18-1.9-103. Legislative oversight committee for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems - creation - duties.

(1) **Creation.** (a) There is hereby created a legislative oversight committee for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems.

(b) The committee shall consist of six members. The president of the senate, the minority leader of the senate, and the speaker of the house of representatives shall appoint the members of the committee, as follows:

(I) The president of the senate shall appoint two senators to serve on the committee, and the minority leader of the senate shall appoint one senator to serve on the committee;

(II) The speaker of the house of representatives shall appoint three representatives to serve on the committee, no more than two of whom shall be members of the same political party;

(III) The terms of the members appointed by the speaker of the house of representatives, the president of the senate, and the minority leader of the senate and who are serving on March 22, 2007, shall be extended to and expire on or shall terminate on the convening date of the first regular session of the sixty-seventh general assembly. As soon as practicable after such convening date, the speaker, the president, and the minority leader of the senate shall each appoint or reappoint members in the same manner as provided in subparagraphs (I) and (II) of this paragraph (b). Thereafter, the terms of members appointed or reappointed by the speaker, the president, and the minority leader of the senate shall expire on the convening date of the first regular session of each general assembly, and all subsequent appointments and reappointments by the speaker, the president, and the minority leader of the senate shall be made as soon as practicable after such convening date. The person making the original appointment or reappointment shall fill any vacancy by appointment for the remainder of an unexpired term. Members appointed or reappointed by the speaker, the president, and the minority leader of the senate shall serve at the pleasure of the appointing authority and shall continue in office until the member's successor is appointed.

(c) The president of the senate shall select the first chair of the committee, and the speaker of the house of representatives shall select the first vice-chair. The chair and vice-chair shall alternate annually thereafter between the two houses. The chair and vice-chair of the committee may establish such organizational and procedural rules as are necessary for the operation of the committee.

(d) (I) Notwithstanding the provisions of section 2-2-307, C.R.S., the committee may receive payment of per diem and reimbursement for actual and necessary expenses authorized pursuant to said section and any other direct or indirect costs associated with the duties of the committee set forth in this article only from moneys appropriated from the examination of the treatment of persons with mental illness in the criminal justice system cash fund created in section 18-1.9-106.

(II) The director of research of the legislative council and the director of the office of legislative legal services may supply staff assistance to the committee as they deem appropriate, within existing appropriations. If staff assistance is not available within existing appropriations, then the director of research of the legislative council and the director of the office of legislative legal services may supply staff assistance to the task force only if moneys are credited to the examination of the treatment of

persons with mental illness in the criminal justice system cash fund created in section 18-1.9-106 in an amount sufficient to fund staff assistance.

(2) **Duties.** (a) The committee shall meet at least once on or before August 1, 2004. Beginning in 2005 and continuing each year thereafter through 2014, the committee shall meet at least three times each year and at such other times as it deems necessary; except that the committee shall not meet during the 2010 interim.

(b) (I) The committee shall be responsible for the oversight of the task force and shall submit annual reports to the general assembly regarding the findings and recommendations of the task force. In addition, the committee may recommend legislative changes that shall be treated as bills recommended by an interim legislative committee for purposes of any introduction deadlines or bill limitations imposed by the joint rules of the general assembly.

(II) The provisions of subparagraph (I) of this paragraph (b) shall not apply during the suspension of the committee during the 2010 interim.

(c) (I) The committee shall submit a report to the general assembly by January 15, 2005, by each January 15 thereafter through January 15, 2010, and by January 15, 2012, and by each January 15 thereafter through January 15, 2015. The annual reports shall summarize the issues addressing the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems that have been considered and any recommended legislative proposals.

(II) The general assembly reviewed the reporting requirements in subparagraph (I) of this paragraph (c) during the 2008 regular session and continued the requirements.

Source: L. 2004: Entire article added, p. 1868, § 1, effective June 4. **L. 2007:** (1)(b)(III) added, p. 178, § 8, effective March 22. **L. 2008:** (2)(c) amended, p. 1267, § 1, effective August 5. **L. 2009:** (2)(a) and (2)(c)(I) amended, (HB 09-1021), ch. 33, p. 139, § 2, effective August 5. **L. 2010:** (2)(a), (2)(b), and (2)(c)(I) amended, (SB 10-213), ch. 375, p. 1761, § 6, effective June 7.