

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0992.02 Richard Sweetman x4333

HOUSE BILL 26-1418

HOUSE SPONSORSHIP

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Amabile and Roberts,

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A BILL FOR AN ACT

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

Bill Summary

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

HOUSE
Amended 3rd Reading
May 7, 2026

HOUSE
Amended 2nd Reading
May 6, 2026

(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 requires each covered social media platform (covered platform) to impose a fee on each add-on transaction that occurs on the covered platform. The bill creates the youth mental health services access enterprise (enterprise) in the behavioral health administration (BHA) to use the fee revenue to operate and fund programs that provide youth mental health services. The enterprise constitutes an enterprise for purposes of section 20 of article X of the state constitution.

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:

- Conducts business in this state;
- Generates a majority of its annual revenue from online services;
- Makes available online gaming services, products, or features that are reasonably likely to be accessed by a youth;
- Collects users' personal data or has users' personal data collected on its behalf by a processor; and
- Solely or jointly with others determines the purposes and means of the processing of users' personal data.

"Add-on transaction" means an online transaction through which a player or participant in an online gaming service, product, or feature acquires:

- An item or ability that provides the player or participant an advantage over other players or participants; or
- A feature that alters or enhances the online gaming service, product, or feature.

After deducting its administrative expenses, the enterprise is required to allocate the remaining fee revenue as follows:

- 40% to operate and fund the youth mental health peer navigator grant program, which program is created in the bill (see below);
- 35% to operate and fund the crisis resolution team program, which program is created in the bill (see below); and
- 25%, beginning July 1, 2027, to operate the existing youth mental health services program (see below).

The initial amount of the fee is 5% of the amount of the add-on transaction. On and after October 1, 2027, the enterprise may adjust the

1 PARTICIPATING IN ONLINE SOCIAL MEDIA AND OTHER WEBSITES, WHERE
2 THEY ARE EXPOSED TO ADULT-THEMED CONTENT, SEXUAL PREDATORS,
3 AND UNSCRUPULOUS MARKETERS;

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

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

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

23 (V) IT IS WELL-DOCUMENTED THAT THE BRAINS OF CHILDREN AND
24 JUVENILES ARE NOT FULLY DEVELOPED AND THAT, FOR MANY YOUNG
25 PEOPLE, THE CONSTANT AND OVERWHELMING PRESENCE OF SOCIAL MEDIA
26 AND THE INTERNET EXACERBATES THE DIFFICULTIES OF THE TRANSITION
27 FROM CHILDHOOD TO ADULTHOOD;

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

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

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

15 (B) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
16 FUND CREATED IN SECTION 22-109-104 (6), FROM WHICH FUND THE YOUTH
17 PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN SECTION
18 22-109-104 MAY AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME
19 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND
20 SUPPORT THE DEPARTMENT OF EDUCATION'S ENFORCEMENT OF
21 EDUCATIONAL RIGHTS, AS DESCRIBED IN SECTION 22-109-105;

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

26 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
27 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896

1 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
2 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE
3 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES
4 THAT THE FEE IMPOSED BY THE ENTERPRISE IS A FEE, NOT A TAX, BECAUSE
5 THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSE OF ALLOWING THE
6 ENTERPRISE TO DEFRAID THE COSTS OF PROVIDING THE BENEFITS AND
7 SERVICES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION TO YOUTH
8 USERS OF SOCIAL MEDIA PLATFORMS, AND THE FEE IS IMPOSED AT A RATE
9 THAT IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT
10 COSTS OF THE SERVICES RECEIVED BY YOUTH USERS OF SOCIAL MEDIA
11 PLATFORMS;

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

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

26 **27-60-603. Definitions.**

27 AS USED IN THIS PART 6, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

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

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

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

10 (b) "ADD-ON TRANSACTION" DOES NOT INCLUDE A TRANSACTION
11 THROUGH WHICH A PLAYER OR PARTICIPANT OBTAINS INITIAL ACCESS TO
12 AN ONLINE GAME.

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

17 (I) CONDUCTS BUSINESS IN COLORADO;

18 (II) GENERATES:

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

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

23 (III) PUBLISHES ONE OR MORE ONLINE GAMING SERVICES,
24 PRODUCTS, OR FEATURES THAT ARE REASONABLY LIKELY TO BE ACCESSED
25 BY A YOUTH;

26 (IV) COLLECTS OR HAS COLLECTED ON ITS BEHALF ONE OR MORE
27 USERS' PERSONAL DATA, AS DEFINED IN SECTION 6-1-1303 (17), IN

1 CONNECTION WITH AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE;
2 AND

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

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

8 (I) DIRECTLY PROCESS ADD-ON TRANSACTIONS; AND

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

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

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

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

17 (6) (a) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS
18 AN ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION
19 6-1-1303 (16.8), THAT IS PRIMARILY INTENDED TO FACILITATE ONLINE
20 GAMING.

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

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

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

27 (7) "PROCESS" OR "PROCESSING" HAS THE MEANING SET FORTH IN

1 SECTION 6-1-1303 (18).

2 (8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION
3 6-1-1303 (19).

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

11

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

14 **27-60-604. Youth mental health services access enterprise -**
15 **created - board - powers and duties - rules and policies - fund -**
16 **repeal.**

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

26 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
27 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION SO LONG AS IT

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

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

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

10 (a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND
11 TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES
12 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT
13 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE
14 24;

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

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

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

20 (3) THE ENTERPRISE SHALL:

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

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

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

1 AND

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

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

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

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

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

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

1 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

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

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

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

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

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

20 **27-60-605. Youth mental health services access fee -**
21 **established - collection by covered platforms - remittance to**
22 **department of revenue - youth programming and protections**
23 **enterprise fund.**

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

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

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

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

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

12 (III) CRISIS RESOLUTION TEAM PROGRAM CREATED IN SECTION
13 27-60-607;

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

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

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

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

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

1 ENTERPRISE.

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

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

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

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

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

19 **27-60-606. Youth mental health peer navigator grant program**
20 **- created - eligible entities - report - definitions.**

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

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

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

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

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

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

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

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

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

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

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

24 (4) TO BE ELIGIBLE FOR A GRANT AWARD, AN ENTITY MUST BE AN
25 INDIAN TRIBE; AN INSTITUTION OF HIGHER EDUCATION; A LOCAL
26 GOVERNMENT, INCLUDING A SCHOOL DISTRICT; A STATE GOVERNMENT
27 AGENCY; OR A NONPROFIT ORGANIZATION AND MUST PROVIDE MENTAL

1 HEALTH PROGRAMMING IN SCHOOLS OR COMMUNITY-BASED SETTINGS,
2 WHICH PROGRAMMING INCLUDES:

- 3 (a) MAKING REFERRALS TO MENTAL HEALTH RESOURCES;
- 4 (b) IDENTIFYING AND REMOVING BARRIERS TO MENTAL HEALTH
5 SERVICES;
- 6 (c) DEVELOPING ACTION PLANS FOR MENTAL HEALTH TRENDS IN
7 SCHOOLS;
- 8 (d) COORDINATING MENTAL HEALTH CARE;
- 9 (e) PROVIDING CASE MANAGEMENT AND CULTURAL MEDIATION;
- 10 AND
- 11 (f) OFFERING MENTAL HEALTH EDUCATION.

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

15 (b) THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICE SHALL
16 REVIEW EACH GRANT APPLICATION AND MAKE RECOMMENDATIONS TO THE
17 ENTERPRISE CONCERNING WHETHER A GRANT SHOULD BE AWARDED AND,
18 IF SO, THE AMOUNT OF THE GRANT.

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

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

25 (7) (a) ON OR BEFORE JANUARY 31, 2028, AND ON OR BEFORE
26 JANUARY 31 OF EACH YEAR THEREAFTER, THE ENTERPRISE SHALL SUBMIT
27 A REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH AND HUMAN

1 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES
2 COMMITTEE, OR ANY SUCCESSOR COMMITTEES, WITH INFORMATION ABOUT
3 THE GRANT PROGRAM'S ACTIVITIES DURING THE PRECEDING YEAR. THE
4 ENTERPRISE SHALL ALSO POST THE ANNUAL REPORT ON THE BHA'S PUBLIC
5 WEBSITE. THE REPORT MUST INCLUDE THE NUMBER AND TOTAL AMOUNT
6 OF GRANTS AWARDED BY THE GRANT PROGRAM, THE RECIPIENT AND
7 AMOUNT OF EACH GRANT AWARDED, AND THE USES OF EACH GRANT
8 AWARD.

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

12 **27-60-607. Crisis resolution team program - created - report**
13 **- definitions.**

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

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

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

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

24 (2) (a) THE CRISIS RESOLUTION TEAM PROGRAM IS CREATED TO
25 PROVIDE COMMUNITY-BASED DE-ESCALATION AND STABILIZATION
26 SERVICES TO YOUTH WHO ARE EXPERIENCING HIGH-ACUITY BEHAVIORAL
27 HEALTH CRISES AND TO THEIR CAREGIVERS. THE ENTERPRISE, IN

1 COLLABORATION WITH THE BHA, SHALL ADMINISTER THE PROGRAM AND
2 CONTRACT WITH CRISIS RESOLUTION TEAM PROVIDERS TO OFFER THE
3 SERVICES DESCRIBED IN THIS SECTION.

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

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

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

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

14 (I) COUNSELING OR THERAPY;

15 (II) CASE MANAGEMENT TO SUPPORT MEETING TREATMENT PLANS;

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

19 (IV) MEDICATION MANAGEMENT; AND

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

22 (d) A CRISIS RESOLUTION TEAM PROVIDER SHALL OFFER SERVICES
23 TO A YOUTH AT LEAST THREE DAYS PER WEEK WITH A VARIETY OF
24 SERVICES OFFERED DAILY DEPENDING ON THE YOUTH'S CLINICAL NEEDS.
25 SERVICES MUST BE OFFERED TO THE YOUTH FOR AT LEAST FOUR WEEKS,
26 UP TO A MAXIMUM OF SIX WEEKS DEPENDING ON THE YOUTH'S CLINICAL
27 NEEDS.

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

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

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

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

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

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

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

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

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

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

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

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

5 (I) LOCAL COMMUNITY MENTAL AND BEHAVIORAL HEALTH
6 PROVIDERS;

7 (II) COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES;

8 (III) ORGANIZATIONS THAT SERVE JUSTICE-INVOLVED YOUTH;

9 (IV) SCHOOL DISTRICTS;

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

12 (VI) LOCAL HOSPITALS AND EMERGENCY DEPARTMENTS;

13 (VII) LOCAL LAW ENFORCEMENT AGENCIES; AND

14 (VIII) PUBLIC HEALTH DEPARTMENTS;

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

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

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

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

1 (5) BEGINNING IN JANUARY 2028, AND IN JANUARY EVERY YEAR
2 THEREAFTER, THE STATE DEPARTMENT SHALL INCLUDE, AS PART OF ITS
3 PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY
4 SECTION 2-7-203, INFORMATION CONCERNING THE CRISIS RESOLUTION
5 TEAM PROGRAM.

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

10 **27-60-109. Youth mental health services program - established**
11 **- report - rules - definitions - repeal.**

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

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

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

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

27 (a.5) (I) ON AND AFTER JANUARY 1, 2028, THE ENTERPRISE SHALL

1 FUND THE PROGRAM AND OPERATE THE PROGRAM, IN COLLABORATION
2 WITH THE BHA. ON AND AFTER JANUARY 1, 2028, THE POWERS, DUTIES,
3 AND FUNCTIONS OF THE ENTERPRISE INCLUDE THE POWERS, DUTIES, AND
4 FUNCTIONS REGARDING THE PROGRAM THAT WERE VESTED IN THE BHA
5 PRIOR TO THAT DATE.

6 (II) ON AND AFTER JANUARY 1, 2028, WHENEVER THE FUNCTIONS
7 OF THE STATE DEPARTMENT OR THE BHA RELATING TO THE PROGRAM ARE
8 REFERRED TO OR DESIGNATED BY A CONTRACT OR OTHER DOCUMENT IN
9 CONNECTION WITH THE DUTIES AND FUNCTIONS TRANSFERRED TO THE
10 ENTERPRISE ON JANUARY 1, 2028, THE REFERENCE OR DESIGNATION IS
11 DEEMED TO APPLY TO THE ENTERPRISE.

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

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

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

27 (b) The state board may ~~promulgate~~ ADOPT rules necessary for the

1 administration of this section, including rules to protect the privacy of
2 youth who receive services through the program. THE STATE BOARD
3 SHALL CONSULT WITH THE ENTERPRISE WHEN ADOPTING THE RULES. ALL
4 RULES OF THE STATE BOARD PURSUANT TO THIS SECTION ISSUED BEFORE
5 JANUARY 1, 2028, CONTINUE TO BE EFFECTIVE AND SHALL BE ENFORCED
6 BY THE ENTERPRISE UNTIL SUPERSEDED, REVISED, AMENDED, REPEALED,
7 OR NULLIFIED PURSUANT TO LAW.

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

12 (4.5) (a) On or before June 1 of each year, the vendor described
13 in subsection (4) of this section shall deliver to the ~~BHA~~ ENTERPRISE any
14 of the following, collected during the prior year:

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

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

21 (5) On or before June 30 of each year, the state department shall
22 report to the house of representatives ~~public and behavioral~~ health and
23 human services committee and the senate health and human services
24 committee, or ~~their~~ ANY successor committees, regarding the number of
25 youth who received services under the program, excluding any personally
26 identifiable information in accordance with state and federal law;
27 information in aggregate about the services provided to youth under the

1 program; other relevant information regarding the program; and the
2 information reported to the BHA ENTERPRISE by the vendor pursuant to
3 subsection (4.5) of this section.

4 **SECTION 3.** In Colorado Revised Statutes, **add 6-1-741** as
5 follows:

6 **6-1-741. Transactions involving covered minors - prices to be**
7 **listed in U.S. dollars - deceptive trade practice - definitions.**

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

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

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

14 (c) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN
15 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303
16 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

17 (2) A COVERED PLATFORM SHALL ENSURE THAT THE PURCHASE
18 PRICE FOR AN ONLINE GAMING SERVICE, PRODUCT, OR FEATURE THAT IS
19 REASONABLY LIKELY TO BE ACCESSED BY A MINOR IS LISTED IN UNITED
20 STATES DOLLARS AT THE POINT OF SALE.

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

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

25 **ARTICLE 109**

26 **Youth Programming and Protections Act**

27 **22-109-101. Short title.**

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

3 **22-109-102. Legislative declaration.**

4 (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

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

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

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

20 (IV) RECENT DISABILITY-FOCUSED RESEARCH HAS FOUND THAT
21 CHILDREN WITH DISABILITIES ARE AT HEIGHTENED RISK OF COMPULSIVE OR
22 EXCESSIVE ONLINE GAME USE, INCLUDING INCREASED INATTENTION,
23 OPPOSITIONAL BEHAVIOR, SEDENTARY BEHAVIOR, EMOTIONAL
24 DYSREGULATION, AND MEASURABLE NEGATIVE IMPACTS ON ACADEMIC
25 PERFORMANCE WHEN GAMING BECOMES A DOMINANT DAILY ACTIVITY;

26 (V) ONLINE SOCIAL GAMING ENVIRONMENTS FREQUENTLY
27 DISPLACE TIME THAT WOULD OTHERWISE BE SPENT ON HOMEWORK,

1 READING, SLEEPING, THERAPY PARTICIPATION, EXTRACURRICULAR
2 INVOLVEMENT, FAMILY INTERACTION, AND IN-PERSON PEER
3 DEVELOPMENT, ALL OF WHICH ARE CRITICAL CONTRIBUTORS TO
4 EDUCATIONAL ACHIEVEMENT AND DEVELOPMENTAL PROGRESS;

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

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

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

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

25 (X) IT IS IN THE BEST INTEREST OF THE STATE TO INVEST IN
26 PREVENTION AND EARLY INTERVENTION STRATEGIES THAT PROMOTE
27 YOUTH WELL-BEING, INCLUDING SUSTAINABLE FUNDING FOR

1 OUT-OF-SCHOOL TIME PROGRAMS AND EDUCATIONAL RIGHTS
2 ENFORCEMENT, AND TO REQUIRE CERTAIN SOCIAL MEDIA PLATFORMS THAT
3 PROFIT FROM YOUTH ENGAGEMENT, INCLUDING GAMING TRANSACTIONS,
4 TO IMPOSE AND COLLECT A FEE ON EACH ADD-ON TRANSACTION TO BE
5 CREDITED TO THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
6 FUND CREATED IN THIS ARTICLE 109, FROM WHICH FUND THE YOUTH
7 PROGRAMMING AND PROTECTIONS ENTERPRISE MAY:

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

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

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

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

1 IS REASONABLY CALCULATED TO OFFSET THE DIRECT AND INDIRECT COSTS
2 OF THE SERVICES RECEIVED BY YOUTH USERS OF COVERED PLATFORMS;

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

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

17 **22-109-103. Definitions.**

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

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

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

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

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

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

3 (6) "ONLINE GAMING SERVICE, PRODUCT, OR FEATURE" MEANS AN
4 ONLINE SERVICE, PRODUCT, OR FEATURE, AS DEFINED IN SECTION 6-1-1303
5 (16.8), THAT IS INTENDED TO FACILITATE ONLINE GAMING.

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

8 (8) "PROCESSOR" HAS THE MEANING SET FORTH IN SECTION
9 6-1-1303 (19).

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

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

19 **22-109-104. Youth programming and protections enterprise**
20 **- created - board - powers and duties - rules and policies - fund -**
21 **repeal.**

22 (1) (a) THE YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE
23 IS CREATED IN THE DEPARTMENT OF EDUCATION. THE ENTERPRISE IS AND
24 OPERATES AS A GOVERNMENT-OWNED BUSINESS WITHIN THE DEPARTMENT
25 FOR THE BUSINESS PURPOSE OF COLLECTING FEES IMPOSED BY COVERED
26 PLATFORMS PURSUANT TO SECTION 27-60-605 AND UTILIZING THE FEE
27 REVENUE TO AWARD GRANTS THROUGH THE OUT-OF-SCHOOL TIME

1 PROGRAM GRANT PROGRAM CREATED IN SECTION 22-105.5-104 AND TO
2 SUPPORT THE DEPARTMENT'S ENFORCEMENT OF EDUCATIONAL RIGHTS, AS
3 DESCRIBED IN SECTION 22-109-105. THE ENTERPRISE IS A **TYPE 1** ENTITY,
4 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWER AND
5 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

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

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

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

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

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

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

27 (V) ONE INDIVIDUAL WHO REPRESENTS AN ORGANIZATION THAT

1 PROVIDES FINANCIAL SUPPORT TO FAMILIES TO ACCESS OUT-OF-SCHOOL
2 TIME PROGRAMS, TO BE APPOINTED BY THE MINORITY LEADER OF THE
3 HOUSE OF REPRESENTATIVES;

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

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

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

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

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

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

22 AND

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

26 (d) THE APPOINTING AUTHORITIES DESCRIBED IN SUBSECTION
27 (1)(c) OF THIS SECTION SHALL APPOINT THE INITIAL MEMBERS OF THE

1 BOARD ON OR BEFORE DECEMBER 1, 2026.

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

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

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

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

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

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

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

21 (a) ENTER INTO CONTRACTS NECESSARY FOR PROFESSIONAL AND
22 TECHNICAL ASSISTANCE AND ADVICE AND TO SUPPLY OTHER SERVICES
23 RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE, WITHOUT
24 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE
25 24;

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

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

2 AND

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

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

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

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

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

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

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

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

1 SECTION.

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

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

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

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

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

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

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

1 TOTAL ANNUAL REVENUE.

2 **22-109-105. Educational rights enforcement.**

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

7 **22-109-106. Complaints.**

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

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

14 **22-105.5-104. Out-of-school time program grant program -**
15 **created - use of grants - funding - rules - repeal.**

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

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

23 (5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 105.5 TO
24 THE CONTRARY, IN AWARDING GRANTS FROM THE GRANT PROGRAM, THE
25 YOUTH PROGRAMMING AND PROTECTIONS ENTERPRISE CREATED IN
26 SECTION 22-109-104 MAY AWARD GRANTS FROM THE YOUTH
27 PROGRAMMING AND PROTECTIONS ENTERPRISE FUND CREATED IN SECTION

1 22-109-104 (6) IN CONSULTATION WITH THE STATE BOARD.

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

4 22-105.5-105. Grant program eligibility - application - criteria
5 - awards.

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

7 (a) Must be a nonprofit organization that is exempt from taxation
8 pursuant to section 501 (c)(3) of the federal "Internal Revenue Code of
9 1986", as amended, with at least five years' experience providing
10 affordable and comprehensive academic enrichment and related services
11 to students in the state; and

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

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

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

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

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

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

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

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

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

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

1 mental health services access enterprise.

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

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

17 **SECTION 9. Act subject to petition - effective date.** (1) Except
18 as described in subsection (2) of this section, section 27-60-109, Colorado
19 Revised Statutes, as amended in section 2 of this act, takes effect January
20 1, 2028, and the remainder of this act takes effect at 12:01 a.m. on the day
21 following the expiration of the ninety-day period after final adjournment
22 of the general assembly (August 12, 2026, if adjournment sine die is on
23 May 13, 2026); except that, if a referendum petition is filed pursuant to
24 section 1 (3) of article V of the state constitution against this act or an
25 item, section, or part of this act within such period, then the act, item,
26 section, or part will not take effect unless approved by the people at the
27 general election to be held in November 2026 and, in such case, will take

1 effect on the date of the official declaration of the vote thereon by the
2 governor; except that section 27-60-109, Colorado Revised Statutes, as
3 amended in section 2 of this act, takes effect January 1, 2028.

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