

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

PREAMENDED

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

LLS NO. 13-0140.01 Jane Ritter x4342

SENATE BILL 13-148

SENATE SPONSORSHIP

Kefalas and Roberts, Newell

HOUSE SPONSORSHIP

Peniston and Navarro,

Senate Committees

Health & Human Services
Appropriations

House Committees

Education
Legislative Council

A BILL FOR AN ACT

101 **CONCERNING CONTINUATION OF THE COLORADO YOUTH ADVISORY**
102 **COUNCIL.**

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>.)

Sunset Process - Health and Human Services Committee. The bill extends the Colorado youth advisory council indefinitely.

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

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.*

SENATE
3rd Reading Unamended
April 10, 2013

SENATE
Amended 2nd Reading
April 9, 2013

1 **SECTION 1. In Colorado Revised Statutes, amend 2-2-1302 as**
2 **follows:**

3 **2-2-1302. Colorado youth advisory council - creation -**
4 **purpose.** (1) There is hereby created in the legislative branch the
5 **Colorado youth advisory council to examine, evaluate, and discuss the**
6 **issues, interests, and needs affecting Colorado youth now and in the**
7 **future and to formally advise and make recommendations to elected**
8 **officials regarding those issues. The issues may include, but need not be**
9 **limited to:**

10 **(a) Education AND SKILL DEVELOPMENT;**

11 **(b) Employment and economic opportunities, EDUCATIONAL**
12 **OPPORTUNITIES, INCLUDING INCREASED ACCESSIBILITY TO OPPORTUNITIES**
13 **FOR YOUTH IN RURAL COMMUNITIES;**

14 **(c) Access to state and local government services;**

15 **(d) The environment;**

16 **(e) Behavioral and physical health, INCLUDING SUICIDE**
17 **PREVENTION;**

18 **(f) Safe environments for youth, INCLUDING PREVENTING**
19 **BULLYING;**

20 **(g) Substance abuse;**

21 **(h) Driver's license requirements;**

22 **(h) Poverty; and**

23 **(i) Increased youth participation in state and local government.**

24 **SECTION 2. In Colorado Revised Statutes, amend 2-2-1303 as**
25 **follows:**

26 **2-2-1303. Membership - selection - terms.** (1) The council shall
27 **consist of forty-four members as follows:**

1 (a) Four nonvoting legislative members, two of whom shall be
2 members of the house of representatives and two of whom shall be
3 members of the senate; and

4 (b) Thirty-five voting members representing each of the senate
5 districts in the state and five at-large members. THE FIVE AT-LARGE
6 MEMBERS MUST BE SELECTED TO HELP ENSURE DIVERSITY ON THE
7 COUNCIL, WITH AN EXPRESS CONCERN FOR ADEQUATE RURAL
8 REPRESENTATION. Members described in this paragraph (b) shall meet the
9 following qualifications at the time of appointment:

10 (I) Be at least fourteen years of age but not older than nineteen
11 years of age; and

12 (II) Be enrolled in and attending a Colorado junior high, middle,
13 or high school, including an on-line OR CHARTER school OR APPROVED
14 FACILITY SCHOOL AS DEFINED IN SECTION 22-2-402, C.R.S.; participating
15 in a nonpublic, home-based educational program; participating in a
16 general equivalency degree program; or have obtained a high school or
17 general equivalency diploma.

18 (2) (a) Nonlegislative council members shall be appointed as
19 follows:

20 (I) ~~On or before September 1, 2008, each senator elected to~~
21 ~~represent a senatorial district in the state shall appoint one nonlegislative~~
22 ~~council member from his or her district.~~

23 (II) ~~On or before September 1, 2008, the speaker of the house of~~
24 ~~representatives shall appoint the five at-large nonlegislative members.~~
25 ~~The five at-large members shall be selected to help ensure diversity on the~~
26 ~~council, with an express concern for adequate rural representation.~~

27 (III) (A) ~~On or before September 1, 2009~~ MAY 31, 2014, and on

1 or before ~~September 1~~ MAY 31 each year thereafter, the council members
2 shall approve subsequent appointments to the council by a majority vote.

3 A youth who meets the criteria set forth in subsection (1) of this section
4 may apply to the council to be considered for participation in the council.

5 (B) ~~No later than January 1, 2009,~~ The council shall develop
6 UTILIZE an application process to facilitate council appointments,
7 including the content and availability of the application form, additional
8 selection criteria, and an application review process.

9 (IV) Every effort shall be made to create a council that represents
10 the racial, ethnic, geographic, socioeconomic, cultural, religious, physical,
11 and educational diversity of the YOUTH OF THE state.

12 (b) Legislative members of the council shall be appointed as
13 follows:

14 (I) On or before ~~September 1, 2008~~ DECEMBER 15, 2014, and on
15 or before ~~September 1~~ DECEMBER 15 every two years thereafter, the
16 speaker and minority leader of the house of representatives shall each
17 appoint one member from the house of representatives; and

18 (II) On or before ~~September 1, 2008~~ DECEMBER 15, 2014, and on
19 or before ~~September 1~~ DECEMBER 15 every two years thereafter, the
20 president and minority leader of the senate shall each appoint one member
21 from the senate.

22 (3) ~~Except for the members initially appointed,~~ Council members
23 shall serve two-year terms and, if eligible, may be reappointed SELECTED
24 for a subsequent two-year term. ~~One-half of the initial members shall be~~
25 appointed to one-year terms, and the other half of the initial members
26 shall be appointed to two-year terms. In all cases, every effort shall be
27 made to maintain or expand the diversity of the council.

1 (4) The council shall elect two co-chairs and two vice-chairs at its
2 first meeting and annually thereafter. One of the co-chairs and one of the
3 vice-chairs shall be legislative members, TO BE ELECTED AT THE FIRST
4 COUNCIL MEETING AFTER DECEMBER 15. The other co-chair and the other
5 vice-chair shall be nonlegislative members, TO BE ELECTED AT THE FIRST
6 MEETING FOLLOWING THE ANNUAL MAY 31 APPOINTMENT OF NEW
7 NONLEGISLATIVE MEMBERS. The co-chairs and vice-chairs shall serve for
8 terms of one year. A vacancy on the council shall be filled through a vote
9 of the members for the remainder of the unexpired term. Vacancies of
10 nonlegislative members on the council shall be filled pursuant to the
11 application process described in subparagraph (III) of paragraph (a) of
12 subsection (2) of this section for biennial appointments. Vacancies of
13 legislative members shall be filled by the appointing authority. Vacancies
14 of nonlegislative members on the council who are not designated as
15 at-large members shall be filled by a youth coming from the same senate
16 district as the departing nonlegislative member.

17 (5) Subject to available appropriations, LEGISLATIVE members of
18 the council shall be compensated for attendance at meetings of the
19 council in the same manner as is provided in section 2-2-307 for
20 legislative members attending meetings during the legislative interim. All
21 expenditures incurred by the council shall be approved by the chair of the
22 legislative council and paid for by vouchers and warrants drawn as
23 provided by law from moneys allocated to the legislative council for
24 legislative committees from appropriations made by the general assembly
25 or from the youth advisory council cash fund created in section 2-2-1306.

26 **SECTION 3.** In Colorado Revised Statutes, 2-2-1304, **repeal** (2)
27 (a) as follows:

1 2-2-1304. Duties - meetings - community outreach -
2 designation of organization to accept donations - authority to
3 contract. (2) (a) The four legislative members shall convene the first
4 meeting of the council on or before October 30, 2008. At the first
5 meeting, the council shall determine the location and time of future
6 meetings, as well as any other procedural issues it deems necessary.

7 SECTION 4. In Colorado Revised Statutes, 2-2-1304, repeal and
8 reenact, with amendments, (4) (a) as follows:

9 2-2-1304. Duties - meetings - community outreach -
10 designation of organization to accept donations - authority to
11 contract. (4) (a) ON OR BEFORE SEPTEMBER 1, 2013, AND EVERY
12 SEPTEMBER 1 THEREAFTER, THE COUNCIL SHALL, IN CONJUNCTION WITH
13 THE DIRECTOR OF THE LEGISLATIVE COUNCIL, USE A REQUEST FOR
14 PROPOSAL PROCESS TO CONTRACT WITH AND DESIGNATE ONE OR MORE
15 NONPROFIT ORGANIZATIONS TO PROVIDE STAFFING AND OPERATIONAL
16 ASSISTANCE AND TO SERVE AS THE CUSTODIAN OF MONEYS DONATED TO
17 THE COUNCIL THROUGH THE DESIGNATED ORGANIZATION. THE
18 DESIGNATED ORGANIZATION SHALL NOT BE THE CUSTODIAN OF ANY
19 MONEYS APPROPRIATED BY THE STATE AND CREDITED TO THE FUND
20 CREATED IN SECTION 2-2-1306. THE DESIGNATED ORGANIZATION IS
21 AUTHORIZED TO EXPEND ANY MONEYS IT RECEIVES AS IS NECESSARY FOR
22 THE OPERATION OF THE COUNCIL AND MAY SOLICIT AND ACCEPT
23 MONETARY AND IN-KIND GIFTS, GRANTS, AND DONATIONS USED TO
24 FURTHER THE COUNCIL'S DUTIES AND RESPONSIBILITIES. ANY SUCH
25 MONEYS DONATED OR AWARDED TO THE DESIGNATED ORGANIZATION FOR
26 THE BENEFIT OF THE COUNCIL ARE NOT SUBJECT TO APPROPRIATION BY
27 THE GENERAL ASSEMBLY. ANY SUCH MONEYS OBTAINED BY THE COUNCIL

1 OR THE DESIGNATED ORGANIZATION AND NOT IN THE FUND THAT ARE
2 UNEXPENDED AND UNENCUMBERED AT THE TIME THE COUNCIL IS
3 DISSOLVED SHALL BE DISTRIBUTED ACCORDING TO APPROPRIATE FEDERAL
4 AND STATE LAWS GOVERNING NONPROFIT ORGANIZATIONS. IF A DIFFERENT
5 NONPROFIT OR PRIVATE ORGANIZATION IS SUBSEQUENTLY DESIGNATED AS
6 THE CUSTODIAN OF DONATED MONEYS IN ACCORDANCE WITH THIS
7 PARAGRAPH (a), ANY MONEYS THAT ARE UNEXPENDED AND
8 UNENCUMBERED AT THE TIME OF THE CHANGE IN DESIGNATION SHALL BE
9 PROMPTLY TRANSFERRED BY THE PREVIOUSLY DESIGNATED
10 ORGANIZATION TO THE NEWLY DESIGNATED ORGANIZATION.

11 **SECTION 5.** In Colorado Revised Statutes, **amend 2-2-1305** as
12 **follows:**

13 **2-2-1305. Reporting requirements.** On or before ~~January 30,~~
14 ~~2009~~ APRIL 30, 2014, and on or before ~~January 30~~ APRIL 30 each year
15 thereafter, the council shall make joint reports to legislative committees
16 of the senate and the house of representatives as appropriate. The reports
17 shall include, at a minimum, a summary of the council's recommendations
18 concerning key issues for youth for the current legislative session and
19 beginning January 30, 2010, a summary of the council's work during the
20 previous legislative session and interim.

21 **SECTION 6.** In Colorado Revised Statutes, 2-3-1203, **repeal** (3)
22 (z) (V); and **add** (3) (ee) (V) as follows:

23 **2-3-1203. Sunset review of advisory committees.** (3) The
24 following dates are the dates for which the statutory authorization for the
25 designated advisory committees is scheduled for repeal:

26 (z) July 1, 2013:

27 (V) ~~The Colorado youth advisory council created in section~~

1 ~~2-2-1302;~~

2 (ee) July 1, 2018:

3 (V) THE COLORADO YOUTH ADVISORY COUNCIL CREATED IN
4 SECTION 2-2-1302.

5 SECTION 7. In Colorado Revised Statutes, amend 2-2-1307 as
6 follows:

7 2-2-1307. Repeal of part. This part 13 is repealed, effective July
8 1, 2013 2018. Prior to the repeal of this part 13, the council shall be
9 reviewed as provided for in section 2-3-1203.

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11 SECTION 8. Safety clause. The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.