

**First Extraordinary 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. 20B-0051.01 Christy Chase x2008

SENATE BILL 20B-001

SENATE SPONSORSHIP

Winter and Priola, Bridges

HOUSE SPONSORSHIP

Herod,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING SUPPORT FOR ENTITIES IMPACTED BY SEVERE CAPACITY**
102 **RESTRICTIONS DUE TO THE COVID-19 PANDEMIC, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 provides funding as follows to support entities impacted by capacity restrictions imposed to address the COVID-19 pandemic:

- \$37 million for direct relief payments to small businesses located in a county that is subject to, and in compliance with, severe capacity restrictions pursuant to a public health

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.*

SENATE
Amended 2nd Reading
November 30, 2020

order, with payments allocated to the counties for distribution to eligible small businesses, which businesses include restaurants, bars, movie theaters, and fitness and recreational sports centers;

- \$7.5 million for direct relief payments to eligible arts, culture, and entertainment artists, crew members, and organizations, with payments allocated by the creative industries division in the Colorado office of economic development;
- \$6,775,000 to the department of public health and environment to enable the department to contract with county or district boards of health to provide state funding in lieu of those local government agencies charging annual licensing fees to certain retail food establishments;
- \$1.8 million to the department of revenue to offset the department's waiver of certain liquor license fees; and
- \$4 million for use by the minority business office in the Colorado office of economic development to provide direct relief payments, grants and loans, and technical assistance and consulting support to minority-owned businesses.

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) Due to the COVID-19 pandemic and the ongoing public health
5 emergency that Colorado has been battling since March of 2020, many
6 small businesses in the state, including those that are subject to mandatory
7 capacity restrictions, have suffered severe declines in revenue during the
8 pandemic;

9 (b) Small, minority-owned, and women-owned businesses are
10 among those most impacted by the pandemic;

11 (c) Arts venues and artists have also been severely impacted by the
12 pandemic and associated public health restrictions;

13 (d) The closure of small businesses in the state also has a
14 devastating effect on employees of those businesses, will further strain

1 the state's unemployment insurance program, and will have other ripple
2 effects throughout the state; and

3 (e) As more counties in the state move to heightened restrictions
4 on business operations to help contain COVID-19 and to protect the
5 health of all Coloradans, it is imperative that the state provide ___ relief
6 to those small businesses in the most severely restricted counties in order
7 to stem the tide of business closures, protect the state's economy and its
8 communities, and help small businesses continue their operations and
9 retain their employees.

10 (2) The general assembly further declares that the executive
11 branch will continue to develop a framework to certify businesses that
12 demonstrate exemplary compliance with public health orders during the
13 pandemic through an evidence-based certification program that is aligned
14 with the state's objectives to contain the COVID-19 virus.

15 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-129 as
16 follows:

17 **24-32-129. Small business relief program - address negative**
18 **effects of capacity limits due to COVID-19 pandemic - distribution**
19 **through local governments - definitions - report - repeal.**

20 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
21 OTHERWISE REQUIRES:

22 (a) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY
23 THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO
24 KNOWN AS SARS-CoV-2.

25

26 (b) "DIVISION" MEANS THE DIVISION OF LOCAL GOVERNMENT IN
27 THE DEPARTMENT OF LOCAL AFFAIRS.

1 (c) "ELIGIBLE COUNCIL OF GOVERNMENTS" MEANS A COUNCIL OF
2 GOVERNMENTS THAT INCLUDES AT LEAST ONE ELIGIBLE COUNTY OR, IF
3 APPLICABLE, AT LEAST ONE ELIGIBLE MUNICIPALITY.

4 (d) "ELIGIBLE COUNTY" MEANS A COUNTY OR CITY AND COUNTY
5 THAT IS:

6 (I) AS OF DECEMBER 31, 2020, UNDER SEVERE CAPACITY
7 RESTRICTIONS, AS DETERMINED THROUGH A STATEWIDE OR LOCAL PUBLIC
8 HEALTH ORDER THAT HAS BEEN IN EFFECT SINCE DECEMBER 10, 2020, OR
9 EARLIER AND THAT INCLUDES THE FOLLOWING RESTRICTIONS:

10 (A) THE CLOSURE OF RESTAURANTS FOR IN-PERSON, INDOOR
11 DINING;

12 (B) THE CLOSURE OF BARS AND THE PROHIBITION OF INDOOR
13 EVENTS; AND

14 (C) A LIMIT OF THE LESSER OF TEN PERCENT CAPACITY OR TEN
15 PEOPLE PER ROOM OR POOL FOR GYMS, RECREATION CENTERS, AND INDOOR
16 POOLS; AND

17 (II) IN GOOD-FAITH COMPLIANCE WITH THE EXECUTIVE ORDERS
18 PERTAINING TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND
19 ALL APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS THAT
20 ESTABLISH SEVERE CAPACITY RESTRICTIONS, AS DETERMINED BY THE
21 DIVISION IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH
22 AND ENVIRONMENT AND AS DEMONSTRATED BY:

23 (A) THE COUNTY'S GOOD-FAITH EFFORTS TO ENFORCE OR PROMOTE
24 COMPLIANCE WITH APPLICABLE EXECUTIVE AND PUBLIC HEALTH ORDERS
25 WITHIN THE SCOPE OF ITS AUTHORITY AND IN CONSIDERATION OF
26 AVAILABLE RESOURCES, INCLUDING ENGAGING LAW ENFORCEMENT TO
27 ENFORCE EXECUTIVE AND PUBLIC HEALTH ORDER VIOLATIONS; AND

1 (B) THE COUNTY NOT ADOPTING A PUBLIC HEALTH ORDER OR
2 ENFORCEMENT POLICY THAT IS LESS RESTRICTIVE THAN A STATEWIDE
3 PUBLIC HEALTH ORDER ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH
4 AND ENVIRONMENT, UNLESS THE COUNTY HAS OBTAINED A VARIANCE OR
5 OTHER EXEMPTION FROM THE DEPARTMENT OF PUBLIC HEALTH AND
6 ENVIRONMENT.

7 (e) "ELIGIBLE ECONOMIC DEVELOPMENT DISTRICT" MEANS AN
8 ECONOMIC DEVELOPMENT DISTRICT DESIGNATED BY THE UNITED STATES
9 ECONOMIC DEVELOPMENT ADMINISTRATION THAT INCLUDES AT LEAST ONE
10 ELIGIBLE COUNTY OR, IF APPLICABLE, AT LEAST ONE ELIGIBLE
11 MUNICIPALITY.

