

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1418

BY REPRESENTATIVE(S) Zokaie and Camacho, Bacon, Duran, Gilchrist, Goldstein, Jackson, Lindsay, McCormick, Rydin, Mabrey, Nguyen, Ricks; also SENATOR(S) Amabile and Roberts, Cutter, Gonzales J., Jodeh, Kipp, Kolker, Wallace, Coleman.

CONCERNING THE PROVISION OF SERVICES TO YOUNG PEOPLE, AND, IN CONNECTION THEREWITH, REQUIRING CERTAIN SOCIAL MEDIA PLATFORMS THAT PROVIDE ONLINE GAMING SERVICES, PRODUCTS, AND FEATURES TO YOUNG PEOPLE TO IMPOSE A FEE ON EACH ADD-ON TRANSACTION AND REMIT THE FEE TO THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE, WHICH ENTERPRISE IS CREATED IN THE BILL, AND TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE, WHICH ENTERPRISE IS ALSO CREATED IN THE BILL, TO BE USED TO FUND PROGRAMS THAT PROVIDE SERVICES TO YOUNG PEOPLE, AND MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** part 6 to article 60 of title 27 as follows:

PART 6

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE

27-60-601. Short title.

THE SHORT TITLE OF THIS PART 6 IS THE "YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE ACT".

27-60-602. Legislative declaration.

(1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) (I) YOUNG PEOPLE IN COLORADO AND ELSEWHERE SPEND A REMARKABLE AMOUNT OF TIME EVERY DAY MONITORING AND PARTICIPATING IN ONLINE SOCIAL MEDIA AND OTHER WEBSITES, WHERE THEY ARE EXPOSED TO ADULT-THEMED CONTENT, SEXUAL PREDATORS, AND UNSCRUPULOUS MARKETERS;

(II) INCREASINGLY, ONLINE GAMING HAS REPLACED TRADITIONAL SOCIAL MEDIA AND ACTS AS SOCIAL MEDIA FOR MINORS. EIGHTY-FIVE PERCENT OF MINORS PLAY ONLINE GAMES, TWENTY-THREE PERCENT PLAY SEVERAL TIMES A DAY, TWENTY-TWO PERCENT PLAY SEVERAL TIMES A WEEK, AND TWENTY-ONE PERCENT PLAY LESS. ONLINE GAMING HAS ALSO BECOME INCREASINGLY PERVASIVE FOR CHILDREN BETWEEN FIVE AND TWELVE YEARS OLD, WITH MORE THAN EIGHTY PERCENT OF SUCH CHILDREN GAMING WEEKLY.

(III) APPROXIMATELY THIRTY-FIVE TO THIRTY-SEVEN PERCENT OF CHILDREN APPROACHED BY STRANGERS ONLINE WERE FIRST CONTACTED VIA GAMING PLATFORMS. ONLINE GAMING PLATFORMS ARE ENGINEERED TO KEEP CHILDREN ENGAGED FOR AS LONG AS POSSIBLE, AND EXCESSIVE GAMING IS ASSOCIATED WITH SLEEP DISRUPTION, DECREASED ACADEMIC PERFORMANCE, AND INCREASED ANXIETY AND DEPRESSION IN YOUNG PEOPLE.

(IV) YOUNG PEOPLE ARE ESPECIALLY VULNERABLE TO THREATS THAT EXIST ON THE INTERNET BECAUSE YOUNG PEOPLE LACK EXPERIENCE AND BECAUSE THERE ARE INDIVIDUALS AND OTHER ENTITIES THAT TARGET YOUNG PEOPLE ON THE INTERNET FOR PREDATORY PURPOSES;

(V) IT IS WELL-DOCUMENTED THAT THE BRAINS OF CHILDREN AND

JUVENILES ARE NOT FULLY DEVELOPED AND THAT, FOR MANY YOUNG PEOPLE, THE CONSTANT AND OVERWHELMING PRESENCE OF SOCIAL MEDIA AND THE INTERNET EXACERBATES THE DIFFICULTIES OF THE TRANSITION FROM CHILDHOOD TO ADULTHOOD;

(VI) MANY YOUNG PEOPLE WHO DEVELOP COMPULSIVE USE DISORDERS OR WHO ARE OTHERWISE HARMED BY SOCIAL MEDIA WEBSITES, ONLINE GAMING, OR THE INTERNET CAN BENEFIT FROM PROGRAMS THAT OFFER MENTAL HEALTH SERVICES; AND

(VII) IT IS IN THE BEST INTEREST OF THE STATE TO REQUIRE CERTAIN INTERNET WEBSITES THAT MARKET AND PROVIDE GAMING OPPORTUNITIES TO CHILDREN AND JUVENILES AND PROFIT FROM SUCH VENTURES TO IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION TO BE CREDITED TO:

(A) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE FUND CREATED IN THIS PART 6, FROM WHICH FUND THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE MAY AWARD GRANTS TO MENTAL HEALTH AGENCIES THAT PROVIDE MENTAL HEALTH SERVICES TO YOUNG PEOPLE, AS DESCRIBED IN THIS PART 6; AND

(B) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6), FROM WHICH FUND THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104 MAY AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

(b) BY SUPPORTING YOUTH MENTAL HEALTH SERVICES AS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, THE ENTERPRISE ENGAGES IN AN ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR LIVELIHOOD AND THEREFORE OPERATES AS A BUSINESS;

(c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE THE FEE IS IMPOSED FOR

THE SPECIFIC PURPOSE OF ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH USERS OF SOCIAL MEDIA PLATFORMS, AND THE FEE IS IMPOSED AT A RATE THAT IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT COSTS OF THE SERVICES RECEIVED BY YOUTH USERS OF SOCIAL MEDIA PLATFORMS;

(d) SO LONG AS THE ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE REVENUE FROM THE FEE IMPOSED BY THE ENTERPRISE IS NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION 24-77-102, OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DOES NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I); AND

(e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE ENTERPRISE DOES NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION 24-77-108.

27-60-603. Definitions.

AS USED IN THIS PART 6, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) (a) "ADD-ON TRANSACTION" MEANS A TRANSACTION THROUGH WHICH A PLAYER OR PARTICIPANT OF A VIDEO GAME ACCESSED VIA AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE ACQUIRES:

(I) AN ITEM OR ABILITY THAT PROVIDES THE PLAYER OR PARTICIPANT AN ADVANTAGE OVER OTHER PLAYERS OR PARTICIPANTS OF THE VIDEO GAME; OR

(II) A FEATURE THAT ALTERS OR ENHANCES THE VIDEO GAME AS ACCESSED VIA THE ONLINE GAMING SERVICE, PRODUCT, OR FEATURE.

(b) "ADD-ON TRANSACTION" DOES NOT INCLUDE A TRANSACTION THROUGH WHICH A PLAYER OR PARTICIPANT OBTAINS INITIAL ACCESS TO AN

ONLINE GAME.

