

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

**INTRODUCED**

LLS NO. 09-0819.01 Jane Ritter

**HOUSE BILL 09-1280**

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**HOUSE SPONSORSHIP**

**Looper,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ADOPTION OF A YOUTH CHALLENGE CORPS**  
102 **PROGRAM IN COLORADO.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Creates the "Colorado Youth Challenge Corps Program Act". Authorizes the department of military and veterans affairs (department) to operate a residential youth challenge corps program (program) through the use of contract personnel and National Guard facilities and equipment to provide a program for at-risk youth. Defines an at-risk youth as a person who is at least 15 years of age but less than 20 years of age and who has been suspended or expelled from school, is habitually truant, or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

is habitually disruptive in school. Specifies that the program shall comply with any criteria and conditions specified in a cooperative agreement entered into between the chief of the federal National Guard bureau and the state.

Directs the adjutant general in the department, or his or her designee, to apply for any available federal moneys to implement and operate the program. Authorizes the adjutant general, or his or her designee, to accept gifts, grants, or donations to implement the program.

Establishes the youth challenge corps program fund. Identifies the anticipated receipt of federal moneys by the department to implement the program.

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

2 **SECTION 1.** Article 3 of title 28, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 17**

5 **YOUTH CHALLENGE CORPS PROGRAM**

6 **28-3-1701. Short title.** THIS PART 17 SHALL BE KNOWN AND MAY  
7 BE CITED AS THE "COLORADO YOUTH CHALLENGE CORPS PROGRAM ACT".

8 **28-3-1702. Legislative declaration.** (1) THE GENERAL  
9 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

10 (a) THE NEED FOR EDUCATING AT-RISK OR DISRUPTIVE YOUTH IS  
11 WELL ESTABLISHED;

12 (b) RECOGNIZING THE NEED FOR SPECIAL PROGRAMS TO ADDRESS  
13 AT-RISK YOUTH, THE UNITED STATES CONGRESS AUTHORIZED AND  
14 APPROPRIATED MONEYS FOR THE USE OF CONTRACT PERSONNEL AND  
15 NATIONAL GUARD FACILITIES AND EQUIPMENT FOR THE PROVISION OF A  
16 PROGRAM DESIGNED TO IMPROVE THE EMPLOYMENT POTENTIAL AND LIFE  
17 SKILLS OF AT-RISK YOUTH THROUGH NATIONAL GUARD YOUTH  
18 CHALLENGE CORPS PROGRAMS;

19 (c) AN EVALUATION OF SIMILAR PROGRAMS FOR AT-RISK YOUTH

1 OPERATING IN OTHER STATES INDICATES THAT:

2 (I) EIGHTY PERCENT OF THE STUDENTS ACCEPTED INTO THE THESE  
3 PROGRAMS WENT ON TO GRADUATE FROM THE PROGRAMS;

4 (II) EIGHTY PERCENT OF THE STUDENTS IN THESE PROGRAMS WERE  
5 PLACED IN SCHOOLS OR EMPLOYED AT THE TIME OF GRADUATION FROM  
6 THE PROGRAMS;

7 (III) EIGHTY PERCENT OF THE STUDENTS IN THESE PROGRAMS  
8 OBTAINED A GED EITHER DURING THE TIME IN WHICH THEY WERE  
9 PARTICIPATING IN THE PROGRAMS OR WITHIN ONE YEAR AFTER  
10 GRADUATING FROM THE PROGRAMS; AND

11 (IV) LESS THAN ONE PERCENT OF THE STUDENTS WHO  
12 PARTICIPATED IN THESE PROGRAMS WERE INCARCERATED WITHIN ONE  
13 YEAR AFTER GRADUATING FROM THE PROGRAMS;

14 (d) THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS  
15 OPERATES THE YOUTH CONSERVATION CORPS PROGRAM TO HELP MEET THE  
16 NEEDS OF AT-RISK YOUTH WITHIN THE STATE OF COLORADO, BUT THE  
17 AUTHORITY TO OPERATE A YOUTH CHALLENGE CORPS PROGRAM THROUGH  
18 THE USE OF FEDERAL MONEYS, CONTRACT PERSONNEL, AND NATIONAL  
19 GUARD FACILITIES AND EQUIPMENT WOULD SIGNIFICANTLY ENHANCE THE  
20 DEPARTMENT'S ABILITY TO FURTHER SERVE AT-RISK YOUTH;

