

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0296.01 Shelby Ross x4510

HOUSE BILL 22-1259

HOUSE SPONSORSHIP

Duran and Jodeh, Froelich, Lontine, Amabile, Bacon, Bernett, Bird, Boesenecker, Esgar, Exum, Gonzales-Gutierrez, Herod, Kipp, Lindsay, McCluskie, Michaelson Jenet, Mullica, Sirota, Titone, Valdez A.

SENATE SPONSORSHIP

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House Committees

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Appropriations

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A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE COLORADO WORKS PROGRAM,**
102 **AND, IN 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 allows the state board of human services (state board) to utilize eligibility processes from other public assistance or entitlement programs when promulgating rules for redetermining and verifying eligibility for the Colorado works program (works program).

When determining income requirements for the works program, the bill requires the department of human services (state department) to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
April 29, 2022

HOUSE
Amended 2nd Reading
April 28, 2022

use an income conversion ratio for converting weekly and biweekly income to a monthly amount using the lowest ratio or methodology that results in the lowest monthly income amount allowable under federal law.

Current law prohibits a person convicted of a drug-related felony offense from being eligible for assistance under the works program unless the person is determined by a county department of human or social services to have taken action toward rehabilitation. The bill removes the ban on eligibility.

The bill requires the state board to promulgate rules establishing statewide standards and procedures that require counties to offer an extension:

- Beyond the 60-month lifetime maximum for all households that demonstrate good cause, which includes an applicant or participant who is a child-only case, the head of a single parent household and has a child under one year of age, experiencing hardship, or addressing family or medical needs; and
- From work requirements to all households that demonstrate good cause, which includes for an applicant or participant who is the head of a single-parent household and has a child under one year of age, experiencing hardship, or addressing family or medical needs.

The bill requires the state department to annually review and promulgate rules as necessary to update the standard of need to ensure the standard of need is equitable, promotes economic mobility and self-sufficiency, and reflects the current economic status of the state.

The bill requires the state department to disregard any earned income for at least the first 6 months an applicant or participant is employed while enrolled in the works program. The bill requires that the state department determine the amount of earned income that must be disregarded after the first 6 months and ensure a gradual step down of the amount of earned income disregarded and that the appropriate work supports are made available to the applicant or participant.

Current law requires the state department to ensure the amount of a basic cash assistance grant that an applicant or participant receives is equal to or exceeds 102% of the need standard for a participant in a similarly sized household on January 1, 2008. By the 2027-28 state fiscal year, and each state fiscal year thereafter, the bill requires the amount of the basic cash assistance grant to equal or exceed 50% of the federal poverty guidelines established by the federal department of health and human services for a similarly sized household for that fiscal year.

No later than January 1, 2023, the bill requires the state department to begin phasing in the increase in basic cash assistance that is equal to or exceeds 50% of the federal poverty guidelines.

The bill requires a county department to attempt to contact each

participant using each method of communication provided by the participant in order to conduct exit and follow-up interviews upon case closure. The bill expands the purpose of the exit and follow-up interviews to include evaluating the participant's experience with the works program, how well the program met the participant's needs and assisted the participant in meeting the participant's goals, and informing the state department of any changes to rules that are needed to improve the participant's experience.

The bill requires the state department to monitor impacts to counties' workload in the works program and consult with counties regarding additional need for money to administer the works program.

Beginning January 2023, and each January thereafter, the state department is required to submit a report to the general assembly on the effectiveness of the works program.

Current law requires the state board to promulgate rules that require a percentage reduction in the basic cash assistance grant upon the imposition of a sanction affecting the grant, with the percentage to be specified in the rules but not to be less than 25%. The bill requires the percentage not to exceed one dollar.

No later than September 30, 2022, the bill requires the state department to develop an outreach and engagement plan to promote access to the works program for eligible persons.

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) "Temporary Assistance for Needy Families" (TANF), known
5 as the "Colorado Works Program" (works program), provides financial
6 assistance and work supports to families living far below the federal
7 poverty level. The works program should promote family safety, stability,
8 and self-sufficiency by assisting with job preparation and supporting
9 career goals and employment. As of fiscal year 2021-22, a parent with
10 two children must make less than \$421 per month in income to qualify for
11 a basic cash assistance grant under the works program. The COVID-19
12 pandemic brought unprecedented hardships and changes to both families
13 and the works program. Even before the COVID-19 pandemic, families

1 enrolled in the works program were facing the greatest barriers to
2 financial security and well-being.

3 (b) Families enrolled in the works program are eligible to receive
4 cash assistance to help meet the family's ongoing basic needs, such as
5 diapers, food, bus passes, and school supplies. Cash assistance payments
6 were not adequate at the start of the works program in 1996 and since
7 payments have not adjusted for inflation, cash assistance has eroded even
8 further and failed to keep up with the cost of living in Colorado. In 1996,
9 the amount of Colorado's cash assistance was 32.9% of the federal
10 poverty level, but by 2021 it had fallen to 27.8% with the maximum
11 amount of cash assistance for a parent with two children at \$508 per
12 month.

13 (c) Families can often face a "cliff effect" when the family
14 receives more income through employment or a raise and then abruptly
15 has its public assistance reduced or discontinued. Too often families are
16 left without supports right when they begin to get their feet underneath
17 them. Reducing the "cliff effect" will incentivize work, help parents stay
18 employed, and create a smoother off-ramp toward employment,
19 self-sufficiency, and economic security.

20 (d) Families can be better supported in the works program by
21 reducing punitive sanctions and overly burdensome work requirements.
22 While sanctions and work requirements are required by the federal
23 government, states have some discretion on how to administer those
24 requirements. Colorado has made some strides in easing these
25 requirements and can do more to be responsive to families' circumstances
26 and needs. Sanctions, or financial penalties that are issued when a
27 participant does not meet the work requirements of the works program,

1 are disproportionately applied to certain families, including families of
2 color, do not achieve the intended outcome of connecting families to
3 sustainable employment, and increase the administrative burden on case
4 managers and counties. Moreover, families who receive sanctions face
5 the most significant barriers to employment and economic security, such
6 as a child being hospitalized, domestic violence, lack of a vehicle, or less
7 work experience.

8 (e) Colorado receives federal TANF funds each year and the state
9 is permitted to retain a certain amount of unexpended funds for future use
10 in the event of an economic downturn or caseload growth. Colorado has
11 two sets of TANF reserves: A state TANF long-term reserve and a TANF
12 reserve in each county. Although there was severe economic downturn,
13 including historic unemployment, during the COVID-19 pandemic, the
14 amount of money in the reserves actually increased in Colorado. The
15 beginning fiscal year 2021-22 balance of all county TANF reserves was
16 \$61.2 million and the balance in the state TANF long-term reserve, which
17 has a mandatory floor of \$33 million, was \$76.2 million. In total, there
18 was more than \$137 million in TANF reserves in Colorado at the end of
19 the 2020-21 fiscal year.

20 (f) To support the economic recovery from the COVID-19
21 pandemic, the department of human services may receive additional
22 money to support subsidized training and employment. The money may
23 be used to support current Colorado works participants and individuals
24 who are eligible for short-term non-recurrent assistance and other
25 assistance, as defined by the state board of human services, whose income
26 does not exceed 200% of the federal poverty level.

27 (2) Therefore, the general assembly declares that Colorado must

1 prioritize strategies and investments to remove barriers to employment
2 and economic security for families and children experiencing extreme
3 poverty in the state. Colorado should ensure a basic cash assistance
4 amount sufficient enough to lift families out of extreme poverty and
5 ensure that it keeps with the rising cost of living; make improvements in
6 the way the works program serves families, including reducing the "cliff
7 effect"; elevate family voices in the works program; and improve
8 outreach and communication about the works program.

9 (3) The general assembly further finds and declares that the
10 increase in basic cash assistance grants and funding for subsidized
11 employment established in this act are critical government services.

12 **SECTION 2.** In Colorado Revised Statutes, 26-2-705, **amend**
13 (2)(a) and (2)(e) as follows:

14 **26-2-705. Works program - purposes.** (2) The purposes of the
15 works program are to:

16 (a) Assist participants ~~to terminate their dependence on~~
17 ~~government benefits~~ TOWARD SELF-SUFFICIENCY, ECONOMIC MOBILITY,
18 AND FAMILY SAFETY AND STABILITY by promoting job preparation, work,
19 and marriage;

20 (e) Develop strategies and policies that focus on SUPPORTING
21 PARTICIPANTS IN THE PARTICIPANTS' EMPLOYMENT AND CAREER GOALS,
22 REMOVING BARRIERS TO EMPLOYMENT FOR PARTICIPANTS, AND ensuring
23 that ~~participants are in work activities as soon as possible so that~~ the state
24 is able to meet ~~or exceed~~ work participation rates specified in the federal
25 law; and

26 **SECTION 3.** In Colorado Revised Statutes, 26-2-706, **amend** (3)
27 and (4); and **add** (2)(c) as follows:

1 **26-2-706. Target populations.** (2) (c) IN DETERMINING THE
2 INCOME REQUIREMENTS PURSUANT TO SUBSECTION (2)(a) OF THIS
3 SECTION, THE STATE DEPARTMENT SHALL USE AN INCOME CONVERSION
4 RATIO FOR CONVERTING WEEKLY AND BIWEEKLY INCOME TO A MONTHLY
5 AMOUNT USING THE LOWEST RATIO OR METHODOLOGY THAT RESULTS IN
6 THE LOWEST MONTHLY INCOME AMOUNT ALLOWABLE UNDER FEDERAL
7 LAW.

8 (3) A person convicted of a drug-related felony offense under the
9 laws of this state, any other state, or the federal government on or after
10 June 3, 1997, ~~shall not be~~ IS eligible for assistance under the works
11 program. ~~unless such person is determined by the county department to~~
12 ~~have taken action toward rehabilitation such as, but not limited to,~~
13 ~~participation in a drug treatment program.~~

14 (4) The state board shall promulgate rules to simplify the
15 requirements relating to determination and verification of eligibility
16 criteria. ELIGIBILITY PROCESSES FROM OTHER PUBLIC ASSISTANCE OR
17 ENTITLEMENT PROGRAMS MAY BE USED WHEN REDETERMINING AND
18 VERIFYING ELIGIBILITY. WHEN POSSIBLE, THE STATE BOARD IS STRONGLY
19 ENCOURAGED TO ALIGN REDETERMINATION AND VERIFICATION TIMELINES
20 WITH OTHER PUBLIC ASSISTANCE OR ENTITLEMENT PROGRAMS. Nothing in
21 this subsection (4) ~~shall authorize~~ AUTHORIZES the state board to amend
22 or delete eligibility criteria for participation in the works program that the
23 board is not otherwise authorized to amend or delete.

24 **SECTION 4.** In Colorado Revised Statutes, 26-2-706.5, **add** (4)
25 as follows:

26 **26-2-706.5. Restrictions on length of participation - rules.**

27 (4) THE STATE BOARD SHALL PROMULGATE RULES:

1 (a) ESTABLISHING STATEWIDE STANDARDS AND PROCEDURES THAT
2 REQUIRE COUNTIES TO OFFER EXTENSIONS BEYOND THE SIXTY-MONTH
3 LIFETIME MAXIMUM FOR ALL HOUSEHOLDS THAT DEMONSTRATE GOOD
4 CAUSE, WHICH INCLUDES, BUT IS NOT LIMITED TO, AN APPLICANT OR
5 PARTICIPANT WHO IS:

6 (I) A CHILD-ONLY CASE;

7 (II) THE HEAD OF A SINGLE PARENT HOUSEHOLD UNIT AND HAS A
8 CHILD UNDER ONE YEAR OF AGE; OR

9 (III) EXPERIENCING HARDSHIP, AS DEFINED IN RULES
10 PROMULGATED BY THE STATE BOARD; AND

11 [REDACTED]

12 (b) TO ADDRESS HOW THE STATE WILL MONITOR EXTENSIONS IN
13 RELATION TO REQUIREMENTS UNDER THE FEDERAL LAW.

14 **SECTION 5.** In Colorado Revised Statutes, 26-2-708, **add** (5.3)
15 as follows:

16 **26-2-708. Assistance - assessment - individual responsibility**
17 **contract - waivers for domestic violence - rules.** (5.3) (a) THE STATE
18 BOARD SHALL PROMULGATE RULES:

19 (I) ESTABLISHING STATEWIDE STANDARDS AND PROCEDURES THAT
20 REQUIRE COUNTIES TO INFORM AND NOT PENALIZE ANY APPLICANT OR
21 HOUSEHOLD THAT DEMONSTRATES GOOD CAUSE FOR AN EXEMPTION FROM
22 WORK REQUIREMENTS, WHICH INCLUDES, BUT IS NOT LIMITED TO, AN
23 APPLICANT OR PARTICIPANT WHO IS:

24 (A) THE HEAD OF A SINGLE-PARENT HOUSEHOLD UNIT AND HAS A
25 CHILD UNDER ONE YEAR OF AGE; OR

26 (B) EXPERIENCING HARDSHIP, AS DEFINED IN RULES PROMULGATED
27 BY THE STATE BOARD; AND

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(II) ENSURING EQUAL ACCESS TO TANF SERVICES FOR THOSE EXEMPTED WHO WISH TO PARTICIPATE ON A VOLUNTARY BASIS.

(b) WHEN PROMULGATING RULES PURSUANT TO THIS SUBSECTION (5.3), THE STATE BOARD SHALL CONSIDER COMPLIANCE WITH THE FEDERAL LAW IN RELATION TO THE CALCULATION OF THE STATE'S WORK PARTICIPATION RATES SPECIFIED IN THE FEDERAL LAW.

SECTION 6. In Colorado Revised Statutes, 26-2-709, **amend** (1)(a) introductory portion, (1)(a)(III), (1)(b), and (1.3) as follows:

26-2-709. Benefits - cash assistance - programs - rules - repeal.

(1) **Standard of need - basic cash assistance grant.** (a) The state department shall promulgate rules determining the standard of need for eligibility for a basic cash assistance grant, whether an applicant or participant meets the standard of need, and the amount of the basic cash assistance grant. THE STATE DEPARTMENT SHALL ANNUALLY REVIEW AND PROMULGATE RULES AS NECESSARY TO UPDATE THE STANDARD OF NEED TO ENSURE THE STANDARD OF NEED IS EQUITABLE, PROMOTES ECONOMIC MOBILITY AND SELF-SUFFICIENCY, AND REFLECTS THE CURRENT ECONOMIC SITUATIONS IN THE STATE. In addition to any other rules necessary for the implementation of this part 7, the state department's rules shall:

(III) Establish the calculation for determining the amount of an eligible applicant's or participant's basic cash assistance grant, which calculation ~~shall~~ MUST include an earned income disregard ~~which shall be~~ THAT IS applied to the gross countable earned income of an applicant or participant who is employed AND A GRADUAL STEP DOWN OF THE AMOUNT OF INCOME DISREGARDED FOLLOWING THE INITIAL EARNED INCOME DISREGARD. The INITIAL earned income disregard ~~shall~~ AND GRADUAL

1 STEP DOWN MUST promote work and self-sufficiency, BE RESPONSIVE TO
2 FAMILY CIRCUMSTANCES AND NEED, and shall benefit the applicant or
3 participant by reducing the unintended economic consequences of
4 becoming employed. The rules promulgated by the state department
5 pursuant to this subparagraph (III) shall SUBSECTION (1)(a)(III) MUST not
6 establish an earned income disregard that results in an applicant or
7 participant having fewer financial resources available to him or her THE
8 APPLICANT OR PARTICIPANT than a similarly situated applicant or
9 participant would have had under the earned income disregard pursuant
10 to section 26-2-709 as it existed on July 1, 2009; and

11 (b) (I) In establishing the calculation for determining the amount
12 of an eligible applicant's or participant's basic cash assistance grant, the
13 state department shall ensure that the amount of the basic cash assistance
14 grant that a participant or applicant receives ~~FOR THE STATE FISCAL~~
15 ~~YEAR COMMENCING JULY 1, 2022, is equal to or exceeds one hundred two~~
16 ~~percent of the need standard for a participant in a similarly sized~~
17 ~~household on January 1, 2008. The state department is encouraged to~~
18 ~~establish a calculation for determining the amount of a basic cash~~
19 ~~assistance grant that results in a basic cash assistance grant that is equal~~
20 ~~to or exceeds one hundred twelve percent of the need standard for a~~
21 ~~participant in a similarly sized household on January 1, 2008; ONE~~
22 ~~HUNDRED PERCENT OF THE AMOUNT OF BASIC CASH ASSISTANCE IN 2021,~~
23 ~~PLUS TEN PERCENT. FOR THE STATE FISCAL YEAR COMMENCING JULY 1,~~
24 ~~2023, AND EACH STATE FISCAL YEAR THEREAFTER, THE AMOUNT OF BASIC~~
25 ~~CASH ASSISTANCE MUST BE EQUAL TO OR EXCEED THE AMOUNT OF BASIC~~
26 ~~CASH ASSISTANCE FOR THE PREVIOUS STATE FISCAL YEAR PLUS A TWO~~
27 ~~PERCENT COST OF LIVING ADJUSTMENT OR A COST OF LIVING ADJUSTMENT~~

1 THAT IS EQUAL TO THE AVERAGE OF THE FEDERAL SOCIAL SECURITY
2 ADMINISTRATION'S COST OF LIVING ADJUSTMENT FOR THAT FISCAL YEAR
3 PLUS THE PREVIOUS TWO FISCAL YEARS, WHICHEVER IS GREATER.

4 (II) (A) ON JULY 1, 2022, THE STATE TREASURER SHALL TRANSFER
5 EIGHTEEN MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF
6 CASH FUND, CREATED IN SECTION 24-75-228, TO THE COLORADO
7 LONG-TERM WORKS RESERVE TO COVER ANY INCREASE IN BASIC CASH
8 ASSISTANCE PURSUANT TO THIS SECTION ABOVE THE AMOUNT OF BASIC
9 CASH ASSISTANCE IN STATE FISCAL YEAR 2021-22.

10 (B) THE MONEY TRANSFERRED PURSUANT TO SUBSECTION
11 (1)(b)(II)(A) OF THIS SECTION MUST BE EXPENDED NO LATER THAN
12 DECEMBER 30, 2026.

13 (C) THIS SUBSECTION (1)(b)(II) IS REPEALED, EFFECTIVE JULY 1,
14 2027.

15 (III) (A) BEGINNING STATE FISCAL YEAR 2023-24, AND EACH
16 STATE FISCAL YEAR THEREAFTER, THE STATE DEPARTMENT SHALL FIRST
17 EXPEND ANY MONEY REMAINING THAT IS TRANSFERRED TO THE
18 COLORADO LONG-TERM WORKS RESERVE PURSUANT TO SUBSECTION
19 (1)(b)(II) OF THIS SECTION AND THEN EXPEND MONEY IN EQUAL AMOUNTS
20 FROM THE STATE GENERAL FUND, THE UNCLAIMED PROPERTY TRUST FUND
21 CREATED IN SECTION 38-13-801, AND AVAILABLE TANF FUNDS, WHICH
22 MUST INCLUDE FUNDS IN THE COLORADO LONG-TERM WORKS RESERVE
23 AND THE TOTAL STATEWIDE COUNTY TANF RESERVE TO COVER ANY
24 INCREASE IN BASIC CASH ASSISTANCE ABOVE THE AMOUNT OF BASIC CASH
25 ASSISTANCE IN STATE FISCAL YEAR 2021-22. THE STATE DEPARTMENT AND
26 COUNTIES SHALL IDENTIFY AN EQUITABLE PORTION OF THE COLORADO
27 LONG-TERM WORKS RESERVE AND TOTAL STATEWIDE COUNTY TANF

1 RESERVE FOR THE IMPLEMENTATION OF THIS SUBSECTION (1)(b)(III)(A).

2 (B) IF THE TOTAL STATEWIDE COUNTY TANF RESERVE FALLS
3 BELOW FIFTEEN PERCENT OF THE COUNTY BLOCK GRANT AMOUNT, THE
4 GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM THE COLORADO
5 LONG-TERM WORKS RESERVE TO THE COUNTY BLOCK GRANT UNTIL THE
6 BALANCE OF THE TOTAL STATEWIDE COUNTY TANF RESERVE EXCEEDS
7 FIFTEEN PERCENT OF THE COUNTY BLOCK GRANT AMOUNT OR UNTIL THE
8 COLORADO LONG-TERM WORKS RESERVE FALLS BELOW TWENTY-FIVE
9 PERCENT OF THE STATE BLOCK GRANT AMOUNT.

10 (C) IF THE COLORADO LONG-TERM WORKS RESERVE FALLS BELOW
11 TWENTY-FIVE PERCENT OF THE STATE BLOCK GRANT AMOUNT AND THE
12 TOTAL STATEWIDE COUNTY TANF RESERVE EXCEEDS FIFTEEN PERCENT OF
13 THE COUNTY BLOCK GRANT AMOUNT, THE COUNTIES SHALL FUND THE
14 TANF PROGRAM FROM AVAILABLE TANF FUNDS UNTIL THE TOTAL
15 STATEWIDE COUNTY TANF RESERVE FALLS BELOW FIFTEEN PERCENT OF
16 THE COUNTY BLOCK GRANT AMOUNT. COUNTIES ARE ONLY REQUIRED TO
17 SPEND AVAILABLE TANF MONEY, INCLUDING COUNTY TANF RESERVES
18 AND THE MAINTENANCE OF EFFORT, FOR THE COLORADO WORKS
19 PROGRAM.

20 (IV) BEGINNING JANUARY 2023, AND EACH JANUARY
21 THEREAFTER, THE JOINT BUDGET COMMITTEE SHALL AT LEAST ANNUALLY
22 REVIEW THE BALANCE OF THE COLORADO LONG-TERM WORKS RESERVE
23 AND THE TOTAL STATEWIDE COUNTY TANF RESERVE, AND, IF THE JOINT
24 BUDGET COMMITTEE DETERMINES THAT THE BALANCE OF THE COLORADO
25 LONG-TERM WORKS RESERVE WILL FALL BELOW TWENTY-FIVE PERCENT OF
26 THE STATE BLOCK GRANT AMOUNT AND THE BALANCE OF THE TOTAL
27 STATEWIDE COUNTY TANF RESERVE WILL FALL BELOW FIFTEEN PERCENT

1 OF THE COUNTY BLOCK GRANT AMOUNT IN THE CURRENT OR NEXT STATE
2 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM
3 THE STATE GENERAL FUND OR THE UNCLAIMED PROPERTY TRUST FUND TO
4 COVER ANY INCREASE IN BASIC CASH ASSISTANCE ABOVE THE AMOUNT OF
5 BASIC CASH ASSISTANCE IN STATE FISCAL YEAR 2021-22 UNTIL THE
6 BALANCE OF THE COLORADO LONG-TERM WORKS RESERVE EXCEEDS
7 TWENTY-FIVE PERCENT OF THE STATE BLOCK GRANT AMOUNT AND THE
8 TOTAL STATEWIDE COUNTY TANF RESERVE EXCEEDS FIFTEEN PERCENT OF
9 THE COUNTY BLOCK GRANT AMOUNT.

10 (V) THE STATE DEPARTMENT AND A COUNTY DEPARTMENT THAT
11 RECEIVES MONEY FROM THE STATE DEPARTMENT PURSUANT TO THIS
12 SECTION SHALL COMPLY WITH THE COMPLIANCE, REPORTING,
13 RECORD-KEEPING, AND PROGRAM EVALUATION REQUIREMENTS
14 ESTABLISHED BY THE OFFICE OF STATE PLANNING AND BUDGETING AND
15 THE STATE CONTROLLER IN ACCORDANCE WITH SECTION 24-75-226 (5).

16 (1.3) **Redetermination of eligibility for persons receiving cash**
17 **assistance.** The STATE BOARD SHALL PROMULGATE RULES THAT REQUIRE
18 county ~~department shall~~ DEPARTMENTS TO perform ~~an annual~~ A
19 redetermination of eligibility for all assistance units receiving cash
20 assistance. ELIGIBILITY PROCESSES FROM OTHER PUBLIC ASSISTANCE OR
21 ENTITLEMENT PROGRAMS MAY BE USED WHEN REDETERMINING
22 ELIGIBILITY. WHEN POSSIBLE, THE STATE BOARD IS STRONGLY
23 ENCOURAGED TO ALIGN REDETERMINATION TIMELINES WITH OTHER
24 PUBLIC ASSISTANCE OR ENTITLEMENT PROGRAMS.

25 **SECTION 7.** In Colorado Revised Statutes, **amend** 26-2-709.5
26 as follows:

27 **26-2-709.5. Exit interviews and follow-up interviews of**

1 **participants.** (1) In order to follow the legislative intent declared in
2 section 26-2-702 (1)(a), a county department is strongly encouraged to
3 CONTACT EACH PARTICIPANT USING EACH METHOD OF COMMUNICATION
4 PROVIDED BY THE PARTICIPANT IN ORDER TO conduct exit and follow-up
5 interviews upon case closure, either in person or by telephone, ~~with all~~
6 ~~participants of the Colorado works program,~~ including participants who
7 are or have been receiving short-term assistance payments pursuant to
8 section 26-2-706.6. The interviews shall be CONDUCTED IN ACCORDANCE
9 WITH STATE DEPARTMENT GUIDANCE for the purpose of:

10 (a) EVALUATING THE PARTICIPANT'S EXPERIENCE WITH THE WORKS
11 PROGRAM;

12 (b) EVALUATING HOW WELL THE WORKS PROGRAM MET THE
13 PARTICIPANT'S NEEDS AND ASSISTED THE PARTICIPANT IN MEETING THE
14 PARTICIPANT'S GOALS;

15 (c) INFORMING THE STATE DEPARTMENT OF ANY CHANGES TO
16 RULES THAT ARE NEEDED TO IMPROVE THE PARTICIPANT'S EXPERIENCE;
17 AND

18 (d) Providing information to the participant and offering
19 assistance with applications for or continuance of assistance under
20 medicaid, food stamps, the Colorado child care assistance program, the
21 earned income tax credit, or other programs such as welfare-to-work or
22 other county benefits or services.

23 (2) ~~Repealed.~~ IF THE STATE DEPARTMENT, IN CONSULTATION
24 WITH COUNTIES, IDENTIFIES ADDITIONAL NEED FOR FUNDING TO
25 ADMINISTER THE WORKS PROGRAM, THE STATE DEPARTMENT IS STRONGLY
26 ENCOURAGED TO REQUEST STATE GENERAL FUND MONEY OR, IF THE
27 BALANCE OF THE STATE TANF RESERVE IS GREATER THAN THE

1 MANDATORY FLOOR, APPROPRIATE ADDITIONAL STATE TANF MONEY TO
2 FUND COUNTIES' ADMINISTRATION OF THE WORKS PROGRAM.

3 (3) BEGINNING JANUARY 2023, AND EACH JANUARY THEREAFTER,
4 THE STATE DEPARTMENT SHALL SUBMIT A REPORT TO THE HOUSE OF
5 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
6 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES
7 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AS PART OF ITS "STATE
8 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
9 (SMART) GOVERNMENT ACT" PRESENTATION REQUIRED BY SECTION
10 2-7-203, ON THE EFFECTIVENESS OF THE WORKS PROGRAM. TO THE
11 EXTENT PRACTICABLE, THE STATE DEPARTMENT MAY REQUEST A COUNTY
12 DEPARTMENT TO PROVIDE ANY INFORMATION AND DATA THAT MAY BE
13 NECESSARY TO DEVELOP THE REPORT, INCLUDING INFORMATION AND DATA
14 FROM EXIT INTERVIEWS CONDUCTED BY THE COUNTY DEPARTMENTS
15 PURSUANT TO SUBSECTION (1) OF THIS SECTION. ANY DATA USED MUST
16 PROTECT PERSONAL IDENTIFYING INFORMATION OF THE PARTICIPANTS AND
17 THE PARTICIPANTS' FAMILY MEMBERS. AT A MINIMUM, THE REPORT MUST
18 INCLUDE:

19 (a) THE TOTAL NUMBER OF PARTICIPANTS ENROLLED IN THE
20 WORKS PROGRAM IN THE PREVIOUS FISCAL YEAR, DISAGGREGATED BY
21 CASE TYPE, RACE, AND ETHNICITY;

22 (b) THE TOTAL NUMBER OF PARTICIPANTS WHO EXITED AND
23 RE-ENROLLED IN THE WORKS PROGRAM ONE OR MORE TIMES IN THE
24 PREVIOUS FISCAL YEAR, DISAGGREGATED BY CASE TYPE, RACE, AND
25 ETHNICITY;

26 (c) THE TOTAL NUMBER OF INSTANCES A PARTICIPANT EXITED AND
27 RE-ENROLLED IN THE WORKS PROGRAM ONE OR MORE TIMES IN THE

1 PREVIOUS FISCAL YEAR, DISAGGREGATED BY CASE TYPE, RACE, AND
2 ETHNICITY;

3 (d) THE TOTAL NUMBER OF MONTHS EACH PARTICIPANT REMAINED
4 ENROLLED IN THE WORKS PROGRAM IN THE PREVIOUS FISCAL YEAR,
5 DISAGGREGATED BY CASE TYPE, RACE, AND ETHNICITY; AND

6 (e) TO THE EXTENT PRACTICABLE, DATA GATHERED THROUGH
7 SURVEYS AND EXIT INTERVIEWS WITH PARTICIPANTS IN THE WORKS
8 PROGRAM REGARDING PARTICIPANTS' EXPERIENCE WITH THE PROGRAM,
9 BELIEFS ABOUT THE GOALS OF THE PROGRAM, PERCEPTIONS OF HOW
10 PARTICIPATION IN THE PROGRAM CONTRIBUTED TO THE FAMILY GOALS,
11 REASONS FOR LEAVING THE PROGRAM, CURRENT EMPLOYMENT STATUS
12 AND WAGE RATE, AND SUPPORTIVE SERVICES PROVIDED AND WHETHER
13 THOSE SERVICES HAVE BEEN IMPACTED BY INCREASES IN BASIC CASH
14 ASSISTANCE.

15 (4) THE STATE DEPARTMENT MAY REVIEW AND CONSIDER
16 INFORMATION TECHNOLOGY SOLUTIONS FOR THE IMPLEMENTATION OF
17 THIS SECTION.

18 **SECTION 8.** In Colorado Revised Statutes, 26-2-711, **amend**
19 (1)(a) introductory portion, (1)(a)(II), and (1)(a)(III) as follows:

20 **26-2-711. Works program - sanctions against participants -**
21 **rules.** (1) (a) The state board shall promulgate rules for the imposition of
22 sanctions affecting the basic cash assistance grant as described in section
23 26-2-709 (1). The rules ~~shall~~ MUST require:

24 (II) A ~~percentage~~ reduction in the basic CASH assistance grant
25 upon the first imposition of a sanction affecting ~~such~~ A basic CASH
26 assistance grant, with the ~~percentage~~ AMOUNT to be specified in the rules
27 but not ~~less than twenty-five percent~~ TO EXCEED ONE DOLLAR;

1 (III) Specific reductions in the basic CASH assistance grant for
2 second and subsequent sanctions affecting the basic CASH assistance
3 grant;

4 **SECTION 9. In Colorado Revised Statutes, 26-2-714, amend (2);**
5 **and add (11) as follows:**

6 **26-2-714. County block grants formula - use of moneys - rules.**

7 **(2) Subject to available appropriations, in state fiscal year 2009-10 and**
8 **in each fiscal year thereafter, the state department, with input from the**
9 **works allocation committee, shall set the amount of the county block**
10 **grants based on demographic and economic factors within the counties,**
11 **INCLUDING THE AMOUNT A COUNTY SPENDS ON BASIC CASH ASSISTANCE**
12 **GRANTS AND THE COUNTY'S TANF RESERVE BALANCE.**

13 **(11) THE WORKS ALLOCATION COMMITTEE SHALL:**

14 **(a) REVIEW, AT LEAST QUARTERLY, THE BALANCE OF THE**
15 **COLORADO LONG-TERM WORKS RESERVE, THE BALANCE OF THE TOTAL**
16 **STATEWIDE COUNTY TANF RESERVE, AND THE AMOUNT OF BASIC CASH**
17 **ASSISTANCE GRANTS PROVIDED TO PARTICIPANTS TO MONITOR WHETHER**
18 **THE BALANCE OF THE COLORADO LONG-TERM WORKS RESERVE WILL FALL**
19 **BELOW TWENTY-FIVE PERCENT OF THE STATE BLOCK GRANT AMOUNT, AND**
20 **WHETHER THE BALANCE OF THE TOTAL STATEWIDE COUNTY TANF**
21 **RESERVE WILL FALL BELOW FIFTEEN PERCENT OF THE COUNTY BLOCK**
22 **GRANT AMOUNT;**

23 **(b) SUBMIT A WRITTEN REPORT TO THE JOINT BUDGET COMMITTEE**
24 **DETAILING THE CURRENT COLORADO LONG-TERM WORKS RESERVE LEVEL,**
25 **THE TOTAL STATEWIDE COUNTY TANF RESERVE LEVEL AS A WHOLE AND**
26 **BY COUNTY, AND ANY PROJECTIONS REGARDING DEFICITS IN THE**
27 **RESERVES; AND**

1 (c) ESTABLISH A MITIGATION FUND FOR COUNTIES WHOSE TANF
2 RESERVES FALL BELOW FIFTEEN PERCENT OF THE COUNTY'S BLOCK GRANT
3 AMOUNT.

4 **SECTION 10.** In Colorado Revised Statutes, 26-2-720.5, **amend**
5 **(3)** as follows:

6 **26-2-720.5. County block grant support fund - created.**

7 **(3) (a)** A county that meets the criteria established by the state
8 department and the works allocation committee pursuant to subsection (2)
9 of this section may request ~~moneys~~ MONEY from the county block grant
10 support fund. Priority shall be given to any county that exhausts all
11 ~~moneys~~ MONEY available in the county's block grant for the Colorado
12 works program for that fiscal year.

13 **(b)** A COUNTY THAT IS PROJECTED TO EXHAUST ALL MONEY
14 AVAILABLE IN THE COUNTY'S TANF RESERVE AND FACES A LOCAL OR
15 STATEWIDE NATURAL DISASTER OR OTHER EMERGENCY MAY REQUEST
16 MONEY FROM THE COUNTY BLOCK GRANT SUPPORT FUND. THE STATE
17 DEPARTMENT, WITH INPUT FROM THE WORKS ALLOCATION COMMITTEE,
18 SHALL DEVELOP CRITERIA AND PROCEDURES TO INCLUDE USE OF THE FUND
19 IN CIRCUMSTANCES OF A NATURAL DISASTER OR OTHER EMERGENCY.

20 **SECTION 11.** In Colorado Revised Statutes, **add** 26-2-725 as
21 follows:

22 **26-2-725. Outreach and engagement plan - family voice**

23 **participation.** (1) NO LATER THAN SEPTEMBER 30, 2022, THE STATE
24 DEPARTMENT SHALL DEVELOP AN OUTREACH AND ENGAGEMENT PLAN TO
25 PROMOTE ACCESS TO THE COLORADO WORKS PROGRAM FOR ELIGIBLE
26 PERSONS.

27 (2) THE STATE DEPARTMENT SHALL PARTNER WITH COUNTIES AND

1 NONPROFIT ORGANIZATIONS WHEN DEVELOPING AND IMPLEMENTING THE
2 OUTREACH AND ENGAGEMENT PLAN AND SHALL INCORPORATE FEEDBACK
3 FROM CURRENT AND FORMER PARTICIPANTS TO ENSURE PARTICIPANTS ARE
4 INFLUENTIAL STAKEHOLDERS IN THE PROCESS.

5 (3) AT A MINIMUM, THE OUTREACH AND ENGAGEMENT PLAN MUST
6 INCLUDE SPECIFIC STRATEGIES FOR:

7 (a) OUTREACH TO MONOLINGUAL, NON-ENGLISH SPEAKING
8 COMMUNITIES AND FAMILIES, INCLUDING A LINGUISTICALLY DIVERSE
9 WEBSITE AND TRANSLATION OF OTHER MATERIALS THAT INCLUDE
10 INFORMATION ABOUT THE WORKS PROGRAM IN THE SEVEN MOST COMMON
11 LANGUAGES SPOKEN IN EACH COUNTY OF THE STATE;

12 [REDACTED]

13 (b) DEVELOPING CULTURALLY APPROPRIATE MESSAGING;

14 (c) SHARING INFORMATION ABOUT THE SERVICES AND SUPPORTS
15 AVAILABLE AND PARTICIPANTS' RIGHTS AND RESPONSIBILITIES UNDER THE
16 WORKS PROGRAM;

17 (d) HOW TO APPEAL IF REDETERMINATION IS DENIED;

18 (e) CONFIDENTIALITY PROTECTIONS FOR APPLICANTS AND
19 PARTICIPANTS; AND

20 (f) OUTREACH THROUGH A VARIETY OF SETTINGS, INCLUDING BUT
21 NOT LIMITED TO SOCIAL MEDIA, SCHOOLS, CHILD CARE CENTERS, FOOD
22 BANKS, LIBRARIES, FEDERALLY QUALIFIED HEALTH CENTERS, HOME
23 VISITING PROGRAMS, MOBILE HOME PARKS, HEAD START AND EARLY HEAD
24 START CENTERS, AND MOBILE SITES.

25 (4) THE STATE DEPARTMENT SHALL:

26 (a) REQUIRE THAT COUNTY STAFF WORKING WITH APPLICANTS AND
27 PARTICIPANTS RECEIVE COMPREHENSIVE TRAINING REGARDING THE

1 WORKS PROGRAM. THE TRAINING MUST INCLUDE TRAUMA-INFORMED
2 APPROACHES TO INTERACTING WITH PARTICIPANTS, CONSISTENCY IN
3 COMMUNICATING INFORMATION ABOUT CHILD CARE ACCESS AND
4 ASSISTANCE, THE ALIGNMENT OF A PARTICIPANT'S WORK REQUIREMENTS
5 WITH CHILD CARE ACCESS AND FAMILY MEDICAL NEEDS, THE FULL SCOPE
6 OF OPTIONS FOR THE PARTICIPANT TO MEET WORK AND EDUCATION
7 REQUIREMENTS IN ALIGNMENT WITH THE PARTICIPANT'S GOALS, AND THE
8 AVAILABILITY OF SUPPORT SERVICES FOR FAMILIES.

9 [REDACTED]

10 (b) DEVELOP TOOLKITS, MANUALS, AND OTHER MATERIALS FOR
11 COUNTY STAFF, APPLICANTS, AND PARTICIPANTS THAT INCLUDE
12 INFORMATION ABOUT CHILD CARE ACCESS AND ASSISTANCE, THE
13 ALIGNMENT OF A PARTICIPANT'S WORK REQUIREMENTS WITH CHILD CARE
14 ACCESS, THE FULL SCOPE OF OPTIONS FOR THE PARTICIPANT TO MEET
15 WORK AND EDUCATION REQUIREMENTS IN ALIGNMENT WITH THE
16 PARTICIPANT'S GOALS, AND THE AVAILABILITY OF SUPPORT SERVICES FOR
17 FAMILIES;

18 (c) PARTNER WITH COUNTIES, NONPROFIT ORGANIZATIONS, AND
19 PARTICIPANTS TO DEVELOP CULTURALLY AND LINGUISTICALLY
20 APPROPRIATE MESSAGING AND ENSURE THAT APPLICANTS AND
21 PARTICIPANTS HAVE ACCESS TO SUFFICIENT SUPPORTS AND
22 COMMUNICATION IN THE SEVEN MOST COMMON LANGUAGES SPOKEN IN
23 EACH COUNTY OF THE STATE, OR, IN THE INSTANCE OF A MONOLINGUAL
24 SPEAKER OF A LANGUAGE OTHER THAN THE SEVEN MOST COMMON
25 LANGUAGES, USE BEST EFFORTS TO PROVIDE SUPPORTS AND
26 COMMUNICATION IN THE LANGUAGE SPOKEN BY THE INDIVIDUAL;

27 (d) ENSURE ADEQUATE AND MEANINGFUL REPRESENTATION BY,

1 FEEDBACK FROM, OR ENGAGEMENT WITH CURRENT AND FORMER
2 PARTICIPANTS WHEN MAKING DECISIONS AND RECOMMENDATIONS
3 REGARDING THE WORKS PROGRAM, INCLUDING DURING ANY RULE-MAKING
4 OR REGULATORY PROCESS AND OTHER POLICY CHANGES THAT IMPACT
5 RECIPIENTS. TO THE EXTENT POSSIBLE, THE STATE DEPARTMENT SHALL
6 ENSURE THAT PARTICIPANTS INVOLVED PURSUANT TO THIS SUBSECTION
7 (4)(d) ARE DIVERSE WITH REGARD TO RACE, ETHNICITY, AGE, ABILITY,
8 SEXUAL ORIENTATION, GENDER IDENTITY, AND GEOGRAPHY AND THAT
9 PARTICIPANT FEEDBACK HAS A GENUINE OPPORTUNITY TO INFLUENCE
10 SUBSTANTIAL CHANGES TO THE WORKS PROGRAM. THE STATE
11 DEPARTMENT MAY UTILIZE ANY ESTABLISHED COUNCILS AT THE STATE
12 AND LOCAL LEVEL THAT HAVE CURRENT AND FORMER PARTICIPANTS
13 REPRESENTED OR APPOINTED TO COMPLY WITH THE REQUIREMENTS OF
14 THIS SUBSECTION (4)(d). TO THE EXTENT POSSIBLE, THE STATE
15 DEPARTMENT SHALL CONSIDER REIMBURSING PARTICIPANTS INVOLVED
16 PURSUANT TO THIS SUBSECTION (4)(d) FOR TRAVEL EXPENSES AND
17 ATTENDANT AND DEPENDENT CARE.

18 (5) BEGINNING JANUARY 2023, AND EACH JANUARY THEREAFTER,
19 THE STATE DEPARTMENT SHALL INCLUDE INFORMATION ON THE
20 IMPLEMENTATION OF THE REQUIREMENTS IN THIS SECTION IN ITS REPORT
21 TO THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH
22 AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
23 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AS PART OF ITS
24 "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND
25 TRANSPARENT (SMART) GOVERNMENT ACT" PRESENTATION REQUIRED
26 BY SECTION 2-7-203.

27 (6) THE STATE DEPARTMENT MAY REVIEW AND CONSIDER

1 INFORMATION TECHNOLOGY SOLUTIONS FOR THE IMPLEMENTATION OF
2 THIS SECTION.

3 **SECTION 12. Appropriation.** For the 2022-23 state fiscal year,
4 \$7,000,000 is appropriated to the department of human services for use
5 by the office of economic security. This appropriation is from the
6 economic recovery and relief cash fund created in section 24-75-228,
7 C.R.S., and is of money the state received from the federal coronavirus
8 state fiscal recovery fund. To implement this act, the office may use this
9 appropriation for the employment opportunities with wages program. Any
10 money appropriated in this section not expended prior to July 1, 2023, is
11 further appropriated to the office from July 1, 2023, through December
12 30, 2024, for the same purpose.

13 **SECTION 13. Appropriation.** (1) For the 2022-23 state fiscal
14 year, \$12,824,070 is appropriated to the department of human services.
15 This appropriation is from the Colorado long-term works reserve created
16 in section 26-2-721 (1), C.R.S. To implement this act, the department may
17 use this appropriation as follows:

18 (a) \$382,903 for use by the office of economic security for
19 administration related to the employment and benefits division, which
20 amount is based on an assumption that the division will require an
21 additional 5.0 FTE;

22 (b) \$11,374,767 for use by the office of economic security for
23 county block grants; and

24 (c) \$1,066,400 for use by the office of economic security for
25 operating and contract expenses related to the Colorado benefits
26 management system.

27 (2) For the 2022-23 state fiscal year, \$1,066,400 is appropriated

1 to the office of the governor for use by the office of information
2 technology. This appropriation is from reappropriated funds received
3 from the department of human services under subsection (1)(c) of this
4 section. To implement this act, the office may use this appropriation to
5 provide information technology services for the department of human
6 services.

7 **SECTION 14. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety.