

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 23-121

BY SENATOR(S) Zenzinger, Bridges, Kirkmeyer;
also REPRESENTATIVE(S) Bird, Sirota, Bockenfeld, English, Herod,
Joseph, Lieder, Lindsay, Michaelson Jenet, Ricks, Snyder, Velasco,
McCluskie.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF
LABOR AND EMPLOYMENT.

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

SECTION 1. Appropriation to the department of labor and employment for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, section 2 of chapter 507, (HB 22-1329), **amend** Part X and the affected totals, as Part X (1) and the affected totals are amended by section 12 of chapter 170, (HB 22-1133), as follows:

Section 2. Appropriation.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART X
DEPARTMENT OF LABOR AND EMPLOYMENT**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	10,769,545
	(111.7 FTE)
Health, Life, and Dental	17,250,695
Short-term Disability	151,717
S.B. 04-257 Amortization Equalization Disbursement	4,788,588
S.B. 06-235 Supplemental Amortization Equalization Disbursement	4,788,588
Salary Survey	4,456,591
PERA Direct Distribution	2,058,182
Shift Differential	15,066
Temporary Employees Related to Authorized Leave	371,656
Workers' Compensation	588,134
Operating Expenses	1,895,558
Legal Services	903,407
Payment to Risk Management and Property Funds	354,924
Vehicle Lease Payments	209,850
Leased Space	7,241,200
Capitol Complex Leased Space	40,488

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	
	\$	\$	\$	\$	\$	\$	\$	
Payments to OIT	20,854,463 18,991,901							
CORE Operations	430,413							
Utilities	260,309							
Information Technology								
Asset Maintenance	218,626							
Statewide Indirect Cost								
Assessment	1,125,851							
Appropriation to the Immigration Legal Defense Fund	348,653 (0.1 FTE)							
State Apprenticeship Agency	752,085 (8.0 FTE)							
Office of New Americans	195,783 (1.3 FTE)							
		<u>80,070,372</u>	<u>9,016,225</u>		<u>34,620,037^a</u>	<u>1,126,099^b</u>	<u>35,308,011(I)</u>	
		78,207,810	8,561,201		33,795,295 ^a	1,109,522 ^b	34,741,792(I)	

^a Of this amount, an estimated ~~\$15,308,348~~ \$15,056,081 shall be from the Employment Support Fund created in Section 8-77-109 (1)(b)(I), C.R.S., ~~\$7,700,115~~ \$7,568,018 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7)(a), C.R.S., ~~\$2,623,971~~ \$2,581,879 shall be from the Petroleum Storage Tank Fund created in Section 8-20.5-103 (1), C.R.S., ~~\$1,269,157~~ \$1,238,338 shall be from the Unemployment Revenue Fund created in Section 8-77-106 (1), C.R.S., ~~\$781,542~~ \$529,275 shall be from the Family and Medical Leave Insurance Fund created in Section 8-13.3-518 (1), C.R.S., ~~\$526,427~~ \$516,316 shall be from the Boiler Inspection Fund created in Section 9-4-109 (4), C.R.S., ~~\$358,617~~ \$351,354 shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1)(a), C.R.S., ~~\$263,160~~ \$255,319 shall be from the Subsequent Injury Fund created in Section 8-46-101 (1)(b)(I), C.R.S., \$64,340 shall be from the Wage Theft Enforcement Fund created in Section 8-4-113 (3)(a), C.R.S., \$56,290 shall be from the COVID Heroes Collaboration Fund created in Section 24-50-104 (1)(k), C.R.S., and ~~\$5,668,070~~ \$5,578,085 shall be from various sources of cash funds. Of the amount from the Major Medical Insurance Fund, \$11,354(I) is for Legal Services and is included for informational purposes only because money in the Major Medical Insurance Fund is continuously appropriated for payment of legal fees pursuant to Section 8-46-202 (1)(c), C.R.S. Of the amount from the Subsequent Injury Fund, \$8,313(I) is for Legal Services and is included for informational purposes only because money in the Subsequent Injury Fund is continuously appropriated for payment of legal fees pursuant to Section 8-46-101 (4)(b), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<p>^b Of this amount, \$1,124,215 \$1,107,638 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S. and \$1,884 shall be from the Mobile Sources Local Grants line item and the Stationary Sources Local Contracts line item in the Department of Public Health and Environment.</p>						
(2) DIVISION OF UNEMPLOYMENT INSURANCE						
Program Costs	73,046,105 (484.7 FTE)			13,168,203 ^a		59,877,902(I)
<p>^a Of this amount, it is estimated that \$9,840,851 shall be from the Employment Support Fund created in Section 8-77-109 (1)(b)(I), C.R.S., \$3,126,628 shall be from the Unemployment Revenue Fund created in Section 8-77-106 (1), C.R.S., and \$200,724 shall be from various sources of cash funds.</p>						
(3) DIVISION OF EMPLOYMENT AND TRAINING						
State Operations and Program Costs	7,024,010	101,055 (1.4 FTE)		3,399,763 ^a (93.4 FTE)		3,523,192(I) (15.3 FTE)
One-stop Workforce Center Contracts	20,844,306			9,897,639 ^a		10,946,667(I) (36.0 FTE)
Trade Adjustment Act Assistance	2,000,000					2,000,000(I)
Workforce Innovation and Opportunity Act	26,534,005					26,534,005(I) (51.2 FTE)
Workforce Development Council	1,553,075 (12.5 FTE)	1,005,752		20,632 ^a	526,691 ^b	
Workforce Improvement Grants	1,000,000					1,000,000(I)
Veterans Service-to-Career Program	500,000			500,000 ^c		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Hospitality Education Grant Program	414,105		414,105				
			(0.5 FTE)				
Just Transition Office	377,724		377,724				
			(3.5 FTE)				
	<u> </u>	60,247,225					

^a Of these amounts, \$13,082,594 shall be from the Employment Support Fund created in Section 8-77-109 (1)(b)(I), C.R.S., \$89,145 shall be from the SPARC Program Fund created in Section 24-46.3-505 (1) C.R.S., and \$146,295 shall be from various sources of cash funds.

^b This amount shall be from a portion of the federal administrative money available to mandatory and additional one-stop partners, pursuant to Section 24-46.3-101 (8), C.R.S., and includes amounts transferred from the Workforce Innovation and Opportunity Act line item in this department to the Community Services Block Grant line item in the Department of Local Affairs, the Workforce Development Council line item from the Temporary Assistance for Needy Families Block Grant in the Department of Human Services, and the Appropriated Sponsored Programs line item in the Department of Education.

^c This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

(4) DIVISION OF LABOR STANDARDS AND STATISTICS

(A) Labor Standards

Program Costs	4,656,279		1,365,743		3,290,536 ^a	
	(52.1 FTE)					
	<u>4,656,279</u>					

^a Of this amount, \$3,000,885 shall be from the Employment Support Fund created in Section 8-77-109 (1)(b)(I), C.R.S. and \$289,651 shall be from the Wage Theft Enforcement Fund created in created in Section 8-4-113 (3)(a), C.R.S.

(B) Labor Market Information

Program Costs	3,420,154					3,420,154(I)
	<u> </u>	8,076,433				(30.3 FTE)

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(5) DIVISION OF OIL AND PUBLIC SAFETY							
Personal Services	5,721,749				5,138,031 ^a (68.0 FTE)	19,318 ^b	564,400(I)
Operating Expenses	791,333				646,312 ^a		145,021(I)
Underground Damage Prevention Safety Commission	128,602		108,602 (1.5 FTE)		20,000 ^a		
	<u> </u>	6,641,684					

^a Of these amounts, \$3,482,997 shall be from the Petroleum Storage Tank Fund created in Section 8-20.5-103 (1), C.R.S., \$1,166,609 shall be from the Boiler Inspection Fund created in Section 9-4-109 (4), C.R.S., \$635,843 shall be from the Conveyance Safety Fund created in Section 9-5.5-111 (2)(b) C.R.S., \$20,000 shall be from the Damage Prevention Fund created in Section 9-1.5-104.7 (1), C.R.S., and \$498,894 shall be from various sources of cash funds.

^b This amount shall be from the Mobile Sources Local Grants line item and the Stationary Sources Local Contracts line item in the Department of Public Health and Environment.

(6) DIVISION OF WORKERS' COMPENSATION

(A) Workers' Compensation

Personal Services	8,149,172				8,149,172 ^a (95.0 FTE)		
Operating Expenses	659,145				659,145 ^a		
Administrative Law Judge Services	4,089,852				4,089,852 ^a		
Physicians Accreditation	120,000				120,000(I) ^b		
Utilization Review	35,000				35,000(I) ^c		
Immediate Payment	1,000				1,000(I) ^d		
	<u> </u>	13,054,169					

^a Of these amounts, \$12,288,514 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7)(a), C.R.S., and \$609,655 shall be from various sources of cash funds.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b This amount shall be from the Physicians Accreditation Program Cash Fund created in Section 8-42-101 (3.6)(l), C.R.S. Money in the Physicians Accreditation Program Cash Fund is continuously appropriated pursuant to Section 8-42-101 (3.6)(l), C.R.S., and is included for informational purposes only.

^c This amount shall be from the Utilization Review Cash Fund created in Section 8-43-501 (2)(a), C.R.S. Money in the Utilization Review Cash Fund is continuously appropriated, pursuant to Section 8-43-501 (2)(a), C.R.S., and is included for informational purposes only.

^d This amount shall be from the Immediate Payment Fund created in Section 8-44-206 (3)(b)(I), C.R.S. Money in the Immediate Payment Fund is continuously appropriated pursuant to Section 8-44-206 (3)(b)(I), C.R.S., and is included for informational purposes only.

(B) Major Medical Insurance and Subsequent Injury Funds

Personal Services	1,470,992			1,470,992 ^a		
				(16.0 FTE)		
Operating Expenses	88,324			88,324 ^a		
Major Medical Benefits	6,000,000			6,000,000(I) ^b		
Subsequent Injury Benefits	2,000,000			2,000,000(I) ^c		
Medical Disaster	1,000			1,000(I) ^d		
	9,560,316					

^a Of these amounts, an estimated \$1,295,681 shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1)(a), C.R.S., and an estimated \$263,635 shall be from the Subsequent Injury Fund created in Section 8-46-101 (1)(b)(I), C.R.S.

^b This amount shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1)(a), C.R.S. Money in the Major Medical Insurance Fund is continuously appropriated for payment of benefits pursuant to Section 8-46-202 (1)(c), C.R.S., and is included for informational purposes only.

^c This amount shall be from the Subsequent Injury Fund created in Section 8-46-101 (1)(b)(I), C.R.S. Money in the Subsequent Injury Fund is continuously appropriated for payment of benefits pursuant to Section 8-46-101 (4)(b), C.R.S., and is included for informational purposes only.

^d This amount shall be from the Medical Disaster Insurance Fund created in Section 8-46-302 (1), C.R.S. Money in the Medical Disaster Insurance Fund is continuously appropriated for payment of benefits pursuant to Section 8-46-303 (2), C.R.S., and is included for informational purposes only.

22,614,485

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(7) DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES							
(A) Vocational Rehabilitation Programs⁷²							
Personal Services	17,872,857 (223.7 FTE)		3,800,289(M)				14,072,568 ^a
Operating Expenses	2,539,404					540,893(I) ^b	1,998,511(I) ^a
Administrative Law Judge Services	41,943		11,386(M)				30,557 ^a
Vocational Rehabilitation Services ^{73, 74}	15,301,106		1,143,950			2,115,185(I) ^b	12,041,971(I) ^a
School to Work Alliance Program	10,323,261					2,173,378(I) ^b	8,149,883(I) ^c
Vocational Rehabilitation Mental Health Services	1,748,180					372,363(I) ^b	1,375,817(I) ^c
Business Enterprise Program for People Who Are Blind	1,595,200 (6.0 FTE)				338,935 ^d		1,256,265(I) ^c
Business Enterprise Program - Program Operated Stands, Repair Costs, and Operator Benefits	229,000				229,000 ^d		
Federal Social Security Reimbursements	2,400,000						2,400,000(I) ^c
Older Blind Grants	362,000						362,000(I)
Employment First Initiatives	290,744 (4.0 FTE)		63,382(M)				227,362 ^a
	<u>52,703,695</u>						

^a These amounts shall be from Section 110 and Section 203 vocational rehabilitation funds.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<p>^b Of these amounts, an estimated \$4,829,456 shall be transferred from the State Share of Districts Total Program Funding line item of the Assistance to Public Schools Division in the Department of Education on behalf of school districts, and an estimated \$372,363 shall be from the Mental Health Community Programs line item within the Community-based Mental Health Services section of the Department of Human Services.</p> <p>^c These amounts shall be from Section 110 vocational rehabilitation funds.</p> <p>^d These amounts shall be from the Business Enterprise Program Cash Fund created in Section 8-84-208, C.R.S.</p> <p>^e This amount reflects estimated payments from the federal Social Security Administration based on costs incurred for individuals who have received vocational rehabilitation services.</p>							
(B) Office of Independent Living Services							
Program Costs	234,053		234,053	(4.0 FTE)			
Independent Living Services ⁷⁴	6,788,235		6,411,883		37,635 ^a		338,717(I) ^b
	7,022,288						

^a This amount shall be from local recipients of Independent Living Grants. The (I) and (L) notation apply to this amount.

^b This amount reflects federal funds anticipated to be received for state independent living grants.

59,725,983

(8) DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE

Program Costs	1,111,286				1,111,286 ^a		
	1,111,286				1,111,286(I) ^a		(6.0 FTE)

^a This amount shall be from the Family and Medical Leave Insurance Fund created in Section 8-13.3-518 (1), C.R.S. MONEY IN THE FAMILY AND MEDICAL LEAVE INSURANCE FUND IS CONTINUOUSLY APPROPRIATED PURSUANT TO SECTION 8-13.3-518 (1), C.R.S., AND IS INCLUDED FOR INFORMATIONAL PURPOSES ONLY.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
TOTALS PART X (LABOR AND EMPLOYMENT)	\$311,533,573	\$24,054,149		\$95,032,494 ^a	\$6,873,927 ^b	\$185,573,003 ^c
	<u>\$309,671,011</u>	<u>\$23,599,125</u>		<u>\$94,207,752^a</u>	<u>\$6,857,350^b</u>	<u>\$185,006,784^c</u>

^a Of this amount, ~~\$10,306,535~~ \$10,036,976 contains an (I) notation and \$37,635 contains an (L) notation.

^b Of this amount, \$5,201,819 contains an (I) notation.

^c Of this amount, ~~\$169,921,773~~ \$169,355,554 contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

- 72 Department of Labor and Employment, Division Of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs -- In addition to the transfer authority provided in Section 24-75-108, C.R.S., the Department may transfer up to 15.0 percent of the total appropriation among the following line items in this section: Personal Services, Operating Expenses, Vocational Rehabilitation Services, School to Work Alliance Program, and Vocational Rehabilitation Mental Health Services.
- 73 Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs, Vocational Rehabilitation Services -- Amounts in this line item are calculated based on the assumed federal match rate of 78.7 percent federal funds to 21.3 percent nonfederal funds and are assumed to be demonstrated on a federal fiscal year basis.
- 74 Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs, Vocational Rehabilitation Services; and Office of Independent Living Services, Independent Living Services -- In addition to the transfer authority provided in Section 24-75-108, C.R.S., if authorized by an independent living center based on a cooperative agreement between the independent living center and the Division of Vocational Rehabilitation, the Department may transfer General Fund from the Independent Living Services line item to the Vocational Rehabilitation Services line item, in an amount agreed upon between the two entities, for the purpose of drawing down federal funds for the provision of vocational rehabilitation services.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO