

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0263.01 Jacob Baus x2173

HOUSE BILL 20-1334

HOUSE SPONSORSHIP

Gonzales-Gutierrez and Larson,

SENATE SPONSORSHIP

Moreno,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MODIFICATIONS TO SPECIFIC STATUTORY PROVISIONS

102 AFFECTING THE TONY GRAMPAS YOUTH SERVICES 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://leg.colorado.gov>.)

The bill modifies specific provisions of the Tony Grampas youth services program statute for general uniformity.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 **SECTION 1.** In Colorado Revised Statutes, 26-6.8-101, **amend**
2 the introductory portion and (2); and **add** (1.5) and (5) as follows:

3 **26-6.8-101. Definitions.** As used in this ~~article~~ ARTICLE 6.8,
4 unless the context otherwise requires:

5 (1.5) "CHILD" MEANS A PERSON WHO IS UNDER NINE YEARS OF AGE
6 WHO IS CHALLENGED BY ADVERSITY SUCH AS POVERTY, RESIDENCE IN A
7 SUBSTANCE-ABUSING HOUSEHOLD, FAMILY CONFLICT, ASSOCIATION WITH
8 PEERS WHO COMMIT CRIMES, RESIDENCE IN A SINGLE-PARENT HOUSEHOLD,
9 EXHIBITION OF INDICIA OF DELINQUENT BEHAVIOR, OR IS A VICTIM OF
10 CHILD ABUSE.

11 (2) "Entity" means a local government, a Colorado public or
12 nonsectarian secondary school, a group of public or nonsectarian
13 secondary schools, a school district or group of school districts, a board
14 of cooperative services, an institution of higher education, the Colorado
15 National Guard, ~~a state agency, a state-operated program,~~ or a private
16 nonprofit or not-for-profit community-based organization.

17 (5) "YOUTH" MEANS A PERSON WHO IS NINE YEARS OF AGE OR
18 OLDER BUT UNDER TWENTY-FIVE YEARS OF AGE WHO IS CHALLENGED BY
19 ADVERSITY SUCH AS POVERTY, RESIDENCE IN A SUBSTANCE-ABUSING
20 HOUSEHOLD, FAMILY CONFLICT, ASSOCIATION WITH PEERS WHO COMMIT
21 CRIMES, RESIDENCE IN A SINGLE-PARENT HOUSEHOLD, EXHIBITION OF
22 INDICIA OF DELINQUENT BEHAVIOR, OR IS A VICTIM OF CHILD ABUSE.

23 **SECTION 2.** In Colorado Revised Statutes, 26-6.8-102, **amend**
24 (1)(b), (2)(d)(I), and (2)(d)(III); and **repeal** (2)(b) as follows:

25 **26-6.8-102. Tony Grampas youth services program - creation**
26 **- standards - applications.** (1) (b) The Tony Grampas youth services
27 program is established to provide state funding for: ~~the following~~

1 purposes:

2 (I) ~~For~~ Community-based programs ~~that target~~ FOR youth and their
3 families ~~for~~ TO PROVIDE PREVENTION AND intervention services in an
4 effort to reduce incidents of youth crime and violence;

5 (II) ~~To promote prevention and education programs that are~~
6 ~~designed to reduce the occurrence and reoccurrence of child abuse and~~
7 ~~neglect and to reduce the need for state intervention in child abuse and~~
8 ~~neglect prevention and education;~~ and COMMUNITY-BASED PROGRAMS
9 FOR CHILDREN, YOUTH, AND THEIR FAMILIES TO PROVIDE PREVENTION AND
10 INTERVENTION SERVICES IN AN EFFORT TO REDUCE THE OCCURRENCE AND
11 REOCCURRENCE OF CHILD ABUSE AND NEGLECT AND TO REDUCE THE NEED
12 FOR STATE INTERVENTION IN CHILD ABUSE AND NEGLECT PREVENTION AND
13 EDUCATION;

14 (III) ~~For~~ Community-based programs ~~specifically~~ related to the
15 prevention and intervention of ~~adolescent and~~ youth ALCOHOL, TOBACCO,
16 marijuana, AND OTHER DRUG use; AND

17 (IV) COMMUNITY-BASED STUDENT DROPOUT PREVENTION AND
18 INTERVENTION PROGRAMS.