12 (f) "ELIGIBLE INDUSTRY CATEGORY" MEANS A:

13 (I) RESTAURANT, INCLUDING ANY LIQUOR LICENSED
14 ESTABLISHMENT HOLDING A HOTEL AND RESTAURANT LICENSE PURSUANT
15 TO SECTION 44-3-413;

16 (II) BAR, INCLUDING A LIQUOR LICENSED ESTABLISHMENT
17 HOLDING ONE OR MORE OF THE FOLLOWING LICENSES:

- 18 (A) A LIMITED WINERY LICENSE UNDER SECTION 44-3-403;
- 19 (B) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;
- 20 (C) A HOTEL AND RESTAURANT LICENSE UNDER SECTION 44-3-413;
- 21 (D) A TAVERN LICENSE UNDER SECTION 44-3-414;
- 22 (E) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;
- 23 (F) A RETAIL GAMING TAVERN LICENSE UNDER SECTION 44-3-416;
- 24 (G) A BREW PUB LICENSE UNDER SECTION 44-3-417;
- 25 (H) A CLUB LICENSE UNDER SECTION 44-3-418;
- 26 (I) AN ARTS LICENSE UNDER SECTION 44-3-419;
- 27 (J) A RACETRACK LICENSE UNDER SECTION 44-3-420;

1 (K) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;

2 (L) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;

3 (M) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
4 44-3-428;

5 (N) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
6 44-4-107 (1)(b); OR

7 (O) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
8 44-4-107 (1)(c);

9 (III) BREWERY, LICENSED PURSUANT TO SECTION 44-3-407
10 (1)(b)(I) AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO
11 SECTION 44-3-407 (1)(b);

12 (IV) WINERY, LICENSED PURSUANT TO SECTION 44-3-402 (1) OR
13 44-3-403 AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO
14 SECTION 44-3-402 (2) OR 44-3-403 (2)(e);

15 (V) DISTILLERY, LICENSED PURSUANT TO SECTION 44-3-402 (1)
16 AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO SECTION
17 44-3-402 (7);

18 (VI) CATERER;

19 (VII) MOVIE THEATER; OR

20 (VIII) FITNESS AND RECREATIONAL SPORTS CENTER.

21 (g) "ELIGIBLE LOCAL GOVERNMENT" MEANS AN ELIGIBLE COUNTY,
22 ELIGIBLE COUNCIL OF GOVERNMENTS, OR ELIGIBLE ECONOMIC
23 DEVELOPMENT DISTRICT; EXCEPT THAT, IF A COUNTY IS DETERMINED BY
24 THE DIVISION TO BE INELIGIBLE BASED ON THE COUNTY'S FAILURE TO MEET
25 THE CRITERIA SPECIFIED IN SUBSECTION (1)(d) OF THIS SECTION, ELIGIBLE
26 MUNICIPALITIES WITHIN THE INELIGIBLE COUNTY, EITHER ACTING
27 SEPARATELY OR AS A GROUP, CONSTITUTE AN ELIGIBLE LOCAL

1 GOVERNMENT AND MAY PARTICIPATE IN THE RELIEF PROGRAM.

2 (h) "ELIGIBLE MUNICIPALITY" MEANS A MUNICIPALITY THAT IS:

3 (I) AS OF DECEMBER 31, 2020, UNDER SEVERE CAPACITY
4 RESTRICTIONS, AS DETERMINED THROUGH A STATEWIDE OR LOCAL PUBLIC
5 HEALTH ORDER THAT HAS BEEN IN EFFECT SINCE DECEMBER 10, 2020, OR
6 EARLIER AND THAT INCLUDES THE FOLLOWING RESTRICTIONS:

7 (A) THE CLOSURE OF RESTAURANTS FOR IN-PERSON, INDOOR
8 DINING;

9 (B) THE CLOSURE OF BARS AND THE PROHIBITION OF INDOOR
10 EVENTS; AND

11 (C) A LIMIT OF THE LESSER OF TEN PERCENT CAPACITY OR TEN
12 PEOPLE PER ROOM OR POOL FOR GYMS, RECREATION CENTERS, AND INDOOR
13 POOLS; AND

14 (II) IN GOOD-FAITH COMPLIANCE WITH THE EXECUTIVE ORDERS
15 PERTAINING TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND
16 ALL APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS THAT
17 ESTABLISH SEVERE CAPACITY RESTRICTIONS, AS DETERMINED BY THE
18 DIVISION IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH
19 AND ENVIRONMENT AND AS DEMONSTRATED BY:

20 (A) THE MUNICIPALITY'S GOOD-FAITH EFFORTS TO ENFORCE OR
21 PROMOTE COMPLIANCE WITH APPLICABLE EXECUTIVE AND PUBLIC HEALTH
22 ORDERS WITHIN THE SCOPE OF ITS AUTHORITY AND IN CONSIDERATION OF
23 AVAILABLE RESOURCES, INCLUDING ENGAGING LAW ENFORCEMENT TO
24 ENFORCE EXECUTIVE AND PUBLIC HEALTH ORDER VIOLATIONS; AND

25 (B) THE MUNICIPALITY NOT ADOPTING A PUBLIC HEALTH ORDER OR
26 ENFORCEMENT POLICY THAT IS LESS RESTRICTIVE THAN A STATEWIDE
27 PUBLIC HEALTH ORDER ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH

1 AND ENVIRONMENT, UNLESS THE MUNICIPALITY HAS OBTAINED A
2 VARIANCE OR OTHER EXEMPTION FROM THE DEPARTMENT OF PUBLIC
3 HEALTH AND ENVIRONMENT.

4 (i) "ELIGIBLE SMALL BUSINESS" MEANS A SMALL BUSINESS THAT:

5 (I) IS LOCATED IN AN ELIGIBLE "COUNTY OR, IF APPLICABLE, AN
6 ELIGIBLE MUNICIPALITY, AS OF THE TIME OF APPLICATION FOR RELIEF;

7 (II) IS CURRENTLY OPERATING IN THE STATE, AS EVIDENCED BY:

8 (A) VERIFICATION OF THE SMALL BUSINESS'S COLORADO INCOME
9 TAX ACCOUNT NUMBER; AND

10 (B) THE SMALL BUSINESS'S RECEIPT FROM ITS MOST RECENT
11 PAYMENT OF UNEMPLOYMENT INSURANCE PAYROLL TAXES;

12 (III) IS ENGAGED IN AN ELIGIBLE INDUSTRY CATEGORY, AS
13 VERIFIED BY ITS NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM
14 (NAICS) CODE;

15 (IV) DEMONSTRATES ITS INTENT TO CONTINUE OPERATING IN THE
16 STATE FOR AT LEAST SIX MONTHS;

17 (V) PROVIDES EVIDENCE OF AT LEAST TWENTY PERCENT REVENUE
18 LOSS SINCE MARCH 26, 2020, DUE TO THE RESTRICTIONS IMPOSED ON THE
19 BUSINESS UNDER THE GOVERNOR'S EXECUTIVE ORDER D 2020 017,
20 ORDERING COLORADANS TO STAY AT HOME, AND THE DEPARTMENT OF
21 PUBLIC HEALTH AND ENVIRONMENT'S AMENDED PUBLIC HEALTH ORDER
22 20-24 IMPLEMENTING STAY-AT-HOME REQUIREMENTS; EXCEPT THAT THIS
23 SUBSECTION (1)(i)(V) DOES NOT APPLY TO A SMALL BUSINESS THAT BEGAN
24 OPERATING ON OR AFTER JANUARY 1, 2020, AND ON OR BEFORE MARCH
25 26, 2020;

26 (VI) HAS A VALID BUSINESS LICENSE AND IS IN GOOD STANDING
27 WITH THE AGENCY THAT ISSUED THE BUSINESS LICENSE; AND

1 (VII) CERTIFIES TO THE ELIGIBLE LOCAL GOVERNMENT TO WHICH
2 THE SMALL BUSINESS APPLIES FOR A RELIEF PAYMENT UNDER THE DIRECT
3 RELIEF PROGRAM THAT THE SMALL BUSINESS:

4 (A) HAS NOT APPLIED FOR NOR RECEIVED ANY OTHER RELIEF
5 PAYMENTS FROM THE ARTS RELIEF PROGRAM CREATED IN SECTION
6 24-48.5-316, ENACTED BY SENATE BILL 20B-001, ENACTED IN THE FIRST
7 EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY;
8 AND

9 (B) IS IN COMPLIANCE WITH THE EXECUTIVE ORDERS PERTAINING
10 TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND ALL
11 APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS, INCLUDING
12 CAPACITY RESTRICTIONS.

13 (i) "SMALL BUSINESS" MEANS A CORPORATION, LIMITED LIABILITY
14 COMPANY, PARTNERSHIP, SOLE PROPRIETORSHIP, OR OTHER BUSINESS
15 ENTITY THAT:

16 (I) HAS ITS HEADQUARTERS LOCATED IN AND IS DOING BUSINESS
17 IN COLORADO;

18 (II) HAS AT LEAST ONE FULL-TIME EMPLOYEE; EXCEPT THAT THE
19 REQUIREMENT TO HAVE ONE EMPLOYEE DOES NOT APPLY TO A SMALL
20 BUSINESS THAT IS A SOLE PROPRIETORSHIP; AND

21 (III) (A) FOR A SMALL BUSINESS THAT WAS OPERATING BEFORE
22 JANUARY 1, 2020, HAD ANNUAL RECEIPTS OF LESS THAN TWO MILLION FIVE
23 HUNDRED THOUSAND DOLLARS FOR THE 2019 CALENDAR YEAR; AND

24 (B) FOR A SMALL BUSINESS THAT BEGAN OPERATING ON OR AFTER
25 JANUARY 1, 2020, AND ON OR BEFORE MARCH 26, 2020, HAD ANNUAL
26 RECEIPTS OF LESS THAN TWO MILLION FIVE HUNDRED THOUSAND DOLLARS
27 IN THE 2020 CALENDAR YEAR.

1 (k) "SMALL BUSINESS RELIEF PROGRAM" OR "RELIEF PROGRAM"
2 MEANS THE SMALL BUSINESS RELIEF PROGRAM CREATED IN SUBSECTION
3 (2) OF THIS SECTION.

4 (2) **Small business relief program.** (a) (I) THERE IS CREATED IN
5 THE DIVISION THE SMALL BUSINESS RELIEF PROGRAM TO ALLOCATE MONEY
6 TO ELIGIBLE LOCAL GOVERNMENTS TO PROVIDE RELIEF PAYMENTS TO
7 ELIGIBLE SMALL BUSINESSES OPERATING WITHIN THE GEOGRAPHICAL
8 BOUNDARIES OF THOSE ELIGIBLE LOCAL GOVERNMENTS. THE DIVISION
9 SHALL DEVELOP A PROCESS FOR ELIGIBLE LOCAL GOVERNMENTS TO APPLY
10 FOR AN ALLOCATION OF AVAILABLE MONEY TO PROVIDE RELIEF
11 PAYMENTS TO ELIGIBLE SMALL BUSINESSES OPERATING WITHIN THEIR
12 BOUNDARIES. AN ELIGIBLE LOCAL GOVERNMENT THAT CHOOSES TO APPLY
13 TO PARTICIPATE IN THE RELIEF PROGRAM MUST SUBMIT AN APPLICATION
14 TO THE DIVISION BY JANUARY 8, 2021, AND BY JANUARY 15, 2021, THE
15 DIVISION SHALL ALLOCATE THE MONEY APPROPRIATED PURSUANT TO
16 SUBSECTION (3) OF THIS SECTION TO ELIGIBLE LOCAL GOVERNMENTS.
17 EXCEPT AS PROVIDED IN SUBSECTIONS (2)(a)(II) AND (2)(a)(III) OF THIS
18 SECTION, THE DIVISION SHALL ALLOCATE MONEY TO ELIGIBLE LOCAL
19 GOVERNMENTS BASED ON THE POPULATION OF THE ELIGIBLE LOCAL
20 GOVERNMENTS, AS DETERMINED PURSUANT TO THE MOST RECENTLY
21 PUBLISHED POPULATION ESTIMATES FROM THE STATE DEMOGRAPHER
22 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
23 AFFAIRS.

24 (II) FOR PURPOSES OF THE ALLOCATION TO AN ELIGIBLE LOCAL
25 GOVERNMENT THAT IS AN ELIGIBLE MUNICIPALITY, THE DIVISION SHALL
26 ALLOCATE THE MONEY TO THE ELIGIBLE MUNICIPALITY BASED ON THE
27 PROPORTION OF THE POPULATION OF THE COUNTY IN WHICH THE ELIGIBLE

1 MUNICIPALITY IS LOCATED THAT IS ATTRIBUTABLE TO THE ELIGIBLE
2 MUNICIPALITY.

3 (III) THE DIVISION SHALL SET ASIDE TEN PERCENT OF THE TOTAL
4 AMOUNT APPROPRIATED PURSUANT TO SUBSECTION (3) OF THIS SECTION
5 TO DISTRIBUTE ADDITIONAL AMOUNTS TO ELIGIBLE COUNTIES THAT:

6 (A) DEMONSTRATE HIGH NEEDS, AS DETERMINED BY THE DIVISION;

7 (B) HAVE A POPULATION OF NOT MORE THAN ONE HUNDRED
8 THOUSAND PEOPLE.

9 (b) (I) THE DIVISION MAY ALLOCATE UP TO THE AMOUNT
10 APPROPRIATED TO THE DIVISION PURSUANT TO SUBSECTION (3) OF THIS
11 SECTION TO ELIGIBLE LOCAL GOVERNMENTS IN THE STATE UNDER THE ___
12 RELIEF PROGRAM; EXCEPT THAT THE DIVISION MAY USE UP TO FIVE
13 PERCENT OF THE THE APPROPRIATED AMOUNT FOR THE DIVISION'S AND
14 ELIGIBLE LOCAL GOVERNMENTS' ADMINISTRATIVE COSTS IN OPERATING
15 AND ADMINISTERING THE ___ RELIEF PROGRAM. ___

16 (II) ELIGIBLE SMALL BUSINESSES MAY RECEIVE _____ RELIEF
17 PAYMENTS AS FOLLOWS, REDUCED AS NECESSARY BY THE ELIGIBLE LOCAL
18 GOVERNMENT TO AVOID EXCEEDING THE TOTAL AMOUNT ALLOCATED TO
19 THE ELIGIBLE LOCAL GOVERNMENT PURSUANT TO SUBSECTION (2)(a) OF
20 THIS SECTION:

21 (A) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD LESS THAN FIVE
22 HUNDRED THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR,
23 A _____ RELIEF PAYMENT OF UP TO THREE THOUSAND FIVE HUNDRED
24 DOLLARS;

25 (B) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD FIVE HUNDRED
26 THOUSAND DOLLARS OR MORE BUT NOT MORE THAN ONE MILLION
27 DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A __ RELIEF PAYMENT

1 OF UP TO FIVE THOUSAND DOLLARS; AND

2 (C) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD ONE MILLION
3 DOLLARS OR MORE BUT NOT MORE THAN TWO MILLION FIVE HUNDRED
4 THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A
5 RELIEF PAYMENT OF UP TO SEVEN THOUSAND DOLLARS.

6 (c) (I) EACH ELIGIBLE LOCAL GOVERNMENT SHALL ESTABLISH A
7 PROCESS FOR SMALL BUSINESSES TO APPLY FOR AND DEMONSTRATE
8 ELIGIBILITY FOR RELIEF PAYMENTS AND THE AMOUNT FOR WHICH A
9 SMALL BUSINESS IS ELIGIBLE UNDER THE RELIEF PROGRAM. AN ELIGIBLE
10 LOCAL GOVERNMENT MAY USE ANY NEW OR EXISTING PROCESSES
11 AVAILABLE IN THE LOCAL GOVERNMENT, INCLUDING PROCESSES
12 AVAILABLE THROUGH INTERGOVERNMENTAL AGREEMENTS WITH OTHER
13 ELIGIBLE LOCAL GOVERNMENTS OR POLITICAL SUBDIVISIONS AND
14 CONTRACTS WITH PUBLIC OR PRIVATE ENTITIES, TO ENABLE THE ELIGIBLE
15 LOCAL GOVERNMENT TO:

16 (A) PROVIDE THE RELIEF PAYMENTS TO ELIGIBLE SMALL
17 BUSINESSES IN THE LEAST COSTLY AND MOST EXPEDITIOUS AND EFFICIENT
18 MANNER; AND

19 (B) ENCOURAGE AND FACILITATE THE EQUITABLE DISTRIBUTION
20 OF RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES WITHIN THE
21 MUNICIPALITIES AND POLITICAL SUBDIVISIONS LOCATED WITHIN THE
22 GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT.

23 (II) EACH ELIGIBLE LOCAL GOVERNMENT THAT RECEIVES AN
24 ALLOCATION FROM THE DIVISION PURSUANT TO THE RELIEF PROGRAM
25 SHALL:

26 (A) ALLOW SMALL BUSINESSES LOCATED WITHIN THE
27 GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT A

1 SPECIFIED PERIOD OF NOT LESS THAN TWENTY-ONE DAYS DURING WHICH
2 TO APPLY FOR RELIEF PAYMENTS;

3 (B) NOT DISTRIBUTE RELIEF PAYMENTS BASED ON THE ORDER IN
4 WHICH APPLICATIONS ARE SUBMITTED OR RECEIVED; AND

5 (C) COLLECT SUFFICIENT INFORMATION FROM SMALL BUSINESS
6 APPLICANTS TO ENABLE THE ELIGIBLE LOCAL GOVERNMENT TO ISSUE AN
7 INTERNAL REVENUE SERVICE FORM 1099 TO AN ELIGIBLE SMALL BUSINESS
8 THAT RECEIVES A RELIEF PAYMENT PURSUANT TO THIS SECTION.

9 (III) ELIGIBLE LOCAL GOVERNMENTS THAT APPLY TO PARTICIPATE
10 IN THE RELIEF PROGRAM MUST COMMUNICATE INFORMATION ABOUT THE
11 RELIEF PROGRAM IN A MANNER THAT INFORMS SMALL BUSINESSES
12 LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE
13 LOCAL GOVERNMENT ABOUT THE RELIEF PROGRAM AND HOW AND WHEN
14 TO APPLY FOR RELIEF PAYMENTS.

15 (IV) ELIGIBLE LOCAL GOVERNMENTS SHALL DETERMINE THE
16 RELIEF PAYMENT AMOUNT FOR EACH ELIGIBLE SMALL BUSINESS WITHIN
17 THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT
18 BASED ON THE PAYMENT AMOUNTS SPECIFIED IN SUBSECTION (2)(b)(II) OF
19 THIS SECTION, REDUCED AS NECESSARY BASED ON THE TOTAL AMOUNT
20 ALLOCATED TO THE ELIGIBLE LOCAL GOVERNMENT PURSUANT TO
21 SUBSECTION (2)(a) OF THIS SECTION, AND SHALL MAKE THE DISTRIBUTION
22 OF RELIEF PAYMENTS AS SOON AS PRACTICABLE AFTER RECEIVING THE
23 MONEY FROM THE DIVISION, BUT NO LATER THAN FEBRUARY 12, 2021. AN
24 ELIGIBLE LOCAL GOVERNMENT SHALL PROVIDE AN INTERNAL REVENUE
25 SERVICE FORM 1099 TO EACH ELIGIBLE SMALL BUSINESS TO WHICH IT
26 DISTRIBUTES A RELIEF PAYMENT PURSUANT TO THIS SECTION.

27 (V) IF, AFTER DISTRIBUTING RELIEF PAYMENTS TO ALL ELIGIBLE

1 SMALL BUSINESSES IN THE ELIGIBLE LOCAL GOVERNMENT, THE ELIGIBLE
2 LOCAL GOVERNMENT HAS MONEY REMAINING FROM ITS ALLOCATION FROM
3 THE DIVISION, THE ELIGIBLE LOCAL GOVERNMENT MAY ACCEPT
4 APPLICATIONS FROM AND DISTRIBUTE THE REMAINING MONEY TO OTHER
5 BUSINESSES IN THE ELIGIBLE LOCAL GOVERNMENT THAT MEET ALL THE
6 REQUIREMENTS SPECIFIED IN SUBSECTIONS (1)(i) AND (1)(j) OF THIS
7 SECTION EXCEPT SUBSECTION (1)(j)(III) OF THIS SECTION. THE ELIGIBLE
8 LOCAL GOVERNMENT SHALL NOT DISTRIBUTE MORE THAN SEVEN
9 THOUSAND DOLLARS TO ANY BUSINESS THAT IS ELIGIBLE FOR A RELIEF
10 PAYMENT PURSUANT TO THIS SUBSECTION (2)(c)(V).

