

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

REVISED

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

LLS NO. 23-0379.01 Carolyn Kampman x4959

SENATE BILL 23-121

SENATE SPONSORSHIP

Zenzinger, Bridges, Kirkmeyer

HOUSE SPONSORSHIP

Bird, Sirota, Bockenfeld

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

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

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>.)

Supplemental appropriations are made to the department of labor and employment.

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

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

HOUSE
2nd Reading Unamended
February 15, 2023

SENATE
3rd Reading Unamended
February 9, 2023

SENATE
2nd Reading Unamended
February 8, 2023

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

6 Section 2. **Appropriation.**

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

5	Personal Services	10,769,545					
6		(111.7 FTE)					
7	Health, Life, and Dental	17,250,695					
8	Short-term Disability	151,717					
9	S.B. 04-257 Amortization						
10	Equalization Disbursement	4,788,588					
11	S.B. 06-235 Supplemental						
12	Amortization Equalization						
13	Disbursement	4,788,588					
14	Salary Survey	4,456,591					
15	PERA Direct Distribution	2,058,182					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Shift Differential	15,066					
2	Temporary Employees						
3	Related to Authorized						
4	Leave	371,656					
5	Workers' Compensation	588,134					
6	Operating Expenses	1,895,558					
7	Legal Services	903,407					
8	Payment to Risk						
9	Management and Property						
10	Funds	354,924					
11	Vehicle Lease Payments	209,850					
12	Leased Space	7,241,200					
13	Capitol Complex Leased						
14	Space	40,488					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Payments to OIT	20,854,463					
2		18,991,901					
3	CORE Operations	430,413					
4	Utilities	260,309					
5	Information Technology						
6	Asset Maintenance	218,626					
7	Statewide Indirect Cost						
8	Assessment	1,125,851					
9	Appropriation to the						
10	Immigration Legal Defense						
11	Fund	348,653					
12		(0.1 FTE)					
13	State Apprenticeship Agency	752,085					
14		(8.0 FTE)					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Office of New Americans	195,783					
2	(1.3 FTE)						
3		<u>80,070,372</u>	9,016,225		34,620,037 ^a	1,126,099 ^b	35,308,011(I)
4		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	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 ^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
2 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.

3

4 **(2) DIVISION OF UNEMPLOYMENT INSURANCE**

5 Program Costs		73,046,105			13,168,203 ^a		59,877,902(I)
		(484.7 FTE)					

7

8 ^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
9 Revenue Fund created in Section 8-77-106 (1), C.R.S., and \$200,724 shall be from various sources of cash funds.

10

11 **(3) DIVISION OF EMPLOYMENT AND TRAINING**

12 State Operations and

13 Program Costs	7,024,010		101,055		3,399,763 ^a		3,523,192(I)
			(1.4 FTE)		(93.4 FTE)		(15.3 FTE)

14

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	One-stop Workforce Center						
2	20,844,306				9,897,639 ^a		10,946,667(I)
3							(36.0 FTE)
4	Trade Adjustment Act						
5	2,000,000						2,000,000(I)
6	Workforce Innovation and						
7	26,534,005						26,534,005(I)
8							(51.2 FTE)
9	Workforce Development						
10	1,553,075		1,005,752		20,632 ^a	526,691 ^b	
11	(12.5 FTE)						
12	Workforce Improvement						
13	1,000,000						1,000,000(I)
14	Veterans Service-to-Career						
15	500,000				500,000 ^c		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Hospitality Education Grant						
2	414,105		414,105				
3			(0.5 FTE)				
4	377,724		377,724				
5			(3.5 FTE)				
6		60,247,225					

8 ^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
9 in Section 24-46.3-505 (1) C.R.S., and \$146,295 shall be from various sources of cash funds.

10 ^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
11 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
12 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
13 Sponsored Programs line item in the Department of Education.

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

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(4) DIVISION OF LABOR STANDARDS AND STATISTICS						
2	(A) Labor Standards						
3	Program Costs	4,656,279	1,365,743		3,290,536 ^a		
4		(52.1 FTE)					
5		<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> 4,656,279					
6							
7	^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						
8	created in created in Section 8-4-113 (3)(a), C.R.S.						
9							
10	(B) Labor Market Information						
11	Program Costs	3,420,154					3,420,154(I)
12		<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/>					(30.3 FTE)
13		8,076,433					
14							
15							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(5) DIVISION OF OIL AND PUBLIC SAFETY						
2	Personal Services	5,721,749			5,138,031 ^a	19,318 ^b	564,400(I)
3					(68.0 FTE)		
4	Operating Expenses	791,333			646,312 ^a		145,021(I)
5	Underground Damage						
6	Prevention Safety						
7	Commission	128,602	108,602		20,000 ^a		
8			(1.5 FTE)				
9		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.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(6) DIVISION OF WORKERS' COMPENSATION						
2	(A) Workers' Compensation						
3	Personal Services	8,149,172			8,149,172 ^a		
4					(95.0 FTE)		
5	Operating Expenses	659,145			659,145 ^a		
6	Administrative Law Judge						
7	Services	4,089,852			4,089,852 ^a		
8	Physicians Accreditation	120,000			120,000(I) ^b		
9	Utilization Review	35,000			35,000(I) ^c		
10	Immediate Payment	1,000			1,000(I) ^d		
11		13,054,169					

13 ^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
14 funds.

APPROPRIATION FROM

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

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

3 ^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,
4 pursuant to Section 8-43-501 (2)(a), C.R.S., and is included for informational purposes only.

5 ^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
6 to Section 8-44-206 (3)(b)(I), C.R.S., and is included for informational purposes only.

7

8 **(B) Major Medical Insurance and Subsequent Injury Funds**

9 Personal Services	1,470,992			1,470,992 ^a		
10				(16.0 FTE)		
11 Operating Expenses	88,324			88,324 ^a		
12 Major Medical Benefits	6,000,000			6,000,000(I) ^b		
13 Subsequent Injury Benefits	2,000,000			2,000,000(I) ^c		
14 Medical Disaster	1,000			1,000(I) ^d		
15	9,560,316					

APPROPRIATION FROM

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

1

2 ^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
3 Subsequent Injury Fund created in Section 8-46-101 (1)(b)(I), C.R.S.

4 ^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
5 payment of benefits pursuant to Section 8-46-202 (1)(c), C.R.S., and is included for informational purposes only.

6 ^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
7 of benefits pursuant to Section 8-46-101 (4)(b), C.R.S., and is included for informational purposes only.

8 ^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
9 for payment of benefits pursuant to Section 8-46-303 (2), C.R.S., and is included for informational purposes only.

10

11 22,614,485

12

13

14

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(7) DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES						
3	(A) Vocational Rehabilitation Programs⁷²						
4	Personal Services	17,872,857		3,800,289(M)			14,072,568 ^a
5		(223.7 FTE)					
6	Operating Expenses	2,539,404				540,893(I) ^b	1,998,511(I) ^a
7	Administrative Law Judge						
8	Services	41,943		11,386(M)			30,557 ^a
9	Vocational Rehabilitation						
10	Services ^{73, 74}	15,301,106		1,143,950		2,115,185(I) ^b	12,041,971(I) ^a
11	School to Work Alliance						
12	Program	10,323,261				2,173,378(I) ^b	8,149,883(I) ^c
13	Vocational Rehabilitation						
14	Mental Health Services	1,748,180				372,363(I) ^b	1,375,817(I) ^c

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Business Enterprise Program						
2	for People Who Are Blind	1,595,200			338,935 ^d		1,256,265(I) ^e
3		(6.0 FTE)					
4	Business Enterprise Program						
5	- Program Operated Stands,						
6	Repair Costs, and Operator						
7	Benefits	229,000			229,000 ^d		
8	Federal Social Security						
9	Reimbursements	2,400,000					2,400,000(I) ^e
10	Older Blind Grants	362,000					362,000(I)
11	Employment First Initiatives	290,744	63,382(M)				227,362 ^a
12		(4.0 FTE)					
13		<u>52,703,695</u>					

15 ^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
\$	\$	\$	\$	\$	\$	\$

1 ^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
2 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
3 Health Services section of the Department of Human Services.

4 ^c These amounts shall be from Section 110 vocational rehabilitation funds.

5 ^d These amounts shall be from the Business Enterprise Program Cash Fund created in Section 8-84-208, C.R.S.

6 ^e This amount reflects estimated payments from the federal Social Security Administration based on costs incurred for individuals who have received vocational rehabilitation services.

7

8 **(B) Office of Independent Living Services**

9 Program Costs	234,053		234,053			
10			(4.0 FTE)			
11 Independent Living						
12 Services ⁷⁴	6,788,235		6,411,883	37,635 ^a		338,717(I) ^b
13	7,022,288					
14						

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

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	TOTALS PART X						
2	(LABOR AND						
3	EMPLOYMENT)						
		\$311,533,573	\$24,054,149		\$95,032,494 ^a	\$6,873,927 ^b	\$185,573,003 ^c
4		<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>

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

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

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

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

11

12 72 Department of Labor and Employment, Division Of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs -- In

13 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

14 following line items in this section: Personal Services, Operating Expenses, Vocational Rehabilitation Services, School to Work Alliance Program, and

15 Vocational Rehabilitation Mental Health Services.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	73	Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs,					
2		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					
3		percent nonfederal funds and are assumed to be demonstrated on a federal fiscal year basis.					
4							
5	74	Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs,					
6		Vocational Rehabilitation Services; and Office of Independent Living Services, Independent Living Services -- In addition to the transfer authority provided					
7		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					
8		Division of Vocational Rehabilitation, the Department may transfer General Fund from the Independent Living Services line item to the Vocational					
9		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					
10		vocational rehabilitation services.					

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