

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20B-0051.01 Christy Chase x2008

SENATE BILL 20B-001

SENATE SPONSORSHIP

Winter and Priola, Bridges, Crowder, Danielson, Donovan, Fields, Foote, Garcia, Ginal, Gonzales, Hansen, Lee, Moreno, Pettersen, Rankin, Story, Tate, Todd, Williams A., Zenzinger

HOUSE SPONSORSHIP

Herod and Sandridge,

Senate Committees

Finance
Appropriations

House Committees

Finance
Appropriations

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 3rd Reading
December 1, 2020

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 OR IF A
26 COUNTY IS UNABLE TO ADMINISTER THE RELIEF PROGRAM, ELIGIBLE
27 MUNICIPALITIES WITHIN THE COUNTY, EITHER ACTING SEPARATELY OR

1 AS A GROUP, CONSTITUTE AN ELIGIBLE LOCAL GOVERNMENT AND MAY
2 PARTICIPATE IN THE RELIEF PROGRAM.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (VI) HAS A VALID BUSINESS LICENSE AND IS IN GOOD STANDING

1 WITH THE AGENCY THAT ISSUED THE BUSINESS LICENSE; AND

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

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

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

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

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

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

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

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

1 IN THE 2020 CALENDAR YEAR.

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

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

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

1 PROPORTION OF THE POPULATION OF THE COUNTY IN WHICH THE ELIGIBLE
2 MUNICIPALITY IS LOCATED THAT IS ATTRIBUTABLE TO THE ELIGIBLE
3 MUNICIPALITY.

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

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

8 AND

9 (B) HAVE A POPULATION OF NOT MORE THAN ONE HUNDRED
10 THOUSAND PEOPLE.

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

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

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

27 (B) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD FIVE HUNDRED

1 THOUSAND DOLLARS OR MORE BUT NOT MORE THAN ONE MILLION
2 DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A RELIEF PAYMENT
3 OF UP TO FIVE THOUSAND DOLLARS; AND

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

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

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

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

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

1 (A) ALLOW SMALL BUSINESSES LOCATED WITHIN THE
2 GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT A
3 SPECIFIED PERIOD OF NOT LESS THAN TWENTY-ONE DAYS DURING WHICH
4 TO APPLY FOR RELIEF PAYMENTS;

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

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

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

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

1 DISTRIBUTES A RELIEF PAYMENT PURSUANT TO THIS SECTION.

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

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

15 (I) THE APPLICATION AND INFORMATION SUBMITTAL PROCESS; AND
16 ___

17 (II) A REQUIREMENT THAT EACH ELIGIBLE LOCAL GOVERNMENT
18 THAT RECEIVES AN ALLOCATION PROVIDE A REPORT TO THE DIVISION
19 DESCRIBING HOW THE MONEY WAS DISTRIBUTED TO ELIGIBLE SMALL
20 BUSINESSES AND HOW MUCH OF THE ALLOCATION THE ELIGIBLE LOCAL
21 GOVERNMENT USED FOR ADMINISTRATIVE COSTS, DETAILING HOW THE
22 MONEY FOR ADMINISTRATIVE COSTS WAS SPENT.

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

26 (I) IS NOT ELIGIBLE FOR ANY OTHER ___ RELIEF PAYMENTS FROM
27 THE ARTS RELIEF PROGRAM CREATED IN SECTION 24-48.5-316, ENACTED

1 BY SENATE BILL 20B-001, ENACTED IN THE FIRST EXTRAORDINARY
2 SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY; AND

3 (II) IS REQUIRED TO RETURN ANY RELIEF PAYMENT RECEIVED
4 PURSUANT TO THE RELIEF PROGRAM IF THE ELIGIBLE SMALL BUSINESS
5 IS FOUND TO BE OUT OF COMPLIANCE WITH ANY ELIGIBILITY CRITERIA
6 SPECIFIED IN SUBSECTION (1)(i) OF THIS SECTION.

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

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

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

21 (II) THE AMOUNT EACH ELIGIBLE LOCAL GOVERNMENT RECEIVED,
22 DETAILING HOW MUCH OF EACH ALLOCATION TO EACH ELIGIBLE LOCAL
23 GOVERNMENT WAS:

24 (A) DISTRIBUTED BY THE ELIGIBLE LOCAL GOVERNMENT TO
25 ELIGIBLE SMALL BUSINESSES; AND

26 (B) SPENT BY THE ELIGIBLE LOCAL GOVERNMENT FOR
27 ADMINISTRATIVE COSTS, SPECIFYING THE PURPOSES FOR WHICH THE

1 MONEY WAS SPENT;

2 (III) INFORMATION ABOUT THE ELIGIBLE SMALL BUSINESSES THAT
3 RECEIVED RELIEF PAYMENTS AND THE AMOUNT OF THE PAYMENTS; AND

4 (IV) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
5 DIVISION.

6 (b) THE DIVISION SHALL ALSO SUBMIT THE REPORT TO THE
7 GOVERNOR.

8 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
9 2022.

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

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

26 **SECTION 4.** In Colorado Revised Statutes, 24-48.5-301, **amend**
27 (2)(a)(IV), (2)(a)(V), (2)(b) introductory portion, (2)(b)(III), and

1 (2)(b)(IV); and **add** (2)(a)(VI) and (2)(b)(V) as follows:

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

6 (IV) ~~Moneys~~ MONEY appropriated to the fund by the general
7 assembly, including, but not limited to, ~~moneys~~ MONEY appropriated for
8 the purpose of providing need-based funding for infrastructure
9 development within creative districts as authorized by section
10 24-48.5-314 (5)(b); and

11 (V) Any gifts, grants, or donations from private or public sources
12 that the division is hereby authorized to seek and accept; AND

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

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

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

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

25 (IV) For need-based funding for infrastructure development in
26 creative districts as authorized by section 24-48.5-314 (5)(b), to the extent
27 that the general assembly appropriates ~~moneys~~ MONEY to the fund for that

1 purpose; AND

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

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

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

9 **24-48.5-316. COVID-19 == relief program for arts, cultural,
10 and entertainment artists, crew members, and organizations -
11 definitions - report - repeal. (1) Definitions.** AS USED IN THIS SECTION,
12 UNLESS THE CONTEXT OTHERWISE REQUIRES:

13 (a) "ARTS, CULTURE, AND ENTERTAINMENT ARTIST OR CREW
14 MEMBER" MEANS AN INDIVIDUAL INVOLVED IN THE MUSIC, THEATER,
15 MOTION PICTURE, TELEVISION, DANCE, OR VISUAL ARTS INDUSTRY.

16 (b) "ARTS, CULTURE, AND ENTERTAINMENT ORGANIZATION"
17 MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION INVOLVED IN THE
18 MUSIC, THEATER, MOTION PICTURE, TELEVISION, DANCE, OR VISUAL ARTS
19 INDUSTRY.

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

23 (2) **Arts relief program.** (a) (I) THE DIVISION SHALL ADMINISTER
24 OR CONTRACT WITH A THIRD PARTY TO ADMINISTER AN ARTS RELIEF
25 PROGRAM TO PROVIDE == RELIEF PAYMENTS TO ARTS, CULTURE, AND
26 ENTERTAINMENT ARTISTS, CREW MEMBERS, AND ORGANIZATIONS THAT
27 MEET ELIGIBILITY CRITERIA DEVELOPED BY THE DIVISION. WHEN

1 DETERMINING ELIGIBILITY FOR AND THE SIZE OF AN ARTS RELIEF PAYMENT,
2 THE DIVISION SHALL:

3 (A) CONSIDER THE TYPE OF ARTS, CULTURE, AND ENTERTAINMENT
4 ARTIST, CREW MEMBER, OR ORGANIZATION THAT IS APPLYING FOR AN ARTS
5 RELIEF PAYMENT, THE IMPACT OF THE COVID-19 PANDEMIC ON THE
6 ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S BUSINESS MODEL, IF
7 APPLICABLE, THE SIZE OF THE ORGANIZATION, IF THE APPLICANT IS AN
8 ORGANIZATION, AND THE AVAILABILITY OF AND THE ARTIST'S, CREW
9 MEMBER'S, OR ORGANIZATION'S ACCESS TO OTHER RELIEF OR GRANT
10 FUNDING; AND

11 (B) PRIORITIZE ARTS, CULTURE, AND ENTERTAINMENT
12 ORGANIZATIONS WHOSE VENUES ARE DETERMINED TO BE AT THE HIGHEST
13 RISK OF PERMANENT CLOSURE.

14 (II) THE DIVISION SHALL NOT DISTRIBUTE RELIEF PAYMENTS BASED
15 ON THE ORDER IN WHICH APPLICATIONS ARE SUBMITTED OR RECEIVED.

16 (III) THE DIVISION SHALL COLLECT SUFFICIENT INFORMATION
17 FROM APPLICANTS TO ENABLE THE DIVISION TO ISSUE AN INTERNAL
18 REVENUE SERVICE FORM 1099 TO AN APPLICANT THAT RECEIVES A RELIEF
19 PAYMENT PURSUANT TO THIS SECTION. WHEN ISSUING A RELIEF PAYMENT
20 TO AN APPLICANT, THE DIVISION SHALL PROVIDE THE INTERNAL REVENUE
21 SERVICE FORM 1099 TO THE APPLICANT.

22 (b) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
23 CONTRARY, AN ARTS, CULTURE, AND ENTERTAINMENT ARTIST, CREW
24 MEMBER, OR ORGANIZATION THAT RECEIVES AN ARTS RELIEF PAYMENT
25 PURSUANT TO THIS SECTION IS NOT ELIGIBLE FOR ANY OTHER RELIEF
26 PAYMENTS FROM THE SMALL BUSINESS RELIEF PROGRAM CREATED IN
27 SECTION 24-32-129, ENACTED BY SENATE BILL 20B-001, ENACTED IN THE

1 FIRST EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL
2 ASSEMBLY. AN ORGANIZATION THAT APPLIES FOR AN ARTS RELIEF
3 PAYMENT PURSUANT TO THIS SECTION SHALL CERTIFY THAT THE
4 ORGANIZATION NEITHER APPLIED FOR NOR RECEIVED ANY OTHER == ==
5 RELIEF PAYMENTS FROM THE SMALL BUSINESS RELIEF PROGRAM CREATED
6 IN SECTION 24-32-129, ENACTED BY SENATE BILL 20B-001, ENACTED IN
7 THE FIRST EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL
8 ASSEMBLY.

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

17 (4) **Report.** BY NOVEMBER 1, 2021, THE DIVISION SHALL SUBMIT
18 A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR, AND TECHNOLOGY
19 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE, AND THE
20 BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF
21 REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE DETAILING HOW THE
22 MONEY WAS ALLOCATED THROUGH THE ARTS RELIEF PROGRAM,
23 INCLUDING:

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

26 (b) THE TYPES OF ARTS, CULTURE, AND ENTERTAINMENT ARTISTS,
27 CREW MEMBERS, AND ORGANIZATIONS THAT RECEIVED ARTS RELIEF

1 PAYMENTS; AND

2 (c) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
3 DIVISION.

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

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

8 **25-4-1607. Fees - repeal.** (10) (a) County or district boards of
9 health created in part 5 of article 1 of this ~~title~~ TITLE 25 shall collect fees
10 under this section if the county or district boards of health are authorized
11 by the department to enforce this part 16 and any rules promulgated
12 pursuant to this part 16.

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

18 (II) THIS SUBSECTION (10)(b) IS REPEALED, EFFECTIVE DECEMBER
19 31, 2022.

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

22 **44-3-501. State fees - rules - one-time fee waiver - repeal.**

23 (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
24 CONTRARY, THE FOLLOWING FEES IMPOSED PURSUANT TO THIS SECTION
25 ARE WAIVED FOR TWELVE MONTHS FOLLOWING THE EFFECTIVE DATE OF
26 THIS SUBSECTION (6):

27 (I) LICENSE FEES IMPOSED PURSUANT TO SUBSECTIONS (1)(a)(IV),

1 (1)(g), (1)(h), (1)(i), (1)(j), (1)(k), (1)(l), (1)(m), (1)(n), (1)(o), (1)(p),
2 (1)(q), AND (1)(v) OF THIS SECTION AND PURSUANT TO SECTION 44-4-105;

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

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

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

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

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

11 (III) A HOTEL AND RESTAURANT LICENSE UNDER SECTION
12 44-3-413;

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

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

15 (VI) A RETAIL GAMING TAVERN LICENSE UNDER SECTION
16 44-3-416;

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

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

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

20 (X) A RACETRACK LICENSE UNDER SECTION 44-3-420;

21 (XI) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;

22 (XII) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;

23 (XIII) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
24 44-3-428;

25 (XIV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
26 44-4-107 (1)(b); AND

27 (XV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION

1 44-4-107 (1)(c).

2 (c) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT NOT
3 TO EXCEED ONE MILLION EIGHT HUNDRED SEVENTY-EIGHT THOUSAND
4 DOLLARS FROM THE GENERAL FUND TO THE LIQUOR ENFORCEMENT
5 DIVISION AND STATE LICENSING AUTHORITY CASH FUND FOR USE BY THE
6 DEPARTMENT TO OFFSET THE REDUCTION IN FEE REVENUES USED BY THE
7 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS OF THE LIQUOR
8 ENFORCEMENT DIVISION AND THE STATE LICENSING AUTHORITY IN THE
9 ADMINISTRATION AND ENFORCEMENT OF ARTICLES 3 TO 5 OF THIS TITLE
10 44.

11 (d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31,
12 2022.

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

15 **24-49.5-106. COVID-19 relief for minority-owned businesses**
16 **- definitions - repeal.** (1) **Definitions.** AS USED IN THIS SECTION, UNLESS
17 THE CONTEXT OTHERWISE REQUIRES:

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

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

24 (c) "MINORITY-OWNED BUSINESS" MEANS A BUSINESS THAT IS AT
25 LEAST FIFTY-ONE PERCENT OWNED, OPERATED, AND CONTROLLED BY AN
26 INDIVIDUAL WHO IS A MEMBER OF A MINORITY GROUP, INCLUDING AN
27 INDIVIDUAL WHO IS AFRICAN AMERICAN, ASIAN-INDIAN, ASIAN-PACIFIC

1 AMERICAN, HISPANIC AMERICAN, OR NATIVE AMERICAN.

2 (2) **Relief payments, grants, and loans to minority-owned**

3 **businesses.** (a) (I) THE OFFICE SHALL USE THREE MILLION SEVEN

4 HUNDRED FIFTY THOUSAND DOLLARS OF THE MONEY APPROPRIATED

5 PURSUANT TO SUBSECTION (4) OF THIS SECTION TO ADMINISTER A

6 PROGRAM TO PROVIDE:

7 (A) RELIEF PAYMENTS TO MINORITY-OWNED BUSINESSES THAT

8 HAVE BEEN MOST IMPACTED BY COVID-19 AND HAVE LACKED

9 MEANINGFUL ACCESS TO FEDERAL LOANS AND GRANTS UNDER THE

10 CARES ACT; AND

11 (B) GRANTS AND LOANS TO MINORITY-OWNED BUSINESSES FOR

12 START-UP AND GROWTH CAPITAL.

13 (II) THE DIRECTOR SHALL ESTABLISH A PROCESS FOR

14 MINORITY-OWNED BUSINESSES TO APPLY FOR A RELIEF PAYMENT,

15 GRANT, OR LOAN UNDER THE PROGRAM, INCLUDING THE DEADLINE FOR

16 APPLYING, THE INFORMATION AND DOCUMENTATION REQUIRED TO BE

17 SUBMITTED TO THE OFFICE TO DEMONSTRATE ELIGIBILITY FOR A RELIEF

18 PAYMENT, GRANT, OR LOAN, AND ANY OTHER REQUIREMENTS SPECIFIED

19 BY THE DIRECTOR.

20 (b) THE OFFICE SHALL ESTABLISH POLICIES SETTING FORTH THE

21 PARAMETERS AND ELIGIBILITY FOR THE PROGRAM, INCLUDING:

22 (I) THE TERMS OF AND ELIGIBILITY FOR A RELIEF PAYMENT,

23 GRANT, OR LOAN;

24 (II) CAPS ON THE AMOUNT OF A RELIEF PAYMENT, GRANT, OR

25 LOAN;

26 (III) DEADLINES FOR APPLYING FOR A RELIEF PAYMENT, GRANT,

27 OR LOAN;

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

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

3 (c) THE OFFICE SHALL COLLECT SUFFICIENT INFORMATION FROM
4 MINORITY-OWNED BUSINESSES APPLYING FOR A RELIEF PAYMENT OR
5 GRANT PURSUANT TO THIS SUBSECTION (2) TO ENABLE THE DIVISION TO
6 ISSUE AN INTERNAL REVENUE SERVICE FORM 1099 TO A MINORITY-OWNED
7 BUSINESS THAT RECEIVES A RELIEF PAYMENT OR GRANT. WHEN ISSUING
8 A RELIEF PAYMENT OR GRANT TO A MINORITY-OWNED BUSINESS, THE
9 DIVISION SHALL PROVIDE THE INTERNAL REVENUE SERVICE FORM 1099 TO
10 THE RELIEF PAYMENT OR GRANT RECIPIENT.

11 (3) **Technical support.** THE OFFICE SHALL USE TWO HUNDRED
12 FIFTY THOUSAND DOLLARS OF THE MONEY APPROPRIATED PURSUANT TO
13 SUBSECTION (4) OF THIS SECTION, OF WHICH UP TO ONE HUNDRED FIFTY
14 THOUSAND DOLLARS MAY BE USED ANNUALLY FOR STAFF AND
15 ADMINISTRATIVE SUPPORT, TO INCREASE THE OFFICE'S ABILITY TO PROVIDE
16 TECHNICAL ASSISTANCE AND CONSULTING SUPPORT TO MINORITY-OWNED
17 BUSINESSES ACROSS THE STATE. THE TECHNICAL ASSISTANCE AND
18 CONSULTING SUPPORT MAY INCLUDE:

19 (a) PROVIDING MINORITY-OWNED BUSINESS LEADERS WITH
20 EXPANDED PROFESSIONAL DEVELOPMENT AND NETWORKING
21 OPPORTUNITIES;

22 (b) INCREASING THE AVAILABILITY OF THE OFFICE'S EXISTING
23 PROGRAMMING AND TECHNICAL SUPPORT, INCLUDING THROUGH THE
24 SMALL BUSINESS DEVELOPMENT CENTER;

25 (c) DESIGNING STATEWIDE CERTIFICATION OPPORTUNITIES; AND

26 (d) CONDUCTING STATEWIDE AND LOCAL OUTREACH CAMPAIGNS
27 TO EDUCATE BUSINESS OWNERS AND ENTREPRENEURS OF PROGRAMMING

1 AND TECHNICAL SUPPORT.

2

3 (4) Funding. THE GENERAL ASSEMBLY SHALL APPROPRIATE FOUR
4 MILLION DOLLARS FROM THE GENERAL FUND TO THE COLORADO
5 ECONOMIC DEVELOPMENT FUND CREATED IN SECTION 24-46-105 FOR USE
6 IN ACCORDANCE WITH THIS SECTION IN THE 2020-21 AND 2021-22 STATE
7 FISCAL YEARS.

8 (5) Report. BY NOVEMBER 1, 2021, AND NOVEMBER 1, 2022, THE
9 OFFICE SHALL SUBMIT A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR,
10 AND TECHNOLOGY COMMITTEE OF THE SENATE OR ITS SUCCESSOR
11 COMMITTEE, AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE
12 HOUSE OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING
13 HOW THE OFFICE IS EXPENDING THE MONEY APPROPRIATED FOR THE
14 PURPOSES OF THIS SECTION.

15 (6) Repeal. THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
16 2022.

17 SECTION 9. In Colorado Revised Statutes, 24-46-105, add (6)
18 as follows:

19 24-46-105. Colorado economic development fund - creation -
20 repeal. (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
21 THE CONTRARY, THE COMMISSION SHALL ALLOCATE MONEY
22 APPROPRIATED TO THE FUND PURSUANT TO SECTION 24-49.5-106 (4) TO
23 THE MINORITY BUSINESS OFFICE CREATED IN SECTION 24-49.5-102 FOR USE
24 IN ACCORDANCE WITH SECTION 24-49.5-106.

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

26 SECTION 10. Appropriation. (1) For the 2021-22 state fiscal
27 year, \$37,000,000 is appropriated to the department of local affairs for

1 use by the division of local government. This appropriation is from the
2 general fund and is based on an assumption that the department will
3 require an additional 2.1 FTE. To implement this act, the division may
4 use this appropriation for direct relief to small businesses.

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

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

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

19 (4) (a) For the 2021-22 state fiscal year, \$6,780,000 is
20 appropriated to the food protection cash fund created in section
21 25-4-1608 (1), C.R.S. This appropriation is from the general fund. The
22 department of public health and environment is responsible for the
23 accounting related to this appropriation.

24 (b) For the 2021-22 state fiscal year, \$6,780,000 is appropriated
25 to the department of public health and environment for use by the division
26 of environmental health and sustainability. This appropriation is from
27 reappropriated funds in the food protection cash fund under subsection

1 (4)(a) of this section. To implement this act, the division may use the
2 appropriation for the environmental health programs.

3 (c) Any money appropriated in this subsection (4)(b) not expended
4 prior to July 1, 2021, is further appropriated to the department for the
5 2021-22 state fiscal year for the same purpose.

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

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

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

14 (c) Any money appropriated in this subsection (5)(b) not expended
15 prior to July 1, 2021, is further appropriated to the department for the
16 2021-22 state fiscal year for the same purpose.

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