

Stephen Ball and Paul Ball ("Petitioners"), registered electors of the State of Colorado, respectfully petition the Colorado Supreme Court pursuant to C.R.S. § 1-40-107(2), to review the actions of the Title Board with respect to its decision to deny title setting for initiative 2019-2020 #131 on the grounds of violating the single subject requirement.

I. STATEMENT OF THE CASE

A. Procedural History of Proposed Initiative 2019-2020 #131

Stephen Ball and Paul Ball ("Proponents") proposed Initiative 2019-2020 #131 (the "Proposed Initiative"). Review and comment hearings were held before representatives of the Offices of Legislative Council and Legislative Legal Services. Thereafter, Proponents submitted original, amended and final versions of the Proposed Initiative to the Secretary of State for purposes of submission to the Title Board.

A Title Board hearing was held on January 2, 2020 at which time the Title Board denied title setting because the Proposed Initiative appears to violate the single subject requirement. On January 8, 2020 Petitioners filed a Motion for Rehearing, arguing that the Proposed Initiative does meet the single subject requirement. The rehearing was held on January 15, 2020 at which time the Title Board denied the Motion for Rehearing regarding the single subject requirement.

B. Jurisdiction

Petitioners are entitled to a review before the Colorado Supreme Court pursuant to C.R.S. § 1-40-107(2). Petitioners timely filed their Motion for Rehearing with the Title Board. *See* C.R.S. § 1-40-107(1). Additionally, Petitioners timely filed this Petition for Review within seven days from the date of the hearing on Motion for Rehearing. C.R.S. § 1-40-107(2).

As required by C.R.S. § 1-40-107(2), attached to this Petition for Review are certified copies of the filed text, initial fiscal impact statement and abstract, the Motion for Rehearing, the ruling on the Motion for Rehearing as well as a transcript of the hearing from January 2, 2020 and a transcript of the rehearing on January 15, 2020. Petitioners believe the Title Board erred in denying the Motion for Rehearing as to the single subject issue, and therefore this matter is properly before the Court.

II. GROUNDS FOR APPEAL

The Proposed Initiative complies with the single subject requirement set forth in article V, § 1(5.5) of the Colorado Constitution.

III. REQUEST FOR RELIEF

Petitioners respectfully request that this Court reverse the Title Board's decision that the Proposed Initiative does not constitute a single subject and remand the Proposed Initiative to the Title Board with instructions that the Title Board set a title and submission clause.

Respectfully submitted this 21st day of January, 2020.

Stephen Ball



PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that on this day of January 2020, a true and correct copy of the foregoing **PETITION FOR REVIEW OF FINAL ACTION OF BALLOT TITLE SETTING BOARD CONCERNING PROPOSED INITIATIVE 2019-2020 #131 ("EXPUNGEMENT OF ELIGIBLE CRIMINAL RECORDS")**

was filed with the Colorado Supreme Court, and hand delivered to 1300 Broadway, attorney general, Denver, CO 80203 and to 1700 Broadway, to the Title Board at the Secretary of state office.



Stephen Ball

DATE FILED: January 21, 2020



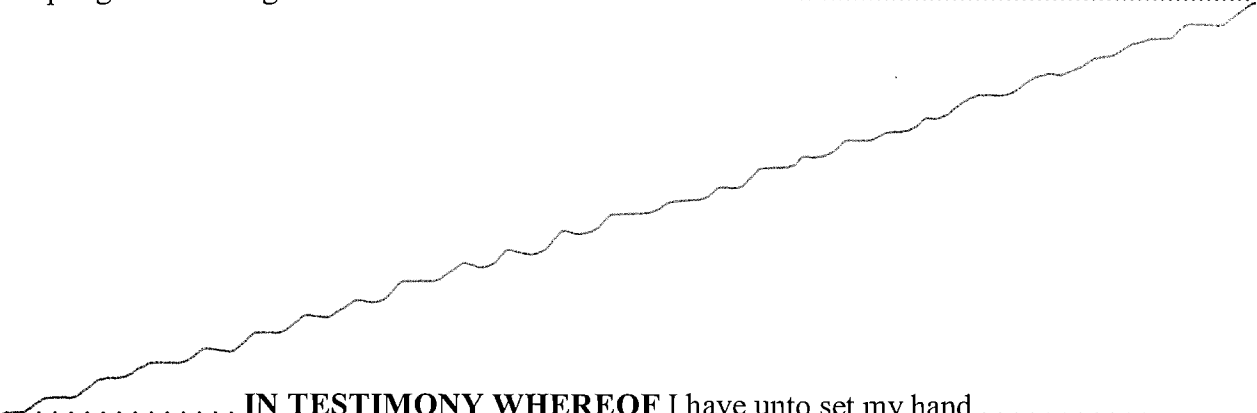
STATE OF COLORADO

DEPARTMENT OF
STATE

CERTIFICATE

I, **JENA GRISWOLD**, Secretary of State of the State of Colorado, do hereby certify that:

the attached are true and exact copies of the filed text, fiscal impact statement and abstract, motions for rehearing, and the rulings thereon of the Title Board for Proposed Initiative "2019-2020 #131 'Expungement of Eligible Criminal Records'"



..... **IN TESTIMONY WHEREOF** I have unto set my hand
and affixed the Great Seal of the State of Colorado, at the
City of Denver this 16th day of January, 2020.

Jena Griswold

SECRETARY OF STATE





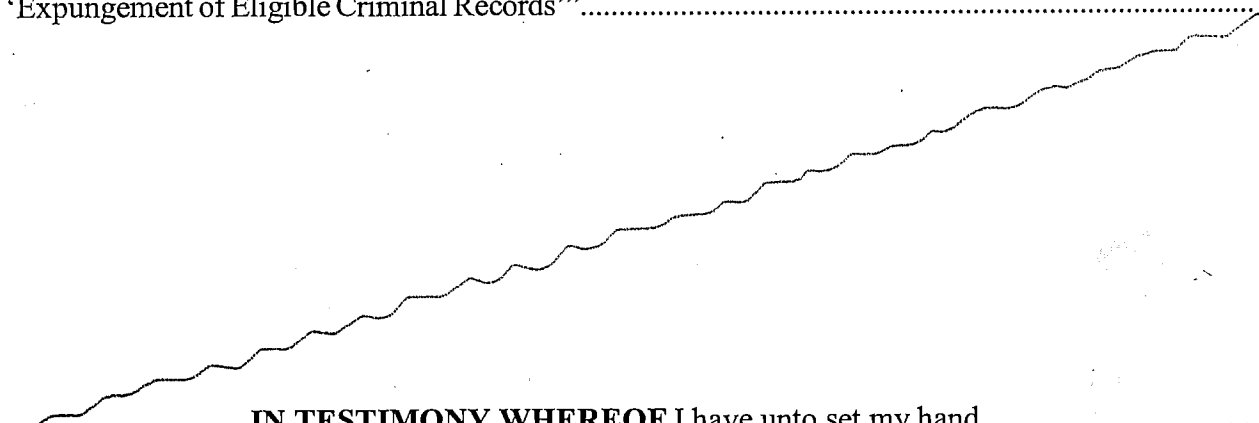
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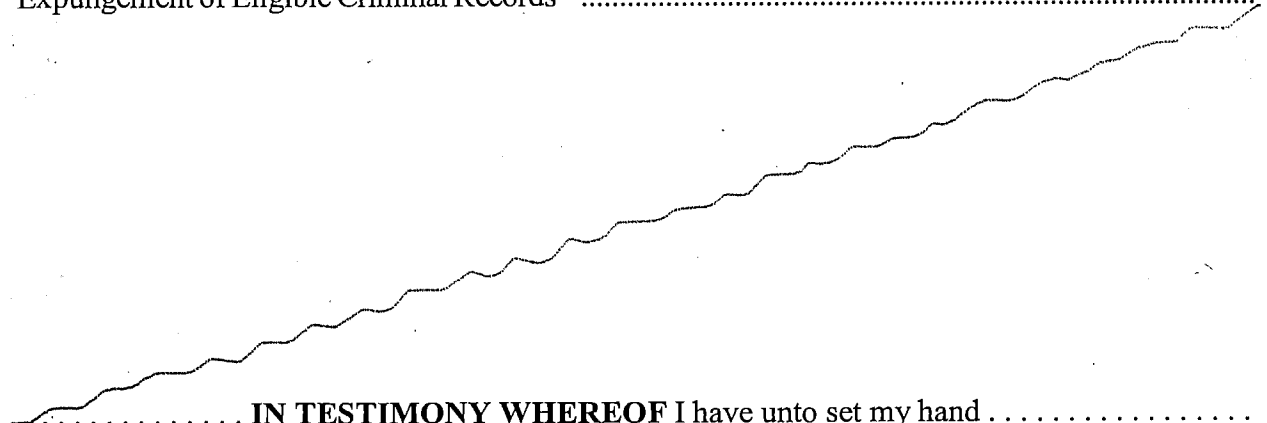


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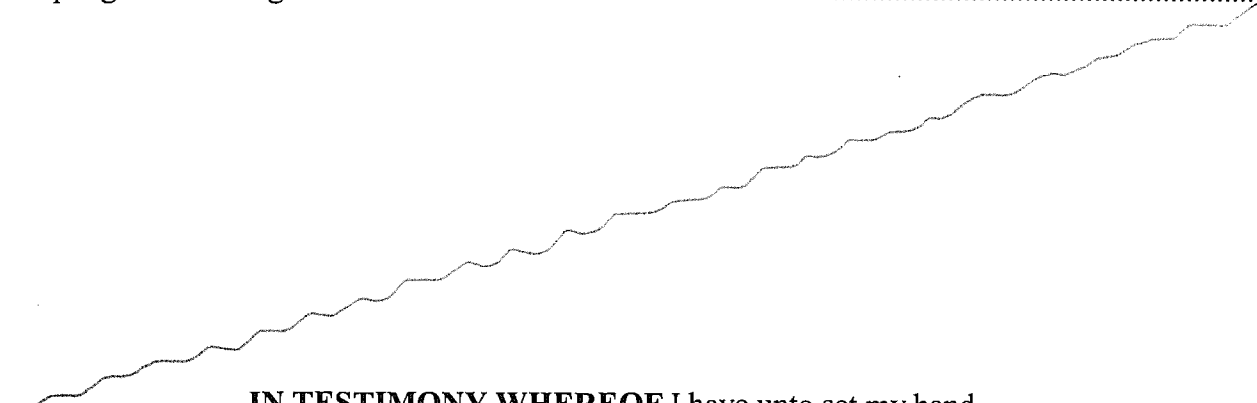


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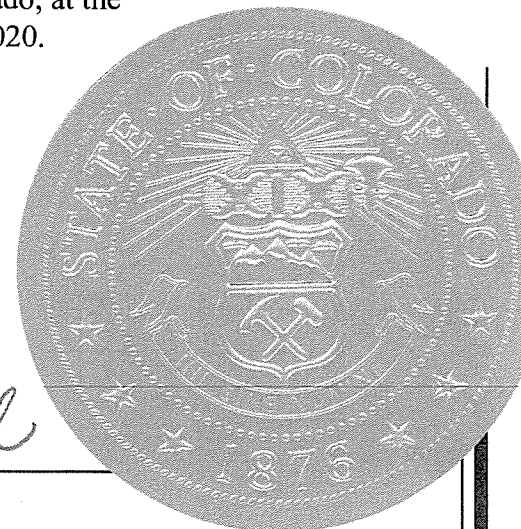
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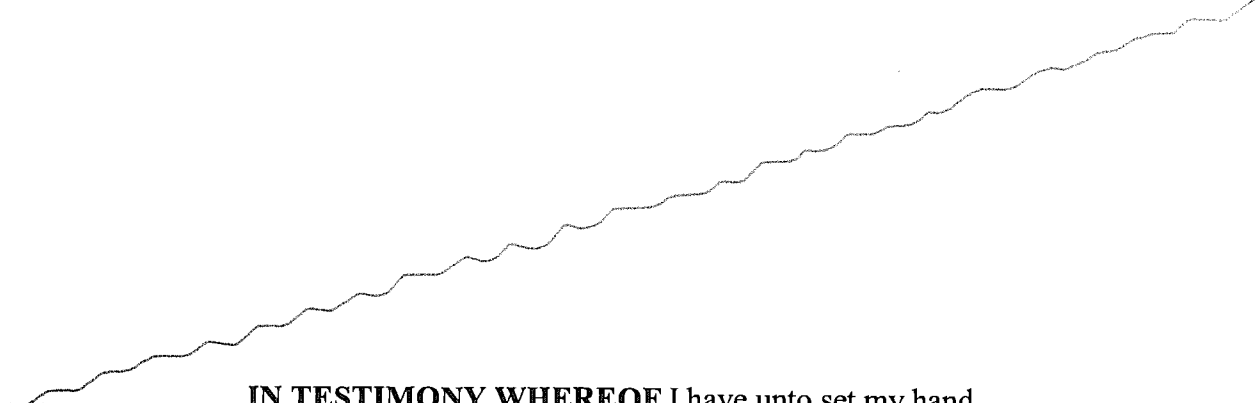
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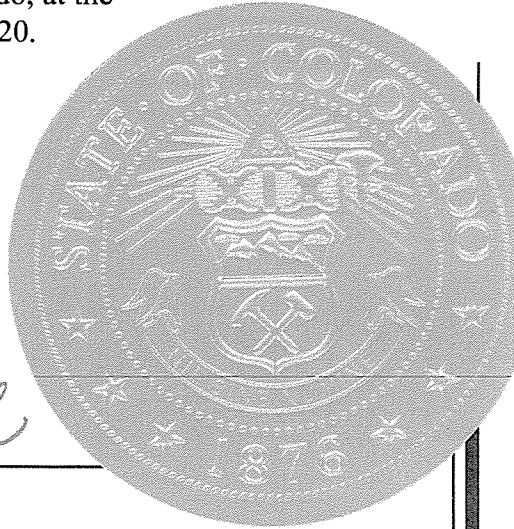
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SECRETARY OF STATE



DEC 20 2019

Be it Enacted by the People of the State of Colorado.

Colorado Secretary of State

S. WARD 9:30 A.M.

SECTION 1. Short title. THIS ACT MAY BE CITED AS "THE OPPORTUNITY ACT."

SECTION 2. In Colorado Revised Statutes, add part 8 of article 72 of title 24 as follows:

PART 8

EXPUNGEMENT OF CRIMINAL RECORDS

24-72-801. Declaration of the people. THE PEOPLE OF THE STATE OF COLORADO HEREBY FIND AND DECLARE THAT CRIMINAL RECORDS FOR LOW-LEVEL, NON-VIOLENT OFFENSES HAVE MORE OF A NEGATIVE EFFECT ON SOCIETY THAN INTENDED. IT IS OUR INTENT THAT THE CRIMINAL RECORD IS DYNAMIC, REFLECTING AN INDIVIDUAL'S RECENT CHARACTER, AND DOES NOT ALLOW THE MINOR TRANSGRESSIONS, MADE AS A YOUTH, TO NEGATIVELY IMPACT ONE'S ABILITY TO GAIN EMPLOYMENT, RESIDE IN SUITABLE HOUSING, BUILD THEIR SKILLS THROUGH EDUCATIONAL INSTITUTIONS OR TO VOLUNTEER TO GIVE BACK TO THEIR COMMUNITY. MAKING MISTAKES IS HOW WE'VE BEEN TAUGHT TO LEARN AND ONCE AN INDIVIDUAL HAS SHOWN THAT THEY HAVE LEARNED FROM THEIR MISTAKES, THEY SHALL BE ALLOWED TO MOVE FORWARD WITHOUT THIS LIMIT ON THEIR POTENTIAL TO BECOME AN EXCELLENT MEMBER OF SOCIETY. ESTABLISHING THIS PROCESS FOR THE EXPUNGEMENT OF ELIGIBLE CRIMINAL RECORDS SHALL STRENGTHEN OUR COMMUNITIES, AND OUR ECONOMY, WHILE EASING THE BURDEN ON OUR LEGAL SYSTEM AND PROVIDING RELIEF TO TAXPAYERS.

24-72-802. Definitions. AS USED IN THIS PART 8, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (1) "BASIC IDENTIFICATION INFORMATION" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-72-302.
- (2) "COMMUNITY MAINTENANCE" MEANS COLLECTION AND DISPOSAL OF LITTER, SERVICING COMMUNITY GARDEN PROJECTS, SCRAPING GUM OFF OF SIDEWALKS OR REMOVAL OF GRAFFITI.
- (3) "CONVICTION" OR "CONVICTED" MEANS A PLEA OF GUILTY ACCEPTED BY THE COURT, INCLUDING A PLEA OF GUILTY ENTERED PURSUANT TO A DEFERRED SENTENCE UNDER SECTION 18-1.3-102, A VERDICT OF GUILTY BY A JUDGE OR JURY, OR A PLEA OF NOLO CONTENDERE ACCEPTED BY THE COURT, OR ADJUDICATION FOR AN OFFENSE THAT WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT, INCLUDING HAVING RECEIVED A DEFERRED JUDGMENT AND SENTENCE OR DEFERRED ADJUDICATION EVEN IF THE PERSON HAS SUCCESSFULLY COMPLETED A DEFERRED SENTENCE OR DEFERRED ADJUDICATION, OR IF THE COURT GIVES JUDGMENT IN FAVOR OF THE STATE OF COLORADO, THE APPROPRIATE PROSECUTING ATTORNEY, OR THE APPROPRIATE LAW ENFORCEMENT AGENCY AND AGAINST THE OFFENDER OR JUVENILE.
- (4) "CRIMINAL JUSTICE AGENCY" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-72-302.

