

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 21-1299

BY REPRESENTATIVE(S) Sullivan and Bacon, Amabile, McCormick, Benavidez, Bernett, Bird, Boesenecker, Caraveo, Cutter, Daugherty, Duran, Esgar, Exum, Froelich, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jodeh, Kennedy, Kipp, Lontine, McCluskie, Michaelson Jenet, Mullica, Ortiz, Sirota, Snyder, Titone, Valdez A., Weissman, Woodrow, Garnett; also SENATOR(S) Fields and Hansen, Bridges, Buckner, Danielson, Fenberg, Ginal, Gonzales, Jaquez Lewis, Lee, Moreno, Pettersen, Story, Winter.

CONCERNING ESTABLISHING AN OFFICE OF GUN VIOLENCE PREVENTION, AND,
IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** part 12 to article 20.5 of title 25 as follows:

PART 12 OFFICE OF GUN VIOLENCE PREVENTION

25-20.5-1201. Definitions. AS USED IN THIS PART 12, UNLESS THE CONTEXT OTHERWISE REQUIRES:

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.

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(2) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF GUN VIOLENCE PREVENTION DESCRIBED IN SECTION 25-20.5-1202 (1)(b).

(3) "OFFICE" MEANS THE OFFICE OF GUN VIOLENCE PREVENTION ESTABLISHED IN SECTION 25-20.5-1202.

(4) "RESOURCE BANK" MEANS THE RESOURCE BANK OF MATERIALS AND RESOURCES PERTAINING TO GUN VIOLENCE IN COLORADO DESCRIBED IN SECTION 25-20.5-1204.

25-20.5-1202. Office of gun violence prevention - created - director - staff - collaboration. (1) (a) THERE IS CREATED IN THE DEPARTMENT THE OFFICE OF GUN VIOLENCE PREVENTION TO COORDINATE AND PROMOTE EFFECTIVE EFFORTS TO REDUCE GUN VIOLENCE AND RELATED TRAUMAS AND PROMOTE RESEARCH REGARDING CAUSES OF, AND EVIDENCE-BASED RESPONSES TO, GUN VIOLENCE.

(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL APPOINT THE DIRECTOR OF THE OFFICE OF GUN VIOLENCE PREVENTION PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION.

(c) THE DIRECTOR SHALL APPOINT STAFF NECESSARY TO CARRY OUT THE RESPONSIBILITIES OF THE OFFICE. AT A MINIMUM, THE OFFICE MUST HAVE, IN ADDITION TO THE DIRECTOR, ONE FULL-TIME EQUIVALENT EMPLOYEE IN STATE FISCAL YEAR 2021-22 AND TWO FULL-TIME EQUIVALENT EMPLOYEES IN STATE FISCAL YEAR 2022-23.

(2) IN ORDER TO EFFECTIVELY CARRY OUT ITS RESPONSIBILITIES, THE OFFICE MAY COLLABORATE WITH OTHER STATE AGENCIES, INCLUDING THE ADDRESS CONFIDENTIALITY PROGRAM CREATED IN SECTION 24-30-2104; THE OFFICE OF SUICIDE PREVENTION ESTABLISHED IN SECTION 25-1.5-101 (1)(w); THE SAFE2TELL PROGRAM CREATED IN SECTION 24-31-606; THE SCHOOL SAFETY RESOURCE CENTER CREATED IN SECTION 24-33.5-1803; THE DEPARTMENT OF EDUCATION; THE OFFICE OF BEHAVIORAL HEALTH WITHIN THE DEPARTMENT OF HUMAN SERVICES; THE BEHAVIORAL HEALTH ADMINISTRATION, UPON ITS CREATION IN 2022 PURSUANT TO PART 2 OF

ARTICLE 60 OF TITLE 27; THE OFFICE OF THE ATTORNEY GENERAL; AND THE DIVISION OF CRIMINAL JUSTICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY. THE OFFICE MAY ALSO COLLABORATE WITH INDIVIDUALS, EDUCATIONAL INSTITUTIONS, HEALTH-CARE PROVIDERS, AND ORGANIZATIONS WITH EXPERTISE IN GUN VIOLENCE PREVENTION AND GUN SAFETY, INCLUDING GUN DEALERS, SHOOTING RANGES, AND FIREARMS SAFETY INSTRUCTORS.

