# First Regular Session Seventy-third General Assembly STATE OF COLORADO

## **INTRODUCED**

LLS NO. 21-1004.01 Conrad Imel x2313

**HOUSE BILL 21-1299** 

## **HOUSE SPONSORSHIP**

Sullivan and Bacon, Amabile, McCormick

## SENATE SPONSORSHIP

Fields and Hansen,

#### **House Committees**

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#### **Senate Committees**

Public & Behavioral Health & Human Services

# A BILL FOR AN ACT CONCERNING ESTABLISHING AN OFFICE OF GUN VIOLENCE PREVENTION, AND, IN CONNECTION THEREWITH, MAKING AN

103 APPROPRIATION.

## **Bill Summary**

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

The bill establishes the office of gun violence prevention (office) within the department of public health and environment to coordinate and promote effective efforts to reduce gun violence. The office is required to conduct public awareness campaigns to educate the general public about state and federal laws and existing resources relating to gun

violence prevention. Subject to available money, the office may establish and administer a grant program to award grants to organizations to conduct community-based gun violence intervention initiatives that are primarily focused on interrupting cycles of gun violence, trauma, and retaliation that are evidence-informed and have demonstrated promise at reducing gun violence without contributing to mass incarceration.

The office is required to create and maintain a resource bank as a repository for data, research, and statistical information regarding gun violence in Colorado. The office must collaborate with researchers to improve data collection in Colorado and use existing available research to enhance evidence-based gun violence prevention tools and resources available to Colorado communities.

1	Be it enacted by the General Assembly of the State of Colorado:
2	SECTION 1. In Colorado Revised Statutes, add part 12 to article
3	20.5 of title 25 as follows:
4	PART 12
5	OFFICE OF GUN VIOLENCE PREVENTION
6	25-20.5-1201. Definitions. As used in this part 12, unless the
7	CONTEXT OTHERWISE REQUIRES:
8	(1) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
9	AND ENVIRONMENT.
10	(2) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF GUN
11	VIOLENCE PREVENTION DESCRIBED IN SECTION 25-20.5-1202 (1)(b).
12	(3) "Office" means the office of Gun Violence prevention
13	ESTABLISHED IN SECTION 25-20.5-1202.
14	(4) "RESOURCE BANK" MEANS THE RESOURCE BANK OF MATERIALS
15	AND RESOURCES PERTAINING TO GUN VIOLENCE IN COLORADO DESCRIBED
16	IN SECTION 25-20.5-1204.
17	25-20.5-1202. Office of gun violence prevention - created -
18	director - staff - collaboration. (1) (a) There is created in the
19	DEPARTMENT THE OFFICE OF GUN VIOLENCE PREVENTION TO COORDINATE

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1	AND PROMOTE EFFECTIVE EFFORTS TO REDUCE GUN VIOLENCE AND
2	RELATED TRAUMAS AND PROMOTE RESEARCH REGARDING CAUSES OF, AND
3	EVIDENCE-BASED RESPONSES TO, GUN VIOLENCE.
4	(b) The executive director of the department shall
5	APPOINT THE DIRECTOR OF THE OFFICE OF GUN VIOLENCE PREVENTION
6	PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION.
7	(c) THE DIRECTOR SHALL APPOINT STAFF NECESSARY TO CARRY
8	OUT THE RESPONSIBILITIES OF THE OFFICE. AT A MINIMUM, THE OFFICE
9	MUST HAVE, IN ADDITION TO THE DIRECTOR, ONE FULL-TIME EQUIVALENT
10	EMPLOYEE IN STATE FISCAL YEAR 2021-22 AND TWO FULL-TIME
11	EQUIVALENT EMPLOYEES IN STATE FISCAL YEAR 2022-23.
12	(2) IN ORDER TO EFFECTIVELY CARRY OUT ITS RESPONSIBILITIES,
13	THE OFFICE MAY COLLABORATE WITH OTHER STATE AGENCIES, INCLUDING
14	THE ADDRESS CONFIDENTIALITY PROGRAM CREATED IN SECTION
15	24302104; the office of suicide prevention established in section
16	25-1.5-101 (1)(w); THE SAFE2TELL PROGRAM CREATED IN SECTION
17	24-31-606; THE SCHOOL SAFETY RESOURCE CENTER CREATED IN SECTION
18	24-33.5-1803; THE DEPARTMENT OF EDUCATION; THE OFFICE OF
19	BEHAVIORAL HEALTH WITHIN THE DEPARTMENT OF HUMAN SERVICES; THE
20	OFFICE OF THE ATTORNEY GENERAL; AND THE DIVISION OF CRIMINAL
21	JUSTICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY. THE OFFICE MAY
22	ALSO COLLABORATE WITH INDIVIDUALS, EDUCATIONAL INSTITUTIONS,
23	HEALTH-CARE PROVIDERS, AND ORGANIZATIONS WITH EXPERTISE IN GUN
24	VIOLENCE PREVENTION AND GUN SAFETY, INCLUDING GUN DEALERS,
25	SHOOTING RANGES, AND FIREARMS SAFETY INSTRUCTORS.
26	25-20.5-1203. Gun violence prevention awareness and
27	education - violence intervention grant program - rules. (1) THE

