

NOTE: The governor signed this measure on 5/28/2013.

An Act

HOUSE BILL 13-1239

BY REPRESENTATIVE(S) McCann, Exum, Fischer, Ginal, Hamner, Hullinghorst, Kraft-Tharp, Lee, Melton, Mitsch Bush, Moreno, Primavera, Rosenthal, Salazar, Schafer, Young, Court, Duran, Fields, Gerou, Labuda, Lebsock, Peniston, Ryden, Singer, Tyler, Vigil, Williams;
also SENATOR(S) Hodge, Giron, Heath, Jones, Kefalas, Newell, Nicholson, Schwartz, Todd, Ulibarri.

CONCERNING THE CREATION OF A STATEWIDE YOUTH DEVELOPMENT PLAN,
AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN
APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that in 2011 alone:

(a) Fifteen and a half percent of high school students in Colorado carried a weapon to school in the previous thirty days;

(b) There were more than thirty-four thousand juvenile arrests in Colorado;

(c) Four hundred thirty-one juveniles were arrested for weapons

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

violations, and more than thirty-five hundred juveniles were arrested for drug violations;

(d) Nearly twenty-five percent of high school students in Colorado were involved in fights during the previous year; and

(e) Sixty-seven thousand young people in Colorado ages eighteen to twenty-four were unemployed, not attending school, and had no degree beyond a high school diploma.

(2) The general assembly also finds that the Tony Grampsas youth services program was established in 1994 to provide statewide funding for community-based programs that target youth and their families for intervention services in an effort to reduce incidents of youth crime and violence. Further, the Tony Grampsas youth services program was established to promote prevention and education programs that are designed to reduce the occurrence and reoccurrence of child abuse and neglect and to reduce the need for state intervention in those cases.

(3) Therefore, the general assembly declares that it is in the best interests of the people of Colorado to develop a comprehensive state plan for youth development in order to quantify existing and needed services and to align existing limited resources to help promote positive youth development.

(4) The general assembly further finds that it is in the best interest of the people of Colorado for the department of human services to coordinate prevention and intervention programs and to oversee the provision of these services to ensure collaboration among communities and programs, with the goal of ensuring the availability of a continuum of services for youth.

SECTION 2. In Colorado Revised Statutes, **add** 26-1-111.3 as follows:

26-1-111.3. Activities of the state department under the supervision of the executive director - Colorado state youth development plan - creation - definitions. (1) (a) SUBJECT TO AVAILABLE FUNDING, THE STATE DEPARTMENT, IN COLLABORATION WITH THE TONY GRAMPSAS YOUTH SERVICES BOARD, CREATED IN SECTION 26-6.8-103,

SHALL CONVENE A GROUP OF INTERESTED PARTIES TO CREATE A COLORADO STATE YOUTH DEVELOPMENT PLAN. THE GOALS OF THE PLAN ARE TO IDENTIFY KEY ISSUES AFFECTING YOUTH AND ALIGN STRATEGIC EFFORTS TO ACHIEVE POSITIVE OUTCOMES FOR ALL YOUTH.

(b) THE PLAN MUST:

(I) IDENTIFY INITIATIVES AND STRATEGIES, ORGANIZATIONS, AND GAPS IN COVERAGE THAT IMPACT YOUTH DEVELOPMENT OUTCOMES;

(II) IDENTIFY SERVICES, FUNDING, AND PARTNERSHIPS NECESSARY TO ENSURE THAT YOUTH HAVE THE MEANS AND THE SOCIAL AND EMOTIONAL SKILLS TO SUCCESSFULLY TRANSITION INTO ADULTHOOD;

(III) DETERMINE WHAT IS NECESSARY IN TERMS OF COMMUNITY INVOLVEMENT AND DEVELOPMENT TO ENSURE YOUTH SUCCEED;

(IV) DEVELOP AN OUTLINE OF YOUTH SERVICE ORGANIZATIONS BASED ON, BUT NOT LIMITED TO, DEMOGRAPHICS, CURRENT SERVICES AND CAPACITY, AND COMMUNITY INVOLVEMENT;

(V) IDENTIFY SUCCESSFUL YOUTH DEVELOPMENT STRATEGIES NATIONALLY AND IN COLORADO THAT COULD BE REPLICATED BY COMMUNITY PARTNERS AND ENTITIES ACROSS THE STATE; AND

(VI) CREATE A SHARED VISION FOR HOW A STRONG YOUTH DEVELOPMENT NETWORK WOULD BE SHAPED AND MEASURED.

(c) THE PLAN MUST INCLUDE A BASELINE MEASUREMENT OF YOUTH ACTIVITIES, DEVELOPED USING AVAILABLE DATA AND RESOURCES. DATA AND RESOURCES MAY BE COLLECTED FROM, BUT NEED NOT BE LIMITED TO, THE FOLLOWING:

(I) AN EXISTING YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM THAT MONITORS HEALTH-RISK BEHAVIORS THAT CONTRIBUTE TO THE LEADING CAUSES OF DEATH AND DISABILITY AMONG YOUTH, INCLUDING:

(A) BEHAVIORS THAT CONTRIBUTE TO UNINTENTIONAL INJURIES AND VIOLENCE;

(B) SEXUAL BEHAVIORS THAT CONTRIBUTE TO UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV;

(C) ALCOHOL AND OTHER DRUG USE;

(D) TOBACCO USE;

(E) UNHEALTHY DIETARY BEHAVIORS; AND

(F) INADEQUATE PHYSICAL ACTIVITY;

(II) THE COLORADO YOUTH ADVISORY COUNCIL, CREATED IN SECTION 2-2-1302, C.R.S.;

(III) THE STATE DEPARTMENT OF EDUCATION;

(IV) THE STATE DEPARTMENT OF HIGHER EDUCATION, TO ASSESS WORKFORCE READINESS AND STUDENT ACHIEVEMENT AS YOUTH TRANSITION THROUGH THE SECONDARY AND POSTSECONDARY EDUCATION SYSTEMS;

(V) THE STATE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(VI) THE STATE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING;

(VII) THE STATE DEPARTMENT OF HUMAN SERVICES;

(VIII) THE STATE DEPARTMENT OF LABOR AND EMPLOYMENT;

(IX) THE STATE DEPARTMENT OF PUBLIC SAFETY; AND

(X) THE STATE JUDICIAL DEPARTMENT.

(2) THE STATE DEPARTMENT SHALL BE RESPONSIBLE FOR ANY COSTS ASSOCIATED WITH THE DEVELOPMENT OF THE PLAN AND IS NOT REQUIRED TO IMPLEMENT THIS SECTION UNTIL ADEQUATE FUNDING IS SECURED.

(3) THE STATE DEPARTMENT, IN COLLABORATION WITH THE TONY GRAMPSAS YOUTH SERVICES BOARD, CREATED IN SECTION 26-6.8-103, SHALL COMPLETE THE PLAN ON OR BEFORE SEPTEMBER 30, 2014, AND SHALL

UPDATE THE PLAN BIENNALLY THEREAFTER.

(4) BEGINNING IN JANUARY 2015, AND EVERY JANUARY THEREAFTER, THE DEPARTMENT SHALL REPORT PROGRESS ON THE DEVELOPMENT AND IMPLEMENTATION OF THE PLAN AS PART OF ITS "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203, C.R.S.

(5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ENTITY" MEANS ANY LOCAL GOVERNMENT, STATE PUBLIC OR NONSECTARIAN SECONDARY SCHOOL, CHARTER SCHOOL, GROUP OF PUBLIC OR NONSECTARIAN SECONDARY SCHOOLS, SCHOOL DISTRICT OR GROUP OF SCHOOL DISTRICTS, BOARD OF COOPERATIVE SERVICES, STATE INSTITUTION OF HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, STATE AGENCY, STATE-OPERATED PROGRAM, PRIVATE NONPROFIT ORGANIZATION, OR NONPROFIT COMMUNITY-BASED ORGANIZATION.

(b) "PLAN" MEANS THE COLORADO STATE YOUTH DEVELOPMENT PLAN CREATED PURSUANT TO THIS SECTION.

(c) "YOUTH" MEANS AN INDIVIDUAL AT LEAST NINE YEARS OF AGE AND NO MORE THAN TWENTY-ONE YEARS OF AGE.

(d) "YOUTH SERVICE ORGANIZATION" MEANS AN ENTITY THAT IS COMMUNITY-BASED AND:

(I) PROMOTES INNOVATIVE AND EVIDENCE-BASED STRATEGIES FOR POSITIVE YOUTH DEVELOPMENT AND FOR REDUCING THE OCCURRENCE AND REOCCURRENCE OF CHILD ABUSE AND NEGLECT;

(II) PROMOTES INNOVATIVE PRIMARY PREVENTION AND INTERVENTION SERVICES TO YOUTH AND THEIR FAMILIES IN AN EFFORT TO DECREASE HIGH-RISK BEHAVIOR, INCLUDING BUT NOT LIMITED TO YOUTH CRIME AND VIOLENCE; OR

(III) PROMOTES INNOVATIVE STRATEGIES TO AT-RISK STUDENTS AND THEIR FAMILIES IN AN EFFORT TO REDUCE THE DROPOUT RATE IN SECONDARY

SCHOOLS.

SECTION 3. In Colorado Revised Statutes, 26-6.8-102, **amend as added by House Bill 13-1117** (2) (a) and (2) (b) as follows:

26-6.8-102. Tony Grampsas youth services program - creation - standards - applications. (2) (a) ~~Subject to the designation in paragraph (b) of this subsection (2);~~ The board shall choose those entities that will receive grants through the Tony Grampsas youth services program and the amount of each grant. The state department shall ADMINISTER THE GRANTS AWARDED AND monitor the effectiveness of programs that receive ~~funds~~ GRANTS through the Tony Grampsas youth services program.

(b) ~~Each year, no less than twenty percent of the appropriation shall be designated and used exclusively for programs designed for children younger than nine years of age. The state department shall administer the grants awarded to programs described in this paragraph (b) and shall monitor the effectiveness of the programs.~~ FOR ONE GRANT CYCLE, UP TO THREE HUNDRED THOUSAND DOLLARS OF THE APPROPRIATION MADE FOR THE PURPOSE SET FORTH IN THIS PARAGRAPH (b) MAY BE USED TO AWARD TECHNICAL ASSISTANCE GRANTS FOR COMMUNITY-BASED PREVENTION AND INTERVENTION ORGANIZATIONS THAT WORK WITH YOUTH. ORGANIZATIONS THAT APPLY FOR MONEYS PURSUANT TO THIS PARAGRAPH (b) MUST USE THE MONEYS TO ASSIST WITH INDEPENDENT CERTIFICATION AS AN EVIDENCE-BASED PROGRAM. EVIDENCE-BASED PROGRAMS MUST DEMONSTRATE AN ABILITY TO MEET RIGOROUS REQUIREMENTS FOR EVALUATION AND EFFECTIVENESS TO REFLECT AN ABILITY TO CHANGE TARGETED BEHAVIORS AND PROMOTE POSITIVE YOUTH DEVELOPMENT OUTCOMES.

SECTION 4. In Colorado Revised Statutes, **repeal** 25-20.5-101, 25-20.5-102, 25-20.5-104, 25-20.5-105, 25-20.5-106, 25-20.5-107, 25-20.5-108, and 25-20.5-109.

SECTION 5. In Colorado Revised Statutes, 26-1-111, **amend** (2) (s); and **add** (2) (u) as follows:

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

supervision of the executive director, shall:

(s) Promulgate rules in accordance with section 19-3-211, C.R.S., for establishing a conflict resolution process for resolving grievances against the county departments concerning responses to reports of child abuse and neglect and the performance of duties pursuant to article 3 of title 19, C.R.S. ~~Such~~ THE rules ~~shall~~ MUST take into account and allow for any subsequent locally developed grievance procedures that apply to a locally restructured human services system to ensure consistency within the system.

(u) COORDINATE PREVENTION AND INTERVENTION PROGRAMS FOCUSED ON POSITIVE YOUTH DEVELOPMENT IN ACCORDANCE WITH STATE LAW AND RULES. THE COORDINATION MUST INCLUDE THE STATE YOUTH DEVELOPMENT PLAN DEVELOPED PURSUANT TO SECTION 26-6.8-103.5 THAT IDENTIFIES KEY ISSUES AFFECTING YOUTH TO ALIGN STRATEGIC EFFORTS AND ACHIEVE POSITIVE OUTCOMES FOR YOUTH.

SECTION 6. In Colorado Revised Statutes, 26-18-104, **amend** (1) (b) as follows:

26-18-104. Program created. (1) (b) The division shall operate the family resource center program in accordance with the provisions of this article. ~~the requirements for prevention, intervention, and treatment programs specified in article 20.5 of title 25, C.R.S., and the rules for prevention, intervention, and treatment programs adopted by the state board of health pursuant to section 25-20.5-106, C.R.S.~~ In addition, the division may establish any other procedures necessary to implement the program, including establishing the procedure for the submittal of grant applications by community applicants seeking to establish a family resource center or by a family resource center applying for a grant for continued operation of a family resource center.

SECTION 7. In Colorado Revised Statutes, 24-44.7-103, **repeal** (3) (c) as follows:

24-44.7-103. Early childhood leadership commission - duties. (3) In fulfilling its duties, the commission shall collaborate, at a minimum, with:

(c) ~~The prevention leadership council created in the department of~~

~~public health and environment through the implementation of section 25-20.5-107, C.R.S.;~~

SECTION 8. In Colorado Revised Statutes, 24-32-723, **amend** (4) (a) as follows:

24-32-723. Office of homeless youth services - creation - function - duties - definitions. (4) (a) In providing the services described in this section, the office of homeless youth services is strongly encouraged to work with the executive directors, or their designees, of the ~~departments specified in section 25-20.5-108 (6), C.R.S., as well as the~~ Colorado department of public health and environment, the judicial department, private nonprofit and not-for-profit organizations, appropriate federal departments, and other key stakeholders in the community.

SECTION 9. In Colorado Revised Statutes, 26-18-105, **repeal as amended by House Bill 13-1117** (2).

SECTION 10. In Colorado Revised Statutes, 25-20.5-202, **add** (6) as follows:

25-20.5-202. Tony Grampsas youth services board - members - duties - state youth development plan - creation - definitions. (6) (a) SUBJECT TO AVAILABLE FUNDING, THE BOARD SHALL CONVENE A GROUP OF INTERESTED PARTIES TO CREATE A COLORADO STATE YOUTH DEVELOPMENT PLAN. THE GOALS OF THE PLAN ARE TO IDENTIFY KEY ISSUES AFFECTING YOUTH AND ALIGN STRATEGIC EFFORTS TO ACHIEVE POSITIVE OUTCOMES FOR ALL YOUTH.

(b) THE PLAN MUST:

(I) IDENTIFY INITIATIVES AND STRATEGIES, ORGANIZATIONS, AND GAPS IN COVERAGE THAT IMPACT YOUTH DEVELOPMENT OUTCOMES;

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(III) DETERMINE WHAT IS NECESSARY IN TERMS OF COMMUNITY INVOLVEMENT AND DEVELOPMENT TO ENSURE YOUTH SUCCEED;

(IV) DEVELOP AN OUTLINE OF YOUTH SERVICE ORGANIZATIONS BASED ON, BUT NOT LIMITED TO, DEMOGRAPHICS, CURRENT SERVICES AND CAPACITY, AND COMMUNITY INVOLVEMENT;

(V) IDENTIFY SUCCESSFUL YOUTH DEVELOPMENT STRATEGIES NATIONALLY AND IN COLORADO THAT COULD BE REPLICATED BY COMMUNITY PARTNERS AND ENTITIES ACROSS THE STATE; AND

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(A) BEHAVIORS THAT CONTRIBUTE TO UNINTENTIONAL INJURIES AND VIOLENCE;

(B) SEXUAL BEHAVIORS THAT CONTRIBUTE TO UNINTENDED PREGNANCY AND SEXUALLY TRANSMITTED INFECTIONS, INCLUDING HIV;

(C) ALCOHOL AND OTHER DRUG USE;

(D) TOBACCO USE;

(E) UNHEALTHY DIETARY BEHAVIORS; AND

(F) INADEQUATE PHYSICAL ACTIVITY;

(II) THE COLORADO YOUTH ADVISORY COUNCIL, CREATED IN SECTION 2-2-1302, C.R.S.;

(III) THE STATE DEPARTMENT OF EDUCATION;

(IV) THE STATE DEPARTMENT OF HIGHER EDUCATION, TO ASSESS

WORKFORCE READINESS AND STUDENT ACHIEVEMENT AS YOUTH TRANSITION THROUGH THE SECONDARY AND POSTSECONDARY EDUCATION SYSTEMS;

(V) THE STATE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(VI) THE STATE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING;

(VII) THE STATE DEPARTMENT OF HUMAN SERVICES;

(VIII) THE STATE DEPARTMENT OF LABOR AND EMPLOYMENT;

(IX) THE STATE DEPARTMENT OF PUBLIC SAFETY; AND

(X) THE STATE JUDICIAL DEPARTMENT.

(d) THE STATE DEPARTMENT SHALL BE RESPONSIBLE FOR ANY COSTS ASSOCIATED WITH THE DEVELOPMENT OF THE PLAN AND IS NOT REQUIRED TO IMPLEMENT THIS SECTION UNTIL ADEQUATE FUNDING IS SECURED.

(e) THE BOARD SHALL COMPLETE THE PLAN ON OR BEFORE SEPTEMBER 30, 2014, AND SHALL UPDATE THE PLAN BIENNALLY THEREAFTER.

(f) BEGINNING IN JANUARY 2015, AND EVERY JANUARY THEREAFTER, THE DEPARTMENT SHALL REPORT PROGRESS ON THE DEVELOPMENT AND IMPLEMENTATION OF THE PLAN AS PART OF ITS "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203, C.R.S.

(g) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "ENTITY" MEANS ANY LOCAL GOVERNMENT, STATE PUBLIC OR NONSECTARIAN SECONDARY SCHOOL, CHARTER SCHOOL, GROUP OF PUBLIC OR NONSECTARIAN SECONDARY SCHOOLS, SCHOOL DISTRICT OR GROUP OF SCHOOL DISTRICTS, BOARD OF COOPERATIVE SERVICES, STATE INSTITUTION OF HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, STATE AGENCY, STATE-OPERATED PROGRAM, PRIVATE NONPROFIT ORGANIZATION, OR

NONPROFIT COMMUNITY-BASED ORGANIZATION.

(II) "PLAN" MEANS THE COLORADO STATE YOUTH DEVELOPMENT PLAN CREATED PURSUANT TO THIS SECTION.

(III) "YOUTH" MEANS AN INDIVIDUAL AT LEAST NINE YEARS OF AGE AND NO MORE THAN TWENTY-ONE YEARS OF AGE.

(IV) "YOUTH SERVICE ORGANIZATION" MEANS AN ENTITY THAT IS COMMUNITY-BASED AND:

(A) PROMOTES INNOVATIVE AND EVIDENCE-BASED STRATEGIES FOR POSITIVE YOUTH DEVELOPMENT AND FOR REDUCING THE OCCURRENCE AND REOCCURRENCE OF CHILD ABUSE AND NEGLECT;

(B) PROMOTES INNOVATIVE PRIMARY PREVENTION AND INTERVENTION SERVICES TO YOUTH AND THEIR FAMILIES IN AN EFFORT TO DECREASE HIGH-RISK BEHAVIOR, INCLUDING BUT NOT LIMITED TO YOUTH CRIME AND VIOLENCE; OR

(C) PROMOTES INNOVATIVE STRATEGIES TO AT-RISK STUDENTS AND THEIR FAMILIES IN AN EFFORT TO REDUCE THE DROPOUT RATE IN SECONDARY SCHOOLS.

SECTION 11. In Colorado Revised Statutes, 25-20.5-201, **amend** (2) (a) and (2) (b) as follows:

25-20.5-201. Tony Grampsas youth services program - creation - standards - applications. (2) (a) The Tony Grampsas youth services program shall be administered through the division. ~~Subject to the designation in paragraph (b) of this subsection (2);~~ The Tony Grampsas youth services board created in section 25-20.5-202 shall choose those entities that will receive grants through the Tony Grampsas youth services program and the amount of each grant. In addition, the division shall monitor the effectiveness of programs that receive funds through the Tony Grampsas youth services program.

(b) Any grant awarded through the Tony Grampsas youth services program shall be paid from moneys appropriated pursuant to paragraph (c) of this subsection (2) or out of the general fund for such program. ~~Each~~

~~year, no less than twenty percent of the appropriation shall be designated and used exclusively for programs designed for children younger than nine years of age.~~ The board, in accordance with the timelines adopted pursuant to section 25-20.5-202 (3), shall submit a list of the entities chosen to receive grants to the governor for approval. The governor shall either approve or disapprove the entire list of entities by responding to the board within twenty days. If the governor has not responded to the board within twenty days after receipt of the list, the list shall be deemed approved. No grants shall be awarded through the Tony Grampsas youth services program without the prior approval of the governor.

SECTION 12. Appropriation - adjustments to 2013 long bill.

(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of public health and environment for the fiscal year beginning July 1, 2013, are adjusted as follows:

(a) The general fund appropriation for the prevention services division, interagency prevention programs coordination, is decreased by \$133,284 and 2.0 FTE.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of human services, for the fiscal year beginning July 1, 2013, the sum of \$133,284 and 1.0 FTE, or so much thereof as may be necessary, for allocation to the division of child welfare for the interagency prevention programs coordination line item related to the implementation of this act.

SECTION 13. Effective date. (1) Except as otherwise provided in this section, this act takes effect July 1, 2013.

(2) Sections 2 and 3, 5 to 9, and 12 of this act take effect only if House Bill 13-1117 becomes law and take effect either upon the effective date of this act or House Bill 13-1117, whichever is later.

(3) Sections 4, 10, and 11 of this act take effect only if House Bill 13-1117 does not become law.

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

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

John P. Morse
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO