

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

REREVISED

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

LLS NO. 21-0633.01 Esther van Mourik x4215

HOUSE BILL 21-1150

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A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COLORADO OFFICE OF NEW**
102 **AMERICANS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates, initially within the department of labor and employment, the Colorado office of new Americans (ONA). The bill sets forth the ONA's duties and responsibilities and provides details regarding funding. The ONA serves as the point of contact for immigrant-serving state agencies, private sector organizations, and the public about immigrant issues in Colorado, and has as one of its central purposes the

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
3rd Reading Unamended
May 27, 2021

SENATE
2nd Reading Unamended
May 26, 2021

HOUSE
3rd Reading Unamended
May 11, 2021

HOUSE
Amended 2nd Reading
May 10, 2021

1 (f) IMMIGRANTS AND REFUGEES MAKE UP A LITTLE OVER THIRTEEN
2 PERCENT OF COLORADO'S SCIENCE, TECHNOLOGY, ENGINEERING, AND
3 MATH (STEM) WORKFORCE, TWENTY-ONE PERCENT OF THE
4 CONSTRUCTION WORKFORCE, SEVENTEEN PERCENT OF THE
5 MANUFACTURING WORKFORCE, AND NINETEEN PERCENT OF THE
6 ADMINISTRATIVE AND SUPPORT, WASTE MANAGEMENT, AND REMEDIATION
7 SERVICES WORKFORCES; AND

8 (g) BETWEEN 2017 AND 2019, NATURALIZATION RATES INCREASED
9 BY SEVENTY-SEVEN PERCENT IN COLORADO AND AN ADDITIONAL ONE
10 HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED SEVENTY-THREE
11 COLORADANS ARE ELIGIBLE TO NATURALIZE.

12 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

13 (a) SUPPORTING THE INTEGRATION AND INCLUSION OF IMMIGRANTS
14 AND REFUGEES IN OUR COMMUNITIES HELPS THE WHOLE STATE THRIVE;

15 (b) CREATING AND ESTABLISHING AN OFFICE OF NEW AMERICANS
16 WILL HELP TO ORGANIZE A STRUCTURE FOR STATE AGENCIES AND
17 IMMIGRANT COMMUNITIES TO PARTNER IN ORDER TO ENHANCE
18 INTEGRATION ACROSS THE STATE AND WILL PROVIDE IMMIGRANT
19 COMMUNITIES THE MEANS TO ADDRESS ANY CONCERNS AND OBSTACLES
20 THEY ENCOUNTER WHEN ACCESSING SERVICES; AND

21 (c) THE OFFICE OF NEW AMERICANS IS INTENDED TO SERVE AS A
22 CENTRALIZED LOCATION WHERE STATE PROGRAMS, INITIATIVES, AND
23 POLICIES FOCUSED ON FACILITATING ECONOMIC STABILITY AND
24 PROMOTING SUCCESSFUL INTEGRATION FOR IMMIGRANTS ARE HOUSED.

25 (3) IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE OFFICE OF
26 NEW AMERICANS:

27 (a) WILL GROW OVER TIME SO THAT IN THE FUTURE IT COULD

1 PROVIDE GRANTS TO LOCAL IMMIGRANT-FOCUSED, COMMUNITY-BASED
2 ORGANIZATIONS, DEPENDING ON AVAILABLE FUNDS; AND

3 (b) BE FUNDED THROUGH GIFTS, GRANTS, AND DONATIONS
4 THROUGH THE 2022-23 STATE FISCAL YEAR AND THAT IN THE SECOND
5 REGULAR SESSION OF THE SEVENTY-FOURTH GENERAL ASSEMBLY AN
6 APPROPRIATION BE INCLUDED IN THE ANNUAL GENERAL APPROPRIATION
7 ACT FOR THE OFFICE'S STATE FUNDING AND ASSOCIATED FTE, SUBJECT TO
8 AVAILABLE APPROPRIATIONS; BUT NOTHING PRECLUDES THE GENERAL
9 ASSEMBLY FROM MAKING AN APPROPRIATION TO THE OFFICE OF NEW
10 AMERICANS PRIOR TO THE SECOND REGULAR SESSION OF THE
11 SEVENTY-FOURTH GENERAL ASSEMBLY.

12 **8-3.7-102. Definitions.** AS USED IN THIS ARTICLE 3.7, UNLESS THE
13 CONTEXT OTHERWISE REQUIRES:

14 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
15 EMPLOYMENT CREATED IN SECTION 24-1-121.

16 (2) "IMMIGRANT" OR "NEW AMERICAN" MEANS A COLORADAN
17 WHO HAS ARRIVED, AND A PERSON WHO WILL ARRIVE, TO COLORADO AS
18 AN IMMIGRANT OR REFUGEE, AND INCLUDES THEIR CHILDREN. THE
19 POPULATION INCLUDES: REFUGEES, ASYLEES, SPECIAL IMMIGRANT VISA
20 HOLDERS, VICTIMS OF TRAFFICKING, RECIPIENTS OF THE FEDERAL
21 DEFERRED ACTION FOR CHILDHOOD ARRIVAL PROGRAM, AND ALL OTHER
22 IMMIGRANTS AND ASPIRING CITIZENS SEEKING OPPORTUNITY, SAFETY, OR
23 REUNIFICATION OF FAMILY.

24 (3) "INTEGRATION" MEANS A DYNAMIC, TWO-WAY PROCESS IN
25 WHICH IMMIGRANTS AND NEW AMERICANS AND THE RECEIVING
26 COMMUNITY WORK TOGETHER TO BUILD SECURE, VIBRANT, AND COHESIVE
27 COMMUNITIES WITHOUT HAVING TO FOREGO THEIR OWN CULTURAL


1 IDENTITY.

2 (4) "ONA" MEANS THE COLORADO OFFICE OF NEW AMERICANS
3 CREATED IN SECTION 8-3.7-103.

4 **8-3.7-103. Colorado office of new Americans - creation - duties**

5 - **report.** (1) (a) THERE IS HEREBY CREATED, INITIALLY IN THE
6 DEPARTMENT OF LABOR AND EMPLOYMENT, THE COLORADO OFFICE OF
7 NEW AMERICANS, THE HEAD OF WHICH SHALL BE THE DIRECTOR OF THE
8 COLORADO OFFICE OF NEW AMERICANS, WHO SHALL BE APPOINTED BY THE
9 EXECUTIVE DIRECTOR OF THE DEPARTMENT. THE DIRECTOR OF THE ONA
10 HAS REGULAR ACCESS TO THE OFFICE OF THE GOVERNOR AND HAS THE
11 POWER TO CONVENE OTHER STATE AGENCIES.

12 (b) THE DIRECTOR SHALL STAFF THE ONA IN ORDER TO
13 EFFECTIVELY MEET THE GOALS AND INTENTIONS SET FORTH IN THIS
14 ARTICLE 3.7 AND TO MEET FUTURE NEEDS OF COLORADO'S NEW AMERICAN
15 COMMUNITY. IN ORDER TO SUCCESSFULLY CARRY OUT THE ONA'S
16 PURPOSE, IT IS THE GENERAL ASSEMBLY'S INTENT THAT AN INDIVIDUAL'S
17 LIVED EXPERIENCE OR WORK WITHIN THE IMMIGRANT COMMUNITY BE
18 CONSIDERED WHEN HIRING DECISIONS ARE MADE FOR ONA STAFF. THE
19 ONA SERVES AS THE POINT OF CONTACT FOR IMMIGRANT-SERVING STATE
20 AGENCIES, PRIVATE SECTOR ORGANIZATIONS, AND THE PUBLIC ABOUT
21 IMMIGRANT ISSUES IN COLORADO.

22 
23 (c) (I) THE ONA SHALL CONVENE STAKEHOLDERS AND STATE
24 AGENCIES, INCLUDING THE DEPARTMENT, THE GOVERNOR'S OFFICE, THE
25 DEPARTMENT OF HUMAN SERVICES, THE DEPARTMENT OF REGULATORY
26 AGENCIES, AND THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,
27 TO DEVELOP A RECOMMENDATION TO THE GOVERNOR'S OFFICE ON WHAT

1 STATE AGENCIES OR OFFICES ARE BEST SUITED TO ADMINISTER THE
2 COLORADO REFUGEE SERVICES PROGRAM CREATED IN SECTION 26-2-138,
3 AND ANY RELATED PROGRAMS, SO THAT THE ONA'S REFUGEE
4 INTEGRATION GOALS ARE MET OR EXCEEDED.

5 (II) THE ONA SHALL COMPLETE A DRAFT RECOMMENDATION
6 BEFORE JANUARY 1, 2022, AND SHALL COMPLETE A FINAL
7 RECOMMENDATION, WHICH THE ONA SHALL PROVIDE TO THE GOVERNOR'S
8 OFFICE, NO LATER THAN ONE YEAR FROM THE EFFECTIVE DATE OF THIS
9 SUBSECTION (1)(c).

10 (III) THE DEPARTMENT SHALL REPORT ON THE EFFICACY OF THE
11 ONA AND THE ONA'S PROGRESS TOWARDS MEETING THE GOALS SET
12 FORTH IN THIS ARTICLE 3.7, INCLUDING THE DRAFT AND FINAL
13 RECOMMENDATIONS DESCRIBED IN SUBSECTION (1)(c)(II) OF THIS SECTION,
14 AS PART OF THE DEPARTMENT'S ANNUAL PRESENTATION TO ITS
15 LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 2-7-203.
16 IF NECESSARY, THE COMMITTEE MAY MAKE A RECOMMENDATION THAT A
17 MEMBER OF THE GENERAL ASSEMBLY SPONSOR APPROPRIATE LEGISLATION
18 REGARDING THE COLORADO REFUGEE SERVICES PROGRAM CREATED IN
19 SECTION 26-2-138.

20 (2) THE COLORADO OFFICE OF NEW AMERICANS SHALL:

21 (a) IMPLEMENT A STATEWIDE STRATEGY TO FACILITATE ECONOMIC
22 STABILITY AND PROMOTE SUCCESSFUL ECONOMIC, SOCIAL, LINGUISTIC,
23 AND CULTURAL INTEGRATION BY INVESTING IN THE SUCCESS OF
24 IMMIGRANTS IN COLORADO;

25 (b) IDENTIFY AND ADDRESS ISSUES RELATED TO INTEGRATION;

26 (c) FOSTER ENHANCED INCLUSION FOR IMMIGRANTS;

27 (d) ENSURE EQUITABLE OPPORTUNITIES AND ACCESS TO SERVICES

1 FOR IMMIGRANTS;

2 (e) ESTABLISH AND WORK WITH A COMMUNITY ADVISORY
3 COMMITTEE THAT CAN PROVIDE INPUT TO THE STATE FROM COLORADO'S
4 IMMIGRANT COMMUNITIES;

5 (f) WORK DIRECTLY WITH IMMIGRANT POPULATIONS TO HEAR AND
6 ADDRESS THEIR CONCERNS AND OBSTACLES IN ACCESSING SERVICES;

7 (g) COORDINATE WITH THE COLORADO REFUGEE SERVICES
8 PROGRAM CREATED IN SECTION 26-2-138 TO ALIGN IT WITH THE GOALS OF
9 THE ONA, AND MANAGE OR DIRECT ANY OTHER RELEVANT PROGRAMS
10 THAT MIGHT EXIST OR BE CREATED ON OR AFTER THE EFFECTIVE DATE OF
11 THIS SUBSECTION (2)(g), INCLUDING IMMIGRANT-FOCUSED STATE
12 PROGRAMS, INITIATIVES, AND POLICIES, THAT MIGHT EXIST OR BE CREATED
13 IN THE FUTURE, SO THAT THE STATE'S SERVICES FOR IMMIGRANTS AND THE
14 STATE'S APPROACH TO IMMIGRANT INTEGRATION ARE COHESIVE,
15 INTEGRATED, AND ELEGANT;

16 (h) COORDINATE WITH AND MAKE RECOMMENDATIONS TO THE
17 GOVERNOR, THE GENERAL ASSEMBLY, AND STATE AGENCIES ON WAYS TO
18 IMPROVE POLICIES AND PROGRAMS TO SUPPORT IMMIGRANT INTEGRATION
19 ACROSS THE STATE, SUCH AS:

20 (I) RECOMMENDING CHANGES IN THE ORGANIZATION,
21 MANAGEMENT, PROGRAMS, AND BUDGET OF STATE AGENCIES IN ORDER TO
22 PROMOTE THE INTEGRATION OF IMMIGRANTS;

23 (II) COORDINATING WITH STATE AGENCIES AND PUBLIC-PRIVATE
24 PARTNERSHIPS;

25 (III) SERVING AS A RESOURCE FOR COMMUNITY-BASED
26 ORGANIZATIONS SERVING IMMIGRANTS IN COLORADO;

27 (IV) CREATING A PUBLIC-PRIVATE PROGRAM TO BUILD UP

1 IMMIGRANT-SERVING NONPROFITS STATEWIDE;

2 (V) RESPONDING TO INQUIRIES AND SERVING AS THE POINT OF
3 CONTACT FOR IMMIGRANT-SERVING AGENCIES, STATE AGENCIES, AND THE
4 PUBLIC ABOUT IMMIGRANT ISSUES IN COLORADO; AND

5 (VI) RECOMMENDING AND PARTICIPATING IN CULTURAL
6 COMPETENCY AND DIVERSITY, EQUITY, AND INCLUSION TRAINING FOR
7 STATE DEPARTMENTS;

8 (i) ENSURE THE ONA IS UTILIZING DATA ONLY AS AUTHORIZED
9 UNDER STATE AND FEDERAL LAW TO INFORM THE STATE'S EFFORTS TO
10 ADVANCE ECONOMIC STABILITY AND INTEGRATION FOR IMMIGRANTS. THE
11 ONA SHALL NEVER USE OR SHARE DATA SOLELY FOR THE USE OF CIVIL
12 IMMIGRATION ENFORCEMENT.

13 (j) AS FUNDING ALLOWS, UNDERTAKE STUDIES, SYMPOSIA,
14 RESEARCH, AND FACTUAL REPORTS TO GATHER INSIGHT AND TO
15 FORMULATE AND PRESENT RECOMMENDATIONS TO THE GOVERNOR, STATE
16 AGENCIES, AND THE GENERAL ASSEMBLY RELATED TO ISSUES OF CONCERN
17 AND IMPORTANCE TO IMMIGRANTS IN COLORADO. THE ONA SHALL ALSO
18 ANALYZE ECONOMIC AND DEMOGRAPHIC TRENDS IN ORDER TO MAKE
19 POLICY AND PROGRAMMATIC RECOMMENDATIONS TO THE GOVERNOR,
20 STATE AGENCIES, AND THE GENERAL ASSEMBLY.

21 (k) TO THE EXTENT POSSIBLE, ENSURE THAT ALL ONA SERVICES,
22 SYSTEMS, VITAL DOCUMENTS, AND OTHER COMMUNICATIONS AND
23 RESOURCES, INCLUDING WEBSITES, ARE ACCESSIBLE TO ALL COLORADANS,
24 REGARDLESS OF ENGLISH PROFICIENCY AND DISABILITIES. WHERE
25 APPLICABLE AND POSSIBLE, THE ONA SHALL ENSURE COMPLIANCE
26 EXCEEDS THE COMPLIANCE REQUIREMENTS OF THE FEDERAL "AMERICANS
27 WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS

1 AMENDED, ANY AVAILABLE ENGLISH PROFICIENCY PLANS, AND THE
2 COLORADO ANTI-DISCRIMINATION ACT IN PART 6 OF ARTICLE 34 OF TITLE
3 24.

4 (3) AS FUNDING ALLOWS, THE ONA SHALL PROMOTE INTEGRATION
5 ACTIVITIES AMONG IMMIGRANTS BY USING A MODEL SIMILAR TO THE
6 FAMILY RESOURCE CENTER PROGRAM SET FORTH IN ARTICLE 18 OF TITLE
7 26 WITH THE GOAL OF IMPLEMENTING IMMIGRANT SUPPORT THROUGH
8 COMMUNITY-BASED INITIATIVES AND NONPROFIT ORGANIZATIONS WHERE
9 IMMIGRANTS AND IMMIGRANT FAMILIES CAN ACCESS FORMAL AND
10 INFORMAL SUPPORT TO PROMOTE THEIR HEALTH, ECONOMIC WELL-BEING,
11 AND INTEGRATION. THE ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED
12 TO:

13 (a) ECONOMIC OPPORTUNITIES SUCH AS:

14 (I) WORKFORCE DEVELOPMENT, SKILLS RECOGNITION, AND
15 BARRIER REDUCTION;

16 (II) INITIATIVES THAT INCREASE ECONOMIC STABILITY;

17 (III) ENTREPRENEURSHIP AND HIGHER EDUCATION ATTAINMENT;

18 AND

19 (IV) NATURALIZATION AMONG ELIGIBLE INDIVIDUALS;

20 (b) INCREASED ACCESS, SUCH AS:

21 (I) CONNECTING IMMIGRANTS TO LOCAL, STATE, AND FEDERAL
22 RESOURCES, AND TO OTHER RESOURCES AS THEY ARE AVAILABLE OR
23 RELEVANT TO MEET THE IMMIGRANTS' NEEDS;

24 (II) CONNECTING IMMIGRANTS AND IMMIGRANT FAMILIES WITH
25 ENGLISH LANGUAGE LEARNING PROGRAMS; AND

26 (III) PROVIDING IMMIGRANTS AND IMMIGRANT FAMILIES WITH
27 REFERRALS TO COMMUNITY-BASED ORGANIZATIONS; AND

1 (c) STATE EDUCATION AND OUTREACH BY:

2 (I) PROMOTING AND CELEBRATING THE SUCCESS AND
3 CONTRIBUTIONS OF COLORADO'S IMMIGRANT COMMUNITY; AND

4 (II) ENGAGING WITH THE RECEIVING COMMUNITY IN ORDER TO
5 FOSTER INCLUSIVITY AND INTEGRATION BY BUILDING AWARENESS,
6 PROMOTING MUTUAL UNDERSTANDING, AND INCREASING SOCIAL BRIDGING
7 OPPORTUNITIES.

8 (4) THE ONA SHALL ADVISE AND PROVIDE GUIDANCE TO THE
9 GOVERNOR, STATE AGENCIES, AND THE GENERAL ASSEMBLY ON ANY
10 IMMIGRANT ISSUE.

11 (5) (a) ON OR BEFORE NOVEMBER 1, 2022, AND,
12 NOTWITHSTANDING SECTION 24-1-136 (11), ON OR BEFORE NOVEMBER 1
13 EACH YEAR THEREAFTER, THE DIRECTOR OF THE OFFICE OF NEW
14 AMERICANS, OR THE DIRECTOR'S DESIGNEE, SHALL SUBMIT A REPORT TO
15 THE GENERAL ASSEMBLY. THE REPORT SHALL INCLUDE A REVIEW AND
16 SUMMARY OF THE ACTIVITY, INFORMATION, AND DATA ON ALL THE
17 PROGRAMS THAT THE OFFICE ADMINISTERED DURING THE PRIOR FISCAL
18 YEAR.

19 (b) IN ORDER TO MINIMIZE THE COSTS ASSOCIATED WITH
20 PREPARING THE REPORT REQUIRED BY SUBSECTION (5)(a) OF THIS SECTION,
21 THE ONA IS AUTHORIZED TO INCORPORATE OR APPEND TO SUCH REPORT
22 ANY OTHER REPORTS IT IS REQUIRED BY LAW TO DEVELOP.

23 **8-3.7-104. Colorado office of new Americans - funding.** THE
24 GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE GENERAL FUND
25 OR FROM ANY OTHER AVAILABLE SOURCE FOR THE PURPOSES OF THE ONA
26 SPECIFIED IN THIS ARTICLE 3.7. THE ONA MAY SEEK, ACCEPT, AND
27 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES

1 FOR THE PURPOSES OF THIS ARTICLE 3.7.

2 **SECTION 2.** In Colorado Revised Statutes, 24-1-121, **add** (3)(k)
3 as follows:

4 **24-1-121. Department of labor and employment - creation.**

5 (3) The department of labor and employment consists of the following
6 divisions and programs:

7 (k) THE OFFICE OF NEW AMERICANS, OR "ONA", CREATED IN
8 ARTICLE 3.7 OF TITLE 8, THE HEAD OF WHICH IS THE DIRECTOR OF THE
9 ONA. THE ONA AND THE DIRECTOR SHALL EXERCISE THEIR POWERS,
10 DUTIES, AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND
11 EMPLOYMENT AS IF TRANSFERRED BY A **TYPE 1** TRANSFER.

12

13 **SECTION 3.** In Colorado Revised Statutes, 26-2-138, **amend** (4)
14 as follows:

15 **26-2-138. Refugee services program - state plan - rules -**

16 **definitions.** (4) The program may provide other services or assistance to
17 support refugee resettlement and integration. THE PROGRAM SHALL ASSIST
18 THE COLORADO OFFICE OF NEW AMERICANS IN CARRYING OUT ITS DUTIES
19 AND GOALS AS SPECIFIED IN SECTION 8-3.7-103 (2)(g), INCLUDING THE
20 SHARING OF OUTCOMES, PARTNERSHIPS, AND THE ALIGNMENT OF MISSION
21 AND PURPOSE.

22 **SECTION 4. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2022 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.