- (5) "CRIMINAL RECORDS" MEANS INFORMATION REPORTING TO THE ARREST, INDICTMENT OR OTHER FORMAL FILING OF CRIMINAL CHARGES AGAINST A PERSON; THE IDENTITY OF THE CRIMINAL JUSTICE AGENCY TAKING SUCH OFFICIAL ACTION RELATIVE TO AN ACCUSED PERSON, THE DATE AND PLACE SUCH OFFICIAL ACTION WAS TAKEN RELATIVE TO AN ACCUSED PERSON; THE NAME, BIRTH DATE, LAST-KNOWN ADDRESS, AND SEX OF AN ACCUSED PERSON; THE NATURE OF THE CHARGES BROUGHT OR THE OFFENSES ALLEGED AGAINST AN ACCUSED PERSON, AND ONE OR MORE DISPOSITIONS RELATING TO THE CHARGES BROUGHT AGAINST AN ACCUSED PERSON; ALL BOOKS, PAPERS, CARDS, PHOTOGRAPHS, TAPES, RECORDINGS OR OTHER DOCUMENTARY MATERIALS, REGARDLESS OF FORM OR CHARACTERISTICS, THAT ARE MADE, MAINTAINED OR KEPT BY ANY CRIMINAL JUSTICE AGENCY IN THE STATE FOR USE IN THE EXERCISE OF FUNCTIONS REQUIRED OR AUTHORIZED BY LAW OR ADMINISTRATIVE RULE.
- (6) "DISPOSITION" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-72-302.
- (7) "EXPANDED LEARNING OPPORTUNITY PROGRAMS" HAS THE SAME MEANING AS SET FORTH IN SECTION 22-14-102 (4).
- (8) "EXPUNGEMENT" MEANS THE DESTRUCTION, REMOVAL, DELETION OR ERASURE OF RECORDS WHEREBY SUCH RECORDS ARE DEEMED NEVER TO HAVE EXISTED.
- (9) "EXPUNGEMENT FEE" IS A FEE ASSESSED AT THE TIME OF SENTENCING; THE AMOUNT DETERMINED IS SET FORTH IN THIS PART 8.
- (10) "EXPUNGEMENT PERIOD" MEANS A PERIOD OF TIME TO COMMENCE ONCE ALL PUNISHMENTS AND PENALTIES HAVE BEEN SATISFIED AND PAID FOR BY THE CONVICTED PERSON.
- (11) "LAW ENFORCEMENT AGENCY" MEANS ANY AGENCY OF A STATE OR LOCAL GOVERNMENT AUTHORIZED TO ENFORCE THE LAWS OF COLORADO.
- (12) "OFFENSE" HAS THE SAME MEANING AS SET FORTH IN SECTION 18-1-104.
- (13) "OFFICIAL ACTION" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-72-302.
- (14) "OFFICIAL CUSTODIAN" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-72-302.
- (15) "PEER SUPPORT PROGRAMS OR ACTIVITIES" MEANS GROUPS OR ACTIVITIES ORGANIZED AND IMPLEMENTED TO PROVIDE SOCIAL AND EMOTIONAL ASSISTANCE WHILE CREATING A SAFE AND TRUSTING ENVIRONMENT AIMED AT ENHANCING THE SELF-ESTEEM, SELF-EFFICACY, COPING AND PROBLEMS SOLVING SKILLS OF AN INDIVIDUAL OR GROUP, INCLUDING BUT NOT LIMITED TO SUPPORT GROUPS AND SOCIAL OR RECREATIONAL ACTIVITIES.
- (16) "PENALTIES" MEAN INCARCERATION, CORRECTIONAL SUPERVISION, INCLUDING TERMS AND CONDITIONS

THEREOF; INCLUDING BUT NOT LIMITED TO, COSTS, FINES, FEES, SURCHARGES, PAROLE, PROBATION, WORK RELEASE, GPS MONITORING, THERAPY CLASSES, TREATMENT PROGRAMS, ALCOHOL OR DRUG MONITORING, INTERLOCK DEVICES, AND COMMUNITY SERVICE.

(17) "PERSON" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-72-302.

(18) "PRIVATE CUSTODIAN" HAS THE SAME MEANING AS SET FORTH IN SECTION 24-72-302.

(19) "SAFETY EQUIPMENT" MEANS FIRST AID KITS, HELMETS, VESTS AND PLATING FOR VESTS.

(20) "SCHOOL SUPPLIES" OR "SCHOOL SUPPLY" MEANS ANY ITEM THAT IS COMMONLY USED BY A STUDENT IN A COURSE OF STUDY, INCLUDING BUT NOT LIMITED TO, VISUAL ARTS AND PERFORMANCE ARTS AS SET FORTH IN SECTION 22-1-104.5, MUSIC AND PHYSICAL EDUCATION.

24-72-803. Expungement of criminal records where no conviction occurs. (1) AFTER AN ARREST, SHOULD THE DECISION BE MADE TO NOT FILE CRIMINAL CHARGES, THE CONCLUSION OF CRIMINAL PROCEEDINGS INCLUDE ACQUITTAL OR THE DISMISSAL, ABANDONMENT, OR INDEFINITE POSTPONEMENT OF CRIMINAL PROCEEDINGS OR CHARGES. THE DISTRICT COURT IN THE JUDICIAL DISTRICT WHERE THE PERSON WAS ARRESTED SHALL, NO LATER THAN THIRTY-ONE DAYS FROM THE DATE OF THE DISPOSITION, ISSUE AN EXPUNGEMENT ORDER FOR ALL CRIMINAL RECORDS PERTAINING TO THE PERSON'S ARREST TO EVERY OFFICIAL CUSTODIAN.

(2) IMMEDIATELY UPON THE DECISION TO NOT FILE CRIMINAL CHARGES, THE LAW ENFORCEMENT AGENCY THAT MADE THE ARREST SHALL PETITION THE DISTRICT COURT, IN THE JUDICIAL DISTRICT WHERE THE PERSON WAS ARRESTED, FOR AN EXPUNGEMENT ORDER FOR THE CRIMINAL RECORDS PERTAINING TO THE ARREST.

24-72-804. Expungement period – applicability – interruption – concurrency – equality – municipal infractions – rights. (1) IMMEDIATELY FOLLOWING THE SATISFACTION OF ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT, THE EXPUNGEMENT PERIOD SHALL COMMENCE AS SET FORTH IN THIS PART 8.

(2)(a) IN THE EVENT THAT ONE OR MORE CRIMINAL CHARGES ARE BROUGHT UPON A PERSON IN THE MIDST OF AN EXPUNGEMENT PERIOD FOR A PREVIOUS OFFENSE THAT RESULTED IN CONVICTION, THE PREVIOUS EXPUNGEMENT PERIOD MAY PAUSE, AS DESCRIBED IN SUBSECTIONS (2)(b) AND (2)(c) OF THIS SECTION, PENDING THE DISPOSITION OF THE CURRENT CHARGE OR CHARGES.

(b) IF THERE IS A "P" INDICATOR ON THE TABLE IN THE INTERSECTION BETWEEN A PREVIOUS OFFENSE AND A RECENT CHARGE, THERE SHALL BE A PAUSE IN THE EXPUNGEMENT PERIOD.

Recent Charge and Effect on Previous Expungement Period

Category	Class	Petty		Drug Petty		Traffic Misd		Drug Misd		Drug Felony				Misdemeanor			Felony						
		2	1	2	1	2	1	2	1	4	3	2	1	3	2	1	6	5	4	3	2	1	
Petty	2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	1		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Drug Petty	2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	1		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Traffic Misd	2					P	P			P	P	P	P		P	P	P	P	P	P	P	P	
	1						P			P	P	P	P		P	P	P	P	P	P	P	P	
Drug Misd	2							P	P	P	P	P	P		P	P	P	P	P	P	P	P	
	1								P	P	P	P	P		P	P	P	P	P	P	P	P	
Drug Felony	4									P	P	P	P				P	P	P	P	P	P	
	3										P	P	P				P	P	P	P	P	P	
	2	Ineligible for Expungement																					
	1	Ineligible for Expungement																					
Misd.	3									P	P	P	P	P	P	P	P	P	P	P	P	P	
	2									P	P	P	P		P	P	P	P	P	P	P	P	
	1									P	P	P	P		P	P	P	P	P	P	P	P	
Felony	6										P	P				P	P	P	P	P	P	P	
	5										P	P					P	P	P	P	P	P	
	4										P	P						P	P	P	P	P	
	3	Ineligible for Expungement																					
	2	Ineligible for Expungement																					
	1	Ineligible for Expungement																					

(c) IF THE CRIMINAL CHARGE, OR CHARGES, BROUGHT UPON A PERSON IN THE MIDST OF AN EXPUNGEMENT PERIOD ARE FOR OFFENSES THAT ARE INELIGIBLE FOR EXPUNGEMENT, THEN THE EXPUNGEMENT PERIOD FOR ANY PREVIOUS OFFENSES SHALL PAUSE.

(d) IF THE PERSON IS CONVICTED OF THE MOST RECENT CHARGE, OR CHARGES, WHILE AN EXPUNGEMENT PERIOD IS ON PAUSE, THE EXPUNGEMENT PERIOD FOR THE PREVIOUS OFFENSE, OR OFFENSES, THAT RESULTED IN CONVICTION SHALL START OVER IMMEDIATELY FOLLOWING THE SATISFACTION OF ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT FOR THE MOST RECENT OFFENSE THAT RESULTED IN CONVICTION.

(e) ALL EXPUNGEMENT PERIODS SHALL RUN CONCURRENTLY.

(f) IF THE PERSON IS NOT CONVICTED OF THE PENDING CHARGE, OR CHARGES, THE EXPUNGEMENT PERIOD FOR THE PREVIOUS OFFENSE, OR OFFENSES, WHICH RESULTED IN CONVICTION SHALL BE CREDITED THE TIME THAT IT WAS ON PAUSE AND SHALL PROCEED AS SET FORTH IN THIS PART 8.

(3)(a) IF A PERSON HAS A CRIMINAL RECORD FOR A STATUTE VIOLATION THAT IS INELIGIBLE FOR EXPUNGEMENT AS SET FORTH IN THIS PART 8 AND THAT VIOLATION, IF COMMITTED ON THE CURRENT DAY, WOULD BE ELIGIBLE FOR EXPUNGEMENT, THEN UPON THE SATISFACTION OF ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT, THE CRIMINAL RECORD SHALL FOLLOW THE EXPUNGEMENT PERIOD OF THE VIOLATION IF COMMITTED ON THE CURRENT DAY. IN THIS CASE, NO EXPUNGEMENT FEE SHALL BE ASSESSED.

(b) IF A PERSON HAS A CRIMINAL RECORD FOR A STATUTE VIOLATION THAT IS INELIGIBLE FOR EXPUNGEMENT AS SET FORTH IN THIS PART 8 AND THAT VIOLATION, IF COMMITTED ON THE CURRENT DAY, WOULD NOT CONSTITUTE A CRIMINAL OFFENSE, THEN UPON THE SATISFACTION OF ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT, THE CRIMINAL RECORD SHALL BE ELIGIBLE FOR IMMEDIATE EXPUNGEMENT. IN THIS CASE, NO EXPUNGEMENT FEE SHALL BE ASSESSED.

(4)(a) IF A PERSON HAS A CRIMINAL RECORD FOR AN OFFENSE THAT IS ELIGIBLE FOR EXPUNGEMENT AS SET FORTH IN THIS PART 8 AND THAT OFFENSE, IF COMMITTED ON THE CURRENT DAY, WOULD BE SUBJECT TO A LESSER EXPUNGEMENT PERIOD, THEN UPON THE SATISFACTION OF ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT, THE CRIMINAL RECORD SHALL FOLLOW THE EXPUNGEMENT PERIOD OF THE OFFENSE IF COMMITTED ON THE CURRENT DAY. IN THIS CASE, NO EXPUNGEMENT FEE SHALL BE ASSESSED.

(b) IF A PERSON HAS A CRIMINAL RECORD FOR AN OFFENSE THAT IS ELIGIBLE FOR EXPUNGEMENT AS SET FORTH IN THIS PART 8 AND THAT OFFENSE, IF COMMITTED ON THE CURRENT DAY, WOULD NOT CONSTITUTE A CRIMINAL OFFENSE, THEN UPON THE SATISFACTION OF ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT, THE CRIMINAL RECORD SHALL BE ELIGIBLE FOR IMMEDIATE EXPUNGEMENT. IN THIS CASE, NO EXPUNGEMENT FEE SHALL BE ASSESSED.

(5)(a) IN THE CASE OF EXECUTIVE CLEMENCY, THE CRIMINAL RECORDS THAT PERTAIN TO THE EXECUTIVE CLEMENCY SHALL BE SUBJECT TO THE CONDITIONS OF EXPUNGEMENT SET FORTH IN THIS PART 8.

(b) WITHIN THIRTY-ONE DAYS OF GRANTING EXECUTIVE CLEMENCY, THE PERSON GRANTING EXECUTIVE CLEMENCY SHALL PETITION THE DISTRICT COURT IN THE JUDICIAL DISTRICT WHERE THE CONVICTION OCCURRED FOR AN EXPUNGEMENT ORDER, IF APPLICABLE, AS SET FORTH IN THIS PART 8.

(6) MUNICIPAL CHARGES AND CONVICTIONS HAVE NO EFFECT ON EXPUNGEMENT PERIODS, PROVIDED THAT THE OFFENSE WOULD NOT QUALIFY AS AN OFFENSE DESCRIBED IN THE COLORADO REVISED STATUTES THAT WOULD REQUIRE AN EXPUNGEMENT PERIOD TO PAUSE.

(7) THE EXPUNGEMENT PERIOD SHALL APPLY TO THE CRIMINAL RECORDS OF JUVENILES THE SAME AS IT IS APPLIED TO THE CRIMINAL RECORDS OF ADULTS.

(8) A PERSON'S RIGHT TO EXPUNGEMENT SHALL NOT BE WAIVED THROUGH ANY PLEA AGREEMENT OR ANY OTHER MEANS.

(9) AT THE TIME OF SENTENCING, THE COURT SHALL ADVISE EACH DEFENDANT OF THEIR RIGHT TO EXPUNGEMENT AS SET FORTH IN THIS PART 8.

24-72-805. Expungement fee – applicability – collection – interest – waiver. (1) ALL CONVICTIONS THAT OCCUR ON OR AFTER JANUARY 1, 2021 INCUR AN EXPUNGEMENT FEE. THE AMOUNT OF THE FEE IS SET FORTH IN THIS PART 8.

(2) THE EXPUNGEMENT FEE SHALL BE COLLECTED BY THE COURT IN WHICH THE CONVICTION OCCURRED. THE FEE SHALL BE DEPOSITED INTO THE EXPUNGEMENT FEE CASH FUND CREATED BY SECTION 24-72-830.

(3)(a) FOR THOSE UNABLE TO PAY THE EXPUNGEMENT FEE UPON CONVICTION, INTEREST SHALL ACCRUE AT A RATE OF FIVE PERCENT PER ANNUM, COMPOUNDED ANNUALLY, AS DESCRIBED IN SUBSECTIONS (3)(b) AND (3)(c) OF THIS SECTION.

(b) IF SENTENCING IMPOSED BY THE COURT DOES NOT INCLUDE INCARCERATION OF ANY KIND, INTEREST ON UNPAID EXPUNGEMENT FEES SHALL BEGIN TO ACCRUE NINETY DAYS AFTER THE DATE OF CONVICTION.

(c) IF SENTENCING BY THE COURT INCLUDES INCARCERATION, INTEREST SHALL BEGIN TO ACCRUE ON UNPAID EXPUNGEMENT FEES NINETY DAYS AFTER THE PERSON IS RELEASED FROM INCARCERATION.

(4) THE EXPUNGEMENT FEE CANNOT BE WAIVED. UPON A DETERMINATION OF INDIGENCE BY THE COURT, THE EXPUNGEMENT FEE SHALL BE SUBSTITUTED FOR A SENTENCE IN THE LIFE SKILLS DEVELOPMENT PROGRAM AS DESCRIBED IN SECTION 24-72-807 AND NO INTEREST SHALL ACCRUE.

(5) THERE SHALL BE NO IMPRISONMENT FOR NON-PAYMENT OF EXPUNGEMENT FEES.

(6) EXPUNGEMENT FEES ARE APPLICABLE TO JUVENILES IF THE SAME CONVICTION APPLIED TO AN ADULT WOULD INCUR AN EXPUNGEMENT FEE.

(7) CONVICTIONS THAT OCCUR ON OR BEFORE DECEMBER 31, 2020 SHALL NOT INCUR AN EXPUNGEMENT FEE.

24-72-806. Basic identification information. REGARDLESS OF EXPUNGEMENT, BASIC IDENTIFICATION INFORMATION MAY BE KEPT ON FILE BY ANY OFFICIAL CUSTODIAN.

24-72-807. Life skills development program – creation – advisory – qualification – conversion – substitution. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF PUBLIC SAFETY, THE LIFE SKILLS DEVELOPMENT PROGRAM. THE LIFE SKILLS DEVELOPMENT PROGRAM IS DESIGNED TO BE AN ALTERNATIVE TO AN EXPUNGEMENT FEE IN THE CASE OF INDIGENCE.

(2)(a) THERE IS HEREBY CREATED IN THE DEPARTMENT OF PUBLIC SAFETY, THE LIFE SKILLS DEVELOPMENT PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE “BOARD.”

(b) THE BOARD IS RESPONSIBLE FOR CREATING, IMPLEMENTING AND MAINTAINING THE PROVISIONS SET FORTH IN THIS

SECTION, INCLUDING BUT NOT LIMITED TO COMMUNITY MAINTENANCE, BEHAVIORAL HEALTH, MENTAL HEALTH, SUBSTANCE ABUSE, THERAPY AND VOCATIONAL TRAINING ALTERNATIVES TO AN EXPUNGEMENT FEE.

(c) THE BOARD SHALL SUPERVISE AND MONITOR THE PROGRESS OF PERSONS SENTENCED TO THE LIFE SKILLS PROGRAM AND PROVIDE THE INFORMATION TO THE COURT AS SENTENCES IN THE LIFE SKILLS PROGRAM ARE COMPLETED.

(d) THE BOARD SHALL ADOPT, BY RULE, ANY OTHER CRITERIA NECESSARY TO CREATE, IMPLEMENT OR MAINTAIN THE LIFE SKILLS DEVELOPMENT PROGRAM.

(3)(a) THE BOARD SHALL CONSIST OF THE FOLLOWING FIVE MEMBERS:

(I) THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;
AND

(V) AN INDIVIDUAL, APPOINTED BY THE GOVERNOR, WHO IS A FORMER OFFENDER WHO HAS DEMONSTRATED KNOWLEDGE OF THE CRIMINAL JUSTICE SYSTEM AND ITS IMPACT.

(b) THE GOVERNOR SHALL ATTEMPT TO APPOINT A BOARD MEMBER THAT REFLECTS THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE A MEMBER OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE DEPARTMENT OF PUBLIC SAFETY SHALL REPORT ON THE LIFE SKILLS DEVELOPMENT PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(5) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM THE REPORT MUST INCLUDE A LIST OF THE NUMBER OF INDIVIDUALS ADMITTED TO THE LIFE SKILLS PROGRAM, THE TOTAL NUMBER OF HOURS SENTENCED, THE TOTAL NUMBER OF HOURS COMPLETED AND THE EXPENSES RELATED TO THE CREATION, IMPLEMENTATION AND MAINTENANCE OF THE PROGRAM.

(6) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

(7)(a) UPON THE DETERMINATION OF INDIGENCE BY THE COURT, THE EXPUNGEMENT FEE SHALL BE SUBSTITUTED FOR A SENTENCE IN THE LIFE SKILLS DEVELOPMENT PROGRAM. THE LENGTH OF THE SENTENCE IN THE LIFE SKILLS DEVELOPMENT PROGRAM, IN HOURS, SHALL BE EQUAL TO THE RATIO, ROUNDED UP TO THE NEAREST INTEGER MULTIPLE OF TEN, OF THE EXPUNGEMENT FEE TO THE CURRENT COLORADO STATE MINIMUM WAGE. THE MINIMUM NUMBER OF HOURS TO BE SPENT IN THE LIFE SKILLS DEVELOPMENT PROGRAM SHALL BE FORTY.

(b) EXAMPLE:

EXPUNGEMENT FEE = \$1,000,
COLORADO MINIMUM WAGE = \$11.10/HOUR

(\$1,000 / (\$11.10/HOUR)) = 90.09 HOURS.

ROUND UP TO NEAREST INTEGER MULTIPLE OF TEN.

90.09 HOURS ROUNDS UP TO 100 HOURS.

100 HOURS IS GREATER THAN, OR EQUAL TO, 40 HOURS.

SENTENCE IN THE LIFE SKILLS DEVELOPMENT PROGRAM = 100 HOURS.

(8) THE FIRST FORTY HOURS IN THE LIFE SKILLS DEVELOPMENT PROGRAM SHALL BE ALLOTTED TO COMMUNITY MAINTENANCE.

(9)(a) UPON COMPLETION OF THE FIRST FORTY HOURS OF A CONVERTED SENTENCE IN COMMUNITY MAINTENANCE, A PERSON IS ELIGIBLE TO CONVERT THEIR REMAINING HOURS FROM COMMUNITY MAINTENANCE TO OTHER REHABILITATION AND EDUCATIONAL SERVICES AS DESCRIBED IN SUBSECTIONS (9)(b) AND (9)(c) OF THIS SECTION.

(b) SUBJECT TO AVAILABILITY, A PERSON IN THE LIFE SKILLS DEVELOPMENT PROGRAM MAY ATTEND BEHAVIORAL HEALTH, MENTAL HEALTH, OR SUBSTANCE ABUSE THERAPY CLASSES, SESSIONS OR GROUPS PROVIDED OR APPROVED BY THE LIFE SKILLS DEVELOPMENT PROGRAM IN LIEU OF COMMUNITY MAINTENANCE AFTER THE COMPLETION OF FORTY HOURS OF COMMUNITY MAINTENANCE.

(c) SUBJECT TO AVAILABILITY, AFTER THE COMPLETION OF FORTY HOURS OF COMMUNITY MAINTENANCE, AND THE SUBMISSION OF CERTIFICATION OF HIGH SCHOOL EQUIVALENCE, OR HIGHER EDUCATION, ONE MAY QUALIFY FOR OCCUPATIONAL EDUCATION PROVIDED, OR APPROVED, BY THE LIFE SKILLS DEVELOPMENT PROGRAM.

(10) SHOULD A PERSON CHOOSE NOT TO SPEND ANY HOURS AFTER THE INITIAL FORTY ON REHABILITATION OR EDUCATIONAL SERVICES AS DESCRIBED IN SUBSECTIONS (9)(b) OR (9)(c) OF THIS SECTION, THE PERSON SHALL SPEND THE REMAINING HOURS IN COMMUNITY MAINTENANCE.

(11) THERE IS NO TIME LIMIT FOR A PERSON TO COMPLETE THEIR SENTENCE IN THE LIFE SKILLS DEVELOPMENT PROGRAM. THE CRIMINAL RECORD OF THE PERSON WHO HAS NOT COMPLETED THEIR SENTENCE IN THE LIFE SKILLS DEVELOPMENT PROGRAM SHALL NOT BE EXPUNGED UNTIL ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT ARE SATISFIED, INCLUDING THEIR SENTENCE IN THE LIFE SKILLS DEVELOPMENT PROGRAM.

24-72-808. Class 2 petty offense convictions – eligibility – penalties. CLASS 2 PETTY OFFENSE CONVICTIONS SHALL BE SUBJECT TO AN EXPUNGEMENT PERIOD OF SIX MONTHS AND AN EXPUNGEMENT FEE OF THREE HUNDRED AND FIFTY DOLLARS FOR THE FIRST CONVICTION AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

24-72-809. Class 1 petty offense convictions – eligibility – penalties. CLASS 1 PETTY OFFENSE CONVICTIONS SHALL BE SUBJECT TO AN EXPUNGEMENT PERIOD OF SIX MONTHS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND SEVEN HUNDRED AND FIFTY DOLLARS FOR EACH SUBSEQUENT

CONVICTION.

24-72-810. Drug petty offense convictions – eligibility – penalties. DRUG PETTY OFFENSE CONVICTIONS SHALL BE SUBJECT TO AN EXPUNGEMENT PERIOD OF SIX MONTHS AND AN EXPUNGEMENT FEE OF THREE HUNDRED AND FIFTY DOLLARS FOR THE FIRST CONVICTION AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

24-72-811. Class 2 misdemeanor traffic offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2), (3), AND (4) OF THIS SECTION, ALL OTHER CLASS 2 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS SHALL BE SUBJECT TO AN EXPUNGEMENT PERIOD OF EIGHTEEN MONTHS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND ONE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING CLASS 2 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS SHALL BE SUBJECT TO AN EXPUNGEMENT PERIOD OF THREE YEARS AND AN EXPUNGEMENT FEE OF SEVEN HUNDRED AND FIFTY DOLLARS FOR THE FIRST CONVICTION AND ONE THOUSAND AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) SPEED EXHIBITIONS AS DESCRIBED IN SECTION 42-4-1105 (2).

(b) RECKLESS DRIVING AS DESCRIBED IN SECTION 42-4-1401.

(3) THE FOLLOWING CLASS 2 TRAFFIC MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF FIVE YEARS AND AN EXPUNGEMENT FEE OF FOUR THOUSAND DOLLARS FOR THE FIRST CONVICTION AND EIGHT THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) ELUDING OR ATTEMPTING TO ELUDE A POLICE OFFICER AS DESCRIBED IN SECTION 42-4-1413.

(4) THE FOLLOWING CLASS 2 TRAFFIC MISDEMEANOR CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF SEVEN YEARS AND AN EXPUNGEMENT FEE OF FIVE THOUSAND DOLLARS FOR THE FIRST CONVICTION AND TEN THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) DRIVING UNDER THE INFLUENCE – DRIVING WHILE ABILITY IMPAIRED – DRIVING WITH EXCESSIVE ALCOHOL CONTENT AS DESCRIBED IN SECTION 42-4-1301.

24-72-812. Class 1 misdemeanor traffic offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, ALL OTHER CLASS 2 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF THREE YEARS AND AN EXPUNGEMENT FEE OF ONE THOUSAND DOLLARS FOR THE FIRST CONVICTION AND TWO THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING CLASS 1 TRAFFIC MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT

PERIOD OF TWO YEARS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND ONE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) COMPULSORY INSURANCE AS DESCRIBED IN SECTION 42-4-1409 (4)(a).

(3) THE FOLLOWING CLASS 1 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF SEVEN YEARS AND AN EXPUNGEMENT FEE OF TWO THOUSAND AND FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND FIVE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) MANDATORY AND VOLUNTARY RESTRICTED LICENSES FOLLOWING ALCOHOL CONVICTIONS AS DESCRIBED IN SECTION 42-2-132.5 (10).

(4) THE FOLLOWING CLASS 1 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(a) CARELESS DRIVING RESULTING IN UNLAWFUL TERMINATION OF PREGNANCY AS DESCRIBED IN SECTION 18-3.5-109.

(b) CARELESS DRIVING AS DESCRIBED IN 42-4-1402 (2)(c).

(c) OPERATION OF A VEHICLE APPROACHED BY EMERGENCY VEHICLE – OPERATION OF VEHICLE APPROACHING STATIONARY EMERGENCY VEHICLE, STATIONARY TOWING CARRIER VEHICLE, OR STATIONARY PUBLIC UTILITY SERVICE VEHICLE AS DESCRIBED IN SECTION 42-4-705 (3)(b)(III).

24-72-813. Level 2 drug misdemeanor offense convictions – eligibility – penalties. LEVEL 2 DRUG MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF ONE YEAR AND AN EXPUNGEMENT FEE OF TWO HUNDRED AND FIFTY DOLLARS FOR THE FIRST CONVICTION AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

24-72-814. Level 1 drug misdemeanor offense convictions – eligibility – penalties. LEVEL 1 DRUG MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF EIGHTEEN MONTHS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS FOR EACH CONVICTION.

24-72-815. Level 4 drug felony offense convictions – eligibility – penalties. LEVEL 4 DRUG FELONY OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF TWO YEARS AND AN EXPUNGEMENT FEE OF SEVEN HUNDRED AND FIFTY DOLLARS FOR THE FIRST CONVICTION AND ONE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

24-72-816. Level 3 drug felony offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTION (2), OF THIS SECTION, ALL OTHER LEVEL 3 DRUG FELONY OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF THREE YEARS AND AN EXPUNGEMENT FEE OF ONE THOUSAND AND FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND TWO THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING LEVEL 3 DRUG FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(a) CONTROLLED SUBSTANCES – INDUCING CONSUMPTION BY FRAUDULENT MEANS AS DESCRIBED IN SECTION 18-18-416.

24-72-817. Level 2 drug felony offense convictions – eligibility. LEVEL 2 DRUG FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-818. Level 1 drug felony offense convictions – eligibility. LEVEL 1 DRUG FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-819. Class 3 misdemeanor offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION, ALL OTHER CLASS 3 MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF EIGHTEEN MONTHS AND AN EXPUNGEMENT FEE OF ONE THOUSAND DOLLARS FOR THE FIRST CONVICTION AND ONE THOUSAND AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING CLASS 3 MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF TWO YEARS AND AN EXPUNGEMENT FEE OF ONE THOUSAND AND FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND TWO THOUSAND AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) MENACING AS DESCRIBED IN SECTION 18-3-206 (1).

(b) RECKLESS ENDANGERMENT AS DESCRIBED IN SECTION 18-3-208.

(c) FAILURE OR REFUSAL TO LEAVE PREMISES OR PROPERTY UPON REQUEST OF A PEACE OFFICER AS DESCRIBED IN SECTION 18-9-119 (2).

24-72-820. Class 2 misdemeanor offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, ALL OTHER CLASS 2 MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF EIGHTEEN MONTHS AND AN EXPUNGEMENT FEE OF TWO THOUSAND DOLLARS FOR THE FIRST CONVICTION AND TWO THOUSAND AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING CLASS 2 MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF THREE YEARS AND AN EXPUNGEMENT FEE OF TWO THOUSAND AND FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND THREE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) THEFT OF TRADE SECRETS AS DESCRIBED IN SECTION 18-4-408.

(b) VIOLATION OF A PROTECTION ORDER AS DESCRIBED IN SECTION 18-6-803.5 (2)(a).

(c) KEEPING A PLACE OF PROSTITUTION AS DESCRIBED IN SECTION 18-7-204.

(d) VIOLATING ANY OF THE PROVISIONS OF PART 5 OF ARTICLE 7 OF TITLE 18 REGARDING SEXUALLY EXPLICIT MATERIALS THAT ARE HARMFUL TO CHILDREN.

(e) RESISTING ARREST AS DESCRIBED IN SECTION 18-8-103.

(f) OBSTRUCTING A PEACE OFFICER, FIREFIGHTER, EMERGENCY SERVICE PROVIDER, RESCUE SPECIALIST, OR VOLUNTEER AS DESCRIBED IN SECTION 18-8-104.

(g) UNLAWFULLY CARRYING A CONCEALED WEAPON – UNLAWFUL POSSESSION OF WEAPONS AS DESCRIBED IN SECTION 18-12-105.

(h) PROHIBITED USE OF WEAPONS AS DESCRIBED IN SECTION 18-12-106.

(i) POSSESSION OF HANDGUNS BY JUVENILES AS DESCRIBED IN SECTION 18-12-108.5.

(3) THE FOLLOWING CLASS 2 MISDEMEANOR OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(a) CRIMINAL INVASION OF PRIVACY AS DESCRIBED IN SECTION 18-7-801.

(b) FAILURE OR REFUSAL TO LEAVE PREMISES OR PROPERTY UPON REQUEST OF A PEACE OFFICER AS DESCRIBED IN SECTION 18-9-119 (3)

24-72-821. Class 1 misdemeanor offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2), (3) AND (4) OF THIS SECTION, ALL OTHER CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF TWO YEARS AND AN EXPUNGEMENT FEE OF TWO THOUSAND AND FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND THREE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF FIVE YEARS AND AN EXPUNGEMENT FEE OF THREE THOUSAND DOLLARS FOR THE FIRST CONVICTION AND FOUR THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) ASSAULT IN THE THIRD DEGREE AS DESCRIBED IN SECTION 18-3-204 (a).

(3) THE FOLLOWING CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF SEVEN YEARS AND AN EXPUNGEMENT FEE OF FOUR THOUSAND DOLLARS FOR THE FIRST CONVICTION AND FIVE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) SECOND DEGREE FORGERY AS DESCRIBED IN SECTION 18-5-104.

(b) CRIMINAL SIMULATION AS DESCRIBED IN SECTION 18-5-110.

(c) VIOLATION OF A PROTECTION ORDER AS DESCRIBED IN SECTION 18-6-803.5 (2)(a).

(4) THE FOLLOWING CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(a) ASSAULT IN THE THIRD DEGREE AS DESCRIBED IN SECTIONS 18-3-204 (b) AND (c).

(b) CRIMES AGAINST AT-RISK PERSONS AS DESCRIBED IN SECTION 18-6.5-103 (6).

(c) SEXUAL ASSAULT AS DESCRIBED IN SECTION 18-3-402 (3).

(d) UNLAWFUL SEXUAL CONTACT AS DESCRIBED IN SECTION 18-3-404 (2)(a).

(e) SEXUAL ASSAULT ON A CLIENT BY A PSYCHOTHERAPIST AS DESCRIBED IN SECTION 18-3-405.5 (2).

(f) INVASION OF PRIVACY FOR SEXUAL GRATIFICATION AS DESCRIBED IN SECTION 18-3-405.6 (2)(a).

(g) FAILURE TO REGISTER AS A SEX OFFENDER AS DESCRIBED IN SECTION 18-3-412.5 (3).

(h) PERSONAL INFORMATION ON THE INTERNET – LAW ENFORCEMENT OFFICIAL AS DESCRIBED IN SECTION 18-9-313 (2).

(i) POSTING A PRIVATE IMAGE FOR HARASSMENT AS DESCRIBED IN SECTION 18-7-107 (1).

(j) POSTING A PRIVATE IMAGE FOR PECUNIARY GAIN AS DESCRIBED IN SECTION 18-7-108 (1).

24-72-822. Class 6 felony offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, ALL OTHER CLASS 6 FELONY OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF THREE YEARS AND AN EXPUNGEMENT FEE OF THREE THOUSAND DOLLARS FOR THE FIRST CONVICTION AND FOUR THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING CLASS 6 FELONY OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF SEVEN YEARS AND AN EXPUNGEMENT FEE OF FIVE THOUSAND DOLLARS FOR THE FIRST CONVICTION AND SEVEN THOUSAND AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) INCITING DESTRUCTION OF LIFE OR PROPERTY AS DESCRIBED IN SECTION 18-11-202.

(b) FIRING WOODS OR PRAIRIE AS DESCRIBED IN SECTION 18-13-109 (2)(a).

(3) THE FOLLOWING CLASS 6 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(a) INVASION OF PRIVACY FOR SEXUAL GRATIFICATION AS DESCRIBED IN SECTION 18-3-405.6 (2)(b).

(b) FAILURE TO REGISTER AS A SEX OFFENDER AS DESCRIBED IN SECTION 18-3-412.5 (2).