21 (e) THE USE OF CONTRACT PERSONNEL AND NATIONAL GUARD  
22 FACILITIES AND EQUIPMENT WOULD REDUCE THE PER-STUDENT  
23 ADMINISTRATIVE COSTS ASSOCIATED WITH THE OPERATION OF A YOUTH  
24 CHALLENGE CORPS PROGRAM; AND

25 (f) THE USE OF CONTRACT PERSONNEL TO IMPLEMENT A YOUTH  
26 CHALLENGE CORPS PROGRAM WOULD BENEFIT AT-RISK YOUTH  
27 PARTICIPATING IN THE PROGRAM BY PROVIDING INCREASED EMPLOYMENT

1 POTENTIAL AND ENHANCED EDUCATION AND LIFE SKILLS. IT WOULD ALSO  
2 PROVIDE THE CONTRACT PERSONNEL WITH THE OPPORTUNITY TO HONE  
3 THEIR LEADERSHIP SKILLS.

4 (2) THEREFORE, THE GENERAL ASSEMBLY HEREBY FINDS AND  
5 DECLARES THAT IT WOULD BE IN THE BEST INTEREST OF THE PEOPLE OF  
6 THE STATE OF COLORADO TO AUTHORIZE THE DEPARTMENT TO OPERATE  
7 A YOUTH CHALLENGE CORPS PROGRAM AND TO TAKE ADVANTAGE OF THE  
8 OPPORTUNITY TO USE CONTRACT PERSONNEL AND NATIONAL GUARD  
9 FACILITIES AND EQUIPMENT AND ANY FEDERAL FUNDING THAT MAY BE  
10 AVAILABLE FOR SUCH A PROGRAM AS AUTHORIZED BY FEDERAL LAW.

11 **28-3-1703. Definitions.** AS USED IN THIS PART 17, UNLESS THE  
12 CONTEXT OTHERWISE REQUIRES:

13 (1) "AT-RISK YOUTH" MEANS A PERSON WHO IS AT LEAST FIFTEEN  
14 YEARS OF AGE BUT LESS THAN TWENTY YEARS OF AGE AND WHO HAS BEEN  
15 SUSPENDED OR EXPELLED FROM SCHOOL, IS HABITUALLY TRUANT, OR IS  
16 OTHERWISE HABITUALLY DISRUPTIVE IN SCHOOL.

17 (2) "CONTRACT PERSONNEL" MEANS CIVILIAN PERSONNEL WHO  
18 CONTRACT WITH THE NATIONAL GUARD TO PROVIDE SERVICES FOR A  
19 YOUTH CHALLENGE CORPS PROGRAM.

20 (3) "GED" MEANS A CERTIFICATE THAT DEMONSTRATES THAT A  
21 PERSON HAS PASSED THE BATTERY OF TESTS GIVEN AT A TESTING CENTER  
22 AUTHORIZED BY THE COMMISSIONER OF EDUCATION THAT ARE DESIGNED  
23 TO MEASURE THE MAJOR OUTCOMES AND CONCEPTS GENERALLY  
24 ASSOCIATED WITH FOUR YEARS OF HIGH SCHOOL EDUCATION.

25 (4) "PROGRAM" MEANS THE YOUTH CHALLENGE CORPS PROGRAM  
26 AUTHORIZED AND DESCRIBED IN SECTION 28-3-1704.

27 **28-3-1704. Youth challenge corps program - authority - youth**

1     **challenge corps program fund - creation.** (1) THE DEPARTMENT IS  
2     HEREBY AUTHORIZED TO OPERATE A YOUTH CHALLENGE CORPS PROGRAM  
3     THROUGH THE USE OF CONTRACT PERSONNEL AND NATIONAL GUARD  
4     FACILITIES AND EQUIPMENT FOR THE PURPOSE OF PROVIDING AT-RISK  
5     YOUTH WITH A PROGRAM TO HELP THEM OBTAIN GEDs, INCREASE THEIR  
6     EMPLOYMENT POTENTIAL, AND ENHANCE THEIR EDUCATION AND LIFE  
7     SKILLS. THE DEPARTMENT SHALL PAY THE INITIAL COSTS NECESSARY TO  
8     IMPLEMENT THE PROGRAM FROM EXISTING APPROPRIATIONS OR FEDERAL  
9     OR OTHER MONEYS RECEIVED PURSUANT TO SUBSECTION (4) OF THIS  
10    SECTION, AND THE DEPARTMENT SHALL NOT BE OBLIGATED TO IMPLEMENT  
11    THE PROGRAM IF ADEQUATE APPROPRIATIONS OR FEDERAL OR OTHER  
12    MONEYS ARE NOT AVAILABLE.

13           (2) THE PROGRAM SHALL COMPLY WITH THE CRITERIA AND  
14    CONDITIONS SPECIFIED IN A COOPERATIVE AGREEMENT ENTERED INTO  
15    BETWEEN THE CHIEF OF THE FEDERAL NATIONAL GUARD BUREAU AND THE  
16    STATE OF COLORADO.

17           (3) THE ADJUTANT GENERAL OF THE DEPARTMENT, OR THE  
18    ADJUTANT GENERAL'S DESIGNEE, IS DIRECTED TO APPLY FOR ANY FEDERAL  
19    MONEYS THAT MAY BE AVAILABLE TO THE STATE FOR THE  
20    IMPLEMENTATION AND OPERATION OF THE PROGRAM.

21           (4) (a) THE ADJUTANT GENERAL OF THE DEPARTMENT, OR THE  
22    ADJUTANT GENERAL'S DESIGNEE, IS AUTHORIZED TO ACCEPT ON BEHALF  
23    OF THE STATE ANY GIFTS, GRANTS, OR DONATIONS FROM ANY PRIVATE OR  
24    PUBLIC SOURCE FOR THE PURPOSE OF IMPLEMENTING THIS PART 17; EXCEPT  
25    THAT THE DEPARTMENT SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION  
26    IF IT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS PART  
27    17 OR ANY OTHER LAW OF THE STATE.

1 (b) ALL PRIVATE AND PUBLIC MONEYS RECEIVED THROUGH GIFTS,  
2 GRANTS, OR DONATIONS SHALL BE TRANSMITTED TO THE STATE  
3 TREASURER, WHO SHALL CREDIT THE SAME TO THE YOUTH CHALLENGE  
4 CORPS PROGRAM FUND, WHICH FUND IS HEREBY CREATED AND REFERRED  
5 TO IN THIS PART 17 AS THE "FUND". THE MONEYS IN THE FUND ARE  
6 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE DIRECT AND  
7 INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION AND  
8 ADMINISTRATION OF THIS PART 17. ALL INVESTMENT EARNINGS DERIVED  
9 FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE  
10 CREDITED TO THE FUND. ANY MONEYS NOT APPROPRIATED SHALL REMAIN  
11 IN THE FUND AND SHALL NOT BE TRANSFERRED OR REVERT TO THE  
12 GENERAL FUND AT THE END OF ANY FISCAL YEAR.

13 **SECTION 2. Federal funds.** The general assembly anticipates  
14 that, for the fiscal year beginning July 1, 2009, the department of military  
15 and veterans affairs will receive federal funds for the implementation of  
16 this act. Although these funds are not appropriated in this act, they are  
17 noted for the purpose of indicating the assumptions used relative to these  
18 funds.

19 **SECTION 3. Act subject to petition - effective date.** This act  
20 shall take effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly that is  
22 allowed for submitting a referendum petition pursuant to article V,  
23 section 1 (3) of the state constitution, (August 4, 2009, if adjournment  
24 sine die is on May 6, 2009); except that, if a referendum petition is filed  
25 against this act or an item, section, or part of this act within such period,  
26 then the act, item, section, or part, if approved by the people, shall take

- 1 effect on the date of the official declaration of the vote thereon by
- 2 proclamation of the governor.