

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

PREAMENDED

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

LLS NO. 13-0386.01 Julie Pelegrin x2700

HOUSE BILL 13-1117

HOUSE SPONSORSHIP

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House Committees

Public Health Care & Human Services
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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, along with prenatal health, are
8 interrelated and that it is difficult, if not impossible, to separate children's
9 emotional, behavioral, and learning needs from their prenatal and child
10 health and wellness or from the involvement and support of their families.

11 (b) The programs that serve the maternal health, child health, and

1 early childhood needs of children and their families across the four
2 system sectors often continue providing services or work with other
3 programs to provide a continuum of services to ensure that, as they
4 develop, these children have access to the services and supports they need
5 to grow into healthy, educated adults who are well-prepared to positively
6 contribute to their society;

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

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

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

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

1 (II) Strengthen the link between state-level programs and services
2 and the local system of service delivery that exists in counties throughout
3 the state;

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

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

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

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

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

1 families.

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

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

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

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

22 **ARTICLE 6.2**

23 **Early Childhood Leadership Commission**

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

25 (1) The general assembly hereby finds that:

26 (a) Public investments for **PREGNANT WOMEN AND** young children
27 from birth to eight years of age fall behind investments for older Colorado

1 children and lag behind national trends;

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

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

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

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

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

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

1 (h) (c) While there are several planning efforts related to early
2 childhood services and collaborative bodies within state and local
3 governments, there is no single venue to allow high-level decision
4 making among policy makers, to collectively study recommendations, and
5 to make joint policy and funding recommendations.

6 (2) The general assembly further finds that:

7 (a) A commission to assist in coordinating services and supports
8 for PREGNANT WOMEN AND young children from birth to eight years of
9 age will improve the delivery of those services and improve the
10 educational, health, emotional and mental health, child welfare, and
11 employment outcomes for these children and their families; and

12 (b) A commission to assist in coordinating the delivery of services
13 and supports for PREGNANT WOMEN AND young children will also
14 significantly improve Colorado's workforce and economic development
15 by:

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

18 (II) Supporting those persons who currently provide early
19 childhood services and supports and creating additional employment
20 opportunities;

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

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

26 (3) The general assembly finds, therefore, that it is essential to
27 create a high-level, interagency, public-private leadership commission to

1 identify opportunities for, and address barriers to, the coordination of
2 federal and state early childhood policies and procedures that affect the
3 health and well-being of Colorado's children.

4 **26-6.2-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

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

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

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

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

25 (a) The executive directors of each of the following agencies or
26 their designees:

27 (I) The STATE department of human services;

- 1 (II) The department of public health and environment;
- 2 (III) The department of health care policy and financing; and
- 3 (IV) The department of higher education;
- 4 (b) The commissioner of education or his or her designee;
- 5 ~~(c) The executive director of the office of information technology~~
- 6 ~~or his or her designee;~~
- 7 ~~(d) The director of the office of economic development or his or~~
- 8 ~~her designee;~~
- 9 ~~(e)~~ (c) The head start state collaboration director for Colorado;
- 10 AND
- 11 ~~(f)~~ (d) No more than ~~twenty-three~~ FOURTEEN persons appointed
- 12 by the governor, which persons collectively have the following expertise,
- 13 affiliations, or backgrounds:
- 14 (I) Representatives of local government groups;
- 15 ~~(H) A representative from the state work force development~~
- 16 ~~council created in article 46.3 of this title;~~
- 17 ~~(HH)~~ (II) Representatives of school districts;
- 18 ~~(IV)~~ Representatives of head start programs;
- 19 ~~(V)~~ (III) Providers of early childhood supports and services;
- 20 ~~(VI)~~ (IV) Persons whose families receive early childhood supports
- 21 or services;
- 22 ~~(VH)~~ (V) Representatives of statewide FOUNDATIONS AND
- 23 nonprofit organizations involved in early childhood issues;
- 24 ~~(VHH)~~ (VI) Members of the business community; and
- 25 (VII) REPRESENTATIVES OF THE LOCAL PUBLIC HEALTH
- 26 COMMUNITY.
- 27 ~~(g) Four legislative members appointed as follows:~~

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

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

5 (3) (a) In appointing persons to the commission, the governor
6 shall ensure that the appointed persons reflect the gender balance and
7 ethnic diversity in the state and provide representation from throughout
8 the state and that the commission includes representation of persons with
9 disabilities.

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

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

13 (II) Serve without compensation but may receive reimbursement
14 for reasonable expenses incurred in fulfilling their duties on the
15 commission, subject to the availability of moneys pursuant to section
16 ~~24-44.7-104~~ 26-6.2-105.

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

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

26 ~~(4) (a) The appointing authorities specified in paragraph (g) of~~
27 ~~subsection (2) of this section shall appoint the legislative members in~~

1 ~~January of each odd-numbered year, beginning in January 2011. The~~
2 ~~legislative members shall serve two-year terms. The appointing~~
3 ~~authorities may appoint persons to serve consecutive terms. If a vacancy~~
4 ~~arises in a legislative position, the appropriate appointing authority shall~~
5 ~~fill the vacancy for the remainder of the unexpired term on the~~
6 ~~commission.~~

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

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

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

27 ~~(6) (5) The commission, IN COLLABORATION WITH THE EXECUTIVE~~

1 DIRECTOR OF THE STATE DEPARTMENT, may appoint an executive director
2 to assist the commission in fulfilling its duties pursuant to this article. The
3 executive director may appoint such additional persons as may be
4 necessary to assist the commission. The executive director and any other
5 persons appointed pursuant to this subsection ~~(6)~~ (5) shall be
6 compensated from moneys credited to the early childhood leadership
7 commission fund created in ~~section 24-44.7-104~~ SECTION 26-6.2-105.

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

15 **26-6.2-104. [Formerly 24-44.7-103] Early childhood leadership**
16 **commission - duties.** (1) In addition to any other duties specified in law,
17 the commission ~~shall have~~ HAS the following duties:

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

24 ~~(b)~~ (a) To identify opportunities for, and barriers to, the alignment
25 of standards, rules, policies, and procedures across programs and agencies
26 that support young children and to recommend to the APPROPRIATE
27 COMMITTEES OF REFERENCE OF THE general assembly PURSUANT TO PART

1 2 OF ARTICLE 7 OF TITLE 2, C.R.S., and to government and nonprofit
2 agencies and policy boards changes to enhance the alignment and
3 provision of services and supports for young children;

4 (b) TO ADVISE AND MAKE RECOMMENDATIONS TO THE STATE
5 DEPARTMENT AND TO OTHER RELEVANT EARLY CHILDHOOD ENTITIES
6 CONCERNING IMPLEMENTATION OF THE EARLY CHILDHOOD COLORADO
7 FRAMEWORK;

8 (c) TO ASSIST PUBLIC AND PRIVATE AGENCIES IN COORDINATING
9 EFFORTS ON BEHALF OF PREGNANT WOMEN AND CHILDREN, INCLUDING
10 SECURING FUNDING AND ADDITIONAL INVESTMENTS FOR SERVICES AND
11 PROGRAMS FOR CHILDREN AND THEIR FAMILIES;

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

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

18 ~~(e) To ensure the interagency data system infrastructure allows for~~
19 ~~statewide needs assessments concerning the quality and availability of~~
20 ~~early childhood services, including but not limited to health, mental~~
21 ~~health, behavioral health, child protection, family support, and early~~
22 ~~learning services; and~~

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

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

1 (II) HIGH-QUALITY, COMPREHENSIVE EARLY LEARNING
2 STANDARDS; AND

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

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

7 (g) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING
8 INCREASING PARTICIPATION IN AND ACCESS TO CHILD CARE AND EARLY
9 EDUCATION PROGRAMS; AND

10 (h) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING
11 PROMOTING FAMILY AND COMMUNITY ENGAGEMENT IN CHILDREN'S
12 EDUCATION AND DEVELOPMENT.

13 ~~(2) The commission shall review the overall governance system
14 for early childhood services and supports within the state and develop
15 recommendations concerning the feasibility and efficacy of creating a
16 state-level oversight and coordination structure for the delivery of
17 services and supports to young children.~~

18 ~~(3)~~ (2) In fulfilling its duties, the commission shall collaborate, at
19 a minimum, with:

20 ~~(a) Repealed.~~

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

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

26 ~~(d) The state work force development council created in article
27 46.3 of this title;~~

1 ~~(e) The government data advisory board created in section~~
2 ~~24-37.5-703;~~

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

5 ~~(g) (b) Any other boards, commissions, and councils existing~~
6 ~~within the executive branch agencies that address services and supports~~
7 ~~for young children. and~~

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

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

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

1 this article.

2 (2) Any moneys in the fund not expended for the expenses of the
3 commission may be invested by the state treasurer as provided by law. All
4 interest and income derived from the investment and deposit of moneys
5 in the fund shall be credited to the fund. Any unexpended and
6 unencumbered moneys remaining in the fund at the end of a fiscal year
7 shall remain in the fund and shall not be credited or transferred to the
8 general fund or another fund.

9 **26-6.2-106. [Formerly 24-44.7-105] Repeal of article.** This
10 article is repealed, effective ~~July 1, 2013~~ SEPTEMBER 1, 2018. PRIOR TO
11 ITS REPEAL, THE COMMISSION SHALL BE REVIEWED AS PROVIDED IN
12 SECTION 2-3-1203 (3), C.R.S.

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

15 **ARTICLE 6.4**

16 **Colorado Nurse Home Visitor Program**

17 **26-6.4-101. [Formerly 25-31-101] Short title.** This article shall
18 be known and may be cited as the "Colorado Nurse Home Visitor
19 Program Act".

20 **26-6.4-102. [Formerly 25-31-102] Legislative declaration.**

21 (1) The general assembly hereby finds that, in order to adequately care
22 for their newborns and young children, new mothers may often benefit
23 from receiving professional assistance and information. Without such
24 assistance and information, a young mother may develop habits or
25 practices that are detrimental to her health and well-being and the health
26 and well-being of her child. The general assembly further finds that
27 inadequate prenatal care and inadequate care in infancy and early

1 childhood often inhibit a child's ability to learn and develop throughout
2 his or her childhood and may have lasting, adverse effects on the child's
3 ability to function as an adult. The general assembly recognizes that
4 implementation of a nurse home visitor program that provides
5 educational, health, and other resources for new young mothers during
6 pregnancy and the first years of their infants' lives has been proven to
7 significantly reduce the amount of drug, including nicotine, and alcohol
8 use and abuse by mothers, the occurrence of criminal activity committed
9 by mothers and their children under fifteen years of age, and the number
10 of reported incidents of child abuse and neglect. Such a program has also
11 been proven to reduce the number of subsequent births, increase the
12 length of time between subsequent births, and reduce the mother's need
13 for other forms of public assistance. It is the intent of the general
14 assembly that such a program be established for the state of Colorado,
15 beginning with a limited number of participants and expanding by the
16 year 2010 to be available to all low-income, first-time mothers in the state
17 who consent to receiving services.

18 (2) The general assembly further finds that, to implement such a
19 program efficiently and effectively and to promote the successful
20 implementation of partnerships between state public entities and the
21 private sector, responsibility for the program should be divided between
22 the STATE department, which shall be responsible for financial
23 administration of the program, and a health sciences facility at the
24 university of Colorado, which shall be responsible for programmatic and
25 clinical support, evaluation, and monitoring for the program, and such
26 other responsibilities as described in this article. It is the intent of the
27 general assembly that the STATE department and the health sciences

1 facility work collaboratively to share information in order to promote
2 efficient and effective program implementation; however, neither entity
3 is responsible for the other entity's statutorily prescribed duties.

4 **26-6.4-103. [Formerly 25-31-103] Definitions.** As used in this
5 article, unless the context otherwise requires:

6 ~~(1) "Department" means the department of public health and~~
7 ~~environment created in section 25-1-102.~~

8 ~~(2)~~ (1) "Entity" means any nonprofit, not-for-profit, or for-profit
9 corporation, religious or charitable organization, institution of higher
10 education, visiting nurse association, existing visiting nurse program,
11 county, district, or municipal public health agency, county department of
12 social services, political subdivision of the state, or other governmental
13 agency or any combination thereof.

14 ~~(3)~~ (2) "Health sciences facility" means the Anschutz medical
15 campus or a successor facility located at the university of Colorado health
16 sciences center that is selected by the president of the university of
17 Colorado pursuant to ~~section 25-31-105~~ SECTION 26-6.4-105 to assist the
18 state board in administering the program.

19 ~~(4)~~ (3) "Low-income" means an annual income that does not
20 exceed two hundred percent of the federal poverty line.

21 ~~(5)~~ (4) "Master settlement agreement" means the master
22 settlement agreement, the smokeless tobacco master settlement
23 agreement, and the consent decree approved and entered by the court in
24 the case denominated *State of Colorado, ex rel. Gale A. Norton, Attorney*
25 *General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.;*
26 *Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard*
27 *Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T.*

1 *Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and*
2 *Tobacco Institute, Inc.*, Case No. 97 CV 3432, in the district court for the
3 city and county of Denver.

4 (6) (5) "Nurse" means a person licensed as a professional nurse
5 pursuant to article 38 of title 12, C.R.S., or accredited by another state or
6 voluntary agency that the state board of nursing has identified by rule
7 pursuant to section 12-38-108 (1) (a), C.R.S., as one whose accreditation
8 may be accepted in lieu of board approval.

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

11 (7) "State board" means the state board of health created in section
12 ~~25-1-103~~ HUMAN SERVICES CREATED IN SECTION 26-1-107.

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

15 **26-6.4-104. [Formerly 25-31-104] Nurse home visitor program**

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

1 time.

2 (b) THE NURSE HOME VISITOR PROGRAM CREATED IN ARTICLE 31
3 OF TITLE 25, C.R.S., AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS
4 ARTICLE, IS TRANSFERRED TO THE STATE DEPARTMENT OF HUMAN
5 SERVICES. ALL RULES, ORDERS, AND AWARDS OF THE STATE BOARD OF
6 HEALTH CONCERNING THE NURSE HOME VISITOR PROGRAM ADOPTED PRIOR
7 TO THE EFFECTIVE DATE OF THIS ARTICLE CONTINUE TO BE EFFECTIVE
8 UNTIL REVISED, AMENDED, REPEALED, OR NULLIFIED PURSUANT TO LAW.
9 ALL GRANTS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ARTICLE
10 ARE VALID THROUGH JUNE 30, 2014, AND MAY BE EXTENDED OR RENEWED
11 BEYOND SAID DATE.

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

1 than one month old, and her gross annual income does not exceed two
2 hundred percent of the federal poverty line.

3 (3) The state board shall promulgate, pursuant to the provisions
4 of article 4 of title 24, C.R.S., rules ~~for the implementation of~~ TO
5 IMPLEMENT the program. The state board shall base the rules establishing
6 program training requirements, program protocols, program management
7 information systems, and program evaluation requirements on
8 research-based model programs that have been implemented in one or
9 more other states for a period of at least five years and have shown
10 significant reductions in:

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

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

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

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

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

22 (4) Notwithstanding the provisions of subsection (3) of this
23 section, the board shall adopt rules pursuant to which a nurse home
24 visitation program that is in operation in the state as of July 1, 1999, may
25 qualify for participation in the program if it can demonstrate that it has
26 been in operation in the state for a minimum of five years and that it has
27 achieved a reduction in the occurrences specified in subsection (3) of this

1 section. Any program so approved ~~shall be~~ IS exempt from the rules
2 adopted regarding program training requirements, program protocols,
3 program management information systems, and program evaluation
4 requirements so long as ~~said~~ THE program continues to demonstrate a
5 reduction in the occurrences specified in subsection (3) of this section.

6 (5) The STATE department may propose to the state board rules
7 concerning program applications under ~~section 25-31-106 (1)~~ SECTION
8 26-6.4-106. Any such proposal shall be made in consultation with the
9 health sciences facility.

10 **26-6.4-105. [Formerly 25-31-105] Health sciences facility -**
11 **duties.** (1) The president of the university of Colorado shall identify a
12 facility at the university of Colorado health sciences center with the
13 knowledge and expertise necessary to:

14 (a) Assist the state board ~~in~~ BY selecting AND PRESENTING entities
15 from among the applications submitted pursuant to ~~section 25-31-106~~
16 SECTION 26-6.4-106;

17 (b) Provide programmatic and clinical support, evaluation, and
18 monitoring for the program, including nurse practice support and training,
19 clinical and programmatic technical assistance, compliance monitoring
20 and support, program development and implementation support, and
21 performance improvement monitoring and support, in communities
22 throughout the state;

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

25 (d) Work with the state auditor's office as required in section
26 2-3-113 (4), C.R.S.

27 (1.5) The health sciences facility is not responsible for the duties

1 assigned to the STATE department with respect to the program under
2 ~~section 25-31-107 (2) (a.5)~~ SECTION 26-6.4-107 (2) (a.5).

3 (2) The health sciences facility shall perform the duties set forth
4 in subsection (1) of this section to ensure that the program is implemented
5 and operated according to the program training requirements, protocols,
6 management information systems, and evaluation requirements
7 established by rule of the state board. The health sciences facility shall
8 evaluate overall program implementation, operation, and effectiveness,
9 and include that evaluation, along with any recommendations concerning
10 the program's selected entities or changes in the program's
11 implementation, operation, and effectiveness, including program training
12 requirements, protocols, management information systems, or evaluation
13 requirements, in the annual report submitted to the STATE department
14 pursuant to ~~section 25-31-108~~ SECTION 26-6.4-108.

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

27 **26-6.4-106. [Formerly 25-31-106] Program applications -**

1 **requirements.** (1) An entity that seeks to administer the program in a
2 community shall submit an application to the STATE department in
3 accordance with rules adopted by the state board, in consultation with the
4 STATE department and the health sciences facility. At a minimum, the
5 application ~~shall~~ MUST specify the basic elements and procedures that the
6 entity shall use in administering the program. Basic program elements
7 ~~shall~~ MUST include the following:

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

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

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

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

23 (e) An annual report to both the health sciences facility and the
24 community in which the entity administers the program that reports on the
25 effectiveness of the program within the community and is written in a
26 manner that is understandable for both the health sciences facility and
27 members of the community.

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

4 (3) The STATE department shall initially review the applications
5 received pursuant to this section and submit to the health sciences facility
6 for review those applications that include the basic program elements as
7 required by the rules adopted by the state board. Following its review, the
8 health sciences facility shall submit to the state board a list of the
9 applying entities that the health sciences facility recommends to
10 administer the program in communities throughout the state.

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

19 (2) (a) The entities selected to operate the program shall receive
20 grants in amounts specified by the state board. The grants may include
21 operating costs and additional amounts for training and development of
22 any infrastructure, including but not limited to development of the
23 information management system necessary to administer the program. ~~For~~
24 ~~the 2000-01 fiscal year, the state board shall award grants to no more than~~
25 ~~twelve entities in at least eight communities.~~ THE STATE BOARD SHALL
26 DETERMINE the number of entities selected and the number of
27 communities in which the program ~~shall be~~ IS implemented in subsequent

1 ~~fiscal years shall be determined by~~ BASED ON THE moneys available in the
2 nurse home visitor program fund created in paragraph (b) of this
3 subsection (2).

4 (a.5) Except as otherwise provided in ~~section 25-31-108~~ SECTION
5 26-6.4-108, the STATE department ~~shall be~~ IS responsible for financial
6 administration of this article, which ~~shall include~~ INCLUDES compensating
7 the health sciences facility pursuant to ~~section 25-31-105 (3)~~ SECTION
8 26-6.4-105 (3); paying grants to entities selected to administer the
9 program; monitoring financial, contractual, and regulatory compliance;
10 providing medicaid financing oversight; managing accounting and
11 budgeting; and, in cooperation with the health sciences facility, managing
12 grant applications as set forth in ~~section 25-31-106~~ SECTION 26-6.4-106.
13 The STATE department shall also cooperate with the health sciences
14 facility's administration of programmatic and clinical support, evaluation,
15 and monitoring of the program. The STATE department ~~shall not be~~ IS NOT
16 responsible for any duties assigned to the health sciences facility with
17 respect to the program, as described in ~~section 25-31-105~~ SECTION
18 26-6.4-105.

19 (b) Grants awarded pursuant to paragraph (a) of this subsection
20 (2) ~~shall be~~ ARE payable from the nurse home visitor program fund, which
21 fund is hereby created in the state treasury. The nurse home visitor
22 program fund, referred to in this section as the "fund", ~~shall be~~ IS
23 administered by the STATE department and ~~shall consist~~ CONSISTS of
24 moneys transferred thereto by the state treasurer from moneys received
25 pursuant to the master settlement agreement in the amount described in
26 paragraph (d) of this subsection (2). In addition, the state treasurer shall
27 credit to the fund any public or private gifts, grants, or donations received

1 by the STATE department ~~for implementation of~~ TO IMPLEMENT the
2 program, including any moneys received from the United States federal
3 government for the program. The fund ~~shall be~~ IS subject to annual
4 appropriation by the general assembly to the STATE department for grants
5 to entities for operation of the program. The STATE department may retain
6 a total of up to five percent of the amount annually appropriated from the
7 fund for the program, in order to compensate the health sciences facility
8 pursuant to ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3), as set forth in
9 the scope of work in the agreement between the STATE department and
10 the health sciences facility, and to compensate the STATE department for
11 the actual costs ~~incurred by~~ the STATE department INCURS in
12 implementing the provisions of paragraph (a.5) of this subsection (2), as
13 determined by the STATE department; except that the portion of the costs
14 to compensate the STATE department for implementing the provisions of
15 paragraph (a.5) of this subsection (2) shall not exceed two percent of the
16 amount annually appropriated from the fund for the program, and the
17 portion of such costs to compensate the health sciences facility under
18 ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3), as set forth in the scope of
19 work in the contract between the STATE department and the health
20 sciences facility, shall not exceed three percent of the amount annually
21 appropriated from the fund for the program. In addition, if the total
22 amount annually appropriated from the fund for the program exceeds
23 nineteen million dollars, the STATE department and the health sciences
24 facility shall assess whether a smaller percentage of the appropriated
25 funds exceeding nineteen million dollars is adequate to cover their actual
26 costs and shall jointly submit to the general assembly a report articulating
27 their conclusions on this subject. The actual costs of the STATE

1 department include STATE department personnel and operating costs and
2 any necessary transfers to the department of health care policy and
3 financing for administrative costs incurred for the medicaid program
4 associated with the program. The actual costs of the health sciences
5 facility include the facility's own actual program costs and those of its
6 contractors and subcontractors. Any costs for time studies required to
7 obtain medicaid reimbursement for the program may be paid from
8 program funds and ~~shall not be~~ ARE NOT subject to the five percent limit
9 in this section. Notwithstanding section 24-36-114, C.R.S., all interest
10 derived from the deposit and investment of moneys in the fund shall be
11 credited to the fund. Any unencumbered moneys appropriated from
12 moneys received pursuant to the master settlement agreement remaining
13 in the fund at the end of any fiscal year shall be transferred to the tobacco
14 litigation settlement trust fund created in section 24-22-115.5, C.R.S.