(c) UNLAWFUL TERMINATION OF PREGNANCY IN THE FOURTH DEGREE AS DESCRIBED IN SECTION 18-3.5-106 (2)(a)

(d) CRIMES AGAINST AT-RISK PERSONS AS DESCRIBED IN SECTIONS 18-6.5-103 (2)(c), (3)(c), (7)(c), AND (7)(f).

(e) INDECENT EXPOSURE AS DESCRIBED IN SECTION 18-7-302 (4).

(f) FALSE REPORT OF EXPLOSIVES, WEAPONS, OR HARMFUL SUBSTANCES AS DESCRIBED IN SECTION 18-8-110.

(g) IMPERSONATING A PEACE OFFICER AS DESCRIBED IN SECTION 18-8-112.

(h) CRUELTY TO ANIMALS AS DESCRIBED IN SECTIONS 18-9-202 (2)(b)(I) AND (2)(c).

(i) POSSESSION OF WEAPONS BY PREVIOUS OFFENDERS AS DESCRIBED IN SECTIONS “18-12-108 (2)(a) AND (4)(a).

24-72-823. Class 5 felony offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2), (3) OF THIS SECTION, ALL OTHER CLASS 5 FELONY OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF FIVE YEARS AND AN EXPUNGEMENT FEE OF FIVE THOUSAND DOLLARS FOR THE FIRST CONVICTION AND SEVEN THOUSAND AND FIVE HUNDRED DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) THE FOLLOWING CLASS 5 FELONY OFFENSE CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF SEVEN YEARS AND AN EXPUNGEMENT FEE OF SEVEN THOUSAND AND FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND TEN THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

- (a) VEHICULAR ASSAULT AS DESCRIBED IN SECTIONS 18-3-205 (1)(a) AND (1)(b).
- (b) THEFT OF TRADE SECRETS AS DESCRIBED IN SECTION 18-4-408 (3).
- (c) AGGRAVATED MOTOR VEHICLE THEFT AS DESCRIBED IN SECTIONS 18-4-409 (3)(a) AND (4)(a).
- (d) CRIMES AGAINST AT-RISK PERSONS AS DESCRIBED IN SECTIONS 18-6.5-103 (2)(b), (3)(b) AND (5).
- (e) INCITING RIOT AS DESCRIBED IN SECTION 18-9-102.
- (f) VEHICULAR ELUDING AS DESCRIBED IN SECTION 18-9-116.5 (2)(a).
- (g) POSSESSION OF A DANGEROUS OR ILLEGAL WEAPON AS DESCRIBED IN SECTION 18-12-102.
- (h) ILLEGAL SALE OF WILDLIFE AS DESCRIBED IN SECTION 33-6-113 (2)(a).
- (3) THE FOLLOWING, CLASS 5 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.
 - (a) CRIMINALLY NEGLIGENT HOMICIDE AS DESCRIBED IN SECTION 18-3-105.
 - (b) MENACING AS DESCRIBED IN SECTIONS 18-3-206 (1)(a) AND (1)(b).
 - (c) FALSE IMPRISONMENT AS DESCRIBED IN SECTION 18-3-303 (2).
 - (d) VIOLATION OF A CUSTODY ORDER OR ORDER RELATING TO PARENTAL RESPONSIBILITIES AS DESCRIBED IN SECTIONS 18-3-304 (1) AND (2).
 - (e) INTERNET LURING OF A CHILD AS DESCRIBED IN SECTION 18-3-306 (3).
 - (f) FAILURE TO REGISTER AS A SEX OFFENDER AS DESCRIBED IN SECTION 18-3-412.5 (2)(a).
 - (g) STALKING AS DESCRIBED IN SECTION 18-3-602 (3)(a).
 - (h) UNLAWFUL TERMINATION OF PREGNANCY IN THE SECOND DEGREE AS DESCRIBED IN SECTION 18-3.5-104 (2)(b).
 - (i) UNLAWFUL TERMINATION OF PREGNANCY IN THE THIRD DEGREE AS DESCRIBED IN SECTION 18-3.5-105.
 - (j) UNLAWFUL TERMINATION OF PREGNANCY IN THE FOURTH DEGREE AS DESCRIBED IN SECTION 18-3.5-106 (2)(b).
 - (k) VEHICULAR UNLAWFUL TERMINATION OF PREGNANCY AS DESCRIBED IN SECTION 18-3.5-107.
 - (l) CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401 (7)(e).
 - (m) SEXUAL EXPLOITATION OF A CHILD AS DESCRIBED IN SECTION 18-6-403 (5)(b).
 - (n) DOMESTIC VIOLENCE – SENTENCING AS DESCRIBED IN SECTION 18-6-801 (7).

- (o) PANDERING AS DESCRIBED IN SECTION 18-7-203 (2).
- (p) DISARMING A PEACE OFFICER AS DESCRIBED IN SECTION 18-8-116.
- (q) EMBEZZLEMENT OF PUBLIC PROPERTY AS DESCRIBED IN SECTION 18-8-407.
- (r) JURY TAMPERING AS DESCRIBED IN SECTION 18-8-609.
- (s) FAILURE OR REFUSAL TO LEAVE PREMISES OR PROPERTY UPON REQUEST OF A PEACE OFFICER AS DESCRIBED IN SECTION 18-9-119 (7).
- (t) TERRORIST TRAINING ACTIVITIES AS DESCRIBED IN SECTION 18-9-120 (2).
- (u) BIAS-MOTIVATED CRIMES AS DESCRIBED IN SECTION 18-9-121 (3).
- (v) AGGRAVATED CRUELTY TO ANIMALS AS DESCRIBED IN SECTION 18-9-202 (2)(c).
- (w) ANIMAL FIGHTING AS DESCRIBED IN SECTION 18-9-204 (2)(a).
- (x) INSURRECTION AS DESCRIBED IN SECTION 18-11-102.
- (y) ADVOCATING OVERTHROW OF GOVERNMENT AS DESCRIBED IN SECTION 18-11-201.
- (z) MEMBERSHIP IN ANARCHISTIC AND SEDITIOUS ASSOCIATIONS AS DESCRIBED IN SECTION 18-11-203.
- (aa) USE OF STUN GUNS AS DESCRIBED IN SECTION 18-12-106.5.
- (bb) PENALTY FOR A SECOND OFFENSE AS DESCRIBED IN SECTION 18-12-107.
- (cc) ILLEGAL DISCHARGE OF A FIREARM AS DESCRIBED IN SECTION 18-12-107.5.
- (dd) POSSESSION OF WEAPONS BY PREVIOUS OFFENDERS AS DESCRIBED IN SECTIONS 18-12-108 (2)(b), (2)(c), (4)(b), AND (4)(c).
- (ee) POSSESSION OF HANDGUNS BY JUVENILES AS DESCRIBED IN SECTION 18-12-108.5 (1)(c)(II).
- (ff) POSSESSION, USE, OR REMOVAL OF EXPLOSIVES OR INCENDIARY DEVICES – POSSESSION OF COMPONENTS THEREOF – CHEMICAL, BIOLOGICAL, AND NUCLEAR WEAPONS – HOAXES AS DESCRIBED IN SECTION 18-12-109 (7).
- (gg) FINANCING EXTORTIONATE EXTENSIONS OF CREDIT AS DESCRIBED IN SECTION 18-15-105.
- (hh) WILLFUL DESTRUCTION OF WILDLIFE AS DESCRIBED IN SECTIONS 33-6-117 (1)(a) AND (1)(b)(I).

24-72-824. Class 4 felony offense convictions – eligibility – penalties. (1) EXCEPT AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION, ALL OTHER CLASS 4 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(2) THE FOLLOWING CLASS 4 FELONY CONVICTIONS ARE SUBJECT TO AN EXPUNGEMENT PERIOD OF SEVEN YEARS AND AN EXPUNGEMENT FEE SEVEN THOUSAND AND FIVE HUNDRED DOLLARS FOR THE FIRST CONVICTION AND TEN THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(a) FOURTH DEGREE ARSON AS DESCRIBED IN SECTION 18-4-105 (2).

(b) CONTRIBUTING TO THE DELINQUENCY OF A MINOR AS DESCRIBED IN SECTION 18-6-701.

(c) TRAFFICKING IN FOOD STAMPS AS DESCRIBED IN SECTIONS 26-2-306 (2)(c) AND (3).

24-72-825. Class 3 felony offense convictions – eligibility. CLASS 3 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-826. Class 2 felony offense convictions – eligibility. CLASS 2 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-827. Class 1 felony offense convictions – eligibility. CLASS 1 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-828. Responsibilities – Penalties – Effects of Expungement. (1)(a) ON OR BEFORE DECEMBER 31, 2021, ANY OFFICIAL CUSTODIAN OF CRIMINAL RECORDS SHALL EXPUNGE ALL CRIMINAL RECORDS ELIGIBLE FOR IMMEDIATE EXPUNGEMENT WHEN CONVICTION OCCURS ON OR BEFORE DECEMBER 31, 2020. THE DELETION, REMOVAL, PHYSICAL AND ELECTRONIC DESTRUCTION OR ERASURE OF A CRIMINAL RECORD CONSTITUTES EXPUNGEMENT. FAILURE TO COMPLY WITH THIS ORDER SHALL RESULT IN A ONE HUNDRED DOLLAR PER WEEK PENALTY, ROUNDED UP TO THE NEAREST WEEK, TO BE PAID BY THE STATE TO THE PERSON WHO LEGALLY SHOULD NOT HAVE THE CRIMINAL RECORD.

(b) ON, OR BEFORE, JULY 1, 2021, THE DEPARTMENT OF PUBLIC SAFETY SHALL PROVIDE A REPORT, LIST OR DATABASE OF CRIMINAL RECORDS ELIGIBLE FOR IMMEDIATE EXPUNGEMENT FOR CONVICTIONS THAT OCCURRED ON OR BEFORE DECEMBER 31, 2020 TO EACH JUDICIAL COURT IN THE JUDICIAL DISTRICT WHERE ANY CRIMINAL RECORD ELIGIBLE FOR IMMEDIATE EXPUNGEMENT EXISTS. ON THE FIRST DAY OF EACH MONTH THEREAFTER, A CURRENT REPORT, LIST OR DATABASE OF CRIMINAL RECORDS ELIGIBLE FOR IMMEDIATE EXPUNGEMENT WILL BE PROVIDED TO EACH JUDICIAL COURT IN EACH JUDICIAL DISTRICT WHERE ANY CRIMINAL RECORD ELIGIBLE FOR IMMEDIATE EXPUNGEMENT EXISTS

(c) WITHIN FIFTEEN CALENDAR DAYS OF RECEIVING THE REPORT, LIST OR DATABASE FROM THE DEPARTMENT OF PUBLIC SAFETY, THE JUDICIAL COURT SHALL ISSUE AN ORDER FOR THE EXPUNGEMENT OF ALL CRIMINAL RECORDS ELIGIBLE FOR IMMEDIATE EXPUNGEMENT. THE COURT NEED NOT ISSUE EXPUNGEMENT ORDERS FOR CRIMINAL RECORDS INDIVIDUALLY.

(d) EVERY OFFICIAL CUSTODIAN OF CRIMINAL RECORDS SHALL BE RESPONSIBLE FOR UPDATING AND MAINTAINING THEIR EXISTING TECHNOLOGICAL CAPABILITIES OR PERSONNEL TO BE COMPLAINT WITH THE DESTRUCTION OF CRIMINAL RECORDS ELIGIBLE FOR EXPUNGEMENT.

(e) CRIMINAL RECORDS ELIGIBLE FOR IMMEDIATE EXPUNGEMENT FOR CONVICTIONS THAT OCCUR AFTER JANUARY 1, 2021 SHALL BE EXPUNGED WITHIN NINETY DAYS OF THEIR IMMEDIATE ELIGIBILITY. FAILURE TO COMPLY WITH THIS ORDER SHALL RESULT IN A ONE HUNDRED DOLLAR PER WEEK PENALTY, ROUNDED UP TO THE NEAREST WEEK, TO BE PAID BY THE STATE TO THE PERSON WHO LEGALLY SHOULD NOT HAVE THE CRIMINAL RECORD.

(2) UPON THE ORDER OF EXPUNGEMENT, ANY CRIMINAL JUSTICE AGENCY MAY PROPERLY REPLY, UPON ANY INQUIRY INTO THE MATTER, THAT NO SUCH RECORD EXISTS.

(3) A PERSON WHO HAD A CRIMINAL RECORD THAT WAS EXPUNGED NEED NOT ANSWER TO ANY QUESTION CONCERNING THE CRIMINAL RECORDS THAT HAVE BEEN EXPUNGED, INCLUDING A REFERENCE TO, OR INFORMATION CONCERNING, THE EXPUNGED INFORMATION AND MAY STATE THAT NO SUCH ACTION HAS EVER OCCURRED.

(4) ANY RECORD THAT IS ORDERED EXPUNGED SHALL NOT BE AVAILABLE TO ANY JUDGE OR PROBATION DEPARTMENT FOR USE IN ANY FUTURE PROCEEDING IN WHICH THE PERSON WHOSE RECORD WAS EXPUNGED IS CHARGED WITH AN OFFENSE AS EITHER A JUVENILE OR AS AN ADULT.

24-72-829. Private Custodians. (1) PRIVATE CUSTODIANS BARE SOLE RESPONSIBILITY FOR MAINTAINING AND PROVIDING ACCURATE CRIMINAL RECORDS. IT IS THE RESPONSIBILITY OF THE PRIVATE CUSTODIAN TO INQUIRE OFFICIAL CUSTODIANS FOR ACCURATE CRIMINAL RECORDS INFORMATION.

(2) ANY PRIVATE CUSTODIAN WHO PROVIDES CRIMINAL RECORDS INFORMATION ABOUT A PERSON CONCERNING RECORDS WHICH HAVE BEEN EXPUNGED, OR DO NOT EXIST, COMMITS A CLASS 3 MISDEMEANOR.

24-72-830. Expungement fee cash fund – creation – administration. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE EXPUNGEMENT FEE CASH FUND. ALL MONEY DERIVED FROM THE COLLECTION OF EXPUNGEMENT FEES AND ANY INTEREST PURSUANT TO SECTION 24-72-805 (3) SHALL BE CREDITED TO THE EXPUNGEMENT FEE CASH FUND.

(2) AT THE END OF EVERY FISCAL YEAR, ALL INTEREST DERIVED FROM THE DEPOSIT OF EXPUNGEMENT FEES AND INTEREST PURSUANT TO SECTION 24-72-805 (3) SHALL BE DEPOSITED INTO THE COLORADO STATE SCHOOL SUPPLY FUND CREATED BY SECTION 24-72-840.

(3)(a) EXCEPT AS DESCRIBED IN SUBSECTIONS (3)(b) AND (3)(v) OF THIS SECTION, ALL MONEY SHALL BE APPROPRIATED AS DESCRIBED AT THE BEGINNING OF EVERY FISCAL YEAR. ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE EXPUNGEMENT FEE CASH FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND EXCEPT AS DESCRIBED IN SUBSECTIONS (3)(b) AND (3)(v) OF THIS SECTION AND SHALL REMAIN IN THE FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR IN EQUAL PROPORTION TO THE APPROPRIATIONS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

(b)(i) PRIOR TO THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, APPROPRIATIONS FOR ADMINISTRATIVE EXPENSES SHALL BE AVAILABLE FOR EXPENDITURE AT THE BEGINNING OF EACH MONTH. ADMINISTRATIVE EXPENSES INCLUDE, BUT ARE NOT LIMITED TO, THE ELECTRONIC AND PHYSICAL DESTRUCTION BY EVERY OFFICIAL CUSTODIAN OF CRIMINAL RECORDS ELIGIBLE FOR IMMEDIATE EXPUNGEMENT AND FOR PENALTIES PAID BY THE STATE FOR FAILURE TO COMPLY.

(ii) PRIOR TO THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, TEN PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE AS NECESSARY FOR ADMINISTRATIVE EXPENSES ASSOCIATED WITH THE EXPUNGEMENT OF CRIMINAL RECORDS.

(iii) BEGINNING AT THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, FIVE PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE AS NECESSARY FOR ADMINISTRATIVE EXPENSES.

(IV) IF THIS APPROPRIATION IS INSUFFICIENT TO SATISFY THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE EXPUNGEMENT OF CRIMINAL RECORDS, APPROPRIATIONS FROM SECTION 24-72-830 (3)(v) SHALL BE USED TO SUPPLEMENT THE EXPENSES.

(c) FIVE PERCENT SHALL BE APPROPRIATED TO THE COLORADO DEPARTMENT OF HUMAN SERVICES TO SUPPLEMENT, NOT SUPPLANT, MONEY USED FOR INCREASING ACCESS TO EFFECTIVE SUBSTANCE USE DISORDER SERVICES, INCLUDING EVALUATION OF INTENSIVE RESIDENTIAL TREATMENT PURSUANT TO S.B. 16-202 AND BEHAVIORAL AND MENTAL HEALTH SERVICES FOR JUVENILE AND ADULT OFFENDERS.

(d) TEN PERCENT SHALL BE APPROPRIATED TO THE LIFE SKILLS DEVELOPMENT PROGRAM FUND CREATED BY SECTION 24-72-831.

(e) EIGHT PERCENT SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND CREATED BY SECTION 24-72-832.

(f) FIVE PERCENT SHALL BE APPROPRIATED TO THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND CREATED BY SECTION 24-72-833.

(g) FIVE PERCENT SHALL BE APPROPRIATED TO THE AURARIA HIGHER EDUCATION CENTER FOR THE EXCLUSIVE PURPOSE OF AWARING GRANTS AND SCHOLARSHIPS TO LOW INCOME, REENTRY CITIZENS OR STUDENTS SPECIALIZING IN SCIENCE, TECHNOLOGY, ENGINEERING OR MATHEMATICAL FIELDS.

(h)(i) TEN PERCENT SHALL BE APPROPRIATED TO THE COLORADO DEPARTMENT OF LOCAL AFFAIRS TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN HOUSING DEVELOPMENT GRANT FUND AS DESCRIBED IN SECTION 24-32-721 (1) AND THE HOUSING ASSISTANCE FOR PERSONS TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH FUND AS DESCRIBED IN SECTION 24-32-721 (4).

(ii) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS SHALL HAVE SOLE DISCRETION ON THE ALLOCATION OF THE FUNDING DESCRIBED IN SUBSECTION (3)(h)(i) OF THIS SECTION.

(i) EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM FUND:

(I) PRIOR TO THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, TWO PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM FUND CREATED BY SECTION 24-72-834.

(II) BEGINNING AT THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, FIVE PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT ANY MONEY IN THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM FUND CREATED BY SECTION 24-72-834.

(j) FIVE PERCENT SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN THE VETERAN PEER SUPPORT FUND CREATED BY SECTION 24-72-835.

(k) ONE PERCENT SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN THE COLORADO DOMESTIC ABUSE FUND FOR THE EXCLUSIVE PURPOSE OF SUPPORTING COMMUNITY-BASED DOMESTIC VIOLENCE ADVOCACY PROGRAMS THAT INTERVENE, PREVENT AND RESPOND TO DOMESTIC VIOLENCE.

(l) ONE PERCENT SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, NO DUI COLORADO COALITIONS FOR THE

EXCLUSIVE PURPOSES OF WORKING TO PREVENT IMPAIRED DRIVING AND/OR THE LOCAL CONDITIONS THAT FACILITATE THIS BEHAVIOR AT ALL LEVELS OF THE COMMUNITY, ESPECIALLY AMONG YOUNG DRIVERS.

(M) PEACE OFFICERS MENTAL HEALTH SUPPORT PROGRAM CREATED BY SECTION 24-32-3501:

(I) PRIOR TO THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, THREE PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN THE PEACE OFFICERS MENTAL HEALTH SUPPORT PROGRAM CREATED BY SECTION 24-32-3501.

(II) BEGINNING AT THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, EIGHT PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT ANY MONEY IN THE PEACE OFFICERS MENTAL HEALTH SUPPORT PROGRAM CREATED BY SECTION 24-32-3501.

(n) COUNSELING SERVICES FOR FIREFIGHTERS:

(I) PRIOR TO THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, TWO PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY USED FOR THE EXCLUSIVE PURPOSE OF PROVIDING COUNSELING SERVICES TO FIREFIGHTERS.

(II) BEGINNING AT THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, FOUR PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY USED FOR THE EXCLUSIVE PURPOSE OF PROVIDING COUNSELING SERVICES TO FIREFIGHTERS.

(o) COUNSELING SERVICES FOR EMERGENCY MEDICAL TECHNICIANS:

(I) PRIOR TO THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, TWO PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY USED FOR THE EXCLUSIVE PURPOSE OF PROVIDING COUNSELING SERVICES TO EMERGENCY MEDICAL TECHNICIANS.

(II) BEGINNING AT THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, FOUR PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY USED FOR THE EXCLUSIVE PURPOSE OF PROVIDING COUNSELING SERVICES TO EMERGENCY MEDICAL TECHNICIANS.

(p) TWO PERCENT SHALL BE APPROPRIATED TO THE FIRST RESPONDER SAFETY EQUIPMENT FUND CREATED BY SECTION 24-72-836.

(q) ONE PERCENT SHALL BE APPROPRIATED TO THE FALLEN FIRST RESPONDER FUND CREATED BY SECTION 24-72-837.

(r) FIVE PERCENT SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN THE AGRICULTURAL EDUCATION SCHOLARSHIP FUND CREATED BY SECTION 24-72-838.

(s) ONE PERCENT SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONEY IN THE COLORADO PET OVERPOPULATION FUND FOR THE EXCLUSIVE PURPOSE OF PROVIDING GRANTS TO CARE FOR HOMELESS PETS AND TO SUBSIDIZE SPAY AND NEUTER SURGERIES OF OWNED PETS IN UNDERSERVED AREAS THROUGH PET ANIMAL CARE FACILITIES ACT (PACFA) LICENSED FACILITIES.

(t) FOUR PERCENT SHALL BE APPROPRIATED THE DEPARTMENT OF NATURAL RESOURCES FOR THE EXCLUSIVE PURPOSES DESCRIBED SUBSECTIONS (3)(t)(I) AND (3)(t)(II) OF THIS SECTION.

(I) FIFTY PERCENT OF THE TOTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES BY THE EXPUNGEMENT FEE CASH FUND SHALL BE USED TO SUPPLEMENT, NOT SUPPLANT, THE GREAT OUTDOORS COLORADO (GOCO) PARKS CAPITAL BUDGET.

(II) FIFTY PERCENT OF THE TOTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES BY THE EXPUNGEMENT FEE CASH FUND SHALL BE USED TO SUPPLEMENT, NOT SUPPLANT, THE GREAT OUTDOORS COLORADO PARKS OPERATING BUDGET.

(u) FIVE PERCENT SHALL BE APPROPRIATED TO THE COUNTY TREASURY IN WHICH THE CONVICTION OCCURRED FOR THE EXCLUSIVE PURPOSE OF BUILDING AND MAINTAINING PARKS AND RECREATION LOCATED WITHIN THAT COUNTY.

(v) APPROPRIATIONS TO THE GENERAL FUND AS DESCRIBED IN SUBSECTIONS (3)(v)(I) AND (3)(v)(II) OF THIS SECTION SHALL BE AVAILABLE FOR EXPENDITURE ON THE BEGINNING OF EVERY FISCAL MONTH, IF APPLICABLE:

(I) PRIOR TO THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, TEN PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE AT THE BEGINNING OF EACH MONTH BY THE GENERAL FUND UNLESS THE ADMINISTRATIVE EXPENSES ASSOCIATED WITH EXPUNGEMENT EXCEED THE AMOUNT APPROPRIATED BY SUBSECTION (3)(b) OF THIS SECTION.

(II) BEGINNING AT THE END OF THE FIRST FULL FISCAL YEAR FOLLOWING JANUARY 1, 2021, THREE PERCENT SHALL BE APPROPRIATED AND AVAILABLE FOR EXPENDITURE AT THE BEGINNING OF EACH MONTH BY THE GENERAL FUND UNLESS THE ADMINISTRATIVE EXPENSES ASSOCIATED WITH EXPUNGEMENT EXCEED THE AMOUNT APPROPRIATED BY SUBSECTION (3)(b) OF THIS SECTION.

(w) THREE PERCENT SHALL BE APPROPRIATED TO THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND CREATED BY SECTION 24-72-839.

24-72-831. Life skills development program fund – creation – administration. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE LIFE SKILLS DEVELOPMENT PROGRAM FUND.

(2) MONEY IN THE LIFE SKILLS DEVELOPMENT PROGRAM FUND SHALL BE USED TO SUPPLEMENT THE LIFE SKILLS DEVELOPMENT PROGRAM TO DEVELOP AND MAINTAIN COMMUNITY MAINTENANCE, REHABILITATION, AND VOCATIONAL EDUCATION PROGRAMS AS DESCRIBED IN SECTION 24-72-807.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE LIFE SKILLS DEVELOPMENT PROGRAM FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE LIFE SKILLS DEVELOPMENT PROGRAM FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES INTO THE LIFE SKILLS DEVELOPMENT PROGRAM FUND SHALL NOT BE TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE LIFE SKILLS DEVELOPMENT PROGRAM FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

24-72-832. Colorado occupational education scholarship fund – creation – administration.

(1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP PROGRAM.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND, EXCEPT FOR INTEREST, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND SHALL BE CREDITED TO THE COLORADO STATE SCHOOL SUPPLY FUND CREATED BY SECTION 24-72-840.

24-72-833. Geriatrics healthcare professional scholarship fund – creation –administration.

(1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP PROGRAM.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND, EXCEPT FOR INTEREST AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND SHALL BE CREDITED TO THE COLORADO STATE SCHOOL SUPPLY FUND CREATED BY SECTION 24-72-840.

24-72-834. Expanded learning opportunity grant program fund – creation – administration.

(1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM FUND.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM FUND, INCLUDING ANY INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

24-72-835. Veteran peer support fund – creation – administration. (1) THERE IS HEREBY CREATED

IN THE OFFICE OF THE STATE TREASURER, THE VETERAN PEER SUPPORT FUND.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE VETERAN PEER SUPPORT FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE VETERAN PEER SUPPORT GRANT PROGRAM.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE VETERAN PEER SUPPORT FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE VETERAN PEER SUPPORT FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE VETERAN PEER SUPPORT FUND SHALL NOT BE CREDITED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE VETERAN PEER SUPPORT FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

24-72-836. First responder safety equipment fund – creation – administration. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE FIRST RESPONDER SAFETY EQUIPMENT FUND.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE FIRST RESPONDER SAFETY EQUIPMENT FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE FIRST RESPONDER SAFETY EQUIPMENT GRANT PROGRAM.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FIRST RESPONDER SAFETY EQUIPMENT FUND, EXCEPT FOR INTEREST AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE FIRST RESPONDER SAFETY EQUIPMENT FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE FIRST RESPONDER SAFETY EQUIPMENT FUND SHALL BE CREDITED TO THE COLORADO STATE SCHOOL SUPPLY FUND CREATED BY SECTION 24-72-840.

24-72-837. Fallen first responders fund – creation – administration. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE FALLEN FIRST RESPONDERS FUND.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE FALLEN FIRST RESPONDERS FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE FALLEN FIRST RESPONDERS GRANT PROGRAM.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY AND ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE FALLEN FIRST RESPONDERS FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

24-72-838. Agricultural education scholarship fund – creation – administration. (1) THERE IS

HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE AGRICULTURAL EDUCATION SCHOLARSHIP FUND.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE AGRICULTURAL EDUCATION SCHOLARSHIP FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE AGRICULTURAL EDUCATION SCHOLARSHIP PROGRAM.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE AGRICULTURAL EDUCATION SCHOLARSHIP FUND, EXCEPT FOR INTEREST AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE AGRICULTURAL EDUCATION SCHOLARSHIP FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE AGRICULTURAL EDUCATION SCHOLARSHIP FUND SHALL BE CREDITED TO THE COLORADO STATE SCHOOL SUPPLY FUND.

24-72-839. Strategic action planning group on expungement fund – creation – administration. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND.

(2) SUBJECT TO APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND, ANY MONEY IN THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND ARE TO BE USED FOR THE DEVELOPMENT, MANAGEMENT AND EXECUTION OF STRATEGIC ACTION PLANNING GROUPS TO STUDY THE EFFECTS OF EXPUNGEMENT AND TO PROVIDE OVERVIEWS, FORECASTS, GOALS AND RECOMMENDATIONS AS IT RELATES TO THE EFFECTS OF THE EXPUNGEMENT OF CRIMINAL RECORDS, INCLUDING BUT NOT LIMITED TO, APPROPRIATIONS SET FORTH BY THE EXPUNGEMENT FEE CASH FUND DESCRIBED IN SECTION 24-72-830.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY AND ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

24-72-840. Colorado state school supply fund – creation – administration. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE COLORADO STATE SCHOOL SUPPLY FUND.

(2) ALL MONEY IN THE COLORADO STATE SCHOOL SUPPLY FUND SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FUNDING THE COLORADO STATE SCHOOL SUPPLY GRANT PROGRAM CREATED BY SECTION 24-72-848.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND, INCLUDING INTEREST EARNED, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE COLORADO STATE SCHOOL SUPPLY FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

24-72-841. Colorado occupational education scholarship program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF HIGHER EDUCATION, THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM." SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND, THE PROGRAM SHALL AWARD SCHOLARSHIPS TO INDIVIDUALS CURRENTLY ENROLLED IN A PROGRAM, CERTIFICATE OR

DEGREE SPECIALIZING IN OCCUPATIONAL EDUCATION AT AN INSTITUTION OF HIGHER EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE OR CERTIFICATE PROGRAM.

(2) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT SCHOLARSHIP RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET EDUCATION AND EMPLOYMENT GOALS.

(3)(a) THERE IS HEREBY CREATED THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD," WHICH CONSISTS OF THE FOLLOWING SEVEN MEMBERS:

(I) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE SENIOR DIRECTOR OF THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS, OR THE SENIOR DIRECTOR'S DESIGNEE;

(III) THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER, OR THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER'S DESIGNEE;

(IV) THE DATA AND RESEARCH SPECIALIST OF THE COLORADO COMMISSION ON HIGHER EDUCATION; AND

(V) THREE INDIVIDUALS WHO HAVE SUCCESSFULLY COMPLETED A PROGRAM, CERTIFICATE OR DEGREE SPECIALIZING IN OCCUPATIONAL EDUCATION AT AN INSTITUTION OF HIGHER EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE OR CERTIFICATE PROGRAM.

(b) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, THE SENIOR DIRECTOR OF THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS AND THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER SHALL EACH APPOINT ONE OF THE INDIVIDUALS DESCRIBED IN SUBSECTION (3)(a)(V) OF THIS SECTION. THE BOARD MEMBERS MAKING THE APPOINTMENTS SHALL ATTEMPT TO APPOINT INDIVIDUALS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES BY WHICH A PERSON MAY APPLY FOR A SCHOLARSHIP. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION A PERSON SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD MEETINGS BEFORE, AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES DECISIONS REGARDING SCHOLARSHIP RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD SCHOLARSHIPS UP TO TEN THOUSAND DOLLARS EACH YEAR TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT; AN APPLICANT'S ENROLLMENT TO AN INSTITUTION SPECIALIZING IN OCCUPATIONAL EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE, CERTIFICATE

PROGRAM, OR OTHER INSTITUTION OF HIGHER EDUCATION; AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY PERSONS IN THE GREATEST NEED OF ASSISTANCE IN THE PURSUIT OF OCCUPATIONAL EDUCATION.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH SCHOLARSHIP BASED ON THE PERSON'S DEGREE OF FINANCIAL NEED, THE COST OF ATTENDANCE, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER OF INDIVIDUALS WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL DISTRIBUTE THE SCHOLARSHIP MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED SCHOLARSHIPS WITHIN THIRTY DAYS AFTER THE SCHOLARSHIPS ARE AWARDED.

(9) THE DEPARTMENT OF HIGHER EDUCATION SHALL REPORT ON THE SCHOLARSHIP PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF HIGHER EDUCATION AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED SCHOLARSHIPS AND THE AMOUNT OF THE SCHOLARSHIP AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

24-72-842. Geriatric healthcare professional scholarship program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF HIGHER EDUCATION, THE GERIATRIC HEALTHCARE PROFESSIONAL SCHOLARSHIP PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM." SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE GERIATRIC HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND, THE PROGRAM SHALL AWARD SCHOLARSHIPS TO INDIVIDUALS CURRENTLY ENROLLED IN A PROGRAM, CERTIFICATE OR DEGREE IN HEALTHCARE, SPECIALIZING IN GERIATRICS, AT AN INSTITUTION OF HIGHER EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE OR CERTIFICATE PROGRAM.

(2) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT SCHOLARSHIP RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET EDUCATION AND EMPLOYMENT GOALS.

(3)(a) THERE IS HEREBY CREATED THE GERIATRIC HEALTHCARE PROFESSIONAL SCHOLARSHIP PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD," WHICH CONSISTS OF THE FOLLOWING SEVEN MEMBERS:

(I) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE SENIOR DIRECTOR OF THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS, OR THE SENIOR DIRECTOR'S DESIGNEE;

(III) THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER, OR THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER'S DESIGNEE;

(IV) THE DATA AND RESEARCH SPECIALIST OF THE COLORADO COMMISSION ON HIGHER EDUCATION; AND

(V) THREE INDIVIDUALS WHO HAVE SUCCESSFULLY COMPLETED A PROGRAM, CERTIFICATE OR DEGREE IN HEALTHCARE, SPECIALIZING IN GERIATRICS, AT AN INSTITUTION OF HIGHER EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE OR CERTIFICATE PROGRAM.

(b) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, THE SENIOR DIRECTOR OF THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS AND THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER SHALL EACH APPOINT ONE OF THE INDIVIDUALS DESCRIBED IN SUBSECTION (3)(a)(V) OF THIS SECTION. THE BOARD MEMBERS MAKING THE APPOINTMENTS SHALL ATTEMPT TO APPOINT BOARD MEMBERS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES BY WHICH A PERSON MAY APPLY FOR A SCHOLARSHIP. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION A PERSON SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD MEETINGS BEFORE AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES DECISIONS REGARDING SCHOLARSHIP RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD SCHOLARSHIPS UP TO TEN THOUSAND DOLLARS EACH YEAR TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT; AN APPLICANT'S ENROLLMENT TO AN INSTITUTION IN A HEALTHCARE RELATED FIELD, SPECIALIZING IN GERIATRICS, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE, CERTIFICATE PROGRAM, OR OTHER INSTITUTION OF HIGHER EDUCATION AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY PERSONS IN THE GREATEST NEED OF ASSISTANCE IN THE PURSUIT OF OCCUPATIONAL EDUCATION.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH SCHOLARSHIP BASED ON THE PERSON'S DEGREE OF FINANCIAL NEED, THE COST OF ATTENDANCE, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER OF INDIVIDUALS WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL DISTRIBUTE THE SCHOLARSHIP MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED SCHOLARSHIPS WITHIN THIRTY DAYS AFTER THE SCHOLARSHIPS ARE AWARDED.

