



Joint Budget Committee Staff

Memorandum

To: Joint Budget Committee Members
From: Kelly Shen, JBC Staff (303-866-5434)
Date: March 12, 2025
Subject: Potential Legislation Packet 8

This packet includes memos and bill drafts for the Committee's consideration.

Each individual item has page numbers, but also a packet page number (P-XX) to help navigate the whole document. The page numbers below refer to the packet page number that begins with a "P".

Potential Legislation

Personnel

LLS 25-0892 Repeal Lease Savings Transfer to Cap Const Fund (Dermody)P-1

Corrections

LLS 25-0957 Repeal Approps Requirement (Brakke)P-4

LLS 25-0956 Offender Refuse Community Corrections Placement (Brakke)P-7

Human Services

LLS 25-0923 Emergency Temporary Care for Children Funding (Pope)P-10

Early Childhood

LLS 25-0951 Early Intervention Program Funding for FY 2024-25 (Lowe)P-15

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
2/20/25

DRAFT

LLS NO. 25-0892.01 Megan McCall x4215

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Repeal Lease Savings Transfer to Cap Const Fund

A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF THE MECHANISM FOR TRANSFERRING TO
102 THE CAPITAL CONSTRUCTION FUND THE AMOUNT OF COST
103 REDUCTIONS TO A STATE AGENCY FOR TERMINATING A LEASE
104 FOR PRIVATE SPACE.

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/>.)

Joint Budget Committee. Senate Bill 22-239 created a mechanism by which state agencies that terminate a lease for private space calculate the amount of annual reduction in the state agency's costs

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

(cost reduction) for leased space and the general assembly transfers to the capital construction fund an amount equal to the cost reduction from the fund that was the source of the funding for the lease. The transfer continues annually until the amount transferred equals the amount that Senate Bill 22-239 requires to be transferred to the capitol complex renovation fund from annual depreciation-lease equivalent payments that otherwise would be credited to state agency capital reserve accounts. To date, no transfers for cost reduction have been made, nor are any anticipated. The bill repeals this mechanism created by Senate Bill 22-239.

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

SECTION 1. In Colorado Revised Statutes, 24-30-1310, **repeal** (3) as follows:

24-30-1310. Funding for capital construction, controlled maintenance, or capital renewal - definitions. (3) ~~(a) Except as provided in subsection (3)(b) of this section, each state agency that terminates a lease for private space on or after July 1, 2023, shall calculate the annual reduction in its costs for leased space. Beginning in the 2023-24 fiscal year, the general assembly shall transfer to the capital construction fund an amount equal to each state agency's annual reduction in lease costs. Such amount shall be from the fund that was the source of the funding for the lease. The annual transfer required in this subsection (3) shall continue in each fiscal year until the state treasurer determines that the amount transferred to the capital construction fund pursuant to this subsection (3) equals the amount transferred to the capitol complex renovation fund created in section 24-30-1313.~~

~~(b) Notwithstanding subsection (3)(a) of this section, the money in the wildlife cash fund created in section 33-1-112 (1)(a) is not subject to a transfer to the capital construction fund pursuant to this section.~~

SECTION 2. In Colorado Revised Statutes, 24-30-1314, **repeal**

1 (1)(b) as follows:

2 **24-30-1314. Capitol complex renovation - report - repeal.**

3 (1) Beginning July 1, 2023, the department of personnel shall report
4 quarterly to the capital development committee regarding the status of the
5 capitol complex renovations funded with money from the capitol complex
6 renovation fund created in section 24-30-1313. At a minimum, the report
7 shall include:

8 (b) ~~The annual reduction in each state agency's costs for leased~~
9 ~~private office space, as calculated pursuant to section 24-30-1310(3); and~~

10 **SECTION 3. Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

UNREVISED
DRAFT
3/7/25

DRAFT

LLS NO. 25-0957.01 Michael Dohr x4347

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Repeal Approps Requirement

A BILL FOR AN ACT

101 CONCERNING REPEALING THE FIVE-YEAR APPROPRIATION
102 REQUIREMENT FOR BILLS THAT RESULT IN A NET INCREASE IN
103 PERIODS OF INCARCERATION.

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/>.)

Joint Budget Committee. Previously, the law required a bill that resulted in a net increase in periods of incarceration to include an appropriation to cover the increased cost of incarceration for 5 years after the bill went into effect. In 2022, the general assembly suspended the requirement for 3 years. The bill repeals the requirement permanently.

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 2-2-703 as
3 follows:

4 **2-2-703. General assembly - bills which result in a net increase**
5 **in periods of imprisonment in state correctional facilities - funding**
6 **must be provided in the bill.** ~~On and after July 1, 2025, a bill may not~~
7 ~~be passed by the general assembly which would result in a net increase in~~
8 ~~periods of imprisonment in state correctional facilities unless, in such bill,~~
9 ~~there is an appropriation of money which is sufficient to cover any~~
10 ~~increased capital construction costs, any increased operating costs, and~~
11 ~~increased parole costs which are the result of such bill for the department~~
12 ~~of corrections in each of the first five years following the effective date~~
13 ~~of the bill. Money sufficient to cover such increased capital construction~~
14 ~~costs and increased operating costs for the first five fiscal years following~~
15 ~~the effective date of the bill must be estimated by the appropriations~~
16 ~~committee, and after consideration of such estimate the general assembly~~
17 ~~shall make a determination as to the amount of money sufficient to cover~~
18 ~~the costs, and such money must be appropriated in the bill in the form of~~
19 ~~a statutory appropriation from the general fund in the years affected. Any~~
20 ~~such bill which is passed on or after July 1, 1991, which is silent as to~~
21 ~~whether it is intended to be an exception to this section, shall not be~~
22 ~~deemed to be such an exception. Any bill which is enacted which is~~
23 ~~intended to be an exception to this section must expressly state such~~
24 ~~exception in such bill.~~

25 **SECTION 2. Safety clause.** The general assembly finds,
26 determines, and declares that this act is necessary for the immediate

- 1 preservation of the public peace, health, or safety or for appropriations for
- 2 the support and maintenance of the departments of the state and state
- 3 institutions.

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
3/10/25

DRAFT

LLS NO. 25-0956.01 Conrad Imel x2313

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Offender Refuse Community Corrections Placement

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY FOR AN OFFENDER TO REFUSE**
102 **PLACEMENT IN A COMMUNITY CORRECTIONS PROGRAM AFTER**
103 **ACCEPTANCE IN THE 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/>.)

Joint Budget Committee. The bill permits an offender to refuse placement in a community corrections program after the offender has been accepted for placement by a community corrections board and a community corrections program rather than before placement.

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-301, **amend**
3 (2)(b) introductory portion and (2)(c) as follows:

4 **18-1.3-301. Authority to place offenders in community**
5 **corrections programs.** (2) (b) Unless the offender has an active felony
6 warrant or detainer, ~~or has refused community placement,~~ the executive
7 director of the department of corrections shall refer an offender who has
8 displayed acceptable institutional behavior for placement in a community
9 corrections program according to the following timeline:

10 (c) (I) Prior to placement of an offender in any community
11 corrections program, the executive director of the department of
12 corrections shall give the first right to refuse placement of such offender
13 to the community corrections board and community corrections programs
14 in the community where the offender intends to reside after release from
15 custody of the department of corrections or parole by the state board of
16 parole; except that the first right to refuse does not apply if the executive
17 director seeks to place the offender in a specialized community
18 corrections program or the offender requests a specific community
19 corrections program placement, subject to acceptance by the community
20 corrections board pursuant to section 17-27-103 and the community
21 corrections program pursuant to section 17-27-104.

22 (II) AN OFFENDER MAY REFUSE PLACEMENT IN A COMMUNITY
23 CORRECTIONS PROGRAM AFTER THE OFFENDER HAS BEEN ACCEPTED BY A
24 COMMUNITY CORRECTIONS BOARD PURSUANT TO SECTION 17-27-103 AND
25 A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 17-27-104.

26 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly; except
3 that, if a referendum petition is filed pursuant to section 1 (3) of article V
4 of the state constitution against this act or an item, section, or part of this
5 act within such period, then the act, item, section, or part will not take
6 effect unless approved by the people at the general election to be held in
7 November 2026 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.



Joint Budget Committee Staff

Memorandum

To: Joint Budget Committee
From: Name, JBC Staff (303-866-4961)
Date: Monday, March 10, 2025
Subject: LLS 25-0923 Early repeal of Emergency Temporary Care for Children Funding

The Committee approved a Department request to sponsor legislation to repeal H.B. 22-1056 (Emergency Temporary Care for Children) one year early as part of the figure setting presentation for the Department of Human Services, Division of Youth Services. The change is expected to reduce appropriations on a one-time basis by \$199,977 total funds in FY 2025-26. Amounts include a reduction of \$182,568 General Fund and \$17,309 federal funds.

Temporary shelter is the temporary placement of a child with kin, an adult with a significant relationship with the child, or in a licensed and certified twenty-four-hour care facility.¹ Providers describe the placement as providing short-term support for youth and families to support related to behavioral and mental health, truancy, family conflict, substance use, and juvenile court.

Sections of H.B. 22-1056 currently repeal June 30, 2026. **LLS 25-0923** changes the repeal date from 2026 to 2025, reducing funding by one fiscal year. Provisions include:

- Requirement that the General Assembly annually appropriate money sufficient for 5 nights of care for juveniles placed in licensed temporary shelter.
- Process for a judicial district to receive money appropriated for temporary shelter.
- Requirement that a working group annually report to joint committees of reference on the allocation of funding to judicial districts.

While the Committee approved the bill draft concept, the Committee also asked for additional information on how funding has been utilized. The Department of Human Services provided the following information.

Number of beds and providers. There are currently two temporary shelter providers offering a total of 22 beds. The providers include the Family Resource Pavilion through Shiloh House in Arapahoe County, and the Community Reach Center's Empowerment Center in Adams County.

¹ Section 19-1-103 (138), C.R.S.

Funding did not support the Link program. Link discontinued its shelter bed program in FY 2018-19.

Utilization. Funding supported 70 youth in FY 2023-24 and FY 2024-25 year to date. The majority of funding has supported kinship, rather than shelter placements. Only \$21,029 (10.5 percent) of the appropriation was spent in FY 2023-24. Of that amount, only \$2,172 (1.1 percent) was spent on temporary shelter placements.

Judicial Districts indicate that funding has been under-utilized because the placement does not exist in most of the state, and funding is not sufficient to establish new providers. The Department indicates that shelter providers have closed due to financial instability. Unlike other youth residential placements, shelter is not eligible for federal reimbursement through Title IV-E of the Social Security Act.

Removing the under-utilized funding does not prohibit counties and judicial districts from arranging or supporting kinship and shelter placements.

**fFirst Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

DRAFT
2/28/25

DRAFT

LLS NO. 25-0923.01 Conrad Imel x2313

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Emergency Temporary Care for Children Funding

A BILL FOR AN ACT

101 **CONCERNING REPEALING REQUIREMENTS RELATED TO FUNDING**
102 **EMERGENCY TEMPORARY CARE FOR CHILDREN.**

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/>.)

Joint Budget Committee. Existing law repeals the following provisions on June 30, 2026; the bill changes the repeal date to June 30, 2025:

- The requirement that the general assembly annually appropriate money to the state department of human services sufficient to fund 5 nights of care for each juvenile

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

- placed in a licensed temporary shelter;
- The process for a judicial district to receive a share of the money appropriated for temporary shelter placements; and
- The requirement that the house of representatives public and behavioral health and human services committee and the senate health and human services committee annually hold a joint meeting about the recommendations from the working group for criteria for placement of juvenile offenders (working group) regarding the placement of juveniles.

The bill repeals the requirement for the working group to create a formula for the allocation of money to judicial districts for the provision of temporary shelter for juveniles.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-2.5-1407, **amend**
3 (3)(f) as follows:

4 **19-2.5-1407. Appropriations to department of human services**
5 **for services to juveniles - definition - repeal.** (3) (f) This subsection (3)
6 is repealed, effective ~~June 30, 2026~~ JUNE 30, 2025.

7 **SECTION 2.** In Colorado Revised Statutes, 19-2.5-1404, **repeal**
8 (1)(b)(X) as follows:

9 **19-2.5-1404. Working group for criteria for placement of**
10 **juvenile offenders - establishment of formula - review of criteria -**
11 **report.** (1) (b) The working group shall carry out the following duties:

12 (X) ~~Before July 1, 2022, to create a formula for the allocation of~~
13 ~~money to judicial districts pursuant to section 19-2.5-1407 (3) for the~~
14 ~~provision of temporary shelter for juveniles.~~

15 **SECTION 3. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.



Joint Budget Committee Staff

Memorandum

To: JBC Committee Members
From: Louellen Lowe, JBC Staff (303-866-2981)
Date: Thursday, March 6, 2025
Subject: [Early Intervention Funding in FY 2024-25](#)

In a February 27th memo to the JBC, and during the impromptu hearing regarding the matter, staff outlined the challenges facing the Early Intervention program. In consultation with both the Department of Early Childhood (DEC) and the Department of Health Care Policy and Financing (HCPF), we've identified a path forward for FY 2024-25.

Recommendation

If the Committee would like to address this issue immediately, staff recommends the JBC sponsor legislation to decrease General Fund appropriations for Early Intervention provided in the HCPF section of the Long Bill and increase General Fund appropriations for Early Intervention in the same amount in the DEC section of the Long Bill. This change could also be run as an add-on to the Long Bill appropriation.

Recap

As was mentioned in the hearing on February 27th, there is a stream of funding for Early Intervention that is appropriated to HCPF. This funding is drawn down directly by providers billing Medicaid for services delivered through the program; it never transfers to the Department of Early Childhood. Over the past three years, the program billing has come in under the appropriated amount by an average of just over \$3.0 million annually.

Taking a conservative approach, both Departments feel it is both appropriate and necessary to reduce the General Fund appropriation made in HCPF by \$2.0 million for EI and directly appropriate that amount in General Fund to DEC for EI. To move more than this amount could risk HCPF overruns if Medicaid billings come in higher than anticipated. Further, this amount has already been included in Maintenance of Effort calculations; therefore, it does not impact that requirement for this program.

The Department indicates that the remainder of the current year shortfall will be addressed through renegotiating contracts with Early Intervention brokers which are projected to underspend the contracted amount.

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT
3/8/25

DRAFT

LLS NO. 25-0951.01 Conrad Imel x2313

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Early Intervention Program Funding for FY 2024-25

A BILL FOR AN ACT

101 CONCERNING ADJUSTMENTS TO APPROPRIATIONS MADE FOR THE
102 **2024-25** STATE FISCAL YEAR TO FUND EARLY INTERVENTION
103 **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://leg.colorado.gov/>.)

Joint Budget Committee. The bill changes the following appropriations made for the 2024-25 state fiscal year:

- An appropriation from the general fund to the department of health care policy and financing for transfer to the department of early childhood (DEC) for early intervention

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

- is decreased by \$2,000,000;
- An appropriation from the general fund to the DEC for early intervention is increased by \$2,000,000; and
- Funds reappropriated to the DEC for early intervention are decreased by \$4,000,000.

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

2 **SECTION 1. Appropriation - adjustments to 2024 long bill.**

3 (1) To implement this act, appropriations made in the annual general
4 appropriation act for the 2024-25 state fiscal year to the department of
5 health care policy and financing are adjusted as follows:

6 (a) The general fund appropriation for transfer to the department
7 of early childhood for early intervention is decreased by \$2,000,000,
8 which is subject to the "(M)" notation as defined in the annual general
9 appropriation act for the same fiscal year; and

10 (b) The decrease in appropriations in subsection (1)(a) of this
11 section is based on the assumption that the amount of federal funds
12 received for transfer to the department of early childhood for early
13 intervention will decrease by \$2,000,000.

14 (2) Appropriations made in the annual general appropriation act
15 for the 2024-25 state fiscal year to the department of early childhood are
16 adjusted as follows:

17 (a) The general fund appropriation for use by the division of
18 community and family services for early intervention is increased by
19 \$2,000,000; and

20 (b) The reappropriated funds for use by the division of community
21 and family services for early intervention is decreased by \$4,000,000.

22 **SECTION 2. Safety clause.** The general assembly finds,
23 determines, and declares that this act is necessary for the immediate

- 1 preservation of the public peace, health, or safety or for appropriations for
- 2 the support and maintenance of the departments of the state and state
- 3 institutions.