

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

REREVISED

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

LLS NO. 21-0904.01 Christy Chase x2008

HOUSE BILL 21-1264

HOUSE SPONSORSHIP

Sullivan and Young, Amabile, Bacon, Benavidez, Bernett, Bird, Boesenecker, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Garnett, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Kipp, Lontine, Lynch, McCluskie, McCormick, Michaelson Jenet, Mullica, Ortiz, Ricks, Sirota, Snyder, Titone, Valdez A., Valdez D., Weissman

SENATE SPONSORSHIP

Kolker and Hisey, Bridges, Buckner, Danielson, Ginal, Gonzales, Hansen, Jaquez Lewis, Lee, Moreno, Pettersen, Story, Zenzinger

House Committees

Business Affairs & Labor
Appropriations

Senate Committees

Business, Labor, & Technology
Appropriations

SENATE
Amended 3rd Reading
June 4, 2021

A BILL FOR AN ACT

101 **CONCERNING THE ALLOCATION OF STATE MONEY FOR WORKFORCE**
102 **DEVELOPMENT ACTIVITIES TO INCREASE THE SKILLS OF**
103 **COLORADO WORKERS, AND, IN CONNECTION THEREWITH,**
104 **MAKING AN APPROPRIATION.**

SENATE
Amended 2nd Reading
June 3, 2021

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>.)

HOUSE
3rd Reading Unamended
April 29, 2021

The bill creates the stimulus investments in reskilling, upskilling, and next-skilling workers program (program) as an initiative of the state work force development council (state council) to facilitate training for

HOUSE
Amended 2nd Reading
April 28, 2021

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.

unemployed and underemployed workers in the state during times of substantial unemployment, defined as a statewide unemployment rate that exceeds 4%. The bill appropriates \$25 million for the program and directs the state council to use the money to support individuals in need of:

- Reskilling, which supports unemployed and underemployed workers to change industries in order to return to work or obtain more appropriate work based on their skills;
- Upskilling, which assists workers in increasing skill levels to retain or advance in their employment; or
- Next-skilling, which supports workers in developing future-ready skills necessary for employment in the twenty-first century.

The state council, in collaboration with the department of labor and employment, is directed to allocate funding to local work force development areas and to develop a grant program to award grants to other partners to provide reskilling, upskilling, and next-skilling supports to eligible individuals for up to 13 months.

Starting in 2022, as part of the Colorado talent report, the state council is directed to report on the activities and outcomes resulting from the program. The program repeals on June 30, 2024.

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

2 == ==

3 **SECTION 1.** In Colorado Revised Statutes, **add** 8-83-227 as
4 follows:

5 **8-83-227. Additional funding for workforce development**
6 **activities - state funding not subject to federal law limitations.**

7 (1) THE DEPARTMENT MAY RECEIVE AND EXPEND MONEY FROM THE
8 GENERAL FUND OR ANY OTHER STATE SOURCE APPROPRIATED BY THE
9 GENERAL ASSEMBLY OR PASSED THROUGH ANOTHER ENTITY FOR PURPOSES
10 OF DISTRIBUTING STATE FUNDS TO WORK FORCE DEVELOPMENT AREAS TO
11 IMPLEMENT WORKFORCE DEVELOPMENT ACTIVITIES, INCLUDING THE
12 FUNCTIONS, ACTIVITIES, AND SERVICES AUTHORIZED PURSUANT TO THIS
13 PART 2.

1 (2) ANY LIMITATIONS OR REQUIREMENTS IMPOSED ON THE USE OF
2 MONEY RECEIVED PURSUANT TO THE FEDERAL ACT OR THE
3 WAGNER-PEYSER ACT DO NOT APPLY TO STATE MONEY APPROPRIATED OR
4 PASSED THROUGH TO THE DEPARTMENT PURSUANT TO THIS SECTION.

5 (3) FOR ANY APPROPRIATION MADE BY THE GENERAL ASSEMBLY
6 OR PASS-THROUGH OF MONEY FROM ANOTHER ENTITY PURSUANT TO THIS
7 SECTION, THE DIVISION, IN PARTNERSHIP WITH THE STATE COUNCIL, SHALL
8 DETERMINE THE USE OF, AND ANY LIMITATIONS ON THE USE OF, THE
9 MONEY FOR WORKFORCE DEVELOPMENT ACTIVITIES TO ADDRESS THE
10 ECONOMIC AND LABOR MARKET CONDITIONS.

11 **SECTION 2. Legislative declaration.** (1) The general assembly
12 finds and declares that:

13 (a) The COVID-19 pandemic that spread to Colorado in February
14 of 2020 has led to extensive job losses throughout the state;

15 (b) The devastating effects of the COVID-19 pandemic have
16 disproportionately impacted communities of color as well as women and
17 low-income, senior, and disabled populations in the state;

18 (c) In order to assist states in recovering from the impacts the
19 COVID-19 pandemic has had on states' economies, on March 11, 2021,
20 the federal government enacted the "American Rescue Plan Act of 2021"
21 (ARPA), pursuant to which Colorado will receive \$3,828,761,790 from
22 the federal coronavirus state fiscal recovery fund to be used for certain
23 specified purposes, including "to respond to the public health emergency
24 with respect to the Coronavirus Disease 2019 (COVID-19) or its negative
25 economic impacts, including assistance to households, small businesses,
26 and nonprofits, or aid to impacted industries such as tourism, travel, and
27 hospitality";

1 (d) Under the authority granted under section 602 (f) of the
2 ARPA, the secretary of the United States treasury adopted regulations
3 providing further guidance to states regarding the authorized uses of the
4 money allocated to states from the federal coronavirus state fiscal
5 recovery fund to respond to the public health emergency or its negative
6 economic impacts, which include:

7 (I) Assistance to unemployed workers, including job training for
8 individuals who want and are available for work;

9 (II) Aid to impacted industries to respond to the negative
10 economic impacts of the COVID-19 public health emergency; and

11 (III) Programs, services, or other assistance for populations
12 disproportionately impacted by the COVID-19 public health emergency,
13 such as programs or services that address or mitigate the impact of the
14 public health emergency on education;

15 (e) A program to award funding to work force development areas,
16 local governments, institutions of higher education, and community-based
17 nonprofit organizations to support reskilling, upskilling, and next-skilling
18 workers who lost employment or have remained unemployed due to the
19 COVID-19 public health emergency and its negative economic impacts,
20 including providing short-term training to obtain an industry-recognized
21 certificate and related services, that will aid unemployed workers,
22 including those from communities disproportionately impacted by the
23 public health emergency, and that will assist employers and nonprofit
24 organizations working with these unemployed workers, is a program to
25 respond to the public health emergency and its negative economic impacts
26 on workers and industry;

27 (f) A program through which local work force development

1 boards award grants to drive innovation to build in-demand skills,
2 connect workers and learners to quality jobs, and drive employer
3 engagement in talent development will provide job training assistance to
4 unemployed workers and will aid impacted industries;

5 (g) Likewise, statewide innovation initiatives to support
6 employers and trade associations in developing training programs for use
7 in multiple counties, to align statewide activities in partnership with local
8 work force development areas for skills-based hiring and talent
9 development, and to engage and provide support to local work force
10 development boards and community leaders in designing and
11 implementing statewide work force innovative initiatives are programs,
12 services, or other assistance to respond to the public health emergency
13 and its negative economic impacts on workers and industry;

14 (h) Additionally, allocating federal funding to:

15 (I) Postsecondary career and technical education (CTE) providers
16 to expand CTE equipment, facility, and industry capacity in key CTE job
17 demand areas will encourage high-wage, demand-driven training and
18 short-term program growth to meet post-pandemic demand and will
19 provide job training to unemployed workers, assist industries negatively
20 impacted by the public health emergency, and address the impacts of the
21 public health emergency on education by expanding the availability of
22 and access to CTE programs in key job demand areas; and

23 (II) The adult education and literacy program established in article
24 10 of title 22, Colorado Revised Statutes, that provides next-level
25 education and training to many Colorado unemployed adults will provide
26 training to adults disproportionately impacted by the COVID-19 public
27 health emergency for better employment outcomes.

1 (2) Therefore, the general assembly determines that the programs
2 enacted under the "Investments in Reskilling, Upskilling, and
3 Next-skilling Workers Act" and the "Work Force Innovation Act" and the
4 allocation of federal funding to expand CTE equipment, facility, and
5 industry capacity in key CTE job demand areas and to the adult education
6 and literacy program are appropriate uses of the money transferred to
7 Colorado under the federal "American Rescue Plan Act of 2021" to
8 respond to the COVID-19 public health emergency and its negative
9 impacts on Colorado's economy, including its workers, industries, and
10 education systems.

11 **SECTION 3.** In Colorado Revised Statutes, **add** parts 5 and 6 to
12 article 46.3 of title 24 as follows:

13 PART 5

14 INVESTMENTS IN RESKILLING,
15 UPSKILLING, AND NEXT-SKILLING WORKERS

16 **24-46.3-501. Short title.** THE SHORT TITLE OF THIS PART 5 IS THE
17 "INVESTMENTS IN RESKILLING, UPSKILLING, AND NEXT-SKILLING
18 WORKERS ACT".

19 **24-46.3-502. Definitions.** AS USED IN THIS PART 5 AND PART 6 OF
20 THIS ARTICLE 46.3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

21 (1) "AMERICAN RESCUE PLAN ACT OF 2021" OR "ARPA" MEANS
22 THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS
23 THE ACT MAY BE SUBSEQUENTLY AMENDED.

24 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
25 EMPLOYMENT.

26 (3) "INCUMBENT WORKER" MEANS A WORKER WHO QUALIFIES AS
27 AN INCUMBENT WORKER UNDER 20 CFR 680.780.

1 (4) "INDUSTRY-RECOGNIZED CREDENTIAL" MEANS A CREDENTIAL
2 THROUGH A PROGRAM OR OFFERING QUALIFIED UNDER THE CAREER
3 DEVELOPMENT SUCCESS PROGRAM PURSUANT TO SECTION 22-54-138.

4 (5) "NEXT-SKILLING" MEANS ACTIVITIES TO DEVELOP
5 FUTURE-READY SKILLS NECESSARY FOR EMPLOYMENT IN THE
6 TWENTY-FIRST CENTURY AND INCLUDES THE FOCUS AREAS OF HUMAN
7 SKILLS, DIGITAL SKILLS, BUSINESS SKILLS, GROWTH MINDSET, AND A
8 LIFELONG LEARNING MINDSET.

9 (6) "PROGRAM" MEANS THE _____ INVESTMENTS IN RESKILLING,
10 UPSKILLING, AND NEXT-SKILLING WORKERS PROGRAM CREATED IN
11 SECTION 24-46.3-503.

12 (7) (a) "RESKILLING" MEANS ACTIVITIES TO:

13 (I) SUPPORT UNEMPLOYED AND UNDEREMPLOYED INDIVIDUALS
14 WHO NEED OR WANT TO CHANGE INDUSTRIES IN ORDER TO RETURN TO
15 FULL-TIME WORK OR WHO NEED OR WANT TO OBTAIN MORE APPROPRIATE
16 WORK BASED ON THEIR SKILLS; AND

17 (II) HELP UNEMPLOYED AND UNDEREMPLOYED INDIVIDUALS
18 ACHIEVE ECONOMIC SELF-SUFFICIENCY.

19 (b) "RESKILLING" MAY INCLUDE TECHNICAL TRAINING FOR NEW
20 POSITIONS AND NEW CAREERS AND ENTREPRENEURIAL TRAINING FOR
21 INDIVIDUALS WHO WISH TO PURSUE SELF-EMPLOYMENT AND BUSINESS
22 OWNERSHIP.

23 (8) "SHORT-TERM TRAINING" MEANS A TRAINING PROGRAM THAT
24 IS NOT MORE THAN THIRTEEN MONTHS IN DURATION.

25 (9) "STATE COUNCIL" MEANS THE STATE WORK FORCE
26 DEVELOPMENT COUNCIL CREATED PURSUANT TO SECTION 24-46.3-101.

27 (10) "SUBSTANTIAL UNEMPLOYMENT" MEANS AN UNEMPLOYMENT

1 RATE THAT IS HIGHER THAN FOUR PERCENT FOR THE STATE, AS A WHOLE,
2 OR FOR A WORK FORCE DEVELOPMENT AREA.

3 (11) "UPSKILLING" MEANS ACTIVITIES TO INCREASE THE SKILL
4 LEVELS OF AN INCUMBENT WORKER SO THE WORKER IS ABLE TO RETAIN
5 EMPLOYMENT AND ADVANCE WITHIN A COMPANY.

6 (12) "WORK FORCE DEVELOPMENT AREA" HAS THE SAME MEANING
7 AS SET FORTH IN SECTION 8-83-203 (22).

8 **24-46.3-503. Investments in reskilling, upskilling, and**
9 **next-skilling workers program - creation.** (1) THE INVESTMENTS IN
10 RESKILLING, UPSKILLING, AND NEXT-SKILLING WORKERS PROGRAM IS
11 HEREBY CREATED AS AN INITIATIVE OF THE STATE COUNCIL AS A MEANS
12 TO TRAIN UNEMPLOYED AND UNDEREMPLOYED COLORADANS DURING
13 TIMES OF SUBSTANTIAL UNEMPLOYMENT. IN ANY STATE FISCAL YEAR IN
14 WHICH MONEY IS APPROPRIATED FOR THE PROGRAM PURSUANT TO SECTION
15 24-46.3-504, THE STATE COUNCIL SHALL USE THE MONEY ALLOCATED TO
16 THE PROGRAM TO SUPPORT INDIVIDUALS IN NEED OF RESKILLING,
17 UPSKILLING, OR NEXT-SKILLING, INCLUDING PROVIDING ASSISTANCE TO
18 ALLOW INDIVIDUALS TO ACCESS AND PARTICIPATE IN SHORT-TERM
19 TRAINING TO OBTAIN AN INDUSTRY-RECOGNIZED CREDENTIAL. THE STATE
20 COUNCIL MAY USE THE MONEY FOR THE FOLLOWING RESKILLING,
21 UPSKILLING, OR NEXT-SKILLING PURPOSES:

- 22 (a) CAREER COUNSELING;
- 23 (b) CAREER AND ACADEMIC EXPLORATION AND PLANNING;
- 24 (c) TUITION;
- 25 (d) EMPLOYER-PROVIDED TRAINING;
- 26 (e) NEEDS-BASED SERVICES;
- 27 (f) TRANSPORTATION;

- 1 (g) EQUIPMENT;
- 2 (h) RETENTION SERVICES;
- 3 (i) PROGRAM IMPLEMENTATION AND ADMINISTRATION, INCLUDING
- 4 REPORTING ACTIVITIES; AND
- 5 (j) OTHER PURPOSES DETERMINED BY THE STATE COUNCIL THAT
- 6 ARE RELATED TO TRAINING UNEMPLOYED AND UNDEREMPLOYED
- 7 COLORADANS DURING TIMES OF SUBSTANTIAL UNEMPLOYMENT.

8 (2) AN INDIVIDUAL MAY RECEIVE SUPPORT THROUGH THE
9 PROGRAM AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION FOR UP TO
10 THIRTEEN CONSECUTIVE MONTHS WHILE PURSUING AN
11 INDUSTRY-RECOGNIZED CREDENTIAL. THE STATE COUNCIL, IN
12 COLLABORATION WITH THE DEPARTMENT, SHALL DEVELOP THE
13 ELIGIBILITY CRITERIA FOR INDIVIDUALS TO RECEIVE SUPPORT THROUGH
14 THE PROGRAM.

15 (3) (a) THE STATE COUNCIL, IN COLLABORATION WITH THE
16 DEPARTMENT, SHALL ALLOCATE THE FUNDING AVAILABLE FOR THE
17 PROGRAM AS FOLLOWS:

18 (I) TWENTY MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS
19 TO WORK FORCE DEVELOPMENT AREAS FOR THE PROGRAM;

20 (II) THREE MILLION DOLLARS FOR THE GRANT PROGRAM
21 ESTABLISHED PURSUANT TO SUBSECTION (4) OF THIS SECTION; AND

22 (III) ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS FOR
23 THE DEPARTMENT FOR OUTREACH AND RECRUITMENT, PROVIDING ACCESS
24 TO DIGITAL PLATFORMS FOR CAREER NAVIGATION, ISSUING LICENSES FOR
25 VIRTUAL TRAINING COURSES, AND IMPLEMENTING, ADMINISTERING, AND
26 REPORTING ON THE PROGRAM.

27 (b) IF, ON JUNE 30, 2022, ANY PORTION OF THE MONEY ALLOCATED

1 TO THE DEPARTMENT PURSUANT TO SUBSECTION (3)(a)(III) OF THIS
2 SECTION IS UNENCUMBERED AND UNEXPENDED, THE STATE COUNCIL
3 SHALL ALLOCATE THE REMAINING MONEY IN ACCORDANCE WITH
4 SUBSECTIONS (3)(a)(I) AND (3)(a)(II) OF THIS SECTION.

5 (4) (a) THE STATE COUNCIL SHALL ESTABLISH A GRANT PROGRAM
6 TO AWARD FUNDING TO OTHER PARTNERS, INCLUDING LOCAL
7 GOVERNMENTS, INSTITUTIONS OF HIGHER EDUCATION, AND
8 COMMUNITY-BASED NONPROFIT ORGANIZATIONS, FOR USE IN PROVIDING
9 THE SUPPORTS SPECIFIED IN SUBSECTION (1) OF THIS SECTION. THE
10 RECIPIENTS OF FUNDING ARE RESPONSIBLE FOR WORKING WITH
11 INDIVIDUALS WHO QUALIFY FOR THE PROGRAM AND ADMINISTERING
12 AVAILABLE FUNDS TO OR ON BEHALF OF QUALIFIED INDIVIDUALS.

13 (b) THE STATE COUNCIL SHALL DISTRIBUTE THE FUNDING
14 THROUGH A COMPETITIVE APPLICATION PROCESS THAT CONSIDERS THE
15 RELATIVE NEED IN AN AREA AND THE ABILITY OF THE APPLICANT TO
16 SUPPORT INDIVIDUALS, AS WELL AS OTHER CRITERIA THAT THE STATE
17 COUNCIL AND THE DEPARTMENT DETERMINE ARE RELEVANT BASED ON THE
18 ECONOMIC CONDITIONS AT THE TIME APPLICATIONS ARE BEING
19 CONSIDERED.

20 **24-46.3-504. Funding for program.** (1) FOR THE 2021-22 STATE
21 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWENTY-FIVE
22 MILLION DOLLARS FROM THE WORKERS, EMPLOYERS, AND WORKFORCE
23 CENTERS CASH FUND CREATED IN SECTION 24-75-231 (2)(a) TO THE
24 DEPARTMENT FOR ALLOCATION TO THE STATE COUNCIL FOR THE PROGRAM.
25 ANY MONEY APPROPRIATED IN THE 2021-22 STATE FISCAL YEAR THAT IS
26 NOT ENCUMBERED OR EXPENDED AT THE END OF THAT STATE FISCAL YEAR
27 REMAINS AVAILABLE FOR EXPENDITURE BY THE STATE COUNCIL IN

1 SUBSEQUENT STATE FISCAL YEARS WITHOUT FURTHER APPROPRIATION,
2 SUBJECT TO THE REQUIREMENTS FOR OBLIGATING AND EXPENDING MONEY
3 RECEIVED UNDER THE ARPA AS SPECIFIED IN SECTION 24-75-226 (4)(d).

4 (2) THE STATE COUNCIL SHALL USE THE MONEY APPROPRIATED
5 PURSUANT TO THIS SECTION FOR THE PURPOSES SPECIFIED IN SECTION
6 24-46.3-503 AND SHALL ALLOCATE THE MONEY AS SPECIFIED IN THAT
7 SECTION.

8 (3) NEITHER THE DEPARTMENT NOR THE STATE COUNCIL SHALL
9 USE MONEY APPROPRIATED PURSUANT TO THIS SECTION TO ADD
10 PERMANENT FULL-TIME EQUIVALENT POSITIONS FOR THE DEPARTMENT OR
11 THE STATE COUNCIL.

12 (4) THE STATE COUNCIL SHALL COMPLY WITH THE REQUIREMENTS
13 OF SECTION 24-75-226 (4) AND (5) REGARDING THE OBLIGATION,
14 EXPENDITURE, AND TRACKING OF MONEY ALLOCATED TO THE STATE
15 COUNCIL PURSUANT TO THIS SECTION.

16 **24-46.3-505. Reports.** (1) IN DECEMBER 2022 AND EACH
17 DECEMBER THEREAFTER THROUGH DECEMBER 2026, _____ THE STATE
18 COUNCIL SHALL REPORT ON THE ACTIVITIES AND OUTCOMES RESULTING
19 FROM THE PROGRAM IN THE PRIOR STATE FISCAL YEAR AS PART OF THE
20 ANNUAL COLORADO TALENT REPORT PREPARED PURSUANT TO SECTION
21 24-46.3-103 (3). THE STATE COUNCIL SHALL COMPLY WITH THE
22 REQUIREMENTS OF SECTION 24-75-226 (5) REGARDING REPORTING ON
23 MONEY ALLOCATED TO THE STATE COUNCIL PURSUANT TO SECTION
24 24-46.3-504.

25 (2) EACH APPLICANT THAT RECEIVES FUNDING UNDER THE
26 PROGRAM SHALL REPORT TO THE STATE COUNCIL ON THE MEASURABLE
27 OUTCOMES ACHIEVED, INCLUDING THE NUMBER OF PARTICIPANTS SERVED,

1 THE NUMBER OF SHORT-TERM TRAINING PROGRAMS COMPLETED, AND ANY
2 OTHER INFORMATION THAT THE STATE COUNCIL DETERMINES APPROPRIATE
3 TO DEMONSTRATE THE SUCCESS OF THE GRANT.

4 **24-46.3-506. Repeal of part.** THIS PART 5 IS REPEALED, EFFECTIVE
5 JULY 1, 2027.

6 PART 6

7 WORK FORCE INNOVATION ACT

8 **24-46.3-601. Short title.** THE SHORT TITLE OF THIS PART 6 IS THE
9 "WORK FORCE INNOVATION ACT".

10 **24-46.3-602. Definitions.** AS USED IN THIS PART 6, UNLESS THE
11 CONTEXT OTHERWISE REQUIRES:

12 (1) "ADULT EDUCATION PROGRAM" HAS THE SAME MEANING AS
13 "ADULT EDUCATION AND LITERACY PROGRAMS", AS DEFINED IN SECTION
14 22-10-103 (1).

15 (2) "APPRENTICESHIP SPONSOR" MEANS AN EMPLOYER,
16 ASSOCIATION, COMMITTEE, OR ORGANIZATION THAT OPERATES AN
17 APPRENTICESHIP PROGRAM REGISTERED WITH THE UNITED STATES
18 DEPARTMENT OF LABOR.

19 (3) "COLORADO WORK FORCE CENTER" MEANS AN AMERICAN JOBS
20 CENTER ESTABLISHED PURSUANT TO THE FEDERAL "WORKFORCE
21 INVESTMENT ACT OF 1998", 29 U.S.C. SEC. 2801 ET SEQ., AND
22 REAUTHORIZED IN THE FEDERAL "WORKFORCE INNOVATION AND
23 OPPORTUNITIES ACT OF 2014", PUB.L. 113-128, THAT IS OPERATING IN
24 COLORADO AND OFFERS TRAINING REFERRALS, CAREER COUNSELING, JOB
25 LISTINGS, AND SIMILAR EMPLOYMENT-RELATED SERVICES.

26 (4) "CONNECTING COLORADO DATABASE" MEANS THE LABOR
27 EXCHANGE SYSTEM ADMINISTERED BY THE DEPARTMENT TO CONNECT

1 INDIVIDUALS TO JOBS AND TO MANAGE DATA AND PRODUCE REPORTS
2 REQUIRED BY THE UNITED STATES DEPARTMENT OF LABOR.

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

6 (6) "COVID-19 PUBLIC HEALTH EMERGENCY" OR "PUBLIC HEALTH
7 EMERGENCY" MEANS THE PERIOD BEGINNING ON JANUARY 1, 2020, AND
8 EXTENDING UNTIL THE TERMINATION OF THE NATIONAL EMERGENCY
9 CONCERNING THE COVID-19 OUTBREAK DECLARED PURSUANT TO THE
10 FEDERAL "NATIONAL EMERGENCIES ACT", 50 U.S.C. SEC. 1601 ET SEQ.

11 (7) "ECONOMIC DEVELOPMENT CORPORATION" MEANS AN
12 ORGANIZATION WHOSE MISSION IS TO PROMOTE ECONOMIC DEVELOPMENT
13 WITHIN A SPECIFIC GEOGRAPHICAL AREA.

14 (8) "ELIGIBLE APPLICANT" MEANS:

15 (a) A PUBLIC OR PRIVATE SECTOR EMPLOYER, EMPLOYER
16 ORGANIZATION, OR TRADE ASSOCIATION;

17 (b) AN APPRENTICESHIP SPONSOR;

18 (c) A COMMUNITY-BASED ORGANIZATION;

19 (d) A COLORADO WORK FORCE CENTER; OR

20 (e) A SECTOR PARTNERSHIP RECOGNIZED BY THE STATE COUNCIL.

21 (9) "LOCAL EDUCATION PROVIDER" HAS THE SAME MEANING AS
22 SET FORTH IN SECTION 22-20.5-102 (4).

23 (10) "PROPRIETARY TRAINING PROVIDER" MEANS A TRAINING
24 PROGRAM OPERATED BY THE PRIVATE SECTOR.

25 (11) "SECTOR PARTNERSHIP" MEANS AN INDUSTRY-SPECIFIC,
26 REGIONAL PARTNERSHIP LED BY BUSINESS IN PARTNERSHIP WITH
27 ECONOMIC DEVELOPMENT, EDUCATION, AND WORK FORCE DEVELOPMENT

1 ENTITIES.

2 (12) "STATEWIDE WORK FORCE INNOVATION INITIATIVE" MEANS
3 A STATEWIDE ACTIVITY DEVELOPED PURSUANT TO SECTION 24-46.3-605.

4 (13) "SUBAPPLICANT" MEANS:

5 (a) AN INSTITUTION OF HIGHER EDUCATION;

6 (b) A PUBLIC LIBRARY;

7 (c) A LOCAL EDUCATION PROVIDER;

8 (d) AN ADULT EDUCATION PROGRAM;

9 (e) A PROPRIETARY TRAINING PROVIDER;

10 (f) AN ECONOMIC DEVELOPMENT CORPORATION; OR

11 (g) A NONPROFIT ORGANIZATION.

12 (15) "WORK FORCE DEVELOPMENT BOARD" HAS THE SAME
13 MEANING AS SET FORTH IN SECTION 8-83-203 (23).

14 (16) "WORK FORCE INNOVATION GRANT PROGRAM" OR "GRANT
15 PROGRAM" MEANS THE WORK FORCE INNOVATION GRANT PROGRAM
16 CREATED IN SECTION 24-46.3-604.

17 **24-46.3-603. Funding for work force innovation - grant**
18 **program - statewide initiatives - allocation of ARPA money. (1) FOR**
19 **THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL**
20 **APPROPRIATE THIRTY-FIVE MILLION DOLLARS FROM THE WORKERS,**
21 **EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED IN SECTION**
22 **24-75-231 (2)(a) TO THE DEPARTMENT FOR ALLOCATION TO THE STATE**
23 **COUNCIL FOR THE FOLLOWING PURPOSES:**

24 (a) SEVENTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS FOR
25 ALLOCATION TO WORK FORCE DEVELOPMENT BOARDS FOR THE WORK
26 FORCE INNOVATION GRANT PROGRAM AND PURPOSES SPECIFIED IN SECTION
27 24-46.3-604 (1)(b); EXCEPT THAT A WORK FORCE DEVELOPMENT BOARD

1 SHALL RETURN TO THE STATE COUNCIL ANY MONEY ALLOCATED TO AND
2 NOT EXPENDED OR OBLIGATED BY THE WORK FORCE DEVELOPMENT BOARD
3 BY JANUARY 1, 2024; AND

4 (b) SEVENTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS, PLUS
5 ANY AMOUNT RETURNED TO THE STATE COUNCIL PURSUANT TO
6 SUBSECTION (1)(a) OF THIS SECTION, FOR STATEWIDE WORK FORCE
7 INNOVATION INITIATIVES.

8 (2) THE STATE COUNCIL AND DEPARTMENT MAY USE UP TO
9 TWELVE PERCENT OF THE AMOUNT APPROPRIATED PURSUANT TO THIS
10 SECTION FOR COSTS ASSOCIATED WITH IMPLEMENTING AND
11 ADMINISTERING THIS PART 6 AND FOR THE EVALUATION ACTIVITIES
12 REQUIRED PURSUANT TO SECTION 24-46.3-606.

13 (3) ANY MONEY APPROPRIATED PURSUANT TO THIS SECTION THAT
14 IS NOT EXPENDED OR ENCUMBERED AT THE END OF THE 2021-22 STATE
15 FISCAL YEAR REMAINS AVAILABLE FOR EXPENDITURE IN SUBSEQUENT
16 FISCAL YEARS WITHOUT FURTHER APPROPRIATION, SUBJECT TO THE
17 REQUIREMENTS FOR OBLIGATING AND EXPENDING MONEY RECEIVED
18 UNDER THE ARPA AS SPECIFIED IN SECTION 24-75-226 (4)(d).

19 (4) THE STATE COUNCIL SHALL COMPLY WITH THE REQUIREMENTS
20 OF SECTION 24-75-226 (4) AND (5) REGARDING THE OBLIGATION,
21 EXPENDITURE, AND TRACKING OF AND REPORTING ON THE USE OF ANY
22 ARPA MONEY ALLOCATED TO THE STATE COUNCIL PURSUANT TO THIS
23 SECTION.

24 **24-46.3-604. Work force innovation grant program - creation**
25 **- local boards to administer - eligibility for grants - use of grants -**
26 **grant proposal requirements - other innovation activities performed**
27 **by local boards - reporting to statewide database. (1) (a) THE WORK**

1 FORCE INNOVATION GRANT PROGRAM IS HEREBY CREATED FOR THE
2 PURPOSE OF PROMOTING INNOVATION IN ORDER TO IMPROVE OUTCOMES
3 FOR LEARNERS AND WORKERS, INCLUDING UNDERSERVED POPULATIONS,
4 BY PROMOTING PARTNERSHIPS AND HELPING PREPARE COLORADANS FOR
5 WELL-PAYING, QUALITY JOBS. THE STATE COUNCIL SHALL ADMINISTER THE
6 PROGRAM AND SHALL DISTRIBUTE THE MONEY ALLOCATED TO THE
7 PROGRAM PURSUANT TO SECTION 24-46.3-603 (1)(a) TO WORK FORCE
8 DEVELOPMENT BOARDS BASED ON A FORMULA THAT CONSIDERS THE
9 FOLLOWING FACTORS IN EACH WORK FORCE DEVELOPMENT AREA:

- 10 (I) THE SHARE OF UNEMPLOYMENT CLAIMS;
- 11 (II) THE TOTAL JOBS LOST AND THE TOTAL JOBS LOST IN THE
12 INDUSTRIES MOST IMPACTED BY THE PUBLIC HEALTH EMERGENCY; AND
- 13 (III) OTHER FACTORS DETERMINED BY THE STATE COUNCIL.

14 (b) (I) THE WORK FORCE DEVELOPMENT BOARDS SHALL USE THE
15 MONEY DISTRIBUTED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION:

16 (A) TO AWARD GRANTS TO ELIGIBLE APPLICANTS THROUGH A
17 COMPETITIVE PROCESS, CONSISTENT WITH SUBSECTIONS (2) AND (3) OF
18 THIS SECTION;

19 (B) FOR OUTCOMES-BASED OR PAY-FOR-PERFORMANCE
20 CONTRACTS WITH GRANT RECIPIENTS, CONSISTENT WITH SUBSECTIONS (2)
21 AND (3) OF THIS SECTION;

22 (C) FOR NEW PROGRAM DEVELOPMENT;

23 (D) TO EXPAND ACCESS TO EXISTING PROGRAMS;

24 (E) FOR OUTREACH AND ENGAGEMENT, ESPECIALLY TO
25 MARGINALIZED OR DISPROPORTIONATELY IMPACTED POPULATIONS; AND

26 (F) FOR CAREER COACHING AND NAVIGATION FOR INDIVIDUALS.

27 (II) WORK FORCE DEVELOPMENT BOARDS MAY USE UP TO TEN

1 PERCENT OF THE MONEY DISTRIBUTED PURSUANT TO SUBSECTION (1)(a)
2 OF THIS SECTION FOR ADMINISTRATIVE COSTS ASSOCIATED WITH
3 PERFORMING THE ACTIVITIES SPECIFIED IN SUBSECTION (1)(b)(I) OF THIS
4 SECTION.

5 (2) (a) AN APPLICANT FOR A GRANT FROM A WORK FORCE
6 DEVELOPMENT BOARD:

7 (I) MUST DEMONSTRATE THAT THE APPLICANT IS AN ELIGIBLE
8 APPLICANT;

9 (II) MAY APPLY FOR A GRANT IN PARTNERSHIP WITH ONE OR MORE
10 SUBAPPLICANTS; AND

11 (III) IS ENCOURAGED TO APPLY FOR A GRANT WITH PARTNERS IN
12 ORDER TO SUPPORT TRANSFORMATIVE STRATEGIES FOCUSED ON SYSTEMIC
13 ALIGNMENT WITH COLORADO WORK FORCE CENTERS.

14 (b) IF APPLYING WITH ONE OR MORE SUBAPPLICANTS, AN
15 APPLICANT MUST IDENTIFY THE SPECIFIC ROLE EACH SUBAPPLICANT WILL
16 SERVE AND THE REASON WHY THE APPLICANT AND SUBAPPLICANT HAVE
17 PARTNERED IN THE APPLICATION, INCLUDING HOW THE LEAD APPLICANT
18 WILL DISTRIBUTE MONEY TO SUBAPPLICANTS AND WHAT AMOUNTS WOULD
19 BE SHARED AMONG THE APPLICANT AND SUBAPPLICANTS.

20 (c) THE WORK FORCE DEVELOPMENT BOARDS MAY PARTNER WITH
21 EACH OTHER TO ADMINISTER GRANTS.

22 (d) ALL GRANTS AWARDED PURSUANT TO THIS SECTION MUST BE
23 OBLIGATED BY DECEMBER 31, 2024, AND EXPENDED BY DECEMBER 31,
24 2026.

25 (3) THE WORK FORCE DEVELOPMENT BOARDS SHALL AWARD
26 GRANTS TO ELIGIBLE APPLICANTS APPLYING FOR GRANTS FOR PROPOSALS
27 THAT WILL BUILD IN-DEMAND SKILLS, CONNECT WORKERS AND LEARNERS

1 TO QUALITY JOBS, AND DRIVE EMPLOYER ENGAGEMENT IN TALENT
2 DEVELOPMENT IN ANY OF THE FOLLOWING AREAS:

3 (a) SUPPORTING WORK-BASED LEARNING, SKILL DEVELOPMENT,
4 TRAINING COMPLETION, AND QUALITY JOB PLACEMENT THROUGH THE
5 FOLLOWING:

6 (I) PROVIDING QUALITY EDUCATION AND TRAINING FOR
7 RESKILLING, UPSKILLING, AND NEXT-SKILLING INDIVIDUALS WHO ARE IN
8 COVID-19-IMPACTED HOUSEHOLDS AND UNDERSERVED POPULATIONS
9 THAT WERE DISPROPORTIONATELY IMPACTED BY THE COVID-19 PUBLIC
10 HEALTH EMERGENCY, WHICH MAY INCLUDE ENTREPRENEURSHIP; DIGITAL
11 LITERACY AND INCLUSION ACTIVITIES; WORK FORCE READINESS;
12 ON-THE-JOB TRAINING; SHORT-TERM, IN-DEMAND CREDENTIALS; OR
13 APPRENTICESHIPS;

14 (II) BUILDING ACCOUNTABLE PARTNERSHIPS AND SYSTEMS TO
15 DRAMATICALLY IMPROVE OUTCOMES OR DECREASE COSTS FOR WORKERS
16 AND LEARNERS TO ACCESS QUALITY EDUCATION AND TRAINING;

17 (III) PROVIDING SUPPORTIVE SERVICES AND EQUIPMENT TO
18 WORKERS AND LEARNERS WITH BARRIERS TO ACCESSING EDUCATION,
19 TRAINING, AND JOB PLACEMENT;

20 (IV) INCREASING ACCESS TO CAREER COUNSELING AND
21 NAVIGATION PROGRAMS FOR IN-SCHOOL AND OUT-OF-SCHOOL WORKERS
22 AND LEARNERS;

23 (V) DEVELOPING NEW, WORK-BASED LEARNING PROGRAMS IN
24 PARTNERSHIP WITH EMPLOYERS; OR

25 (VI) INCREASING ACCESS TO ENGLISH-AS-A-SECOND-LANGUAGE
26 AND OTHER CAREER READINESS PROGRAMS THAT ENABLE EQUITABLE
27 ACCESS AND INTEGRATION;

1 (b) SUPPORTING EMPLOYERS AND SMALL BUSINESSES TO MITIGATE
2 FINANCIAL HARDSHIPS RESULTING FROM THE PUBLIC HEALTH EMERGENCY
3 OR PROVIDING GREATER OPPORTUNITIES FOR COMMUNITIES
4 DISPROPORTIONATELY AFFECTED BY COVID-19 TO ENGAGE IN TALENT
5 DEVELOPMENT THROUGH THE FOLLOWING:

6 (I) INCREASING ADOPTION OF SKILLS-BASED PRACTICES,
7 INCLUDING INCENTIVIZING NEW SKILLS-BASED HIRES;

8 (II) DEVELOPING OR EXPANDING INCUMBENT WORKER TRAINING
9 AND WORK-BASED LEARNING PROGRAMS IN PARTNERSHIP WITH COLORADO
10 WORK FORCE CENTERS, TRAINING PROVIDERS, COMMUNITY-BASED
11 ORGANIZATIONS, LOCAL EDUCATION PROVIDERS, AND INSTITUTIONS OF
12 HIGHER EDUCATION; OR

13 (III) BUILDING NEW INTERNAL PATHWAYS FOR EXISTING
14 EMPLOYEES; AND

15 (c) INCREASING PARTICIPATION BY UNDERSERVED COMMUNITIES,
16 INCLUDING BLACK, INDIGENOUS, AND PEOPLE OF COLOR, PEOPLE WITH
17 DISABILITIES, NEW AMERICANS, EX-OFFENDERS, AND OLDER WORKERS,
18 THROUGH THE FOLLOWING:

19 (I) ADOPTING FOCUSED OUTREACH STRATEGIES SPECIFIC TO
20 UNDERSERVED COMMUNITIES;

21 (II) INCREASING PARTNERSHIP WITH COMMUNITY-BASED
22 ORGANIZATIONS THAT SERVE THESE POPULATIONS IN ORDER TO SUPPORT
23 EXISTING TRUSTED MESSENGERS THAT CAN ENHANCE OUTREACH; OR

24 (III) IMPROVING LANGUAGE ACCESS, TO INCLUDE AMERICAN SIGN
25 LANGUAGE, TO ENSURE OUTREACH AND PARTICIPATION.

26 (4) AN APPLICANT SHOULD ADDRESS THE FOLLOWING IN ITS
27 PROJECT PROPOSAL:

1 (a) THE NEED FOR THE PROJECT, SPECIFYING HOW AND WHY THE
2 PROJECT IS DESIGNED TO MEET THE NEED BASED ON DATA AND EVIDENCE;

3 (b) THE PROPOSED IMPACT OF THE PROJECT, INCLUDING HOW THE
4 PROJECT WILL IMPROVE OUTCOMES FOR WORKERS AND STUDENTS OR
5 INCREASE EMPLOYER ENGAGEMENT;

6 (c) THE PARTNERSHIPS FOSTERED BY THE PROJECT, INCLUDING THE
7 DEGREE TO WHICH THE PROJECT HAS SUPPORT FROM COMMUNITY-BASED
8 ORGANIZATIONS SUCH AS LOCAL CHAMBERS OF COMMERCE, NONPROFIT
9 ORGANIZATIONS, BUSINESSES, OR FAITH-BASED ORGANIZATIONS;

10 (d) THE SUSTAINABILITY OF THE PROJECT, SPECIFYING HOW THE
11 PROJECT WILL CONTINUE AFTER THE GRANT TERM EXPIRES;

12 (e) THE GOVERNANCE OF THE PROJECT, SPECIFYING HOW THE
13 PROJECT WILL ENSURE APPROPRIATE ADMINISTRATION, MONITORING,
14 REPORTING, AND COMPLIANCE FOR THE GRANT;

15 (f) THE INNOVATION OF THE PROJECT, SPECIFYING HOW THE
16 PROJECT SUPPORTS INNOVATIVE, LOCALLY DRIVEN SOLUTIONS TO RESPOND
17 TO COMMUNITY NEEDS; AND

18 (g) THE EQUITY OF THE PROJECT, SPECIFYING HOW THE PROJECT
19 WILL IMPROVE EDUCATION AND ECONOMIC OUTCOMES FOR UNDERSERVED
20 POPULATIONS OR COMMUNITIES.

21 (5) EACH WORK FORCE DEVELOPMENT BOARD THAT AWARDS
22 GRANTS TO ELIGIBLE APPLICANTS PURSUANT TO THIS SECTION SHALL
23 REPORT INFORMATION AS REQUIRED BY SECTION 24-46.3-606 TO THE
24 CONNECTING COLORADO DATABASE TO TRACK PARTICIPANTS AND
25 FACILITATE AN EVALUATION OF THE GRANT RECIPIENT'S USE OF THE GRANT
26 AWARD AND THE OUTCOMES ACHIEVED.

27 (6) EACH ELIGIBLE APPLICANT THAT RECEIVES A GRANT PURSUANT

1 TO THIS SECTION SHALL COMPLY WITH ANY REPORTING REQUIREMENTS AS
2 DETERMINED BY THE STATE CONTROLLER PURSUANT TO SECTION
3 24-75-226.

4 **24-46.3-605. Statewide work force innovation initiatives -**
5 **development - stakeholder process - distribution of money for**
6 **initiatives.** (1) THE STATE COUNCIL SHALL USE THE MONEY ALLOCATED
7 PURSUANT TO SECTION 24-46.3-603 (1)(b) FOR STATEWIDE WORK FORCE
8 INNOVATION INITIATIVES DESIGNED TO PERFORM THE ACTIVITIES
9 SPECIFIED IN SUBSECTION (2) OF THIS SECTION TO ADDRESS THE NEGATIVE
10 ECONOMIC IMPACTS OF THE COVID-19 PUBLIC HEALTH EMERGENCY.

11 (2) THE STATE COUNCIL SHALL CONDUCT A STAKEHOLDER
12 PROCESS TO ENGAGE WORK FORCE DEVELOPMENT BOARDS AND
13 COMMUNITY LEADERS IN THE DESIGN OF STATEWIDE INITIATIVES, WHICH
14 MAY INCLUDE THE FOLLOWING ACTIVITIES:

15 (a) SUPPORTING EMPLOYERS AND TRADE ASSOCIATIONS THAT
16 OPERATE IN MULTIPLE COUNTIES IN DEVELOPING TRAINING PROGRAMS;

17 (b) MANAGING ALIGNMENT OF STATEWIDE ACTIVITIES IN
18 PARTNERSHIP WITH WORK FORCE DEVELOPMENT AREAS FOR SKILLS-BASED
19 HIRING AND TALENT DEVELOPMENT ACTIVITIES;

20 (c) CAPACITY BUILDING AND TECHNICAL ASSISTANCE ACTIVITIES,
21 SUCH AS STAFF OR CONTRACTORS TO SUPPORT THE ADMINISTRATION OF
22 LOCAL COMPETITIONS AND RELATED ACTIVITIES AND CONTRACTING WITH
23 LOCAL OR NATIONAL EXPERTS ON EVIDENCE-BASED POLICY,
24 RESULTS-BASED CONTRACTING, RIGOROUS EVALUATION DESIGN, AND
25 IMPLEMENTATION SCIENCE;

26 (d) CAPACITY BUILDING AND TECHNICAL ASSISTANCE FOR
27 COMMUNITY-BASED ORGANIZATIONS TO INCREASE KNOWLEDGE AND

1 UNDERSTANDING OF WORK FORCE PROGRAMMING;

2 (e) TESTING SIMILAR PROGRAMS IN MULTIPLE LOCATIONS TO
3 ASSESS WHAT WORKS SO THAT SUCCESSFUL PRACTICES USED IN SPECIFIC
4 LOCATIONS CAN BE SCALED OR REPLICATED IN OTHER LOCATIONS;

5 (f) EXECUTING AND MANAGING CONTRACTS WITH EXTERNAL
6 EVALUATORS IN ACCORDANCE WITH SECTION 24-46.3-606;

7 (g) PERFORMING MONITORING AND COMPLIANCE ACTIVITIES
8 NECESSARY TO DEMONSTRATE FISCAL INTEGRITY; AND

9 (h) CONDUCTING OUTREACH AND COMMUNICATION CAMPAIGNS TO
10 REACH COLORADANS, INCLUDING UNDERSERVED AND
11 DISPROPORTIONATELY IMPACTED POPULATIONS, WHO MAY BENEFIT FROM
12 AVAILABLE PROGRAMS.

13 (3) (a) THE STATE COUNCIL SHALL DISTRIBUTE MONEY IN
14 ACCORDANCE WITH STATE AND FEDERAL PROCUREMENT GUIDELINES FOR
15 STATEWIDE WORK FORCE INNOVATION INITIATIVES DEVELOPED PURSUANT
16 TO THIS SECTION THAT WILL PERFORM ACTIVITIES SPECIFIED IN
17 SUBSECTION (2) OF THIS SECTION.

18 (b) ANY PERSON THAT RECEIVES MONEY FOR A STATEWIDE WORK
19 FORCE INNOVATION INITIATIVE PURSUANT TO THIS SECTION SHALL:

20 (I) REPORT INFORMATION AS REQUIRED BY SECTION 24-46.3-606
21 TO THE CONNECTING COLORADO DATABASE TO FACILITATE AN
22 EVALUATION OF THE ACTIVITIES AND THE OUTCOMES ACHIEVED; AND

23 (II) COMPLY WITH ANY REPORTING REQUIREMENTS AS
24 DETERMINED BY THE STATE CONTROLLER PURSUANT TO SECTION
25 24-75-226.

26 **24-46.3-606. Evaluation - grant-funded projects and programs**
27 **- statewide innovation initiatives. (1) THE STATE COUNCIL SHALL**

1 CONDUCT OR FACILITATE AN EVALUATION OF ALL PROGRAMS, PROJECTS,
2 AND INITIATIVES FUNDED PURSUANT TO THIS PART 6 ON EITHER A
3 STATEWIDE LEVEL OR WORK FORCE DEVELOPMENT AREA LEVEL.

4 (2) ANY WORK FORCE DEVELOPMENT BOARD OR PERSON THAT
5 RECEIVES MONEY OR A GRANT PURSUANT TO SECTION 24-46.3-604 OR
6 24-46.3-605 MUST USE THE CONNECTING COLORADO DATABASE TO
7 REPORT INFORMATION ABOUT HOW THE RECIPIENT USED THE MONEY, THE
8 OUTCOMES ACHIEVED, AND ANY OTHER INFORMATION NECESSARY TO
9 FACILITATE THE EVALUATION REQUIRED BY THIS SECTION.

10 (3) IN ADDITION TO THE REQUIREMENTS OF SECTION 24-75-226(5),
11 PROGRAMS, PROJECTS, AND INITIATIVES FUNDED PURSUANT TO THIS PART
12 6 MUST BE EVALUATED TO:

13 (a) DETERMINE WHETHER THE PROGRAM, PROJECT, OR INITIATIVE
14 DEMONSTRATES AN IMPACT ON WORK FORCE DEVELOPMENT AND
15 INNOVATION IN THE FOLLOWING AREAS:

16 (I) SKILL OR COMPETENCY ATTAINMENT;

17 (II) INDUSTRY-RECOGNIZED CREDENTIAL ATTAINMENT;

18 (III) GRADUATION OR CREDENTIAL ATTAINMENT RATES;

19 (IV) JOB PLACEMENT; AND

20 (V) JOB QUALITY;

21 (b) SPECIFY THE PERCENTAGE OF MONEY THAT WAS ALLOCATED,
22 DISTRIBUTED, OR AWARDED TO INSTITUTIONS OF HIGHER EDUCATION
23 THROUGH SCHOLARSHIPS OR OTHER MECHANISMS.

24 **24-46.3-607. Repeal of part.** THIS PART 6 IS REPEALED, EFFECTIVE
25 JULY 1, 2027.

26 **SECTION 4.** In Colorado Revised Statutes, **add 24-75-231 as**
27 follows:

1 24-75-231. Workers, employers, and workforce centers cash
2 fund - creation - allowable uses - definitions - repeal. (1) AS USED IN
3 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

4 (a) "AMERICAN RESCUE PLAN ACT OF 2021" MEANS THE FEDERAL
5 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY
6 BE SUBSEQUENTLY AMENDED.

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

10 (c) "COVID-19 PUBLIC HEALTH EMERGENCY" OR "PUBLIC HEALTH
11 EMERGENCY" MEANS THE PERIOD BEGINNING ON JANUARY 1, 2020, AND
12 EXTENDING UNTIL THE TERMINATION OF THE NATIONAL EMERGENCY
13 CONCERNING THE COVID-19 OUTBREAK DECLARED PURSUANT TO THE
14 FEDERAL "NATIONAL EMERGENCIES ACT", 50 U.S.C. SEC. 1601 ET SEQ.

15 (d) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT IDENTIFIED
16 IN SECTION 24-1-110 AND THE JUDICIAL DEPARTMENT. THE TERM ALSO
17 INCLUDES THE OFFICE OF THE GOVERNOR, INCLUDING ANY OFFICES
18 CREATED THEREIN.

19 (e) "FUND" MEANS THE WORKERS, EMPLOYERS, AND WORKFORCE
20 CENTERS CASH FUND CREATED IN SUBSECTION (2)(a) OF THIS SECTION OR
21 AN IDENTICAL COMPANION FUND CREATED BY OPERATION OF SECTION
22 24-75-226 (4)(c).

