

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0989.01 Christy Chase x2008

HOUSE BILL 23-1283

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HOUSE SPONSORSHIP

Jodeh,

SENATE SPONSORSHIP

(None),

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House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE TRANSFER OF THE COLORADO REFUGEE SERVICES  
102 PROGRAM FROM THE DEPARTMENT OF HUMAN SERVICES TO THE  
103 OFFICE OF NEW AMERICANS IN THE DEPARTMENT OF LABOR AND  
104 EMPLOYMENT.

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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>.)*

Under current law, the department of human services is tasked with administering the Colorado refugee services program. Effective October 1, 2024, the bill transfers the rights, powers, duties, and functions

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.*

related to the administration of the Colorado refugee services program to the Colorado office of new Americans in the department of labor and employment.

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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) Immigrants and refugees make up more than nine percent of  
5 Colorado's population, and over 600,000 Colorado residents are  
6 native-born Americans with at least one immigrant parent;

7 (b) Colorado is strengthened by its new American community  
8 members, who are an integral part of Colorado's diverse economy and  
9 make vital contributions to the state's tax base;

10 (c) In 2021, with the passage of House Bill 21-1150, the general  
11 assembly created the Colorado office of new Americans (ONA) as a  
12 centralized location in which state programs, initiatives, and policies  
13 focused on facilitating economic stability and promoting successful  
14 integration for immigrants are housed;

15 (d) The ONA has proven to be vital to the state's ability to  
16 welcome and respond to the arrival of individuals fleeing war and  
17 violence in Afghanistan and Ukraine;

18 (e) The Colorado refugee services program (CRSP), under the  
19 Colorado department of human services, serves a central role in the state's  
20 administration of the United States refugee admissions program (USRAP)  
21 and in administering federal programs under the office of refugee  
22 resettlement;

23 (f) House Bill 21-1150 required the ONA to "convene  
24 stakeholders and state agencies, including the department [of labor and

1 employment], the governor's office, the department of human services,  
2 the department of regulatory agencies, and the department of public  
3 health and environment, to develop a recommendation to the governor's  
4 office on what state agencies or offices are best suited to administer the  
5 Colorado refugee services program created in section 26-2-138, and any  
6 related programs, so that the ONA's refugee integration goals are met or  
7 exceeded";

8 (g) The final recommendations from the working group convened  
9 by the ONA include an explicit recommendation to move the CRSP to the  
10 ONA; and

11 (h) Transferring the CRSP to the ONA will provide a more  
12 comprehensive and integrated approach to strengthening Colorado's  
13 ability to promote economic stability and the successful economic, social,  
14 linguistic, and cultural integration of new Americans in the state and will  
15 further streamline immigrant- and refugee-related priorities, services,  
16 data, and outcomes in Colorado.

17 **SECTION 2.** In Colorado Revised Statutes, 8-3.7-102, **amend**  
18 (5); and **add with amended and relocated provisions** (2.5), (4.5), and  
19 (7.5) as follows:

20 **8-3.7-102. Definitions.** As used in this article 3.7, unless the  
21 context otherwise requires:

22 (2.5) [Formerly 26-2-138 (1)(b)] "Program" "COLORADOREFUGEE  
23 SERVICES PROGRAM" OR "CRSP" means the Colorado refugee services  
24 program ~~established pursuant to subsection (2)(a) of this section~~  
25 DESCRIBED IN SECTION 8-3.7-108.

26 (4.5) [Formerly 26-2-138 (1)(a)] "Federal act" means Title IV of  
27 the federal "Immigration and Nationality Act", 8 U.S.C. sec. 1521 et seq.,

1 as amended, including any federal rules adopted pursuant to the federal  
2 act.

3 (5) "Immigrant" or "new American" means a Coloradan who has  
4 arrived, or an individual who will arrive, to Colorado as an immigrant or  
5 refugee and includes the individual's children. "Immigrant" or "new  
6 American" includes: Refugees, asylees, special immigrant visa holders,  
7 victims of trafficking, recipients of the federal deferred action for  
8 childhood arrivals program, INDIVIDUALS GRANTED HUMANITARIAN  
9 PAROLE, and all other immigrants and aspiring citizens seeking  
10 opportunity, safety, or reunification of family.

11 (7.5) [Formerly 26-2-138 (1)(c)] "State plan" means Colorado's  
12 refugee services plan described in subsection ~~(2)(b)~~ of this section  
13 SECTION 8-3.7-108.

14 **SECTION 3.** In Colorado Revised Statutes, 8-3.7-103, **amend**  
15 (1)(c) and (2)(g) as follows:

16 **8-3.7-103. Colorado office of new Americans - creation - duties**  
17 **- report.** (1) (c) ~~(f)~~ The ONA shall convene stakeholders and state  
18 agencies, including the department, the governor's office, the department  
19 of human services, the department of regulatory agencies, and the  
20 department of public health and environment, to develop a  
21 recommendation to the governor's office on what state agencies or offices  
22 are best suited to administer the Colorado refugee services program  
23 created in section 26-2-138, and any related programs, so that the ONA's  
24 refugee integration goals are met or exceeded.

25 ~~(H)~~ The ONA shall complete a draft recommendation before  
26 January 1, 2022, and shall complete a final recommendation, which the  
27 ONA shall provide to the governor's office, no later than one year after

1 ~~September 7, 2021.~~

2 (HH) The department shall report on the efficacy of the ONA and  
3 the ONA's progress toward meeting the goals set forth in this article 3.7  
4 ~~including the draft and final recommendations described in subsection~~  
5 ~~(1)(c)(H) of this section,~~ as part of the department's annual presentation  
6 to its legislative committee of reference pursuant to section 2-7-203. If  
7 necessary, the committee may make a recommendation that a member of  
8 ~~the general assembly sponsor appropriate legislation regarding the~~  
9 ~~Colorado refugee services program created in section 26-2-138.~~

10 (2) The Colorado office of new Americans shall:

11 (g) ~~Coordinate with ONA~~ AND AFTER OCTOBER 1, 2024, ADMINISTER  
12 the Colorado refugee services program ~~created in section 26-2-138 to~~  
13 ~~align it~~ IN ACCORDANCE with the goals of the ONA, and manage or direct  
14 any other relevant programs that might exist or be created on or after  
15 September 7, 2021, including immigrant-focused state programs,  
16 initiatives, and policies, that might exist or be created in the future, so that  
17 the state's services for immigrants and the state's approach to immigrant  
18 integration are cohesive, integrated, and elegant;

19 **SECTION 4.** In Colorado Revised Statutes, **add with amended**  
20 **and relocated provisions** 8-3.7-108 as follows:

21 **8-3.7-108. Refugee services program - transfer to ONA - state**  
22 **plan - rules.** (1) **[Formerly 26-2-138 (2)(a)]** (a) (I) ON AND AFTER  
23 OCTOBER 1, 2024, THE RIGHTS, POWERS, DUTIES, AND FUNCTIONS  
24 REGARDING the Colorado refugee services program ~~is established in the~~  
25 ~~state~~ VESTED IN THE department OF HUMAN SERVICES PRIOR TO SAID DATE  
26 ARE TRANSFERRED FROM THE DEPARTMENT OF HUMAN SERVICES TO THE  
27 ONA, AND THE ONA SHALL EXECUTE, ADMINISTER, PERFORM, AND

1 ENFORCE THE RIGHTS, POWERS, DUTIES, AND FUNCTIONS REGARDING THE  
2 CRSP ON AND AFTER SAID DATE. BY APRIL 1, 2024, THE DEPARTMENT OF  
3 LABOR AND EMPLOYMENT AND THE DEPARTMENT OF HUMAN SERVICES  
4 SHALL ENTER INTO AN INTERAGENCY AGREEMENT TO FACILITATE THE  
5 LOGISTICS OF CONTRACTING AND THE TRANSFER OF THE CRSP TO THE  
6 ONA.

7 (II) (A) AS OF OCTOBER 1, 2024, EMPLOYEES OF THE DEPARTMENT  
8 OF HUMAN SERVICES PRIOR TO SAID DATE WHOSE POWERS, DUTIES, AND  
9 FUNCTIONS CONCERNED THE POWERS, DUTIES, AND FUNCTIONS REGARDING  
10 THE COLORADO REFUGEE SERVICES PROGRAM THAT ARE ASSUMED BY THE  
11 ONA PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION AND WHOSE  
12 EMPLOYMENT IN THE ONA IS DEEMED NECESSARY BY THE DIRECTOR OF  
13 THE ONA TO CARRY OUT THE PURPOSES OF THE CRSP ARE TRANSFERRED  
14 TO THE ONA AND BECOME EMPLOYEES OF THE ONA.

15 (B) ANY EMPLOYEES TRANSFERRED TO THE ONA PURSUANT TO  
16 THIS SUBSECTION (1)(a)(II) WHO ARE CLASSIFIED EMPLOYEES IN THE  
17 STATE PERSONNEL SYSTEM RETAIN ALL RIGHTS TO THE PERSONNEL  
18 SYSTEM AND RETIREMENT BENEFITS PURSUANT TO THE LAWS OF THIS  
19 STATE, AND THEIR SERVICE IS DEEMED TO HAVE BEEN CONTINUOUS. ANY  
20 TRANSFERS AND ANY ABOLISHMENT OF POSITIONS IN THE STATE  
21 PERSONNEL SYSTEM SHALL BE MADE AND PROCESSED IN ACCORDANCE  
22 WITH STATE PERSONNEL SYSTEM LAWS AND RULES.