25-20.5-1203. Gun violence prevention awareness and education - violence intervention grant program - rules. (1) THE OFFICE SHALL INCREASE THE AWARENESS OF, AND EDUCATE THE GENERAL PUBLIC ABOUT, STATE AND FEDERAL LAWS AND EXISTING RESOURCES RELATING TO GUN VIOLENCE PREVENTION, INCLUDING THE FOLLOWING:

(a) THE AVAILABILITY OF, AND THE PROCESS FOR REQUESTING, AN EXTREME RISK PROTECTION ORDER PURSUANT TO ARTICLE 14.5 OF TITLE 13;

(b) THE AVAILABILITY OF, AND THE PROCESS FOR REQUESTING, A PROTECTION ORDER PURSUANT TO ARTICLE 14 OF TITLE 13;

(c) HOW TO REPORT A LOST OR STOLEN FIREARM, INCLUDING REPORTING REQUIREMENTS IN STATE LAW;

(d) BEST PRACTICES FOR SAFE STORAGE OF FIREARMS, INCLUDING SAFE STORAGE REQUIREMENTS DESCRIBED IN SECTION 18-12-114;

(e) ACCESSING AVAILABLE MENTAL HEALTH AND SUBSTANCE USE RESOURCES AND HOW TO REFER PEOPLE TO NEEDED MENTAL HEALTH AND SUBSTANCE USE TREATMENT SERVICES, INCLUDING SUICIDE PREVENTION; AND

(f) SAFE AND RESPONSIBLE GUN OWNERSHIP, INCLUDING INCREASING AWARENESS OF COMPLIANCE WITH STATE AND FEDERAL LAW.

(2) (a) TO PROMOTE AWARENESS AND EDUCATION AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE OFFICE SHALL:

(I) CONDUCT AWARENESS CAMPAIGNS DIRECTED TOWARD GUN OWNERS, PARENTS AND LEGAL GUARDIANS OF CHILDREN, AND PROFESSIONS THAT PROVIDE SERVICES TO PEOPLE AND COMMUNITIES DISPROPORTIONATELY AFFECTED BY GUN VIOLENCE; AND

(II) DEVELOP AND PROVIDE MATERIALS AND TRAINING RESOURCES TO LOCAL LAW ENFORCEMENT AGENCIES, HEALTH-CARE PROVIDERS, AND EDUCATORS TO ASSIST THOSE AGENCIES, PROVIDERS, AND EDUCATORS WITH EDUCATING THE PUBLIC ABOUT THE LAWS AND RESOURCES DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND OTHER EFFECTIVE GUN VIOLENCE PREVENTION STRATEGIES.

(b) THE OFFICE MAY FOCUS PUBLIC AWARENESS CAMPAIGNS IN COMMUNITIES IDENTIFIED BY THE OFFICE AS DISPROPORTIONATELY AFFECTED BY GUN VIOLENCE.

(c) THE OFFICE SHALL CONDUCT AWARENESS AND EDUCATION CAMPAIGNS IN A CULTURALLY COMPETENT WAY, INCLUDING BY PROVIDING MATERIALS AND RESOURCES IN MULTIPLE LANGUAGES.

(d) THE OFFICE MAY USE TELEVISION MESSAGING, RADIO BROADCASTS, PRINT MEDIA, DIGITAL STRATEGIES, OR ANY OTHER FORM OF MESSAGING DEEMED EFFECTIVE AND APPROPRIATE BY THE OFFICE TO ACHIEVE THE GOALS OF THIS SECTION.

(3) AT THE REQUEST OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, THE OFFICE SHALL SUPPORT AND PROVIDE ASSISTANCE FOR OTHER EDUCATION CAMPAIGNS AND PROGRAMS CONDUCTED BY THE DEPARTMENT THAT ARE RELATED TO GUN VIOLENCE, INCLUDING EDUCATION AND PROGRAMS RELATING TO FIREARMS SAFE STORAGE AND SUICIDE PREVENTION.

(4)(a) SUBJECT TO AVAILABLE MONEY, THE OFFICE MAY ESTABLISH AND ADMINISTER A GRANT PROGRAM TO AWARD GRANTS TO ORGANIZATIONS TO CONDUCT COMMUNITY-BASED GUN VIOLENCE INTERVENTION INITIATIVES THAT ARE PRIMARILY FOCUSED ON INTERRUPTING CYCLES OF GUN VIOLENCE, TRAUMA, AND RETALIATION BY PROVIDING CULTURALLY COMPETENT INTERVENTION SERVICES.

(b) TO BE ELIGIBLE FOR A GRANT AWARD, AN ORGANIZATION MUST DEMONSTRATE THE ABILITY TO CONDUCT EFFECTIVE COMMUNITY-BASED GUN VIOLENCE INTERVENTION INITIATIVES THAT MEET THE CRITERIA DESCRIBED IN THIS SECTION. THE OFFICE SHALL PRIORITIZE AWARDING GRANTS TO ORGANIZATIONS THAT CONDUCT GUN VIOLENCE INTERVENTION INITIATIVES WITH INDIVIDUALS AND IN COMMUNITIES IDENTIFIED AS HAVING

THE HIGHEST RISK OF PERPETRATING OR BEING VICTIMIZED BY GUN VIOLENCE IN THE NEAR FUTURE.

(c) AN INITIATIVE CONDUCTED WITH A GRANT AWARD MUST USE STRATEGIES THAT ARE EVIDENCE-INFORMED AND HAVE DEMONSTRATED PROMISE AT REDUCING GUN VIOLENCE WITHOUT CONTRIBUTING TO MASS INCARCERATION, SUCH AS HOSPITAL-BASED VIOLENCE INTERVENTION PROGRAMS, GROUP VIOLENCE INTERVENTIONS, EVIDENCE-BASED STREET OUTREACH PROGRAMS, VIOLENCE INTERRUPTION AND CRISIS MANAGEMENT PROGRAMS, AND INDIVIDUALIZED WRAPAROUND SERVICES. TO IMPROVE THE EFFECTIVENESS OF A GUN VIOLENCE INTERVENTION INITIATIVE, A GRANT RECIPIENT SHALL CONDUCT REGULAR EVALUATIONS OF EACH INITIATIVE, INCLUDING FACILITATING COMMUNITY INPUT AND ENGAGEMENT.

(d) THE DEPARTMENT MAY PROMULGATE RULES NECESSARY FOR THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING GRANT APPLICATION PROCEDURES, CRITERIA FOR DETERMINING THE AMOUNT AND DURATION OF THE GRANTS, AND REPORTING REQUIREMENTS FOR ORGANIZATIONS THAT RECEIVE GRANTS.

(e) IN ADMINISTERING THE GRANT PROGRAM, THE OFFICE SHALL COLLABORATE WITH STAKEHOLDERS AS NEEDED TO ENSURE EQUITY IN THE DISTRIBUTION OF GRANTS. THE OFFICE SHALL CONSULT WITH STAKEHOLDERS TO DEVELOP GRANT PRIORITIES, SET CRITERIA FOR DETERMINING THE AMOUNT AND DURATION OF GRANTS, SELECT GRANTEEES, AND DETERMINE REPORTING REQUIREMENTS. STAKEHOLDERS MUST INCLUDE INDIVIDUALS AND FAMILIES IMPACTED BY GUN VIOLENCE; ORGANIZATIONS WITH EXPERTISE IN GUN VIOLENCE PREVENTION AND GUN SAFETY, INCLUDING GUN DEALERS, SHOOTING RANGES, AND FIREARMS SAFETY INSTRUCTORS; AND COMMUNITIES OF COLOR.

25-20.5-1204. Resource bank - duties. (1) THE OFFICE SHALL CREATE AND MAINTAIN A RESOURCE BANK OF REGULARLY UPDATED AND ACCURATE MATERIALS AND RESOURCES AS A REPOSITORY FOR DATA, RESEARCH, AND STATISTICAL INFORMATION REGARDING GUN VIOLENCE IN COLORADO.

(2) AS PART OF MAINTAINING THE RESOURCE BANK, THE OFFICE SHALL:

(a) ASSIST RESEARCHERS WHO ARE SEEKING INFORMATION ABOUT GUN VIOLENCE IN COLORADO;

(b) COLLABORATE WITH RESEARCHERS, INCLUDING ORGANIZATIONS THAT CONDUCT GUN VIOLENCE RESEARCH, TO:

(I) IDENTIFY GAPS IN AVAILABLE DATA NEEDED FOR GUN VIOLENCE PREVENTION RESEARCH AND DEVELOP STRATEGIES TO IMPROVE RELEVANT DATA COLLECTION IN COLORADO;

(II) USE EXISTING AVAILABLE RESEARCH TO ENHANCE EVIDENCE-BASED GUN VIOLENCE PREVENTION TOOLS AND RESOURCES AVAILABLE TO COLORADO COMMUNITIES; AND

(III) IMPROVE THE UNDERSTANDING OF THE DISPROPORTIONATE BARRIERS TO SAFETY FROM GUN VIOLENCE BY ENCOURAGING DISAGGREGATION OF DATA BY RACE AND ETHNICITY WHEN RESEARCH IS CONDUCTED; AND

(c) PROMOTE NEW AND RELEVANT RESEARCH REGARDING GUN VIOLENCE PREVENTION AND, IF POSSIBLE, MAKE THIS RESEARCH ACCESSIBLE TO RESEARCHERS AND THE PUBLIC.

25-20.5-1205. Federal grants - other funds - gifts, grants, and donations. (1) THE OFFICE SHALL IDENTIFY AND APPLY FOR AVAILABLE FEDERAL GRANTS AND OTHER FUNDING TO FURTHER ITS WORK TO PREVENT GUN VIOLENCE. WHEN THE OFFICE DETERMINES IT IS APPROPRIATE, THE OFFICE MAY WORK IN COLLABORATION WITH OTHER STATE DEPARTMENTS AND PARTNERS TO IDENTIFY AND APPLY FOR FEDERAL GRANTS AND OTHER FUNDING.

(2) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 12.

25-20.5-1206. Rules - report - repeal. (1) THE DEPARTMENT MAY PROMULGATE RULES AS NEEDED FOR THE EFFECTIVE IMPLEMENTATION OF THIS PART 12.

(2) (a) ON OR BEFORE NOVEMBER 30 OF EACH YEAR, THE OFFICE

SHALL REPORT TO THE DEPARTMENT ON THE ACTIVITIES IT HAS CONDUCTED IN THE PRECEDING TWELVE MONTHS. THE REPORT MUST INCLUDE:

(I) INFORMATION ABOUT THE AWARENESS AND EDUCATION CAMPAIGNS CONDUCTED BY THE OFFICE;

(II) EFFECTIVE GUN VIOLENCE INTERVENTION PROGRAMS IDENTIFIED AND CONDUCTED BY THE OFFICE;

(III) ANY FEDERAL GRANTS OR OTHER FUNDING THE OFFICE APPLIED FOR AND WHETHER THE OFFICE RECEIVED THOSE GRANTS OR OTHER FUNDS; AND

(IV) A GENERAL SUMMARY OF NEW AND RELEVANT RESEARCH INCLUDED IN THE OFFICE'S RESOURCE BANK AND THE NATURE OF RESEARCH ASSISTANCE PROVIDED BY THE OFFICE.

(b) THE OFFICE SHALL MAKE THE REPORT PUBLICLY AVAILABLE ON ITS WEBSITE OR, IF THE OFFICE DOES NOT HAVE A DEDICATED WEBSITE, ON A WEB PAGE OF THE DEPARTMENT'S WEBSITE.

(c) IN ITS ANNUAL REPORT BEFORE THE HOUSE AND SENATE COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL INCLUDE A SUMMARY OF THE OFFICE'S ANNUAL REPORT, INCLUDING INSTRUCTION FOR ACCESSING ANY NEW AND RELEVANT GUN VIOLENCE PREVENTION RESEARCH IDENTIFIED BY THE OFFICE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN THIS SUBSECTION (2)(c) CONTINUES INDEFINITELY.

(3) ON OR BEFORE DECEMBER 31, 2027, AND ON OR BEFORE DECEMBER 31 EVERY FIFTH YEAR THEREAFTER, THE OFFICE SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY SUMMARIZING GUN VIOLENCE PREVENTION MEASURES ADOPTED BY LOCAL JURISDICTIONS PURSUANT TO ARTICLE 11.7 OF TITLE 29 OR SECTION 18-12-214. THE OFFICE SHALL MAKE THE REPORT PUBLICLY AVAILABLE ON ITS WEBSITE OR, IF THE OFFICE DOES NOT HAVE A DEDICATED WEBSITE, ON A WEB PAGE OF THE DEPARTMENT'S WEBSITE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED PURSUANT TO THIS SUBSECTION (3) CONTINUES INDEFINITELY.

SECTION 2. Appropriation. For the 2021-22 state fiscal year,

\$3,000,000 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from the general fund and is based on an assumption that the division will require an additional 2.0 FTE. To implement this act, the division may use this appropriation for program costs related to family and community health for the office of gun violence prevention.

SECTION 3. Effective date. This act takes effect upon passage; except that section 25-20.5-1206 (3), Colorado Revised Statutes, as enacted in section 1 of this act, takes effect only if Senate Bill 21-256 becomes law, in which case section 25-20.5-1206 (3) takes effect on the effective date of this act or Senate Bill 21-256, whichever is later.

SECTION 4. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO