

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

June 3, 2021

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB21-1264 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, strike lines 2 through 13.

2 Page 3, strike lines 1 through 10.

3 Renumber succeeding sections accordingly.

4 Page 4, after line 4 insert:

5 **"SECTION 2. Legislative declaration.** (1) The general
6 assembly finds and declares that:

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

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

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

1 hospitality";

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

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

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

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

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

28 (f) A program through which local work force development
29 boards award grants to drive innovation to build in-demand skills,
30 connect workers and learners to quality jobs, and drive employer
31 engagement in talent development will provide job training assistance to
32 unemployed workers and will aid impacted industries;

33 (g) Likewise, statewide innovation initiatives to support
34 employers and trade associations in developing training programs for use
35 in multiple counties, to align statewide activities in partnership with local
36 work force development areas for skills-based hiring and talent
37 development, and to engage and provide support to local work force
38 development boards and community leaders in designing and
39 implementing statewide work force innovative initiatives are programs,
40 services, or other assistance to respond to the public health emergency
41 and its negative economic impacts on workers and industry;

1 (h) Additionally, allocating federal funding to:
2 (I) Postsecondary career and technical education (CTE) providers
3 to expand CTE equipment, facility, and industry capacity in key CTE job
4 demand areas will encourage high-wage, demand-driven training and
5 short-term program growth to meet post-pandemic demand and will
6 provide job training to unemployed workers, assist industries negatively
7 impacted by the public health emergency, and address the impacts of the
8 public health emergency on education by expanding the availability of
9 and access to CTE programs in key job demand areas; and

10 (II) The adult education and literacy program established in article
11 10 of title 22, Colorado Revised Statutes, that provides next-level
12 education and training to many Colorado unemployed adults will provide
13 training to adults disproportionately impacted by the COVID-19 public
14 health emergency for better employment outcomes.

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

25 Renumber succeeding sections accordingly.

26 Page 4, line 5, strike "part 5" and substitute "parts 5 and 6".

27 Page 4, line 8, strike "STIMULUS".

28 Page 4, line 11, strike ""STIMULUS INVESTMENTS" and substitute
29 ""INVESTMENTS".

30 Page 4, line 13, strike "PART 5," and substitute "PART 5 AND PART 6 OF
31 THIS ARTICLE 46.3,".

32 Page 4, after line 14 insert:

33 "(1) "AMERICAN RESCUE PLAN ACT OF 2021" OR "ARPA" MEANS
34 THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS



- 1 THE ACT MAY BE SUBSEQUENTLY AMENDED."
- 2 Renumber succeeding subsections accordingly.
- 3 Page 4, line 27, strike "STIMULUS".
- 4 Page 5, line 26, strike "**Stimulus investments**" and substitute
5 "**Investments**".
- 6 Page 5, line 27, strike "STIMULUS".
- 7 Page 8, line 11, strike "2020-21" and substitute "2021-22".
- 8 Page 8, line 13, strike "GENERAL FUND" and substitute "WORKERS,
9 EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED IN SECTION
10 24-75-231 (2)(a)".
- 11 Page 8, line 15, strike "2020-21" and substitute "2021-22".
- 12 Page 8, line 18, strike "THE NEXT TWO" and substitute "SUBSEQUENT" and
13 strike "APPROPRIATION." and substitute "APPROPRIATION, SUBJECT TO THE
14 REQUIREMENTS FOR OBLIGATING AND EXPENDING MONEY RECEIVED
15 UNDER THE ARPA AS SPECIFIED IN SECTION 24-75-226 (4)(d)".
- 16 Page 8, after line 26 insert:
- 17 "(4) THE STATE COUNCIL SHALL COMPLY WITH THE REQUIREMENTS
18 OF SECTION 24-75-226 (4) AND (5) REGARDING THE OBLIGATION,
19 EXPENDITURE, AND TRACKING OF MONEY ALLOCATED TO THE STATE
20 COUNCIL PURSUANT TO THIS SECTION."
- 21 Page 8, line 27, strike the second "DECEMBER" and substitute "EACH
22 DECEMBER THEREAFTER THROUGH DECEMBER 2026,".
- 23 Page 9, line 1, strike "2023,".
- 24 Page 9, line 4, after "24-46.3-103 (3)." add "THE STATE COUNCIL SHALL
25 COMPLY WITH THE REQUIREMENTS OF SECTION 24-75-226 (5) REGARDING
26 REPORTING ON MONEY ALLOCATED TO THE STATE COUNCIL PURSUANT TO
27 SECTION 24-46.3-504.



