

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 13-0913.01 Jerry Barry x4341

**SENATE BILL 13-244**

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**SENATE SPONSORSHIP**

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**A BILL FOR AN ACT**

101 **CONCERNING A TASK FORCE TO STUDY SUBSTANCE ABUSE.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The current state methamphetamine task force repeals on July 1, 2014. The bill renames the task force the state substance abuse trend and response task force (task force) and changes the emphasis of the task force from solely methamphetamine to all substance abuse, including nonfederal-drug-administration-regulated pharmaceutical drugs. The bill expands the members of the task force appointed by the co-chairs from 16 to 22. The bill extends the repeal of the task force to July 1, 2018.

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

HOUSE  
Amended 2nd Reading  
April 25, 2013

SENATE  
3rd Reading Unamended  
April 15, 2013

SENATE  
2nd Reading Unamended  
April 12, 2013

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

2           **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** 18-18.5-101 as follows:

4           **18-18.5-101. Legislative declaration.** (1) THE GENERAL  
5 ASSEMBLY FINDS THAT:

6           (a) EACH YEAR COLORADO SPENDS SIGNIFICANT AMOUNTS OF  
7 MONEY RELATED TO UNTREATED SUBSTANCE ABUSE. THE MAGNITUDE OF  
8 PUBLIC FUNDS SPENT ON THE DIRECT AND INDIRECT CONSEQUENCES OF  
9 SUBSTANCE USE AND ABUSE IS STAGGERING, AND DOZENS OF COLORADO  
10 PUBLIC AGENCIES PLAY A PART IN CONTROLLING SUBSTANCE USE OR  
11 DEALING WITH ITS CONSEQUENCES.

12           (b) DEATHS IN COLORADO RELATED TO THE ABUSE OF  
13 PRESCRIPTION OPIOIDS, SUCH AS OXYCODONE, HYDROCODONE, AND  
14 FENTANYL, NEARLY DOUBLED FROM ONE HUNDRED EIGHTY IN 2000 TO  
15 THREE HUNDRED FORTY-THREE IN 2010;

16           (c) CHILDREN WHOSE PARENTS ABUSE ALCOHOL OR DRUGS ARE  
17 THREE TIMES MORE LIKELY TO BE VERBALLY, PHYSICALLY, OR SEXUALLY  
18 ABUSED AND FOUR TIMES MORE LIKELY THAN OTHER CHILDREN TO BE  
19 NEGLECTED. ADDITIONALLY, RESEARCH INDICATES THAT CHILDREN IN  
20 FAMILIES AFFECTED BY SUBSTANCE USE ARE AT AN INCREASED RISK FOR  
21 SUBSTANCE USE AND MENTAL HEALTH ISSUES IN ADOLESCENCE. THE  
22 HEALTH, SAFETY, AND FUTURE SUCCESS OF DRUG ENDANGERED CHILDREN  
23 ARE PRESSING ISSUES IN COLORADO.

24           (d) SUBSTANCE USE BY YOUTH IS DETRIMENTAL TO BRAIN  
25 MATURATION, IMPACTING BRAIN STRUCTURE, FUNCTIONING, AND  
26 NEUROCOGNITION;

1 (e) SUBSTANCE USE DURING PREGNANCY PLACES CHILDREN AT  
2 DIRECT RISK FOR COMPLICATIONS, INCLUDING PREMATURE DELIVERY,  
3 ALTERED NEONATAL BEHAVIOR PATTERNS SUCH AS ABNORMAL REFLEXES  
4 AND EXTREME IRRITABILITY, CONGENITAL DEFORMITIES, LOW BIRTH  
5 WEIGHT, ATTENTION DEFICIT DISORDER, AND PRENATAL AND POSTNATAL  
6 NEGLECT, MANY OF WHICH CAUSE LIFELONG DEFECTS; AND

7 (f) EACH YEAR COLORADO SPENDS SIGNIFICANT MONEYS RELATED  
8 TO UNTREATED SUBSTANCE ABUSE.