19 (2) (b) ~~For one grant cycle, up to three hundred thousand dollars~~
20 ~~of the appropriation made for the purpose set forth in this paragraph (b)~~
21 ~~may be used to award technical assistance grants for community-based~~
22 ~~prevention and intervention organizations that work with youth.~~
23 Organizations that apply for moneys pursuant to this paragraph (b) must
24 use the moneys to assist with independent certification as an
25 evidence-based program. Evidence-based programs must demonstrate an
26 ability to meet rigorous requirements for evaluation and effectiveness to
27 reflect an ability to change targeted behaviors and promote positive youth

1 ~~development outcomes.~~

2 (d) (I) The youth services program fund is created in the state
3 treasury. The principal of the fund consists of tobacco litigation
4 settlement ~~moneys~~ MONEY transferred by the state treasurer to the fund
5 pursuant to section 24-75-1104.5 (1.7)(e). ~~C.R.S.~~ Subject to annual
6 appropriation by the general assembly, the state department may expend
7 ~~moneys~~ MONEY from the fund for the Tony Grampsas youth services
8 program, including the compensation of youth members of the Tony
9 Grampsas youth services board, as described in section 26-6.8-103
10 (1)(e)(II). All unexpended and unencumbered ~~moneys~~ MONEY in the fund
11 at the end of any fiscal year ~~remain in the fund and shall not be~~
12 ~~transferred to the general fund or any other fund~~ REMAINS AVAILABLE FOR
13 EXPENDITURE BY THE DEPARTMENT IN THE NEXT FISCAL YEAR WITHOUT
14 FURTHER APPROPRIATION.

15 (III) If an entity seeks a grant from the board for a program
16 directed at providing ALCOHOL, TOBACCO, marijuana, AND OTHER DRUG
17 use prevention and intervention services to youth, one of the criteria the
18 board shall consider is whether the program utilizes evidence-based
19 practices in the delivery of services.

20 **SECTION 3.** In Colorado Revised Statutes, 26-6.8-103, **amend**
21 (1)(b), (1)(d)(III)(B), (1)(d)(III)(C), (1)(d)(IV), (2)(b) introductory
22 portion, (2)(b)(III)(A), (2)(b)(III)(C), and (5) as follows:

23 **26-6.8-103. Tony Grampsas youth services board - members**
24 **- duties.** (1) (b) In addition to the appointed board members, the
25 executive director OR THE EXECUTIVE DIRECTOR'S APPOINTEE shall serve
26 as a member of the board.

27 (d) (III) In appointing members to the board, the governor shall:

1 (B) Appoint at least one person who is knowledgeable in the area
2 of child abuse prevention AND INTERVENTION; and

3 (C) Appoint at least one person who is knowledgeable in the area
4 of community planning for youth CRIME AND violence prevention AND
5 INTERVENTION.

6 (IV) In appointing youth members to the board, the governor shall
7 appoint members who are ~~at least~~ fifteen years of age ~~and younger than~~
8 OR OLDER BUT UNDER twenty-six years of age. A YOUTH BOARD MEMBER
9 WHO REACHES TWENTY-SIX YEARS OF AGE DURING THE MEMBER'S TERM
10 MAY REMAIN ON THE BOARD FOR THE REMAINDER OF THE TERM.

11 (2) (b) In addition to the guidelines developed pursuant to
12 ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION,
13 the board shall develop criteria for awarding grants under the Tony
14 Grampsas youth services program, including but not limited to the
15 following requirements:

16 (III) (A) That the program is directed at providing PREVENTION OR
17 intervention services to CHILDREN, youth, and their families in an effort
18 to decrease incidents of YOUTH crime and violence; PREVENT CHILD
19 ABUSE AND NEGLECT; AND DECREASE ADOLESCENT AND YOUTH ALCOHOL,
20 TOBACCO, MARIJUANA, AND OTHER DRUG USE or that the program is
21 directed at providing services to ~~at-risk students~~ YOUTH and their families
22 in an effort to reduce the dropout rate in secondary schools pursuant to
23 section 26-6.8-105.

24 (C) If an entity is seeking a grant from the board for a program
25 directed at providing PREVENTION OR intervention services to youth and
26 their families in an effort to decrease incidents of YOUTH crime and
27 violence, one of the criteria that the board shall consider is whether the

1 program includes restorative justice components. It is not required,
2 however, that the program include restorative justice components for the
3 board to award a grant to the entity.

4 (5) In addition to the duties relating specifically to the Tony
5 Grampsas youth services program specified in this section, the board shall
6 operate the prevention AND intervention ~~and treatment~~ programs specified
7 in this ~~article~~ ARTICLE 6.8 and such other prevention AND intervention ~~and~~
8 ~~treatment~~ programs as may be assigned to the board by executive order.
9 ~~to~~ THE PROGRAM MUST be funded ~~solely~~ by federal ~~funds~~ MONEY, STATE
10 MONEY, OR BOTH.

11 **SECTION 4.** In Colorado Revised Statutes, 26-6.8-104, **amend**
12 (2), (3), (4), (5)(a), (5)(b), and (6) as follows:

13 **26-6.8-104. "Colorado Youth Mentoring Services Act".**

14 (2) **Legislative declaration.** (a) The general assembly hereby finds and
15 declares that mentoring programs such as Big Brothers, Big Sisters, and
16 Partners MENTORING ASSOCIATION have been active in Colorado for
17 many years. The general assembly finds that national research has
18 indicated that structured mentoring programs are effective tools in
19 combating youth substance ~~abuse and~~ USE, youth crime and violence, AND
20 OTHER CHALLENGES FACED BY YOUTH. The general assembly further
21 finds, based upon recent national research results, that ~~at-risk~~ youth who
22 are matched in a ~~minimum of year-long~~ PROFESSIONALLY SUPPORTED
23 mentoring relationships are less likely to become involved in substance
24 and alcohol ~~abuse~~ USE, less likely to be truant, less likely to commit
25 violent acts against other persons, and more likely to show improvements
26 in academic performance and positive peer relations.

27 (b) The general assembly further finds that, despite the positive

1 results that may be achieved through structured youth mentoring
2 programs, as many as ~~thirty-eight~~ counties in the state of Colorado do not
3 have the organizational resources necessary to carry out successful
4 mentoring programs or lack the adult volunteers to establish such
5 programs or both. The general assembly finds that even counties in which
6 there are established youth mentoring programs, such programs are
7 unable to meet the demand for mentors. ~~and that such established~~
8 ~~programs have waiting lists that exceed two thousand youths.~~

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

14 (3) **Definition.** ~~For purposes of this section, "at-risk youth"~~
15 NOTWITHSTANDING THE DEFINITION AT SECTION 26-6.8-101 (5), FOR
16 PURPOSES OF THIS SECTION, "YOUTH" means a person who is ~~at least~~ five
17 years of age OR OLDER but ~~who is less than eighteen~~ UNDER TWENTY-FIVE
18 years of age ~~and~~ who is challenged by ADVERSITY such ~~risk factors~~ as
19 poverty, residence in a substance-abusing household, family conflict,
20 association with peers who commit crimes, residence in a single-parent
21 household, exhibition of indicia of delinquent behavior, or being the
22 victim of child abuse.

23 (4) **Provision of youth mentoring services.** There is created the
24 Colorado youth mentoring program to provide state funding for the
25 provision of ~~community-based~~ EVIDENCE-INFORMED youth mentoring
26 services ~~that target at-risk youths~~ in an effort to reduce YOUTH substance
27 ~~abuse and to~~ USE, decrease the incidents of youth crime and violence, AND

1 INCREASE PROTECTIVE FACTORS FOR YOUTH. The funding ~~shall~~ MUST be
2 used to provide ~~new~~ EVIDENCE-INFORMED YOUTH mentoring ~~services~~
3 PROGRAMS in communities that do not have existing mentoring programs
4 as well as to enhance established ~~community-based~~ EVIDENCE-INFORMED
5 youth mentoring programs that are already in existence.

6 (5) **Administration - duties of contracting entities.** (a) To be
7 eligible for ~~moneys~~ MONEY from the youth mentoring services cash fund
8 created in subsection (6) of this section for the provision of
9 EVIDENCE-INFORMED youth mentoring ~~services~~ PROGRAMS, an entity must
10 apply to the board in accordance with the timelines and guidelines
11 adopted by the board pursuant to section 26-6.8-103 and must meet the
12 requirements of ~~paragraph (b) of this subsection (5)~~ SUBSECTION (5)(b)
13 OF THIS SECTION.

