

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 17-1072.01 Jane Ritter x4342

**SENATE BILL 17-264**

---

**SENATE SPONSORSHIP**

**Moreno**, Lambert, Lundberg

**HOUSE SPONSORSHIP**

**Young**, Hamner, Rankin

---

**Senate Committees**

Appropriations

**House Committees**

Appropriations

---

**A BILL FOR AN ACT**

101     **CONCERNING FUNDING SOURCES RELATED TO SERVICES FOR**  
102     **BEHAVIORAL OR MENTAL HEALTH DISORDERS.**

---

**Bill Summary**

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

**Joint Budget Committee.** The bill clarifies that the authorized purposes for which the marijuana tax cash fund may be used include behavioral services.

The bill also repeals the offender mental health services fund, which no longer has a revenue source, and directs the remaining money in the fund to be transferred to the general fund.

SENATE  
3rd Reading Unamended  
March 30, 2017

SENATE  
2nd Reading Unamended  
March 29, 2017

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.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 39-28.8-501, **amend**  
3           (2)(b)(IV) introductory portion, (2)(b)(IV)(C), and (2)(b)(IV)(D) as  
4           follows:

5           **39-28.8-501. Marijuana tax cash fund - creation - distribution**  
6           - **legislative declaration.** (2) (b) (IV) Subject to the limitation in  
7           subsection (5) of this section, the general assembly may annually  
8           appropriate any money in the fund for any fiscal year following the fiscal  
9           year in which ~~they were~~ IT WAS received by the state for the following  
10          purposes:

11           

12           (D) For jail-based and other behavioral health services for persons  
13          involved in OR DIVERTED FROM the criminal justice system; ~~through the~~  
14          ~~correctional treatment cash fund created in section 18-19-103 (4)(a),~~  
15          C.R.S.;

16           **SECTION 2.** In Colorado Revised Statutes, 27-66-104, **amend**  
17          (4) as follows:

18           **27-66-104. Types of services purchased - limitation on**  
19          **payments - offender mental health services fund - repeal.** (4) (a) The  
20          offender mental health services fund, referred to in this subsection (4) as  
21          the "fund", is ~~hereby~~ created in the state treasury. On and after July 1,  
22          2016, the principal of the fund consists of any money that the general  
23          assembly may appropriate to the fund for the purchase of BEHAVIORAL OR  
24          mental health DISORDER services for juvenile and adult offenders who  
25          have BEHAVIORAL OR mental health ~~problems~~ DISORDERS and are  
26          involved in the criminal justice system. Subject to annual appropriation

1 by the general assembly, the ~~unit~~ OFFICE OF BEHAVIORAL HEALTH shall  
2 distribute the principal of the fund to the community mental health  
3 centers. Any unexpended and unencumbered ~~money~~ MONEY in the fund  
4 at the end of the 2015-16 fiscal year shall be transferred to the tobacco  
5 litigation settlement cash fund created in section 24-22-115. ~~C.R.S.~~

6 (b) Repealed.

7 (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
8 2017.

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