

Colorado Revised Statutes
Title 19, Article 3.5
Colorado Children's Trust Fund
Revised March 23, 2012

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19-3.5-101. Short title.

This article shall be known and may be cited as the "Colorado Children's Trust Fund Act."

19-3.5-102. Legislative declaration.

(1) The general assembly hereby finds that child abuse and neglect are a threat to the family unit and impose major expenses on society. The general assembly further finds that there is a need to assist private and public agencies in identifying, planning, and establishing statewide programs for the prevention of child abuse and neglect.

(2) It is the purpose of this article to promote prevention and education programs that are designed to lessen the occurrence of child abuse and neglect and to reduce the need for state intervention in child abuse and neglect prevention and education.

19-3.5-103. Definitions.

(Repealed)

19-3.5-104. Colorado children's trust fund board - creation - assistance from Colorado state university - members.

(1) There is hereby created, in the department of human services, the Colorado children's trust fund board. The board shall exercise its powers and duties as if transferred by a type 2 transfer.

(2) The board shall consist of nine members, as follows:

(a) The executive director of the department of human services or his designee;

(a.5) The executive director of the department of public health and environment or such director's designee;

(b) The commissioner of education or his designee; and

(c) Six persons appointed by the governor and confirmed by the senate, five of whom shall be knowledgeable in the area of child abuse prevention and represent some of the following areas: Law enforcement; medicine; law; business; mental health; domestic relations; child abuse prevention; education; and social work; and one who shall be a parent or a representative of a parent organization.

(3) (a) Each appointed member of the board shall serve for a term of three years; except that the original members appointed by the governor shall serve staggered terms not to exceed three years, to be decided by the board.

(b) A vacancy on the board shall be filled for the balance of the unexpired term.

(4) The board shall meet regularly and shall adopt its own rules of procedure.

(5) Members shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.

19-3.5-105. Powers and duties of the board.

(1) The board shall have the following powers and duties:

(a) To provide for the coordination and exchange of information on the establishment and maintenance of primary and secondary prevention programs;

(b) To develop and publicize criteria regarding grants from the trust fund, including the duration of grants and any requirements for matching funds which are received from the trust fund;

(c) To review and monitor the expenditure of moneys by recipients;

(d) Repealed.

(e) To accept grants from the federal government as well as to solicit and accept contributions, grants, gifts, bequests, and donations from individuals, private organizations, and foundations;

(f) To expend moneys of the trust fund for the establishment, promotion, and maintenance of primary and secondary prevention programs, including pilot programs, for programs to prevent and reduce the occurrence of prenatal drug exposure, and for operational expenses of the board;

(g) To sue and be sued as a board without individual liability for acts of the board;

(h) To exercise any other powers or perform any other duties which are consistent with the purposes for which the board was created and which are reasonably necessary for the fulfillment of the board's responsibilities;

(i) Repealed.

(j) Repealed.

19-3.5-106. Colorado children's trust fund - creation - source of funds.

(1) There is hereby created in the state treasury the Colorado children's trust fund, which shall be administered by the board and which shall consist of:

(a) All moneys which shall be transferred thereto in accordance with section 13-32-101 (1) (a), C.R.S.; and

(b) All moneys collected by the board pursuant to section 19-3.5-105 (1) (e) from federal grants and other contributions, grants, gifts, bequests, donations, and any moneys appropriated thereto by the state. Such moneys shall be transmitted to the state treasurer for credit to the trust fund.

(2) All moneys in the fund shall be subject to annual appropriation by the general assembly. Any moneys not appropriated shall remain in the fund and shall not be transferred to or revert to the general fund of the state at the end of any fiscal year. Any interest earned on the investment or

deposit of moneys in the fund shall also remain in the fund and shall not be credited to the general fund of the state.

19-3.5-107. Disbursement of grants from the trust fund.

(1) Grants may be awarded to provide moneys for the start-up, continuance, or expansion of primary and secondary prevention programs, including pilot programs and home visitation programs, to provide educational and public informational seminars, and to study and evaluate primary and secondary prevention programs, pilot programs, and home visitation programs. In addition, grants may be awarded for programs to prevent and reduce the occurrence of prenatal drug exposure.

(2) The board shall have discretion in determining the amount of money to be awarded under each grant; except that:

(a) Until the total amount of assets in the trust fund exceeds five million dollars, not more than seventy-five percent of the moneys credited to the trust fund each year pursuant to section 13-32-101 (1) (a), C.R.S., plus any interest credited thereon to the trust fund during the previous year shall be available for disbursement or expenditure by the board; however, any other moneys deposited or maintained in the fund may be disbursed by the board pursuant to the provisions of this article in accordance with an appropriation from the fund made by the general assembly;

(b) After such time that the state treasurer certifies that the assets in the trust fund exceed five million dollars, no further moneys shall be collected for the trust fund pursuant to section 13-32-101 (1) (a), C.R.S.; however, nothing in this paragraph (b) shall be construed to prohibit the continued collection of moneys for the trust fund pursuant to section 19-3.5-105 (1) (e);

(c) After such time that the state treasurer certifies that the assets in the trust fund exceed five million dollars, only the interest credited to the trust fund, together with any moneys collected for such fund pursuant to section 19-3.5-105 (1) (e), shall be available for disbursement or expenditure by the board.

(3) Any grant or moneys received by the board and credited to the trust fund pursuant to section 19-3.5-106 (1) (b) shall not be subject to the disbursement restriction of paragraph (a) of subsection (2) of this section.

19-3.5-109. Report - repeal of article

(1) The department of human services shall contract for an independent evaluation of the trust fund including administrative costs of operating the trust fund and the cost-effectiveness and the impact of the grants on reducing and preventing child abuse. A report of such evaluation shall be provided to the house health, environment, welfare, and institutions committee and the senate health, environment, children and families committee by November 1, 2011 and by November 1, 2021.

(2) This article is repealed, effective July 1, 2022.