



# Legislative Council Staff

## Research Note

Version: Final

Date: 5/12/2016

### Bill Number

**House Bill 16-1048**

### Sponsors

**Representative Primavera  
Senator Lundberg**

### Short Title

**Expand Business Enterprise  
Program**

### Research Analyst

**Luisa Altmann (x3518)**

### Status

This research note reflects the final version of the bill. The bill becomes effective July 1, 2016, except the provisions of the bill creating a working group to examine expanding Business Enterprise Program vendors became effective May 4, 2016.

### Summary

This bill establishes a working group in the Colorado Department of Labor and Employment (CDLE) consisting of various stakeholders and representatives from state agencies concerning the Business Enterprise Program (BEP). Specifically, the working group is required to study ways to expand opportunities for BEP vendors at the Department of Corrections, the Department of Natural Resources, institutions of higher education, and the Colorado State Fair. The working group will also consider the possibility of the BEP vendors expanding beyond food service and vending facilities. The working group is required to prepare a report and make recommendations to the relevant committees of the General Assembly by January 1, 2017. The bill also allows CDLE to issue licenses to BEP vendors to operate businesses other than vending facilities.

### Background

Created in 1936, the federal Randolph-Sheppard Act authorizes state rehabilitation agencies to provide training, licensure, and job placement assistance to persons who are blind. In Colorado, the Division of Vocational Rehabilitation in the Department of Human Services has provided services in compliance with the act to eligible individuals through the BEP. The BEP trains and places qualified legally blind business persons as managers of food service operations, in state and federal-owned buildings and facilities. Currently there are 18 blind vendors participating in the BEP that serve more than 150 locations at state and federal government properties. On July 1, 2016, the Division of Vocational Rehabilitation will move to the Colorado Department of Labor and

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Employment, pursuant to Senate Bill 15-239.

## House Action

**House Business Affairs and Labor Committee (March 24, 2016).** At the hearing, representatives from the National Federation of the Blind of Colorado, the Colorado Business Enterprise Program, and one private citizen testified in support of the bill. Representatives from Colorado State University and CDLE were available to respond to questions from the committee.

The committee adopted amendments L.001, L.002, L.003, and referred the bill, as amended, to the House Committee of the Whole. Amendment L.001:

- eliminated the provision in the bill that would have removed the exemption for institutions of higher education, the Auraria higher education center, and the Colorado State Fair Authority, and would have required these institutions to participate in the BEP; and
- created a workgroup in CDLE that is required to study and report on ways to expand opportunities, including other types of businesses beyond food service and vending facilities, for BEP vendors at institutions of higher education, the Department of Corrections, and the Colorado State Fair.

Amendment L.002 amended L.001 to require the workgroup to study and report on how to increase and modify the allocation of federal matching dollars. Amendment L.003 amended L.001 to require the workgroup to also study opportunities for BEP vendors within the Department of Natural Resources.

**House second reading (March 31, 2016).** The House adopted the House Business Affairs and Labor Committee report and passed the bill on second reading, as amended.

**House third reading (April 1, 2016).** The House passed the bill on third reading with no amendments.

## Senate Action

**Senate Business, Labor, & Technology Committee (April 13, 2016).** At the hearing, representatives from the Colorado Business Enterprise Program and the National Federation of the Blind testified in support of the bill. The committee referred the bill, unamended, to the Senate Committee of the Whole.

**Senate second reading (April 18, 2016).** The Senate passed the bill on second reading with no amendments.

**Senate third reading (April 19, 2016).** The Senate passed the bill on third reading with no amendments.

## Relevant Research

Legislative Council Staff, Vocational Rehabilitation Services for the Blind Interim Study Committee Final Report, December 2015: <http://tinyurl.com/zaqs7rh>