

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

**REVISED**

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

LLS NO. 20-1279.01 Kristen Forrestal x4217

**SENATE BILL 20-207**

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**SENATE SPONSORSHIP**

**Hansen and Winter,** Bridges, Danielson, Pettersen, Fenberg, Fields, Moreno, Story

**HOUSE SPONSORSHIP**

**Gray and Sullivan,**

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**Senate Committees**

Finance  
Appropriations

**House Committees**

Finance  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING UNEMPLOYMENT INSURANCE.**

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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>.)*

For the purpose of creating a rebuttable presumption that an individual is an independent contractor, the bill allows the individual to establish that the person for whom he or she is performing services does not combine the business operations with the individual's business and the individual performs work that is not the primary work of the person or related to the primary work of the person. The bill authorizes the parties to demonstrate the satisfaction of the factors considered by the division of employment insurance in the department of labor and employment

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  
June 10, 2020

SENATE  
3rd Reading Unamended  
June 8, 2020

SENATE  
Amended 2nd Reading  
June 6, 2020

(division) in a manner other than a written document. If an individual is determined to be an employee for the purposes of the wage theft laws, the individual is deemed an employee for the purposes of determining eligibility for unemployment insurance compensation benefits.

The bill exempts payment for services to an election judge for the purposes of calculating total unemployment compensation benefits.

Current law requires a deduction from the weekly total and partial unemployment benefit amounts of the part of wages that exceeds 25% of the weekly benefit amount. The bill changes the percentage of wages for calculating the deduction to 50%.

When determining whether an individual qualifies for unemployment insurance, the bill directs the division to consider whether the individual has separated from employment or has refused to accept new employment because:

- ! The employer requires the individual to work in an environment that is not in compliance with: Federal centers for disease control and prevention guidelines applicable to the employer's business and workplace at the time of the determination; state and federal laws, rules, and regulations concerning disease mitigation and workplace safety; an executive order issued by the governor requiring the employer to close the business or modify the operation of the business; and any public health order issued by the department of public health and environment or a local government;
- ! The individual is the primary caretaker of a child enrolled in a school that is closed due to a public health emergency or of a family member or household member who is quarantined due to an illness during a public health emergency; or
- ! The employee is immunocompromised and more susceptible to illness during a public health emergency.

The bill changes the time period that an interested party has to respond to a notice of claim received by the division concerning unemployment benefits from 12 calendar days to 7 calendar days.

Current law authorizes the division to approve a work share plan submitted by an employer if the employee's normal weekly work hours have been reduced by at least 10% but not more than 40%. The bill changes the amount that hours may be reduced to an amount consistent with rules adopted by the division and federal law.

The bill removes the cap on the amount of money that can be paid into and remain in the employment support fund.

The bill requires the director of the division to study and report to the general assembly the feasibility of creating an unemployment insurance compensation program and fund for individuals engaged in

independent trades, occupations, and professions.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-70-103, **amend** the  
3 introductory portion and (6.5) as follows:

4 **8-70-103. Definitions.** As used in articles 70 to 82 of this title  
5 TITLE 8, unless the context otherwise requires:

6 (6.5) (a) "Chargeable wages" means those wages paid to an  
7 individual employee during a calendar year on which the employer of that  
8 employee is required to pay premiums as provided by article 76 of this  
9 title TITLE 8, including all wages subject to a tax under federal law, which  
10 imposes a tax against which credit may be taken for premiums required  
11 to be paid into a state THE unemployment COMPENSATION fund. For each  
12 calendar year, chargeable wages is ~~the first ten thousand dollars paid to~~  
13 ~~an individual; except that, effective January 1, 2012, chargeable wages~~  
14 ~~for each calendar year is the first eleven thousand dollars paid to an~~  
15 ~~individual and except that, after January 1, 2013, chargeable wages is the~~  
16 ~~first eleven thousand dollars paid to an individual, adjusted by the change~~  
17 ~~in the average weekly earnings prescribed in section 8-73-102, rounded~~  
18 ~~to the nearest one hundred dollars~~ AS FOLLOWS:

19 (I) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2021, THE  
20 FIRST THIRTEEN THOUSAND SIX HUNDRED DOLLARS PAID TO AN  
21 INDIVIDUAL;

22 (II) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2022, THE  
23 FIRST SEVENTEEN THOUSAND DOLLARS PAID TO AN INDIVIDUAL;

24 (III) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2023, THE  
25 FIRST TWENTY THOUSAND FOUR HUNDRED DOLLARS PAID TO AN

1 INDIVIDUAL;

2 (IV) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2024, THE  
3 FIRST TWENTY-THREE THOUSAND EIGHT HUNDRED DOLLARS PAID TO AN  
4 INDIVIDUAL;

5 (V) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2025, THE  
6 FIRST TWENTY-SEVEN THOUSAND TWO HUNDRED DOLLARS PAID TO AN  
7 INDIVIDUAL; AND

8 (VI) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2026, AND  
9 EACH CALENDAR YEAR THEREAFTER, THE FIRST THIRTY THOUSAND SIX  
10 HUNDRED DOLLARS PAID TO AN INDIVIDUAL, ADJUSTED BY THE CHANGE IN  
11 THE AVERAGE WEEKLY EARNINGS PRESCRIBED IN SECTION 8-73-102,  
12 ROUNDED TO THE NEAREST ONE HUNDRED DOLLARS.

13 (b) As used in articles 70 to 82 of this title TITLE 8, chargeable  
14 wages paid includes chargeable wages constructively paid as well as  
15 chargeable wages actually paid.

16 == ===== ==

17 **SECTION 2.** In Colorado Revised Statutes, 8-73-102, **amend** (4);  
18 and **add** (8) as follows:

19 **8-73-102. Weekly benefit amount for total unemployment -**  
20 **definitions. (4)(a)** There shall be deducted from the weekly benefit  
21 amount that part of wages payable to ~~such~~ AN individual with respect to  
22 ~~such~~ A week that is in excess of twenty-five percent of the weekly benefit  
23 amount, and the weekly benefit amount resulting shall be computed to the  
24 next lower multiple of one dollar.

25 (b)(I) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, ON  
26 AND AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, AND FOR  
27 TWO CALENDAR YEARS THEREAFTER, THERE SHALL BE DEDUCTED FROM

1 THE WEEKLY BENEFIT AMOUNT THAT PART OF WAGES PAYABLE TO AN  
2 INDIVIDUAL WITH RESPECT TO A WEEK THAT IS IN EXCESS OF FIFTY  
3 PERCENT OF THE WEEKLY BENEFIT AMOUNT, AND THE WEEKLY BENEFIT  
4 AMOUNT RESULTING SHALL BE COMPUTED TO THE NEXT LOWEST MULTIPLE  
5 OF ONE DOLLAR.

6 (II) THIS SUBSECTION (4)(b) IS REPEALED, EFFECTIVE SEPTEMBER  
7 1, 2022.

8 (8) AS USED IN THIS SECTION:

9 (a) "ELECTION JUDGE" HAS THE SAME MEANING AS IN SECTION  
10 1-6-101 (1).

11 (b) "WAGES" DOES NOT INCLUDE PAYMENT MADE TO AN ELECTION  
12 JUDGE FOR SERVICES; EXCEPT THAT "WAGES" INCLUDES PAYMENT MADE  
13 TO AN ELECTION JUDGE IF THE PAYMENT EXCEEDS THE MAXIMUM AMOUNT  
14 PERMISSIBLE PURSUANT TO FEDERAL LAW.

15 **SECTION 3.** In Colorado Revised Statutes, 8-73-103, **amend** (1)  
16 as follows:

17 **8-73-103. Benefits for partial unemployment. (1)(a)** Each  
18 eligible individual who is partially unemployed shall be paid a partial  
19 benefit. Partial benefits shall be in an amount equal to the eligible  
20 individual's weekly benefit amount for total unemployment, minus that  
21 part of wages payable to ~~such~~ THE individual with respect to ~~such~~ THE  
22 week ~~which~~ THAT is in excess of twenty-five percent of ~~his~~ THE  
23 INDIVIDUAL'S weekly benefit amount as computed in accordance with  
24 section 8-73-102, and the benefit payment resulting shall be computed to  
25 the next lower multiple of one dollar.

26 (b) (I) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, ON  
27 AND AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, AND FOR

1 TWO CALENDAR YEARS THEREAFTER, PARTIAL BENEFITS SHALL BE IN AN  
2 AMOUNT EQUAL TO THE ELIGIBLE INDIVIDUAL'S WEEKLY BENEFIT AMOUNT  
3 FOR TOTAL UNEMPLOYMENT, MINUS THAT PART OF WAGES PAYABLE TO  
4 THE INDIVIDUAL WITH RESPECT TO THE WEEK THAT IS IN EXCESS OF FIFTY  
5 PERCENT OF THE INDIVIDUAL'S WEEKLY BENEFIT AMOUNT AS COMPUTED  
6 IN ACCORDANCE WITH SECTION 8-73-102, AND THE BENEFIT PAYMENT  
7 RESULTING SHALL BE COMPUTED TO THE NEXT LOWER MULTIPLE OF ONE  
8 DOLLAR.

9 (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE SEPTEMBER  
10 1, 2022.

11 **SECTION 4.** In Colorado Revised Statutes, 8-73-108, **amend**  
12 (5)(b) introductory portion; and **add** (4)(w), (4)(x), (4)(y), (5)(b)(IV), ==  
13 (5)(b)(V), and (5)(b)(VI) as follows:

14 **8-73-108. Benefit awards. (4) Full award.** An individual  
15 separated from a job must be given a full award of benefits if the division  
16 determines that any of the following reasons and pertinent related  
17 conditions exist. The determination of whether or not the separation from  
18 employment must result in a full award of benefits is the responsibility of  
19 the division. The following reasons must be considered, along with any  
20 other factors that may be pertinent to such determination:

21 (w) SEPARATING FROM EMPLOYMENT BECAUSE THE EMPLOYER  
22 REQUIRES THE EMPLOYEE TO WORK IN AN ENVIRONMENT THAT IS NOT IN  
23 COMPLIANCE WITH:

24 (I) FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION  
25 GUIDELINES APPLICABLE TO THE EMPLOYER'S BUSINESS AND WORKPLACE  
26 AT THE TIME OF THE DETERMINATION;

27 (II) STATE AND FEDERAL LAWS, RULES, AND REGULATIONS

1 CONCERNING DISEASE MITIGATION AND WORKPLACE SAFETY;

2 (III) AN EXECUTIVE ORDER ISSUED BY THE GOVERNOR REQUIRING  
3 THE EMPLOYER TO CLOSE THE BUSINESS OR MODIFY THE OPERATION OF  
4 THE BUSINESS; AND

5 (IV) ANY PUBLIC HEALTH ORDER ISSUED BY THE DEPARTMENT OF  
6 PUBLIC HEALTH AND ENVIRONMENT OR A LOCAL GOVERNMENT TO CLOSE  
7 THE BUSINESS OR MODIFY THE OPERATION OF THE BUSINESS;

8 (x) SEPARATING FROM EMPLOYMENT BECAUSE THE EMPLOYEE IS  
9 THE PRIMARY CARETAKER OF:

10 (I) A CHILD ENROLLED IN A SCHOOL THAT IS CLOSED DUE TO A  
11 PUBLIC HEALTH EMERGENCY; OR

12 (II) A FAMILY MEMBER OR HOUSEHOLD MEMBER WHO IS  
13 QUARANTINED DUE TO AN ILLNESS DURING A PUBLIC HEALTH EMERGENCY;

14 (y) SEPARATING FROM EMPLOYMENT BECAUSE THE EMPLOYEE IS  
15 IMMUNOCOMPROMISED AND MORE SUSCEPTIBLE TO ILLNESS OR DISEASE  
16 DURING A PUBLIC HEALTH EMERGENCY AS EVIDENCED BY THE EMPLOYEE'S  
17 HEALTH CARE PROVIDER.

18 (5) **Disqualification.** (b) The DIVISION SHALL CONSIDER THE  
19 refusal of suitable work or refusal of referral to suitable work at any time  
20 after the last separation from employment that occurred prior to the time  
21 of filing the initial claim ~~shall be considered~~ in determining the direct and  
22 proximate cause of the separation. In determining whether or not any  
23 work is suitable for an individual, THE DIVISION SHALL CONSIDER the  
24 degree of risk involved to ~~his~~ THE INDIVIDUAL'S health, safety, and  
25 morals, ~~his~~ THE INDIVIDUAL'S physical fitness and prior training, ~~his~~ THE  
26 INDIVIDUAL'S experience and prior earnings, ~~his~~ THE INDIVIDUAL'S length  
27 of unemployment and prospects for securing work in ~~his~~ THE

1 INDIVIDUAL'S customary occupation, and the distance of the available  
2 local work from ~~his~~ THE INDIVIDUAL'S residence. ~~shall be considered.~~  
3 Notwithstanding any other provisions of articles 70 to 82 of this ~~title~~, ~~no~~  
4 TITLE 8, THE DIVISION SHALL NOT DEEM work ~~shall be deemed~~ TO BE  
5 suitable and SHALL NOT DENY benefits ~~shall not be denied~~ under articles  
6 70 to 82 of this ~~title~~ TITLE 8 to any otherwise eligible individual for  
7 refusing to accept new work under any of the following conditions:

8 (IV) THE EMPLOYER REQUIRES THE INDIVIDUAL TO WORK IN AN  
9 ENVIRONMENT THAT IS NOT IN COMPLIANCE WITH:

10 (A) FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION  
11 GUIDELINES APPLICABLE TO THE EMPLOYER'S BUSINESS AND WORKPLACE  
12 AT THE TIME OF THE DETERMINATION;

13 (B) STATE OR FEDERAL LAWS, RULES, AND REGULATIONS  
14 CONCERNING DISEASE MITIGATION AND WORKPLACE SAFETY;

15 (C) AN EXECUTIVE ORDER ISSUED BY THE GOVERNOR REQUIRING  
16 THE EMPLOYER TO CLOSE THE BUSINESS OR MODIFY THE OPERATION OF  
17 THE BUSINESS; AND

18 (D) ANY PUBLIC HEALTH ORDER ISSUED BY THE DEPARTMENT OF  
19 PUBLIC HEALTH AND ENVIRONMENT OR A LOCAL GOVERNMENT TO CLOSE  
20 THE BUSINESS OR MODIFY THE OPERATION OF THE BUSINESS;

21 (V) THE INDIVIDUAL IS THE PRIMARY CARETAKER OF:

22 (A) A CHILD ENROLLED IN A SCHOOL THAT IS CLOSED DUE TO A  
23 PUBLIC HEALTH EMERGENCY; OR

24 (B) A FAMILY MEMBER OR HOUSEHOLD MEMBER WHO IS  
25 QUARANTINED DUE TO AN ILLNESS DURING A PUBLIC HEALTH EMERGENCY;

26 OR

27 (VI) THE EMPLOYEE IS IMMUNOCOMPROMISED AND MORE

1 SUSCEPTIBLE TO ILLNESS OR DISEASE DURING A PUBLIC HEALTH  
2 EMERGENCY AS EVIDENCED BY THE EMPLOYEE'S HEALTH CARE PROVIDER.

3 **SECTION 5.** In Colorado Revised Statutes, 8-74-102, **amend** (1)  
4 as follows:

5 **8-74-102. Deputy's decision - rules.** (1) Upon receipt of a claim,  
6 the division shall notify any other interested parties of the claim by mail  
7 or electronic means in accordance with such rules as the director of the  
8 division may promulgate. ~~Such~~ THE interested parties ~~shall~~ MUST be  
9 afforded ~~twelve~~ SEVEN calendar days after the date of ~~such~~ THE notice of  
10 the claim to present any information pertinent to the claim by mail,  
11 telephone, or electronic means in accordance with such rules as the  
12 director of the division may promulgate. ~~Such~~ THE information ~~shall~~  
13 MUST be received by the division within ~~twelve~~ SEVEN calendar days after  
14 said date. If the ~~twelfth~~ SEVENTH calendar day falls on a weekend or a  
15 state holiday, ~~such~~ THE date ~~shall~~ MUST be moved to the first working day  
16 immediately following such weekend or holiday. The interested party may  
17 present information out of time only if good cause is shown. A deputy to  
18 be designated by the director of the division shall promptly examine all  
19 materials submitted. Whenever information submitted is not clearly  
20 adequate to substantiate a decision, the deputy shall promptly seek the  
21 necessary information. If it is necessary to obtain information by mail  
22 from any source, the information shall be received by the division no later  
23 than seven calendar days after the date of the request for information. On  
24 the basis of the deputy's review, the deputy shall determine the validity of  
25 the claim and, if valid, when payment shall commence, the amount  
26 payable, and the duration of payment. The deputy shall issue a decision  
27 in all cases, even if the claimant has insufficient qualifying wages, unless

1 the interested employer did not receive notice of the claim, except when  
2 the separation from employment is due to a lack of work and no alleged  
3 disqualifying circumstances are indicated, or unless the claimant did not  
4 file a continued claim. The deputy's decision shall set forth findings of  
5 fact, conclusions of law, and an order. The division shall promptly  
6 provide all interested parties with copies of the deputy's decision.

7 **SECTION 6.** In Colorado Revised Statutes, 8-75-203, **amend**  
8 (1)(b)(I) and (2)(c) as follows:

9 **8-75-203. Work share program - work share plan - eligibility**  
10 **of employer - approval - denial - rules.** (1) (b) (I) The director shall  
11 establish a voluntary work share program for the purpose of allowing the  
12 payment of unemployment compensation benefits to employees whose  
13 wages and hours have been reduced. In order to participate in the work  
14 share program, an employer shall submit a work share plan in writing to  
15 the director for approval. If the employer is subject to a collective  
16 bargaining agreement, the collective bargaining unit must agree in writing  
17 to the work share plan prior to implementation. An employer that is a  
18 negative excess employer pursuant to section 8-76-102.5 (3) ~~is not~~ MAY  
19 BE eligible to participate in the work share program IN ACCORDANCE WITH  
20 RULES ADOPTED BY THE DIRECTOR CONCERNING ELIGIBILITY  
21 REQUIREMENTS.

22 (2) An employer must submit a work share plan to the division on  
23 forms and following procedures required by the director. The director  
24 may approve a work share plan if:

25 (c) The plan reduces the normal work for an employee in the  
26 affected unit by at least ten percent and not more than ~~forty percent~~ AN  
27 AMOUNT CONSISTENT WITH RULES PROMULGATED BY THE DIRECTOR AND

1 AUTHORIZED UNDER 26 U.S.C. SEC. 3306 (v);

2 **SECTION 7.** In Colorado Revised Statutes, 8-75-204, **amend** (1)  
3 introductory portion and (1)(b) as follows:

4 **8-75-204. Employee eligibility for unemployment benefits**  
5 **under the work share plan - employee eligibility for job training.**

6 (1) Notwithstanding any other provision of this ~~title~~ TITLE 8, an employee  
7 may be eligible for unemployment compensation benefits for a particular  
8 week pursuant to this part 2 if:

9 (b) The employee's normal ~~weekly work hours~~ have  
10 REMUNERATION HAS been reduced by ~~at least ten percent but not more~~  
11 ~~than forty percent and the employee has received a corresponding~~  
12 ~~reduction in wages for that week~~ AN AMOUNT CONSISTENT WITH A  
13 REDUCTION IN HOURS RULES AS ESTABLISHED IN AN APPROVED WORK  
14 SHARE PLAN PURSUANT TO SECTION 8-75-203 (2)(c); and

15 **SECTION 8.** In Colorado Revised Statutes, 8-77-109, **amend**  
16 (1)(b); and repeal (2)(a.7) and (2)(a.8) as follows:

17 **8-77-109. Employment support fund - employment and**  
18 **training technology fund - created - uses.** (1) (b) (†) There is hereby  
19 established the employment support fund. This fund consists of the first  
20 0.0011 assessed as part of each employer's premium under section  
21 8-76-102.5 (3)(a). or the amount expended from the employment support  
22 fund in the year prior to July 1, 2011, adjusted by the same percentage  
23 ~~change prescribed in section 8-70-103 (6.5), whichever is less. The~~  
24 ~~division must transfer to the unemployment compensation fund amounts~~  
25 ~~in excess of the amount expended from the employment support fund in~~  
26 ~~the year prior to July 1, 2011, adjusted each year by the same percentage~~  
27 ~~change prescribed in section 8-70-103 (6.5). In addition, revenues to pay~~

1 nonprincipal-related bond costs for bonds issued under section  
2 29-4-710.7, C.R.S., or section 8-71-103 (2)(d) may be added to amounts  
3 assessed under this section. The division may transfer any moneys in the  
4 employment support fund to the unemployment bond repayment account  
5 created in section 8-77-103.5 to pay nonprincipal-related bond costs for  
6 bonds issued under section 29-4-710.7, C.R.S., or section 8-71-103 (2)(d).  
7 The employment support fund is not included in or administered by the  
8 enterprise established pursuant to section 8-71-103 (2).

9 (H) ~~This paragraph (b) is effective December 31, 2012.~~

10 (2) (a.7) Notwithstanding any provision of this subsection (2) to  
11 the contrary, on March 5, 2003, the state treasurer shall deduct five  
12 million four hundred thousand dollars from the employment support fund  
13 and transfer such sum to the general fund.

14 (a.8) Notwithstanding any provision of this subsection (2) to the  
15 contrary, on April 20, 2009, the state treasurer shall deduct five million  
16 dollars from the employment support fund and transfer such sum to the  
17 general fund.

18 **SECTION 9.** In Colorado Revised Statutes, 8-76-102.5, add  
19 (3)(a.5) and (7)(c) as follows:

20 **8-76-102.5. Rates effective upon fund solvency - repeal of**  
21 **prior rates - solvency surcharge - definitions - repeal.**

22 (3) (a.5) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION, IF THE  
23 RESERVE RATIO IS ONE AND FOUR-TENTHS PERCENT OR GREATER ON JUNE  
24 30 OF ANY YEAR, THE DEPARTMENT SHALL REDUCE EMPLOYER PREMIUMS  
25 UP TO FIFTEEN PERCENT FOR THE FOLLOWING CALENDAR YEAR.

26 (7) (c) (I) NOTWITHSTANDING SUBSECTION (7)(a) OF THIS SECTION,  
27 FOR THE CALENDAR YEARS 2021 AND 2022, THE DIVISION SHALL NOT

1 ASSESS A SOLVENCY SURCHARGE ON ANY EMPLOYER.

2 (II) THIS SUBSECTION (7)(c) IS REPEALED, EFFECTIVE JANUARY 1,  
3 2023.

4 **SECTION 10.** In Colorado Revised Statutes, add 8-77-101.5 as  
5 follows:

6 **8-77-101.5. CARES act funds - administration - transfer -**  
7 **unemployment compensation fund - legislative declaration.** (1) THE  
8 GENERAL ASSEMBLY FINDS THAT:

9 (a) ON MARCH 27, 2020, THE FEDERAL GOVERNMENT ENACTED  
10 THE "CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT"  
11 ("CARES ACT"), PUB.L. 116-136, PURSUANT TO WHICH COLORADO  
12 RECEIVED APPROXIMATELY ONE BILLION SIX HUNDRED SEVENTY-FOUR  
13 MILLION DOLLARS FROM THE FEDERAL CORONAVIRUS RELIEF FUND TO USE  
14 FOR NECESSARY EXPENDITURES INCURRED DUE TO THE CURRENT  
15 COVID-19 PUBLIC HEALTH EMERGENCY;

16 (b) THE PUBLIC HEALTH EMERGENCY CAUSED BY COVID-19  
17 CAUSED AN HISTORIC INCREASE IN UNEMPLOYMENT IN THE STATE AND  
18 THIS HAS CAUSED A DRAMATIC INCREASE IN THE NUMBER OF CLAIMS FOR  
19 BENEFITS FROM THE UNEMPLOYMENT COMPENSATION FUND, CREATED IN  
20 SECTION 8-77-101;

21 (c) AS A RESULT, IT IS ESTIMATED THAT THE UNEMPLOYMENT  
22 COMPENSATION FUND, CREATED IN SECTION 8-77-101, WILL HAVE A  
23 DEFICIT OF APPROXIMATELY TWO BILLION DOLLARS BY THE END OF FISCAL  
24 YEAR 2020-21;

25 (d) THESE COSTS WILL NOT BE REIMBURSED BY THE FEDERAL  
26 GOVERNMENT, NOR ARE THEY ACCOUNTED FOR IN THE BUDGET APPROVED  
27 AS OF MARCH 27, 2020;

1 (e) THE UNITED STATES DEPARTMENT OF TREASURY HAS STATED  
2 THAT PAYMENTS TO THE STATE UNEMPLOYMENT COMPENSATION FUND,  
3 CREATED IN SECTION 8-77-101, ARE AN ALLOWABLE USE OF THE MONEY  
4 FROM THE FEDERAL CORONAVIRUS RELIEF FUND, UNDER SECTION 42  
5 U.S.C. SEC. 801 (d); AND

6 (f) THE TRANSFER OF MONEY FROM THE "CARES ACT" TO THE  
7 STATE UNEMPLOYMENT COMPENSATION FUND, CREATED IN SECTION  
8 8-77-101, IS A NECESSARY EXPENDITURE INCURRED DUE TO THE PUBLIC  
9 HEALTH EMERGENCY WITH RESPECT TO COVID-19.

10 (2) IF, AS OF DECEMBER 30, 2020, THERE IS ANY UNEXPENDED  
11 MONEY THAT THE STATE RECEIVED THROUGH SECTION 42 U.S.C. SEC. 801  
12 (d) OF THE "CARES ACT", THEN JUST PRIOR TO THE CLOSE OF BUSINESS  
13 ON DECEMBER 30, 2020, THE STATE TREASURER SHALL TRANSFER THE  
14 UNEXPENDED AMOUNT OF FEDERAL FUNDS TO THE UNEMPLOYMENT  
15 COMPENSATION FUND CREATED IN SECTION 8-77-101.

16 **SECTION 11.** In Colorado Revised Statutes, **add** 8-77-110 as  
17 follows:

18 **8-77-110. Office of future of work - study - report.** (1) THE  
19 OFFICE OF FUTURE OF WORK IN THE DEPARTMENT OF LABOR AND  
20 EMPLOYMENT, CREATED BY EXECUTIVE ORDER B 2019 009 SHALL, WITHIN  
21 THE SCOPE OF THE EXECUTIVE ORDER, STUDY UNEMPLOYMENT  
22 ASSISTANCE AS PART OF ITS STUDY ON THE MODERNIZATION OF WORKER  
23 BENEFITS AND PROTECTIONS.

24 (2) ON OR BEFORE JANUARY 15, 2021, THE OFFICE OF THE FUTURE  
25 OF WORK SHALL SUBMIT AN INITIAL REPORT AS DIRECTED BY THE  
26 EXECUTIVE ORDER, TO THE GOVERNOR AND TO THE BUSINESS, LABOR, AND  
27 TECHNOLOGY COMMITTEE OF THE SENATE AND THE BUSINESS AFFAIRS AND

1 LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR  
2 SUCCESSOR COMMITTEES.

3 **SECTION 12. Effective date.** This act takes effect upon passage;  
4 except that section 1 of this act takes effect January 1, 2021.

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