23 (2) (a) THE WORKERS, EMPLOYERS, AND WORKFORCE CENTERS
24 CASH FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND
25 CONSISTS OF MONEY CREDITED TO THE FUND IN ACCORDANCE WITH
26 SUBSECTION (2)(b) OF THIS SECTION AND ANY OTHER MONEY THAT THE
27 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. TO

1 RESPOND TO THE PUBLIC HEALTH EMERGENCY OR ITS NEGATIVE ECONOMIC
2 IMPACTS, THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE
3 FUND TO RESPOND TO THE NEGATIVE ECONOMIC IMPACTS OF THE
4 COVID-19 PUBLIC HEALTH EMERGENCY, INCLUDING FOR THE FOLLOWING
5 PURPOSES:

6 (I) TO PROVIDE ASSISTANCE TO UNEMPLOYED WORKERS,
7 INCLUDING JOB TRAINING FOR INDIVIDUALS WHO WANT TO AND ARE
8 AVAILABLE FOR WORK;

9 (II) TO PROVIDE ASSISTANCE TO HOUSEHOLDS;

10 (III) FOR PROGRAMS, SERVICES, OR OTHER ASSISTANCE FOR
11 POPULATIONS DISPROPORTIONATELY IMPACTED BY THE COVID-19 PUBLIC
12 HEALTH EMERGENCY, SUCH AS PROGRAMS OR SERVICES THAT ADDRESS OR
13 MITIGATE THE IMPACTS OF THE PUBLIC HEALTH EMERGENCY ON
14 EDUCATION;

15 (IV) TO PROVIDE AID TO IMPACTED INDUSTRIES, SMALL
16 BUSINESSES, AND NONPROFIT ORGANIZATIONS TO RESPOND TO THE
17 NEGATIVE ECONOMIC IMPACTS OF THE COVID-19 PUBLIC HEALTH
18 EMERGENCY THROUGH THE PROVISION OF RELATED EDUCATIONAL AND JOB
19 TRAINING SERVICES; AND

20 (V) FOR ADMINISTRATIVE COSTS RELATED TO THE PURPOSES
21 SPECIFIED IN SUBSECTIONS (2)(a)(I) TO (2)(a)(IV) OF THIS SECTION.

22 (b) (I) THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
23 SUBSECTION (2)(b)(I), THE STATE TREASURER SHALL TRANSFER:

24 (A) TWO HUNDRED MILLION DOLLARS FROM THE "AMERICAN
25 RESCUE PLAN ACT OF 2021" CASH FUND CREATED IN SECTION 24-75-226
26 TO THE FUND; AND

27 (B) TWENTY-FIVE MILLION DOLLARS FROM THE GENERAL FUND TO

1 THE FUND.

2 (II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
3 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
4 FUND TO THE FUND.

5 (3) A DEPARTMENT MAY EXPEND MONEY APPROPRIATED FROM THE
6 FUND FOR PURPOSES PERMITTED UNDER THE "AMERICAN RESCUE PLAN
7 ACT OF 2021" AND SHALL NOT USE THE MONEY FOR ANY PURPOSE
8 PROHIBITED BY THAT ACT. A DEPARTMENT OR ANY PERSON WHO RECEIVES
9 MONEY FROM THE FUND SHALL COMPLY WITH ANY REQUIREMENTS SET
10 FORTH IN SECTION 24-75-226.

11 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

12 SECTION 5. In Colorado Revised Statutes, add part 2 to article
13 8 of title 23 as follows:

14 PART 2

15 CAREER AND TECHNICAL EDUCATION

16 EQUIPMENT, FACILITY, AND

17 INSTRUCTION CAPACITY FUNDING

18 23-8-201. Funding for technical education equipment,
19 facilities, and instruction capacity - allocation to CTE providers -
20 definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
21 OTHERWISE REQUIRES:

22 (a) "COLORADO TALENT REPORT" MEANS THE ANNUAL COLORADO
23 TALENT REPORT PREPARED PURSUANT TO SECTION 24-46.3-103 (3).

24 (b) "CTE PROVIDER" MEANS ANY OF THE FOLLOWING THAT
25 PROVIDES CAREER OR TECHNICAL EDUCATION PROGRAMS APPROVED BY
26 THE BOARD:

27 (I) AN AREA TECHNICAL COLLEGE AS DEFINED IN SECTION

1 23-60-103 (1);

2 (II) A COMMUNITY COLLEGE INCLUDED IN THE STATE SYSTEM OF
3 COMMUNITY AND TECHNICAL COLLEGES PURSUANT TO SECTION
4 23-60-205;

5 (III) COLORADO MESA UNIVERSITY ESTABLISHED PURSUANT TO
6 SECTION 23-53-101; OR

7 (IV) A LOCAL DISTRICT COLLEGE AS DEFINED IN SECTION
8 23-71-102 (1)(a).

9 (c) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER
10 EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114.

11 (2) (a) FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL
12 ASSEMBLY SHALL APPROPRIATE TEN MILLION DOLLARS FROM THE
13 WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED
14 IN SECTION 24-75-231 (2)(a) TO THE DEPARTMENT FOR ALLOCATION BY
15 THE BOARD IN ACCORDANCE WITH THE PROGRAM APPROVAL PROCESS
16 IDENTIFIED IN SECTIONS 23-8-102 AND 23-60-202 TO CTE PROVIDERS TO
17 EXPAND EQUIPMENT, FACILITY, AND INSTRUCTION CAPACITY IN KEY
18 CAREER AND TECHNICAL EDUCATION JOB DEMAND AREAS AS IDENTIFIED
19 IN THE COLORADO TALENT REPORT.

20 (b) ANY MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (2)
21 THAT IS NOT EXPENDED OR ENCUMBERED AT THE END OF THE 2021-22
22 STATE FISCAL YEAR REMAINS AVAILABLE FOR EXPENDITURE IN
23 SUBSEQUENT FISCAL YEARS WITHOUT FURTHER APPROPRIATION, SUBJECT
24 TO THE REQUIREMENTS FOR OBLIGATING AND EXPENDING MONEY
25 RECEIVED UNDER THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021",
26 PUB.L. 117-2, AS THE ACT MAY BE SUBSEQUENTLY AMENDED, AS
27 SPECIFIED IN SECTION 24-75-226 (4)(d).

1 (3) THE BOARD SHALL COMPLY WITH THE REQUIREMENTS OF
2 SECTION 24-75-226 (4) AND (5) REGARDING THE OBLIGATION,
3 EXPENDITURE, AND TRACKING OF AND REPORTING ON THE USE OF ANY
4 MONEY APPROPRIATED TO THE DEPARTMENT AND ALLOCATED TO THE
5 BOARD PURSUANT TO THIS SECTION.

6 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

7 **SECTION 6.** In Colorado Revised Statutes, 22-5-106, **amend**
8 (1)(b) as follows:

9 **22-5-106. Financing, budgeting, and accounting.** (1) (b) A
10 board of cooperative services may finance all or a portion of the costs of
11 an approved career and technical education program from funds received
12 pursuant to PART 1 OF article 8 of title 23.

13 **SECTION 7.** In Colorado Revised Statutes, 22-32-118, **amend**
14 (2)(b) as follows:

15 **22-32-118. Summer schools - continuation, evening, and**
16 **community education programs.** (2) (b) In addition to the authority
17 granted to a board of education in ~~paragraph (a) of this subsection (2)~~
18 SUBSECTION (2)(a) OF THIS SECTION, a board may establish and maintain
19 community education programs in cooperation with any unit of local
20 government, quasi-governmental agency, institution of higher education,
21 or civic organization and may pay for such programs by a fee or tuition
22 charged or out of moneys of the school district. Attendance in community
23 education programs shall not be considered in computing pupil
24 enrollment under article 54 of this title and ~~articles 8 and 60~~ TITLE 22 AND
25 PART 1 OF ARTICLE 8 AND ARTICLE 60 of title 23. C.R.S.

26 **SECTION 8.** In Colorado Revised Statutes, 22-38-115, **amend**
27 (2) as follows:

1 **22-38-115. Funding.** (2) A pilot school may have access to any
2 public or private funding sources available for vocational training,
3 including any funds available pursuant to PART 1 OF article 8 of title 23.
4 C.R.S.

5 **SECTION 9.** In Colorado Revised Statutes, 22-54-107, **amend**
6 (3) as follows:

7 **22-54-107. Buy-out of categorical programs - total program**
8 **reserve fund levy.** (3) For purposes of this section, "categorical program
9 support funds that the district would otherwise be eligible to receive from
10 the state" means amounts that the district would have received from the
11 state but that will be received instead from property tax revenues by
12 reason of this section and includes funds pursuant to the "Exceptional
13 Children's Educational Act", article 20 of this title 22; funds pursuant to
14 the "English Language Proficiency Act", article 24 of this title 22;
15 transportation aid pursuant to article 51 of this title 22; small attendance
16 center aid pursuant to section 22-54-122; and career and technical
17 education aid pursuant to PART 1 OF article 8 of title 23. Funds received
18 by an administrative unit under the "Exceptional Children's Educational
19 Act", article 20 of this title 22, as reimbursement for services provided to
20 children counted in the pupil enrollment of a district are considered as
21 funds that a district would otherwise be eligible to receive for purposes
22 of this subsection (3).

23 **SECTION 10.** In Colorado Revised Statutes, 22-55-102, **amend**
24 the introductory portion and (4)(g) as follows:

25 **22-55-102. Definitions.** As used in this ~~article~~ ARTICLE 55, unless
26 the context otherwise requires:

27 (4) "Categorical programs" includes only the following programs:

1 (g) Career and technical education as described in PART 1 OF
2 article 8 of title 23; C.R.S.;

3 SECTION 11. In Colorado Revised Statutes, 23-8-102, amend
4 (1) introductory portion, (1)(a), and (4) as follows:

5 23-8-102. School districts, boards of cooperative services, and
6 institute charter schools conducting career and technical education
7 courses - eligibility for state money. (1) An education provider of the
8 state conducting a course of career and technical education approved
9 pursuant to section 23-8-103 by the board is entitled to career and
10 technical education program support from moneys MONEY appropriated
11 for that purpose by the general assembly. The amount of career and
12 technical education program support that an education provider is entitled
13 to receive pursuant to the provisions of this article THIS PART 1 shall be
14 computed as follows:

15 (a) The cost of providing the approved career and technical
16 education programs of the education provider shall be computed in
17 accordance with paragraph (c) of this subsection (1) SUBSECTION (1)(c)
18 OF THIS SECTION. The cost so computed shall be divided by the number of
19 full-time equivalent students to be served by the programs, and the result
20 shall be designated, for purposes of this article PART 1, as the education
21 provider's career and technical education program cost per full-time
22 equivalent student.

23 (4) Moneys MONEY made available under this article PART 1 shall
24 be distributed quarterly on the basis of the report of actual expenditures
25 furnished to the board by participating education providers at the end of
26 the previous fiscal year. As soon as practicable after July 1 of each year,
27 beginning in 1971, each participating education provider shall file with

1 the board a report of actual expenditures for all career and technical
2 education programs for which the education provider is eligible to receive
3 moneys MONEY pursuant to the provisions of this article THIS PART 1
4 during the preceding twelve-month period.

5 **SECTION 12.** In Colorado Revised Statutes, 23-8-103, amend
6 (3) and (4) as follows:

7 **23-8-103. Standards for eligibility for grants - rules.** (3) In
8 approving career and technical education programs and career and
9 technical education program support moneys MONEY under this article
10 PART 1, the board shall attempt to avoid unnecessary duplication in either
11 facilities or staffing for career and technical education in an education
12 provider or within an area of this state; and, where feasible, sharing of
13 facilities shall be required by the board.

14 (4) The board shall adopt such rules as may be necessary to
15 administer the provisions of this article THIS PART 1.

16 **SECTION 13.** In Colorado Revised Statutes, 23-8-104, amend
17 (2) introductory portion and (2)(e) as follows:

18 **23-8-104. Reports.** (2) Notwithstanding section 24-1-136
19 (11)(a)(I), on or before February 28, 2009, and on or before February 28
20 each year thereafter, the board shall submit a report to the joint budget
21 committee and to the education committees of the house of
22 representatives and the senate, or any successor committees, on the
23 implementation and results of programs funded pursuant to this article 8
24 PART 1, including:

25 (e) Other aspects of the programs that will enable the general
26 assembly to evaluate the results, cost effectiveness, and viability of the
27 approved programs and to determine whether or not this article PART 1

1 should be extended.

2 **SECTION 14.** In Colorado Revised Statutes, 23-60-306, **amend**
3 **(5)** as follows:

4 **23-60-306. Colorado customized training program - creation**
5 **- policy - functions of the state board for community colleges and**
6 **occupational education - report.** (5) ~~The provisions~~ PART 1 of article
7 8 of this title 23, concerning state assistance for career and technical
8 education program support, shall DOES not apply to the Colorado
9 customized training program.

10 **SECTION 15.** In Colorado Revised Statutes, 23-60-307, **amend**
11 **(6)** as follows:

12 **23-60-307. Colorado existing industry training program -**
13 **creation - policy - functions of the state board for community colleges**
14 **and occupational education.** (6) ~~The provisions~~ PART 1 of article 8 of
15 this title 23, concerning state assistance for career and technical education
16 program support, shall DOES not apply to the Colorado existing industry
17 training program.

18 **SECTION 16.** In Colorado Revised Statutes, 24-4-102, **amend**
19 the introductory portion and (3)(a) as follows:

20 **24-4-102. Definitions.** As used in this ~~article~~ ARTICLE 4, unless
21 the context otherwise requires:

22 (3) "Agency" means any board, bureau, commission, department,
23 institution, division, section, or officer of the state, except those in the
24 legislative branch or judicial branch and except:

25 (a) State educational institutions administered pursuant to title 23,
26 C.R.S., except PART 1 OF article 8, parts 2 and 3 of article 21, and parts 2
27 to 4 of article 31 of title 23; C.R.S.;

1 **SECTION 17.** In Colorado Revised Statutes, 24-32-703, **amend**
2 **(8)** as follows:

3 **24-32-703. Definitions.** As used in this part 7, unless the context
4 **otherwise requires:**

5 **(8)** "State agency" means any board, bureau, commission,
6 **department, institution, division, section, office, or officer of the state,**
7 **except those in the legislative branch or judicial branch and except state**
8 **educational institutions administered pursuant to title 23, C.R.S.,**
9 **excluding PART 1 OF article 8, parts 2 and 3 of article 21, and parts 2 to 4**
10 **of article 31 of title 23. C.R.S.**

11 **SECTION 18.** In Colorado Revised Statutes, 29-3.5-101, **amend**
12 **the introductory portion and (3)** as follows:

13 **29-3.5-101. Definitions.** As used in this ~~article~~ **ARTICLE 3.5,**
14 **unless the context otherwise requires:**

15 **(3)** "State agency" means any board, bureau, commission,
16 **department, institution, division, section, or officer of the state, except**
17 **those in the legislative branch or judicial branch and except state**
18 **educational institutions administered pursuant to title 23, C.R.S., except**
19 **PART 1 OF article 8, parts 2 and 3 of article 21, and parts 2 to 4 of article**
20 **31 of title 23. C.R.S.**

21 **SECTION 19. Appropriation.** **(1)** For the 2021-22 state fiscal
22 year, \$25,000,000 is appropriated to the department of labor and
23 employment for use by the Colorado work force development council.
24 This appropriation is from the workers, employers, and workforce centers
25 cash fund created in section 24-75-231 (2)(a), C.R.S., and of money the
26 state received from the federal coronavirus state fiscal recovery fund. To
27 implement this act, the council may use this appropriation for the

1 reskilling, upskilling, and next-skilling workers program.

2 (2) For the 2021-22 state fiscal year, \$35,000,000 is appropriated
3 to the department of labor and employment for use by the Colorado work
4 force development council. This appropriation is from the workers,
5 employers, and workforce centers cash fund created in section 24-75-231
6 (2)(a), C.R.S., and of money the state received from the federal
7 coronavirus state fiscal recovery fund. To implement this act, the council
8 may use this appropriation for "Work Force Innovation Act" programs
9 under part 6 of article 46.3 of title 24, C.R.S.

10 (3) For the 2021-22 state fiscal year, \$10,000,000 is appropriated
11 to the department of higher education. This appropriation is from the
12 workers, employers, and workforce centers cash fund created in section
13 24-75-231 (2)(a), C.R.S., and of money the state received from the federal
14 coronavirus state fiscal recovery fund. To implement this act, the
15 department may use this appropriation for career and technical education
16 equipment, facility, and instruction capacity funding.

17 (4) (a) For the 2021-22 state fiscal year, \$5,000,000 is
18 appropriated to the department of education. This appropriation is from
19 the workers, employers, and workforce centers cash fund created in
20 section 24-75-231 (2)(a), C.R.S., and of money the state received from
21 the federal coronavirus state fiscal recovery fund. To implement this act,
22 the department may use this appropriation for the adult education and
23 literacy grant program.

24 (b) Any money appropriated pursuant to subsection (4)(a) of this
25 section that is not expended or encumbered at the end of the 2021-22 state
26 fiscal year remains available for expenditure in subsequent fiscal years
27 without further appropriation.

1 **SECTION 20. Effective date.** This act takes effect upon passage;
2 except that sections 2 through 19 of this act take effect only if Senate Bill
3 21-288 becomes law and, in which case, sections 2 through 19 of this act
4 take effect either upon the effective date of this act or one day after the
5 passage of Senate Bill 21-288, whichever is later.

6 **SECTION 21. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety.