

First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 19-1041.01 Conrad Imel x2313

**HOUSE BILL 19-1282**

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**HOUSE SPONSORSHIP**

**Singer and Michaelson Jenet,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING ADMINISTRATION OF THE COURT-APPOINTED SPECIAL**  
102     **ADVOCATE PROGRAM.**

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**Bill Summary**

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

Under existing law, the office of the child's representative oversees court-appointed special advocate (CASA) programs and is authorized to enter into an agreement with a nonprofit entity to provide coordination and support of CASA activities in Colorado. The bill moves statewide oversight of CASA programs and the authority to enter into an agreement with a nonprofit entity to the state court administrator.

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

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 19-1-213 as  
3 follows:

4           **19-1-213. State CASA entity - duties - state court**  
5           **administrator duties - state court-appointed special advocate fund -**  
6           **definitions.** (1) FOR THE PURPOSES OF THIS SECTION, UNLESS THE  
7           CONTEXT OTHERWISE REQUIRES:

8           (a) "LOCAL CASA PROGRAM" MEANS A CASA PROGRAM  
9           ESTABLISHED IN A JUDICIAL DISTRICT, OR ANY TWO OR MORE JUDICIAL  
10           DISTRICTS, PURSUANT TO SECTION 19-1-202.

11           (b) "STATE CASA ENTITY" MEANS THE NONPROFIT ENTITY THAT  
12           HAS ENTERED INTO A CONTRACT WITH THE STATE COURT ADMINISTRATOR  
13           AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

14           (c) "STATE COURT ADMINISTRATOR" MEANS THE STATE COURT  
15           ADMINISTRATOR ESTABLISHED PURSUANT TO SECTION 13-3-101.

16           (2) THE STATE COURT ADMINISTRATOR SHALL CONTRACT WITH A  
17           NONPROFIT ENTITY THAT IS IN GOOD STANDING WITH THE NATIONAL  
18           CASA ASSOCIATION TO ENHANCE THE CASA PROGRAM IN COLORADO.  
19           THE STATE COURT ADMINISTRATOR SHALL MONITOR THE STATE CASA  
20           ENTITY, WHICH SHALL:

21           (a) AID AND DEVELOP LOCAL CASA PROGRAMS IN EACH JUDICIAL  
22           DISTRICT OR IN ADJACENT JUDICIAL DISTRICTS;

23           (b) ENSURE THAT LOCAL CASA PROGRAMS ADHERE TO STATE AND  
24           NATIONAL CASA STANDARDS;

25           (c) ENSURE THE PROVISION AND AVAILABILITY OF HIGH-QUALITY  
26           ACCESSIBLE TRAINING FOR LOCAL CASA PROGRAMS AND VOLUNTEERS;

5 (e) STUDY THE AVAILABILITY OF, OR DEVELOP NEW, FUNDING  
6 SOURCES FOR LOCAL CASA PROGRAMS, INCLUDING BUT NOT LIMITED TO  
7 LONG-TERM POOLING OF FUNDS PROGRAMS.

12 (4) THE STATE CASA ENTITY, IN CONSULTATION WITH LOCAL  
13 CASA PROGRAMS, SHALL ANNUALLY ESTABLISH A FORMULA FOR THE  
14 ALLOCATION OF MONEY APPROPRIATED AND SHALL ALLOCATE MONEY TO  
15 THE LOCAL CASA PROGRAMS IN ACCORDANCE WITH THE ESTABLISHED  
16 ALLOCATION FORMULA. THE ALLOCATION FORMULA MUST BE PROVIDED  
17 TO THE STATE COURT ADMINISTRATOR NO LATER THAN JUNE 15, 2019,  
18 AND EACH JUNE 15 THEREAFTER, PRIOR TO THE STATE CASA ENTITY  
19 RECEIVING ITS ANNUAL ALLOCATION

24 (6) (a) THE STATE COURT-APPOINTED SPECIAL ADVOCATE FUND,  
25 REFERRED TO IN THIS SUBSECTION (6) AS THE "FUND", IS HEREBY CREATED  
26 IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE  
27 FUND PURSUANT TO SUBSECTION (6)(b) OF THIS SECTION AND ANY OTHER

1       MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER  
2       TO THE FUND. 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. THE MONEY IN THE FUND IS SUBJECT TO ANNUAL  
5       APPROPRIATION BY THE GENERAL ASSEMBLY TO THE STATE JUDICIAL  
6       DEPARTMENT FOR THE PURPOSES OF FUNDING LOCAL CASA PROGRAMS  
7       ESTABLISHED IN EACH JUDICIAL DISTRICT, OR IN ADJACENT JUDICIAL  
8       DISTRICTS, PURSUANT TO THIS PART 2, AND THE ENHANCEMENT OF LOCAL  
9       CASA PROGRAMS. ANY MONEY NOT APPROPRIATED REMAINS IN THE FUND  
10      AND SHALL NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND AT  
11      THE END OF ANY FISCAL YEAR.

12           (b) THE STATE COURT ADMINISTRATOR MAY SEEK, ACCEPT, AND  
13       EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES  
14       TO FUND THE WORK OF THE STATE CASA ENTITY. THE STATE COURT  
15       ADMINISTRATOR SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS,  
16       GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT  
17       THE MONEY TO THE FUND.

18           **SECTION 2.** In Colorado Revised Statutes, 13-3-101, **add (11)**  
19       as follows:

20           **13-3-101. State court administrator - repeal.** (11) THE STATE  
21       COURT ADMINISTRATOR SHALL PROVIDE SUPPORT FOR THE  
22       COURT-APPOINTED SPECIAL ADVOCATE PROGRAM IN COLORADO IN THE  
23       MANNER DESCRIBED IN SECTION 19-1-213.

24           **SECTION 3.** In Colorado Revised Statutes, 13-91-105, **repeal**  
25       (1)(b) as follows:

26           **13-91-105. Duties of the office of the child's representative -**  
27       **guardian ad litem programs.** (1) In addition to any responsibilities

1 assigned to it by the chief justice, the office of the child's representative  
2 shall:

3 (b) Enhance the CASA program in Colorado by:

4 (I) Working cooperatively with the contract entity to ensure the  
5 development of local CASA programs in each judicial district or in  
6 adjacent judicial districts;

7 (II) Seeking to enhance existing funding sources and to develop  
8 private-public partnership funding for the provision of high-quality,  
9 volunteer local CASA programs in each judicial district or in adjacent  
10 judicial districts;

11 (III) Studying the availability of or developing new funding  
12 sources for CASA programs, including but not limited to long-term  
13 pooling of funds programs;

14 (IV) Effective July 1, 2001, allocating moneys appropriated to the  
15 state judicial department for CASA programs to local CASA programs  
16 based upon recommendations made by the contract entity;

17 (V) Working cooperatively with the contract entity to ensure the  
18 provision and availability of high-quality, accessible training in locations  
19 of the state where CASA programs have been established for the benefit  
20 of persons seeking to serve as CASA volunteers as well as for judges and  
21 magistrates who regularly hear matters involving children and families;

22 (VI) Serving as a resource to the contract entity; and

23 (VII) Accepting grants, gifts, donations, and other  
24 nongovernmental contributions to be used to fund the work of the office  
25 of the child's representative relating to CASA programs. Such grants,  
26 gifts, donations, and other nongovernmental contributions shall be  
27 credited to the court-appointed special advocate (CASA) fund created in

1 section 13-91-106 (2). Moneys in such fund shall be subject to annual  
2 appropriation by the general assembly for the purposes of this paragraph  
3 (b) and for the purposes of the local CASA programs.

4 **SECTION 4.** In Colorado Revised Statutes, 13-91-106, **amend**  
5 (2) as follows:

6 **13-91-106. Guardian ad litem fund - court-appointed special**  
7 **advocate (CASA) fund - created - repeal.** (2) (a) There is hereby  
8 created in the state treasury the court-appointed special advocate (CASA)  
9 fund referred to in this subsection (2) as the "fund". The fund ~~shall consist~~  
10 ~~CONSISTS~~ of such general fund ~~moneys~~ MONEY as may be appropriated  
11 thereto by the general assembly and any ~~moneys~~ MONEY received  
12 pursuant to section 13-91-105 (1)(b)(VII). The ~~moneys~~ MONEY in the  
13 fund ~~shall be~~ is subject to annual appropriation by the general assembly  
14 to the state judicial department for allocation to the office of the child's  
15 representative for the purposes of funding the CASA programs  
16 established in each judicial district, or in adjacent judicial districts,  
17 pursuant to part 2 of article 1 of title 19, C.R.S., and the work of the  
18 office of the child's representative relating to the enhancement of CASA  
19 programs. All interest derived from the deposit and investment of ~~moneys~~  
20 MONEY in the fund ~~shall~~ MUST be credited to the fund. Any ~~moneys~~  
21 MONEY not appropriated ~~shall remain~~ REMAINS in the fund and shall not  
22 be transferred or revert to the general fund of the state at the end of any  
23 fiscal year.

24 (b) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
25 AND UNENCUMBERED MONEY IN THE FUND ON JULY 1, 2019, TO THE STATE  
26 COURT-APPOINTED SPECIAL ADVOCATE FUND, CREATED IN SECTION  
27 19-1-213 (6).

(c) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 31, 2019.

2                   **SECTION 5. Safety clause.** The general assembly hereby finds,  
3                   determines, and declares that this act is necessary for the immediate  
4                   preservation of the public peace, health, and safety.