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1	OFFICE SHALL INCREASE THE AWARENESS OF, AND EDUCATE THE GENERAL
2	PUBLIC ABOUT, STATE AND FEDERAL LAWS AND EXISTING RESOURCES
3	RELATING TO GUN VIOLENCE PREVENTION, INCLUDING THE FOLLOWING:
4	(a) THE AVAILABILITY OF, AND THE PROCESS FOR REQUESTING, AN
5	EXTREME RISK PROTECTION ORDER PURSUANT TO ARTICLE 14.5 OF TITLE
6	13;
7	(b) THE AVAILABILITY OF, AND THE PROCESS FOR REQUESTING, A
8	PROTECTION ORDER PURSUANT TO ARTICLE 14 OF TITLE 13;
9	(c) How to report a lost or stolen firearm, including
10	REPORTING REQUIREMENTS IN STATE LAW;
11	(d) BEST PRACTICES FOR SAFE STORAGE OF FIREARMS, INCLUDING
12	SAFE STORAGE REQUIREMENTS DESCRIBED IN SECTION 18-12-114;
13	(e) ACCESSING AVAILABLE MENTAL HEALTH AND SUBSTANCE USE
14	RESOURCES AND HOW TO REFER PEOPLE TO NEEDED MENTAL HEALTH AND
15	SUBSTANCE USE TREATMENT SERVICES, INCLUDING SUICIDE PREVENTION;
16	AND
17	(f) SAFE AND RESPONSIBLE GUN OWNERSHIP, INCLUDING
18	INCREASINGAWARENESSOFCOMPLIANCEWITHSTATEANDFEDERALLAW.
19	(2) (a) TO PROMOTE AWARENESS AND EDUCATION AS DESCRIBED
20	IN SUBSECTION (1) OF THIS SECTION, THE OFFICE SHALL:
21	(I) CONDUCT AWARENESS CAMPAIGNS DIRECTED TOWARD GUN
22	OWNERS, PARENTS AND LEGAL GUARDIANS OF CHILDREN, AND
23	PROFESSIONS THAT PROVIDE SERVICES TO PEOPLE AND COMMUNITIES
24	DISPROPORTIONATELY AFFECTED BY GUN VIOLENCE; AND
25	(II) DEVELOP AND PROVIDE MATERIALS AND TRAINING RESOURCES
26	TO LOCAL LAW ENFORCEMENT AGENCIES, HEALTH-CARE PROVIDERS, AND
77	EDUCATORS TO ASSIST THOSE AGENCIES PROVIDERS AND EDUCATORS

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1	WITH EDUCATING THE PUBLIC ABOUT THE LAWS AND RESOURCES
2	DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND OTHER EFFECTIVE
3	GUN VIOLENCE PREVENTION STRATEGIES.
4	(b) THE OFFICE MAY FOCUS PUBLIC AWARENESS CAMPAIGNS IN
5	COMMUNITIES IDENTIFIED BY THE OFFICE AS DISPROPORTIONATELY
6	AFFECTED BY GUN VIOLENCE.
7	(c) THE OFFICE SHALL CONDUCT AWARENESS AND EDUCATION
8	CAMPAIGNS IN A CULTURALLY COMPETENT WAY, INCLUDING BY
9	PROVIDING MATERIALS AND RESOURCES IN MULTIPLE LANGUAGES.
10	(d) THE OFFICE MAY USE TELEVISION MESSAGING, RADIO
11	BROADCASTS, PRINT MEDIA, DIGITAL STRATEGIES, OR ANY OTHER FORM OF
12	MESSAGING DEEMED EFFECTIVE AND APPROPRIATE BY THE OFFICE TO
13	ACHIEVE THE GOALS OF THIS SECTION.
14	(3) At the request of the executive director of the
15	DEPARTMENT, THE OFFICE SHALL SUPPORT AND PROVIDE ASSISTANCE FOR
16	OTHER EDUCATION CAMPAIGNS AND PROGRAMS CONDUCTED BY THE
17	DEPARTMENT THAT ARE RELATED TO GUN VIOLENCE, INCLUDING
18	EDUCATION AND PROGRAMS RELATING TO FIREARMS SAFE STORAGE AND
19	SUICIDE PREVENTION.
20	(4) (a) Subject to available money, the office may
21	ESTABLISH AND ADMINISTER A GRANT PROGRAM TO AWARD GRANTS TO
22	ORGANIZATIONS TO CONDUCT COMMUNITY-BASED GUN VIOLENCE
23	INTERVENTION INITIATIVES THAT ARE PRIMARILY FOCUSED ON
24	INTERRUPTING CYCLES OF GUN VIOLENCE, TRAUMA, AND RETALIATION BY
25	PROVIDING CULTURALLY COMPETENT INTERVENTION SERVICES.
26	(b) TO BE ELIGIBLE FOR A GRANT AWARD, AN ORGANIZATION MUST

DEMONSTRATE THE ABILITY TO CONDUCT EFFECTIVE COMMUNITY-BASED

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2	DESCRIBED IN THIS SECTION. THE OFFICE SHALL PRIORITIZE AWARDING
3	GRANTS TO ORGANIZATIONS THAT CONDUCT GUN VIOLENCE INTERVENTION
4	INITIATIVES WITH INDIVIDUALS AND IN COMMUNITIES IDENTIFIED AS
5	HAVING THE HIGHEST RISK OF PERPETRATING OR BEING VICTIMIZED BY
6	GUN VIOLENCE IN THE NEAR FUTURE.
7	(c) AN INITIATIVE CONDUCTED WITH A GRANT AWARD MUST USE
8	STRATEGIES THAT ARE EVIDENCE-INFORMED AND HAVE DEMONSTRATED
9	PROMISE AT REDUCING GUN VIOLENCE WITHOUT CONTRIBUTING TO MASS
10	INCARCERATION, SUCH AS HOSPITAL-BASED VIOLENCE INTERVENTION
11	PROGRAMS, GROUP VIOLENCE INTERVENTIONS, EVIDENCE-BASED STREET
12	OUTREACH PROGRAMS, VIOLENCE INTERRUPTION AND CRISIS
13	MANAGEMENT PROGRAMS, AND INDIVIDUALIZED WRAPAROUND SERVICES.
14	TO IMPROVE THE EFFECTIVENESS OF A GUN VIOLENCE INTERVENTION
15	INITIATIVE, A GRANT RECIPIENT SHALL CONDUCT REGULAR EVALUATIONS
16	OF EACH INITIATIVE, INCLUDING FACILITATING COMMUNITY INPUT AND
17	ENGAGEMENT.
18	(d) THE DEPARTMENT MAY PROMULGATE RULES NECESSARY FOR
19	THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING GRANT
20	APPLICATION PROCEDURES, CRITERIA FOR DETERMINING THE AMOUNT AND
21	DURATION OF THE GRANTS, AND REPORTING REQUIREMENTS FOR
22	ORGANIZATIONS THAT RECEIVE GRANTS.
23	25-20.5-1204. Resource bank - duties. (1) THE OFFICE SHALL
24	CREATE AND MAINTAIN A RESOURCE BANK OF REGULARLY UPDATED AND
25	ACCURATE MATERIALS AND RESOURCES AS A REPOSITORY FOR DATA,
26	RESEARCH, AND STATISTICAL INFORMATION REGARDING GUN VIOLENCE IN
27	COLORADO.

GUN VIOLENCE INTERVENTION INITIATIVES THAT MEET THE CRITERIA

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1	(2) AS PART OF MAINTAINING THE RESOURCE BANK, THE OFFICE
2	SHALL:
3	(a) ASSIST RESEARCHERS WHO ARE SEEKING INFORMATION ABOUT
4	GUN VIOLENCE IN COLORADO;
5	(b) COLLABORATE WITH RESEARCHERS, INCLUDING
6	ORGANIZATIONS THAT CONDUCT GUN VIOLENCE RESEARCH, TO:
7	$(I)\ IDENTIFY\ GAPS\ IN\ AVAILABLE\ DATA\ NEEDED\ FOR\ GUN\ VIOLENCE$
8	PREVENTION RESEARCH AND DEVELOP STRATEGIES TO IMPROVE RELEVANT
9	DATA COLLECTION IN COLORADO;
10	(II) USE EXISTING AVAILABLE RESEARCH TO ENHANCE
11	EVIDENCE-BASED GUN VIOLENCE PREVENTION TOOLS AND RESOURCES
12	AVAILABLE TO COLORADO COMMUNITIES; AND
13	(III) IMPROVE THE UNDERSTANDING OF THE DISPROPORTIONATE
14	BARRIERS TO SAFETY FROM GUN VIOLENCE BY ENCOURAGING
15	DISAGGREGATION OF DATA BY RACE AND ETHNICITY WHEN RESEARCH IS
16	CONDUCTED; AND
17	(c) PROMOTE NEW AND RELEVANT RESEARCH REGARDING GUN
18	VIOLENCE PREVENTION AND, IF POSSIBLE, MAKE THIS RESEARCH
19	ACCESSIBLE TO RESEARCHERS AND THE PUBLIC.
20	25-20.5-1205. Federal grants - other funds - gifts, grants, and
21	donations. (1) The office shall identify and apply for available
22	FEDERAL GRANTS AND OTHER FUNDING TO FURTHER ITS WORK TO PREVENT
23	GUN VIOLENCE.
24	(2) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
25	OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
26	THIS PART 12.
27	25_20.5_1206 Rules - report (1) THE DEPARTMENT MAY

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1	PROMULGATE RULES AS NEEDED FOR THE EFFECTIVE IMPLEMENTATION OF
2	THIS PART 12.
3	(2) (a) On or before November $30$ of each year, the office
4	SHALL REPORT TO THE DEPARTMENT ON THE ACTIVITIES IT HAS
5	CONDUCTED IN THE PRECEDING TWELVE MONTHS. THE REPORT MUST
6	INCLUDE:
7	(I) Information about the awareness and education
8	CAMPAIGNS CONDUCTED BY THE OFFICE;
9	(II) EFFECTIVE GUN VIOLENCE INTERVENTION PROGRAMS
10	IDENTIFIED AND CONDUCTED BY THE OFFICE;
11	(III) ANY FEDERAL GRANTS OR OTHER FUNDING THE OFFICE
12	APPLIED FOR AND WHETHER THE OFFICE RECEIVED THOSE GRANTS OR
13	OTHER FUNDS; AND
14	(IV) A GENERAL SUMMARY OF NEW AND RELEVANT RESEARCH
15	INCLUDED IN THE OFFICE'S RESOURCE BANK AND THE NATURE OF
16	RESEARCH ASSISTANCE PROVIDED BY THE OFFICE.
17	(b) THE OFFICE SHALL MAKE THE REPORT PUBLICLY AVAILABLE ON
18	ITS WEBSITE OR, IF THE OFFICE DOES NOT HAVE A DEDICATED WEBSITE, ON
19	A WEB PAGE OF THE DEPARTMENT'S WEBSITE.
20	(c) In its annual report before the house and senate
21	COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203, THE
22	DEPARTMENT SHALL INCLUDE A SUMMARY OF THE OFFICE'S ANNUAL
23	REPORT, INCLUDING INSTRUCTION FOR ACCESSING ANY NEW AND
24	RELEVANT GUN VIOLENCE PREVENTION RESEARCH IDENTIFIED BY THE
25	OFFICE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT
26	REQUIRED IN THIS SUBSECTION (2)(c) CONTINUES INDEFINITELY.
27	SECTION 2. Appropriation. For the 2021-22 state fiscal year,

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1	\$3,000,000 is appropriated to the department of public health and
2	environment for use by the prevention services division. This
3	appropriation is from the general fund and is based on an assumption that
4	the division will require an additional 2.0 FTE. To implement this act, the
5	division may use this appropriation for program costs related to family
6	and community health for the office of gun violence prevention.
7	SECTION 3. Safety clause. The general assembly hereby finds,
8	determines, and declares that this act is necessary for the immediate

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

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