
5 possible, for at least two years or through graduation from a secondary
6 school, whichever occurs first.

7 (3) ~~(a)~~ In addition to the guidelines and criteria developed
8 pursuant to subsection (2) of this section, the board shall establish
9 timelines for submission and review of applications for grants through the
10 Tony Grampsas youth services program. The board shall also adopt
11 timelines for submission to the governor of the list of entities chosen to
12 receive grants. If the governor disapproves the list, the board may submit
13 a replacement list within thirty days after such disapproval.

14 ~~(b) Repealed.~~

15 (4) The board shall review all applications received pursuant to
16 ~~section 25-20.5-204~~ SECTION 26-6.8-102 for grants from the Tony
17 Grampsas youth services program and choose those entities that shall
18 receive grants through the Tony Grampsas youth services program and
19 the amount of each grant.

20 (5) In addition to the duties relating specifically to the Tony
21 Grampsas youth services program specified in this section, the board shall
22 operate the prevention, intervention, and treatment programs specified in
23 this ~~part 2~~ ARTICLE and such other prevention, intervention, and treatment
24 programs as may be assigned to the board by executive order to be funded
25 solely by federal funds.

26 **26-6.8-104. [Formerly 25-20.5-203] Colorado Youth**
27 **Mentoring Services Act.** (1) **Short title.** This section shall be known

1 and may be cited as the "Colorado Youth Mentoring Services Act".

2 (2) **Legislative declaration.** (a) The general assembly hereby
3 finds and declares that mentoring programs such as big brothers, big
4 sisters, and partners have been active in Colorado for many years. The
5 general assembly finds that national research has indicated that structured
6 mentoring programs are effective tools in combating youth substance
7 abuse and youth crime and violence. The general assembly further finds,
8 based upon recent national research results, that at-risk youth who are
9 matched in a minimum of year-long mentoring relationships are less
10 likely to become involved in substance and alcohol abuse, less likely to
11 be truant, less likely to commit violent acts against other persons, and
12 more likely to show improvements in academic performance and positive
13 peer relations.

14 (b) The general assembly further finds that, despite the positive
15 results that may be achieved through structured youth mentoring
16 programs, as many as thirty-eight counties in the state of Colorado do not
17 have the organizational resources necessary to carry out successful
18 mentoring programs or lack the adult volunteers to establish such
19 programs or both. The general assembly finds that even counties in which
20 there are established youth mentoring programs, such programs are
21 unable to meet the demand for mentors and that such established
22 programs have waiting lists that exceed two thousand youths.

23 (c) The general assembly therefore declares and determines that
24 the provision of youth mentoring services that would use public and
25 private entities to recruit, train, screen, and supervise adult volunteers to
26 serve as mentors for at-risk youth would be beneficial and in the best
27 interests of the citizens of the state of Colorado.

1 (3) **Definition.** For purposes of this section, "at-risk youth" means
2 a person who is at least five years of age but who is less than eighteen
3 years of age and who is challenged by such risk factors as poverty,
4 residence in a substance-abusing household, family conflict, association
5 with peers who commit crimes, residence in a single-parent household,
6 exhibition of indicia of delinquent behavior, or being the victim of child
7 abuse.

8 (4) **Provision of youth mentoring services.** There is hereby
9 created the Colorado youth mentoring program ~~for the purpose of~~
10 ~~providing~~ TO PROVIDE state funding for the provision of community-based
11 youth mentoring services that target at-risk youths in an effort to reduce
12 substance abuse and to decrease the incidents of youth crime and
13 violence. ~~Such~~ THE funding shall be used to provide new mentoring
14 services in communities that do not have existing mentoring programs as
15 well as to enhance established community-based youth mentoring
16 programs that are already in existence.

17 (5) **Administration - duties of contracting entities.** (a) To be
18 eligible for moneys from the youth mentoring services cash fund created
19 in subsection (6) of this section for the provision of youth mentoring
20 services, an entity ~~shall~~ MUST apply to the board in accordance with the
21 timelines and guidelines adopted by the board pursuant to ~~section~~
22 ~~25-20.5-202~~ SECTION 26-6.8-103 and ~~shall~~ MUST meet the requirements
23 of paragraph (b) of this subsection (5).

24 (b) The entities that ~~are selected by~~ the board SELECTS to provide
25 community-based youth mentoring services ~~shall be~~ ARE responsible for:

26 (I) Actively recruiting qualified and appropriate adult volunteers
27 who are willing to serve as youth mentors for a period of not less than one

1 year and to commit to spending an average of three hours per week with
2 the at-risk youth;

3 (II) Effectively screening adult volunteers to serve as mentors,
4 including but not limited to conducting criminal background checks of
5 such adult volunteers;

6 (III) Providing training and ongoing support to adult volunteers
7 to prepare them to serve in one-year mentoring relationships with at-risk
8 youths;

9 (IV) Carefully matching each adult volunteer with an at-risk youth
10 based upon ON the unique qualifications of the adult volunteer and the
11 specific needs of the youth;

12 (V) Supervising closely and through case managers the activities
13 of the adult volunteer and the mutual benefits and effectiveness of the
14 mentoring relationship;

15 (VI) Making available life skill workshops, recreational activities,
16 and community service opportunities to the at-risk youth and adult
17 volunteer;

18 (VII) Implementing a method of evaluating the effectiveness of
19 the community-based youth mentoring program and tracking the youths
20 served by the program to evaluate the impact of the services provided
21 through the program; and

22 (VIII) Reporting annually to the board concerning the results of
23 the entity's evaluation of youths served by the community-based youth
24 mentoring program as well as the fiscal contributions made by the entity
25 to the program and such other information that the board may require.