14 (b) ~~The entities that the board selects~~ AN ENTITY SELECTED BY THE
15 BOARD to provide ~~community-based~~ AN EVIDENCE-INFORMED youth
16 mentoring ~~services are responsible for~~ PROGRAM SHALL:

17 (I) ~~Actively recruiting qualified and appropriate adult volunteers~~
18 ~~who are willing to serve as youth mentors for a period of not less than one~~
19 ~~year and to commit to spending an average of three hours per week with~~
20 ~~the at-risk youth;~~ ADHERE TO EVIDENCE-INFORMED STANDARDS OF
21 PRACTICE. AN EVIDENCE-INFORMED YOUTH MENTORING PROGRAM USES
22 A MODEL THAT IS EVALUATED ANNUALLY AND INCORPORATES RESEARCH
23 EVIDENCE INTO ITS DESIGN AND DELIVERY. AN ENTITY THAT IS AWARDED
24 A GRANT MUST ANNUALLY DEMONSTRATE PROOF THAT
25 EVIDENCE-INFORMED STANDARDS ARE APPLIED THROUGHOUT THE
26 PROGRAM. AN ENTITY MAY DEMONSTRATE PROOF THAT IT APPLIES
27 EVIDENCE-INFORMED STANDARDS BY PRESENTING CURRENT PROOF OF

1 COMPLIANCE OR ACHIEVEMENT FROM AN EVALUATION CONCERNING THE
2 APPLICATION OF EVIDENCE-INFORMED STANDARDS ADMINISTERED BY AN
3 OUTSIDE ORGANIZATION.

4 ~~(II) Effectively screening adult volunteers to serve as mentors,~~
5 ~~including but not limited to conducting criminal background checks of~~
6 ~~such adult volunteers;~~ HAVE MENTORING AS THE PRIMARY SERVICE
7 PROVIDED BY THE PROGRAM AND MAKE INTENTIONAL MATCHES OR
8 FORMAL CONNECTIONS BETWEEN YOUTH AND MENTORS.

9 ~~(III) Providing training and ongoing support to adult volunteers~~
10 ~~to prepare them to serve in one-year mentoring relationships with at-risk~~
11 ~~youths;~~

12 ~~(IV) Carefully matching each adult volunteer with an at-risk youth~~
13 ~~based on the unique qualifications of the adult volunteer and the specific~~
14 ~~needs of the youth;~~

15 ~~(V) Supervising closely and through case managers the activities~~
16 ~~of the adult volunteer and the mutual benefits and effectiveness of the~~
17 ~~mentoring relationship;~~

18 ~~(VI) Making available life skill workshops, recreational activities,~~
19 ~~and community service opportunities to the at-risk youth and adult~~
20 ~~volunteer;~~

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

25 ~~(VIII) Reporting annually to the board concerning the results of~~
26 ~~the entity's evaluation of youths served by the community-based youth~~
27 ~~mentoring program as well as the fiscal contributions made by the entity~~

1 to the program and such other information that the board may require.

2 (6) **Youth mentoring services cash fund.** There is created in the
3 state treasury the youth mentoring services cash fund, referred to in this
4 subsection (6) as the "fund". The money in the fund is subject to annual
5 appropriation by the general assembly for the direct and indirect costs of
6 implementing this section. ANY UNEXPENDED AND UNENCUMBERED
7 MONEY APPROPRIATED FROM THE FUND AT THE END OF ANY FISCAL YEAR
8 REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT IN THE NEXT
9 FISCAL YEAR WITHOUT FURTHER APPROPRIATION AND SHALL NOT BE
10 TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE AT THE
11 END OF ANY FISCAL YEAR. The executive director may accept on behalf of
12 the state any grants, gifts, or donations from any private or public source
13 for the purpose of this section. All private and public money received
14 through grants, gifts, or donations must be transmitted to the state
15 treasurer, who shall credit ~~the same~~ IT to the fund. The general assembly
16 may appropriate money from the marijuana tax cash fund created in
17 section 39-28.8-501. All investment earnings derived from the deposit
18 and investment of money in the fund must remain in the fund and must
19 not be transferred or revert to the general fund of the state at the end of
20 any fiscal year.

21 **SECTION 5.** In Colorado Revised Statutes, 26-6.8-105, **amend**
22 (3), (4), (5)(a), and (6)(b) as follows:

23 **26-6.8-105. Colorado student dropout prevention and**
24 **intervention program.** (3) **Definitions.** For purposes of this section,
25 ~~"at-risk students"~~ "STUDENT" means ~~students~~ A STUDENT in A secondary
26 ~~schools~~ SCHOOL who ~~are at risk of~~ FACES ADVERSITY SUCH AS dropping
27 out of school because of ~~their~~ THE STUDENT'S socioeconomic background,

1 lack of adult support, language barriers, or other identified indicators that
2 cause students to drop out of school.

3 (4) **Colorado student dropout prevention and intervention**
4 **program.** There is created the Colorado student dropout prevention and
5 intervention program in the Tony Grampsas youth services program to
6 provide services to ~~at-risk~~ students and their families in an effort to
7 reduce the dropout rate in secondary schools through an appropriate
8 combination of academic and extracurricular activities designed to
9 enhance the overall education and edification of students in secondary
10 schools.

11 (5) **Administration.** (a) The state department shall administer the
12 student dropout prevention and intervention program. Subject to the
13 designation in ~~paragraph (b) of this subsection (5)~~ SUBSECTION (5)(b) OF
14 THIS SECTION, the board shall select those entities that will receive grants
15 through the student dropout prevention and intervention program and the
16 amount of each grant. In addition, the state department shall monitor the
17 effectiveness of programs that receive funds through the student dropout
18 prevention and intervention program. To be eligible for grants from the
19 board for the provision of student dropout prevention and intervention
20 programs ~~targeting at-risk~~ FOR students, an entity shall apply to the board
21 in accordance with the timelines and guidelines adopted by the board
22 pursuant to section 26-6.8-103.

23 (6) **Receipt of money.** (b) All private and public ~~moneys~~ MONEY
24 received through funds, grants, gifts, or donations pursuant to this
25 subsection (6) shall be transmitted to the state treasurer, who shall credit
26 the same to the student dropout prevention and intervention fund, which
27 fund is hereby created. The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to

1 annual appropriation by the general assembly for the direct and indirect
2 costs associated with the administration of this section. The executive
3 director may expend ~~moneys~~ MONEY appropriated to the state department
4 from the fund to provide a grant for implementing and administering a
5 student dropout prevention and intervention program. All investment
6 earnings derived from the deposit and investment of ~~moneys~~ MONEY in
7 the fund shall be credited to the fund. ~~Any moneys not appropriated shall~~
8 ~~remain in the fund~~ ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE
9 FUND AT THE END OF ANY FISCAL YEAR REMAINS AVAILABLE FOR
10 EXPENDITURE BY THE DEPARTMENT IN THE NEXT FISCAL YEAR WITHOUT
11 FURTHER APPROPRIATION and shall not be transferred or revert to the
12 general fund of the state at the end of any fiscal year.

13 **SECTION 6.** In Colorado Revised Statutes, 26-6.8-106, **amend**
14 (2) and (4) as follows:

15 **26-6.8-106. Colorado student before-and-after-school project**
16 **- creation - funding.** (2) **Colorado student before-and-after-school**
17 **project.** There is created, in the Tony Grampsas youth services program,
18 the Colorado student before-and-after-school project to provide grants to
19 entities to provide high-quality before-and-after-school programs that
20 may include an ~~alcohol or drug abuse prevention~~ ALCOHOL, TOBACCO, OR
21 DRUG USE INTERVENTION, PREVENTION, and education component.
22 Entities that receive grants pursuant to this section shall apply the grants
23 to creating and implementing before-and-after-school programs that
24 primarily serve youth enrolled in grades six through eight. ~~or youth who~~
25 ~~are twelve to fourteen years of age.~~ The before-and-after-school programs
26 are designed to help youth develop their interests and skills in the areas
27 of sports and fitness, character and leadership, or arts and culture and may

1 provide education regarding the dangers of the use of alcohol and drugs.
2 Before-and-after-school programs that are designed primarily to increase
3 academic achievement or that provide religious instruction are not
4 eligible for funding pursuant to this section.

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

6 There is created in the state treasury the Colorado student
7 before-and-after-school project fund that ~~shall consist~~ CONSISTS of
8 ~~moneys~~ MONEY that the general assembly may appropriate to the fund.
9 The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual appropriation by
10 the general assembly to the state department for the purpose of providing
11 grants as provided in this section and the direct and indirect costs
12 associated with the implementation of this section. Any ~~moneys~~ MONEY
13 in the fund not expended for the purpose of this section may be invested
14 by the state treasurer as provided by law. All interest and income derived
15 from the investment and deposit of ~~moneys~~ MONEY in the fund ~~shall~~ MUST
16 be credited to the fund. ANY UNEXPENDED AND UNENCUMBERED MONEY
17 IN THE FUND AT THE END OF ANY FISCAL YEAR REMAINS AVAILABLE FOR
18 EXPENDITURE BY THE DEPARTMENT IN THE NEXT FISCAL YEAR WITHOUT
19 FURTHER APPROPRIATION. Any unexpended and unencumbered ~~moneys~~
20 MONEY remaining in the fund at the end of a fiscal year ~~shall remain~~
21 REMAINS in the fund and ~~shall~~ IS not ~~be~~ credited or transferred to the
22 general fund or another fund.

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