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

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

1 ~~(H) Repealed.~~

2 ~~(HH)~~ (II) (A) For the 2004-05 fiscal year, the general assembly
3 shall appropriate to the fund nine percent of the total amount of moneys
4 received by the state.

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

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

12 (B) Beginning with the 2007-08 fiscal year and for each fiscal
13 year thereafter through the 2010-11 fiscal year, the state treasurer shall
14 increase the percentage transferred to the fund pursuant to
15 sub-subparagraph (A.7) of this ~~subparagraph (H)~~ SUBPARAGRAPH (II) by
16 one percent; except that the percentage transferred to the fund for the
17 2009-10 fiscal year shall be the same as the percentage transferred to the
18 fund for the 2008-09 fiscal year.

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

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

27 (E) For the 2014-15 fiscal year and for each fiscal year thereafter

1 through the 2016-17 fiscal year, the state treasurer shall increase the
2 percentage transferred to the fund by one percent over the percentage
3 transferred to the fund in the preceding fiscal year.

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

7 ~~(IV)~~ (III) In addition to all other moneys transferred to the fund
8 pursuant to this paragraph (d), the state treasurer shall transfer moneys
9 from the general fund to the fund as specified in section 24-75-1104.5 (5)
10 (a) (I) (B), C.R.S.

11 **26-6.4-108. [Formerly 25-31-108] Annual program review -**
12 **audit.** (1) The health sciences facility shall annually prepare and submit
13 to the STATE department a report including an evaluation of the
14 implementation of the program, the results achieved by the program based
15 on the annual reports submitted by the administering entities pursuant to
16 ~~section 25-31-106 (1) (e)~~ SECTION 26-6.4-106 (1) (e), the extent to which
17 the program serves medicaid-eligible persons and provides services that
18 may be provided in part through medicaid funding, and any
19 recommendations concerning changes to the program, including any
20 changes that may be appropriate to enable the program to receive AND
21 MAXIMIZE medicaid funding. The STATE department shall include the
22 report in the annual report on the program prepared pursuant to section
23 25-1-108.5 (3), C.R.S. Each program contractor and subcontractor and
24 each entity that administers the program shall work with the health
25 sciences facility and the STATE department to prepare the reports required
26 under this section and sections 2-3-113 (2) and 25-1-108.5 (3), C.R.S.
27 Any entity that is administering the program is subject to a reduction in

1 or cessation of funding if the state board, based on recommendations
2 from the health sciences facility, determines that the entity is not
3 operating the program in accordance with the program requirements
4 established by rule of the state board or is operating the program in such
5 a manner that the program does not demonstrate positive results.

6 (2) The state auditor's office, pursuant to section 2-3-113, C.R.S.,
7 shall audit each entity administering the program to determine whether
8 the entity is administering the program in compliance with the program
9 requirements and in an effective manner. The audit shall be conducted
10 and reported in accordance with the provisions of section 2-3-113, C.R.S.

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

13 **ARTICLE 6.8**

14 **Tony Grampsas Youth Services Program**

15 **26-6.8-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
16 CONTEXT OTHERWISE REQUIRES:

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

19 (2) "ENTITY" MEANS A LOCAL GOVERNMENT, A COLORADO PUBLIC
20 OR NONSECTARIAN SECONDARY SCHOOL, A GROUP OF PUBLIC OR
21 NONSECTARIAN SECONDARY SCHOOLS, A SCHOOL DISTRICT OR GROUP OF
22 SCHOOL DISTRICTS, A BOARD OF COOPERATIVE SERVICES, AN INSTITUTION
23 OF HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, A STATE
24 AGENCY, A STATE-OPERATED PROGRAM, OR A PRIVATE NONPROFIT OR
25 NOT-FOR-PROFIT COMMUNITY-BASED ORGANIZATION.

26 (3) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
27 THE STATE DEPARTMENT OF HUMAN SERVICES.

1 (4) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
2 HUMAN SERVICES.

3 **26-6.8-102. [Formerly 25-20.5-201] Tony Grampsas youth**
4 **services program - creation - standards - applications.** (1) (a) ~~The~~
5 ~~youth crime prevention and intervention program created in part 28 of~~
6 ~~article 32 of title 24, C.R.S., as it existed prior to August 1, 2000, is~~
7 ~~hereby transferred to the division and is renamed the Tony Grampsas~~
8 ~~youth services program. All program grants in existence as of July 1,~~
9 ~~2000, shall continue to be valid through July 31, 2001. Persons appointed~~
10 ~~to the youth crime prevention and intervention program board, hereby~~
11 ~~renamed the Tony Grampsas youth services board, shall continue serving~~
12 ~~until completion of their terms and may be reappointed as provided in~~
13 ~~section 25-20.5-202.~~ THE TONY GRAMPSAS YOUTH SERVICES PROGRAM
14 IS TRANSFERRED TO THE STATE DEPARTMENT. ALL PROGRAM GRANTS IN
15 EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ARTICLE SHALL CONTINUE
16 TO BE VALID THROUGH JUNE 30, 2014. PERSONS APPOINTED TO THE BOARD
17 SHALL CONTINUE SERVING UNTIL COMPLETION OF THEIR TERMS AND MAY
18 BE REAPPOINTED AS PROVIDED IN SECTION 26-6.8-103.

19 (b) The Tony Grampsas youth services program is established to
20 provide state funding for community-based programs that target youth
21 and their families for intervention services in an effort to reduce incidents
22 of youth crime and violence. In addition, the Tony Grampsas youth
23 services program shall promote prevention and education programs that
24 are designed to reduce the occurrence and reoccurrence of child abuse
25 and neglect and to reduce the need for state intervention in child abuse
26 and neglect prevention and education.

27 (2) (a) ~~The Tony Grampsas youth services program shall be~~

1 ~~administered through the division.~~ Subject to the designation in paragraph
2 (b) of this subsection (2), the ~~Tony Grampsas youth services board~~
3 ~~created in section 25-20.5-202~~ shall choose those entities that will receive
4 grants through the Tony Grampsas youth services program and the
5 amount of each grant. ~~In addition, the division~~ THE STATE DEPARTMENT
6 shall monitor the effectiveness of programs that receive funds through the
7 Tony Grampsas youth services program.

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

17 (c) ANY GRANT AWARDED THROUGH THE TONY GRAMPSAS YOUTH
18 SERVICES PROGRAM SHALL BE PAID FROM MONEYS APPROPRIATED
19 PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (2) OR OUT OF THE
20 GENERAL FUND FOR THE PROGRAM. The board, in accordance with the
21 timelines adopted pursuant to ~~section 25-20.5-202 (3)~~ SECTION 26-6.8-103
22 (3), shall submit a list of the entities chosen to receive grants to the
23 governor for approval. The governor shall either approve or disapprove
24 the entire list of entities by responding to the board within twenty days.
25 If the governor ~~has~~ DOES NOT ~~responded~~ RESPOND to the board within
26 twenty days after receipt of the list, the list ~~shall be deemed~~ IS approved.
27 ~~No grants shall be awarded~~ THE BOARD SHALL NOT AWARD A GRANT

1 through the Tony Grampsas youth services program without the prior
2 approval of the governor.