23 (III) AS OF OCTOBER 1, 2024, ALL ITEMS OF REAL AND PERSONAL  
24 PROPERTY OF THE DEPARTMENT OF HUMAN SERVICES, INCLUDING OFFICE  
25 FURNITURE AND FIXTURES, BOOKS, DOCUMENTS, AND RECORDS,  
26 PERTAINING TO THE DUTIES AND FUNCTIONS OF THE CRSP TRANSFERRED  
27 PURSUANT TO THIS SECTION ARE TRANSFERRED TO THE ONA AND BECOME

1 THE PROPERTY OF THE ONA.

2 (IV) AS OF OCTOBER 1, 2024, WHENEVER THE DEPARTMENT OF  
3 HUMAN SERVICES OR DEPARTMENT IS REFERRED TO OR DESIGNATED BY  
4 ANY CONTRACT OR OTHER DOCUMENT IN CONNECTION WITH THE DUTIES  
5 AND FUNCTIONS TRANSFERRED TO THE ONA, SUCH REFERENCE OR  
6 DESIGNATION IS DEEMED TO APPLY TO THE ONA. ALL CONTRACTS  
7 ENTERED INTO BY THE DEPARTMENT OF HUMAN SERVICES PRIOR TO  
8 OCTOBER 1, 2024, IN CONNECTION WITH THE DUTIES AND FUNCTIONS  
9 TRANSFERRED TO THE ONA ARE HEREBY VALIDATED, WITH THE ONA  
10 SUCCEEDING TO ALL RIGHTS AND OBLIGATIONS UNDER SUCH CONTRACTS.  
11 AS OF OCTOBER 1, 2024, ANY CASH FUNDS, CUSTODIAL FUNDS, TRUSTS,  
12 GRANTS, AND APPROPRIATIONS OF FUNDS FROM PRIOR STATE FISCAL YEARS  
13 OPEN TO SATISFY OBLIGATIONS INCURRED UNDER SUCH CONTRACTS ARE  
14 TRANSFERRED AND APPROPRIATED TO THE DEPARTMENT FOR ALLOCATION  
15 TO THE ONA FOR THE PAYMENT OF SUCH OBLIGATIONS.

16 (V) ON AND AFTER OCTOBER 1, 2024, UNLESS OTHERWISE  
17 SPECIFIED, WHENEVER ANY PROVISION OF LAW REFERS TO THE  
18 DEPARTMENT OF HUMAN SERVICES IN CONNECTION WITH THE DUTIES AND  
19 FUNCTIONS TRANSFERRED TO THE ONA, SUCH LAW MUST BE CONSTRUED  
20 AS REFERRING TO THE ONA.

21 (VI) AS OF OCTOBER 1, 2024, ALL RULES AND ORDERS OF THE  
22 DEPARTMENT OF HUMAN SERVICES ADOPTED IN CONNECTION WITH THE  
23 POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE ONA CONTINUE  
24 TO BE EFFECTIVE UNTIL REVISED, AMENDED, REPEALED, OR NULLIFIED  
25 PURSUANT TO LAW.

26 (b) The ONA SHALL ADMINISTER THE COLORADO REFUGEE  
27 SERVICES program ~~must be administered~~ in accordance with the state plan

1 developed by the ~~state~~ department OF HUMAN SERVICES BEFORE OCTOBER  
2 1, 2024, OR DEVELOPED OR MODIFIED BY THE ONA ON OR AFTER OCTOBER  
3 1, 2024, and approved by the federal office of refugee resettlement within  
4 the federal department of health and human services pursuant to the  
5 federal act.

6 (2) **[Formerly 26-2-138 (2)(b)]** The ~~state department~~ ONA is the  
7 single state agency responsible for the development, review, and  
8 administration of the state plan.

9 (3) **[Formerly 26-2-138 (3)]** The ~~program~~ CRSP must provide the  
10 following, in accordance with the federal act and the state plan:

11 (a) Refugee cash assistance;

12 (b) Refugee medical assistance;

13 (c) Refugee social services, which may include ~~but are not limited~~  
14 ~~to~~ employment services, employability assessments, English language  
15 instruction, vocational training, skills recertification, and case  
16 management services related to employment; and

17 (d) Any other services or assistance consistent with the federal act.

18 (4) **[Formerly 26-2-138 (4)]** The ~~program~~ CRSP may provide  
19 other services or assistance to support refugee resettlement and  
20 integration. ~~The program shall assist the Colorado office of new~~  
21 ~~Americans in carrying out its duties and goals as specified in section~~  
22 ~~8-3.7-103(2)(g), including the sharing of outcomes, partnerships, and the~~  
23 ~~alignment of mission and purpose.~~

24 (5) **[Formerly 26-2-138 (5)]** The ~~state department~~ ONA shall  
25 adopt rules, in accordance with article 4 of title 24, to implement this  
26 section.

27 (6) **[Formerly 26-2-138 (6)]** The general assembly may



1 appropriate funds to the ~~state department~~ ONA for the administration of  
2 the ~~program~~ CRSP.

3 **SECTION 5. Repeal of relocated and nonrelocated provisions**  
4 **in this act.** In Colorado Revised Statutes, **repeal** 26-2-138.

5 **SECTION 6. Act subject to petition - effective date.** This act  
6 takes effect October 1, 2024; except that, if a referendum petition is filed  
7 pursuant to section 1 (3) of article V of the state constitution against this  
8 act or an item, section, or part of this act within the ninety-day period  
9 after final adjournment of the general assembly, then the act, item,  
10 section, or part will not take effect unless approved by the people at the  
11 general election to be held in November 2024 and, in such case, will take  
12 effect on the date of the official declaration of the vote thereon by the  
13 governor.