First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
1.28.21

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LLS NO. 21-0759.01 Shelby Ross x4510 **SENATE BILL**

SENATE SPONSORSHIP

Pettersen,

HOUSE SPONSORSHIP

Gonzales-Gutierrez and Tipper,

BILL TOPIC: "Emergency Supplies For CO Babies & Families"
DEADLINES: Finalize by: JAN 25, 2021 File by: JAN 29, 2021

A BILL FOR AN ACT

101 CONCERNING EMERGENCY SUPPLIES FOR COLORADO BABIES AND
102 FAMILIES, AND, IN CONNECTION THEREWITH, PROVIDING
103 DIAPERING ESSENTIALS THROUGH DIAPER DISTRIBUTION
104 CENTERS.

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 bill requires the department of public health and environment to select one or more nonprofit organizations to administer diaper distribution centers that provide diapering essentials to eligible

individuals. Diapering essentials must be made available to all Colorado residents.

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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:

4 (a) Prior to the COVID-19 pandemic, one in three families
5 reported needing more diapering essentials and with unprecedented
6 unemployment rates due to the pandemic, this need is drastically higher.
7 With 202,608 children under the age of three in Colorado, 67,536 of them
8 experienced the negative effects of diapering-essential needs.

9 (b) The National Diaper Bank Network has seen the demand for
10 diapering essentials increase by as much as 300 percent in some areas of
11 the country and Colorado diaper banks report seeing four times the need
12 for diapering essentials due to the COVID-19 pandemic's impacts on
13 families;

14 (c) Thirty-five percent of Coloradans reported finding it difficult
15 or somewhat difficult to pay for basic necessities after the COVID-19
16 pandemic began, and parents are having to cut back on necessities such
17 as food and rent in order to afford diapering essentials;

18 (d) According to the National Diaper Bank Network, it costs at
19 least $80 a month to diaper a child and diapering essentials cannot be
20 purchased through other public assistance programs such as the
21 supplemental nutrition assistance program or the women, infants, and
22 children program. Diaper banks' distribution of diapers to low-income
23 families is associated with increases in the personal income of recipients,
24 the elimination of medical expenses, and increases in state tax revenue.

25 (e) Parents report reusing disposable diapers, plastic bags, and

1 toilet paper when they run out of money for diapering essentials, leading
2 to painful diaper rash and health complications for children; and
3 (f) An adequate supply of diapers may prove to be a tangible way
4 of reducing parenting stress, which is a critical factor that influences child
5 health and development.
6 (2) Therefore, the general assembly finds and declares that it is
7 imperative to provide emergency diapering essentials to Colorado babies
8 and families in need.
9 **SECTION 2.** In Colorado Revised Statutes, **add** article 56 to title
10 25 as follows:
11 **ARTICLE 56**
12 **Diapering Essentials Provided Through**
13 **Diaper Distribution Centers**
14 **25-56-101. Definitions.** AS USED IN THIS ARTICLE 56, UNLESS THE
15 CONTEXT OTHERWISE REQUIRES:
16 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
17 AND ENVIRONMENT.
18 (2) "DIAPERING ESSENTIALS" INCLUDES DIAPERS, WIPES, AND
19 DIAPER CREAMS.
20 (3) "ELIGIBLE INDIVIDUAL" MEANS A PERSON THE DIAPER
21 DISTRIBUTION CENTER DETERMINES IS ELIGIBLE TO RECEIVE DIAPERING
22 ESSENTIALS.
23 **25-56-102. Diapering essentials - diaper distribution center -**
24 **rules - repeal.** (1) NO LATER THAN FORTY-FIVE DAYS AFTER THE
25 EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL SELECT ONE
26 OR MORE NONPROFIT ORGANIZATIONS TO ADMINISTER DIAPER
27 DISTRIBUTION CENTERS THAT PROVIDE DIAPERING ESSENTIALS TO ELIGIBLE

1 INDIVIDUALS. THE DIAPER DISTRIBUTION CENTERS SHALL BE OPERATIONAL
2 NO LATER THAN SIXTY DAYS AFTER THE DEPARTMENT'S SELECTION OF THE
3 NONPROFIT ORGANIZATIONS. THE DEPARTMENT SHALL SELECT ENOUGH
4 NONPROFIT ORGANIZATIONS TO ENSURE DIAPERING ESSENTIALS ARE
5 AVAILABLE TO ALL ELIGIBLE INDIVIDUALS RESIDING IN COLORADO. THE
6 SELECTION PROCESS DESCRIBED IN THIS SUBSECTION (1) IS NOT SUBJECT
7 TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24.
8 (2) THE DEPARTMENT MAY PROMULGATE RULES FOR THE
9 IMPLEMENTATION OF THIS ARTICLE 56.
10 (3) BEGINNING IN STATE FISCAL YEAR 2022-23, THE DEPARTMENT
11 SHALL SUBMIT A REPORT TO THE PUBLIC THROUGH THE ANNUAL HEARING,
12 PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE,
13 RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2
14 OF ARTICLE 7 OF TITLE 2. AT A MINIMUM, THE REPORT MUST INCLUDE:
15 (a) THE TOTAL NUMBER OF NONPROFIT ORGANIZATIONS RECEIVING
16 MONEY TO OPERATE DIAPER DISTRIBUTION CENTERS;
17 (b) THE LOCATION OF EACH DIAPER DISTRIBUTION CENTER; AND
18 (c) THE TOTAL NUMBER OF ELIGIBLE INDIVIDUALS THAT RECEIVED
19 DIAPERING ESSENTIALS.
20 (4) (a) FOR STATE FISCAL YEARS 2021-22 AND 2022-23, THE
21 GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS FROM
22 THE GENERAL FUND TO THE DEPARTMENT FOR USE BY THE DIAPER
23 DISTRIBUTION CENTERS FOR THE IMPLEMENTATION OF THIS ARTICLE 56.
24 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2024.
25 **SECTION 3. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, or safety.