

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

REREVISED

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

LLS NO. 19-0664.01 Brita Darling x2241

SENATE BILL 19-057

SENATE SPONSORSHIP

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Senate Committees
Education

House Committees
Education

HOUSE
3rd Reading Unamended
February 28, 2019

A BILL FOR AN ACT

101 **CONCERNING INFORMATION RELATING TO EMPLOYEE ELIGIBILITY FOR**
102 **STUDENT LOAN REPAYMENT PROGRAMS.**

HOUSE
2nd Reading Unamended
February 27, 2019

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>.)

SENATE
3rd Reading Unamended
February 5, 2019

The bill requires the department of personnel to develop and annually distribute informational materials to state employees concerning federal student loan repayment programs and loan forgiveness programs for which state employees may be eligible. The department of personnel may use existing federal informational materials, if available. The informational materials may be distributed by e-mail or through a regular

SENATE
Amended 2nd Reading
February 4, 2019

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.

mailing or communication to state employees. The department of personnel shall update the materials at least annually and distribute any updated materials.

In addition, the department of personnel must distribute the informational materials to:

- ! The department of education, for distribution to school district, charter school, institute charter school, and boards of cooperative services employees;
- ! The department of higher education, for distribution to employees at state institutions of higher education;
- ! The secretary of state, for dissemination to nonprofit public service organizations, as defined in the bill, with encouragement for these organizations to distribute the informational materials to their employees; and
- ! The division of local government in the department of local affairs, for distribution to cities, counties, cities and counties, special districts, and other local government entities, with encouragement for those entities to distribute the informational materials to their employees.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-5-102 as
3 follows:

4 **24-5-102. Employee information - student loan repayment and**
5 **forgiveness programs - legislative declaration - definitions.**

6 (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

7 (I) MANY COLORADANS HAVE FEDERAL STUDENT LOANS MADE
8 THROUGH THE UNITED STATES DEPARTMENT OF EDUCATION'S DIRECT
9 LOAN PROGRAM OR THE FEDERAL FAMILY EDUCATION LOAN PROGRAM;

10 (II) LARGE AMOUNTS OF STUDENT LOAN DEBT AND INSECURITY IN
11 THE JOB MARKET HAVE RESULTED IN HIGH STUDENT LOAN DEFAULT RATES;

12 (III) HOWEVER, MANY BORROWERS QUALIFY FOR LOAN
13 REPAYMENT PROGRAMS THAT ALLOW FOR LOWER MONTHLY PAYMENTS;

14 (IV) IN ADDITION, THERE ARE FEDERAL PROGRAMS THAT ALLOW

1 BORROWERS TO HAVE THEIR LOANS FORGIVEN AFTER WORKING FOR A
2 CERTAIN PERIOD OF TIME IN THE PUBLIC SECTOR, AS A TEACHER, OR FOR A
3 NONPROFIT PUBLIC SERVICE ORGANIZATION;

4 (V) THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU HAS
5 A TOOLKIT AND RESOURCES TO HELP EMPLOYERS ASSIST THEIR EMPLOYEES
6 IN ACCESSING THE FEDERAL PROGRAMS;

7 (VI) AS A PUBLIC SECTOR EMPLOYER, COLORADO CAN HELP
8 QUALIFIED EMPLOYEES ACCESS FEDERAL LOAN REPAYMENT AND LOAN
9 FORGIVENESS PROGRAMS FOR WHICH THEY MAY QUALIFY BY PROVIDING
10 INFORMATION TO ITS EMPLOYEES ABOUT THESE FEDERAL PROGRAMS; AND

11 (VII) FURTHER, SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL
12 INSTITUTE, LOCAL GOVERNMENTAL ENTITIES, AND NONPROFIT PUBLIC
13 SERVICE ORGANIZATIONS CAN ASSIST THEIR EMPLOYEES BY PROVIDING
14 INFORMATION ABOUT THESE FEDERAL PROGRAMS.

15 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
16 EMPLOYEES WILL BENEFIT FROM RECEIVING INFORMATION ABOUT FEDERAL
17 STUDENT LOAN PROGRAMS THAT PROVIDE ASSISTANCE THROUGH LOAN
18 REPAYMENT OPTIONS OR LOAN FORGIVENESS.

19 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "PUBLIC SERVICE LOAN FORGIVENESS PROGRAM" MEANS THE
22 LOAN FORGIVENESS PROGRAM SET FORTH IN 34 CFR 685.219.

23 (b) "TEACHER LOAN FORGIVENESS PROGRAM" MEANS THE LOAN
24 FORGIVENESS PROGRAM SET FORTH IN 34 CFR 685.217.

25 (3) (a) ON OR BEFORE DECEMBER 31, 2019, THE DEPARTMENT OF
26 PERSONNEL SHALL DEVELOP INFORMATIONAL MATERIALS DESCRIBED IN
27 SUBSECTION (3)(e) OF THIS SECTION TO INCREASE AWARENESS OF THE

1 PUBLIC SERVICE LOAN FORGIVENESS PROGRAM, THE TEACHER LOAN
2 FORGIVENESS PROGRAM, AND FEDERAL STUDENT LOAN REPAYMENT
3 OPTIONS, INCLUDING INCOME-SENSITIVE REPAYMENT PROGRAMS. IN LIEU
4 OF DEVELOPING THE INFORMATIONAL MATERIALS, THE DEPARTMENT OF
5 PERSONNEL MAY PROVIDE MATERIALS PUBLISHED BY A FEDERAL AGENCY
6 THAT INCLUDE THE REQUIRED INFORMATION.

7 (b) ON OR BEFORE JANUARY 1, 2020, AND ON OR BEFORE JANUARY
8 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF PERSONNEL SHALL
9 FACILITATE THE DISTRIBUTION OF THE INFORMATIONAL MATERIALS TO:

10 (I) ALL STATE EMPLOYEES;

11 (II) THE DEPARTMENT OF EDUCATION, FOR DISTRIBUTION TO EACH
12 SCHOOL DISTRICT AND BOARD OF COOPERATIVE SERVICES AND TO THE
13 STATE CHARTER SCHOOL INSTITUTE FOR THE BENEFIT OF TEACHERS
14 EMPLOYED BY A SCHOOL DISTRICT, A DISTRICT CHARTER SCHOOL, A BOARD
15 OF COOPERATIVE SERVICES, OR BY AN INSTITUTE CHARTER SCHOOL;

16 (III) THE DEPARTMENT OF HIGHER EDUCATION, FOR DISTRIBUTION
17 TO THE GOVERNING BOARD FOR EACH STATE INSTITUTION OF HIGHER
18 EDUCATION FOR THE BENEFIT OF EMPLOYEES OF STATE INSTITUTIONS OF
19 HIGHER EDUCATION;

20 (IV) THE SECRETARY OF STATE, FOR POSTING THE INFORMATIONAL
21 MATERIALS ON THE SECRETARY OF STATE'S WEBSITE FOR DISTRIBUTION TO
22 NONPROFIT PUBLIC SERVICE ORGANIZATIONS, AS DEFINED IN 34 CFR
23 685.219, FOR THE BENEFIT OF THE EMPLOYEES OF NONPROFIT PUBLIC
24 SERVICE ORGANIZATIONS; AND

25 (V) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF
26 LOCAL AFFAIRS, FOR DISTRIBUTION TO LOCAL GOVERNMENTAL ENTITIES,
27 AS DEFINED IN SECTION 24-32-104 (1)(m)(II).

1 (c) IN ADDITION TO ANNUAL DISTRIBUTION, THE DEPARTMENT OF
2 PERSONNEL SHALL FACILITATE THE DISTRIBUTION OF THE INFORMATIONAL
3 MATERIALS TO NEWLY HIRED STATE EMPLOYEES AS PART OF ITS EMPLOYEE
4 ORIENTATION PROCESS.

5 (d) THE DEPARTMENT OF PERSONNEL MAY DISTRIBUTE THE
6 INFORMATIONAL MATERIALS TO STATE EMPLOYEES OR HUMAN RESOURCES
7 DIRECTORS THROUGH AN E-MAIL _____ OR AS PART OF A MAILING OR
8 REGULAR COMMUNICATION TO STATE EMPLOYEES.

9 (e) THE INFORMATION PROVIDED PURSUANT TO THIS SECTION MUST
10 INCLUDE A SUMMARY OF THE PUBLIC SERVICE LOAN FORGIVENESS
11 PROGRAM, THE TEACHER LOAN FORGIVENESS PROGRAM, AND FEDERAL
12 STUDENT LOAN REPAYMENT PROGRAMS, INCLUDING WHO MAY BE ELIGIBLE
13 FOR THE PROGRAMS, STEPS THAT AN ELIGIBLE EMPLOYEE MUST TAKE IN
14 ORDER TO PARTICIPATE IN THE PROGRAMS, AND A RECOMMENDATION
15 THAT EMPLOYEES CONTACT THEIR STUDENT LOAN SERVICER OR AN
16 OMBUDSMAN AT THE STATE IF ONE EXISTS FOR ADDITIONAL INFORMATION.

17 (f) THE DEPARTMENT OF PERSONNEL SHALL MAKE THE
18 INFORMATIONAL MATERIALS AVAILABLE ON THE DEPARTMENT OF
19 PERSONNEL'S WEBSITE. THE DEPARTMENT OF PERSONNEL SHALL VERIFY
20 THE INFORMATION'S ACCURACY AT LEAST ANNUALLY AND UPDATE THE
21 INFORMATIONAL MATERIALS AS NECESSARY. THE DEPARTMENT OF
22 PERSONNEL SHALL DISTRIBUTE UPDATED INFORMATIONAL MATERIALS TO
23 THE ENTITIES INCLUDED IN SUBSECTION (3)(b) OF THIS SECTION.

24 **SECTION 2.** In Colorado Revised Statutes, 22-2-112, **add** (1)(t)
25 as follows:

26 **22-2-112. Commissioner - duties.** (1) Subject to the supervision
27 of the state board, the commissioner has the following duties:

1 (t) TO ANNUALLY DISTRIBUTE TO EACH SCHOOL DISTRICT AND TO
2 THE STATE CHARTER SCHOOL INSTITUTE INFORMATIONAL MATERIALS
3 RECEIVED FROM THE DEPARTMENT OF PERSONNEL PURSUANT TO SECTION
4 24-5-102 RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS
5 AND STUDENT LOAN FORGIVENESS PROGRAMS.

6 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-505, **add**
7 (20) as follows:

8 **22-30.5-505. State charter school institute - institute board -**
9 **appointment - powers and duties - rules.** (20) THE INSTITUTE SHALL
10 ANNUALLY DISTRIBUTE TO EACH INSTITUTE CHARTER SCHOOL
11 INFORMATIONAL MATERIALS RECEIVED FROM THE DEPARTMENT OF
12 EDUCATION PURSUANT TO SECTION 22-2-112 (1)(t) RELATING TO FEDERAL
13 STUDENT LOAN REPAYMENT PROGRAMS AND STUDENT LOAN FORGIVENESS
14 PROGRAMS.

15 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-507, **add**
16 (14) as follows:

17 **22-30.5-507. Institute charter school - requirements -**
18 **authority - rules.** (14) AN INSTITUTE CHARTER SCHOOL SHALL
19 ANNUALLY DISTRIBUTE TO EACH EMPLOYEE INFORMATIONAL MATERIALS
20 RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS AND
21 STUDENT LOAN FORGIVENESS PROGRAMS, INCLUDING UPDATED
22 MATERIALS, RECEIVED FROM THE STATE CHARTER SCHOOL INSTITUTE
23 PURSUANT TO SECTION 22-30.5-505 (20). IN ADDITION TO ANNUAL
24 DISTRIBUTION, AN INSTITUTE CHARTER SCHOOL SHALL DISTRIBUTE THE
25 INFORMATIONAL MATERIALS TO NEWLY HIRED EMPLOYEES AS PART OF ITS
26 EMPLOYEE ORIENTATION PROCESS. THE INSTITUTE CHARTER SCHOOL MAY
27 DISTRIBUTE THE INFORMATIONAL MATERIALS TO ITS EMPLOYEES THROUGH

1 AN E-MAIL TO EMPLOYEES OR AS PART OF A MAILING OR REGULAR
2 COMMUNICATION TO EMPLOYEES.

3 **SECTION 5.** In Colorado Revised Statutes, 22-32-109, **add**
4 (1)(pp) as follows:

5 **22-32-109. Board of education - specific duties.** (1) In addition
6 to any other duty required to be performed by law, each board of
7 education shall have and perform the following specific duties:

8 (pp) TO ANNUALLY DISTRIBUTE TO EACH DISTRICT CHARTER
9 SCHOOL AND TO EACH DISTRICT EMPLOYEE INFORMATIONAL MATERIALS
10 RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS AND
11 STUDENT LOAN FORGIVENESS PROGRAMS, INCLUDING UPDATED
12 MATERIALS, RECEIVED FROM THE DEPARTMENT OF EDUCATION PURSUANT
13 TO SECTION 22-2-112 (1)(t). IN ADDITION TO ANNUAL DISTRIBUTION, EACH
14 BOARD SHALL DISTRIBUTE THE INFORMATIONAL MATERIALS TO NEWLY
15 HIRED DISTRICT EMPLOYEES AS PART OF ITS EMPLOYEE ORIENTATION
16 PROCESS. THE BOARD MAY DISTRIBUTE THE INFORMATIONAL MATERIALS
17 TO DISTRICT EMPLOYEES THROUGH AN E-MAIL TO EMPLOYEES OR AS PART
18 OF A MAILING OR REGULAR COMMUNICATION TO EMPLOYEES.

19 **SECTION 6.** In Colorado Revised Statutes, 22-30.5-104, **add**
20 (13) as follows:

21 **22-30.5-104. Charter school - requirements - authority - rules.**

22 (13) EACH CHARTER SCHOOL SHALL ANNUALLY DISTRIBUTE TO EACH
23 EMPLOYEE INFORMATIONAL MATERIALS RELATING TO FEDERAL STUDENT
24 LOAN REPAYMENT PROGRAMS AND STUDENT LOAN FORGIVENESS
25 PROGRAMS, INCLUDING UPDATED MATERIALS, RECEIVED FROM ITS
26 CHARTERING SCHOOL BOARD PURSUANT TO SECTION 22-32-109 (1)(pp).
27 IN ADDITION TO ANNUAL DISTRIBUTION, A CHARTER SCHOOL SHALL

1 DISTRIBUTE THE INFORMATIONAL MATERIALS TO NEWLY HIRED
2 EMPLOYEES AS PART OF ITS EMPLOYEE ORIENTATION PROCESS. THE
3 CHARTER SCHOOL MAY DISTRIBUTE THE INFORMATIONAL MATERIALS TO
4 ITS EMPLOYEES THROUGH AN E-MAIL TO EMPLOYEES OR AS PART OF A
5 MAILING OR REGULAR COMMUNICATION TO EMPLOYEES.

6 **SECTION 7.** In Colorado Revised Statutes, **amend** 22-5-107 as
7 follows:

8 **22-5-107. Duties of board of cooperative services.** In addition
9 to any other duty required to be performed by law, the board of
10 cooperative services shall have the same duties as those for boards of
11 education as set forth in section 22-32-109 (1)(a) to (1)(m), (1)(q), ~~and~~
12 (1)(r), AND (1)(pp) and section 22-9-106.

13 **SECTION 8.** In Colorado Revised Statutes, **add** 23-1-136 as
14 follows:

15 **23-1-136. Department directive - federal student loan**
16 **repayment and forgiveness program information.** IN ADDITION TO ANY
17 OTHER POWERS AND DUTIES SET FORTH IN LAW, THE DEPARTMENT SHALL
18 ANNUALLY DISTRIBUTE TO THE GOVERNING BOARD FOR EACH STATE
19 INSTITUTION OF HIGHER EDUCATION INFORMATIONAL MATERIALS
20 RECEIVED FROM THE DEPARTMENT OF PERSONNEL PURSUANT TO SECTION
21 24-5-102 RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS
22 AND STUDENT LOAN FORGIVENESS PROGRAMS.

23 **SECTION 9.** In Colorado Revised Statutes, **add** 23-5-140.5 as
24 follows:

25 **23-5-140.5. Employee information - student loan repayment**
26 **and forgiveness programs.** EACH GOVERNING BOARD SHALL ANNUALLY
27 DISTRIBUTE TO EACH EMPLOYEE INFORMATIONAL MATERIALS RELATING

1 TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS AND STUDENT LOAN
2 FORGIVENESS PROGRAMS, INCLUDING UPDATED MATERIALS, RECEIVED
3 FROM THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO SECTION
4 23-1-106.6 (1)(a). IN ADDITION TO ANNUAL DISTRIBUTION, EACH
5 GOVERNING BOARD SHALL DISTRIBUTE THE INFORMATIONAL MATERIALS
6 TO NEWLY HIRED EMPLOYEES AS PART OF ITS EMPLOYEE ORIENTATION
7 PROCESS. THE GOVERNING BOARD MAY DISTRIBUTE THE INFORMATIONAL
8 MATERIALS TO ITS EMPLOYEES THROUGH AN E-MAIL TO EMPLOYEES OR AS
9 PART OF A MAILING OR REGULAR COMMUNICATION TO EMPLOYEES.

