

**Second Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 08-0786.01 Debbie Haskins

**SENATE BILL 08-163**

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**SENATE SPONSORSHIP**

**Shaffer**, Gordon, Bacon, Groff, Isgar, Johnson, Schwartz, Tapia, Tupa, Veiga, and Windels

**HOUSE SPONSORSHIP**

**Primavera**, Benefield, Casso, Fischer, Frangas, Gagliardi, Gallegos, Gardner B., Green, Hodge, Kefalas, Kerr J., Labuda, Levy, McFadyen, McKinley, Stafford, and Todd

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**Senate Committees**  
Health and Human Services

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF AN AUTISM COMMISSION.**

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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 an autism commission to study autism spectrum disorders, identify existing services and gaps in services for people with autism spectrum disorders, and identify best practices in providing services. Directs the autism commission to develop a 10-year strategic plan for Colorado that:

- ! Clarifies the array of services and supports needed for persons with autism spectrum disorders;
- ! Provides effectively coordinated services and supports to persons with autism spectrum disorders in this state;

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.*

! Estimates the funding and sources of funding needed to provide necessary and coordinated services to persons with autism spectrum disorders.

Specifies the duties of the commission. Specifies the membership of the autism commission.

Directs the autism commission to report to the governor and the general assembly with a final report in the fall of 2009. Allows the department of human services to solicit and accept gifts, grants, and donations from private or public sources to fund the commission's work.

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

2 **SECTION 1.** Article 10.5 of title 27, Colorado Revised Statutes,  
3 is amended BY THE ADDITION OF A NEW PART to read:

4 **PART 8**

5 **AUTISM COMMISSION**

6 **27-10.5-801. Colorado autism commission - purpose - creation.**

7 (1) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE COLORADO  
8 AUTISM COMMISSION, REFERRED TO IN THIS PART 8 AS THE "COMMISSION".  
9 THE PURPOSE OF THE COMMISSION SHALL BE TO STUDY AUTISM ISSUES  
10 AND TO DEVELOP A TEN-YEAR STRATEGIC PLAN FOR THE STATE OF  
11 COLORADO TO ADDRESS THE GROWING NUMBER OF INDIVIDUALS WITH  
12 AUTISM IN COLORADO WHO NEED SERVICES FROM ONE OR MORE SYSTEMS.

13 (2) THE COMMISSION SHALL CONSIST OF TWENTY-TWO MEMBERS,  
14 WHO ARE KNOWLEDGEABLE ABOUT AUTISM OR ABOUT SYSTEMS THAT  
15 SERVE PEOPLE WITH AUTISM SPECTRUM DISORDERS OR BOTH, APPOINTED  
16 BY THE GOVERNOR, AS FOLLOWS:

17 (a) TWO MEMBERS WHO ARE INDIVIDUALS WITH AUTISM WHO  
18 SHALL BE CONSIDERED SELF-ADVOCATES;

19 (b) ONE MEMBER WHO IS A PARENT OF A CHILD WITH AUTISM;

20 (c) ONE MEMBER WHO IS A PARENT OF AN ADULT CHILD WITH  
21 AUTISM;

- 1 (d) TWO MEMBERS WHO REPRESENT AUTISM OR DISABILITY  
2 ADVOCACY ORGANIZATIONS;
- 3 (e) ONE MEMBER WHO REPRESENTS AUTISM SERVICE PROVIDERS;
- 4 (f) ONE MEMBER WHO IS A PHYSICIAN LICENSED IN COLORADO;
- 5 (g) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF  
6 EDUCATION;
- 7 (h) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF PUBLIC  
8 HEALTH AND ENVIRONMENT;
- 9 (i) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF HEALTH  
10 CARE POLICY AND FINANCING;
- 11 (j) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF HUMAN  
12 SERVICES;
- 13 (k) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF LABOR  
14 AND EMPLOYMENT;
- 15 (l) ONE MEMBER WHO REPRESENTS THE DIVISION WITHIN THE  
16 DEPARTMENT OF HUMAN SERVICES THAT GOVERNS SERVICES TO PERSONS  
17 WITH DEVELOPMENTAL DISABILITIES;
- 18 (m) ONE MEMBER WHO REPRESENTS THE DIVISION WITHIN THE  
19 DEPARTMENT OF HUMAN SERVICES THAT GOVERNS VOCATIONAL  
20 REHABILITATION;
- 21 (n) ONE MEMBER WHO REPRESENTS THE DIVISION WITHIN THE  
22 DEPARTMENT OF HUMAN SERVICES THAT GOVERNS MENTAL HEALTH;
- 23 (o) ONE MEMBER WHO REPRESENTS THE COLORADO COMMISSION  
24 ON HIGHER EDUCATION;
- 25 (p) ONE MEMBER WHO REPRESENTS THE STATE COUNCIL ON  
26 DEVELOPMENTAL DISABILITIES CREATED IN SECTION 27-10.5-203;
- 27 (q) ONE MEMBER WHO REPRESENTS THE CENTER SPECIALIZING IN

1 DEVELOPMENTAL DISABILITIES AT THE UNIVERSITY OF COLORADO SCHOOL  
2 OF MEDICINE;

3 (r) ONE MEMBER WHO REPRESENTS A NONPROFIT LEGAL  
4 ORGANIZATION FOR PEOPLE WITH DISABILITIES AND OLDER PEOPLE THAT  
5 RECEIVES FUNDING THROUGH THE FEDERAL DEVELOPMENTAL DISABILITIES  
6 ACT;

7 (s) ONE MEMBER WHO IS A MEMBER OF A COMMUNITY-CENTERED  
8 BOARD; AND

9 (t) ONE MEMBER WHO IS A REPRESENTATIVE OF THE BUSINESS  
10 COMMUNITY.

11 (3) THE GOVERNOR SHALL MAKE THE APPOINTMENTS TO THE  
12 COMMISSION ON OR BEFORE AUGUST 1, 2008.

13 (4) WHEN MAKING APPOINTMENTS TO THE COMMISSION, THE  
14 GOVERNOR SHALL ENSURE REPRESENTATION FROM THE VARIOUS  
15 GEOGRAPHIC AREAS OF THE STATE.

16 (5) THE GOVERNOR MAY, WITH OR WITHOUT CAUSE, REMOVE AND  
17 REPLACE A MEMBER OF THE COMMISSION. IF A VACANCY OCCURS OR A  
18 MEMBER IS REMOVED FROM THE COMMISSION, THE GOVERNOR SHALL  
19 APPOINT A NEW MEMBER IN ACCORDANCE WITH THE PROVISIONS OF  
20 SUBSECTION (2) OF THIS SECTION.

21 (6) THE MEMBER WHO REPRESENTS THE DEPARTMENT OF HUMAN  
22 SERVICES SHALL CONVENE THE FIRST MEETING OF THE COMMISSION NO  
23 LATER THAN SEPTEMBER 8, 2008. THE COMMISSION SHALL MEET AT LEAST  
24 SIX TIMES OVER THE FOLLOWING TWELVE MONTHS AND MORE OFTEN AS  
25 THE COMMISSION DETERMINES IS NECESSARY AND FUNDING WILL ALLOW.

26 (7) THE COMMISSION SHALL ELECT A CHAIR AND VICE-CHAIR FROM  
27 ITS MEMBERSHIP. THE COMMISSION MAY CREATE AS MANY

1 SUBCOMMITTEES AS IT DEEMS NECESSARY TO CARRY OUT THE SCOPE AND  
2 MISSION OF THE COMMISSION. EACH SUBCOMMITTEE SHALL BE CHAIRED  
3 BY A COMMISSION MEMBER BUT MAY BE COMPOSED OF MEMBERS OUTSIDE  
4 OF THE COMMISSION. MEMBERS OF THE COMMISSION SHALL SERVE  
5 WITHOUT COMPENSATION BUT MAY BE REIMBURSED FOR EXPENSES  
6 INCURRED IN CONNECTION WITH THEIR SERVICE ON THE COMMISSION IF  
7 THE DEPARTMENT RECEIVES GIFTS, GRANTS, OR DONATIONS TO COVER THE  
8 COSTS OF THE REIMBURSEMENTS.

9 **27-10.5-802. Commission - duties.** (1) THE COMMISSION SHALL  
10 EXAMINE AUTISM IN THIS STATE AND SHALL:

11 (a) DEFINE THE AUTISM SPECTRUM FOR PURPOSES OF THE SCOPE OF  
12 THE COMMISSION AND IDENTIFY THE NUMBER OF INDIVIDUALS AFFECTED  
13 BY AUTISM IN THE STATE;

14 (b) IDENTIFY EXISTING SERVICES AND GAPS IN SERVICES IN  
15 COLORADO FOR PEOPLE WITH AUTISM SPECTRUM DISORDERS;

16 (c) REVIEW SERVICES PROVIDED BY OTHER STATES THAT BENEFIT  
17 PEOPLE WITH AUTISM SPECTRUM DISORDERS AND IDENTIFY PROMISING  
18 PRACTICES; AND

19 (d) EXAMINE ISSUES AFFECTING THE EFFICIENT DELIVERY AND  
20 COORDINATION OF SERVICES FOR PEOPLE WITH AUTISM SPECTRUM  
21 DISORDERS THAT THE COMMISSION DEEMS NECESSARY TO STUDY.

22 (2) AFTER STUDYING THE ISSUES OUTLINED IN SUBSECTION (1) OF  
23 THIS SECTION, THE COMMISSION SHALL DEVELOP A TEN-YEAR STRATEGIC  
24 PLAN DESIGNED TO:

25 (a) CLARIFY THE ARRAY OF NECESSARY SERVICES AND SUPPORTS  
26 THAT ENABLE PERSONS WITH AUTISM SPECTRUM DISORDERS TO FUNCTION  
27 TO THEIR INDIVIDUAL POTENTIALS ACROSS THEIR LIFESPANS;

1 (b) PROVIDE EFFECTIVELY COORDINATED SERVICES AND SUPPORTS  
2 TO PERSONS WITH AUTISM SPECTRUM DISORDERS IN THIS STATE;

3 (c) ESTIMATE THE FUNDING AND THE SOURCES OF FUNDING  
4 NEEDED TO PROVIDE THE NECESSARY SERVICES AND SUPPORTS DESCRIBED  
5 IN PARAGRAPH (a) OF THIS SUBSECTION (2) AND TO ACCOMPLISH THE  
6 COORDINATION OF SERVICES AS DESCRIBED IN PARAGRAPH (b) OF THIS  
7 SUBSECTION (2).

8 **27-10.5-803. Report.** (1) THE COMMISSION SHALL SUBMIT A  
9 FINAL REPORT TO THE GOVERNOR AND TO THE GENERAL ASSEMBLY NO  
10 LATER THAN OCTOBER 1, 2009. THE FINAL REPORT SHALL INCLUDE BUT  
11 NEED NOT BE LIMITED TO:

12 (a) THE COMMISSION'S FINDINGS AND RECOMMENDATIONS,  
13 INCLUDING CONSIDERATION OF EACH OF THE ISSUES DESCRIBED IN SECTION  
14 27-10.5-802 (1);

15 (b) A TEN-YEAR STRATEGIC PLAN FOR PROVIDING SERVICES AND  
16 SUPPORTS TO PERSONS WITH AUTISM SPECTRUM DISORDERS IN COLORADO  
17 AS OUTLINED IN SECTION 27-10.5-802 (2);

18 (c) PROPOSALS FOR LEGISLATION TO IMPLEMENT THE STRATEGIC  
19 PLAN CONTAINED IN THE REPORT;

20 (d) RECOMMENDATIONS TO APPLICABLE PRINCIPAL DEPARTMENTS  
21 OF THE STATE CONCERNING POLICIES, PROCEDURES, AND RULES THAT MAY  
22 BE ALTERED OR ADOPTED TO IMPROVE SERVICES THAT BENEFIT PEOPLE  
23 WITH AUTISM SPECTRUM DISORDERS OR TO IMPROVE COORDINATION  
24 AMONG STATE AGENCIES THAT PROVIDE SERVICES THAT BENEFIT PEOPLE  
25 WITH AUTISM SPECTRUM DISORDERS.

26 **27-10.5-804. Commission funding - gifts, grants and donations**  
27 **- autism commission cash fund.** THE DEPARTMENT IS AUTHORIZED TO

1 SEEK AND ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR  
2 PUBLIC SOURCES FOR THE PURPOSES OF THE COMMISSION'S WORK. ALL  
3 MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS SHALL BE  
4 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME  
5 TO THE AUTISM COMMISSION CASH FUND, WHICH FUND IS HEREBY CREATED  
6 AND REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE  
7 FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION TO THE DEPARTMENT  
8 FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE  
9 IMPLEMENTATION OF THIS PART 8, INCLUDING THE REIMBURSEMENT OF  
10 EXPENSES OF THE COMMISSION. ANY MONEYS IN THE FUND NOT EXPENDED  
11 FOR THE PURPOSE OF THIS SECTION MAY BE INVESTED BY THE STATE  
12 TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED  
13 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE  
14 CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED  
15 MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL  
16 REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO  
17 THE GENERAL FUND OR ANOTHER FUND; EXCEPT THAT ALL UNEXPENDED  
18 AND UNENCUMBERED MONEYS REMAINING IN THE FUND AS OF JULY 1,  
19 2010, SHALL BE TRANSFERRED TO THE GENERAL FUND.

20 **27-10.5-805. Repeal of part.** THIS PART 8 IS REPEALED,  
21 EFFECTIVE JULY 1, 2010.

22 **SECTION 2. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.