3 ~~(e)~~(d) Pursuant to section 24-75-1104.5 (1) (i), C.R.S., and except
4 as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning in
5 the 2004-05 fiscal year, and for each fiscal year thereafter so long as the
6 state receives moneys pursuant to the master settlement agreement, the
7 general assembly shall appropriate to the ~~division~~ STATE DEPARTMENT for
8 the Tony Grampsas youth services program four percent of the amount of
9 moneys transmitted to the state treasurer in accordance with the master
10 settlement agreement, other than attorney fees and costs, for the preceding
11 fiscal year; except that the amount so appropriated to the ~~division~~ STATE
12 DEPARTMENT in any fiscal year shall not exceed five million dollars. The
13 general assembly shall appropriate the amount specified in this ~~paragraph~~
14 ~~(e)~~ PARAGRAPH (d) from moneys credited to the tobacco litigation
15 settlement cash fund created in section 24-22-115, C.R.S.

16 (3) To participate in the Tony Grampsas youth services program,
17 an entity may apply to the board in accordance with timelines and
18 guidelines adopted by the board pursuant to ~~section 25-20.5-202~~ SECTION
19 26-6.8-103.

20 ~~(4) For purposes of this part 2 "entity" means any local~~
21 ~~government, Colorado public or nonsectarian secondary school, including~~
22 ~~charter schools, group of public or nonsectarian secondary schools,~~
23 ~~school district or group of school districts, board of cooperative services,~~
24 ~~institution of higher education, the Colorado National Guard, state~~
25 ~~agency, or state-operated program or any private nonprofit or~~
26 ~~not-for-profit community-based organization.~~

27 ~~(5)~~ (4) Entities seeking to provide youth mentoring services or to

1 enhance existing youth mentoring programs are encouraged to submit an
2 application to the board for grants directly from the Tony Grampsas youth
3 services program, in addition to any funding the entities may be seeking
4 from the youth mentoring services cash fund pursuant to ~~section~~
5 ~~25-20.5-203 (6)~~ SECTION 26-6.8-104 (6), to establish or enhance youth
6 mentoring programs. Entities submitting applications for grants directly
7 from the Tony Grampsas youth services program pursuant to this section
8 need not meet the requirements of ~~section 25-20.5-203 (5) (b)~~ SECTION
9 26-6.8-104 (5) (b).

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

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

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

26 (d) (I) In appointing members to the board, the governor, the
27 speaker of the house of representatives, and the president and the minority

1 leader of the senate shall:

2 (A) Choose persons who have a knowledge and awareness of
3 innovative strategies for youth crime prevention and intervention services
4 and for reducing the occurrence and reoccurrence of child abuse and
5 neglect; AND

6 ~~(H) (B) In appointing members of the board, the governor, the~~
7 ~~speaker of the house of representatives, and the president and the minority~~
8 ~~leader of the senate shall~~ Appoint one or more persons who possess
9 knowledge and awareness of early childhood care and education. FOR
10 PURPOSES OF THIS SUB-SUBPARAGRAPH (B), "EARLY CHILDHOOD" MEANS
11 YOUNGER THAN NINE YEARS OF AGE.

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

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

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

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

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

1 (e) The appointed members of the board shall serve three-year
2 terms; except that, of the members first appointed, one of the members
3 appointed by the governor shall serve a two-year term, two of the
4 members appointed by the governor shall serve one-year terms, one of the
5 members appointed by the speaker of the house of representatives shall
6 serve a two-year term, and one of the members appointed by the president
7 of the senate shall serve a two-year term. The respective appointing
8 person shall choose those members who shall serve initial shortened
9 terms. If a vacancy arises in one of the appointed offices, the authority
10 making the original appointment shall fill the vacancy for the remainder
11 of the term. Members of the board shall serve without compensation but
12 shall be reimbursed out of available appropriations for all actual and
13 necessary expenses incurred in the performance of their duties.

14 (f) The board is authorized to meet, when necessary, via
15 telecommunications.

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

- 18 (I) Guidelines for proposal design;
- 19 (II) Local public-to-private funding match requirements; and
- 20 (III) Processes for local review and prioritization of program
21 applications.

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

- 26 (I) That the program is operated in cooperation with a local
27 government, a local governmental agency, or a local nonprofit or

1 not-for-profit agency;

2 (II) That the program is community-based, receiving input from
3 organizations in the community such as schools, community mental
4 health centers, local nonprofit or not-for-profit agencies, local law
5 enforcement agencies, businesses, and individuals within the community;
6 and

7 (III) (A) That the program is directed at providing intervention
8 services to youth and their families in an effort to decrease incidents of
9 crime and violence or that the program is directed at providing services
10 to at-risk students and their families in an effort to reduce the dropout rate
11 in secondary schools pursuant to ~~section 25-20.5-204~~ SECTION
12 26-6.8-105.

13 (B) If an entity is seeking a grant from the board for a student
14 dropout prevention and intervention program pursuant to ~~section~~
15 ~~25-20.5-204~~ SECTION 26-6.8-105, one of the criteria that the board shall
16 consider is whether the program has been implemented elsewhere, if
17 known, and, if so, the relative success of the program. It ~~shall not be~~ IS
18 NOT required, however, that the program be previously implemented for
19 the board to award a grant to the entity.

20 (C) If an entity is seeking a grant from the board for a program
21 directed at providing intervention services to youth and their families in
22 an effort to decrease incidents of crime and violence, one of the criteria
23 that the board shall consider is whether the program includes restorative
24 justice components. It ~~shall not be~~ IS NOT required, however, that the
25 program include restorative justice components for the board to award a
26 grant to the entity.

27 (c) In addition to the guidelines and criteria developed pursuant

1 to paragraphs (a) and (b) of this subsection (2), the board shall develop
2 result-oriented criteria for measuring the effectiveness of programs that
3 receive grants under the Tony Grampsas youth services program as
4 deemed appropriate to the nature of each program including, but not
5 limited to, requiring grantees to evaluate the impact of the services
6 provided by the program. Any criteria developed pursuant to this
7 paragraph (c) for measuring the effectiveness of student dropout
8 prevention and intervention programs established pursuant to ~~section~~
9 ~~25-20.5-204~~ SECTION 26-6.8-105 shall include the implementation of a
10 method by which to track the students served by the program to evaluate
11 the impact of the services provided, which tracking shall continue, if
12 possible, for at least two years or through graduation from a secondary
13 school, whichever occurs first.

14 (3) ~~(a)~~ In addition to the guidelines and criteria developed
15 pursuant to subsection (2) of this section, the board shall establish
16 timelines for submission and review of applications for grants through the
17 Tony Grampsas youth services program. The board shall also adopt
18 timelines for submission to the governor of the list of entities chosen to
19 receive grants. If the governor disapproves the list, the board may submit
20 a replacement list within thirty days after such disapproval.

21 ~~(b) Repealed.~~

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

27 (5) In addition to the duties relating specifically to the Tony

1 Grampsas youth services program specified in this section, the board shall
2 operate the prevention, intervention, and treatment programs specified in
3 this ~~part 2~~ ARTICLE and such other prevention, intervention, and treatment
4 programs as may be assigned to the board by executive order to be funded
5 solely by federal funds.

6 **26-6.8-104. [Formerly 25-20.5-203] Colorado Youth**
7 **Mentoring Services Act.** (1) **Short title.** This section shall be known
8 and may be cited as the "Colorado Youth Mentoring Services Act".

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

21 (b) The general assembly further finds that, despite the positive
22 results that may be achieved through structured youth mentoring
23 programs, as many as thirty-eight counties in the state of Colorado do not
24 have the organizational resources necessary to carry out successful
25 mentoring programs or lack the adult volunteers to establish such
26 programs or both. The general assembly finds that even counties in which
27 there are established youth mentoring programs, such programs are

1 unable to meet the demand for mentors and that such established
2 programs have waiting lists that exceed two thousand youths.

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

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

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

24 (5) **Administration - duties of contracting entities.** (a) To be
25 eligible for moneys from the youth mentoring services cash fund created
26 in subsection (6) of this section for the provision of youth mentoring
27 services, an entity ~~shall~~ MUST apply to the board in accordance with the

1 timelines and guidelines adopted by the board pursuant to ~~section~~
2 ~~25-20.5-202~~ SECTION 26-6.8-103 and ~~shall~~ MUST meet the requirements
3 of paragraph (b) of this subsection (5).

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

6 (I) Actively recruiting qualified and appropriate adult volunteers
7 who are willing to serve as youth mentors for a period of not less than one
8 year and to commit to spending an average of three hours per week with
9 the at-risk youth;

10 (II) Effectively screening adult volunteers to serve as mentors,
11 including but not limited to conducting criminal background checks of
12 such adult volunteers;

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

16 (IV) Carefully matching each adult volunteer with an at-risk youth
17 based ~~upon~~ ON the unique qualifications of the adult volunteer and the
18 specific needs of the youth;

19 (V) Supervising closely and through case managers the activities
20 of the adult volunteer and the mutual benefits and effectiveness of the
21 mentoring relationship;

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

25 (VII) Implementing a method of evaluating the effectiveness of
26 the community-based youth mentoring program and tracking the youths
27 served by the program to evaluate the impact of the services provided

1 through the program; and

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

6 (c) Community-based organizations may obtain private and public
7 funds, grants, gifts, or donations for youth mentoring programs. The
8 executive director ~~is authorized to~~ MAY accept and expend on behalf of
9 the state any funds, grants, gifts, or donations from any private or public
10 source for the purpose of implementing this section; except that ~~no~~ THE
11 EXECUTIVE DIRECTOR SHALL NOT ACCEPT A grant or donation ~~shall be~~
12 ~~accepted~~ if the conditions attached to the grant or donation require the
13 expenditure thereof in a manner contrary to law.

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

18 (6) **Youth mentoring services cash fund.** ~~(a)~~ There is hereby
19 created in the state treasury the youth mentoring services cash fund. The
20 moneys in the youth mentoring services cash fund ~~shall be~~ ARE subject to
21 annual appropriation by the general assembly for the direct and indirect
22 costs ~~associated with the implementation~~ of IMPLEMENTING this section.
23 The executive director ~~is authorized to~~ MAY accept on behalf of the state
24 any grants, gifts, or donations from any private or public source for the
25 purpose of this section. All private and public funds received through
26 grants, gifts, or donations shall be transmitted to the state treasurer, who
27 shall credit the same to the youth mentoring services cash fund. All

1 investment earnings derived from the deposit and investment of moneys
2 in the fund shall remain in the fund and shall not be transferred or revert
3 to the general fund of the state at the end of any fiscal year.

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

8 **26-6.8-105. [Formerly 25-20.5-204] Colorado student dropout**
9 **prevention and intervention program.** (1) **Short title.** This section
10 shall be known and may be cited as the "Colorado Student Dropout
11 Prevention and Intervention Act".

12 (2) **Legislative declaration.** The general assembly hereby finds
13 that:

14 (a) During the last decade, over one hundred thousand students in
15 Colorado left school without successfully completing a high school
16 program;

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

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

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

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

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

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

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

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

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

21 (4) **Colorado student dropout prevention and intervention**
22 **program.** There is hereby created the Colorado student dropout
23 prevention and intervention program in the Tony Grampsas youth
24 services program ~~for the purpose of providing~~ TO PROVIDE services to
25 at-risk students and their families in an effort to reduce the dropout rate
26 in secondary schools through an appropriate combination of academic and
27 extracurricular activities designed to enhance the overall education and

1 edification of students in secondary schools.

2 (5) **Administration.** (a) The STATE DEPARTMENT SHALL
3 ADMINISTER THE student dropout prevention and intervention program.
4 ~~shall be administered through the division.~~ Subject to the designation in
5 paragraph (b) of this subsection (5), the ~~Tony Grampsas youth services~~
6 ~~board created in section 25-20.5-202~~ shall select those entities that will
7 receive grants through the student dropout prevention and intervention
8 program and the amount of each grant. In addition, the ~~division~~ STATE
9 DEPARTMENT shall monitor the effectiveness of programs that receive
10 funds through the student dropout prevention and intervention program.
11 To be eligible for grants from the ~~Tony Grampsas youth services~~ board
12 for the provision of student dropout prevention and intervention programs
13 targeting at-risk students, an entity shall apply to the board in accordance
14 with the timelines and guidelines adopted by the board pursuant to ~~section~~
15 ~~25-20.5-202~~ SECTION 26-6.8-103.

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

25 (6) **Receipt of moneys.** (a) The executive director ~~is authorized~~
26 ~~to~~ MAY accept on behalf of the state any funds, grants, gifts, or donations
27 from any private or public source for the purpose of implementing student

1 dropout prevention and intervention programs pursuant to this ~~article~~
2 SECTION; except that ~~no~~ THE EXECUTIVE DIRECTOR SHALL NOT ACCEPT
3 funds, grants, gifts, or donations ~~shall be accepted~~ if the conditions
4 attached thereto require the expenditure thereof in a manner contrary to
5 law.

6 (b) ~~(F)~~ All private and public moneys received through funds,
7 grants, gifts, or donations pursuant to this subsection (6) shall be
8 transmitted to the state treasurer, who shall credit the same to the student
9 dropout prevention and intervention fund, which fund is hereby created.
10 The moneys in the fund ~~shall be~~ ARE subject to annual appropriation by
11 the general assembly for the direct and indirect costs associated with the
12 administration of this ~~article~~ SECTION. The executive director may expend
13 moneys appropriated to the STATE department from the fund ~~for purposes~~
14 ~~of providing~~ TO PROVIDE a grant for ~~the implementation and~~
15 ~~administration of~~ IMPLEMENTING AND ADMINISTERING a student dropout
16 prevention and intervention program. All investment earnings derived
17 from the deposit and investment of moneys in the fund shall be credited
18 to the fund. Any moneys not appropriated shall remain in the fund and
19 shall not be transferred or revert to the general fund of the state at the end
20 of any fiscal year.

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

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

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

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

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

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

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

24 (3) **Administration.** (a) The ~~division~~ STATE DEPARTMENT shall
25 administer the project. The board shall select the entities that will receive
26 grants through the project and the amount of each grant. In addition, the
27 ~~division~~ STATE DEPARTMENT shall monitor the effectiveness of

1 before-and-after-school programs that receive moneys through the
2 project. To be eligible for grants through the project, an entity shall apply
3 to the board in accordance with the timelines and guidelines adopted by
4 the board pursuant to ~~section 25-20.5-202~~ SECTION 26-6.8-103.
5 Notwithstanding any provision of this ~~part 2~~ ARTICLE or any criteria for
6 awarding grants adopted by the board pursuant to ~~section 25-20.5-202 (2)~~
7 ~~(b)~~ SECTION 26-6.8-103 (2) (b) to the contrary, an entity may be eligible
8 to receive a grant pursuant to this section regardless of whether the
9 before-and-after-school program to which the grant would apply serves
10 youth who are eligible for free or reduced-cost lunch pursuant to the
11 "National School Lunch Act", 42 U.S.C. sec. 1751 et seq.

12 (b) The grants awarded through the project shall be paid from
13 moneys appropriated from the fund to the ~~division~~ STATE DEPARTMENT.
14 The board and grant recipients are encouraged to apply moneys awarded
15 through the project to leverage additional funding as matching funds from
16 private and federal sources.

17 (4) **Colorado student before-and-after-school project fund.**
18 There is ~~hereby~~ created in the state treasury the Colorado student
19 before-and-after-school project fund that shall consist of moneys that THE
20 GENERAL ASSEMBLY may ~~be appropriated by the general assembly~~
21 APPROPRIATE to the fund. The moneys in the fund ~~shall be~~ ARE subject to
22 annual appropriation by the general assembly to the ~~division~~ STATE
23 DEPARTMENT for the purpose of providing grants as provided in this
24 section and the direct and indirect costs associated with the
25 implementation of this section. Any moneys in the fund not expended for
26 the purpose of this section may be invested by the state treasurer as
27 provided by law. All interest and income derived from the investment and

1 deposit of moneys in the fund shall be credited to the fund. Any
2 unexpended and unencumbered moneys remaining in the fund at the end
3 of a fiscal year shall remain in the fund and shall not be credited or
4 transferred to the general fund or another fund.

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

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

10 **19-3.5-104. Colorado children's trust fund board - creation -**
11 **members.** (1) (a) There is hereby created, in the department of public
12 health and environment, the Colorado children's trust fund board. The
13 board shall exercise its powers and duties as if transferred by a **type 2**
14 transfer.

15 (b) THE COLORADO CHILDREN'S TRUST FUND BOARD IS
16 TRANSFERRED TO THE DEPARTMENT OF HUMAN SERVICES. THE BOARD
17 SHALL EXERCISE ITS POWERS AND DUTIES AS IF TRANSFERRED BY A **TYPE**
18 **2** TRANSFER. PERSONS APPOINTED TO THE COLORADO CHILDREN'S TRUST
19 FUND BOARD SHALL CONTINUE SERVING UNTIL COMPLETION OF THEIR
20 TERMS AND MAY BE REAPPOINTED AS PROVIDED IN THIS SECTION.

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

23 **19-3.5-109. Report - repeal of article.** (1) The department of
24 ~~public health and environment~~ HUMAN SERVICES shall contract for an
25 independent evaluation of the trust fund, including administrative costs
26 of operating the trust fund and the cost-effectiveness and the impact of
27 the grants on reducing and preventing child abuse. A report of ~~such~~ THE

1 evaluation shall be provided to the house and senate health and human
2 services committees, or any successor committees, by November 1, 2011,
3 and by November 1, 2021.

4 **SECTION 9.** In Colorado Revised Statutes, 26-18-102, **repeal**
5 (3.5); and **add** (7) as follows:

6 **26-18-102. Definitions.** As used in this article, unless the context
7 otherwise requires:

8 (3.5) ~~"Division" means the prevention services division in the~~
9 ~~department of public health and environment.~~

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

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

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

23 (a.5) ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a.5), THE
24 FAMILY RESOURCE CENTER PROGRAM IS TRANSFERRED TO THE
25 DEPARTMENT OF HUMAN SERVICES. ALL PROGRAM GRANTS IN EXISTENCE
26 AS OF THE EFFECTIVE DATE OF THIS PARAGRAPH (a.5) SHALL CONTINUE TO
27 BE VALID THROUGH JUNE 30, 2015, AND MAY BE CONTINUED AFTER SAID

1 DATE.

2 (b) The ~~division~~ STATE DEPARTMENT shall operate the family
3 resource center program in accordance with the provisions of this article.
4 ~~the requirements for prevention, intervention, and treatment programs~~
5 ~~specified in article 20.5 of title 25, C.R.S., and the rules for prevention,~~
6 ~~intervention, and treatment programs adopted by the state board of health~~
7 ~~pursuant to section 25-20.5-106, C.R.S.~~ In addition, the ~~division~~ STATE
8 DEPARTMENT may establish any other procedures necessary to implement
9 the program, including establishing the procedure for ~~the submittal of~~
10 SUBMITTING grant applications by community applicants seeking to
11 establish a family resource center or by a family resource center applying
12 for a grant for continued operation of a family resource center.

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

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

23 **26-18-105. Selection of centers - grants.** (1) The ~~division~~ STATE
24 DEPARTMENT may award a grant for the purpose of establishing a family
25 resource center based on a plan submitted to the ~~division~~ STATE
26 DEPARTMENT by the applicant or for the continued operation of a family
27 resource center. The plan shall meet specific criteria which the ~~division~~

1 STATE DEPARTMENT is hereby authorized to set, but the criteria shall
2 include at least the following provisions:

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

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

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

16 **25-20.5-101. Legislative declaration.** (1) The general assembly
17 hereby finds that:

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

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

1 (2) The general assembly therefore finds that it is in the best
2 interests of the ~~children~~, youth and families of the state to create a single
3 division in the department of public health and environment to operate
4 prevention and intervention programs and to oversee the provision of
5 prevention, intervention, and treatment services through federally and
6 state-funded prevention, intervention, and treatment programs to ensure
7 collaboration among programs and the availability of a continuum of
8 services for ~~children and~~ youth.

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

11 **25-20.5-102. Definitions.** As used in this article, unless the
12 context otherwise requires:

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

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

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

22 **25-20.5-104. Functions of division.** (1) The division has the
23 following functions:

24 (a) On or before February 1, 2001, to submit to the executive
25 director to the ~~Tony Grampas youth services board~~, and to the governor
26 for approval a state plan for delivery of prevention, intervention, and
27 treatment services to ~~children and~~ youth throughout the state as provided

1 in section 25-20.5-105, and to biennially review the state plan and submit
2 revisions as provided by rule of the state board of health to the executive
3 director ~~the Tony Grampsas youth services board~~, and the governor for
4 approval;

5 (e) To operate the prevention and intervention programs specified
6 in this article and such other prevention and intervention programs as may
7 be created in or transferred to the division by executive order to be funded
8 solely by nonstate moneys, including but not limited to reviewing
9 applications submitted by entities to receive funding through said
10 programs, awarding grants based on such applications, and notifying the
11 state board of health of the grants awarded and the amounts of said
12 grants; ~~except that the Tony Grampsas youth services board shall review~~
13 ~~applications and award grants for the programs specified in part 2 of this~~
14 ~~article;~~

15 (2) In addition to any prevention and intervention programs
16 created in or transferred to the division by executive order and any
17 prevention and intervention programs transferred to the division by the
18 executive director pursuant to subsection (4) of this section, the division
19 shall operate the following prevention and intervention programs:

20 (a) ~~The Tony Grampsas youth services program created in section~~
21 ~~25-20.5-201;~~

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

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

26 (d) ~~The Colorado children's trust fund created in article 3.5 of title~~
27 ~~19, C.R.S.;~~

1 (e) ~~The family resource center program created in section~~
2 ~~26-18-104, C.R.S.;~~

3 (f) The school-based health center grant program created in part
4 5 of this article.

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

7 **25-20.5-105. State plan for delivery of prevention,**
8 **intervention, and treatment services to youth - contents.** (1) On or
9 before February 1, 2001, the division shall submit to the governor ~~the~~
10 ~~Tony Grampsas youth services board~~, and the executive director for
11 approval a state plan for delivery of prevention, intervention, and
12 treatment services to ~~children and~~ youth throughout the state. The state
13 plan shall apply to all prevention, intervention, and treatment programs
14 that receive state or federal funds and are operated within the state. The
15 state plan shall be designed to coordinate and provide direction for the
16 delivery of prevention, intervention, and treatment services through the
17 various prevention and intervention programs operated by the division
18 and the prevention, intervention, and treatment programs operated by
19 other state departments and to ensure collaboration among programs that
20 results in a continuum of services available to ~~children and~~ youth
21 throughout the state. At a minimum, the state plan shall:

22 (2) The division shall biennially review and revise the state plan
23 as necessary to ensure the most efficient and effective delivery of
24 prevention, intervention, and treatment services throughout the state. The
25 division shall submit any revised state plan as provided by rule of the
26 state board of health to the governor ~~the Tony Grampsas youth services~~
27 ~~board~~, and the executive director for approval.

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

3 **25-20.5-106. State board of health - rules - program duties.**

4 (1) The state board of health created in section 25-1-103 shall promulgate
5 rules as necessary for the operation of the division, including but not
6 limited to rules establishing the time frames for review of the state plan
7 and submittal of any revised state plan to the governor ~~the Tony~~
8 ~~Grampsas youth services board~~, and the executive director and to the
9 entities specified in section 25-20.5-105 (4).

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

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

17 **2-3-113. Programs that receive tobacco settlement moneys -**
18 **program review - repeal.** (1) As used in this section:

19 (a) "Health sciences facility" has the meaning set forth in ~~section~~
20 ~~25-31-103, C.R.S.~~ SECTION 26-6.4-103 (2), C.R.S. For purposes of this
21 section, "health sciences facility" includes any contractor or subcontractor
22 engaged by the health sciences facility to assist in the implementation and
23 monitoring of the nurse home visitor program established under ~~article 31~~
24 ~~of title 25, C.R.S.~~ ARTICLE 6.4 OF TITLE 26, C.R.S.

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

27 **13-3-113. "Family-friendly Courts Act".** (3) **Definitions.** For

1 purposes of this section:

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

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

6 **24-1-119. Department of public health and environment -**
7 **creation.** (9) ~~The powers, duties, and functions of the Colorado~~
8 ~~children's trust fund board, created in section 19-3.5-104, C.R.S., are~~
9 ~~transferred by a **type 2** transfer to the department of public health and~~
10 ~~environment.~~

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

13 **24-1-120. Department of human services - creation - repeal.**

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

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

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

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

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

1 **24-75-1104.5. Use of settlement moneys - programs - repeal.**

2 (1) Except as otherwise provided in subsection (5) of this section, for the
3 2004-05 fiscal year and for each fiscal year thereafter, the following
4 programs, services, or funds shall receive the following specified amounts
5 from the settlement moneys received by the state in the preceding fiscal
6 year; except that fifteen million four hundred thousand dollars of strategic
7 contribution fund moneys and, for the 2010-11 fiscal year and for each
8 fiscal year thereafter only, the lesser of sixty-five million dollars of other
9 settlement moneys or all other settlement moneys shall be allocated in
10 each fiscal year in which they are received by the state and except that, of
11 the other settlement moneys received by the state in the 2009-10 fiscal
12 year, the lesser of sixty-five million dollars or all of such moneys shall be
13 transferred to the general fund on June 30, 2010, and shall not be
14 allocated:

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

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

25 (3) Notwithstanding the provisions of subsections (1) and (1.5) of
26 this section, for purposes of sections 22-7-908 (3), 23-20-136 (3.5) (a),
27 25-4-1411 (6) (a), 25-4-1415 (2), ~~25-20.5-201 (2) (c)~~, 25-23-104 (2),

1 ~~25-31-107 (2) (d) (I)~~, 25.5-6-805 (2), 25.5-8-105 (3), 26-6.4-107 (2) (d)
2 (I), 26-6.8-102 (2) (d), 27-67-106 (2) (b), and 28-5-709 (2) (a), C.R.S.,
3 settlement moneys received and allocated by the state pursuant to said
4 subsections (1) and (1.5) during the same fiscal year shall be deemed to
5 be moneys received for or during the preceding fiscal year.

6 (5) (a) (I) The state treasurer shall credit all disputed payments
7 upon receipt, or if received prior to June 1, 2009, on June 1, 2009, to the
8 general fund. On June 1, 2009, the state treasurer shall transfer the
9 following amounts from the general fund:

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

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

15 **25-1-108.5. Additional powers and duties of state board of**
16 **health and department - programs that receive tobacco settlement**
17 **moneys - monitoring - annual report.** (1) As used in this section:

18 (a) "Health sciences facility" has the meaning set forth in ~~section~~
19 ~~25-31-103~~ SECTION 26-6.4-103, C.R.S.

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

23 (2) Except for the nurse home visitor program, which shall be
24 monitored by the health sciences facility in accordance with ~~section~~
25 ~~25-31-105 (1)~~ SECTION 26-6.4-105 (1), the state board and the department
26 shall monitor the operation and effectiveness of tobacco settlement
27 programs. Each tobacco settlement program shall annually submit to the

1 department, in accordance with rules promulgated by the state board, the
2 following information:

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

5 **25-3.5-804. Tobacco education, prevention, and cessation**
6 **programs - review committee - grants.** (3) (a) The division shall
7 review the applications received pursuant to this part 8 and make
8 recommendations to the state board regarding those entities that may
9 receive grants and the amounts of said grants. On and after October 1,
10 2005, the review committee shall review the applications received
11 pursuant to this part 8 and submit to the state board and the director of the
12 department recommended grant recipients, grant amounts, and the
13 duration of each grant. Within thirty days after receiving the review
14 committee's recommendations, the director shall submit his or her
15 recommendations to the state board. The review committee's
16 recommendations regarding grantees of the Tony Grampsas youth
17 services program, ~~section 25-20.5-201~~ SECTION 26-6.8-102, C.R.S.,
18 pursuant to section 25-3.5-805 (5) shall be submitted to the state board
19 and the Tony Grampsas youth services board. Within thirty days after
20 receiving the review committee's recommendations, the Tony Grampsas
21 youth services board shall submit its recommendations to the state board.
22 The state board shall have the final authority to approve the grants under
23 this part 8. If the state board disapproves a recommendation for a grant
24 recipient, the review committee may submit a replacement
25 recommendation within thirty days. In reviewing grant applications for
26 programs to provide tobacco education, prevention, and cessation
27 programs for persons with mental illness, the division or the review

1 committee shall consult with the programs for public psychiatry at the
2 university of Colorado health sciences center, the national alliance for the
3 mentally ill, the mental health association of Colorado, and the
4 department of human services.

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

7 **25-3.5-805. Tobacco education, prevention, and cessation**
8 **programs - requirements.** (5) Up to fifteen percent of the moneys
9 annually awarded pursuant to this section shall be allocated to grantees of
10 the Tony Grampsas youth services program, ~~section 25-20.5-201~~ SECTION
11 26-6.8-102, C.R.S., for proven tobacco prevention and cessation
12 programs.

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

15 **26-6.5-104. Early childhood councils - waivers - rules -**
16 **funding - application.** (1) A local council may request a waiver of any
17 rule that would prevent a council from implementing council projects.
18 The local council shall submit the request to the early childhood
19 leadership commission created in ~~article 44.7 of title 24, C.R.S.~~ ARTICLE
20 6.2 OF THIS TITLE. The early childhood leadership commission shall
21 consult with the affected state agency in reviewing the request. The state
22 department or other affected state agency shall grant waivers upon
23 recommendation by the commission.

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

26 **2-3-1203. Sunset review of advisory committees.** (3) The
27 following dates are the dates for which the statutory authorization for the

1 designated advisory committees is scheduled for repeal:

2 (ee) July 1, 2018:

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

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

6 **SECTION 28. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.