9 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT SUBSTANCE  
10 ABUSE, INCLUDING THAT RELATED TO ILLICIT DRUGS, PRESCRIPTION  
11 DRUGS, UNDERAGE MARIJUANA USE, AND METHAMPHETAMINE LABS AND  
12 ABUSE, HARMS CITIZENS OF COLORADO. RESPONSES TO SUBSTANCE ABUSE  
13 SHOULD BE SUPPORTED IN THE CRIMINAL JUSTICE SYSTEM, THE PUBLIC  
14 HEALTH SYSTEM, MENTAL HEALTH SERVICES, SOCIAL SERVICES, CHILD  
15 WELFARE AND YOUTH SERVICES, COMMUNITY TASK FORCES, AND WITH  
16 TREATMENT FOR PARENTS WHO ABUSE DRUGS AND PREVENTION AND  
17 TREATMENT FOR CHILDREN AFFECTED BY SUBSTANCE ABUSE AND  
18 NONFEDERALLY REGULATED PHARMACEUTICAL DRUG PRODUCTION AND  
19 DISTRIBUTION, AND OTHER SYSTEMS AFFECTED BY SUBSTANCE ABUSE.

20 (3) THE GENERAL ASSEMBLY, THEREFORE, DETERMINES AND  
21 DECLARES THAT IT IS NECESSARY TO CHANGE THE STATE  
22 METHAMPHETAMINE TASK FORCE INTO A SUBSTANCE ABUSE TREND AND  
23 RESPONSE TASK FORCE TO:

24 (a) EXAMINE DRUG TRENDS AND THE MOST EFFECTIVE MODELS  
25 AND PRACTICES FOR:

26 (I) THE PREVENTION OF AND INTERVENTION INTO SUBSTANCE  
27 ABUSE;

1 (II) THE PREVENTION OF UNINTENDED HARMFUL EXPOSURES DUE  
2 TO NONFEDERAL-DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL  
3 DRUG PRODUCTION AND DISTRIBUTION;

4 (III) THE PREVENTION OF POTENTIAL NEGATIVE PUBLIC HEALTH  
5 IMPACTS DUE TO IMPROPER DISPENSING, MANAGEMENT, AND DISPOSAL OF  
6 DRUGS; AND

7 (IV) THE TREATMENT OF CHILDREN AND ADULTS AFFECTED BY  
8 DRUG ADDICTION;

9 (b) FORMULATE A RESPONSE TO CURRENT AND EMERGING  
10 SUBSTANCE ABUSE PROBLEMS FROM THE CRIMINAL JUSTICE, PREVENTION,  
11 AND TREATMENT SECTORS; AND

12 (c) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR  
13 THE DEVELOPMENT OF STATEWIDE STRATEGIES AND LEGISLATIVE  
14 PROPOSALS RELATED TO THESE ISSUES. THE RECOMMENDATIONS MADE TO  
15 THE GENERAL ASSEMBLY SHALL BE MADE IN COORDINATION WITH THE  
16 TASK FORCE AND THE DEPARTMENT OF HUMAN SERVICES, THE AGENCY  
17 RESPONSIBLE FOR THE ADMINISTRATION OF BEHAVIORAL HEALTH  
18 PROGRAMS AND SERVICES.

19 **SECTION 2.** In Colorado Revised Statutes, 18-18.5-102, **amend**  
20 (1) as follows:

21 **18-18.5-102. Definitions.** As used in this article, unless the  
22 context otherwise requires:

23 (1) "Task force" means the state ~~methamphetamine~~ SUBSTANCE  
24 ABUSE TREND AND RESPONSE task force established pursuant to section  
25 18-18.5-103.

26 **SECTION 3.** In Colorado Revised Statutes, 18-18.5-103, **amend**  
27 (1), (2) (a) (II), (2) (a) (III), (2) (b), (2) (c), (4), (6) (a), and (6) (d)

1 introductory portion as follows:

2 **18-18.5-103. State substance abuse trend and response task**  
3 **force - creation - membership - duties.** (1) There is hereby created the  
4 state ~~methamphetamine~~ SUBSTANCE ABUSE TREND AND RESPONSE task  
5 force.

6 (2) The task force shall consist of the following members:

7 (a) (II) An expert in the field of ~~methamphetamine~~ SUBSTANCE  
8 abuse prevention, who shall be appointed by the president of the senate  
9 and serve as a vice-chair;

10 (III) An expert in the field of ~~methamphetamine~~ SUBSTANCE abuse  
11 treatment, who shall be appointed by the speaker of the house of  
12 representatives and serve as a vice-chair;

13 (b) ~~Sixteen~~ TWENTY-TWO members appointed by the task force  
14 chair and vice-chairs as follows:

15 (I) A representative of a ~~statewide~~ LOCAL child advocacy  
16 ~~organization~~ AND FAMILY SERVICE PROVIDER;

17 (II) A representative of a major health facility that focuses on the  
18 treatment of children;

19 (III) A representative of a human services agency with experience  
20 in child welfare issues;

21 ~~(IV) An expert in alcohol and drug treatment procedures;~~

22 ~~(V) (IV) A representative of the criminal defense bar;~~

23 ~~(VI) (V) A representative of a ~~mental~~ BEHAVIORAL health~~  
24 ~~treatment provider THAT IS AN EXPERT IN SUBSTANCE ABUSE TREATMENT~~  
25 ~~PROCEDURES;~~

26 ~~(VII) (VI) A representative of the department of education, who~~  
27 ~~is familiar with the department's drug prevention initiatives;~~

- 1           ~~(VII)~~ (VII) A representative of the Colorado district attorneys
- 2 council;
- 3           ~~(VIII)~~ (VIII) A representative of a Colorado sheriffs' organization;
- 4           ~~(IX)~~ (IX) A representative of a Colorado police chiefs'
- 5 organization;
- 6           ~~(X)~~ (X) A county commissioner from a rural county;
- 7           ~~(XI)~~ (XI) A representative of an organization that provides
- 8 information, advocacy, and support services to municipalities located in
- 9 rural counties;
- 10          ~~(XII)~~ (XII) A licensed pharmacist;
- 11          ~~(XIII)~~ (XIII) A representative of the department of public safety;
- 12          ~~(XIV)~~ (XIV) A representative of the office of the child's
- 13 representative;
- 14          ~~(XV)~~ (XV) A representative of the division of adult parole of the
- 15 department of corrections;
- 16          (XVI) A REPRESENTATIVE OF THE COLORADO DRUG
- 17 INVESTIGATORS ASSOCIATION;
- 18          (XVII) A YOUTH REPRESENTATIVE;
- 19          (XVIII) A REPRESENTATIVE OF A SUBSTANCE ABUSE RECOVERY
- 20 ORGANIZATION;
- 21          (XIX) AN EXPERT IN ENVIRONMENTAL PROTECTION;
- 22          (XX) A REPRESENTATIVE OF A COMMUNITY PREVENTION
- 23 COALITION;
- 24          (XXI) A REPRESENTATIVE OF THE COLORADO DEPARTMENT OF
- 25 PUBLIC HEALTH;
- 26          (XXII) A REPRESENTATIVE OF THE OFFICE OF BEHAVIORAL HEALTH
- 27 IN THE COLORADO DEPARTMENT OF HUMAN SERVICES.

1 (c) Two members appointed by the chief justice of the Colorado  
2 supreme court who represent the judicial department, one of whom is a  
3 district court judge experienced in handling cases involving  
4 ~~methamphetamine~~ SUBSTANCE ABUSE and one of whom represents the  
5 division of probation within the judicial department;

6 (4) The task force, IN COLLABORATION WITH STATE AGENCIES  
7 CHARGED WITH PREVENTION, INTERVENTION, OR TREATMENT OF  
8 SUBSTANCE ABUSE, shall:

9 (a) Assist local communities in implementing the most effective  
10 models and practices for ~~methamphetamine~~ SUBSTANCE abuse prevention,  
11 intervention, and treatment and in developing the responses by the  
12 criminal justice system;

13 (b) Review model programs that have shown the best results in  
14 Colorado and across the United States and provide information on the  
15 programs to local communities and local drug task forces;

16 (c) Assist and augment local drug task forces without supplanting  
17 them;

18 (d) Investigate collaborative models on protecting children and  
19 other victims of ~~methamphetamine~~ SUBSTANCE ABUSE AND NONFEDERAL-  
20 DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL DRUG production  
21 AND distribution; ~~and abuse~~;

22 (e) Measure and evaluate the progress of the state and local  
23 jurisdictions in preventing ~~methamphetamine~~ SUBSTANCE ABUSE AND  
24 NONFEDERAL-DRUG-ADMINISTRATION-REGULATED PHARMACEUTICAL  
25 DRUG production AND distribution ~~and abuse~~ and in prosecuting persons  
26 engaging in these acts;

27 (f) Evaluate AND PROMOTE approaches to increase public

1 awareness of ~~methamphetamine production, distribution, and abuse~~  
2 CURRENT AND EMERGING SUBSTANCE ABUSE PROBLEMS AND STRATEGIES  
3 FOR ADDRESSING THOSE PROBLEMS;

4 (g) Assist local communities with implementation of the most  
5 effective practices to respond to ~~illegal methamphetamine~~ CURRENT AND  
6 EMERGING SUBSTANCE ABUSE PROBLEMS AND NONFEDERAL-DRUG-  
7 ADMINISTRATION-REGULATED PHARMACEUTICAL DRUG production AND  
8 distribution; ~~and use;~~

9 (h) Consider any other issues concerning ~~methamphetamine~~  
10 SUBSTANCE ABUSE PROBLEMS AND NONFEDERAL-DRUG-ADMINISTRATION-  
11 REGULATED PHARMACEUTICAL DRUG production AND distribution ~~and~~  
12 ~~abuse~~ that arise during the course of the task force study.

13 (6) In addition, the task force shall:

14 (a) Meet at least four times each year from the date of the first  
15 meeting until January 1, ~~2014~~ 2018, or more often as directed by the chair  
16 of the task force;

17 (d) Submit a written report to the judiciary committees, or any  
18 successor committees, of the senate and the house of representatives of  
19 the general assembly by January 1, ~~2007~~ 2014, and by each January 1  
20 thereafter through January 1, ~~2014~~ 2018, at a minimum specifying the  
21 following:

22 **SECTION 4.** In Colorado Revised Statutes, 18-18.5-105, **amend**  
23 (1) (a) as follows:

24 **18-18.5-105. Cash fund - created.** (1) (a) All private and public  
25 funds received by the task force or the division of criminal justice in the  
26 department of public safety, on behalf of the task force, through grants,  
27 contributions, and donations pursuant to this article shall be transmitted



1 to the state treasurer, who shall credit the same to the ~~methamphetamine~~  
2 SUBSTANCE abuse prevention, intervention, and treatment cash fund,  
3 which fund is hereby created and referred to in this section as the "fund".  
4 The moneys in the fund shall be subject to annual appropriation by the  
5 general assembly for the direct and indirect costs associated with the  
6 implementation of this article. All moneys in the fund not expended for  
7 the purpose of this article may be invested by the state treasurer as  
8 provided by law. All interest and income derived from the investment and  
9 deposit of moneys in the fund shall be credited to the fund. Any  
10 unexpended and unencumbered moneys remaining in the fund at the end  
11 of a fiscal year shall remain in the fund and shall not be credited or  
12 transferred to the general fund or another fund. All unexpended and  
13 unencumbered moneys remaining in the fund as of July 1, ~~2014~~ 2018,  
14 shall be transferred to the general fund.

15 **SECTION 5.** In Colorado Revised Statutes, **amend** 18-18.5-106  
16 as follows:

17 **18-18.5-106. Repeal of article.** This article is repealed, effective  
18 July 1, ~~2014~~ 2018.

19 **SECTION 6. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly (August  
22 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a  
23 referendum petition is filed pursuant to section 1 (3) of article V of the  
24 state constitution against this act or an item, section, or part of this act  
25 within such period, then the act, item, section, or part will not take effect  
26 unless approved by the people at the general election to be held in

- 1 November 2014 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.