11 (d) THE DIVISION MAY DEVELOP POLICIES AND PROCEDURES
12 NECESSARY FOR THE OPERATION OF THE ___ RELIEF PROGRAM, INCLUDING:

13 (I) THE APPLICATION AND INFORMATION SUBMITTAL PROCESS; AND

14 ==

15 (II) A REQUIREMENT THAT EACH ELIGIBLE LOCAL GOVERNMENT
16 THAT RECEIVES AN ALLOCATION PROVIDE A REPORT TO THE DIVISION
17 DESCRIBING HOW THE MONEY WAS DISTRIBUTED TO ELIGIBLE SMALL
18 BUSINESSES.

19 (e) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
20 AN ELIGIBLE SMALL BUSINESS THAT RECEIVES A ___ RELIEF PAYMENT
21 PURSUANT TO THE ___ RELIEF PROGRAM:

22 (I) IS NOT ELIGIBLE FOR ANY OTHER ___ RELIEF PAYMENTS FROM
23 THE ARTS RELIEF PROGRAM CREATED IN SECTION 24-48.5-316, ENACTED
24 BY SENATE BILL 20B-001, ENACTED IN THE FIRST EXTRAORDINARY
25 SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY; AND

26 (II) IS REQUIRED TO RETURN ANY ___ RELIEF PAYMENT RECEIVED
27 PURSUANT TO THE ___ RELIEF PROGRAM IF THE ELIGIBLE SMALL BUSINESS

1 IS FOUND TO BE OUT OF COMPLIANCE WITH ANY ELIGIBILITY CRITERIA
2 SPECIFIED IN SUBSECTION (1)(i) OF THIS SECTION.

3 **(3) Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL
4 ASSEMBLY SHALL APPROPRIATE THIRTY-SEVEN MILLION DOLLARS FROM
5 THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS FOR USE BY
6 THE DIVISION IN ACCORDANCE WITH THIS SECTION.

7 (4) **Report.** (a) AS PART OF ITS REPORT PURSUANT TO THE "STATE
8 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
9 (SMART) GOVERNMENT ACT" BEFORE THE 2022 LEGISLATIVE SESSION,
10 THE DIVISION SHALL SUBMIT A REPORT TO THE LOCAL GOVERNMENT
11 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE AND THE
12 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE
13 OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING HOW ==
14 RELIEF PROGRAM MONEY WAS ALLOCATED, INCLUDING:

15 (I) THE LIST OF ELIGIBLE LOCAL GOVERNMENTS THAT RECEIVED AN
16 ALLOCATION UNDER THE PROGRAM;

17 (II) THE AMOUNT EACH ELIGIBLE LOCAL GOVERNMENT RECEIVED;

18 (III) INFORMATION ABOUT THE ELIGIBLE SMALL BUSINESSES THAT
19 RECEIVED == RELIEF PAYMENTS AND THE AMOUNT OF THE PAYMENTS; AND

20 (IV) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
21 DIVISION.

22 (b) THE DIVISION SHALL ALSO SUBMIT THE REPORT TO THE
23 GOVERNOR.

24 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
25 2022.

26 **SECTION 3.** In Colorado Revised Statutes, 39-21-113, **add** (27)
27 as follows:

1 **39-21-113. Reports and returns - rule.** (27) NOTWITHSTANDING
2 ANY OTHER PROVISION OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE
3 DEPARTMENT OF REVENUE SHALL PROVIDE THE DIVISION OF LOCAL
4 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS, OR ANY ELIGIBLE
5 LOCAL GOVERNMENT, AS DEFINED IN SECTION 24-32-129 (1)(g), WITH ANY
6 INFORMATION OBTAINED PURSUANT TO THIS SECTION THAT IS NECESSARY
7 TO VERIFY THE ELIGIBILITY OF A SMALL BUSINESS FOR A _____ RELIEF
8 PAYMENT PURSUANT TO SECTION 24-32-129. ANY INFORMATION
9 PROVIDED TO THE DIVISION OR TO AN ELIGIBLE LOCAL GOVERNMENT
10 PURSUANT TO THIS SUBSECTION (27) REMAINS CONFIDENTIAL, AND ANY
11 EMPLOYEE OF THE DIVISION OR AN ELIGIBLE LOCAL GOVERNMENT SHALL
12 BE SUBJECT TO THE LIMITATIONS SET FORTH IN SUBSECTION (4) OF THIS
13 SECTION AND THE PENALTIES CONTAINED IN SUBSECTION (6) OF THIS
14 SECTION.

15 **SECTION 4.** In Colorado Revised Statutes, 24-48.5-301, **amend**
16 (2)(a)(IV), (2)(a)(V), (2)(b) introductory portion, (2)(b)(III), and
17 (2)(b)(IV); and **add** (2)(a)(VI) and (2)(b)(V) as follows:

18 **24-48.5-301. Creative industries division - creative industries**
19 **cash fund - creation - definition - repeal.** (2) (a) There is hereby
20 created in the state treasury the creative industries cash fund, referred to
21 in this section as the "fund". The fund consists of:

22 (IV) ~~Moneys~~ MONEY appropriated to the fund by the general
23 assembly, including, but not limited to, ~~moneys~~ MONEY appropriated for
24 the purpose of providing need-based funding for infrastructure
25 development within creative districts as authorized by section
26 24-48.5-314 (5)(b); and

27 (V) Any gifts, grants, or donations from private or public sources

1 that the division is hereby authorized to seek and accept; AND

2 (VI) (A) SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS
3 APPROPRIATED BY THE GENERAL ASSEMBLY TO THE FUND FOR THE ARTS
4 RELIEF PROGRAM ESTABLISHED PURSUANT TO SECTION 24-48.5-316.

5 (B) THIS SUBSECTION (2)(a)(VI) IS REPEALED, EFFECTIVE
6 DECEMBER 31, 2022.

7 (b) The ~~moneys~~ MONEY in the fund shall be annually appropriated
8 to the division for the operation of the division, and for the following:

9 (III) For the purchase of works of art pursuant to the art in public
10 places program, taking into consideration the artist's preliminary site visit,
11 the design fee, the total costs of construction and installation of the work
12 of art, jury expenses, and program administration in compliance with the
13 provisions of section 24-48.5-312 (6); and

14 (IV) For need-based funding for infrastructure development in
15 creative districts as authorized by section 24-48.5-314 (5)(b), to the extent
16 that the general assembly appropriates ~~moneys~~ MONEY to the fund for that
17 purpose; AND

18 (V) (A) WITH REGARD TO THE AMOUNT APPRIOPRIATED TO THE
19 FUND PURSUANT TO SUBSECTION (2)(a)(VI) OF THIS SECTION, FOR THE
20 ARTS RELIEF PROGRAM ESTABLISHED PURSUANT TO SECTION 24-48.5-316.

21 (B) THIS SUBSECTION (2)(b)(V) IS REPEALED, EFFECTIVE
22 DECEMBER 31, 2022.

23 **SECTION 5.** In Colorado Revised Statutes, **add** 24-48.5-316 as
24 follows:

25 **24-48.5-316. COVID-19 == relief program for arts, cultural,**
26 **and entertainment artists, crew members, and organizations -**
27 **definitions - report - repeal. (1) Definitions.** AS USED IN THIS SECTION,

1 UNLESS THE CONTEXT OTHERWISE REQUIRES:

2 (a) "ARTS, CULTURE, AND ENTERTAINMENT ARTIST OR CREW
3 MEMBER" MEANS AN INDIVIDUAL INVOLVED IN THE MUSIC, THEATER,
4 DANCE, OR VISUAL ARTS INDUSTRY.

5 (b) "ARTS, CULTURE, AND ENTERTAINMENT ORGANIZATION"
6 MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION INVOLVED IN THE
7 MUSIC, THEATER, DANCE, OR VISUAL ARTS INDUSTRY.

8 (c) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY
9 THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO
10 KNOWN AS SARS-CoV-2.

11 (2) **Arts relief program.** (a) THE DIVISION SHALL ADMINISTER OR
12 CONTRACT WITH A THIRD PARTY TO ADMINISTER AN ARTS RELIEF
13 PROGRAM TO PROVIDE RELIEF PAYMENTS TO ARTS, CULTURE, AND
14 ENTERTAINMENT ARTISTS, CREW MEMBERS, AND ORGANIZATIONS THAT
15 MEET ELIGIBILITY CRITERIA DEVELOPED BY THE DIVISION. WHEN
16 DETERMINING ELIGIBILITY FOR AND THE SIZE OF AN ARTS RELIEF PAYMENT,
17 THE DIVISION SHALL CONSIDER THE TYPE OF ARTS, CULTURE, AND
18 ENTERTAINMENT ARTIST, CREW MEMBER, OR ORGANIZATION THAT IS
19 APPLYING FOR AN ARTS RELIEF PAYMENT, THE IMPACT OF THE COVID-19
20 PANDEMIC ON THE ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S
21 BUSINESS MODEL, IF APPLICABLE, THE SIZE OF THE ORGANIZATION, IF THE
22 APPLICANT IS AN ORGANIZATION, AND THE AVAILABILITY OF AND THE
23 ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S ACCESS TO OTHER RELIEF
24 OR GRANT FUNDING. THE DIVISION SHALL COLLECT SUFFICIENT
25 INFORMATION FROM APPLICANTS TO ENABLE THE DIVISION TO ISSUE AN
26 INTERNAL REVENUE SERVICE FORM 1099 TO AN APPLICANT THAT RECEIVES
27 A RELIEF PAYMENT PURSUANT TO THIS SECTION. WHEN ISSUING A RELIEF

1 PAYMENT TO AN APPLICANT, THE DIVISION SHALL PROVIDE THE INTERNAL
2 REVENUE SERVICE FORM 1099 TO THE APPLICANT.

3 (b) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
4 CONTRARY, AN ARTS, CULTURE, AND ENTERTAINMENT ARTIST, CREW
5 MEMBER, OR ORGANIZATION THAT RECEIVES AN ARTS RELIEF PAYMENT
6 PURSUANT TO THIS SECTION IS NOT ELIGIBLE FOR ANY OTHER RELIEF
7 PAYMENTS FROM THE SMALL BUSINESS RELIEF PROGRAM CREATED IN
8 SECTION 24-32-129, ENACTED BY SENATE BILL 20B-001, ENACTED IN THE
9 FIRST EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL
10 ASSEMBLY. AN ORGANIZATION THAT APPLIES FOR AN ARTS RELIEF
11 PAYMENT PURSUANT TO THIS SECTION SHALL CERTIFY THAT THE
12 ORGANIZATION NEITHER APPLIED FOR NOR RECEIVED ANY OTHER RELIEF
13 PAYMENTS FROM THE SMALL BUSINESS RELIEF PROGRAM CREATED
14 IN SECTION 24-32-129, ENACTED BY SENATE BILL 20B-001, ENACTED IN
15 THE FIRST EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL
16 ASSEMBLY.

17 (3) **Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL
18 ASSEMBLY SHALL APPROPRIATE SEVEN MILLION FIVE HUNDRED THOUSAND
19 DOLLARS FROM THE GENERAL FUND TO THE CREATIVE INDUSTRIES CASH
20 FUND CREATED IN SECTION 24-48.5-301 (2) FOR THE ARTS RELIEF
21 PROGRAM. THE DIVISION MAY USE UP TO FIVE PERCENT OF THE AMOUNT
22 APPROPRIATED PURSUANT TO THIS SECTION FOR ITS ADMINISTRATIVE
23 COSTS IN ADMINISTERING OR CONTRACTING WITH A THIRD PARTY TO
24 ADMINISTER THE ARTS RELIEF PROGRAM.

25 (4) **Report.** BY NOVEMBER 1, 2021, THE DIVISION SHALL SUBMIT
26 A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR, AND TECHNOLOGY
27 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE, AND THE

1 BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF
2 REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE DETAILING HOW THE
3 MONEY WAS ALLOCATED THROUGH THE ARTS RELIEF PROGRAM,
4 INCLUDING:

5 (a) THE LIST OF ARTS RELIEF PAYMENT RECIPIENTS AND THE
6 AMOUNT ALLOCATED TO EACH RECIPIENT;

7 (b) THE TYPES OF ARTS, CULTURE, AND ENTERTAINMENT ARTISTS,
8 CREW MEMBERS, AND ORGANIZATIONS THAT RECEIVED ARTS RELIEF
9 PAYMENTS; AND

10 (c) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
11 DIVISION.

12 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
13 2022.

14 **SECTION 6.** In Colorado Revised Statutes, 25-4-1607, **amend**
15 (10) as follows:

16 **25-4-1607. Fees - repeal.** (10) (a) County or district boards of
17 health created in part 5 of article 1 of this ~~title~~ TITLE 25 shall collect fees
18 under this section if the county or district boards of health are authorized
19 by the department to enforce this part 16 and any rules promulgated
20 pursuant to this part 16.

21 (b) (I) NOTWITHSTANDING SUBSECTION (10)(a) OF THIS SECTION,
22 STARTING JANUARY 1, 2020, THROUGH DECEMBER 31, 2021, COUNTY OR
23 DISTRICT BOARDS OF HEALTH AND THE CITY AND COUNTY OF DENVER MAY
24 CONTRACT WITH THE DEPARTMENT TO RECEIVE MONEY FROM THE STATE
25 IN LIEU OF CHARGING ESTABLISHMENTS AN ANNUAL LICENSING FEE.

26 (II) THIS SUBSECTION (10)(b) IS REPEALED, EFFECTIVE DECEMBER
27 31, 2022.

1 **SECTION 7.** In Colorado Revised Statutes, 44-3-501, **add** (6) as
2 follows:

3 **44-3-501. State fees - rules - one-time fee waiver - repeal.**

4 (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
5 CONTRARY, THE FOLLOWING FEES IMPOSED PURSUANT TO THIS SECTION
6 ARE WAIVED FOR TWELVE MONTHS FOLLOWING THE EFFECTIVE DATE OF
7 THIS SUBSECTION (6):

8 (I) LICENSE FEES IMPOSED PURSUANT TO SUBSECTIONS (1)(a)(IV),
9 (1)(g), (1)(h), (1)(i), (1)(j), (1)(k), (1)(l), (1)(m), (1)(n), (1)(o), (1)(p),
10 (1)(q), AND (1)(v) OF THIS SECTION AND PURSUANT TO SECTION 44-4-105;

11 (II) APPLICATION FEES IMPOSED PURSUANT TO SUBSECTION
12 (3)(a)(I), (3)(a)(XII), AND (3)(a)(XIII) OF THIS SECTION AND PURSUANT TO
13 REGULATION 47-302 (F), 1 CCR 203-2; AND

14 (III) ALL FEES ASSOCIATED WITH THE RENEWAL OF A LICENSE.

15 (b) THE WAIVER OF FEES SPECIFIED IN SUBSECTION (6)(a) OF THIS
16 SECTION APPLIES TO THE FOLLOWING LICENSE TYPES:

17 (I) A LIMITED WINERY LICENSE UNDER SECTION 44-3-403;

18 (II) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;

19 (III) A HOTEL AND RESTAURANT LICENSE UNDER SECTION
20 44-3-413;

21 (IV) A TAVERN LICENSE UNDER SECTION 44-3-414;

22 (V) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;

23 (VI) A RETAIL GAMING TAVERN LICENSE UNDER SECTION
24 44-3-416;

25 (VII) A BREW PUB LICENSE UNDER SECTION 44-3-417;

26 (VIII) A CLUB LICENSE UNDER SECTION 44-3-418;

27 (IX) AN ARTS LICENSE UNDER SECTION 44-3-419;

- 1 (X) A RACETRACK LICENSE UNDER SECTION 44-3-420;
- 2 (XI) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;
- 3 (XII) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;
- 4 (XIII) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
- 5 44-3-428;
- 6 (XIV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 7 44-4-107 (1)(b); AND
- 8 (XV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 9 44-4-107 (1)(c).

10 (c) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT NOT
11 TO EXCEED ONE MILLION EIGHT HUNDRED SEVENTY-EIGHT THOUSAND
12 DOLLARS FROM THE GENERAL FUND TO THE LIQUOR ENFORCEMENT
13 DIVISION AND STATE LICENSING AUTHORITY CASH FUND FOR USE BY THE
14 DEPARTMENT TO OFFSET THE REDUCTION IN FEE REVENUES USED BY THE
15 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS OF THE LIQUOR
16 ENFORCEMENT DIVISION AND THE STATE LICENSING AUTHORITY IN THE
17 ADMINISTRATION AND ENFORCEMENT OF ARTICLES 3 TO 5 OF THIS TITLE
18 44.

19 (d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31,
20 2022.

21 **SECTION 8.** In Colorado Revised Statutes, **add** 24-49.5-106 as
22 follows:

23 **24-49.5-106. COVID-19 relief for minority-owned businesses**
24 **- definitions - repeal.** (1) **Definitions.** AS USED IN THIS SECTION, UNLESS
25 THE CONTEXT OTHERWISE REQUIRES:

26 (a) "CARES ACT" MEANS THE "CORONAVIRUS AID, RELIEF, AND
27 ECONOMIC SECURITY ACT", PUB.L. 116-136, 134 STAT. 281 (2020), AS

1 AMENDED.

2 (b) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY
3 THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO
4 KNOWN AS SARS-CoV-2.

5 (c) "MINORITY-OWNED BUSINESS" MEANS A BUSINESS THAT IS AT
6 LEAST FIFTY-ONE PERCENT OWNED, OPERATED, AND CONTROLLED BY AN
7 INDIVIDUAL WHO IS A MEMBER OF A MINORITY GROUP, INCLUDING AN
8 INDIVIDUAL WHO IS AFRICAN AMERICAN, ASIAN-INDIAN, ASIAN-PACIFIC
9 AMERICAN, HISPANIC AMERICAN, OR NATIVE AMERICAN.

10 (2) **Relief payments, grants, and loans to minority-owned**
11 **businesses.** (a) (I) THE OFFICE SHALL USE THREE MILLION SEVEN
12 HUNDRED FIFTY THOUSAND DOLLARS OF THE MONEY APPROPRIATED
13 PURSUANT TO SUBSECTION (4) OF THIS SECTION TO ADMINISTER A
14 PROGRAM TO PROVIDE:

15 (A) RELIEF PAYMENTS TO MINORITY-OWNED BUSINESSES THAT
16 HAVE BEEN MOST IMPACTED BY COVID-19 AND HAVE LACKED
17 MEANINGFUL ACCESS TO FEDERAL LOANS AND GRANTS UNDER THE
18 CARES ACT; AND

19 (B) GRANTS AND LOANS TO MINORITY-OWNED BUSINESSES FOR
20 START-UP AND GROWTH CAPITAL.

21 (II) THE DIRECTOR SHALL ESTABLISH A PROCESS FOR
22 MINORITY-OWNED BUSINESSES TO APPLY FOR A _____ RELIEF PAYMENT,
23 GRANT, OR LOAN UNDER THE PROGRAM, INCLUDING THE DEADLINE FOR
24 APPLYING, THE INFORMATION AND DOCUMENTATION REQUIRED TO BE
25 SUBMITTED TO THE OFFICE TO DEMONSTRATE ELIGIBILITY FOR A ___ RELIEF
26 PAYMENT, GRANT, OR LOAN, AND ANY OTHER REQUIREMENTS SPECIFIED
27 BY THE DIRECTOR.

1 (b) THE OFFICE SHALL ESTABLISH POLICIES SETTING FORTH THE
2 PARAMETERS AND ELIGIBILITY FOR THE PROGRAM, INCLUDING:

3 (I) THE TERMS OF AND ELIGIBILITY FOR A ___ RELIEF PAYMENT,
4 GRANT, OR LOAN;

5 (II) CAPS ON THE AMOUNT OF A ___ RELIEF PAYMENT, GRANT, OR
6 LOAN;

7 (III) DEADLINES FOR APPLYING FOR A ___ RELIEF PAYMENT, GRANT,
8 OR LOAN;

9 (IV) GRANT REQUIREMENTS AND LOAN REPAYMENT TERMS; AND

10 (V) ANY OTHER POLICIES NECESSARY TO OPERATE THE PROGRAM.

11 (c) THE OFFICE SHALL COLLECT SUFFICIENT INFORMATION FROM
12 MINORITY-OWNED BUSINESSES APPLYING FOR A RELIEF PAYMENT OR
13 GRANT PURSUANT TO THIS SUBSECTION (2) TO ENABLE THE DIVISION TO
14 ISSUE AN INTERNAL REVENUE SERVICE FORM 1099 TO A MINORITY-OWNED
15 BUSINESS THAT RECEIVES A RELIEF PAYMENT OR GRANT. WHEN ISSUING
16 A RELIEF PAYMENT OR GRANT TO A MINORITY-OWNED BUSINESS, THE
17 DIVISION SHALL PROVIDE THE INTERNAL REVENUE SERVICE FORM 1099 TO
18 THE RELIEF PAYMENT OR GRANT RECIPIENT.

19 (3) **Technical support.** THE OFFICE SHALL USE TWO HUNDRED
20 FIFTY THOUSAND DOLLARS OF THE MONEY APPROPRIATED PURSUANT TO
21 SUBSECTION (4) OF THIS SECTION, OF WHICH UP TO ONE HUNDRED FIFTY
22 THOUSAND DOLLARS MAY BE USED ANNUALLY FOR STAFF AND
23 ADMINISTRATIVE SUPPORT, TO INCREASE THE OFFICE'S ABILITY TO PROVIDE
24 TECHNICAL ASSISTANCE AND CONSULTING SUPPORT TO MINORITY-OWNED
25 BUSINESSES ACROSS THE STATE. THE TECHNICAL ASSISTANCE AND
26 CONSULTING SUPPORT MAY INCLUDE:

27 (a) PROVIDING MINORITY-OWNED BUSINESS LEADERS WITH

1 EXPANDED PROFESSIONAL DEVELOPMENT AND NETWORKING
2 OPPORTUNITIES;

3 (b) INCREASING THE AVAILABILITY OF THE OFFICE'S EXISTING
4 PROGRAMMING AND TECHNICAL SUPPORT, INCLUDING THROUGH THE
5 SMALL BUSINESS DEVELOPMENT CENTER;

6 (c) DESIGNING STATEWIDE CERTIFICATION OPPORTUNITIES; AND

7 (d) CONDUCTING STATEWIDE AND LOCAL OUTREACH CAMPAIGNS
8 TO EDUCATE BUSINESS OWNERS AND ENTREPRENEURS OF PROGRAMMING
9 AND TECHNICAL SUPPORT.

10

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11 **(4) Funding.** THE GENERAL ASSEMBLY SHALL APPROPRIATE FOUR
12 MILLION DOLLARS FROM THE GENERAL FUND TO THE COLORADO
13 ECONOMIC DEVELOPMENT FUND CREATED IN SECTION 24-46-105 FOR USE
14 IN ACCORDANCE WITH THIS SECTION IN THE 2020-21 AND 2021-22 STATE
15 FISCAL YEARS.

16 **(5) Report.** BY NOVEMBER 1, 2021, AND NOVEMBER 1, 2022, THE
17 OFFICE SHALL SUBMIT A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR,
18 AND TECHNOLOGY COMMITTEE OF THE SENATE OR ITS SUCCESSOR
19 COMMITTEE, AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE
20 HOUSE OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING
21 HOW THE OFFICE IS EXPENDING THE MONEY APPROPRIATED FOR THE
22 PURPOSES OF THIS SECTION.

23 **(6) Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
24 2022.

25 **SECTION 9. In Colorado Revised Statutes, 24-46-105, add (6)**
26 **as follows:**

27 **24-46-105. Colorado economic development fund - creation -**

1 repeal. (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
2 THE CONTRARY, THE COMMISSION SHALL ALLOCATE MONEY
3 APPROPRIATED TO THE FUND PURSUANT TO SECTION 24-49.5-106 (4) TO
4 THE MINORITY BUSINESS OFFICE CREATED IN SECTION 24-49.5-102 FOR USE
5 IN ACCORDANCE WITH SECTION 24-49.5-106.

6 (b) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

7 **SECTION 10. Appropriation.** (1) For the 2021-22 state fiscal
8 year, \$37,000,000 is appropriated to the department of local affairs for
9 use by the division of local government. This appropriation is from the
10 general fund and is based on an assumption that the department will
11 require an additional 1.2 FTE. To implement this act, the division may
12 use this appropriation for direct relief to small businesses.

13 (2) (a) For the 2021-22 state fiscal year, \$7,500,000 is
14 appropriated to the creative industries cash fund created in section
15 24-48.5-301 (2)(a), C.R.S. This appropriation is from the general fund.
16 The office of the governor is responsible for the accounting related to this
17 appropriation.

18 (b) For the 2021-22 state fiscal year, \$7,500,000 is appropriated
19 to the office of the governor for use by economic development programs.
20 This appropriation is from reappropriated funds in the creative industries
21 cash fund under subsection (2)(a) of this section. To implement this act,
22 the office may use the appropriation for the council on creative industries.

23 (3) For the 2021-22 state fiscal year, \$4,000,000 is appropriated
24 to the economic development fund created in section 24-48.5-301 (2)(a),
25 C.R.S. This appropriation is from the general fund. The office of the
26 governor is responsible for the accounting related to this appropriation.

27 (4) (a) For the 2021-22 state fiscal year, \$6,780,000 is

1 appropriated to the food protection cash fund created in section
2 25-4-1608 (1), C.R.S. This appropriation is from the general fund. The
3 department of public health and environment is responsible for the
4 accounting related to this appropriation.

5 (b) For the 2021-22 state fiscal year, \$6,780,000 is appropriated
6 to the department of public health and environment for use by the division
7 of environmental health and sustainability. This appropriation is from
8 reappropriated funds in the food protection cash fund under subsection
9 (4)(a) of this section. To implement this act, the division may use the
10 appropriation for the environmental health programs.

11 (c) Any money appropriated in this subsection (4)(b) not expended
12 prior to July 1, 2021, is further appropriated to the department for the
13 2021-22 state fiscal year for the same purpose.

14 (5) For the 2021-22 state fiscal year, \$1,891,775 is appropriated
15 to the department of revenue. This appropriation is from the general fund.
16 To implement this act, the department may use this appropriation as
17 follows:

18 (a) \$13,775 for the division of taxation for tax administration IT
19 system (GenTax) support; and

20 (b) \$1,878,000 for use by the liquor and tobacco enforcement
21 division for personal services.

22 (c) Any money appropriated in this subsection (5)(b) not expended
23 prior to July 1, 2021, is further appropriated to the department for the
24 2021-22 state fiscal year for the same purpose.

25 **SECTION 11. 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.