10 **SECTION 10.** In Colorado Revised Statutes, 24-32-104, **add**
11 (1)(m) as follows:

12 **24-32-104. Functions of the division - definition.** (1) The
13 division shall perform the following functions:

14 (m) (I) ANNUALLY DISTRIBUTE TO EACH LOCAL GOVERNMENTAL
15 ENTITY INFORMATIONAL MATERIALS RELATING TO FEDERAL STUDENT
16 LOAN REPAYMENT PROGRAMS AND STUDENT LOAN FORGIVENESS
17 PROGRAMS, INCLUDING UPDATED MATERIALS, RECEIVED FROM THE
18 DEPARTMENT OF PERSONNEL PURSUANT TO SECTION 24-5-102. THE
19 DIVISION MAY DISTRIBUTE THE INFORMATIONAL MATERIALS TO EACH
20 LOCAL GOVERNMENTAL ENTITY THROUGH AN E-MAIL OR AS PART OF A
21 MAILING OR REGULAR COMMUNICATION TO LOCAL GOVERNMENTAL
22 ENTITIES. THE DIVISION SHALL ENCOURAGE EACH LOCAL GOVERNMENTAL
23 ENTITY TO ANNUALLY DISTRIBUTE THE INFORMATIONAL MATERIALS,
24 INCLUDING ANY UPDATED MATERIALS, TO EACH EMPLOYEE OF THE LOCAL
25 GOVERNMENTAL ENTITY, AND TO INCLUDE THE INFORMATIONAL
26 MATERIALS AS PART OF THE LOCAL GOVERNMENTAL ENTITY'S NEW
27 EMPLOYEE ORIENTATION PROCESS.

1 (II) FOR PURPOSES OF SUBSECTION (1)(m)(I) OF THIS SECTION, A
2 "LOCAL GOVERNMENTAL ENTITY" MEANS A CITY, COUNTY, CITY AND
3 COUNTY, SPECIAL DISTRICT, OR OTHER UNIT OF LOCAL GOVERNMENT FOR
4 WHICH THE DIVISION HAS RECEIVED INFORMATION PURSUANT TO SECTION
5 24-32-116.

6 **SECTION 11.** In Colorado Revised Statutes, **add** 7-90-404 as
7 follows:

8 **7-90-404. Distribution of information - student loan**
9 **repayment and loan forgiveness programs.** (1) THE SECRETARY OF
10 STATE SHALL ANNUALLY DISSEMINATE FOR THE BENEFIT OF EMPLOYEES OF
11 NONPROFIT PUBLIC SERVICE ORGANIZATIONS, AS DEFINED IN 34 CFR
12 685.219, INFORMATIONAL MATERIALS RELATING TO FEDERAL STUDENT
13 LOAN REPAYMENT PROGRAMS AND STUDENT LOAN FORGIVENESS
14 PROGRAMS, INCLUDING UPDATED MATERIALS, RECEIVED FROM THE
15 DEPARTMENT OF PERSONNEL PURSUANT TO SECTION 24-5-102. THE
16 SECRETARY OF STATE MAY DISSEMINATE THE INFORMATIONAL MATERIALS
17 BY POSTING THE MATERIALS ON THE SECRETARY OF STATE'S WEBSITE.

18 (2) THE SECRETARY OF STATE SHALL ENCOURAGE EACH
19 NONPROFIT PUBLIC SERVICE ORGANIZATION TO ANNUALLY DISTRIBUTE THE
20 INFORMATIONAL MATERIALS, INCLUDING ANY UPDATED MATERIALS, TO
21 EACH EMPLOYEE OF THE NONPROFIT PUBLIC SERVICE ORGANIZATION, AND
22 TO INCLUDE THE INFORMATIONAL MATERIALS AS PART OF THE NONPROFIT
23 PUBLIC SERVICE ORGANIZATION'S NEW EMPLOYEE ORIENTATION PROCESS.

24 **SECTION 12. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2020 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.