1 Page 9, strike line 12 and substitute "JULY 1, 2027".

2 Page 9, after line 12 insert:

3 "PART 6
4 WORK FORCE INNOVATION ACT
5 **24-46.3-601. Short title.** THE SHORT TITLE OF THIS PART 6 IS THE
6 "WORK FORCE INNOVATION ACT".
7 **24-46.3-602. Definitions.** AS USED IN THIS PART 6, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:
9 (1) "ADULT EDUCATION PROGRAM" HAS THE SAME MEANING AS
10 "ADULT EDUCATION AND LITERACY PROGRAMS", AS DEFINED IN SECTION
11 22-10-103 (1).
12 (2) "APPRENTICESHIP SPONSOR" MEANS AN EMPLOYER,
13 ASSOCIATION, COMMITTEE, OR ORGANIZATION THAT OPERATES AN
14 APPRENTICESHIP PROGRAM REGISTERED WITH THE UNITED STATES
15 DEPARTMENT OF LABOR.
16 (3) "COLORADO WORK FORCE CENTER" MEANS AN AMERICAN JOBS
17 CENTER ESTABLISHED PURSUANT TO THE FEDERAL "WORKFORCE
18 INVESTMENT ACT OF 1998", 29 U.S.C. SEC. 2801 ET SEQ., AND
19 REAUTHORIZED IN THE FEDERAL "WORKFORCE INNOVATION AND
20 OPPORTUNITIES ACT OF 2014", PUB.L. 113-128, THAT IS OPERATING IN
21 COLORADO AND OFFERS TRAINING REFERRALS, CAREER COUNSELING, JOB
22 LISTINGS, AND SIMILAR EMPLOYMENT-RELATED SERVICES.
23 (4) "CONNECTING COLORADO DATABASE" MEANS THE LABOR
24 EXCHANGE SYSTEM ADMINISTERED BY THE DEPARTMENT TO CONNECT
25 INDIVIDUALS TO JOBS AND TO MANAGE DATA AND PRODUCE REPORTS
26 REQUIRED BY THE UNITED STATES DEPARTMENT OF LABOR.
27 (5) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY
28 THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO
29 KNOWN AS SARS-CoV-2.
30 (6) "COVID-19 PUBLIC HEALTH EMERGENCY" OR "PUBLIC HEALTH
31 EMERGENCY" MEANS THE PERIOD BEGINNING ON JANUARY 1, 2020, AND
32 EXTENDING UNTIL THE TERMINATION OF THE NATIONAL EMERGENCY
33 CONCERNING THE COVID-19 OUTBREAK DECLARED PURSUANT TO THE
34 FEDERAL "NATIONAL EMERGENCIES ACT", 50 U.S.C. SEC. 1601 ET SEQ.
35 (7) "ECONOMIC DEVELOPMENT CORPORATION" MEANS AN
36 ORGANIZATION WHOSE MISSION IS TO PROMOTE ECONOMIC DEVELOPMENT
37 WITHIN A SPECIFIC GEOGRAPHICAL AREA.
38 (8) "ELIGIBLE APPLICANT" MEANS:
39 (a) A PUBLIC OR PRIVATE SECTOR EMPLOYER, EMPLOYER



1 ORGANIZATION, OR TRADE ASSOCIATION;
2 (b) AN APPRENTICESHIP SPONSOR;
3 (c) A COMMUNITY-BASED ORGANIZATION;
4 (d) A COLORADO WORK FORCE CENTER; OR
5 (e) A SECTOR PARTNERSHIP RECOGNIZED BY THE STATE COUNCIL.
6 (9) "LOCAL EDUCATION PROVIDER" HAS THE SAME MEANING AS
7 SET FORTH IN SECTION 22-20.5-102 (4).
8 (10) "PROPRIETARY TRAINING PROVIDER" MEANS A TRAINING
9 PROGRAM OPERATED BY THE PRIVATE SECTOR.
10 (11) "SECTOR PARTNERSHIP" MEANS AN INDUSTRY-SPECIFIC,
11 REGIONAL PARTNERSHIP LED BY BUSINESS IN PARTNERSHIP WITH
12 ECONOMIC DEVELOPMENT, EDUCATION, AND WORK FORCE DEVELOPMENT
13 ENTITIES.
14 (12) "STATEWIDE WORK FORCE INNOVATION INITIATIVE" MEANS
15 A STATEWIDE ACTIVITY DEVELOPED PURSUANT TO SECTION 24-46.3-605.
16 (13) "SUBAPPLICANT" MEANS:
17 (a) AN INSTITUTION OF HIGHER EDUCATION;
18 (b) A PUBLIC LIBRARY;
19 (c) A LOCAL EDUCATION PROVIDER;
20 (d) AN ADULT EDUCATION PROGRAM;
21 (e) A PROPRIETARY TRAINING PROVIDER;
22 (f) AN ECONOMIC DEVELOPMENT CORPORATION; OR
23 (g) A NONPROFIT ORGANIZATION.
24 (15) "WORK FORCE DEVELOPMENT BOARD" HAS THE SAME
25 MEANING AS SET FORTH IN SECTION 8-83-203 (23).
26 (16) "WORK FORCE INNOVATION GRANT PROGRAM" OR "GRANT
27 PROGRAM" MEANS THE WORK FORCE INNOVATION GRANT PROGRAM
28 CREATED IN SECTION 24-46.3-604.
29 **24-46.3-603. Funding for work force innovation - grant**
30 **program - statewide initiatives - allocation of ARPA money.** (1) FOR
31 THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL
32 APPROPRIATE THIRTY-FIVE MILLION DOLLARS FROM THE WORKERS,
33 EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED IN SECTION
34 24-75-231 (2)(a) TO THE DEPARTMENT FOR ALLOCATION TO THE STATE
35 COUNCIL FOR THE FOLLOWING PURPOSES:
36 (a) SEVENTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS FOR
37 ALLOCATION TO WORK FORCE DEVELOPMENT BOARDS FOR THE WORK
38 FORCE INNOVATION GRANT PROGRAM AND PURPOSES SPECIFIED IN SECTION
39 24-46.3-604 (1)(b); EXCEPT THAT A WORK FORCE DEVELOPMENT BOARD
40 SHALL RETURN TO THE STATE COUNCIL ANY MONEY ALLOCATED TO AND
41 NOT EXPENDED OR OBLIGATED BY THE WORK FORCE DEVELOPMENT BOARD

1 BY JANUARY 1, 2024; AND

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

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

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

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

22 **24-46.3-604. Work force innovation grant program - creation**
23 **- local boards to administer - eligibility for grants - use of grants -**
24 **grant proposal requirements - other innovation activities performed**
25 **by local boards - reporting to statewide database.** (1) (a) THE WORK
26 FORCE INNOVATION GRANT PROGRAM IS HEREBY CREATED FOR THE
27 PURPOSE OF PROMOTING INNOVATION IN ORDER TO IMPROVE OUTCOMES
28 FOR LEARNERS AND WORKERS, INCLUDING UNDERSERVED POPULATIONS,
29 BY PROMOTING PARTNERSHIPS AND HELPING PREPARE COLORADANS FOR
30 WELL-PAYING, QUALITY JOBS. THE STATE COUNCIL SHALL ADMINISTER THE
31 PROGRAM AND SHALL DISTRIBUTE THE MONEY ALLOCATED TO THE
32 PROGRAM PURSUANT TO SECTION 24-46.3-603 (1)(a) TO WORK FORCE
33 DEVELOPMENT BOARDS BASED ON A FORMULA THAT CONSIDERS THE
34 FOLLOWING FACTORS IN EACH WORK FORCE DEVELOPMENT AREA:

- 35 (I) THE SHARE OF UNEMPLOYMENT CLAIMS;
36 (II) THE TOTAL JOBS LOST AND THE TOTAL JOBS LOST IN THE
37 INDUSTRIES MOST IMPACTED BY THE PUBLIC HEALTH EMERGENCY; AND
38 (III) OTHER FACTORS DETERMINED BY THE STATE COUNCIL.

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

41 (A) TO AWARD GRANTS TO ELIGIBLE APPLICANTS THROUGH A

1 COMPETITIVE PROCESS, CONSISTENT WITH SUBSECTIONS (2) AND (3) OF
2 THIS SECTION;

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

6 (C) FOR NEW PROGRAM DEVELOPMENT;

7 (D) TO EXPAND ACCESS TO EXISTING PROGRAMS;

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

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

11 (II) WORK FORCE DEVELOPMENT BOARDS MAY USE UP TO TEN
12 PERCENT OF THE MONEY DISTRIBUTED PURSUANT TO SUBSECTION (1)(a)
13 OF THIS SECTION FOR ADMINISTRATIVE COSTS ASSOCIATED WITH
14 PERFORMING THE ACTIVITIES SPECIFIED IN SUBSECTION (1)(b)(I) OF THIS
15 SECTION.

16 (2) (a) AN APPLICANT FOR A GRANT FROM A WORK FORCE
17 DEVELOPMENT BOARD:

18 (I) MUST DEMONSTRATE THAT THE APPLICANT IS AN ELIGIBLE
19 APPLICANT;

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

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

25 (b) IF APPLYING WITH ONE OR MORE SUBAPPLICANTS, AN
26 APPLICANT MUST IDENTIFY THE SPECIFIC ROLE EACH SUBAPPLICANT WILL
27 SERVE AND THE REASON WHY THE APPLICANT AND SUBAPPLICANT HAVE
28 PARTNERED IN THE APPLICATION, INCLUDING HOW THE LEAD APPLICANT
29 WILL DISTRIBUTE MONEY TO SUBAPPLICANTS AND WHAT AMOUNTS WOULD
30 BE SHARED AMONG THE APPLICANT AND SUBAPPLICANTS.

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

33 (d) ALL GRANTS AWARDED PURSUANT TO THIS SECTION MUST BE
34 OBLIGATED BY DECEMBER 31, 2024, AND EXPENDED BY DECEMBER 31,
35 2026.

36 (3) THE WORK FORCE DEVELOPMENT BOARDS SHALL AWARD
37 GRANTS TO ELIGIBLE APPLICANTS APPLYING FOR GRANTS FOR PROPOSALS
38 THAT WILL BUILD IN-DEMAND SKILLS, CONNECT WORKERS AND LEARNERS
39 TO QUALITY JOBS, AND DRIVE EMPLOYER ENGAGEMENT IN TALENT
40 DEVELOPMENT IN ANY OF THE FOLLOWING AREAS:

41 (a) SUPPORTING WORK-BASED LEARNING, SKILL DEVELOPMENT,

1 TRAINING COMPLETION, AND QUALITY JOB PLACEMENT THROUGH THE
2 FOLLOWING:

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

11 (II) BUILDING ACCOUNTABLE PARTNERSHIPS AND SYSTEMS TO
12 DRAMATICALLY IMPROVE OUTCOMES OR DECREASE COSTS FOR WORKERS
13 AND LEARNERS TO ACCESS QUALITY EDUCATION AND TRAINING;

14 (III) PROVIDING SUPPORTIVE SERVICES AND EQUIPMENT TO
15 WORKERS AND LEARNERS WITH BARRIERS TO ACCESSING EDUCATION,
16 TRAINING, AND JOB PLACEMENT;

17 (IV) INCREASING ACCESS TO CAREER COUNSELING AND
18 NAVIGATION PROGRAMS FOR IN-SCHOOL AND OUT-OF-SCHOOL WORKERS
19 AND LEARNERS;

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

22 (VI) INCREASING ACCESS TO ENGLISH-AS-A-SECOND-LANGUAGE
23 AND OTHER CAREER READINESS PROGRAMS THAT ENABLE EQUITABLE
24 ACCESS AND INTEGRATION;

25 (b) SUPPORTING EMPLOYERS AND SMALL BUSINESSES TO MITIGATE
26 FINANCIAL HARDSHIPS RESULTING FROM THE PUBLIC HEALTH EMERGENCY
27 OR PROVIDING GREATER OPPORTUNITIES FOR COMMUNITIES
28 DISPROPORTIONATELY AFFECTED BY COVID-19 TO ENGAGE IN TALENT
29 DEVELOPMENT THROUGH THE FOLLOWING:

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

32 (II) DEVELOPING OR EXPANDING INCUMBENT WORKER TRAINING
33 AND WORK-BASED LEARNING PROGRAMS IN PARTNERSHIP WITH COLORADO
34 WORK FORCE CENTERS, TRAINING PROVIDERS, COMMUNITY-BASED
35 ORGANIZATIONS, LOCAL EDUCATION PROVIDERS, AND INSTITUTIONS OF
36 HIGHER EDUCATION; OR

37 (III) BUILDING NEW INTERNAL PATHWAYS FOR EXISTING
38 EMPLOYEES; AND

39 (c) INCREASING PARTICIPATION BY UNDERSERVED COMMUNITIES,
40 INCLUDING BLACK, INDIGENOUS, AND PEOPLE OF COLOR, PEOPLE WITH
41 DISABILITIES, NEW AMERICANS, EX-OFFENDERS, AND OLDER WORKERS,

1 THROUGH THE FOLLOWING:
2 (I) ADOPTING FOCUSED OUTREACH STRATEGIES SPECIFIC TO
3 UNDERSERVED COMMUNITIES;
4 (II) INCREASING PARTNERSHIP WITH COMMUNITY-BASED
5 ORGANIZATIONS THAT SERVE THESE POPULATIONS IN ORDER TO SUPPORT
6 EXISTING TRUSTED MESSENGERS THAT CAN ENHANCE OUTREACH; OR
7 (III) IMPROVING LANGUAGE ACCESS, TO INCLUDE AMERICAN SIGN
8 LANGUAGE, TO ENSURE OUTREACH AND PARTICIPATION.
9 (4) AN APPLICANT SHOULD ADDRESS THE FOLLOWING IN ITS
10 PROJECT PROPOSAL:
11 (a) THE NEED FOR THE PROJECT, SPECIFYING HOW AND WHY THE
12 PROJECT IS DESIGNED TO MEET THE NEED BASED ON DATA AND EVIDENCE;
13 (b) THE PROPOSED IMPACT OF THE PROJECT, INCLUDING HOW THE
14 PROJECT WILL IMPROVE OUTCOMES FOR WORKERS AND STUDENTS OR
15 INCREASE EMPLOYER ENGAGEMENT;
16 (c) THE PARTNERSHIPS FOSTERED BY THE PROJECT, INCLUDING THE
17 DEGREE TO WHICH THE PROJECT HAS SUPPORT FROM COMMUNITY-BASED
18 ORGANIZATIONS SUCH AS LOCAL CHAMBERS OF COMMERCE, NONPROFIT
19 ORGANIZATIONS, BUSINESSES, OR FAITH-BASED ORGANIZATIONS;
20 (d) THE SUSTAINABILITY OF THE PROJECT, SPECIFYING HOW THE
21 PROJECT WILL CONTINUE AFTER THE GRANT TERM EXPIRES;
22 (e) THE GOVERNANCE OF THE PROJECT, SPECIFYING HOW THE
23 PROJECT WILL ENSURE APPROPRIATE ADMINISTRATION, MONITORING,
24 REPORTING, AND COMPLIANCE FOR THE GRANT;
25 (f) THE INNOVATION OF THE PROJECT, SPECIFYING HOW THE
26 PROJECT SUPPORTS INNOVATIVE, LOCALLY DRIVEN SOLUTIONS TO RESPOND
27 TO COMMUNITY NEEDS; AND
28 (g) THE EQUITY OF THE PROJECT, SPECIFYING HOW THE PROJECT
29 WILL IMPROVE EDUCATION AND ECONOMIC OUTCOMES FOR UNDERSERVED
30 POPULATIONS OR COMMUNITIES.
31 (5) EACH WORK FORCE DEVELOPMENT BOARD THAT AWARDS
32 GRANTS TO ELIGIBLE APPLICANTS PURSUANT TO THIS SECTION SHALL
33 REPORT INFORMATION AS REQUIRED BY SECTION 24-46.3-606 TO THE
34 CONNECTING COLORADO DATABASE TO TRACK PARTICIPANTS AND
35 FACILITATE AN EVALUATION OF THE GRANT RECIPIENT'S USE OF THE GRANT
36 AWARD AND THE OUTCOMES ACHIEVED.
37 (6) EACH ELIGIBLE APPLICANT THAT RECEIVES A GRANT PURSUANT
38 TO THIS SECTION SHALL COMPLY WITH ANY REPORTING REQUIREMENTS AS
39 DETERMINED BY THE STATE CONTROLLER PURSUANT TO SECTION
40 24-75-226.
41 **24-46.3-605. Statewide work force innovation initiatives -**



1 **development - stakeholder process - distribution of money for**
2 **initiatives.** (1) THE STATE COUNCIL SHALL USE THE MONEY ALLOCATED
3 PURSUANT TO SECTION 24-46.3-603 (1)(b) FOR STATEWIDE WORK FORCE
4 INNOVATION INITIATIVES DESIGNED TO PERFORM THE ACTIVITIES
5 SPECIFIED IN SUBSECTION (2) OF THIS SECTION TO ADDRESS THE NEGATIVE
6 ECONOMIC IMPACTS OF THE COVID-19 PUBLIC HEALTH EMERGENCY.
7 (2) THE STATE COUNCIL SHALL CONDUCT A STAKEHOLDER
8 PROCESS TO ENGAGE WORK FORCE DEVELOPMENT BOARDS AND
9 COMMUNITY LEADERS IN THE DESIGN OF STATEWIDE INITIATIVES, WHICH
10 MAY INCLUDE THE FOLLOWING ACTIVITIES:
11 (a) SUPPORTING EMPLOYERS AND TRADE ASSOCIATIONS THAT
12 OPERATE IN MULTIPLE COUNTIES IN DEVELOPING TRAINING PROGRAMS;
13 (b) MANAGING ALIGNMENT OF STATEWIDE ACTIVITIES IN
14 PARTNERSHIP WITH WORK FORCE DEVELOPMENT AREAS FOR SKILLS-BASED
15 HIRING AND TALENT DEVELOPMENT ACTIVITIES;
16 (c) CAPACITY BUILDING AND TECHNICAL ASSISTANCE ACTIVITIES,
17 SUCH AS STAFF OR CONTRACTORS TO SUPPORT THE ADMINISTRATION OF
18 LOCAL COMPETITIONS AND RELATED ACTIVITIES AND CONTRACTING WITH
19 LOCAL OR NATIONAL EXPERTS ON EVIDENCE-BASED POLICY,
20 RESULTS-BASED CONTRACTING, RIGOROUS EVALUATION DESIGN, AND
21 IMPLEMENTATION SCIENCE;
22 (d) CAPACITY BUILDING AND TECHNICAL ASSISTANCE FOR
23 COMMUNITY-BASED ORGANIZATIONS TO INCREASE KNOWLEDGE AND
24 UNDERSTANDING OF WORK FORCE PROGRAMMING;
25 (e) TESTING SIMILAR PROGRAMS IN MULTIPLE LOCATIONS TO
26 ASSESS WHAT WORKS SO THAT SUCCESSFUL PRACTICES USED IN SPECIFIC
27 LOCATIONS CAN BE SCALED OR REPLICATED IN OTHER LOCATIONS;
28 (f) EXECUTING AND MANAGING CONTRACTS WITH EXTERNAL
29 EVALUATORS IN ACCORDANCE WITH SECTION 24-46.3-606;
30 (g) PERFORMING MONITORING AND COMPLIANCE ACTIVITIES
31 NECESSARY TO DEMONSTRATE FISCAL INTEGRITY; AND
32 (h) CONDUCTING OUTREACH AND COMMUNICATION CAMPAIGNS TO
33 REACH COLORADANS, INCLUDING UNDERSERVED AND
34 DISPROPORTIONATELY IMPACTED POPULATIONS, WHO MAY BENEFIT FROM
35 AVAILABLE PROGRAMS.
36 (3) (a) THE STATE COUNCIL SHALL DISTRIBUTE MONEY IN
37 ACCORDANCE WITH STATE AND FEDERAL PROCUREMENT GUIDELINES FOR
38 STATEWIDE WORK FORCE INNOVATION INITIATIVES DEVELOPED PURSUANT
39 TO THIS SECTION THAT WILL PERFORM ACTIVITIES SPECIFIED IN
40 SUBSECTION (2) OF THIS SECTION.
41 (b) ANY PERSON THAT RECEIVES MONEY FOR A STATEWIDE WORK

1 FORCE INNOVATION INITIATIVE PURSUANT TO THIS SECTION SHALL:

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

5 (II) COMPLY WITH ANY REPORTING REQUIREMENTS AS
6 DETERMINED BY THE STATE CONTROLLER PURSUANT TO SECTION
7 24-75-226.

8 **24-46.3-606. Evaluation - grant-funded projects and programs**
9 **- statewide innovation initiatives.** (1) THE STATE COUNCIL SHALL
10 CONDUCT OR FACILITATE AN EVALUATION OF ALL PROGRAMS, PROJECTS,
11 AND INITIATIVES FUNDED PURSUANT TO THIS PART 6 ON EITHER A
12 STATEWIDE LEVEL OR WORK FORCE DEVELOPMENT AREA LEVEL.

13 (2) ANY WORK FORCE DEVELOPMENT BOARD OR PERSON THAT
14 RECEIVES MONEY OR A GRANT PURSUANT TO SECTION 24-46.3-604 OR
15 24-46.3-605 MUST USE THE CONNECTING COLORADO DATABASE TO
16 REPORT INFORMATION ABOUT HOW THE RECIPIENT USED THE MONEY, THE
17 OUTCOMES ACHIEVED, AND ANY OTHER INFORMATION NECESSARY TO
18 FACILITATE THE EVALUATION REQUIRED BY THIS SECTION.

19 (3) IN ADDITION TO THE REQUIREMENTS OF SECTION 24-75-226(5),
20 PROGRAMS, PROJECTS, AND INITIATIVES FUNDED PURSUANT TO THIS PART
21 6 MUST BE EVALUATED TO:

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

- 25 (I) SKILL OR COMPETENCY ATTAINMENT;
- 26 (II) INDUSTRY-RECOGNIZED CREDENTIAL ATTAINMENT;
- 27 (III) GRADUATION OR CREDENTIAL ATTAINMENT RATES;
- 28 (IV) JOB PLACEMENT; AND
- 29 (V) JOB QUALITY;

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

33 **24-46.3-607. Repeal of part.** THIS PART 6 IS REPEALED, EFFECTIVE
34 JULY 1, 2027.

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

37 **24-75-231. Workers, employers, and workforce centers cash**
38 **fund - creation - allowable uses - definitions - repeal.** (1) AS USED IN
39 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

40 (a) "AMERICAN RESCUE PLAN ACT OF 2021" MEANS THE FEDERAL
41 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY

1 BE SUBSEQUENTLY AMENDED.

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

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

10 (d) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT IDENTIFIED
11 IN SECTION 24-1-110 AND THE JUDICIAL DEPARTMENT. THE TERM ALSO
12 INCLUDES THE OFFICE OF THE GOVERNOR, INCLUDING ANY OFFICES
13 CREATED THEREIN.

14 (e) "FUND" MEANS THE WORKERS, EMPLOYERS, AND WORKFORCE
15 CENTERS CASH FUND CREATED IN SUBSECTION (2)(a) OF THIS SECTION OR
16 AN IDENTICAL COMPANION FUND CREATED BY OPERATION OF SECTION
17 24-75-226 (4)(c).

18 (2) (a) THE WORKERS, EMPLOYERS, AND WORKFORCE CENTERS
19 CASH FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND
20 CONSISTS OF MONEY CREDITED TO THE FUND IN ACCORDANCE WITH
21 SUBSECTION (2)(b) OF THIS SECTION AND ANY OTHER MONEY THAT THE
22 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. TO
23 RESPOND TO THE PUBLIC HEALTH EMERGENCY OR ITS NEGATIVE ECONOMIC
24 IMPACTS, THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE
25 FUND TO RESPOND TO THE NEGATIVE ECONOMIC IMPACTS OF THE
26 COVID-19 PUBLIC HEALTH EMERGENCY, INCLUDING FOR THE FOLLOWING
27 PURPOSES:

28 (I) TO PROVIDE ASSISTANCE TO UNEMPLOYED WORKERS,
29 INCLUDING JOB TRAINING FOR INDIVIDUALS WHO WANT TO AND ARE
30 AVAILABLE FOR WORK;

31 (II) TO PROVIDE ASSISTANCE TO HOUSEHOLDS;

32 (III) FOR PROGRAMS, SERVICES, OR OTHER ASSISTANCE FOR
33 POPULATIONS DISPROPORTIONATELY IMPACTED BY THE COVID-19 PUBLIC
34 HEALTH EMERGENCY, SUCH AS PROGRAMS OR SERVICES THAT ADDRESS OR
35 MITIGATE THE IMPACTS OF THE PUBLIC HEALTH EMERGENCY ON
36 EDUCATION;

37 (IV) TO PROVIDE AID TO IMPACTED INDUSTRIES, SMALL
38 BUSINESSES, AND NONPROFIT ORGANIZATIONS TO RESPOND TO THE
39 NEGATIVE ECONOMIC IMPACTS OF THE COVID-19 PUBLIC HEALTH
40 EMERGENCY THROUGH THE PROVISION OF RELATED EDUCATIONAL AND JOB
41 TRAINING SERVICES; AND



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

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

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

8 (B) TWENTY-FIVE MILLION DOLLARS FROM THE GENERAL FUND TO
9 THE FUND.

10 (II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
11 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
12 FUND TO THE FUND.

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

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

20 **SECTION 5.** In Colorado Revised Statutes, **add** part 2 to article
21 8 of title 23 as follows:

22 PART 2

23 CAREER AND TECHNICAL EDUCATION
24 EQUIPMENT, FACILITY, AND
25 INSTRUCTION CAPACITY FUNDING

26 **23-8-201. Funding for technical education equipment,**
27 **facilities, and instruction capacity - allocation to CTE providers -**
28 **definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
29 OTHERWISE REQUIRES:

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

32 (b) "COMMISSION" MEANS THE COLORADO COMMISSION ON
33 HIGHER EDUCATION ESTABLISHED IN SECTION 23-1-102.

34 (c) "CTE PROVIDER" MEANS ANY OF THE FOLLOWING THAT
35 PROVIDES CAREER OR TECHNICAL EDUCATION PROGRAMS APPROVED BY
36 THE BOARD:

37 (I) AN AREA TECHNICAL COLLEGE AS DEFINED IN SECTION
38 23-60-103 (1);

39 (II) A COMMUNITY COLLEGE INCLUDED IN THE STATE SYSTEM OF
40 COMMUNITY AND TECHNICAL COLLEGES PURSUANT TO SECTION
41 23-60-205;



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

3 (IV) A LOCAL DISTRICT COLLEGE AS DEFINED IN SECTION
4 23-71-102 (1)(a).

5 (d) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER
6 EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114.

7 (2) (a) FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL
8 ASSEMBLY SHALL APPROPRIATE TEN MILLION DOLLARS FROM THE
9 WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED
10 IN SECTION 24-75-231 (2)(a) TO THE DEPARTMENT FOR ALLOCATION BY
11 THE BOARD IN ACCORDANCE WITH THE METHODOLOGY DEVELOPED
12 PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION TO CTE PROVIDERS TO
13 EXPAND EQUIPMENT, FACILITY, AND INSTRUCTION CAPACITY IN KEY
14 CAREER AND TECHNICAL EDUCATION JOB DEMAND AREAS AS IDENTIFIED
15 IN THE COLORADO TALENT REPORT.

16 (b) THE BOARD SHALL DEVELOP A METHODOLOGY FOR
17 DISTRIBUTING THE MONEY APPROPRIATED PURSUANT TO SUBSECTION
18 (2)(a) OF THIS SECTION TO CTE PROVIDERS, SUBJECT TO APPROVAL BY THE
19 COMMISSION. THE METHODOLOGY MUST TAKE INTO CONSIDERATION
20 FACTORS SUCH AS THE CAPACITY NEEDS OF CTE PROVIDERS, THE LENGTH
21 OF WAIT LISTS, AND PROGRAMS OFFERED BY CTE PROVIDERS THAT
22 PROVIDE TRAINING FOR JOB DEMAND AREAS AS IDENTIFIED IN THE
23 COLORADO TALENT REPORT.

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

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

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

38 Renumber succeeding sections accordingly.

39 Page 9, line 13, strike "For the 2020-21" and substitute "(1) For the



1 2021-22".

2 Page 9, line 16, strike "general fund." and substitute "workers, employers,
3 and workforce centers cash fund created in section 24-75-231 (2)(a),
4 C.R.S., and of money the state received from the federal coronavirus state
5 fiscal recovery fund."

6 Page 9, after line 18 insert:

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

15 (3) For the 2021-22 state fiscal year, \$10,000,000 is appropriated
16 to the department of higher education. This appropriation is from the
17 workers, employers, and workforce centers cash fund created in section
18 24-75-231 (2)(a), C.R.S., and of money the state received from the federal
19 coronavirus state fiscal recovery fund. To implement this act, the
20 department may use this appropriation for career and technical education
21 equipment, facility, and instruction capacity funding.

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

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

33 **SECTION 7. Effective date.** This act takes effect upon passage;
34 except that sections 2 through 6 of this act take effect only if Senate Bill
35 21-288 becomes law and, in which case, sections 2 through 6 of this act
36 take effect either upon the effective date of this act or one day after the
37 effective date of Senate Bill 21-288, whichever is later."



1 Renumber succeeding section accordingly.

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