

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0344.01 Alana Rosen x2606

SENATE BILL 25-151

SENATE SPONSORSHIP

Michaelson Jenet,

HOUSE SPONSORSHIP

Froelich,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO PREVENT YOUTH FROM RUNNING AWAY**
102 **FROM OUT-OF-HOME PLACEMENTS, AND, IN CONNECTION**
103 **THEREWITH, PREVENTING CHILDREN OR YOUTH FROM RUNNING**
104 **AWAY FROM RESIDENTIAL CHILD CARE FACILITIES.**

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 <http://leg.colorado.gov>.)

The Timothy Montoya task force (task force):

- Analyzed the root causes of why a child or youth runs away from an out-of-home placement;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- Developed consistent, prompt and effective responses to recover a missing child or youth;
- Addressed the safety and well-being of a child or youth upon the child's or youth's return to the out-of-home placement; and
- Made recommendations.

The bill implements the task force recommendations that focus on preventing a child or youth from running away from a residential child care facility (facility).

The bill requires the office of the child protection ombudsman (office) to contract with one or more institutions of higher education or third-party consultants (contractors), on or before July 1, 2025, to:

- Identify and adapt a runaway risk assessment tool to predict a child's or youth's risk for running away from a facility;
- Begin the process of developing a statewide data platform to collect and store data regarding children or youth who run away from facilities across the state; and
- Conduct an inventory survey of the physical infrastructure of facilities statewide to assess the physical infrastructure needs of the facilities.

On or before June 1, 2026, the contractors shall submit reports to the office summarizing the progress and development of the runaway risk assessment tool, the statewide data platform, and the inventory survey. On or before July 1, 2026, the office shall submit a report to the health and human services committees of the house of representatives and the senate, or their successor committees, summarizing the reports of the contractors.

The bill requires each facility, on or before July 1, 2026, to develop a policy that outlines how the facility responds to a child or youth who threatens or attempts to run away from care. The policy must include whether the facility uses physical restraints. Each facility shall provide a copy of the policy to parents, legal guardians, or custodians during the child's or youth's intake at the facility.

When a facility discovers that a child or youth is missing from its care, the facility shall notify the child's or youth's parent, legal guardian, or custodian within 24 hours after the discovery of the missing child or youth. If the facility cannot make initial contact with the child's or youth's parent, legal guardian, or custodian, the facility must make repeated efforts to notify the child's or youth's parent, legal guardian, or custodian.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

1 (a) Colorado provides out-of-home care to some of Colorado's
2 most vulnerable youth, including children or youth who are placed in
3 out-of-home placements for their behavioral health needs;

4 (b) Children or youth run away from out-of-home placements each
5 year, but Colorado does not have:

6 (I) A standardized statewide system in place to prevent children
7 or youth from running away;

8 (II) Protocols to actively locate children or youth while they are
9 gone; or

10 (III) A standard process to provide consistent care for children or
11 youth when they return to out-of-home placements;

12 (c) In June 2020, 12-year-old Timothy Montoya ran away from a
13 residential child care facility. While he was away from the residential
14 child care facility, he was hit by a car and killed.

15 (d) In response to Timothy Montoya's death, the Timothy
16 Montoya Task Force to Prevent Children from Running Away from
17 Out-of-Home Placements was formed to analyze the root causes of why
18 children or youth run away from out-of-home placements and to issue
19 recommendations to help improve the system designated to care for
20 children or youth;

21 (e) The Task Force found that there is no cohesive statewide
22 system in place to address the needs of the children or youth who run
23 away from out-of-home placements;

24 (f) To address this problem, the Task Force issued a series of
25 recommendations to develop an appropriate continuum of care for
26 children or youth, beginning when they are admitted into an out-of-home
27 placement and ending after they return to the out-of-home placement after

1 running away; and

2 (g) The Task Force's recommendations to develop an appropriate
3 continuum of care focus on the following areas:

4 (I) Preventing children or youth from running away from
5 out-of-home placements;

6 (II) Responding when children or youth run away from
7 out-of-home placements; and

8 (III) Ensuring that children or youth who run away receive
9 appropriate medical and mental evaluations and care when they return to
10 the out-of-home placements.

11 (2) (a) The general assembly finds, therefore, that the first step in
12 the foundation of a continuum of care for children or youth who run away
13 from out-of-home placements is to implement the Task Force's
14 recommendation regarding efforts to prevent children or youth from
15 running away, beginning with a focus on residential child care facilities
16 and later expanding efforts to other out-of-home placements.

17 (b) The general assembly further declares that an appropriate
18 continuum of care must be implemented in whole to effectively serve
19 children or youth.

20 **SECTION 2.** In Colorado Revised Statutes, **add** 19-3.3-112 as
21 follows:

22 **19-3.3-112. Systems and tools to prevent children or youth**
23 **from running away - residential child care facility - data system -**
24 **reports - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE
25 CONTEXT OTHERWISE REQUIRES:

26 (a) "CHILD OR YOUTH WHO HAS RUN AWAY" MEANS A CHILD OR
27 YOUTH WHO HAS LEFT AND REMAINS AWAY FROM A RESIDENTIAL CHILD

1 CARE FACILITY WITHOUT PERMISSION.

2 (b) "INSTITUTION OF HIGHER EDUCATION" MEANS A
3 POSTSECONDARY INSTITUTION THAT CONTRACTS WITH THE OFFICE TO
4 DEVELOP SYSTEMS OR TOOLS TO PROVIDE SUPPORT TO CHILDREN OR
5 YOUTH WHO RUN AWAY FROM CARE.

6 (c) "RESIDENTIAL CHILD CARE FACILITY" HAS THE SAME MEANING
7 AS SET FORTH IN SECTION 26-6-903.

8 (d) "STATEWIDE DATA PLATFORM" OR "DATA PLATFORM" MEANS
9 THE STATEWIDE DATA PLATFORM DESCRIBED IN SUBSECTION (3) OF THIS
10 SECTION.

11 (e) "THIRD-PARTY CONSULTANT" OR "CONSULTANT" MEANS A
12 THIRD-PARTY CONSULTANT WHO CONTRACTS WITH THE OFFICE TO
13 DEVELOP SYSTEMS OR TOOLS TO PROVIDE SUPPORT TO CHILDREN OR
14 YOUTH WHO RUN AWAY FROM CARE.

15 (2) (a) ON OR BEFORE JULY 1, 2025, THE OFFICE SHALL CONTRACT
16 WITH AN INSTITUTION OF HIGHER EDUCATION OR A THIRD-PARTY
17 CONSULTANT TO:

18 (I) REVIEW NATIONAL LITERATURE ON RUNAWAY RISK
19 ASSESSMENT TOOLS AND ENGAGE STAKEHOLDERS TO UNDERSTAND
20 RUNAWAY RISK ASSESSMENT PROTOCOLS FOR DIFFERENT TYPES OF
21 RESIDENTIAL CHILD CARE FACILITIES; AND

22 (II) SELECT ONE OR MORE EXISTING RUNAWAY RISK ASSESSMENT
23 TOOLS REVIEWED IN SUBSECTION (2)(a)(I) OF THIS SECTION TO ADAPT FOR
24 USE IN THE STATE, INCLUDING ADAPTING THE ADMINISTRATIVE FUNCTIONS
25 OF THE TOOL FOR THE NEEDS OF THE STATE AGENCY THAT WILL
26 ADMINISTER THE TOOL. TO ADAPT THE RUNAWAY RISK ASSESSMENT TOOL
27 FOR USE IN THE STATE, THE INSTITUTION OF HIGHER EDUCATION OR

1 CONSULTANT SHALL ENGAGE, AT A MINIMUM, WITH THE FOLLOWING
2 STAKEHOLDERS:

3 (A) A REPRESENTATIVE OF THE DIVISION OF CHILD WELFARE
4 WITHIN THE STATE DEPARTMENT, AS SELECTED BY THE EXECUTIVE
5 DIRECTOR OF THE STATE DEPARTMENT;

6 (B) A DIRECTOR OF A RESIDENTIAL CHILD CARE FACILITY, AS
7 SELECTED BY THE OFFICE;

8 (C) A PARENT OR FAMILY MEMBER OF A CHILD OR YOUTH WHO HAS
9 RUN AWAY FROM A RESIDENTIAL CHILD CARE FACILITY, AS SELECTED BY
10 THE OFFICE; AND

11 (D) A YOUNG ADULT WHO RESIDED AT A RESIDENTIAL CHILD CARE
12 FACILITY WITHIN THE LAST SEVEN YEARS, AS SELECTED BY THE OFFICE.

13 (b) AS PART OF THE RUNAWAY RISK ASSESSMENT TOOL, THE
14 INSTITUTION OF HIGHER EDUCATION OR THIRD-PARTY CONSULTANT SHALL
15 DEVELOP A STANDARD SET OF POST-RUN QUESTIONS PERTAINING TO A
16 CHILD'S OR YOUTH'S EXPERIENCE.

17 (c) ON OR BEFORE JUNE 1, 2026, THE INSTITUTION OF HIGHER
18 EDUCATION OR CONSULTANT SHALL PROVIDE A REPORT TO THE OFFICE ON
19 HOW THE RUNAWAY RISK ASSESSMENT TOOL WAS DEVELOPED AND
20 RECOMMENDATIONS FOR HOW THE RUNAWAY RISK ASSESSMENT TOOL IS
21 IMPLEMENTED AND USED.

22 (3) (a) ON OR BEFORE JULY 1, 2025, THE OFFICE SHALL CONTRACT
23 WITH AN INSTITUTION OF HIGHER EDUCATION OR A CONSULTANT TO BEGIN
24 THE PROCESS OF DEVELOPING A STATEWIDE DATA PLATFORM TO COLLECT
25 AND STORE DATA REGARDING CHILDREN OR YOUTH WHO RUN AWAY FROM
26 RESIDENTIAL CHILD CARE FACILITIES ACROSS THE STATE.

27 (b) IN DEVELOPING THE DATA PLATFORM, THE INSTITUTION OF

1 HIGHER EDUCATION OR CONSULTANT SHALL, AT A MINIMUM:

2 (I) IDENTIFY POTENTIAL USERS OF THE DATA PLATFORM;

3 (II) CREATE A FICTIONAL USER TO HELP DEVELOP PERMISSIONS TO

4 THE DATA PLATFORM;

5 (III) IDENTIFY DATA ELEMENTS;

6 (IV) USE THE FICTIONAL USER CREATED IN SUBSECTION (3)(b)(II)

7 OF THIS SECTION TO ADD, EDIT, AND VIEW DATA ON THE DATA PLATFORM;

8 (V) RECOMMEND WHO HAS AUTHORITY TO ENTER DATA, VALIDATE

9 DATA, AND RETRIEVE DATA;

10 (VI) ASSESS THE QUALITY OF DATA THAT CURRENTLY EXISTS IN

11 DATA PLATFORMS IN THE DEPARTMENT, LAW ENFORCEMENT AGENCIES,

12 COUNTY DEPARTMENTS, AND OTHER APPLICABLE STATE AGENCY OFFICES;

13 (VII) ENGAGE WITH RELEVANT INFORMATION TECHNOLOGY

14 PROFESSIONALS TO UNDERSTAND HOW TO SHARE ROUTINELY COLLECTED

15 DATA ON THE DATA PLATFORM;

16 (VIII) CREATE A STEP-BY-STEP DESCRIPTION OF THE DATA

17 PLATFORM SOFTWARE FROM THE PERSPECTIVE OF THE POTENTIAL USERS

18 DESCRIBED IN SUBSECTION (3)(b)(I) OF THIS SECTION; AND

19 (IX) CONSULT WITH THE FOLLOWING STAKEHOLDERS:

20 (A) A REPRESENTATIVE OF THE DIVISION OF CHILD WELFARE

21 WITHIN THE STATE DEPARTMENT, AS SELECTED BY THE EXECUTIVE

22 DIRECTOR OF THE STATE DEPARTMENT;

23 (B) A DIRECTOR OF A RESIDENTIAL CHILD CARE FACILITY, AS

24 SELECTED BY THE OFFICE;

25 (C) A PARENT OR FAMILY MEMBER OF A CHILD OR YOUTH WHO HAS

26 RUN AWAY FROM A RESIDENTIAL CHILD CARE FACILITY, AS SELECTED BY

27 THE OFFICE; AND

1 (D) A YOUNG ADULT WHO RESIDED AT A RESIDENTIAL CHILD CARE
2 FACILITY WITHIN THE LAST SEVEN YEARS, AS SELECTED BY THE OFFICE.

3 (c) ON OR BEFORE JUNE 1, 2026, THE INSTITUTION OF HIGHER
4 EDUCATION OR CONSULTANT SHALL SUBMIT A REPORT TO THE OFFICE
5 SUMMARIZING THE PROGRESS AND DEVELOPMENT OF THE DATA
6 PLATFORM.

7 (4) (a) ON OR BEFORE JULY 1, 2025, THE OFFICE SHALL CONTRACT
8 WITH AN INSTITUTION OF HIGHER EDUCATION OR A CONSULTANT TO
9 DEVELOP AND CONDUCT AN INVENTORY SURVEY OF THE PHYSICAL
10 INFRASTRUCTURE OF RESIDENTIAL CHILD CARE FACILITIES STATEWIDE TO
11 ASSESS THE PHYSICAL INFRASTRUCTURE NEEDS OF THE RESIDENTIAL CHILD
12 CARE FACILITIES. THE INSTITUTION OF HIGHER EDUCATION OR
13 CONSULTANT SHALL CONSULT WITH THE STATE DEPARTMENT TO DEVELOP
14 THE INVENTORY SURVEY. PHYSICAL INFRASTRUCTURE NEEDS MAY
15 INCLUDE, BUT ARE NOT LIMITED TO, THE USE OF DELAYED EGRESS LOCKS,
16 ALARMS, FENCING, SIGNS, AND LIGHTING.

17 (b) ON OR BEFORE JUNE 1, 2026, THE INSTITUTION OF HIGHER
18 EDUCATION OR CONSULTANT SHALL SUBMIT A REPORT TO THE OFFICE
19 SUMMARIZING THE RESULTS OF THE SURVEY DESCRIBED IN SUBSECTION
20 (4)(a) OF THIS SECTION.

21 (5) THE INSTITUTION OF HIGHER EDUCATION OR CONSULTANT
22 SELECTED PURSUANT TO SUBSECTIONS (2), (3), AND (4) OF THIS SECTION
23 MAY BE THE SAME INSTITUTION OF HIGHER EDUCATION OR CONSULTANT.

24 (6) ON OR BEFORE JULY 1, 2026, THE OFFICE SHALL SUBMIT A
25 REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE
26 OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR
27 COMMITTEES, THAT SUMMARIZES THE REPORTS SUBMITTED BY THE

1 INSTITUTION OF HIGHER EDUCATION OR CONSULTANT ON THE:
2 (a) DEVELOPMENT OF THE RUNAWAY RISK ASSESSMENT TOOL
3 DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION;
4 (b) PROGRESS OF THE DATA PLATFORM DESCRIBED IN SUBSECTION
5 (3)(c) OF THIS SECTION; AND
6 (c) RESULTS OF THE PHYSICAL INFRASTRUCTURE SURVEY OF
7 RESIDENTIAL CHILD CARE FACILITIES DESCRIBED IN SUBSECTION (4)(b) OF
8 THIS SECTION.

9 **SECTION 3.** In Colorado Revised Statutes, **add** 26-6-924 as
10 follows:

11 **26-6-924. Residential child care facility - notice - policy -**
12 **definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
13 OTHERWISE REQUIRES:

14 (a) "CHILD" HAS THE SAME MEANING AS SET FORTH IN SECTION
15 19-1-103.

16 (b) "YOUTH" HAS THE SAME MEANING AS SET FORTH IN SECTION
17 19-1-103.

18 (2) (a) ON OR BEFORE JULY 1, 2026, EACH RESIDENTIAL CHILD
19 CARE FACILITY IN THE STATE SHALL DEVELOP A POLICY THAT OUTLINES
20 HOW THE RESIDENTIAL CHILD CARE FACILITY RESPONDS TO A CHILD OR
21 YOUTH WHO THREATENS OR ATTEMPTS TO RUN AWAY FROM CARE. THE
22 POLICY MUST INCLUDE WHETHER THE RESIDENTIAL CHILD CARE FACILITY
23 USES PHYSICAL RESTRAINTS. THE POLICY MUST INCLUDE ANY OTHER
24 INFORMATION THE STATE DEPARTMENT ADOPTS BY RULE PURSUANT TO
25 SUBSECTION (2)(c) OF THIS SECTION.

26 (b) EACH RESIDENTIAL CHILD CARE FACILITY SHALL PROVIDE A
27 COPY OF THE POLICY TO THE CHILD'S OR YOUTH'S PARENT, LEGAL

1 GUARDIAN, OR CUSTODIAN DURING THE CHILD'S OR YOUTH'S INTAKE AT
2 THE RESIDENTIAL CHILD CARE FACILITY.

3 (c) THE STATE DEPARTMENT SHALL ADOPT RULES REGARDING
4 ADDITIONAL INFORMATION FOR THE POLICY DESCRIBED IN SUBSECTION
5 (2)(a) OF THIS SECTION. IN DEVELOPING THE RULES, THE STATE
6 DEPARTMENT SHALL CONSULT:

7 (I) THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN;

8 (II) A DIRECTOR OF A RESIDENTIAL CHILD CARE FACILITY;

9 (III) A PARENT OR FAMILY MEMBER OF A CHILD OR YOUTH WHO
10 HAS RUN AWAY FROM A RESIDENTIAL CHILD CARE FACILITY;

11 (IV) A YOUNG ADULT WHO RESIDED AT A RESIDENTIAL CHILD CARE
12 FACILITY WITHIN THE LAST SEVEN YEARS; AND

13 (V) COUNTY DEPARTMENTS.

14 (3) WHEN A RESIDENTIAL CHILD CARE FACILITY DISCOVERS THAT
15 A CHILD OR YOUTH IS MISSING FROM ITS CARE, THE RESIDENTIAL CHILD
16 CARE FACILITY SHALL NOTIFY THE CHILD'S OR YOUTH'S PARENT, LEGAL
17 GUARDIAN, OR CUSTODIAN WITHIN TWENTY-FOUR HOURS AFTER THE
18 DISCOVERY OF THE MISSING CHILD OR YOUTH. IF THE RESIDENTIAL CHILD
19 CARE FACILITY CANNOT MAKE INITIAL CONTACT WITH THE CHILD'S OR
20 YOUTH'S PARENT, LEGAL GUARDIAN, OR CUSTODIAN, THE RESIDENTIAL
21 CHILD CARE FACILITY MUST MAKE REPEATED EFFORTS TO NOTIFY THE
22 CHILD'S OR YOUTH'S PARENT, LEGAL GUARDIAN, OR CUSTODIAN.

23 (4) ON OR AFTER JANUARY 1, 2027, EACH RESIDENTIAL CHILD
24 CARE FACILITY SHALL USE THE RUNAWAY RISK ASSESSMENT TOOL
25 DESCRIBED IN SECTION 19-3.3-112 (2).

26 **SECTION 4. Safety clause.** The general assembly finds,
27 determines, and declares that this act is necessary for the immediate

- 1 preservation of the public peace, health, or safety or for appropriations for
- 2 the support and maintenance of the departments of the state and state
- 3 institutions.