26 (c) Community-based organizations may obtain private and public
27 funds, grants, gifts, or donations for youth mentoring programs. The

1 executive director ~~is authorized to~~ MAY accept and expend on behalf of
2 the state any funds, grants, gifts, or donations from any private or public
3 source for the purpose of implementing this section; except that ~~no~~ THE
4 EXECUTIVE DIRECTOR SHALL NOT ACCEPT A grant or donation ~~shall be~~
5 ~~accepted~~ if the conditions attached to the grant or donation require the
6 expenditure thereof in a manner contrary to law.

7 (d) Entities selected to receive grants pursuant to this section for
8 the provision of youth mentoring services shall match any grant received
9 with a contribution that is the equivalent of twenty percent of the grant
10 awarded.

11 (6) **Youth mentoring services cash fund.** ~~(a)~~ There is hereby
12 created in the state treasury the youth mentoring services cash fund. The
13 moneys in the youth mentoring services cash fund ~~shall be~~ ARE subject to
14 annual appropriation by the general assembly for the direct and indirect
15 costs ~~associated with the implementation~~ of IMPLEMENTING this section.
16 The executive director ~~is authorized to~~ MAY accept on behalf of the state
17 any grants, gifts, or donations from any private or public source for the
18 purpose of this section. All private and public funds received through
19 grants, gifts, or donations shall be transmitted to the state treasurer, who
20 shall credit the same to the youth mentoring services cash fund. All
21 investment earnings derived from the deposit and investment of moneys
22 in the fund shall remain in the fund and shall not be transferred or revert
23 to the general fund of the state at the end of any fiscal year.

24 ~~(b) Notwithstanding any provision of paragraph (a) of this~~
25 ~~subsection (6) to the contrary, on April 20, 2009, the state treasurer shall~~
26 ~~transfer the balance of moneys in the youth mentoring services cash fund~~
27 ~~to the general fund.~~

1 **26-6.8-105. [Formerly 25-20.5-204] Colorado student dropout**
2 **prevention and intervention program.** (1) **Short title.** This section
3 shall be known and may be cited as the "Colorado Student Dropout
4 Prevention and Intervention Act".

5 (2) **Legislative declaration.** The general assembly hereby finds
6 that:

7 (a) During the last decade, over one hundred thousand students in
8 Colorado left school without successfully completing a high school
9 program;

10 (b) In 1996, three million six hundred thousand young adults in
11 the United States were neither enrolled in school nor had they completed
12 a high school program;

13 (c) In the 1995-1996 academic year, approximately thirteen
14 thousand students withdrew from Colorado schools prior to receiving a
15 diploma, resulting in a four percent dropout rate;

16 (d) Of those students who withdrew from Colorado schools prior
17 to receiving a diploma, approximately five thousand nine hundred were
18 minority students;

19 (e) The dropout rate of minority students in Colorado is
20 significantly greater than that of nonminority students;

21 (f) Numerous factors, including socioeconomic background, lack
22 of adult support, and the inability to communicate well in English,
23 influence a student's decision to drop out of school;

24 (g) Research has shown that, compared with high school
25 graduates, relatively more dropouts are unemployed, and those dropouts
26 who do succeed in finding work tend to earn less money than high school
27 graduates; and

1 (h) High school dropouts are more likely to apply for and receive
2 public assistance than high school graduates.

3 (3) **Definitions.** For purposes of this section, ~~(a)~~ "at-risk students"
4 means students in secondary schools who are at risk of dropping out of
5 school because of their socioeconomic background, lack of adult support,
6 language barriers, or other identified indicators that cause students to drop
7 out of school.

8 ~~(b) "Entity" means any local government, Colorado public or~~
9 ~~nonsectarian secondary school, including charter schools, group of public~~
10 ~~or nonsectarian secondary schools, school district or group of school~~
11 ~~districts, board of cooperative services, institution of higher education,~~
12 ~~the Colorado National Guard, state agency, or state-operated program or~~
13 ~~any private nonprofit or not-for-profit community-based organization.~~

14 (4) **Colorado student dropout prevention and intervention**
15 **program.** There is hereby created the Colorado student dropout
16 prevention and intervention program in the Tony Grampsas youth
17 services program ~~for the purpose of providing~~ TO PROVIDE services to
18 at-risk students and their families in an effort to reduce the dropout rate
19 in secondary schools through an appropriate combination of academic and
20 extracurricular activities designed to enhance the overall education and
21 edification of students in secondary schools.

22 (5) **Administration.** (a) The STATE DEPARTMENT SHALL
23 ADMINISTER THE student dropout prevention and intervention program.
24 ~~shall be administered through the division.~~ Subject to the designation in
25 paragraph (b) of this subsection (5), the ~~Tony Grampsas youth services~~
26 ~~board created in section 25-20.5-202~~ shall select those entities that will
27 receive grants through the student dropout prevention and intervention

1 program and the amount of each grant. In addition, the ~~division~~ STATE
2 DEPARTMENT shall monitor the effectiveness of programs that receive
3 funds through the student dropout prevention and intervention program.
4 To be eligible for grants from the ~~Tony Grampsas youth services~~ board
5 for the provision of student dropout prevention and intervention programs
6 targeting at-risk students, an entity shall apply to the board in accordance
7 with the timelines and guidelines adopted by the board pursuant to ~~section~~
8 ~~25-20.5-202~~ SECTION 26-6.8-103.

9 (b) Any moneys awarded by the ~~Tony Grampsas youth services~~
10 board shall be paid from moneys appropriated out of the general fund for
11 ~~such~~ THE TONY GRAMPSAS YOUTH SERVICES program. Each year no less
12 than ten percent of the total appropriation from the general fund shall be
13 designated and used exclusively for programs specifically designed to
14 prevent students from dropping out of secondary schools; except that,
15 commencing in fiscal year 2004-05 and in each fiscal year thereafter, no
16 less than twenty percent of the total appropriation shall be designated and
17 used exclusively for such purpose.

18 (6) **Receipt of moneys.** (a) The executive director ~~is authorized~~
19 ~~to~~ MAY accept on behalf of the state any funds, grants, gifts, or donations
20 from any private or public source for the purpose of implementing student
21 dropout prevention and intervention programs pursuant to this ~~article~~
22 SECTION; except that ~~no~~ THE EXECUTIVE DIRECTOR SHALL NOT ACCEPT
23 funds, grants, gifts, or donations ~~shall be accepted~~ if the conditions
24 attached thereto require the expenditure thereof in a manner contrary to
25 law.

26 (b) ~~(f)~~ All private and public moneys received through funds,
27 grants, gifts, or donations pursuant to this subsection (6) shall be

1 transmitted to the state treasurer, who shall credit the same to the student
2 dropout prevention and intervention fund, which fund is hereby created.
3 The moneys in the fund ~~shall be~~ ARE subject to annual appropriation by
4 the general assembly for the direct and indirect costs associated with the
5 administration of this ~~article~~ SECTION. The executive director may expend
6 moneys appropriated to the STATE department from the fund for purposes
7 of ~~providing~~ TO PROVIDE a grant for ~~the implementation and~~
8 ~~administration of~~ IMPLEMENTING AND ADMINISTERING a student dropout
9 prevention and intervention program. All investment earnings derived
10 from the deposit and investment of moneys in the fund shall be credited
11 to the fund. Any moneys not appropriated shall remain in the fund and
12 shall not be transferred or revert to the general fund of the state at the end
13 of any fiscal year.

14 ~~(H) Notwithstanding any provision of subparagraph (I) of this~~
15 ~~paragraph (b) to the contrary, on April 20, 2009, the state treasurer shall~~
16 ~~transfer the balance of moneys in the student dropout prevention and~~
17 ~~intervention fund to the general fund.~~

18 **26-6.8-106. [Formerly 25-20.5-205] Colorado student**
19 **before-and-after-school project - creation - funding. (1) Definitions.**

20 As used in this section, unless the context otherwise requires:

21 (a) "Before-and-after-school program" means a program that
22 meets before regular school hours or after regular school hours or during
23 a period when school is not in session.

24 (b) "Fund" means the Colorado student before-and-after-school
25 project fund created in subsection (4) of this section.

26 (c) "Project" means the Colorado before-and-after-school project
27 created in subsection (2) of this section.

1 (2) **Colorado student before-and-after-school project.** There is
2 ~~hereby~~ created, in the Tony Grampsas youth services program, the
3 Colorado student before-and-after-school project ~~for the purpose of~~
4 ~~providing~~ TO PROVIDE grants to entities to provide high-quality
5 before-and-after-school programs that may include an alcohol or drug
6 abuse prevention and education component. Entities that receive grants
7 pursuant to this section shall apply the grants to creating and
8 implementing before-and-after-school programs that primarily serve
9 youth enrolled in grades six through eight or youth who are twelve to
10 fourteen years of age. The before-and-after-school programs ~~shall be~~ ARE
11 designed to help youth develop their interests and skills in the areas of
12 sports and fitness, character and leadership, or arts and culture and may
13 provide education regarding the dangers of the use of alcohol and drugs.
14 Before-and-after-school programs that are designed primarily to increase
15 academic achievement or that provide religious instruction are not
16 eligible for funding pursuant to this section.

17 (3) **Administration.** (a) The ~~division~~ STATE DEPARTMENT shall
18 administer the project. The board shall select the entities that will receive
19 grants through the project and the amount of each grant. In addition, the
20 ~~division~~ STATE DEPARTMENT shall monitor the effectiveness of
21 before-and-after-school programs that receive moneys through the
22 project. To be eligible for grants through the project, an entity shall apply
23 to the board in accordance with the timelines and guidelines adopted by
24 the board pursuant to ~~section 25-20.5-202~~ SECTION 26-6.8-103.
25 Notwithstanding any provision of this ~~part 2~~ ARTICLE or any criteria for
26 awarding grants adopted by the board pursuant to ~~section 25-20.5-202 (2)~~
27 ~~(b)~~ SECTION 26-6.8-103 (2) (b) to the contrary, an entity may be eligible

1 to receive a grant pursuant to this section regardless of whether the
2 before-and-after-school program to which the grant would apply serves
3 youth who are eligible for free or reduced-cost lunch pursuant to the
4 "National School Lunch Act", 42 U.S.C. sec. 1751 et seq.

5 (b) The grants awarded through the project shall be paid from
6 moneys appropriated from the fund to the ~~division~~ STATE DEPARTMENT.
7 The board and grant recipients are encouraged to apply moneys awarded
8 through the project to leverage additional funding as matching funds from
9 private and federal sources.

10 (4) **Colorado student before-and-after-school project fund.**

11 There is ~~hereby~~ created in the state treasury the Colorado student
12 before-and-after-school project fund that shall consist of moneys that THE
13 GENERAL ASSEMBLY may ~~be appropriated by the general assembly~~
14 APPROPRIATE to the fund. The moneys in the fund ~~shall be~~ ARE subject to
15 annual appropriation by the general assembly to the ~~division~~ STATE
16 DEPARTMENT for the purpose of providing grants as provided in this
17 section and the direct and indirect costs associated with the
18 implementation of this section. Any moneys in the fund not expended for
19 the purpose of this section may be invested by the state treasurer as
20 provided by law. All interest and income derived from the investment and
21 deposit of moneys in the fund shall be credited to the fund. Any
22 unexpended and unencumbered moneys remaining in the fund at the end
23 of a fiscal year shall remain in the fund and shall not be credited or
24 transferred to the general fund or another fund.

25 **SECTION 6. Repeal of provisions being relocated in this**
26 **act.** In Colorado Revised Statutes, **repeal** article 44.7 of title 24, part 2
27 of article 20.5 of title 25, and article 31 of title 25.

1 **SECTION 7.** In Colorado Revised Statutes, 19-3.5-104, **amend**
2 (1) as follows:

3 **19-3.5-104. Colorado children's trust fund board - creation -**
4 **members.** (1) (a) There is hereby created, in the department of public
5 health and environment, the Colorado children's trust fund board. The
6 board shall exercise its powers and duties as if transferred by a **type 2**
7 transfer.

8 (b) THE COLORADO CHILDREN'S TRUST FUND BOARD IS
9 TRANSFERRED TO THE DEPARTMENT OF HUMAN SERVICES. THE BOARD
10 SHALL EXERCISE ITS POWERS AND DUTIES AS IF TRANSFERRED BY A **TYPE**
11 **2** TRANSFER. PERSONS APPOINTED TO THE COLORADO CHILDREN'S TRUST
12 FUND BOARD SHALL CONTINUE SERVING UNTIL COMPLETION OF THEIR
13 TERMS AND MAY BE REAPPOINTED AS PROVIDED IN THIS SECTION.

14 **SECTION 8.** In Colorado Revised Statutes, 19-3.5-109, **amend**
15 (1) as follows:

16 **19-3.5-109. Report - repeal of article.** (1) The department of
17 ~~public health and environment~~ HUMAN SERVICES shall contract for an
18 independent evaluation of the trust fund, including administrative costs
19 of operating the trust fund and the cost-effectiveness and the impact of
20 the grants on reducing and preventing child abuse. A report of ~~such~~ THE
21 evaluation shall be provided to the house and senate health and human
22 services committees, or any successor committees, by November 1, 2011,
23 and by November 1, 2021.

24 **SECTION 9.** In Colorado Revised Statutes, 26-18-102, **repeal**
25 (3.5); and **add** (7) as follows:

26 **26-18-102. Definitions.** As used in this article, unless the context
27 otherwise requires:

1 (3.5) ~~"Division" means the prevention services division in the~~
2 ~~department of public health and environment.~~

3 (7) "STATE DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN
4 SERVICES CREATED IN SECTION 26-1-105.

5 **SECTION 10.** In Colorado Revised Statutes, 26-18-104, **amend**
6 (1) (a), (1) (b), and (1) (c) (III); and **add** (1) (a.5) as follows:

7 **26-18-104. Program created.** (1) (a) There is ~~hereby~~ established
8 in the prevention services division in the department of public health and
9 environment a family resource center program. The purposes of ~~said~~
10 ~~program shall be~~ THE PROGRAM ARE to provide grants to community
11 applicants for the creation of family resource centers or to provide grants
12 to family resource centers for the continued operation of ~~such~~ THE centers
13 through which services for vulnerable families, individuals, children, and
14 youth who live in communities or in at-risk neighborhoods are accessible
15 and coordinated through a single point of entry.

16 (a.5) ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a.5), THE
17 FAMILY RESOURCE CENTER PROGRAM IS TRANSFERRED TO THE
18 DEPARTMENT OF HUMAN SERVICES. ALL PROGRAM GRANTS IN EXISTENCE
19 AS OF THE EFFECTIVE DATE OF THIS PARAGRAPH (a.5) SHALL CONTINUE TO
20 BE VALID THROUGH JUNE 30, 2015, AND MAY BE CONTINUED AFTER SAID
21 DATE.

22 (b) The ~~division~~ STATE DEPARTMENT shall operate the family
23 resource center program in accordance with the provisions of this article.
24 ~~the requirements for prevention, intervention, and treatment programs~~
25 ~~specified in article 20.5 of title 25, C.R.S., and the rules for prevention,~~
26 ~~intervention, and treatment programs adopted by the state board of health~~
27 ~~pursuant to section 25-20.5-106, C.R.S.~~ In addition, the ~~division~~ STATE

1 DEPARTMENT may establish any other procedures necessary to implement
2 the program, including establishing the procedure for ~~the submittal of~~
3 SUBMITTING grant applications by community applicants seeking to
4 establish a family resource center or by a family resource center applying
5 for a grant for continued operation of a family resource center.

6 (c) (III) ~~The division is authorized to~~ STATE DEPARTMENT MAY
7 accept and expend any grants from any public or private source for the
8 purpose of making grants to community applicants for the establishment
9 or continued operation of family resource centers and for the purpose of
10 evaluating the effectiveness of the family resource center program.
11 ~~Nothing in~~ This article ~~shall be construed to~~ DOES NOT prohibit a family
12 resource center from accepting and expending funds received through an
13 authorized contract, grants, or donations from public or private sources.

14 **SECTION 11.** In Colorado Revised Statutes, 26-18-105, **amend**
15 (1) introductory portion, (2), and (3) as follows:

16 **26-18-105. Selection of centers - grants.** (1) ~~The division~~ STATE
17 DEPARTMENT may award a grant for the purpose of establishing a family
18 resource center based on a plan submitted to the ~~division~~ STATE
19 DEPARTMENT by the applicant or for the continued operation of a family
20 resource center. The plan shall meet specific criteria which the ~~division~~
21 STATE DEPARTMENT is hereby authorized to set, but the criteria shall
22 include at least the following provisions:

23 (2) The local advisory council for a community applicant awarded
24 a grant pursuant to subsection (1) of this section shall evaluate the overall
25 effectiveness of the family resource center annually and shall submit an
26 annual report to the ~~division in accordance with section 25-20.5-108,~~
27 ~~C.R.S~~ STATE DEPARTMENT.

1 (3) ~~In the event the division~~ IF THE STATE DEPARTMENT
2 determines, from any report submitted by a local advisory council or any
3 other source, that the operation of a family resource center is not in
4 compliance with this article or any rule adopted pursuant to the provisions
5 of this article, the ~~division~~ STATE DEPARTMENT may impose sanctions,
6 including termination of the grant.

7 **SECTION 12.** In Colorado Revised Statutes, 25-20.5-101,
8 **amend** (1) (a), (1) (c), and (2) as follows:

9 **25-20.5-101. Legislative declaration.** (1) The general assembly
10 hereby finds that:

11 (a) The state operates or state agencies provide funding for a wide
12 variety of prevention, intervention, and treatment programs designed to
13 assist ~~children and~~ youth in achieving an education, in making informed
14 choices about their health and well-being, in avoiding the juvenile and
15 criminal justice systems, and, generally, in becoming healthy,
16 law-abiding, contributing members of society;

17 (c) There is some overlap among prevention, intervention, and
18 treatment programs, sometimes resulting in the potentially inefficient use
19 of state resources which may result in the provision of fewer services to
20 ~~children and~~ youth;

21 (2) The general assembly therefore finds that it is in the best
22 interests of the ~~children,~~ youth and families of the state to create a single
23 division in the department of public health and environment to operate
24 prevention and intervention programs and to oversee the provision of
25 prevention, intervention, and treatment services through federally and
26 state-funded prevention, intervention, and treatment programs to ensure
27 collaboration among programs and the availability of a continuum of

1 services for ~~children and~~ youth.

2 **SECTION 13.** In Colorado Revised Statutes, 25-20.5-102,
3 **amend** (5) and (6) as follows:

4 **25-20.5-102. Definitions.** As used in this article, unless the
5 context otherwise requires:

6 (5) "Prevention, intervention, and treatment services" means
7 services that are designed to promote the well-being of ~~children and~~ youth
8 and their families by decreasing high-risk behaviors, strengthening
9 healthy behaviors, and promoting family stability.

10 (6) "State plan" means the state plan for delivery of prevention,
11 intervention, and treatment services to ~~children and~~ youth throughout the
12 state adopted by the division pursuant to section 25-20.5-105.

13 **SECTION 14.** In Colorado Revised Statutes, 25-20.5-104,
14 **amend** (1) (a), (1) (e), and (2) as follows:

15 **25-20.5-104. Functions of division.** (1) The division has the
16 following functions:

17 (a) On or before February 1, 2001, to submit to the executive
18 director ~~to the Tony Grampas youth services board~~, and to the governor
19 for approval a state plan for delivery of prevention, intervention, and
20 treatment services to ~~children and~~ youth throughout the state as provided
21 in section 25-20.5-105, and to biennially review the state plan and submit
22 revisions as provided by rule of the state board of health to the executive
23 director ~~the Tony Grampas youth services board~~, and the governor for
24 approval;

25 (e) To operate the prevention and intervention programs specified
26 in this article and such other prevention and intervention programs as may
27 be created in or transferred to the division by executive order to be funded

1 solely by nonstate moneys, including but not limited to reviewing
2 applications submitted by entities to receive funding through said
3 programs, awarding grants based on such applications, and notifying the
4 state board of health of the grants awarded and the amounts of said
5 grants; ~~except that the Tony Grampsas youth services board shall review~~
6 ~~applications and award grants for the programs specified in part 2 of this~~
7 ~~article;~~

8 (2) In addition to any prevention and intervention programs
9 created in or transferred to the division by executive order and any
10 prevention and intervention programs transferred to the division by the
11 executive director pursuant to subsection (4) of this section, the division
12 shall operate the following prevention and intervention programs:

13 (a) ~~The Tony Grampsas youth services program created in section~~
14 ~~25-20.5-201;~~

15 (b) ~~The Colorado youth mentoring services program created in~~
16 ~~section 25-20.5-203;~~

17 (c) ~~The Colorado student dropout prevention and intervention~~
18 ~~program created in section 25-20.5-204;~~

19 (d) ~~The Colorado children's trust fund created in article 3.5 of title~~
20 ~~19, C.R.S.;~~

21 (e) ~~The family resource center program created in section~~
22 ~~26-18-104, C.R.S.;~~

23 (f) The school-based health center grant program created in part
24 5 of this article.

25 **SECTION 15.** In Colorado Revised Statutes, 25-20.5-105,
26 **amend** (1) introductory portion and (2) as follows:

27 **25-20.5-105. State plan for delivery of prevention,**

1 **intervention, and treatment services to youth - contents.** (1) On or
2 before February 1, 2001, the division shall submit to the governor ~~the~~
3 ~~Tony Grampsas youth services board~~, and the executive director for
4 approval a state plan for delivery of prevention, intervention, and
5 treatment services to ~~children and~~ youth throughout the state. The state
6 plan shall apply to all prevention, intervention, and treatment programs
7 that receive state or federal funds and are operated within the state. The
8 state plan shall be designed to coordinate and provide direction for the
9 delivery of prevention, intervention, and treatment services through the
10 various prevention and intervention programs operated by the division
11 and the prevention, intervention, and treatment programs operated by
12 other state departments and to ensure collaboration among programs that
13 results in a continuum of services available to ~~children and~~ youth
14 throughout the state. At a minimum, the state plan shall:

15 (2) The division shall biennially review and revise the state plan
16 as necessary to ensure the most efficient and effective delivery of
17 prevention, intervention, and treatment services throughout the state. The
18 division shall submit any revised state plan as provided by rule of the
19 state board of health to the governor ~~the Tony Grampsas youth services~~
20 ~~board~~, and the executive director for approval.

21 **SECTION 16.** In Colorado Revised Statutes, 25-20.5-106,
22 **amend** (1) and (3) as follows:

23 **25-20.5-106. State board of health - rules - program duties.**

24 (1) The state board of health created in section 25-1-103 shall promulgate
25 rules as necessary for the operation of the division, including but not
26 limited to rules establishing the time frames for review of the state plan
27 and submittal of any revised state plan to the governor ~~the Tony~~

1 ~~Grampsas youth services board~~, and the executive director and to the
2 entities specified in section 25-20.5-105 (4).

3 (3) The state board of health shall act as the program board for the
4 oversight of the prevention and intervention programs operated by the
5 division. ~~except that the Tony Grampsas youth services board shall act as~~
6 ~~the program board for the programs specified in part 2 of this article and~~
7 ~~for any additional programs specified by executive order.~~

8 **SECTION 17.** In Colorado Revised Statutes, 2-3-113, **amend** (1)
9 (a) as follows:

10 **2-3-113. Programs that receive tobacco settlement moneys -**
11 **program review - repeal.** (1) As used in this section:

12 (a) "Health sciences facility" has the meaning set forth in ~~section~~
13 ~~25-31-103, C.R.S.~~ SECTION 26-6.4-103 (2), C.R.S. For purposes of this
14 section, "health sciences facility" includes any contractor or subcontractor
15 engaged by the health sciences facility to assist in the implementation and
16 monitoring of the nurse home visitor program established under ~~article 31~~
17 ~~of title 25, C.R.S.~~ ARTICLE 6.4 OF TITLE 26, C.R.S.

18 **SECTION 18.** In Colorado Revised Statutes, 13-3-113, **amend**
19 (3) (a) as follows:

20 **13-3-113. "Family-friendly Courts Act".** (3) **Definitions.** For
21 purposes of this section:

22 (a) "At-risk youth" shall have the same meaning as set forth in
23 ~~section 25-20.5-203 (3), C.R.S.~~ SECTION 26-6.8-104 (3), C.R.S.

24 **SECTION 19.** In Colorado Revised Statutes, 24-1-119, **repeal** (9)
25 as follows:

26 **24-1-119. Department of public health and environment -**
27 **creation.** (9) ~~The powers, duties, and functions of the Colorado~~

1 ~~children's trust fund board, created in section 19-3.5-104, C.R.S., are~~
2 ~~transferred by a **type 2** transfer to the department of public health and~~
3 ~~environment.~~

4 **SECTION 20.** In Colorado Revised Statutes, 24-1-120, **add** (5)
5 (m), (10), and (11) as follows:

6 **24-1-120. Department of human services - creation - repeal.**

7 (5) The department of human services shall include the following:

8 (m) THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED BY
9 ARTICLE 6.2 OF TITLE 26, C.R.S.

10 (10) THE POWERS, DUTIES, AND FUNCTIONS OF THE COLORADO
11 CHILDREN'S TRUST FUND BOARD, CREATED IN SECTION 19-3.5-104, C.R.S.,
12 ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF
13 HUMAN SERVICES.

14 (11) THE POWERS, DUTIES, AND FUNCTIONS OF THE TONY
15 GRAMPSAS YOUTH SERVICES BOARD CREATED IN SECTION 26-6.8-103,
16 C.R.S., ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT
17 OF HUMAN SERVICES.

18 **SECTION 21.** In Colorado Revised Statutes, 24-75-1104.5,
19 **amend** (1) (a) introductory portion, (1) (i), (3), and (5) (a) (I) (B) as
20 follows:

21 **24-75-1104.5. Use of settlement moneys - programs - repeal.**

22 (1) Except as otherwise provided in subsection (5) of this section, for the
23 2004-05 fiscal year and for each fiscal year thereafter, the following
24 programs, services, or funds shall receive the following specified amounts
25 from the settlement moneys received by the state in the preceding fiscal
26 year; except that fifteen million four hundred thousand dollars of strategic
27 contribution fund moneys and, for the 2010-11 fiscal year and for each

1 fiscal year thereafter only, the lesser of sixty-five million dollars of other
2 settlement moneys or all other settlement moneys shall be allocated in
3 each fiscal year in which they are received by the state and except that, of
4 the other settlement moneys received by the state in the 2009-10 fiscal
5 year, the lesser of sixty-five million dollars or all of such moneys shall be
6 transferred to the general fund on June 30, 2010, and shall not be
7 allocated:

8 (a) The Colorado nurse home visitor program created in ~~article 31~~
9 ~~of title 25, C.R.S.~~ ARTICLE 6.4 OF TITLE 26, C.R.S., shall receive the
10 following amounts, not to exceed nineteen million dollars in any fiscal
11 year, as provided in ~~section 25-31-107, C.R.S.~~ SECTION 26-6.4-107,
12 C.R.S.:

13 (i) The Tony Grampas youth services program created in ~~part 2~~
14 ~~of article 20.5 of title 25, C.R.S.~~ ARTICLE 6.8 OF TITLE 26, C.R.S., shall
15 receive four percent of the total amount of settlement moneys annually
16 received by the state, not to exceed five million dollars in any fiscal year,
17 as provided in ~~section 25-20.5-201, C.R.S.~~ SECTION 26-6.8-102, C.R.S.

18 (3) Notwithstanding the provisions of subsections (1) and (1.5) of
19 this section, for purposes of sections 22-7-908 (3), 23-20-136 (3.5) (a),
20 25-4-1411 (6) (a), 25-4-1415 (2), ~~25-20.5-201 (2) (c)~~, 25-23-104 (2),
21 ~~25-31-107 (2) (d) (I)~~, 25.5-6-805 (2), 25.5-8-105 (3), 26-6.4-107 (2) (d)
22 (I), 26-6.8-102 (2) (d), 27-67-106 (2) (b), and 28-5-709 (2) (a), C.R.S.,
23 settlement moneys received and allocated by the state pursuant to said
24 subsections (1) and (1.5) during the same fiscal year shall be deemed to
25 be moneys received for or during the preceding fiscal year.

26 (5) (a) (I) The state treasurer shall credit all disputed payments
27 upon receipt, or if received prior to June 1, 2009, on June 1, 2009, to the

1 general fund. On June 1, 2009, the state treasurer shall transfer the
2 following amounts from the general fund:

3 (B) Four hundred seventy-eight thousand dollars to the nurse
4 home visitor program fund created in ~~section 25-31-107 (2) (b), C.R.S.~~
5 SECTION 26-6.4-107 (2) (b), C.R.S.

6 **SECTION 22.** In Colorado Revised Statutes, 25-1-108.5, **amend**
7 (1) (a), (1) (c), and (2) introductory portion as follows:

8 **25-1-108.5. Additional powers and duties of state board of**
9 **health and department - programs that receive tobacco settlement**
10 **moneys - monitoring - annual report.** (1) As used in this section:

11 (a) "Health sciences facility" has the meaning set forth in ~~section~~
12 ~~25-31-103~~ SECTION 26-6.4-103, C.R.S.

13 (c) "Nurse home visitor program" means the tobacco settlement
14 program established in ~~article 31 of this title~~ ARTICLE 6.4 OF TITLE 26,
15 C.R.S.

16 (2) Except for the nurse home visitor program, which shall be
17 monitored by the health sciences facility in accordance with ~~section~~
18 ~~25-31-105 (1)~~ SECTION 26-6.4-105 (1), the state board and the department
19 shall monitor the operation and effectiveness of tobacco settlement
20 programs. Each tobacco settlement program shall annually submit to the
21 department, in accordance with rules promulgated by the state board, the
22 following information:

23 **SECTION 23.** In Colorado Revised Statutes, 25-3.5-804, **amend**
24 (3) (a) as follows:

25 **25-3.5-804. Tobacco education, prevention, and cessation**
26 **programs - review committee - grants.** (3) (a) The division shall
27 review the applications received pursuant to this part 8 and make

1 recommendations to the state board regarding those entities that may
2 receive grants and the amounts of said grants. On and after October 1,
3 2005, the review committee shall review the applications received
4 pursuant to this part 8 and submit to the state board and the director of the
5 department recommended grant recipients, grant amounts, and the
6 duration of each grant. Within thirty days after receiving the review
7 committee's recommendations, the director shall submit his or her
8 recommendations to the state board. The review committee's
9 recommendations regarding grantees of the Tony Grampsas youth
10 services program, ~~section 25-20.5-201~~ SECTION 26-6.8-102, C.R.S.,
11 pursuant to section 25-3.5-805 (5) shall be submitted to the state board
12 and the Tony Grampsas youth services board. Within thirty days after
13 receiving the review committee's recommendations, the Tony Grampsas
14 youth services board shall submit its recommendations to the state board.
15 The state board shall have the final authority to approve the grants under
16 this part 8. If the state board disapproves a recommendation for a grant
17 recipient, the review committee may submit a replacement
18 recommendation within thirty days. In reviewing grant applications for
19 programs to provide tobacco education, prevention, and cessation
20 programs for persons with mental illness, the division or the review
21 committee shall consult with the programs for public psychiatry at the
22 university of Colorado health sciences center, the national alliance for the
23 mentally ill, the mental health association of Colorado, and the
24 department of human services.

25 **SECTION 24.** In Colorado Revised Statutes, 25-3.5-805, **amend**
26 (5) as follows:

27 **25-3.5-805. Tobacco education, prevention, and cessation**

1 **programs - requirements.** (5) Up to fifteen percent of the moneys
2 annually awarded pursuant to this section shall be allocated to grantees of
3 the Tony Grampsas youth services program, ~~section 25-20.5-201~~ SECTION
4 26-6.8-102, C.R.S., for proven tobacco prevention and cessation
5 programs.

6 **SECTION 25.** In Colorado Revised Statutes, 26-6.5-104, **amend**
7 (1) as follows:

8 **26-6.5-104. Early childhood councils - waivers - rules -**
9 **funding - application.** (1) A local council may request a waiver of any
10 rule that would prevent a council from implementing council projects.
11 The local council shall submit the request to the early childhood
12 leadership commission created in ~~article 44.7 of title 24, C.R.S.~~ ARTICLE
13 6.2 OF THIS TITLE. The early childhood leadership commission shall
14 consult with the affected state agency in reviewing the request. The state
15 department or other affected state agency shall grant waivers upon
16 recommendation by the commission.

17 **SECTION 26.** In Colorado Revised Statutes, 2-3-1203, **add** (3)
18 (ee) (V) as follows:

19 **2-3-1203. Sunset review of advisory committees.** (3) The
20 following dates are the dates for which the statutory authorization for the
21 designated advisory committees is scheduled for repeal:

22 (ee) July 1, 2018:

23 (V) THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN
24 SECTION 26-6.2-103, C.R.S.

25 **SECTION 27. Effective date.** This act takes effect July 1, 2013.

26 **SECTION 28. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.