

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 18-1043.02 Kristen Forrestal x4217

HOUSE BILL 18-1310

HOUSE SPONSORSHIP

Coleman and Covarrubias,

SENATE SPONSORSHIP

Fields,

House Committees

Business Affairs and Labor
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A PILOT PROGRAM FOR EMERGENCY**
102 **EMPLOYMENT SUPPORT SERVICES.**

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>.)

The bill creates a pilot program in the division of local government (division) in the department of local affairs (department) to provide emergency employment support services to rural and economically disadvantaged counties in the state. The bill requires the division to contract with an entity to operate the pilot program to provide reimbursement for emergency employment support services provided to

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

HOUSE
Amended 2nd Reading
April 19, 2018

eligible individuals in the eligible counties. In order to be eligible for services for which a service provider may be reimbursed under the pilot program, an individual must be 16 years or older, eligible to work in the United States, have an income at or below 200% of the federal poverty line, and be actively pursuing employment or job training. The division is required to promulgate rules to implement and set parameters for the operation of the pilot program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 4 to article
3 83 of title 8 as follows:

4 **PART 4**

5 **EMERGENCY EMPLOYMENT SUPPORT**

6 **SERVICES PILOT PROGRAM**

7 **8-83-401. Emergency employment support services pilot**
8 **program - creation - study - definitions - appropriation - repeal.**

9 (1) (a) THERE IS HEREBY CREATED IN THE DIVISION THE EMERGENCY
10 EMPLOYMENT SUPPORT SERVICES PILOT PROGRAM, A THREE-YEAR PILOT
11 PROGRAM BEGINNING SEPTEMBER 1, 2018, TO FUND EMERGENCY
12 EMPLOYMENT SUPPORT SERVICES TO ELIGIBLE INDIVIDUALS AS THEY
13 PERTAIN TO THE INDIVIDUAL'S JOB TRAINING AND EMPLOYMENT GOALS.

14 (b) THE DIVISION SHALL SELECT TEN RURAL COUNTIES AND A
15 LIMITED NUMBER OF ZIP CODES WITHIN **NONRURAL** COUNTIES TO
16 PARTICIPATE IN THE PILOT PROGRAM. IN SELECTING THE RURAL COUNTIES
17 AND ZIP CODES, THE DIVISION SHALL CONSIDER COUNTIES AND ZIP CODES
18 WITHIN THE COUNTIES SPECIFIED IN THIS SUBSECTION (1)(b) THAT HAVE:

19 (I) THE HIGHEST PERCENTAGE OF RESIDENTS LIVING AT OR BELOW
20 TWO HUNDRED PERCENT OF THE FEDERAL POVERTY LINE;

21 (II) THE HIGHEST PERCENTAGE OF RESIDENTS WITHOUT A HIGH
22 SCHOOL DIPLOMA;

- 1 (III) THE HIGHEST UNEMPLOYMENT RATES; [REDACTED]
- 2 (IV) THE LOWEST MEDIAN INCOME AS A PERCENTAGE OF THE
- 3 STATE MEDIAN INCOME; AND
- 4 (V) THE HIGHEST NUMBER OF WORKING AGE RESIDENTS WHO ARE
- 5 NOT EMPLOYED.

6 (c) THE DIVISION SHALL DEVELOP A COMPETITIVE
7 REQUEST-FOR-PROPOSAL PROCESS TO CONTRACT WITH AN OUTSIDE
8 NONPROFIT ENTITY TO ADMINISTER THE PILOT PROGRAM. THE
9 ADMINISTERING ENTITY SELECTED TO ADMINISTER THE PILOT PROGRAM
10 SHALL DEVELOP FORMAL MEMORANDUMS OF UNDERSTANDING WITH
11 PUBLIC AGENCIES AND PRIVATE NONPROFIT ORGANIZATIONS THAT
12 PROVIDE EMPLOYMENT, JOB TRAINING, AND JOB RETENTION SERVICES TO
13 ELIGIBLE INDIVIDUALS.

14 [REDACTED]

15 (2)(a) THE ADMINISTERING ENTITY SHALL DEVELOP A PROCESS TO
16 REIMBURSE SERVICE PROVIDERS UP TO FOUR HUNDRED DOLLARS PER YEAR
17 FOR EACH ELIGIBLE INDIVIDUAL THAT RECEIVED ASSISTANCE. THE SERVICE
18 PROVIDERS MUST AGREE TO:

19 (I) SUBMIT REPORTS AS SPECIFIED BY THE ADMINISTERING ENTITY
20 THAT OUTLINE THE TYPE OF SERVICE PROVIDED, THE REASON FOR THE
21 SERVICES AND BASIC DEMOGRAPHICS OF THE ELIGIBLE INDIVIDUALS, AND
22 THE GEOGRAPHIC LOCATION WHERE THE SERVICE WAS PROVIDED; AND

23 (II) PARTICIPATE IN A FOLLOW-UP ANALYSIS PROCESS AT THE END
24 OF THE PILOT PROGRAM.

25 (b) (I) THE REIMBURSED MONEY MUST NOT BE USED FOR JOB
26 TRAINING OR EMPLOYMENT SERVICES THAT ARE CURRENTLY PROVIDED BY
27 ANOTHER SOURCE.

1 (II) THE REIMBURSED MONEY MAY BE USED FOR EMERGENCY
2 EMPLOYMENT SUPPORT SERVICES TO ASSIST WITH EMERGENCY NEEDS AS
3 THEY PERTAIN TO INDIVIDUALS' EMPLOYMENT OR JOB TRAINING GOALS.
4 THE REIMBURSED MONEY MAY ALSO BE USED FOR SERVICES TO ASSIST
5 WITH ONGOING JOB RETENTION FOR UP TO SIX MONTHS AFTER THE DATE OF
6 EMPLOYMENT.

7 (c) NOTWITHSTANDING ANY OTHER FEDERAL OR STATE LAW, IN
8 ORDER TO BE ELIGIBLE TO RECEIVE SERVICES FOR WHICH A SERVICE
9 PROVIDER MAY BE REIMBURSED UNDER THE PILOT PROGRAM, AN
10 INDIVIDUAL MUST:

11 (I) HAVE AN INCOME AT OR BELOW TWO HUNDRED PERCENT OF
12 THE FEDERAL POVERTY LINE;

13 (II) BE AT LEAST SIXTEEN YEARS OF AGE;

14 (III) BE ELIGIBLE TO WORK IN THE UNITED STATES; AND

15 (IV) BE ACTIVELY PURSUING EMPLOYMENT OR JOB TRAINING WITH
16 THE ASSISTANCE OF A PUBLIC AGENCY OR PRIVATE NONPROFIT
17 ORGANIZATION THAT PROVIDES EMPLOYMENT SERVICES AND THAT HAS A
18 MEMORANDUM OF UNDERSTANDING PURSUANT TO SUBSECTION (1) OF THIS
19 SECTION.

20 (3) SERVICES THAT ARE ELIGIBLE FOR REIMBURSEMENT INCLUDE:

21 (a) TRANSPORTATION OR VEHICLE REPAIR;

22 (b) EMERGENCY CHILDCARE;

23 (c) EMERGENCY HOUSING;

24 (d) JOB TRAINING OR EDUCATION FEES;

25 (e) WORK TOOLS AND EQUIPMENT;

26 (f) FOOD AND NUTRITION;

27 (g) UTILITY AND INTERNET BILLS;

- 1 (h) PREPAID CELL PHONES;
- 2 (i) LICENSES AND CERTIFICATIONS;
- 3 (j) LEGAL SERVICES RELATED TO EMPLOYMENT;
- 4 (k) INTERPRETATION EXPENSES;
- 5 (l) MEDICAL EXPENSES THAT IMPEDE AN INDIVIDUAL'S ABILITY TO
- 6 OBTAIN JOB TRAINING OR EMPLOYMENT OR TO RETAIN EMPLOYMENT; AND
- 7 (m) OTHER EXPENSES AS THEY PERTAIN TO EMPLOYMENT OR JOB
- 8 TRAINING BUT ARE NOT PROVIDED BY ANY OTHER FUNDING SOURCE.

9 (4) THE ADMINISTERING ENTITY SHALL REPORT TO THE DIVISION
10 AT THE END OF THE PILOT PROGRAM:

- 11 (a) THE INFORMATION PROVIDED BY SERVICE PROVIDERS
- 12 PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION;
- 13 (b) A QUALITATIVE ANALYSIS BASED ON INTERVIEWS CONDUCTED
- 14 WITH AT LEAST ONE SERVICE PROVIDER IN EACH SELECTED GEOGRAPHIC
- 15 LOCATION CONCERNING THE EFFICACY OF THE PILOT PROGRAM; AND
- 16 (c) AN ACCOUNT OF THE PILOT PROGRAM'S EXPENDITURES.

17 (5) THE DIVISION SHALL DEVISE A FORMULA BASED ON EXISTING
18 FUNDING FORMULAS FOR POVERTY REDUCTION, EMPLOYMENT, AND
19 WORKFORCE DEVELOPMENT PROGRAMS FOR THE DISTRIBUTION OF MONEY
20 WITHIN THE PROGRAM AREA PURSUANT TO THE PILOT PROGRAM. THE
21 FORMULA MUST ENSURE THAT EACH COUNTY AND ZIP CODE WITHIN A
22 COUNTY IN THE PROGRAM AREA HAS ACCESS TO AN EQUITABLE
23 PROPORTION OF MONEY AVAILABLE FOR THE PILOT PROGRAM BASED ON
24 THE ESTIMATED NUMBER OF ELIGIBLE INDIVIDUALS THAT MAY ACCESS
25 SERVICES FROM SERVICE PROVIDERS. IF MONEY ALLOCATED TO A COUNTY
26 OR ZIP CODE WITHIN A SPECIFIED COUNTY IN THE PROGRAM AREA IS
27 UNDER-UTILIZED, THE DIVISION MAY REALLOCATE MONEY UP TO THREE

1 MONTHS PRIOR TO THE END OF A FISCAL YEAR TO A COUNTY OR ZIP CODE
2 WITHIN A SPECIFIED COUNTY THAT HAS A HIGHER NEED.

3 (6) THE DIVISION SHALL ESTABLISH PROCEDURES AND GUIDELINES
4 TO IMPLEMENT THE PILOT PROGRAM, INCLUDING PROCEDURES AND
5 GUIDELINES PERTAINING TO THE SELECTION OF AN ADMINISTERING ENTITY
6 TO OPERATE THE PILOT PROGRAM, THE MEMORANDUMS OF
7 UNDERSTANDING, FORMULAS FOR ALLOCATING AND REALLOCATING
8 MONEY PURSUANT TO SUBSECTION (6) OF THIS SECTION, AND ANY
9 ADDITIONAL PARAMETERS FOR THE OPERATION AND EVALUATION, SUBJECT
10 TO DATA AVAILABLE TO THE DIVISION AND THE INFORMATION SET FORTH
11 IN SUBSECTION (5) OF THIS SECTION, OF THE PILOT PROGRAM. THE DIVISION
12 SHALL SOLICIT FEEDBACK FROM KEY STAKEHOLDERS WHEN ESTABLISHING
13 PROCEDURES AND GUIDELINES PURSUANT TO THIS SECTION.

14 (7) FOR THE PURPOSES OF THIS SECTION:

15 (a) "ADMINISTERING ENTITY" MEANS THE NONPROFIT ENTITY
16 SELECTED PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION TO
17 ADMINISTER THE PILOT PROGRAM.

18 (b) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL THAT SATISFIES
19 THE ELIGIBILITY CRITERIA SPECIFIED IN SUBSECTION (3)(c) OF THIS
20 SECTION.

21 (c) "FEDERAL POVERTY LINE" HAS THE SAME MEANING AS
22 "POVERTY LINE", AS DEFINED IN 42 U.S.C. SEC. 9902 (2).

23 (d) "PILOT PROGRAM" MEANS THE EMERGENCY EMPLOYMENT
24 SUPPORT SERVICES PILOT PROGRAM CREATED IN THIS SECTION.

25 (e) "PROGRAM AREA" MEANS THE COUNTIES AND ZIP CODES
26 WITHIN SPECIFIED COUNTIES SELECTED FOR PARTICIPATION IN THE PILOT
27

1 PROGRAM.

2 (f) "SERVICE PROVIDER" MEANS A PUBLIC AGENCY OR PRIVATE
3 NONPROFIT ORGANIZATION THAT PROVIDES SERVICES TO AN ELIGIBLE
4 INDIVIDUAL PURSUANT TO A MEMORANDUM OF UNDERSTANDING WITH THE
5 ADMINISTERING ENTITY.

6 (g) "SERVICES" MEANS SERVICES PROVIDED BY SERVICE
7 PROVIDERS TO ELIGIBLE INDIVIDUALS, WHICH SERVICES ARE ELIGIBLE FOR
8 REIMBURSEMENT FROM THE PILOT PROGRAM PURSUANT TO SUBSECTION
9 (4) OF THIS SECTION.

10 (8) (a) THE EMERGENCY EMPLOYMENT SUPPORT SERVICES PILOT
11 PROGRAM CASH FUND IS HEREBY CREATED IN THE STATE TREASURY. THE
12 FUND CONSISTS OF GIFTS, GRANTS, AND DONATIONS CREDITED TO THE
13 FUND PURSUANT TO SUBSECTION (9) AND ANY OTHER MONEY THAT THE
14 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE
15 EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, MAY EXPEND MONEY
16 FROM THE FUND FOR THE PURPOSES OF THIS SECTION.

17 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,
18 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
19 PURPOSES OF THIS SECTION. THE DEPARTMENT SHALL TRANSMIT ALL
20 MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE
21 TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

22 (c) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
23 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
24 FUND TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED
25 AND UNENCUMBERED MONEY IN THE FUND REMAINS THEREIN AND SHALL
26 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER
27 FUND. MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE

1 DEPARTMENT FOR THE PURPOSES OF THIS SECTION.

2 (d) THE DEPARTMENT IS NOT REQUIRED TO IMPLEMENT THE PILOT
3 PROGRAM UNTIL SUFFICIENT FUNDS ARE RECEIVED IN THE FUND.

4 (9) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.
5 BEFORE ITS REPEAL, THE PILOT PROGRAM IS SCHEDULED FOR REVIEW IN
6 ACCORDANCE WITH SECTION 24-34-104.

7 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add**
8 (21)(a)(X) as follows:

9 **24-34-104. General assembly review of regulatory agencies**
10 **and functions for repeal, continuation, or reestablishment - legislative**
11 **declaration - repeal.** (21) (a) The following agencies, functions, or both,
12 will repeal on September 1, 2021:

13 (X) THE EMERGENCY EMPLOYMENT SERVICES PILOT PROGRAM
14 ESTABLISHED IN PART 4 OF ARTICLE 83 OF TITLE 8.

15 **SECTION 3. Effective date.** This act takes effect July 1, 2018.

16 **SECTION 4. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.