(2) (a) "COVERED PLATFORM" MEANS A SOLE PROPRIETORSHIP, A PARTNERSHIP, A LIMITED LIABILITY COMPANY, A CORPORATION, AN ASSOCIATION, OR ANOTHER LEGAL ENTITY OR AN AFFILIATE THEREOF THAT:

(I) CONDUCTS BUSINESS IN COLORADO;

(II) GENERATES:

(A) REVENUE DIRECTLY FROM ADD-ON TRANSACTIONS CONDUCTED IN AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE; AND

(B) A MAJORITY OF ITS ANNUAL REVENUE FROM ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES;

(III) PUBLISHES OR ENABLES USER CREATION AND PUBLICATION OF ONE OR MORE GAMES, ACCESSIBLE VIA ONLINE GAMING SERVICES, PRODUCTS, OR FEATURES, THAT ARE REASONABLY LIKELY TO BE ACCESSED BY A YOUTH;

(IV) COLLECTS OR HAS COLLECTED ON ITS BEHALF ONE OR MORE USERS' PERSONAL DATA, AS DEFINED IN SECTION 6-1-1303 (17), IN CONNECTION WITH AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE; AND

(V) DETERMINES THE PURPOSES AND MEANS OF PROCESSING THE PERSONAL DATA DESCRIBED IN SUBSECTION (2)(a)(IV) OF THIS SECTION.

(b) "COVERED PLATFORM" DOES NOT INCLUDE AN INTERNET SERVICE PROVIDER OR TELECOMMUNICATIONS CARRIER THAT PROVIDES CONNECTIVITY TO A THIRD-PARTY SERVICE AND THAT DOES NOT:

(I) DIRECTLY PROCESS ADD-ON TRANSACTIONS; AND

(II) DETERMINE DATA PROCESSING PURPOSES FOR THE THIRD-PARTY SERVICE.

(3) "ENTERPRISE" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE CREATED IN SECTION 27-60-604.

(4) "FEE" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS FEE IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605.

(5) "FUND" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE FUND CREATED IN SECTION 27-60-604 (6).

(6) (a) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303 (16.8), THAT IS PRIMARILY INTENDED TO FACILITATE ONLINE GAMING.

(b) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" DOES NOT INCLUDE:

(I) AN EXCLUSIVE LIVE-STREAMING OR VIDEO-SHARING PLATFORM;
OR

(II) A STOREFRONT THROUGH WHICH USERS PURCHASE OR INITIALLY DOWNLOAD TO ACCESS GAMES.

(7) "PROCESS" OR "PROCESSING" HAS THE MEANING SET FORTH IN SECTION 6-1-1303 (18).

(8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION 6-1-1303 (19).

(9) "REASONABLY LIKELY TO BE ACCESSED BY A YOUTH" MEANS THAT AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS REASONABLY LIKELY TO BE ACCESSED BY A YOUTH BECAUSE THE ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS DIRECTED TO CHILDREN, AS DESCRIBED BY THE FEDERAL "CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF 1998", 15 U.S.C. SECS. 6501 TO 6506, AND THE ASSOCIATED RULES OF THE FEDERAL TRADE COMMISSION.

(10) "YOUTH" HAS THE MEANING SET FORTH IN SECTION 27-60-109 (1)(e).

27-60-604. Youth mental health services access enterprise - created - board - powers and duties - rules and policies - fund - repeal.

(1) (a) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE

IS CREATED IN THE BEHAVIORAL HEALTH ADMINISTRATION. THE ENTERPRISE IS AND OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE BHA FOR THE BUSINESS PURPOSE OF COLLECTING FEES IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605 AND UTILIZING THE FEE REVENUE TO OPERATE AND FUND PROGRAMS THAT PROVIDE YOUTH MENTAL HEALTH SERVICES. THE ENTERPRISE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE BHA.

(b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (1), THE ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(c) THE ENTERPRISE SHALL BE DIRECTED BY A BOARD OF INDIVIDUALS TO BE APPOINTED BY THE GOVERNOR.

(2) THE ENTERPRISE, ACTING THROUGH THE BOARD, MAY:

(a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24;

(b) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT ARE PAYABLE ONLY FROM THE MONEY IN THE FUND;

(c) ADOPT RULES AS NECESSARY TO CARRY OUT THIS PART 6; AND

(d) ADOPT POLICIES FOR THE REGULATION OF ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS PART 6.

(3) THE ENTERPRISE SHALL:

(a) RECEIVE THE FEES IMPOSED BY COVERED PLATFORMS ON ADD-ON TRANSACTIONS PURSUANT TO SECTION 27-60-605;

(b) ON AND AFTER JANUARY 1, 2028, OPERATE AND FUND THE YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM AS REQUIRED BY SECTION 27-60-606;

(c) ON AND AFTER JANUARY 1, 2028, OPERATE AND FUND THE CRISIS RESOLUTION TEAM PROGRAM AS REQUIRED BY SECTION 27-60-607; AND

(d) ON AND AFTER JANUARY 1, 2028, OPERATE AND FUND THE YOUTH MENTAL HEALTH SERVICES PROGRAM CREATED IN SECTION 27-60-109.

(4) (a) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", PART 4 OF ARTICLE 6 OF TITLE 24.

(b) THE ENTERPRISE IS SUBJECT TO THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC RECORDS, AS DEFINED IN SECTION 24-72-202, REGARDLESS OF WHETHER THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN GRANTS, AS DEFINED IN SECTION 24-77-102, FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS.

(c) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF THE "SUPPLEMENTAL PUBLIC SECURITIES ACT", PART 2 OF ARTICLE 57 OF TITLE 11.

(5) THE BHA SHALL PROVIDE OFFICE SPACE AND ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT TO A CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

(6) (a) THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE FUND IN ACCORDANCE WITH THIS PART 6; ANY MONEY RECEIVED FROM THE ISSUANCE OF REVENUE BONDS, AS DESCRIBED IN SUBSECTION (2)(b) OF THIS SECTION; AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE ENTERPRISE. THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES OF THIS PART 6, SUBJECT TO THE REQUIREMENTS OF SECTION 27-60-605 (4).

(7) (a) SECTION 24-77-108 DOES NOT APPLY TO THE ENTERPRISE BECAUSE THE TOTAL AMOUNT OF MONEY CREDITED OR APPROPRIATED TO THE FUND AS FEE REVENUE SHALL NOT EXCEED ONE HUNDRED MILLION DOLLARS IN THE FIRST FIVE FISCAL YEARS OF THE ENTERPRISE'S EXISTENCE.

(b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2033.

(8) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S TOTAL ANNUAL REVENUE.

27-60-605. Youth mental health services access fee - established - collection by covered platforms - remittance to department of revenue - youth programming and protections enterprise fund.

(1) ON AND AFTER JANUARY 1, 2027, EACH COVERED PLATFORM SHALL IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION THAT OCCURS ON THE COVERED PLATFORM AND REMIT THE ENTIRE AMOUNT OF THE FEE TO THE DEPARTMENT OF REVENUE.

(2) (a) THE INITIAL AMOUNT OF THE FEE IS FIVE PERCENT OF THE AMOUNT OF THE ADD-ON TRANSACTION. ON AND AFTER OCTOBER 1, 2027, THE ENTERPRISE MAY ADJUST THE AMOUNT OF THE FEE. THE ENTERPRISE SHALL PUBLISH THE FEE AMOUNT ON THE BHA'S PUBLIC WEBSITE.

(b) THE AMOUNT OF THE FEE MUST BE REASONABLY CALCULATED TO RECOUP THE DIRECT AND INDIRECT COSTS OF THE SERVICES RECEIVED BY YOUTH THROUGH THE:

(I) YOUTH MENTAL HEALTH SERVICES PROGRAM CREATED IN SECTION 27-60-109;

(II) YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM CREATED IN SECTION 27-60-606;

(III) CRISIS RESOLUTION TEAM PROGRAM CREATED IN SECTION 27-60-607;

(IV) OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

(V) ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105.

(c) IN ADJUSTING THE AMOUNT OF THE FEE, THE ENTERPRISE SHALL CONSIDER THE LIMITATIONS DESCRIBED IN SECTION 24-77-108.

(3)(a) EXCEPT AS DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL TRANSFER MONEY COLLECTED AS FEES BY COVERED PLATFORMS TO THE STATE TREASURER TO BE CREDITED TO THE FUND.

(b) MONEY THAT THE DEPARTMENT OF REVENUE COLLECTS PURSUANT TO THIS SECTION IS CUSTODIAL MONEY HELD TEMPORARILY BY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER SOLELY FOR THE PURPOSE OF TRANSFERRING THE MONEY TO THE FUND FOR USE BY THE ENTERPRISE.

(c) IN EACH STATE FISCAL YEAR, AFTER THE STATE TREASURER HAS CREDITED EIGHT MILLION DOLLARS TO THE FUND PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION, THE STATE TREASURER SHALL CREDIT ANY OTHER MONEY RECEIVED AS FEES PURSUANT TO SUBSECTION (1) OF THIS SECTION TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6).

(4) THE ENTERPRISE MAY SPEND NO MORE THAN THREE PERCENT OF THE ANNUAL FEE REVENUE CREDITED TO THE FUND FOR THE ENTERPRISE'S ADMINISTRATIVE EXPENSES. AFTER DEDUCTING ITS ADMINISTRATIVE EXPENSES, THE ENTERPRISE SHALL ALLOCATE THE REMAINING FEE REVENUE

CREDITED TO THE FUND AS FOLLOWS:

(a) FORTY PERCENT FOR THE YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM CREATED IN SECTION 27-60-606;

(b) THIRTY-FIVE PERCENT FOR THE CRISIS RESOLUTION TEAM PROGRAM CREATED IN SECTION 27-60-607; AND

(c) TWENTY-FIVE PERCENT FOR THE YOUTH MENTAL HEALTH SERVICES PROGRAM CREATED IN SECTION 27-60-109.

27-60-606. Youth mental health peer navigator grant program - created - eligible entities - report - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELIGIBLE ENTITY" MEANS AN ENTITY THAT SATISFIES THE CRITERIA DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

(b) "GOVERNOR'S COMMISSION ON COMMUNITY SERVICE" MEANS THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE CREATED IN SECTION 24-20-501 AND COMMONLY KNOWN AS "SERVE COLORADO".

(c) "GRANT PROGRAM" MEANS THE YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(d) "YOUNG ADULT" MEANS AN INDIVIDUAL WHO IS EIGHTEEN YEARS OLD OR OLDER BUT YOUNGER THAN TWENTY-FIVE YEARS OLD.

(2) (a) THE YOUTH MENTAL HEALTH PEER NAVIGATOR GRANT PROGRAM IS CREATED TO AWARD GRANTS TO ENTITIES THAT RECRUIT AND TRAIN YOUNG ADULTS TO PROVIDE PREVENTION SERVICES, PEER SUPPORT, AND SYSTEM NAVIGATION TO YOUTH IN SCHOOLS OR COMMUNITY-BASED SETTINGS.

(b) THE ENTERPRISE SHALL OPERATE AND FUND THE GRANT PROGRAM IN ACCORDANCE WITH THIS SECTION. THE ENTERPRISE SHALL CONSULT WITH THE BHA AND THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE IN THE OPERATION OF THE GRANT PROGRAM.

(3) THE ENTERPRISE SHALL ADOPT AND POST ON THE BHA'S PUBLIC WEBSITE POLICIES, PROCEDURES, AND GUIDELINES FOR THE GRANT PROGRAM THAT INCLUDE, AT A MINIMUM:

(a) PROCEDURES AND TIMELINES BY WHICH AN ELIGIBLE ENTITY MAY APPLY FOR A GRANT;

(b) CRITERIA FOR DETERMINING GRANT ELIGIBILITY AND THE AMOUNT OF GRANT AWARDS; AND

(c) REPORTING REQUIREMENTS FOR GRANT RECIPIENTS, WHICH REQUIREMENTS INCLUDE REPORTING THE USE OF A GRANT AWARD.

(4) TO BE ELIGIBLE FOR A GRANT AWARD, AN ENTITY MUST BE AN INDIAN TRIBE; AN INSTITUTION OF HIGHER EDUCATION; A LOCAL GOVERNMENT, INCLUDING A SCHOOL DISTRICT; A STATE GOVERNMENT AGENCY; OR A NONPROFIT ORGANIZATION AND MUST PROVIDE MENTAL HEALTH PROGRAMMING IN SCHOOLS OR COMMUNITY-BASED SETTINGS, WHICH PROGRAMMING INCLUDES:

(a) MAKING REFERRALS TO MENTAL HEALTH RESOURCES;

(b) IDENTIFYING AND REMOVING BARRIERS TO MENTAL HEALTH SERVICES;

(c) DEVELOPING ACTION PLANS FOR MENTAL HEALTH TRENDS IN SCHOOLS;

(d) COORDINATING MENTAL HEALTH CARE;

(e) PROVIDING CASE MANAGEMENT AND CULTURAL MEDIATION; AND

(f) OFFERING MENTAL HEALTH EDUCATION.

(5) (a) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT A GRANT APPLICATION TO THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE.

(b) THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE SHALL REVIEW EACH GRANT APPLICATION AND MAKE RECOMMENDATIONS TO THE

ENTERPRISE CONCERNING WHETHER A GRANT SHOULD BE AWARDED AND, IF SO, THE AMOUNT OF THE GRANT.

(c) AFTER CONSIDERING THE RECOMMENDATIONS OF THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE, THE ENTERPRISE SHALL AWARD AND DETERMINE THE AMOUNT OF EACH GRANT.

(6) AN ELIGIBLE ENTITY THAT RECEIVES A GRANT SHALL USE THE GRANT AWARD ONLY FOR ONE OR MORE PURPOSES DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

(7) (a) ON OR BEFORE JANUARY 31, 2028, AND ON OR BEFORE JANUARY 31 OF EACH YEAR THEREAFTER, THE ENTERPRISE SHALL SUBMIT A REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES COMMITTEE, OR ANY SUCCESSOR COMMITTEES, WITH INFORMATION ABOUT THE GRANT PROGRAM'S ACTIVITIES DURING THE PRECEDING YEAR. THE ENTERPRISE SHALL ALSO POST THE ANNUAL REPORT ON THE BHA'S PUBLIC WEBSITE. THE REPORT MUST INCLUDE THE NUMBER AND TOTAL AMOUNT OF GRANTS AWARDED BY THE GRANT PROGRAM, THE RECIPIENT AND AMOUNT OF EACH GRANT AWARDED, AND THE USES OF EACH GRANT AWARD.

(b) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION (7) CONTINUES INDEFINITELY.

27-60-607. Crisis resolution team program - created - report - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CAREGIVER" MEANS A PARENT, A FOSTER PARENT, KIN, A GUARDIAN, OR A LEGAL CUSTODIAN.

(b) "CRISIS RESOLUTION TEAM PROVIDER" MEANS A SERVICE PROVIDER THAT SUPPORTS YOUTH WHO ARE EXPERIENCING BEHAVIORAL HEALTH CRISES AND WHO MAY BENEFIT FROM INTENSIVE, SHORT-TERM, IN-HOME SERVICES AND ONGOING SUPPORT.

(c) "PROGRAM" MEANS THE CRISIS RESOLUTION TEAM PROGRAM CREATED IN THIS SECTION.

(2) (a) THE CRISIS RESOLUTION TEAM PROGRAM IS CREATED TO PROVIDE COMMUNITY-BASED DE-ESCALATION AND STABILIZATION SERVICES TO YOUTH WHO ARE EXPERIENCING HIGH-ACUITY BEHAVIORAL HEALTH CRISES AND TO THEIR CAREGIVERS. THE ENTERPRISE, IN COLLABORATION WITH THE BHA, SHALL ADMINISTER THE PROGRAM AND CONTRACT WITH CRISIS RESOLUTION TEAM PROVIDERS TO OFFER THE SERVICES DESCRIBED IN THIS SECTION.

(b) A YOUTH IS ELIGIBLE TO RECEIVE SERVICES FROM THE PROGRAM IF THE YOUTH:

(I) HAS EXPERIENCED HIGH-ACUITY BEHAVIORAL HEALTH CRISES AS IDENTIFIED BY THE BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM OR AN EMERGENCY DEPARTMENT; AND

(II) IS SAFE TO REMAIN IN THE YOUTH'S HOME OR COMMUNITY WHILE RECEIVING INTENSIVE, SHORT-TERM STABILIZATION INTERVENTIONS.

(c) A CRISIS RESOLUTION TEAM PROVIDER SHALL OFFER THE FOLLOWING SERVICES TO YOUTH AND THEIR CAREGIVERS:

(I) COUNSELING OR THERAPY;

(II) CASE MANAGEMENT TO SUPPORT MEETING TREATMENT PLANS;

(III) PEER SUPPORT OR FAMILY SKILLS COACHING TO FOSTER CONNECTEDNESS, GOAL SETTING, AND NEW ROUTINES TO ACHIEVE POSITIVE, LASTING CHANGE;

(IV) MEDICATION MANAGEMENT; AND

(V) CARE COORDINATION TO PROVIDE TAILORED SUPPORT AND CONNECTION THROUGH THE USE OF ADDITIONAL COMMUNITY RESOURCES.

(d) A CRISIS RESOLUTION TEAM PROVIDER SHALL OFFER SERVICES TO A YOUTH AT LEAST THREE DAYS PER WEEK WITH A VARIETY OF SERVICES OFFERED DAILY DEPENDING ON THE YOUTH'S CLINICAL NEEDS. SERVICES

MUST BE OFFERED TO THE YOUTH FOR AT LEAST FOUR WEEKS, UP TO A MAXIMUM OF SIX WEEKS DEPENDING ON THE YOUTH'S CLINICAL NEEDS.

(3) (a) TO CONTRACT WITH THE ENTERPRISE PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, A CRISIS RESOLUTION TEAM PROVIDER MUST:

(I) PROVIDE SUPPORT AND STABILIZATION SERVICES ACCORDING TO THE TIME FRAMES DESCRIBED IN SUBSECTION (2)(d) OF THIS SECTION; AND

(II) ENTER INTO COMMUNITY COORDINATION PARTNERSHIPS AS DESCRIBED IN SECTION 27-60-104 (6).

(b) A CRISIS RESOLUTION TEAM PROVIDER MAY LOCATE WITHIN THE FACILITY OF A COMMUNITY-BASED ORGANIZATION OR PARTNER.

(c) A CRISIS RESOLUTION TEAM PROVIDER THAT ENTERS INTO A CONTRACT WITH THE ENTERPRISE PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION SHALL COLLECT DATA AND OUTCOMES ON THE FOLLOWING:

(I) THE NUMBER OF YOUTH SERVED BY THE CRISIS RESOLUTION TEAM PROVIDER, DISAGGREGATED BY GENDER, RACE, GRADE LEVEL, DISABILITY, ENGLISH LANGUAGE LEARNER STATUS, AND UNHOUSED STATUS TO THE MAXIMUM EXTENT POSSIBLE IN COMPLIANCE WITH THE "COLORADO PRIVACY ACT", PART 13 OF ARTICLE 1 OF TITLE 6;

(II) THE ORGANIZATIONS THAT REFER YOUTH TO THE CRISIS RESOLUTION TEAM PROVIDER;

(III) THE NUMBER OF YOUTH HOSPITALIZED WHILE RECEIVING SERVICES FROM THE CRISIS RESOLUTION TEAM PROVIDER;

(IV) THE NUMBER OF REFERRALS FOR YOUTH TO OUT-OF-HOME PLACEMENTS WHILE RECEIVING SERVICES FROM THE CRISIS RESOLUTION TEAM PROVIDER; AND

(V) THE NUMBER AND TYPES OF SERVICES AND SUPPORTS THAT YOUTH AND THEIR CAREGIVERS RECEIVE.

(4) TO ADMINISTER THE PROGRAM, THE ENTERPRISE SHALL:

(a) USE EXISTING COMMUNITY COORDINATION PARTNERSHIPS AS DESCRIBED IN SECTION 27-60-104 (6) TO MAINTAIN RELATIONSHIPS WITH THE FOLLOWING COMMUNITY PARTNERS:

(I) LOCAL COMMUNITY MENTAL AND BEHAVIORAL HEALTH PROVIDERS;

(II) COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES;

(III) ORGANIZATIONS THAT SERVE JUSTICE-INVOLVED YOUTH;

(IV) SCHOOL DISTRICTS;

(V) ORGANIZATIONS THAT SERVE YOUTHS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

(VI) LOCAL HOSPITALS AND EMERGENCY DEPARTMENTS;

(VII) LOCAL LAW ENFORCEMENT AGENCIES; AND

(VIII) PUBLIC HEALTH DEPARTMENTS;

(b) CONDUCT OUTREACH AND EDUCATE COMMUNITY PARTNERS REGARDING CRISIS RESOLUTION TEAM SERVICES AVAILABLE THROUGH THE PROGRAM;

(c) PROVIDE TECHNICAL ASSISTANCE TO CRISIS RESOLUTION TEAM PROVIDERS REGARDING SPECIALIZED TRAINING AND THE USE OF SCREENING AND ASSESSMENT TOOLS FOR YOUTH;

(d) COLLECT DATA AND OUTCOMES FROM CRISIS RESOLUTION TEAM PROVIDERS AS DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION; AND

(e) CONDUCT, OR CONTRACT WITH A THIRD-PARTY EVALUATOR TO CONDUCT, AN ANNUAL EVALUATION OF THE PROGRAM USING THE DATA AND OUTCOMES COLLECTED FROM CRISIS RESOLUTION TEAM PROVIDERS PURSUANT TO SUBSECTION (4)(d) OF THIS SECTION.

(5) BEGINNING IN JANUARY 2028, AND IN JANUARY EVERY YEAR THEREAFTER, THE STATE DEPARTMENT SHALL INCLUDE, AS PART OF ITS

PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY SECTION 2-7-203, INFORMATION CONCERNING THE CRISIS RESOLUTION TEAM PROGRAM.

SECTION 2. In Colorado Revised Statutes, 27-60-109, **amend** (1)(a), (2)(a), (2)(b), (3)(a) introductory portion, (3)(a)(III), (3)(b), (4)(a) introductory portion, (4.5)(a) introductory portion, (4.5)(b) introductory portion, (4.5)(c), and (5); and **add** (1)(a.7) and (2)(a.5) as follows:

27-60-109. Youth mental health services program - established - report - rules - definitions - repeal.

(1) As used in this section, unless the context otherwise requires:

(a) ~~"Portal" means the website or web-based application described in subsection (4) of this section that facilitates the program "ENTERPRISE"~~ MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS ENTERPRISE CREATED IN SECTION 27-60-604.

(a.7) "PORTAL" MEANS THE WEBSITE OR WEB-BASED APPLICATION DESCRIBED IN SUBSECTION (4) OF THIS SECTION THAT FACILITATES THE PROGRAM.

(2) (a) There is established in the ~~behavioral health administration~~ STATE DEPARTMENT the youth mental health services program to facilitate access to mental health services, including substance use disorder services, for youth to respond to mental health needs identified in an initial mental health screening through the portal. The program reimburses providers for up to ~~three~~ SIX mental health sessions with a youth.

(a.5) (I) ON AND AFTER JANUARY 1, 2028, THE ENTERPRISE SHALL FUND THE PROGRAM AND OPERATE THE PROGRAM, IN COLLABORATION WITH THE BHA. ON AND AFTER JANUARY 1, 2028, THE POWERS, DUTIES, AND FUNCTIONS OF THE ENTERPRISE INCLUDE THE POWERS, DUTIES, AND FUNCTIONS REGARDING THE PROGRAM THAT WERE VESTED IN THE BHA PRIOR TO THAT DATE.

(II) ON AND AFTER JANUARY 1, 2028, WHENEVER THE FUNCTIONS OF THE STATE DEPARTMENT OR THE BHA RELATING TO THE PROGRAM ARE REFERRED TO OR DESIGNATED BY A CONTRACT OR OTHER DOCUMENT IN

CONNECTION WITH THE DUTIES AND FUNCTIONS TRANSFERRED TO THE ENTERPRISE ON JANUARY 1, 2028, THE REFERENCE OR DESIGNATION IS DEEMED TO APPLY TO THE ENTERPRISE.

(b) The ~~BHA shall~~ PROGRAM MUST reimburse providers who participate in the program for each mental health session with a youth, either in-person or by telehealth, up to a maximum of ~~three~~ SIX sessions per youth client; except that, subject to available money, the ~~BHA~~ PROGRAM may reimburse a provider for additional sessions. To be eligible for reimbursement from the program, a provider must be available to provide ~~three~~ SIX mental health sessions to each youth the provider accepts as a client.

(3) (a) The ~~BHA~~ ENTERPRISE shall:

(III) Implement a statewide public awareness and outreach campaign about the program. The general assembly encourages the ~~BHA~~ ENTERPRISE to involve schools, neighborhood youth organizations, health-care providers, faith-based organizations, and any other community-based organizations that interact with youth on the local level in disseminating information about the program.

(b) The state board may ~~promulgate~~ ADOPT rules necessary for the administration of this section, including rules to protect the privacy of youth who receive services through the program. THE STATE BOARD SHALL CONSULT WITH THE ENTERPRISE WHEN ADOPTING THE RULES. ALL RULES OF THE STATE BOARD PURSUANT TO THIS SECTION ISSUED BEFORE JANUARY 1, 2028, CONTINUE TO BE EFFECTIVE AND SHALL BE ENFORCED BY THE ENTERPRISE UNTIL SUPERSEDED, REVISED, AMENDED, REPEALED, OR NULLIFIED PURSUANT TO LAW.

(4) (a) The ~~BHA~~ ENTERPRISE shall enter into an agreement with a vendor to create A, or use an existing, website or web-based application as a portal available to youth and providers to facilitate the program. The portal must:

(4.5) (a) On or before June 1 of each year, the vendor described in subsection (4) of this section shall deliver to the ~~BHA~~ ENTERPRISE any of the following, collected during the prior year:

(b) The ~~BHA~~ ENTERPRISE shall conduct a survey of each provider who participates in the program that solicits feedback about the following:

(c) This subsection (4.5) does not authorize the ~~BHA~~ STATE DEPARTMENT, THE ~~BHA~~, THE ENTERPRISE, a provider, a vendor, or any other person to violate applicable federal or state patient privacy laws.

(5) On or before June 30 of each year, the state department shall report to the house of representatives ~~public and behavioral~~ health and human services committee and the senate health and human services committee, or ~~their~~ ANY successor committees, regarding the number of youth who received services under the program, excluding any personally identifiable information in accordance with state and federal law; information in aggregate about the services provided to youth under the program; other relevant information regarding the program; and the information reported to the ~~BHA~~ ENTERPRISE by the vendor pursuant to subsection (4.5) of this section.

SECTION 3. In Colorado Revised Statutes, **add** 6-1-742 as follows:

6-1-742. Transactions involving covered minors - prices to be listed in U.S. dollars - deceptive trade practice - definitions.

(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COVERED PLATFORM" HAS THE MEANING SET FORTH IN SECTION 27-60-603 (2).

(b) "MINOR" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN YEARS OLD.

(c) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

(2) A COVERED PLATFORM SHALL ENSURE THAT THE PURCHASE PRICE FOR AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE THAT IS REASONABLY LIKELY TO BE ACCESSED BY A MINOR IS LISTED IN UNITED

STATES DOLLARS AT THE POINT OF SALE.

(3) A PERSON THAT VIOLATES SUBSECTION (2) OF THIS SECTION ENGAGES IN A DECEPTIVE TRADE PRACTICE.

SECTION 4. In Colorado Revised Statutes, **add** article 109 to title 22 as follows:

ARTICLE 109
Youth Programming and Protections Act

22-109-101. Short title.

THE SHORT TITLE OF THIS ARTICLE 109 IS THE "YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE ACT".

22-109-102. Legislative declaration.

(1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) (I) YOUNG PEOPLE SPEND A SIGNIFICANT PORTION OF EACH DAY ENGAGING WITH SOCIAL MEDIA, ONLINE GAMING, AND OTHER DIGITAL PLATFORMS DESIGNED TO MAXIMIZE ATTENTION, FREQUENCY OF USE, AND IN-PLATFORM TRANSACTIONS;

(II) ALTHOUGH SOCIAL MEDIA TECHNOLOGIES CAN SUPPORT CONNECTION AND ENTERTAINMENT, EXCESSIVE OR UNSUPERVISED ENGAGEMENT CAN CONTRIBUTE TO SOCIAL ISOLATION, DISRUPTED SLEEP, REDUCED PHYSICAL ACTIVITY, AND INCREASED RISK OF ANXIETY, DEPRESSION, AND COMPULSIVE USE BEHAVIORS;

(III) RESEARCH DEMONSTRATES THAT STRONG PROTECTIVE FACTORS, INCLUDING CONSISTENT ACCESS TO SUPPORTIVE ADULTS, POSITIVE PEER RELATIONSHIPS, AND STRUCTURED OPPORTUNITIES FOR ENGAGEMENT, ARE CRITICAL TO PROMOTING YOUTH MENTAL HEALTH, BUILDING RESILIENCE, AND MITIGATING THE NEGATIVE EFFECTS OF SOCIAL ISOLATION AND EXCESSIVE SCREEN TIME;

(IV) RECENT DISABILITY-FOCUSED RESEARCH HAS FOUND THAT CHILDREN WITH DISABILITIES ARE AT HEIGHTENED RISK OF COMPULSIVE OR

EXCESSIVE ONLINE GAME USE, INCLUDING INCREASED INATTENTION, OPPOSITIONAL BEHAVIOR, SEDENTARY BEHAVIOR, EMOTIONAL DYSREGULATION, AND MEASURABLE NEGATIVE IMPACTS ON ACADEMIC PERFORMANCE WHEN GAMING BECOMES A DOMINANT DAILY ACTIVITY;

(V) ONLINE SOCIAL GAMING ENVIRONMENTS FREQUENTLY DISPLACE TIME THAT WOULD OTHERWISE BE SPENT ON HOMEWORK, READING, SLEEPING, THERAPY PARTICIPATION, EXTRACURRICULAR INVOLVEMENT, FAMILY INTERACTION, AND IN-PERSON PEER DEVELOPMENT, ALL OF WHICH ARE CRITICAL CONTRIBUTORS TO EDUCATIONAL ACHIEVEMENT AND DEVELOPMENTAL PROGRESS;

(VI) IN ADDITION TO COMPULSIVE USE, SOCIAL GAMING PLATFORMS EXPOSE CHILDREN WITH DISABILITIES TO HEIGHTENED RISKS OF ONLINE BULLYING, HARASSMENT, MANIPULATION, AND UNHEALTHY SOCIAL COMPARISON IN LARGELY UNMODERATED DIGITAL ENVIRONMENTS, WHICH CAN FURTHER AGGRAVATE ANXIETY, DEPRESSION, SCHOOL AVOIDANCE, AND FEELINGS OF SOCIAL ALIENATION;

(VII) OUT-OF-SCHOOL TIME PROGRAMS ARE A PROVEN STRATEGY FOR DELIVERING THESE PROTECTIVE FACTORS BY PROVIDING SAFE, SUPERVISED ENVIRONMENTS, FOSTERING MEANINGFUL RELATIONSHIPS WITH TRUSTED ADULTS AND PEERS, AND ENGAGING YOUNG PEOPLE IN HANDS-ON LEARNING, PHYSICAL ACTIVITY, AND SKILL DEVELOPMENT THAT REDUCE RELIANCE ON PASSIVE OR EXCESSIVE DIGITAL USE AND IMPROVE SOCIAL-EMOTIONAL OUTCOMES;

(VIII) THERE IS SIGNIFICANT UNMET DEMAND FOR OUT-OF-SCHOOL TIME PROGRAMS ACROSS COLORADO; MANY CHILDREN WOULD PARTICIPATE IF PROGRAMS WERE AVAILABLE;

(IX) STATE-LEVEL SUPPORT FOR EDUCATIONAL RIGHTS, INCLUDING LEGAL RESOURCES, TECHNICAL ASSISTANCE, AND FAMILY AWARENESS, PROMOTES ACCOUNTABILITY, HELPS FAMILIES NAVIGATE COMPLEX SYSTEMS, AND STRENGTHENS TRUST IN EDUCATIONAL INSTITUTIONS; AND

(X) IT IS IN THE BEST INTEREST OF THE STATE TO INVEST IN PREVENTION AND EARLY INTERVENTION STRATEGIES THAT PROMOTE YOUTH WELL-BEING, INCLUDING SUSTAINABLE FUNDING FOR OUT-OF-SCHOOL TIME PROGRAMS AND EDUCATIONAL RIGHTS ENFORCEMENT, AND TO REQUIRE

CERTAIN SOCIAL MEDIA PLATFORMS THAT PROFIT FROM YOUTH ENGAGEMENT, INCLUDING GAMING TRANSACTIONS, TO IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION TO BE CREDITED TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN THIS ARTICLE 109, FROM WHICH FUND THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE MAY:

(A) AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

(B) SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

(b) BY SUPPORTING THE OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND SUPPORTING THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105, THE ENTERPRISE ENGAGES IN AN ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR LIVELIHOOD AND THEREFORE OPERATES AS A BUSINESS;

(c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BENEFITS AND SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH USERS OF COVERED PLATFORMS, AND THE FEE IS IMPOSED AT A RATE THAT IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT COSTS OF THE SERVICES RECEIVED BY YOUTH USERS OF COVERED PLATFORMS;

(d) SO LONG AS THE ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE REVENUE FROM THE FEE IMPOSED BY THE ENTERPRISE IS NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION 24-77-102, OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DOES NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS STATE REVENUES

CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I); AND

(e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE ENTERPRISE DOES NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION 24-77-108.

22-109-103. Definitions.

AS USED IN THIS ARTICLE 109, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADD-ON TRANSACTION" HAS THE MEANING SET FORTH IN SECTION 27-60-603 (1).

(2) "COVERED PLATFORM" HAS THE MEANING SET FORTH IN SECTION 27-60-603 (2).

(3) "ENTERPRISE" MEANS THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104.

(4) "FEE" MEANS THE YOUTH MENTAL HEALTH SERVICES ACCESS FEE IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605.

(5) "FUND" MEANS THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6).

(6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

(7) "PROCESS" OR "PROCESSING" HAS THE MEANING SET FORTH IN SECTION 6-1-1303 (18).

(8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION 6-1-1303 (19).

(9) "REASONABLY LIKELY TO BE ACCESSED BY A YOUTH" MEANS

THAT AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS REASONABLY LIKELY TO BE ACCESSED BY A YOUTH BECAUSE THE ONLINE GAMING SERVICE, PRODUCT, OR FEATURE IS DIRECTED TO CHILDREN, AS DESCRIBED BY THE FEDERAL "CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF 1998", 15 U.S.C. SECS. 6501 TO 6506, AND THE ASSOCIATED RULES OF THE FEDERAL TRADE COMMISSION.

(10) "YOUTH" HAS THE MEANING SET FORTH IN SECTION 27-60-109 (1)(e).

22-109-104. Youth programming and protections enterprise - created - board - powers and duties - rules and policies - fund - repeal.

(1)(a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE IS CREATED IN THE DEPARTMENT OF EDUCATION. THE ENTERPRISE IS AND OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT FOR THE BUSINESS PURPOSE OF COLLECTING FEES IMPOSED BY COVERED PLATFORMS PURSUANT TO SECTION 27-60-605 AND UTILIZING THE FEE REVENUE TO AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND TO SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105. THE ENTERPRISE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

(b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (1), THE ENTERPRISE IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(c) THE ENTERPRISE SHALL BE DIRECTED BY A BOARD OF INDIVIDUALS TO CONSIST OF THE FOLLOWING INDIVIDUALS:

(I) THE COMMISSIONER OF EDUCATION, OR THE COMMISSIONER'S DESIGNEE, WHO SHALL SERVE AS AN EX-OFFICIO NONVOTING MEMBER;

(II) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE SPECIAL EDUCATION CONSORTIUM, TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(III) ONE INDIVIDUAL WHO REPRESENTS A STATEWIDE OUT-OF-SCHOOL TIME PROGRAMMING ENTITY, TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;

(IV) ONE INDIVIDUAL WHO REPRESENTS A LOCAL GOVERNMENT ENTITY WITH A FOCUS ON SUPPORTING OUT-OF-SCHOOL TIME PROGRAMS, TO BE APPOINTED BY THE GOVERNOR;

(V) ONE INDIVIDUAL WHO REPRESENTS AN ORGANIZATION THAT PROVIDES FINANCIAL SUPPORT TO FAMILIES TO ACCESS OUT-OF-SCHOOL TIME PROGRAMS, TO BE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(VI) ONE INDIVIDUAL WHO REPRESENTS A PHILANTHROPIC FOUNDATION WHOSE MISSION INCLUDES SUPPORT FOR OUT-OF-SCHOOL TIME PROGRAMS, TO BE APPOINTED BY THE GOVERNOR;

(VII) ONE INDIVIDUAL WHO REPRESENTS AN ADVOCACY ORGANIZATION THAT REPRESENTS STUDENTS WITH DISABILITIES, TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(VIII) ONE INDIVIDUAL WITH EXPERTISE IN FINANCIAL ADMINISTRATION OR GRANT ADMINISTRATION FOR NONPROFIT ORGANIZATIONS, TO BE APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(IX) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME PROGRAM PROVIDER IN A RURAL AREA, TO BE APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(X) ONE INDIVIDUAL WHO REPRESENTS AN OUT-OF-SCHOOL TIME PROGRAM PROVIDER IN A METROPOLITAN AREA, TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(XI) ONE INDIVIDUAL WHO IS A SPECIAL EDUCATION DIRECTOR FOR A SCHOOL DISTRICT, TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;

AND

(XII) ONE INDIVIDUAL WITH EXPERTISE IN PROGRAMS THAT SUPPORT ACADEMIC ACHIEVEMENT AND SOCIAL-EMOTIONAL SKILL DEVELOPMENT, TO BE APPOINTED BY THE GOVERNOR.

(d) THE APPOINTING AUTHORITIES DESCRIBED IN SUBSECTION (1)(c) OF THIS SECTION SHALL APPOINT THE INITIAL MEMBERS OF THE BOARD ON OR BEFORE DECEMBER 1, 2026.

(e) EACH MEMBER OF THE BOARD SERVES AT THE PLEASURE OF THE MEMBER'S APPOINTING AUTHORITY AND MAY BE REPLACED BY THE MEMBER'S APPOINTING AUTHORITY AT ANY TIME. A MEMBER APPOINTED AS A REPLACEMENT SHALL SERVE OUT THE REPLACED MEMBER'S TERM AND MAY BE REAPPOINTED TO A FULL TERM.

(f) BOARD MEMBERS SHALL SERVE TERMS OF THREE YEARS, EXCEPT THAT:

(I) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (1)(c)(II), (1)(c)(III), AND (1)(c)(IV) OF THIS SECTION SHALL SERVE INITIAL TERMS OF ONE YEAR; AND

(II) THE INITIAL BOARD MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (1)(c)(V), (1)(c)(VI), AND (1)(c)(VII) OF THIS SECTION SHALL SERVE INITIAL TERMS OF TWO YEARS.

(g) A BOARD MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE THREE-YEAR TERMS.

(h) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE FEBRUARY 1, 2027. AT THE BOARD'S FIRST MEETING, THE BOARD SHALL ELECT A CHAIR AND A VICE-CHAIR FROM THE MEMBERS OF THE BOARD.

(2) THE ENTERPRISE, ACTING THROUGH THE BOARD, MAY:

(a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24;

(b) BY RESOLUTION, AUTHORIZE AND ISSUE REVENUE BONDS THAT ARE PAYABLE ONLY FROM THE MONEY IN THE FUND;

(c) ADOPT RULES AS NECESSARY TO CARRY OUT THIS ARTICLE 109;
AND

(d) ADOPT POLICIES FOR THE REGULATION OF ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS CONSISTENT WITH THIS ARTICLE 109.

(3) ON AND AFTER JANUARY 1, 2028, THE ENTERPRISE SHALL:

(a) PROVIDE GRANTS THROUGH THE OUT-OF-SCHOOL TIME PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104; AND

(b) SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105.

(4) (a) THE ENTERPRISE IS SUBJECT TO THE OPEN MEETINGS PROVISIONS OF THE "COLORADO SUNSHINE ACT OF 1972", PART 4 OF ARTICLE 6 OF TITLE 24.

(b) THE ENTERPRISE IS SUBJECT TO THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC RECORDS, AS DEFINED IN SECTION 24-72-202, REGARDLESS OF WHETHER THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN GRANTS, AS DEFINED IN SECTION 24-77-102, FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED.

(c) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF THE "SUPPLEMENTAL PUBLIC SECURITIES ACT", PART 2 OF ARTICLE 57 OF TITLE 11.

(5) THE DEPARTMENT OF EDUCATION SHALL PROVIDE OFFICE SPACE AND ADMINISTRATIVE STAFF TO THE ENTERPRISE PURSUANT TO A CONTRACT ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

(6) (a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE

FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE FUND IN ACCORDANCE WITH SECTION 27-60-605; ANY MONEY RECEIVED FROM THE ISSUANCE OF REVENUE BONDS, AS DESCRIBED IN SUBSECTION (2)(b) OF THIS SECTION; AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE ENTERPRISE. THE ENTERPRISE MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES OF THIS ARTICLE 109, SUBJECT TO THE REQUIREMENTS OF SUBSECTION (6)(d) OF THIS SECTION.

(d) THE ENTERPRISE MAY SPEND NO MORE THAN THREE PERCENT OF THE ANNUAL FEE REVENUE FOR THE ENTERPRISE'S ADMINISTRATIVE EXPENSES.

(7) (a) SECTION 24-77-108 DOES NOT APPLY TO THE ENTERPRISE BECAUSE THE TOTAL AMOUNT OF MONEY CREDITED OR APPROPRIATED TO THE FUND AS FEE REVENUE SHALL NOT EXCEED ONE HUNDRED MILLION DOLLARS IN THE FIRST FIVE FISCAL YEARS OF THE ENTERPRISE'S EXISTENCE.

(b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2033.

(8) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION, SO LONG AS THE COMBINATION OF GRANTS FROM STATE AND LOCAL GOVERNMENTS IS LESS THAN TEN PERCENT OF THE ENTERPRISE'S TOTAL ANNUAL REVENUE.

22-109-105. Educational rights enforcement.

THE DEPARTMENT OF EDUCATION SHALL USE MONEY MADE AVAILABLE FROM THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6) TO ENFORCE EDUCATIONAL RIGHTS ON BEHALF OF CHILDREN.

22-109-106. Complaints.

IF THE DEPARTMENT OF EDUCATION RECEIVES MONEY FROM THE FUND TO ENFORCE EDUCATIONAL RIGHTS ON BEHALF OF CHILDREN AS DESCRIBED IN SECTION 22-109-105, THE DEPARTMENT SHALL TAKE COMPLAINTS PURSUANT TO SECTION 22-29.5-114.

SECTION 5. In Colorado Revised Statutes, 22-105.5-104, **amend** (3)(a) and (3)(b); and **add** (5) as follows:

22-105.5-104. Out-of-school time program grant program - created - use of grants - funding - rules - repeal.

(3) (a) The department shall administer the grant program IN CONSULTATION WITH THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104.

(b) Subject to available appropriations, THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104, IN CONSULTATION WITH the state board, shall award grants as provided in section 22-105.5-105.

(5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 105.5 TO THE CONTRARY, IN AWARDING GRANTS FROM THE GRANT PROGRAM, THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104 MAY AWARD GRANTS FROM THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN SECTION 22-109-104 (6) IN CONSULTATION WITH THE STATE BOARD.

SECTION 6. In Colorado Revised Statutes, 22-105.5-105, **amend** (1) and (3)(a) as follows:

22-105.5-105. Grant program eligibility - application - criteria - awards.

(1) To be eligible to receive a grant, an entity:

(a) Must be a nonprofit organization that is exempt from taxation pursuant to section 501 (c)(3) of the federal "Internal Revenue Code of 1986", as amended, with at least five years' experience providing affordable and comprehensive academic enrichment and related services to students in the state; ~~and~~

(b) May, but is not required to, have a partnership with a school district in which the entity will provide affordable and comprehensive academic enrichment and related services to students; AND

(c) MUST PROVIDE PROGRAMMING AND SERVICES THAT SUPPORT THE MENTAL HEALTH AND WELL-BEING OF CHILDREN AND YOUTH, INCLUDING, BUT NOT LIMITED TO, SOCIAL AND EMOTIONAL LEARNING, TRAUMA-INFORMED CARE, FAMILY ENGAGEMENT, SUICIDE PREVENTION SCREENINGS, COMMUNITY MENTAL HEALTH RESOURCE NAVIGATION, AND SMALL-GROUP OR INDIVIDUAL INTERVENTIONS.

(3) (a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION 22-109-104, IN CONSULTATION WITH the department, shall review the applications received pursuant to this section to determine eligibility for the grant program, and, subject to available appropriations, THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE, IN CONSULTATION WITH the state board, shall award grants to eligible entities.

SECTION 7. Appropriation. (1) For the 2026-27 state fiscal year, \$294,984 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$34,850 for use by the executive director's office for personal services related to administration and support;

(b) \$195,352 for tax administration IT system (GenTax) support;

(c) \$38,282 for use by taxation business group for personal services related to taxation services, which amount is based on an assumption that the division will require an additional 0.2 FTE; and

(d) \$26,500 for the purchase of legal services.

(2) For the 2026-27 state fiscal year, \$26,500 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(d) of this section and is based on an assumption that the department of law will require an addition 0.1 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.

(3) For the 2026-27 state fiscal year, \$145,750 is appropriated to the department of law. This appropriation is from the youth mental health services access enterprise fund created in section 27-60-604 (6)(a), C.R.S., from revenue received from the youth mental health services access enterprise that is continuously appropriated to the enterprise pursuant to section 27-60-604 (6)(c), C.R.S. The appropriation to the department of law is based on an assumption that the department of law will require an additional 0.6 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the youth mental health services access enterprise.

(4) For the 2026-27 state fiscal year, \$79,500 is appropriated to the department of law. This appropriation is from the youth programming and protections enterprise fund created in section 22-109-104 (6)(a), C.R.S., from revenue received from the youth programming and protections enterprise that is continuously appropriated to the enterprise pursuant to section 22-109-104 (6)(c), C.R.S. The appropriation to the department of law is based on an assumption that the department of law will require an additional 0.3 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the youth programming and protections enterprise.

SECTION 8. Severability. If any provision of this act or the application of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 9. Act subject to petition - effective date. (1) Except as described in subsection (2) of this section, section 27-60-109, Colorado Revised Statutes, as amended in section 2 of this act, takes effect January 1, 2028, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor; except that section

27-60-109, Colorado Revised Statutes, as amended in section 2 of this act, takes effect January 1, 2028.

(2) Section 22-109-106, Colorado Revised Statutes, as enacted in section 4 of this act, takes effect only if Senate Bill 26-125 is enacted and signed into law, in which case section 22-109-106 takes effect on the effective date of this act or Senate Bill 26-125, whichever is later.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO