

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

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 19-0390.02 Kristen Forrestal x4217

**HOUSE BILL 19-1107**

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**HOUSE SPONSORSHIP**

**Coleman, Herod, Exum, Benavidez, Lontine, Singer**

**SENATE SPONSORSHIP**

**Fields and Priola,**

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**House Committees**

Business Affairs & Labor  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF THE EMPLOYMENT SUPPORT AND JOB**  
102              **RETENTION SERVICES PROGRAM WITHIN THE DIVISION OF**  
103              **EMPLOYMENT AND TRAINING IN THE DEPARTMENT OF LABOR**  
104              **AND EMPLOYMENT, AND, IN CONNECTION THEREWITH, MAKING**  
105              **AN APPROPRIATION.**

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**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 creates the employment support and job retention services program (program) within the division of employment and training

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

HOUSE  
Amended 2nd Reading  
April 26, 2019

(division) in the department of labor and employment (department) to provide emergency employment support and job retention services to eligible individuals in the state. The bill requires the director of the division (director) to contract with an entity to administer the program to provide reimbursement for employment support and job retention services provided to eligible individuals statewide. In order to be eligible for services for which a service provider may be reimbursed under the program, an individual must be 16 years of age or older, be eligible to work in the United States, have a household income that is at or below the federal poverty line, and be underemployed or unemployed and actively involved in employment preparation, job training, employment pursuit, or job retention activities. The director is required to establish procedures and guidelines to implement and set parameters for the operation of the program.

The general assembly is required to appropriate money annually to the employment support and job retention services cash fund created in the bill for allocation to the division to implement and operate the program. The department is authorized to accept gifts, grants, and donations for the implementation and operation of the program. The program is repealed, effective September 30, 2022.

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

**SECTION 1.** In Colorado Revised Statutes, **add** part 4 to article 83 of title 8 as follows:

PART 4

EMPLOYMENT SUPPORT AND JOB RETENTION

SERVICES PROGRAM

**8-83-401. Definitions.** AS USED IN THIS PART 4, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADMINISTERING ENTITY" MEANS THE NONPROFIT ENTITY SELECTED PURSUANT TO SECTION 8-83-403 TO ADMINISTER THE PROGRAM.

(2) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL THAT SATISFIES THE ELIGIBILITY CRITERIA SPECIFIED IN SECTION 8-83-404 (4).

(3) "FEDERAL POVERTY LINE" HAS THE SAME MEANING AS "POVERTY LINE", AS DEFINED IN 42 U.S.C. SEC. 9902 (2).

1 (4) "PROGRAM" MEANS THE EMPLOYMENT SUPPORT AND JOB  
2 RETENTION SERVICES PROGRAM CREATED IN SECTION 8-83-402.

3 (5) "SERVICE PROVIDER" MEANS A PUBLIC AGENCY OR NONPROFIT  
4 COMMUNITY ORGANIZATION THAT PROVIDES EMPLOYMENT, EMPLOYMENT  
5 PREPARATION, AND JOB RETENTION SERVICES TO ELIGIBLE INDIVIDUALS  
6 PURSUANT TO A MEMORANDUM OF UNDERSTANDING WITH THE  
7 ADMINISTERING ENTITY.

8 (6) "SERVICES" MEANS SERVICES PROVIDED BY A SERVICE  
9 PROVIDER TO ELIGIBLE INDIVIDUALS, WHICH SERVICES ARE ELIGIBLE FOR  
10 REIMBURSEMENT FROM THE PROGRAM PURSUANT TO SECTION 8-83-404  
11 (5).

12 **8-83-402. Employment support and job retention services**  
13 **program - creation.** THERE IS HEREBY CREATED IN THE DIVISION THE  
14 EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES PROGRAM. WITHIN  
15 SIX MONTHS AFTER THE DATE OF THE FIRST APPROPRIATION BY THE  
16 GENERAL ASSEMBLY TO THE EMPLOYMENT SUPPORT AND JOB RETENTION  
17 SERVICES CASH FUND PURSUANT TO SECTION 8-83-406, THE PROGRAM  
18 SHALL FUND EMPLOYMENT PREPARATION, JOB TRAINING, EMPLOYMENT  
19 PURSUIT, AND JOB RETENTION ACTIVITIES FOR ELIGIBLE INDIVIDUALS AS  
20 THEY PERTAIN TO THE INDIVIDUALS' JOB TRAINING AND EMPLOYMENT  
21 GOALS.

22 **8-83-403. Program purpose - duties of the director.** (1) THE  
23 PURPOSE OF THE PROGRAM IS TO PROVIDE ASSISTANCE TO ELIGIBLE  
24 INDIVIDUALS WHO MAY NOT BE ELIGIBLE FOR OR HAVE ACCESS TO OTHER  
25 EMPLOYMENT RESOURCES OR WHO ARE PREPARING FOR, SEEKING, OR  
26 ATTEMPTING TO RETAIN EMPLOYMENT.

27 (2) THE DIRECTOR SHALL:

1 (a) ENTER INTO A COMPETITIVE SOLICITATION PROCESS PURSUANT  
2 TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, TO  
3 CONTRACT WITH AN ADMINISTERING ENTITY;

4 (b) ESTABLISH PROCEDURES AND GUIDELINES FOR:

5 (I) THE SELECTION OF THE ADMINISTERING ENTITY TO OPERATE  
6 THE PROGRAM;

7 (II) THE DEVELOPMENT AND IMPLEMENTATION OF THE  
8 MEMORANDUMS OF UNDERSTANDING WITH SERVICE PROVIDERS;

9 (III) REQUESTING AND DISTRIBUTING REIMBURSEMENTS TO  
10 SERVICE PROVIDERS; AND

11 (IV) ANY ADDITIONAL PARAMETERS FOR THE OPERATION AND  
12 EVALUATION OF THE PROGRAM, SUBJECT TO DATA AVAILABLE TO THE  
13 DIVISION.

14 (3) THE DIRECTOR SHALL SOLICIT FEEDBACK FROM STAKEHOLDERS  
15 WHEN ESTABLISHING PROCEDURES AND GUIDELINES PURSUANT TO  
16 SUBSECTION (2) OF THIS SECTION.

17 **8-83-404. Administration of the program.** (1) THE  
18 ADMINISTERING ENTITY SHALL:

19 (a) DEVELOP FORMAL MEMORANDUMS OF UNDERSTANDING WITH  
20 SERVICE PROVIDERS AND GUIDELINES FOR THE OPERATION OF THE  
21 PROGRAM IN COORDINATION WITH THE DIRECTOR;

22 (b) ESTABLISH PROCEDURES AND GUIDELINES FOR REIMBURSING  
23 SERVICE PROVIDERS IN ACCORDANCE WITH THE TERMS OF THE  
24 MEMORANDUM OF UNDERSTANDING;

25 (c) REIMBURSE SERVICE PROVIDERS UP TO FOUR HUNDRED  
26 DOLLARS PER YEAR FOR EACH ELIGIBLE INDIVIDUAL TO WHOM THE  
27 SERVICE PROVIDER DELIVERED SERVICES AUTHORIZED FOR

1 REIMBURSEMENT PURSUANT TO SUBSECTION (5) OF THIS SECTION;

2 (d) ENSURE THE FISCAL RESPONSIBILITY OF THE PROGRAM IN

3 COMPLIANCE WITH THE DIRECTOR;

4 (e) PARTICIPATE IN EVALUATION ACTIVITIES AS REQUIRED BY THE

5 DIRECTOR; AND

6 (f) BE RESPONSIBLE FOR ALL OTHER REQUIREMENTS OUTLINED BY

7 THE DIRECTOR.

8 (2) A SERVICE PROVIDER SHALL:

9 (a) SUBMIT REPORTS AS SPECIFIED BY THE ADMINISTERING ENTITY

10 THAT OUTLINE THE TYPE OF SERVICE PROVIDED, REASON FOR THE SERVICE,

11 BASIC DEMOGRAPHICS OF THE ELIGIBLE INDIVIDUAL, AND GEOGRAPHIC

12 LOCATION WHERE THE SERVICE WAS PROVIDED; AND

13 (b) PARTICIPATE IN AN ANALYSIS PROCESS THROUGHOUT THE

14 SERVICE PROVIDER'S PARTICIPATION IN THE PROGRAM.

15 (3) THE ADMINISTERING ENTITY MUST NOT REIMBURSE A SERVICE

16 PROVIDER FOR EXPENSES INCURRED TO PROVIDE EMPLOYMENT

17 PREPARATION, JOB TRAINING, EMPLOYMENT PURSUIT, OR JOB RETENTION

18 ACTIVITIES TO AN ELIGIBLE INDIVIDUAL IF THE SERVICES ARE CURRENTLY

19 PROVIDED TO THE INDIVIDUAL BY ANOTHER SOURCE.

20 (4) NOTWITHSTANDING ANY OTHER FEDERAL OR STATE LAW, IN

21 ORDER TO BE ELIGIBLE TO RECEIVE SERVICES FOR WHICH A SERVICE

22 PROVIDER MAY BE REIMBURSED UNDER THE PROGRAM, AN INDIVIDUAL

23 MUST:

24 (a) HAVE A HOUSEHOLD INCOME AT OR BELOW THE FEDERAL

25 POVERTY LINE;

26 (b) BE AT LEAST SIXTEEN YEARS OF AGE;

27 (c) BE ELIGIBLE TO WORK IN THE UNITED STATES; AND

1 (d) BE UNDEREMPLOYED OR UNEMPLOYED AND ACTIVELY  
2 PURSUING EMPLOYMENT, EMPLOYMENT PREPARATION, JOB TRAINING, OR  
3 JOB RETENTION ACTIVITIES, WITH THE ASSISTANCE OF A SERVICE  
4 PROVIDER.

5 (5) (a) THE ADMINISTERING ENTITY MAY REIMBURSE A SERVICE  
6 PROVIDER FOR EXPENSES INCURRED IN PROVIDING:

7 (I) EMPLOYMENT SUPPORT SERVICES TO AN ELIGIBLE INDIVIDUAL  
8 TO ASSIST WITH AN INDIVIDUAL'S EMPLOYMENT, EMPLOYMENT  
9 PREPARATION, OR JOB TRAINING GOALS; AND

10 (II) SERVICES TO ASSIST AN ELIGIBLE INDIVIDUAL WITH ONGOING  
11 JOB RETENTION FOR UP TO SIX MONTHS AFTER THE DATE OF EMPLOYMENT.

12 (b) EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES THAT  
13 ARE ELIGIBLE FOR REIMBURSEMENT INCLUDE:

14 (I) TRANSPORTATION OR VEHICLE;

15 (II) EMERGENCY CHILD CARE;

16 (III) EMERGENCY HOUSING;

17 (IV) FEES RELATED TO EMPLOYMENT PREPARATION, JOB TRAINING,  
18 EMPLOYMENT PURSUIT, OR JOB RETENTION ACTIVITIES;

19 (V) WORK TOOLS AND EQUIPMENT;

20 (VI) FOOD AND NUTRITION;

21 (VII) UTILITY, TELEPHONE, AND INTERNET BILLS;

22 (VIII) PREPAID CELL PHONES;

23 (IX) LICENSES AND CERTIFICATIONS;

24 (X) LEGAL SERVICES AND FEES RELATED TO EMPLOYMENT;

25 (XI) LANGUAGE, COMMUNICATION, INTERPRETATION, AND  
26 TRANSLATION EXPENSES;

27 (XII) EMERGENCY AND WORK-RELATED MEDICAL, BEHAVIORAL,

1 AND MENTAL HEALTH, DENTAL, AND VISION SERVICES AND EXPENSES THAT  
2 IMPEDE AN INDIVIDUAL'S ABILITY TO PREPARE FOR, OBTAIN, OR RETAIN  
3 EMPLOYMENT; AND

4 (XIII) OTHER EXPENSES AS THEY PERTAIN TO EMPLOYMENT  
5 PREPARATION, JOB TRAINING, EMPLOYMENT PURSUIT, OR JOB RETENTION  
6 SERVICES AS DETERMINED BY THE DIRECTOR.

7 **8-83-405. Reports required.** (1) ON OR BEFORE JULY 1 OF EACH  
8 YEAR, THE ADMINISTERING ENTITY SHALL REPORT TO THE DIVISION:

9 (a) THE INFORMATION PROVIDED BY A SERVICE PROVIDER  
10 PURSUANT TO SECTION 8-83-404 (2);

11 (b) A QUALITATIVE ANALYSIS BASED ON INTERVIEWS CONDUCTED  
12 WITH SERVICE PROVIDERS STATEWIDE CONCERNING THE EFFICACY OF THE  
13 PROGRAM; AND

14 (c) AN ACCOUNT OF THE PROGRAM'S EXPENDITURES.

15 (2) ON OR BEFORE **DECEMBER 1, 2021**, THE DIVISION SHALL  
16 REPORT TO THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE  
17 SENATE AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE  
18 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, A  
19 COMPREHENSIVE ANALYSIS CONCERNING THE EFFICACY OF THE PROGRAM.

20 **8-83-406. Employment support and job retention services cash**  
21 **fund - created.** (1) (a) THE EMPLOYMENT SUPPORT AND JOB RETENTION  
22 SERVICES PROGRAM CASH FUND, REFERRED TO IN THIS SECTION AS THE  
23 "FUND", IS HEREBY CREATED IN THE STATE TREASURY. FOR THE **2019-20**  
24 **FISCAL YEAR**, THE GENERAL ASSEMBLY SHALL APPROPRIATE **SEVEN**  
25 **HUNDRED FIFTY THOUSAND** DOLLARS FROM THE GENERAL FUND TO THE  
26 FUND.

27 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND

1 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
2 FUND TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED  
3 AND UNENCUMBERED MONEY IN THE FUND REMAINS IN THE FUND AND  
4 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY  
5 OTHER FUND.

6 (c) MONEY IN THE FUND IS SUBJECT TO ANNUAL APPROPRIATION  
7 BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR THE PURPOSES OF  
8 THIS PART 4, TO THE EXTENT THAT IN EACH FISCAL YEAR THE GENERAL  
9 ASSEMBLY MAY ONLY APPROPRIATE UP TO TWO HUNDRED FIFTY  
10 THOUSAND DOLLARS PLUS ANY UNEXPENDED MONEY AND INTEREST  
11 ACCRUED FROM THE PREVIOUS FISCAL YEAR.

12 (2) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,  
13 GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE  
14 PURPOSES OF THIS PART 4.

15 (3) THE DIVISION MAY USE THE MONEY IN THE FUND FOR THE  
16 PURPOSES OF THIS PART 4, INCLUDING ADMINISTRATIVE COSTS RELATED  
17 TO THE PROGRAM. THE ADMINISTERING ENTITY MAY USE MONEY IN THE  
18 FUND TO OPERATE THE PROGRAM. THE REMAINDER OF THE MONEY MAY BE  
19 USED ONLY FOR REIMBURSEMENTS MADE PURSUANT TO SECTION 8-83-404.  
20 THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY EXPEND MONEY FROM  
21 THE FUND FOR THE PURPOSES OF THIS PART 4.

22 **8-83-407. Repeal of part.** THIS PART 4 IS REPEALED, EFFECTIVE  
23 SEPTEMBER 30, 2022.

24 **SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal  
25 year, \$750,000 is appropriated to the employment support and job  
26 retention services program cash fund created in section 8-83-406, C.R.S.  
27 This appropriation is from the general fund. The department of labor and



1 employment is responsible for the accounting related to this  
2 appropriation.

3 (2) For the 2019-20 state fiscal year, \$250,000 is appropriated to  
4 the department of labor and employment for use by the division of  
5 employment and training. This appropriation is from reappropriated funds  
6 in the job retention services program cash fund under subsection (1) of  
7 this section and is based on an assumption that the division will require  
8 an additional 0.5 FTE. To implement this act, the division may use the  
9 appropriation for employment support and job retention services.

10 **SECTION 3. Effective date.** This act takes effect July 1, 2019.

11 **SECTION 4. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.