

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

DRAFT  
10.19.15

**BILL 3**

LLS NO. 16-0315.01 Jane Ritter x4342

**INTERIM COMMITTEE BILL**

**Legislative Oversight Committee Concerning the Treatment of Persons  
With Mental Illness in the Criminal and Juvenile Justice Systems**

BILL TOPIC: "Law Enforcement Mental Health Collaboration Grants"

**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF THE LAW ENFORCEMENT AND MENTAL**  
102 **HEALTH COLLABORATION GRANT PROGRAM.**

**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>.)*

**Legislative Oversight Committee Concerning the Treatment of Persons With Mental Illness in the Criminal and Juvenile Justice Systems.** The bill creates the law enforcement and mental health collaboration grant program (grant program) in the division of criminal

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

justice (division). The purpose of the grant program is to allow an interested local law enforcement agency (agency) to apply for a grant to have one or more mental health professionals on its permanent staff. The goal of the grant program is to provide immediate services and assistance in situations where an individual involved in an investigation by an agency exhibits signs of a mental illness or substance abuse issue.

The division shall administer the program, including establishing guidelines and timelines for the grant program and determining recipients. Agencies that are awarded a grant through the grant program shall, as a condition of the grant, track data on the types and numbers of incidents and outcomes.

The law enforcement and mental health collaboration grant program fund is created.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 19 to article  
3 33.5 of title 24 as follows:

4 PART 19

5 LAW ENFORCEMENT AND MENTAL HEALTH

6 COLLABORATION GRANT PROGRAM

7 **24-33.5-1901. Short title.** THIS PART 19 IS KNOWN AND MAY BE  
8 CITED AS THE "LAW ENFORCEMENT AND MENTAL HEALTH  
9 COLLABORATION GRANT PROGRAM".

10 **24-33.5-1902. Definitions.** AS USED IN THIS PART 19, UNLESS THE  
11 CONTEXT OTHERWISE REQUIRES:

12 (1) "DIVISION" MEANS THE DIVISION OF CRIMINAL JUSTICE  
13 CREATED WITHIN THE DEPARTMENT PURSUANT TO SECTION 24-33.5-103.

14 (2) "FUND" MEANS THE LAW ENFORCEMENT AND MENTAL HEALTH  
15 COLLABORATION GRANT PROGRAM FUND CREATED IN SECTION  
16 24-33.5-1904.

17 (3) "GRANT PROGRAM" MEANS THE LAW ENFORCEMENT AND  
18 MENTAL HEALTH COLLABORATION GRANT PROGRAM CREATED IN SECTION

1 24-33.5-1903.

2 (4) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A POLICE  
3 DEPARTMENT IN INCORPORATED MUNICIPALITIES, THE OFFICE OF THE  
4 COUNTY SHERIFF, OR A CAMPUS POLICE AGENCY.

5 (5) "MENTAL HEALTH PROFESSIONAL" MEANS ANY ONE OF THE  
6 FOLLOWING PERSONS:

7 (a) A PERSON LICENSED TO PRACTICE MEDICINE IN THIS STATE OR  
8 LICENSED AND IN GOOD STANDING TO PRACTICE MEDICINE IN ANOTHER  
9 STATE AND WHO IS PROVIDING MEDICAL OR CLINICAL SERVICES IN THIS  
10 STATE;

11 (b) A PSYCHOLOGIST CERTIFIED TO PRACTICE IN THIS STATE OR  
12 CERTIFIED TO PRACTICE AND IN GOOD STANDING IN ANOTHER STATE AND  
13 WHO IS PROVIDING CLINICAL SERVICES IN THIS STATE;

14 (c) A REGISTERED PROFESSIONAL NURSE AS DEFINED IN SECTION  
15 12-38-103 (11), C.R.S., WHO BY REASON OF POSTGRADUATE EDUCATION  
16 AND ADDITIONAL NURSING PREPARATION HAS GAINED KNOWLEDGE,  
17 JUDGMENT, AND SKILL IN PSYCHIATRIC OR MENTAL HEALTH NURSING;

18 (d) A LICENSED MARRIAGE AND FAMILY THERAPIST, LICENSED  
19 PROFESSIONAL COUNSELOR, OR ADDICTION COUNSELOR LICENSED UNDER  
20 PART 5, 6, OR 8 OF ARTICLE 43 OF TITLE 12, C.R.S., WHO BY REASON OF  
21 POSTGRADUATE EDUCATION AND ADDITIONAL PREPARATION HAS GAINED  
22 KNOWLEDGE, JUDGMENT, AND SKILL IN PSYCHIATRIC OR MENTAL HEALTH  
23 THERAPY, FORENSIC PSYCHOTHERAPY, OR THE EVALUATION OF MENTAL  
24 DISORDERS; OR

25 (e) A LICENSED CLINICAL SOCIAL WORKER LICENSED UNDER THE  
26 PROVISIONS OF PART 4 OF ARTICLE 43 OF TITLE 12, C.R.S.

27 **24-33.5-1903. Law enforcement and mental health**

1 **collaboration grant program - created - administration.** (1) THE LAW  
2 ENFORCEMENT AND MENTAL HEALTH COLLABORATION GRANT PROGRAM  
3 IS CREATED IN THE DIVISION OF CRIMINAL JUSTICE FOR THE PURPOSE OF  
4 PROVIDING GRANTS TO ANY LOCAL LAW ENFORCEMENT AGENCY SEEKING  
5 TO INCLUDE ONE OR MORE MENTAL HEALTH PROFESSIONALS ON THE  
6 AGENCY'S PERMANENT STAFF. THE GOAL OF THE GRANT PROGRAM IS TO  
7 PROVIDE IMMEDIATE SERVICES AND ASSISTANCE IN SITUATIONS WHERE AN  
8 INDIVIDUAL INVOLVED IN AN INVESTIGATION BY THE LOCAL LAW  
9 ENFORCEMENT AGENCY EXHIBITS SIGNS OF A MENTAL ILLNESS OR  
10 SUBSTANCE ABUSE ISSUE.

11 (2) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM. THE  
12 DIVISION SHALL ESTABLISH PROCEDURES, TIMELINES, AND GUIDELINES FOR  
13 AWARDS FOR GRANT APPLICATIONS BY LOCAL LAW ENFORCEMENT  
14 AGENCIES SEEKING TO BEGIN OR CONTINUE A LAW ENFORCEMENT AND  
15 MENTAL HEALTH COLLABORATION. AT A MINIMUM, THE PROCEDURES AND  
16 GUIDELINES MUST REQUIRE THE GRANT APPLICANT TO PROVIDE A  
17 COLLABORATION PLAN FOR THE USE OF ANY GRANT DOLLARS, LENGTH OF  
18 THE PROPOSED COLLABORATION WITH THE MENTAL HEALTH  
19 PROFESSIONAL, AND AN ESTIMATE OF THE NUMBER OF INDIVIDUALS THE  
20 LOCAL LAW ENFORCEMENT AGENCY HOPES TO SERVE THROUGH THE  
21 GRANT AND COLLABORATION.

22 (3) ALL LOCAL LAW ENFORCEMENT AGENCIES THAT RECEIVE A  
23 GRANT SHALL AGREE TO KEEP DATA ON:

24 (a) THE NUMBER OF CALLS ON WHICH THE MENTAL HEALTH  
25 PROFESSIONAL ASSISTED;

26 (b) THE NUMBER OF INDIVIDUALS REACHED THROUGH THE  
27 COLLABORATION;

1 (c) A BREAKDOWN OF THE GENERAL TYPES OF INCIDENTS  
2 INVOLVED;

3 (d) A BREAKDOWN OF THE GENERAL TYPES OF MENTAL HEALTH OR  
4 SUBSTANCE ABUSE ISSUES INVOLVED; AND

5 (e) AN AGGREGATE SUMMARY OF OUTCOMES. THE SUMMARY MAY  
6 NOT INCLUDE ANY TYPE OF CONFIDENTIAL OR IDENTIFYING INFORMATION.

7 (4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION SHALL  
8 SELECT THOSE LOCAL LAW ENFORCEMENT AGENCIES THAT WILL RECEIVE  
9 GRANTS THROUGH THE GRANT PROGRAM AND THE AMOUNT OF EACH  
10 GRANT.

11 **24-33.5-1904. Law enforcement and mental health**

12 **collaboration grant program fund - creation.** (1) (a) THE LAW  
13 ENFORCEMENT AND MENTAL HEALTH COLLABORATION GRANT PROGRAM  
14 FUND IS CREATED IN THE STATE TREASURY. THE PRINCIPAL OF THE FUND  
15 CONSISTS OF MONEYS APPROPRIATED OR TRANSFERRED TO THE FUND BY  
16 THE GENERAL ASSEMBLY. THE PURPOSE OF THE FUND IS TO PROVIDE  
17 GRANTS TO SUCCESSFUL APPLICANTS PURSUANT TO SECTION 24-33.5-1903.

18 (b) THE DIVISION OF CRIMINAL JUSTICE IS AUTHORIZED TO SEEK,  
19 ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR  
20 PUBLIC SOURCES FOR THE PURPOSES OF THE GRANT PROGRAM; EXCEPT  
21 THAT THE DIVISION MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT  
22 IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION  
23 OR ANY OTHER LAW OF THE STATE. THE DIVISION SHALL TRANSMIT ALL  
24 PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR  
25 DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO  
26 THE FUND.

27 (c) (I) THE MONEYS IN THE FUND ARE CONTINUOUSLY

1 APPROPRIATED TO THE DIVISION FOR THE PURPOSE OF AWARDING GRANTS  
2 AS ALLOWED BY THIS PART 19 AND FOR ANY ADMINISTRATIVE COSTS  
3 ASSOCIATED WITH THE GRANT PROGRAM. THE DIVISION'S ADMINISTRATIVE  
4 EXPENSES FOR THE GRANT PROGRAM IN A FISCAL YEAR MUST NOT EXCEED  
5 FIVE PERCENT OF THE MONEYS TRANSFERRED OR APPROPRIATED IN THAT  
6 FISCAL YEAR.

7 (II) ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND  
8 INVESTMENT OF THE FUND AND ALL UNEXPENDED AND UNENCUMBERED  
9 MONEYS REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR  
10 REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE  
11 GENERAL FUND.

12 **SECTION 2. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.