(9) THE DEPARTMENT OF HIGHER EDUCATION SHALL REPORT ON THE SCHOLARSHIP PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF HIGHER EDUCATION AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM, THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED SCHOLARSHIPS AND THE AMOUNT OF THE SCHOLARSHIP AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

24-72-843. Expanded learning opportunity grant program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF EDUCATION, THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM." SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE EXPANDED LEARNING OPPORTUNITY PROGRAM FUND, THE PROGRAM SHALL AWARD GRANTS TO NONPROFIT ORGANIZATIONS AND GOVERNMENT ENTITIES FOR THE EXCLUSIVE PURPOSE OF PROVIDING EXPANDED LEARNING OPPORTUNITY PROGRAMS.

(2) THE COMMISSIONER OF EDUCATION OF THE STATE OF COLORADO, OR THE COMMISSIONER'S DESIGNEE, SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT GRANT RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET AND ACHIEVE INDIVIDUAL PROGRAM GOALS.

(3)(a) THERE IS HEREBY CREATED THE EXPANDED LEARNING OPPORTUNITY GRANT PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD," WHICH CONSISTS OF THE FOLLOWING SEVEN MEMBERS:

(I) THE COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION, OR THE COMMISSIONER'S DESIGNEE;

(II) THE ASSOCIATE COMMISSIONER OF STUDENT LEARNING AT THE COLORADO DEPARTMENT OF EDUCATION, OR THE ASSOCIATE COMMISSIONER OF STUDENT LEARNING'S DESIGNEE;

(III) THE DEPUTY COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION, OR THE DEPUTY COMMISSIONER'S DESIGNEE;

(IV) THE DIRECTOR OF GRANTS FISCAL MANAGEMENT OF THE COLORADO DEPARTMENT OF EDUCATION OR THE DIRECTOR OF GRANTS FISCAL MANAGEMENT'S DESIGNEE; AND

(V) THREE INDIVIDUALS, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO, WHO ARE PARENTS OF STUDENTS THAT CURRENTLY ATTEND ANY ELEMENTARY OR SECONDARY EDUCATION INSTITUTION IN THE STATE OF COLORADO.

(b) THE GOVERNOR SHALL ATTEMPT TO APPOINT BOARD MEMBERS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION, OR THE COMMISSIONER'S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES

BY WHICH AN ORGANIZATION OR ENTITY MAY APPLY FOR A GRANT. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION AN ORGANIZATION OR ENTITY SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD MEETINGS BEFORE AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES DECISIONS REGARDING GRANT RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD GRANTS TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT, AN APPLICANT'S PLAN AND ABILITY TO PROVIDE EXPANDED LEARNING OPPORTUNITY PROGRAMS AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY ORGANIZATIONS AND ENTITIES IN THE GREATEST NEED OF ASSISTANCE IN THE PURSUIT OF PROVIDING EXPANDED LEARNING OPPORTUNITY PROGRAMS.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH GRANT BASED ON THE ORGANIZATION'S OR ENTITY'S DEGREE OF FINANCIAL NEED, THE COST TO PROVIDE THE EXPANDED LEARNING OPPORTUNITY PROGRAM, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER ORGANIZATIONS AND ENTITIES WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION SHALL DISTRIBUTE THE GRANT MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED GRANT WITHIN THIRTY DAYS AFTER THE GRANTS ARE AWARDED.

(9) THE DEPARTMENT OF EDUCATION SHALL REPORT ON THE GRANT PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF EDUCATION AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM, THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED GRANTS AND THE AMOUNT OF THE GRANT AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

24-72-844. Veteran peer support grant program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, THE VETERAN PEER SUPPORT GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM." SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE VETERAN PEER SUPPORT FUND, THE PROGRAM SHALL AWARD GRANTS TO COLORADO-BASED NONPROFIT ORGANIZATIONS FOR THE EXCLUSIVE PURPOSE OF PROVIDING PEER SUPPORT PROGRAMS OR ACTIVITIES TO CURRENT OR PAST MEMBERS OF THE UNITED STATES ARMED FORCES.

(2) THE ADJUNCT GENERAL OF THE COLORADO DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, OR THE ADJUNCT GENERAL'S DESIGNEE, SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT GRANT RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET AND ACHIEVE INDIVIDUAL PROGRAM GOALS.

(3)(a) THERE IS HEREBY CREATED THE VETERAN PEER SUPPORT GRANT PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD," WHICH CONSISTS OF THE FOLLOWING SEVEN MEMBERS:

(I) THE ADJUNCT GENERAL OF THE COLORADO DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, OR THE ADJUNCT GENERAL'S DESIGNEE;

(II) THE DIRECTOR OF VETERANS AFFAIRS — EAST OF THE COLORADO DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, OR THE DIRECTOR-EAST'S DESIGNEE;

(III) THE DIRECTOR OF VETERANS AFFAIRS — WEST OF THE COLORADO DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, OR THE DIRECTOR-WEST'S DESIGNEE;

(IV) THE RESOURCE DIRECTOR OF THE COLORADO DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, OR THE RESOURCE DIRECTOR'S DESIGNEE; AND

(V) THREE INDIVIDUALS, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO, WHO ARE CURRENT OR PAST MEMBERS OF THE UNITED STATES ARMED FORCES.

(b) THE GOVERNOR SHALL ATTEMPT TO APPOINT BOARD MEMBERS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE ADJUNCT GENERAL OF THE COLORADO DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, OR THE ADJUNCT GENERAL'S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES BY WHICH AN ORGANIZATION MAY APPLY FOR A GRANT. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION AN ORGANIZATION SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD MEETINGS BEFORE AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES RECOMMENDATIONS DECISIONS REGARDING GRANT RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD GRANTS TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT, AN APPLICANT'S PLAN AND ABILITY TO PROVIDE PEER SUPPORT PROGRAMS AND ACTIVITIES TO CURRENT OR PAST MEMBERS OF THE UNITED STATES ARMED FORCES AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY ORGANIZATIONS IN THE GREATEST NEED OF ASSISTANCE IN THE PURSUIT OF PROVIDING PEER SUPPORT PROGRAMS OR ACTIVITIES TO CURRENT OR PAST MEMBERS OF THE UNITED STATES ARMED FORCES.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH GRANT BASED ON THE ORGANIZATION'S DEGREE OF FINANCIAL NEED, THE COST TO PROVIDE THE PEER SUPPORT PROGRAMS OR ACTIVITIES, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER ORGANIZATIONS AND WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE ADJUNCT GENERAL OF THE COLORADO DEPARTMENT OF MILITARY AND VETERANS AFFAIRS SHALL DISTRIBUTE

THE GRANT MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED GRANT WITHIN THIRTY DAYS AFTER THE GRANTS ARE AWARDED.

(9) THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS SHALL REPORT ON THE GRANT PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM, THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED GRANTS AND THE AMOUNT OF THE GRANT AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

24-72-845. First responder safety equipment grant program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF PUBLIC SAFETY, THE FIRST RESPONDER SAFETY EQUIPMENT GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM." SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE FIRST RESPONDER SAFETY EQUIPMENT FUND, THE PROGRAM SHALL AWARD GRANTS TO NONPROFIT ORGANIZATIONS FOR THE EXCLUSIVE PURPOSE OF ACQUIRING AND PROVIDING SAFETY EQUIPMENT TO FIRST RESPONDERS.

(2) THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT GRANT RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET AND ACHIEVE INDIVIDUAL PROGRAM GOALS.

(3)(a) THERE IS HEREBY CREATED THE FIRST RESPONDER SAFETY EQUIPMENT GRANT PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD," WHICH CONSISTS OF THE FOLLOWING SEVEN MEMBERS:

(I) THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE CHIEF OF THE COLORADO STATE PATROL, OR THE CHIEF'S DESIGNEE;

(III) THE DIRECTOR OF THE COLORADO BUREAU OF INVESTIGATION, OR THE DIRECTOR'S DESIGNEE;

(IV) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE FOR THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE DIRECTOR'S DESIGNEE; AND

(V) ONE CURRENT, OR PREVIOUS, MEMBER OF LAW ENFORCEMENT IN THE STATE OF COLORADO, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO.

(VI) ONE CURRENT, OR PREVIOUS, MEMBER OF A FIRE DEPARTMENT IN THE STATE OF COLORADO, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO.

(VII) ONE CURRENT, OR PREVIOUS, EMERGENCY MEDICAL TECHNICIAN IN THE STATE OF COLORADO, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO.

(b) THE GOVERNOR SHALL ATTEMPT TO APPOINT BOARD MEMBERS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES BY WHICH AN ORGANIZATION MAY APPLY FOR A GRANT. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION AN ORGANIZATION SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD MEETINGS BEFORE AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES DECISIONS REGARDING GRANT RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD GRANTS TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT, AN APPLICANT'S PLAN AND ABILITY TO PROVIDE SAFETY EQUIPMENT TO CURRENT FIRST RESPONDERS IN THE STATE OF COLORADO AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY ORGANIZATIONS IN THE GREATEST NEED OF ASSISTANCE IN THE PURSUIT OF PROVIDING SAFETY EQUIPMENT TO CURRENT FIRST RESPONDERS IN THE STATE OF COLORADO.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH GRANT BASED ON THE ORGANIZATION'S DEGREE OF FINANCIAL NEED, THE COST TO PROVIDE SAFETY EQUIPMENT, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER ORGANIZATIONS AND WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY SHALL DISTRIBUTE THE GRANT MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED GRANT WITHIN THIRTY DAYS AFTER THE GRANTS ARE AWARDED.

(9) THE DEPARTMENT OF PUBLIC SAFETY SHALL REPORT ON THE GRANT PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED GRANTS AND THE AMOUNT OF THE GRANT AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE

BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

24-72-846. Fallen first responder grant program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF PUBLIC SAFETY, THE FALLEN FIRST RESPONDER GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE “PROGRAM.” SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE FALLEN FIRST RESPONDER FUND, THE PROGRAM SHALL AWARD GRANTS TO FAMILY MEMBERS OF FIRST RESPONDERS WHO HAVE FALLEN IN THE LINE OF DUTY IN COLORADO. GRANTS WILL COMPENSATE FAMILY MEMBERS OF FIRST RESPONDERS FOR PORTIONS OF EXPECTED INCOME LOST DUE TO THE PASSING OF THE FIRST RESPONDER IN THE LINE OF DUTY.

(2) The EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR’S DESIGNEE, SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT GRANT RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET AND ACHIEVE INDIVIDUAL GOALS.

(3)(a) THERE IS HEREBY CREATED THE FALLEN FIRST RESPONDER GRANT PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE “BOARD,” WHICH CONSISTS OF THE FOLLOWING SEVEN MEMBERS:

(I) THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(II) THE CHIEF OF THE COLORADO STATE PATROL, OR THE CHIEF’S DESIGNEE;

(III) THE DIRECTOR OF THE COLORADO BUREAU OF INVESTIGATION, OR THE DIRECTOR’S DESIGNEE;

(IV) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE FOR THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE DIRECTOR’S DESIGNEE;

(V) ONE CURRENT, OR PREVIOUS, MEMBER OF LAW ENFORCEMENT IN THE STATE OF COLORADO, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO.

(VI) ONE CURRENT, OR PREVIOUS, MEMBER OF A FIRE DEPARTMENT IN THE STATE OF COLORADO, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO.

(VII) ONE CURRENT, OR PREVIOUS, EMERGENCY MEDICAL TECHNICIAN IN THE STATE OF COLORADO, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO.

(b) THE GOVERNOR SHALL ATTEMPT TO APPOINT BOARD MEMBERS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR’S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES BY WHICH AN INDIVIDUAL MAY APPLY FOR A GRANT. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION AN INDIVIDUAL SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD

MEETINGS BEFORE AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES DECISIONS REGARDING GRANT RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD GRANTS TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S RELATIONSHIP TO A FIRST RESPONDER WHO HAS FALLEN IN THE LINE OF DUTY, AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY INDIVIDUALS IN THE GREATEST NEED OF ASSISTANCE FOLLOWING THE PASSING OF A FIRST RESPONDER IN THE LINE OF DUTY.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH GRANT BASED ON THE INDIVIDUAL'S DEGREE OF FINANCIAL NEED, THE AMOUNT REQUESTED, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER INDIVIDUALS WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY SHALL DISTRIBUTE THE GRANT MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED GRANT WITHIN THIRTY DAYS AFTER THE GRANTS ARE AWARDED.

(9) THE DEPARTMENT OF PUBLIC SAFETY SHALL REPORT ON THE GRANT PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF PUBLIC SAFETY AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED GRANTS AND THE AMOUNT OF THE GRANT AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

24-72-847. Agricultural education scholarship program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF HIGHER EDUCATION, THE AGRICULTURAL EDUCATION SCHOLARSHIP PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM." SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE AGRICULTURAL EDUCATION SCHOLARSHIP FUND, THE PROGRAM SHALL AWARD SCHOLARSHIPS TO INDIVIDUALS CURRENTLY ENROLLED IN A PROGRAM, CERTIFICATE OR DEGREE SPECIALIZING IN AGRICULTURAL EDUCATION AT AN INSTITUTION OF HIGHER EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE OR CERTIFICATE PROGRAM.

(2) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT SCHOLARSHIP RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET EDUCATION AND EMPLOYMENT GOALS.

(3)(a) THERE IS HEREBY CREATED THE COLORADO AGRICULTURAL EDUCATION SCHOLARSHIP ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD," WHICH CONSISTS OF THE FOLLOWING SEVEN MEMBERS:

(I) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(II) THE SENIOR DIRECTOR OF THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS, OR THE SENIOR DIRECTOR'S DESIGNEE;

(III) THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER, OR THE CHIEF STUDENT SUCCESS & ACADEMIC OFFICER'S DESIGNEE;

(IV) THE DATA AND RESEARCH SPECIALIST OF THE COLORADO COMMISSION ON HIGHER EDUCATION; AND

(V) THREE INDIVIDUALS WHO HAVE SUCCESSFULLY COMPLETED A PROGRAM, CERTIFICATE OR DEGREE SPECIALIZING IN AGRICULTURAL EDUCATION AT AN INSTITUTION OF HIGHER EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE OR CERTIFICATE PROGRAM.

(b) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, THE SENIOR DIRECTOR OF THE DIVISION OF PRIVATE OCCUPATIONAL SCHOOLS AND THE CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER SHALL EACH APPOINT ONE OF THE INDIVIDUALS DESCRIBED IN SUBSECTION (3)(a)(V) OF THIS SECTION. THE BOARD MEMBERS MAKING THE APPOINTMENTS SHALL ATTEMPT TO APPOINT INDIVIDUALS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES BY WHICH A PERSON MAY APPLY FOR A SCHOLARSHIP. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION A PERSON SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD MEETINGS BEFORE AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES DECISIONS REGARDING SCHOLARSHIP RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD SCHOLARSHIPS UP TO TEN THOUSAND DOLLARS EACH YEAR TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT; AN APPLICANT'S ENROLLMENT TO AN INSTITUTION SPECIALIZING IN AGRICULTURAL EDUCATION, INCLUDING BUT NOT LIMITED TO AN ACCREDITED TRADE SCHOOL, COMMUNITY COLLEGE, CERTIFICATE PROGRAM, OR OTHER INSTITUTION OF HIGHER EDUCATION; AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY PERSONS IN THE GREATEST NEED OF ASSISTANCE IN THE PURSUIT OF AGRICULTURAL EDUCATION.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH SCHOLARSHIP BASED ON THE PERSON'S DEGREE OF FINANCIAL NEED, THE COST OF ATTENDANCE, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER OF INDIVIDUALS WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE EXECUTIVE DIRECTOR OF THE COLORADO COMMISSION ON HIGHER EDUCATION SHALL DISTRIBUTE THE SCHOLARSHIP MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED SCHOLARSHIPS WITHIN THIRTY DAYS AFTER THE

SCHOLARSHIPS ARE AWARDED.

(9) THE DEPARTMENT OF HIGHER EDUCATION SHALL REPORT ON THE SCHOLARSHIP PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF HIGHER EDUCATION AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM, THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED SCHOLARSHIPS AND THE AMOUNT OF THE SCHOLARSHIP AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

24-72-848. Colorado state school supply grant program – creation – coordinator – advisory – responsibilities. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF HIGHER EDUCATION, THE COLORADO STATE SCHOOL SUPPLY GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM." SUBJECT TO AVAILABLE APPROPRIATIONS FROM THE COLORADO STATE SCHOOL SUPPLY FUND, THE PROGRAM SHALL AWARD GRANTS EXCLUSIVELY TO TEACHERS AND TO ELEMENTARY AND SECONDARY EDUCATION INSTITUTIONS IN THE STATE OF COLORADO WHICH THAT OPERATE A SCHOOLWIDE TITLE I PROGRAM FOR THE EXCLUSIVE PURPOSES OF PROVIDING SCHOOL SUPPLIES TO STUDENTS AND TO UPGRADE THE TECHNOLOGICAL CAPABILITIES OF THE INSTITUTION TO MOST ADEQUATELY FIT THE NEEDS OF THE STUDENTS.

(2) THE COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION, OR THE COMMISSIONER'S DESIGNEE, SHALL APPOINT A PROGRAM COORDINATOR WHO SHALL COUNSEL AND SUPPORT GRANT RECIPIENTS BY REGULARLY MEETING WITH RECIPIENTS TO SET EDUCATION GOALS.

(3)(a) THERE IS HEREBY CREATED THE COLORADO STATE SCHOOL SUPPLY GRANT PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD," WHICH CONSISTS OF THE FOLLOWING ELEVEN MEMBERS:

(I) THE COMMISSIONER OF THE COLORADO DEPARTMENT EDUCATION, OR THE COMMISSIONER'S DESIGNEE;

(II) THE ASSOCIATE COMMISSIONER OF STUDENT LEARNING AT THE COLORADO DEPARTMENT OF EDUCATION, OR THE ASSOCIATE COMMISSIONER'S DESIGNEE;

(III) THE DEPUTY COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION, OR THE DEPUTY COMMISSIONER'S DESIGNEE;

(IV) THE DIRECTOR OF GRANTS FISCAL MANAGEMENT OF THE COLORADO DEPARTMENT OF EDUCATION OR THE DIRECTOR OF GRANTS FISCAL MANAGEMENT'S DESIGNEE; AND

(V) FOUR CURRENT OR FORMER TEACHERS, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO, IN ELEMENTARY OR SECONDARY EDUCATION INSTITUTIONS IN COLORADO THAT, DURING THEIR EMPLOYMENT, OPERATED AS A SCHOOLWIDE TITLE I PROGRAM.

(VI) THREE PARENTS, APPOINTED BY THE GOVERNOR OF THE STATE OF COLORADO, WHO HAVE STUDENTS CURRENTLY ENROLLED IN ELEMENTARY OR SECONDARY EDUCATION INSTITUTIONS IN COLORADO THAT CURRENTLY OPERATE AS A SCHOOLWIDE TITLE I PROGRAM.

(b) THE GOVERNOR SHALL ATTEMPT TO APPOINT BOARD MEMBERS THAT REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE AND SHALL ATTEMPT TO INCLUDE MEMBERS OF DIVERSE POLITICAL, RACIAL, CULTURAL, INCOME, AND ABILITY GROUPS.

(4) THE BOARD SHALL HOLD ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2021, AT A TIME AND PLACE TO BE DESIGNATED BY THE COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION, OR THE COMMISSIONER'S DESIGNEE. THE BOARD SHALL MEET AT LEAST FOUR TIMES EACH YEAR AND SHALL ESTABLISH BY RULE THE PROCEDURES BY WHICH A TEACHER OR INSTITUTION MAY APPLY FOR A GRANT. AT A MINIMUM, THE RULES MUST SPECIFY THE INFORMATION A TEACHER OR INSTITUTION SHALL SUBMIT AND THE DEADLINES FOR SUBMITTING THE APPLICATION. THE BOARD SHALL ENSURE THAT AT EVERY MEETING OF THE BOARD THERE IS AN OPPORTUNITY FOR PUBLIC COMMENT, INCLUDING PUBLIC COMMENTS SUBMITTED VIA THE INTERNET. THE BOARD SHALL SOLICIT INPUT ONLINE OR IN PERSON AT BOARD MEETINGS BEFORE AND DURING THE PROCESS THROUGH WHICH THE BOARD MAKES DECISIONS REGARDING GRANT RECIPIENTS.

(5) ON OR BEFORE SEPTEMBER 1, 2021 THE BOARD SHALL NOTIFY THE PUBLIC OF THE PROGRAM.

(6) THE BOARD SHALL AWARD GRANTS EACH YEAR TO APPLICANTS BASED ON THE FOLLOWING CRITERIA: AN APPLICANT'S DEMONSTRATED DEGREE OF FINANCIAL NEED BASED ON RESOURCES AVAILABLE TO THE APPLICANT; AN APPLICANT'S EMPLOYMENT WITH, OR STATUS AS, AN ELEMENTARY OR SECONDARY EDUCATION INSTITUTION IN COLORADO THAT PREVIOUSLY OPERATED, OR CURRENTLY OPERATES, AS A SCHOOLWIDE TITLE I PROGRAM AND ANY OTHER CRITERIA ADOPTED BY RULE OF THE BOARD TO IDENTIFY TEACHERS OR INSTITUTIONS IN THE GREATEST NEED OF ASSISTANCE IN PROVIDING SCHOOL SUPPLIES OR TECHNOLOGICAL IMPROVEMENTS TO ELEMENTARY AND SECONDARY EDUCATIONAL STUDENTS.

(7) THE BOARD SHALL SET THE AMOUNT OF EACH GRANT BASED ON THE APPLICANT'S DEGREE OF FINANCIAL NEED, THE AMOUNT AVAILABLE FOR THE APPLICABLE BUDGET YEAR, AND THE ANTICIPATED NUMBER OF TEACHERS OR INSTITUTIONS WHO WILL APPLY TO THE PROGRAM IN THE COURSE OF THE APPLICABLE BUDGET YEAR.

(8) THE COMMISSIONER OF THE COLORADO DEPARTMENT OF EDUCATION SHALL DISTRIBUTE THE GRANT MONEY TO ELIGIBLE RECIPIENTS THAT WERE AWARDED GRANTS WITHIN THIRTY DAYS AFTER THE GRANTS ARE AWARDED.

(9) THE DEPARTMENT OF EDUCATION SHALL REPORT ON THE GRANT PROGRAM TO THE PUBLIC THROUGH THE ANNUAL HEARING PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE AND TRANSPARENT (SMART) GOVERNMENT ACT."

(10) AT THE END OF EACH FISCAL YEAR, THE BOARD SHALL SUBMIT A REPORT TO THE DEPARTMENT OF EDUCATION AND THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT. AT A MINIMUM, THE REPORT MUST INCLUDE A LIST OF ELIGIBLE RECIPIENTS THAT RECEIVED GRANTS AND THE AMOUNT OF THE GRANT AWARDED TO EACH ELIGIBLE RECIPIENT.

(11) THE BOARD MAY SOLICIT, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.

(12) THE MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION EXCEPT THAT THE MEMBERS OF THE

BOARD MAY BE REIMBURSED FOR ANY ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS SECTION.

SECTION 3. In Colorado Revised Statutes, 18-1.3-701 amend (1)(b); and add (1)(d) as follows: **Judgment for costs and fines – definitions.** (1)(b) Except as otherwise provided in paragraph (c) AND (d) of this subsection (1), on and after July 1, 2010, all judgments collected pursuant to this section for fees and court costs shall be transmitted to the state treasurer for deposit in the judicial stabilization cash fund created in section 13-32-101 (6), C.R.S.

(1)(d) EXPUNGEMENT FEES SHALL BE DEPOSITED IN THE EXPUNGEMENT FEE CASH FUND CREATED BY 24-72-830.

SECTION 4. Effective date. ALL PROVISIONS OF ALL SECTIONS SHALL BECOME EFFECTIVE ON JANUARY 1, 2021.

Ballot Title Setting Board

Proposed Initiative 2019-2020 #131¹

Hearing January 2, 2020:

Title setting denied on the grounds that the measure does not constitute a single subject.

Hearing adjourned 9:36 a.m.

¹ Unofficially captioned “**Expungement of Eligible Criminal Records**” by legislative staff for tracking purposes. This caption is not part of the titles set by the Board.

The designated representatives of 2019-2020 #131 would like to file a motion for rehearing on the grounds that

- a) We weren't given the opportunity to address the questions posed by the board one at a time, we had to review the tape to hear all the questions as they were posed so quickly, all at once, that we didn't hear them all and would like the opportunity to address these questions individually to establish their place under the single subject umbrella.
- b) The concerns raised by the title board about programs and boards created by the initiative are confusing. The programs and boards created by the initiative were in direct response to questions posed by the legislative council staff, i.e. what can the revenue be used for, who will be in charge of it.
- c) As the initiative has evolved to address questions posed by the legislative council staff, the single subject has evolved as well and the single subject is "social welfare."

RECEIVED

JAN 08 2020

S. WARD

12:30 PM.

Colorado Secretary of State

Ballot Title Setting Board

Proposed Initiative 2019-2020 #131¹

Hearing January 2, 2020:

Title setting denied on the grounds that the measure does not constitute a single subject.

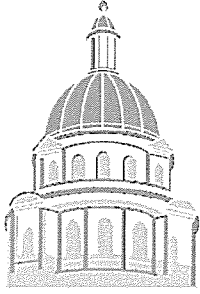
Hearing adjourned 9:36 a.m.

Rehearing January 15, 2020:

Motion for Rehearing denied.

Hearing adjourned 11:07 a.m.

¹ Unofficially captioned “**Expungement of Eligible Criminal Records**” by legislative staff for tracking purposes. This caption is not part of the titles set by the Board.



**Legislative
Council Staff**
Nonpartisan Services for Colorado's Legislature

Initiative # 131

INITIAL FISCAL IMPACT STATEMENT

Date: December 31, 2019 **Fiscal Analyst:** Aaron Carpenter (303-866-4918)

LCS TITLE: EXPUNGEMENT OF ELIGIBLE CRIMINAL RECORDS

Fiscal Impact Summary		FY 2020-21	FY 2021-22
Revenue	Cash Fund	\$1,621,854	\$3,243,708
	Total	\$1,621,854	\$3,243,708
Expenditures	General Fund	\$2,232,683	\$3,893,665
	Cash Fund	\$1,621,854	\$3,243,708
	Total	\$3,854,537	\$7,137,373

***Disclaimer.** This initial fiscal impact statement has been prepared for the Title Board. If the initiative is placed on the ballot, Legislative Council Staff may revise this estimate for the ballot information booklet (Blue Book) if new information becomes available.*

Summary of Measure

This measure creates a new expungement process for individuals who have completed their criminal sentence, were not convicted of a crime, or were granted clemency. Expungement of records applies retroactively. The measure establishes "expungement periods", which are periods of time that an individual must wait before they have their record expunged after completion of their sentence. In addition, the measure establishes a fee, called an "expungement fee", that must be paid when an individual is convicted of a crime. If an individual cannot pay the fee, interest will accrue at a rate of 5 percent per year. If an individual is found to be indigent by a court, the expungement fee must be waived and an individual will immediately or following their release from incarceration, enter into a life skills development program that is established in the Department of Public Safety. The measure also establishes what crimes are eligible for expungement, how long the expungement period is for each crime, and what the expungement fee is for that crime.

The measure specifies the programs, program funds, and oversight boards that are funded through the expungement fee. These programs include both existing and newly created programs in multiple agencies.

Assumption

Based on Judicial data, this fiscal impact statement assumes that in the first full year of implementation, there will be 81,388 cases that are retroactively eligible for expungement for which no expungement fee is required. In addition, it is assumed that there will 16,275 cases each year that will become eligible for expungement. Further, 75 percent of individuals convicted are

assumed to be indigent and will not be required to pay a fee. Finally, it is assumed that the majority of custodians of records adhere to the law and therefore, any impact from the crime of not destroying records will be minimal.

State Revenue

Under the measure, state cash fund revenue will increase by \$1.6 million in FY 2020-21, and by \$3.2 million in FY 2021-22, as shown in Table 2 below. The estimated number of cases is based on case data provided by the Judicial Department and is based on the assumed indigent rate referenced above. Table 2 also provides assumed collection rates based on Judicial collection data for existing fees and fines. FY 2020-21 is prorated for a January 1st start date. This fiscal impact statement does not provide an estimate on how much interest will be collected from unpaid fees.

Initiative # 131

Table 1
Revenue from Initiative #131

Fiscal Year	Fee paid	Number Affected	Collection Rate	Judicial Collection Total
FY 2020-21	\$250	78	6%	\$1,170
	\$350	274	6%	\$5,754
	\$500	4,923	6%	\$147,690
	\$750	432	6%	\$19,440
	\$1,000	5,493	6%	\$329,580
	\$1,500	110	4%	\$6,600
	\$2,000	940	4%	\$75,200
	\$2,500	2,626	4%	\$262,600
	\$3,000	1,775	4%	\$213,000
	\$4,000	27	4%	\$4,320
	\$5,000	3,581	3%	\$537,150
\$7,500	86	3%	\$19,350	
FY 2020-21 Total				\$1,621,854
FY 2021-22	\$250	156	6%	\$2,340
	\$350	548	6%	\$11,508
	\$500	9,846	6%	\$295,380
	\$750	864	6%	\$38,880
	\$1,000	10,986	6%	\$659,160
	\$1,500	220	4%	\$13,200
	\$2,000	1,880	4%	\$150,400
	\$2,500	5,252	4%	\$525,200
	\$3,000	3,550	4%	\$426,000
	\$4,000	54	4%	\$8,640
	\$5,000	7,162	3%	\$1,074,300
\$7,500	172	3%	\$38,700	
FY 2021-22 Total				\$3,243,708

State Expenditures

In FY 2020-21, state expenditures will increase by an estimated \$3.9 million and by \$7.1 million in FY 2021-22 as described in more detail below.

**Table 3
Expenditures Under Initiative #131**

Cost Components	FY 2020-21	FY 2021-22
Judicial Department		
Personal Services	\$323,073	\$682,416
Operating Expenses	\$9,450	\$16,605
Capital Outlay Costs	\$43,400	-
IT Services	\$311,040	-
Contract Probation Staff	\$169,637	-
Other Costs	\$91,841	\$194,519
FTE – Personal Services	5.8 FTE	12.3 FTE
Judicial (Subtotal)	\$948,441	\$893,540
Department of Public Safety		
Personal Services	\$47,216	\$134,302
Operating Expenses	\$1,330	\$3,040
Capital Outlay Costs	\$6,200	-
Life Skills Program	\$1,780,839	\$3,561,677
Other Costs	\$16,306	\$47,159
FTE – Personal Services	1.1 FTE	3.2 FTE
DPS (Subtotal)	\$1,851,891	\$3,746,178
Program Funding		
Expenditure of Fee Revenue*	\$1,054,205	\$2,497,655
Program Funding (Subtotal)	\$1,054,205	\$2,497,655
Total	\$3,854,537	\$7,137,373
Total FTE	6.9 FTE	15.5 FTE

* a portion of this cost can be used to cover costs associated with the Judicial Department and Life Skills Program.

Initiative # 131

Judicial Department. Judicial Department expenditures are expected to increase by \$948,441 in FY 2020-21 and by \$893,540 in FY 2021-22, as described below. It is estimated that \$324,371 in FY 2020-21 and \$259,497 in FY 2021-22 will come from cash funds created by the bill to help cover administration costs; the remainder is from the General Fund.

Personal services, operating, capital outlay, and other costs. The initiative requires 4.0 FTE, to expunge newly eligible cases and retroactively eligible cases in FY 2020-21 based on the assumed number of retroactive and future eligible cases. The 4.0 FTE is reduced to 2.3 FTE in the second year due to the assumption that the initial influx of retroactive cases will be expunged half-way through the year. After that, it is estimated that 1.0 FTE will be necessary and ongoing to expunge newly eligible cases or any late retroactive cases.

In addition to FTE for expunging records, 10.0 FTE for additional collection staff and support staff is necessary to ensure that individuals pay the expungement fee. Duties for these staff members include creating payment plans, doing interest assessments, monitoring new cases, and enforcing the new fee.

Personal services cost includes salary and benefit payments, operating expenses includes costs for supplies, and capital outlay costs includes office equipment costs such as furniture and a computer. Other personnel related costs include costs for employee insurance and supplemental retirement costs. Costs in FY 2020-21 are prorated for a January 1st start date and the General Fund payday shift.

IT Services. In FY 2020-21 only, expenditures in the Judicial Department will increase by \$311,040 in order to develop new IT systems in order to track expungement fee payments and interest. It is estimated that this work will require 4 contractors working for 18 weeks at a rate of \$108 per hour.

Contract Probation Staff. To expunge records by the deadline laid out in the measure, the Probation Division in the Judicial Department will need to hire contract worker for six months at an estimated cost of \$169,637. This increases expenditures only occurs in FY 2020-21.

Department of Public Safety. The measure will increase expenditures in the Department of Public Safety by \$1.9 million in FY 2020-21 and 3.7 million in FY 2021-22, as described below.

Personal services, operating, and capital outlay, other costs. The initiative is expected to require 2.7 FTE in FY 2020-21 to conduct background checks on all eligible cases for expungement. This amount is prorated due to the January 1st start date and the General Fund payday shift. In FY 2021-22, 3.2 FTE is necessary for background checks based on the assumed number of retroactive and future eligible cases. Personal services cost includes salary and benefit payments, operating expenses includes costs for supplies, and capital outlay cost includes office equipment such as furniture and a computer. Other personnel related costs include costs for employee insurance and supplemental retirement costs.

Life Skills Program. The initiative is expected to increase expenditures in the Public Safety by \$1.8 million in FY2020-21 and \$3.6 million in FY 2021-22, to establish a Life Skills Program. This

amount is based on the current budgeted amount for the Department of Public Safety to run the Juvenile Diversion Program. Of this amount, it is estimated that \$162,185 in FY 2020-21 and \$324,371 in FY 2021-22 will be covered through the Life Skills Development Cash Fund created in this initiative.

Programs funded by expungement fee. State expenditures in a variety of agencies will increase by \$1.1 million in FY 2020-21 and by \$2.5 million in FY 2021-22. The exact expenditure amount to each program and department will depend on the amount specified in the measure from expungement fee collections. For new programs that are created in this initiative, costs will increase in order to hire a new program coordinator, who must travel around the state and meet with recipients, as required by the initiative. Of the amount allocated for each new program, it is estimated that \$45,092 in FY 2020-21 and \$76,131 in FY 2021-22, will be required for these FTE and travel costs. For existing programs, funding levels and expenditures will increase. This fiscal impact statement assumes that any additional staff requirements will be requested through the budget process. This does not include any costs for additional lease space, if necessary. This impact statement assumes that costs associated with the various programs will be covered by cash fund sources.

Other department workload. Starting in FY 2020-21, workload will increase to expunge records in multiple agencies. This fiscal impact statement assumes that this workload can be accomplished within existing appropriations, but expenditures may increase depending on the number of cases needing to be expunged from each department's records. In addition, this fiscal impact statement assumes that state departments have the technological capability to expunge records. If any adjustments to technology are necessary, expenditures will also increase.

Local Government Impact

Starting in FY 2020-21, revenue and expenditures will increase for local governments. Revenue will increase due expungement fee revenue being earmarked for distribution to local county treasurers. Expenditures will increase in order to expunge records and to hold additional court hearings.

Economic Impact

The measure may impact the state economy in two main ways. First, to the extent expungement of criminal records increases employment opportunity for persons previously convicted of a crime, personal income and spending in the economy will increase by these individuals. However, these gains may be offset by reduced employment among persons in other segments of the population who would have otherwise been employed in the same positions. Second, by mandating that new expungement fees be paid by all persons convicted of a crime, with exceptions for indigency, the measure increases the debt payment obligations by persons convicted of a crime, which will reduce spending elsewhere in the economy. Overall, the economic impact of the measure is indeterminate.

Effective Date

If approved by voters at the 2020 general election, this measure takes effect upon proclamation of the Governor, no later than 30 days after the official canvass of the vote is completed.

State and Local Government Contacts

Corrections	Counties	District Attorneys	Human Services
Judicial	Law	Local Affairs	Information Technology
Municipalities	Natural Resources	Public Safety	Revenue
Secretary of State	Sheriffs	Military Affairs	Higher Education
Education			

Abstract of Initiative 131: EXPUNGEMENT OF ELIGIBLE CRIMINAL RECORDS

The abstract includes estimates of the fiscal impact of the proposed initiative. If this initiative is to be placed on the ballot, Legislative Council Staff will prepare new estimates as part of a fiscal impact statement, which includes an abstract of that information. All fiscal impact statements are available at www.ColoradoBlueBook.com and the abstract will be included in the ballot information booklet that is prepared for the initiative.

This initial fiscal estimate, prepared by the nonpartisan Director of Research of the Legislative Council as of December 31, 2019, identifies the following impacts:

State revenue. Initiative #131 increases state cash fund revenue by \$1.6 million in FY 2020-21 and by \$3.2 million in FY 2021-22 by charging expungement fees to persons convicted of certain crimes.

State expenditures. Initiative #131 increases state expenditures by \$3.9 million and by \$7.1 million in FY 2021-22, primarily in the Judicial Department and the Department of Public Safety. In addition, workload will increase in various agencies to expunge records.

Local government impact. Revenue from the state expungement fee will be shared with local governments and expenditures will increase to expunge records held by local governments.

Economic impacts. The measure may impact the state economy in two main ways. First, to the extent expungement of criminal records increases employment opportunity for persons previously convicted of a crime, personal income and spending in the economy will increase by these individuals. However, these gains may be offset by reduced employment among persons in other segments of the population who would have otherwise been employed in the same positions. Second, by mandating that new expungement fees be paid by all persons convicted of a crime, with exceptions for indigency, the measure increases the debt payment obligations by persons convicted of a crime, which will reduce spending elsewhere in the economy. Overall, the economic impact of the measure is indeterminate.

1 Title Board transcript relating to 2019-2020 #131; January 2, 2020

2

3 Mr. Schler: Good morning, this is a meeting of the title setting board pursuant to article 40 of title 1 CRS.
4 The time is 9:30, the date is January 2nd, 2020. We are meeting in the secretary of state's Aspen room,
5 1700 Broadway suite 200, Denver, Colorado. The title board consists of myself, Ben Schler, appointee of
6 the secretary of state; to my right is Leeann Morrill, designee of the attorney general, and to my left is
7 Julie Pelegrin, designee of the director of the office of legislative legal services. Today we are meeting to
8 consider title setting for several proposed measures. For each measure there are two titles, one is a
9 statement, the other is a statement in the form of a question. Changes adopted by the title board to the
10 first title in the staff draft will be considered adopted for the other title. This hearing is broadcast over
11 the internet from the secretary of state's website and there are public restrooms located on this floor.
12 When the title board considers proposed initiatives for the first time the board will follow three steps.
13 First, the board members may wish to ask questions of the proponents, this is to make sure that the
14 board understands the proposal. Second, the board will first determine if it has jurisdiction to set title, in
15 particular, the board must determine if the measure complies with the single subject rule prescribed in
16 article 5, section 1, subsection 5.5 of the Colorado constitution, and section 1-40-106.5 of the Colorado
17 revised statutes. This is because the board is prohibited from setting a title for a measure that contains
18 more than one subject. Third, if the board determines that it has jurisdiction to set a title, then the
19 board will use the staff prepared draft for discussion purposes. A copy of the staff draft is available on
20 the back table. Generally, we will take all testimony first and then the board will discuss and vote after
21 all testimony has been completed. A decision is reached by two of the three members of the board.
22 Please take note that we are not concerned with the merits of any proposal here, we are only concerned
23 with the setting of titles. Furthermore, we are not concerned with the legal or constitutional objections

1 to the measures except to the extent that such objections relate to the jurisdiction of the board to set
2 titles or to the correctness of the titles and summaries themselves. Anyone who is dissatisfied with the
3 decision of the title board may file a motion for rehearing with the secretary of state within seven
4 calendar days from this hearing. Ok, we've got several measures on the agenda today, and the first one
5 is 2019-2020 #131, if the proponents or their council would like to come forward. (Inaudible) If you
6 could just introduce yourself.

7 Mr Ball: My name is Stephen Ball, designated representative of 131.

8 Mr Schler: Is your other designated representative here?

9 Mr. Ball: Yes, sir.

10 Mr Schler: Very good, thank you. If you wouldn't mind starting with articulating for us what you believe
11 your single subject to be.

12 Mr. Ball: The expungement of criminal records.

13 Mr. Schler: Ok. Are there any questions from the board regarding the single subject for the proponents?

14 Ms. Pelegrin: I don't know that I have questions so much as I have concerns that I'd like to express. I
15 understand that the single subject is the expungement of records, but also part of the initiative creates
16 the life skills development program, which is related to the expungement of records and to criminal law,
17 but then also Colorado occupational education scholarship program, geriatric healthcare professional
18 scholarship program, expanded learning opportunity grant program, veteran peer support grant
19 program, first responder safety equipment grant program, fallen first responder grant program,
20 agricultural education scholarship program and the Colorado state school supply grant program.

21 Mr. Ball: Yes, ma'am.

1 Ms. Pelegrin: How do you see those relating to the expungement of criminal records?

2 Mr. Ball: We believe that having these programs in place will help to lower the costs of expungement of
3 criminal records in the future.

4 Ms. Pelegrin: To lower the costs of the expungement of the records?

5 Mr. Ball: That's correct. If these programs are taken advantage of, and these opportunities are available,
6 we believe that it will, in effect, lower convictions which will lower the costs of expunging records in the
7 future. So, each one of these programs is designed to, really, create less records to expunge, which will
8 lower the costs of expungement moving forward.

9 Ms. Pelegrin: Ok. I guess my concern is that, I can see where maybe some of the scholarship programs,
10 etc. I'm not sure about first responder safety equipment or fallen first responders. I guess my overall
11 concern is more, these are creating separate programs with their own boards which have rule-making
12 authority and my concern is that does not have enough of a connection, either to one another, or to the
13 subject of expungement of records so I have concerns that this does not meet the single subject
14 requirement.

15 Mr. Schler: I would agree with you, Ms. Pelegrin. I think that the expanded... the first of the programs
16 seems like it is fully connected to the main goal of this measure, but then the rest, although some seem
17 like they may have some tenuous connection, there are several, Ms. Pelegrin listed them, I think that for
18 me, I have a hard time seeing those as necessarily and properly connected to the single subject.

19 Ms. Morrill: As do I.

20 Mr. Schler: I think at this time I'd probably entertain a motion.

- 1 Ms. Pelegrin: I move that the title board finds that, with regard to initiative 2019-20 # 131, that it does
- 2 not meet the single subject requirement.
- 3 Ms. Morrill: Second.
- 4 Mr. Schler: We have a motion to second, all those in favor say "aye."
- 5 Ms. Morrill: Aye.
- 6 Ms. Pelegrin: Aye.
- 7 Mr. Schler: Aye. That motion passes, so the title board finds that it does not have jurisdiction at this time
- 8 to set title.
- 9 Mr. Ball: Thank you.

1 Title Board transcript relating to 2019-2020 #131; January 15, 2020

2

3 Mr. Schler: Good morning, this is a meeting of the title setting board pursuant to article 40 of title 1 CRS.
4 The time is 10:01am on January 15th, 2020. We are meeting in the secretary of state's Aspen room, 1700
5 Broadway suite 200, Denver, Colorado. The title setting board today consists of myself, Ben Schler, I'm
6 the appointee of the Colorado secretary of state's office; to my right is David Powell, apointee of the
7 Colorado attorney general's office, and to my left is Jason Gallender, appointee of the office of
8 legislative legal services. To Jason's left is Steve Ward, the clerk for the board. Today we meet to
9 consider title setting for several proposals and two motions for rehearing. There are two titles for each
10 measure, one is a statement and the other is a statement in the form of a question. Changes adopted by
11 the title board to the first title in the staff draft will be considered adopted for the other title. This
12 hearing is broadcast over the internet from the secretary of state's website public restrooms are
13 available on this floor. When the title board considers a proposed initiative for the first time the board
14 will follow three steps. First, the board members may wish to ask questions of the proponents, this is to
15 ensure that the board understands the proposal. The board will first determine if it has jurisdiction to
16 set a title, in particular, the board must determine if the measure complies with the single subject rule
17 prescribed in article 5, section 1, 5.5 of the Colorado constitution, and section 1-40-106.5 of the
18 Colorado revised statutes. This is because the board is prohibited from setting a title for a measure that
19 contains more than one subject. Third, if the board determines that it has jurisdiction to set a title, then
20 the board will use the staff prepared draft for discussion purposes. A copy of the staff draft is on the
21 table in the back. Generally, we will take all testimony first and then the board will discuss and vote after
22 all testimony has been completed. A decision is reached by two of the three members of the board.
23 Please take note that we are not concerned with the merits of any proposal here, we are only concerned

1 with the setting of titles. Furthermore, we are not concerned with the legal or constitutional objections
2 to the measures except to the extent that such objections relate to the jurisdiction of the board to set
3 titles or to the correctness of the titles and summaries themselves.

4 **Unrelated speech...#127**

5 Mr. Schler: With that, we are going to move on now to our next motion for rehearing, that is on number
6 2019-2020 #131, "Expungement of Eligible Criminal Records." Mr. Gallender is being replaced by Julie
7 Pelegrin as the designee from the office of legislative legal services. Ok. Hi there. If you wouldn't mind
8 reintroducing yourself and articulating your motion.

9 Mr. Ball: Yeah. My name is Stephen Ball, designated representative of 131. We filed the motion,
10 obviously, since we were denied a title. We had to review the tape to actually hear all of the questions
11 that were asked. We were under the impression that we might develop a title together. A lot of the
12 questions that were posed by the board, they're addressing issues that were brought up in the initiative
13 as a direct response to questions posed by the legislative council staff. We filed our initial initiative,
14 number 78, back in April. It specifically talked about eligibility criteria, expungement fees, expungement
15 periods and their first question was "Well, what should the, what can the revenue be used for?" So we
16 addressed that in #123 and then in #123 they said "well, who is going to be in charge of that revenue?"
17 so we addressed that in number 130 and then number 131 was a cleanup to all of that so we tried
18 initially to stay within single subject rights, or rules, and then as questions were posed we stayed within
19 the realm of those questions. So, the single subject migrated over time, I suppose, from the
20 expungement of eligible criminal records to social welfare. Social welfare, we're taking the definition
21 from the internal revenue service, which is the common good and general welfare of the people of the
22 community. So, refilling motion for grounds for rehearing that that is the single subject and
23 expungement of eligible criminal records fit in the umbrella of that subject.

1 Mr. Schler: Questions from the board?

2 Ms. Pelegrin: First, can we confirm that the other proponent is present?

3 Mr. Schler: Yeah. Could you confirm for us that your other designated representative is present?

4 Mr. Paul Ball: (sitting in room) I'm here.

5 Mr. Ball: He's here:

6 Mr. Schler: Appreciate that.

7 Ms. Pelegrin: I don't know that I have questions, per se, I've thought a lot about this and I understand
8 the catch 22 that you feel like you're in, in terms of, you get the question as to how use the money and
9 so when you explain how to use the money, now it feels like it's many subjects. I believe there is case
10 law that has stated that in creating a tax and then specifying how it's supposed to be used is a single
11 subject. I guess I'm, I'm still uncomfortable with the range of programs, and I would be very
12 uncomfortable with going for a single subject that was social welfare, just because to me that is too
13 broad and too vague and everyone has a different idea as to what is in the social welfare. So, my
14 thoughts are, if we set a title, I would continue with it being... I think the real subject of the measure is
15 expungement of criminal records. The other things come in, in terms of deciding how to distribute the
16 money, so in the trailer for the title, in connection therewith, part of it I think should be listing the many
17 things it's being used for and maybe in that way we avoid voter surprise and we avoid something being
18 in there that the voters never would have thought of.

19 Mr. Schler: I guess I would say I'm still pretty concerned and I guess I'm willing to think about, in light of
20 what you said Ms. Pelegrin... I'm pretty concerned about... there just, there is no... I do agree that you'd
21 have to be able to figure out where to put the funds that you're creating through these fees, but with
22 regard to a single subject that voters can wrap their heads around when it comes to a title, I'm

1 concerned about, just kind of dropping at the bottom of a title, a listing of things that are not necessarily
2 and properly connected to the purpose of your measure, right? I think that's confusing. I think that
3 adding the agricultural education scholarship fund, for example, is one that came to mind, for me. Fallen
4 first responders fund, obviously, I'm not taking issue with whether those are good things, I think that
5 they are, I just think that it would be confusing to voters from a single subject perspective to say that
6 you're basically creating a very well thought out and complex process for expungement and then adding
7 to the bottom of that these disconnected funds, and scholarship funds. So, I'm still leaning towards the
8 fact that it's not a single subject.

9 Mr. Ball: Are you leaning towards the fact that it's not a single subject or that the single subject we've
10 chosen is too broad?

11 Mr. Schler: That is constitutes more than a single subject. That the language of your measure constitutes
12 more than a single subject, so it's not necessarily that ability to (inaudible) what that short phrase would
13 be but it's more about what would we be putting in the title and how would those things be connected
14 to whatever that single subject is.

15 Mr. Ball: Does the single subject have to be expressed within the title or specifically named in the title?

16 Mr. Schler: I think we would generally name the subject in the title. I just want to make sure you
17 understand where I'm coming from which is essentially just that it's not necessarily about that short
18 single subject, it's more just about what connects to that and I just don't see myself getting there on
19 those additional funds that you've created in your provision.

20 Mr. Powell: Listen, I was not here on the second when you proposed this and I certainly appreciate your
21 efforts to come back and define the single subject. I think... I am concerned that trying to define the
22 single subject as social welfare does not fix it.

1 Mr. Ball: Does not what? I'm sorry.

2 Mr. Powell: Does not fix the concern about single subject, that's pretty broad. That's the reason I am not
3 convinced by the motion.

4 Ms. Pelegrin: I think maybe part of the concern is, and I don't want to get into talking about anything
5 within the bill itself or constitutionality or anything, but I think what leads us to our difficulty is the fact
6 that you're collecting a fee with regard to a particular service and then you're using the money for that
7 fee to pay for many things that are not connected with that service.

8 Mr. Ball: We feel that they are. These defendants are going to be basically investing into their own
9 rehabilitation services, and prehabilitation services of the community, which is reducing strain on
10 taxpayers, which is strengthening community relationships through these programs we've created so we
11 do feel that they are connected. We can sit here and debate that all day. We're more concerned with
12 your view of it. I do appreciate, we appreciate, that you understand our position. We didn't try to go
13 there initially; we tried to make it very simple. Over the past year we've been getting asked these
14 questions through each resubmission to legislative council staff and addressing those questions
15 individually, so we appreciate that you notice that because that's where all of this came from. We have
16 no problem scaling it back but we were definitely going to take it as far as we could.

17 Mr. Schler: Understood, thank you. Any other thoughts from the board?

18 Ms. Pelegrin: No.

19 Mr. Powell: No further thoughts.

20 Mr. Schler: Does anyone else wish to testify on this motion? I think I would entertain a motion at this
21 point.

1 Mr. Ball: Can I ask one question first?

2 Mr. Schler: Absolutely:

3 Mr. Ball: Is it just these extra programs that are concerning you? Is there anything else, hypothetically, if
4 these programs were removed, that you might find issue with, or have found issue with up until this
5 point?

6 Mr. Schler: I did not. It was the additional programs that were not related to the purpose of obtaining
7 the fees and not all the funds but the funds that we agreed that you just can't logically relate them.
8 Those were the ones that were my issue.

9 Mr. Ball: I'm sorry, one last thing. One of our future ones we're working on right now is we're actually, in
10 the life skills program, I know you guys said that you supported that initially, we've actually moved some
11 of those into it. Where instead of once you finish your community maintenance hours and you're
12 allowed to then move to education or mental health support programs, we've actually moved those into
13 it. So, making those a part of the life skills program, would you find a connection at that point, because
14 that's how they can substitute paying for that fee?

15 Mr. Schler: I guess what I would say is that I wouldn't want to get to hypothetical, although I know what
16 you're trying to do, which is, you want to come back and make sure that we set a title for you but I think
17 I would have to say that I would have to see that language.

18 Ms. Pelegrin: I would as well.

19 Mr. Schler: Ok.

20 Ms. Pelegrin: I make a motion that we reject the motion for rehearing on proposed initiative 2019-2020
21 #131 and that the board continues to not set a title.

1 Mr. Schler: I'll second that. All in favor say "aye."

2 Mr. Powell: Aye.

3 Mr. Schler: Aye.

4 Ms. Pelegrin: Aye.

5 Mr. Ball: Thank you.

6 Mr. Schler: That passes. Thank you.