

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

INTRODUCED

LLS NO. 21-0633.01 Esther van Mourik x4215

HOUSE BILL 21-1150

HOUSE SPONSORSHIP

Jodeh,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COLORADO OFFICE OF NEW**
102 **AMERICANS.**

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, initially within the department of labor and employment, the Colorado office of new Americans (ONA). The bill sets forth the ONA's duties and responsibilities and provides details regarding funding. The ONA serves as the point of contact for immigrant-serving state agencies, private sector organizations, and the public about immigrant issues in Colorado, and has as one of its central purposes the

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.

successful integration and inclusion of immigrants and refugees in our state's communities. As its main priority, the ONA is required to implement a statewide strategy to facilitate economic stability and promote successful economic, social, linguistic, and cultural integration by investing in the success of immigrants in Colorado.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 3.7 to title
3 8 as follows:

4 **ARTICLE 3.7**

5 **Colorado Office of New Americans**

6 **8-3.7-101. Legislative declaration - intent.** (1) THE GENERAL
7 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

8 (a) COLORADO IS HOME TO MORE THAN HALF A MILLION
9 IMMIGRANTS, INCLUDING REFUGEES, WHO MAKE UP TEN PERCENT OF THE
10 STATE'S POPULATION AND PLAY A VITAL ROLE IN OUR STATE'S CULTURAL
11 FABRIC AND SHARED PROSPERITY;

12 (b) OVER SIX HUNDRED THOUSAND INDIVIDUALS, WHO MAKE UP
13 ELEVEN PERCENT OF COLORADO'S POPULATION, ARE NATIVE-BORN
14 AMERICANS WITH AT LEAST ONE IMMIGRANT PARENT;

15 (c) IMMIGRANTS AND REFUGEES ARE AN INTEGRAL PART OF
16 COLORADO'S DIVERSE ECONOMY AND ARE A VITAL PART OF THE STATE'S
17 TAX BASE;

18 (d) IMMIGRANT-LED HOUSEHOLDS IN THE STATE PAID ONE AND A
19 HALF BILLION DOLLARS IN STATE AND LOCAL TAXES AND HAD A COMBINED
20 SPENDING POWER, AFTER TAX-INCOME, OF JUST OVER FOURTEEN BILLION
21 DOLLARS IN 2018;

22 (e) MORE THAN THIRTY-FIVE THOUSAND IMMIGRANT AND REFUGEE
23 ENTREPRENEURS EMPLOY OVER ONE HUNDRED THOUSAND INDIVIDUALS;

1 (f) IMMIGRANTS AND REFUGEES MAKE UP A LITTLE OVER THIRTEEN
2 PERCENT OF COLORADO'S SCIENCE, TECHNOLOGY, ENGINEERING, AND
3 MATH (STEM) WORKFORCE, TWENTY-ONE PERCENT OF THE
4 CONSTRUCTION WORKFORCE, SEVENTEEN PERCENT OF THE
5 MANUFACTURING WORKFORCE, AND NINETEEN PERCENT OF THE
6 ADMINISTRATIVE AND SUPPORT, WASTE MANAGEMENT, AND REMEDIATION
7 SERVICES WORKFORCES; AND

8 (g) BETWEEN 2017 AND 2019, NATURALIZATION RATES INCREASED
9 BY SEVENTY-SEVEN PERCENT IN COLORADO AND AN ADDITIONAL ONE
10 HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED SEVENTY-THREE
11 COLORADANS ARE ELIGIBLE TO NATURALIZE.

12 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

13 (a) SUPPORTING THE INTEGRATION AND INCLUSION OF IMMIGRANTS
14 AND REFUGEES IN OUR COMMUNITIES HELPS THE WHOLE STATE THRIVE;

15 (b) CREATING AND ESTABLISHING AN OFFICE OF NEW AMERICANS
16 WILL HELP TO ORGANIZE A STRUCTURE FOR STATE AGENCIES AND
17 IMMIGRANT COMMUNITIES TO PARTNER IN ORDER TO ENHANCE
18 INTEGRATION ACROSS THE STATE AND WILL PROVIDE IMMIGRANT
19 COMMUNITIES THE MEANS TO ADDRESS ANY CONCERNS AND OBSTACLES
20 THEY ENCOUNTER WHEN ACCESSING SERVICES; AND

21 (c) THE OFFICE OF NEW AMERICANS IS INTENDED TO SERVE AS A
22 CENTRALIZED LOCATION WHERE STATE PROGRAMS, INITIATIVES, AND
23 POLICIES FOCUSED ON FACILITATING ECONOMIC STABILITY AND
24 PROMOTING SUCCESSFUL INTEGRATION FOR IMMIGRANTS ARE HOUSED.

25 (3) IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE OFFICE OF
26 NEW AMERICANS:

27 (a) WILL GROW OVER TIME SO THAT IN THE FUTURE IT COULD

1 PROVIDE GRANTS TO LOCAL IMMIGRANT-FOCUSED, COMMUNITY-BASED
2 ORGANIZATIONS, DEPENDING ON AVAILABLE FUNDS; AND

3 (b) BE FUNDED THROUGH GIFTS, GRANTS, AND DONATIONS
4 THROUGH THE 2022-23 STATE FISCAL YEAR AND THAT IN THE SECOND
5 REGULAR SESSION OF THE SEVENTY-FOURTH GENERAL ASSEMBLY AN
6 APPROPRIATION BE INCLUDED IN THE ANNUAL GENERAL APPROPRIATION
7 ACT FOR THE OFFICE'S STATE FUNDING AND ASSOCIATED FTE; BUT
8 NOTHING PRECLUDES THE GENERAL ASSEMBLY FROM MAKING AN
9 APPROPRIATION TO THE OFFICE OF NEW AMERICANS PRIOR TO THE SECOND
10 REGULAR SESSION OF THE SEVENTY-FOURTH GENERAL ASSEMBLY.

11 **8-3.7-102. Definitions.** AS USED IN THIS ARTICLE 3.7, UNLESS THE
12 CONTEXT OTHERWISE REQUIRES:

13 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
14 EMPLOYMENT CREATED IN SECTION 24-1-121.

15 (2) "IMMIGRANT" OR "NEW AMERICAN" MEANS A COLORADAN
16 WHO HAS ARRIVED, AND A PERSON WHO WILL ARRIVE, TO COLORADO AS
17 AN IMMIGRANT OR REFUGEE, AND INCLUDES THEIR CHILDREN. THE
18 POPULATION INCLUDES: REFUGEES, ASYLEES, SPECIAL IMMIGRANT VISA
19 HOLDERS, VICTIMS OF TRAFFICKING, RECIPIENTS OF THE FEDERAL
20 DEFERRED ACTION FOR CHILDHOOD ARRIVAL PROGRAM, AND ALL OTHER
21 IMMIGRANTS AND ASPIRING CITIZENS SEEKING OPPORTUNITY, SAFETY, OR
22 REUNIFICATION OF FAMILY.

23 (3) "INTEGRATION" MEANS A DYNAMIC, TWO-WAY PROCESS IN
24 WHICH IMMIGRANTS AND NEW AMERICANS AND THE RECEIVING
25 COMMUNITY WORK TOGETHER TO BUILD SECURE, VIBRANT, AND COHESIVE
26 COMMUNITIES WITHOUT HAVING TO FOREGO THEIR OWN CULTURAL
27 IDENTITY.

1 (4) "ONA" MEANS THE COLORADO OFFICE OF NEW AMERICANS
2 CREATED IN SECTION 8-3.7-103.

3 **8-3.7-103. Colorado office of new Americans - creation - duties**

4 - **report.** (1) (a) THERE IS HEREBY CREATED, INITIALLY IN THE
5 DEPARTMENT OF LABOR AND EMPLOYMENT, THE COLORADO OFFICE OF
6 NEW AMERICANS, THE HEAD OF WHICH SHALL BE THE DIRECTOR OF THE
7 COLORADO OFFICE OF NEW AMERICANS, WHO SHALL BE APPOINTED BY THE
8 EXECUTIVE DIRECTOR OF THE DEPARTMENT. THE DIRECTOR OF THE ONA
9 HAS REGULAR ACCESS TO THE OFFICE OF THE GOVERNOR AND HAS THE
10 POWER TO CONVENE OTHER STATE AGENCIES.

11 (b) THE DIRECTOR SHALL STAFF THE ONA IN ORDER TO
12 EFFECTIVELY MEET THE GOALS AND INTENTIONS SET FORTH IN THIS
13 ARTICLE 3.7 AND TO MEET FUTURE NEEDS OF COLORADO'S NEW AMERICAN
14 COMMUNITY. IN ORDER TO SUCCESSFULLY CARRY OUT THE ONA'S
15 PURPOSE, IT IS THE GENERAL ASSEMBLY'S INTENT THAT AN INDIVIDUAL'S
16 LIVED EXPERIENCE OR WORK WITHIN THE IMMIGRANT COMMUNITY BE
17 CONSIDERED WHEN HIRING DECISIONS ARE MADE FOR ONA STAFF. THE
18 ONA SERVES AS THE POINT OF CONTACT FOR IMMIGRANT-SERVING STATE
19 AGENCIES, PRIVATE SECTOR ORGANIZATIONS, AND THE PUBLIC ABOUT
20 IMMIGRANT ISSUES IN COLORADO.

21 (c) THE DEPARTMENT SHALL REPORT ON THE EFFICACY OF
22 HOUSING THE ONA UNDER THE DEPARTMENT AS PART OF THE
23 DEPARTMENT'S ANNUAL PRESENTATION TO ITS LEGISLATIVE COMMITTEE
24 OF REFERENCE PURSUANT TO SECTION 2-7-203. IF, AFTER HEARING THE
25 PRESENTATION, THE COMMITTEE OF REFERENCE DETERMINES THAT IT
26 WOULD BE MORE EFFICIENT TO LOCATE THE ONA IN ANOTHER
27 DEPARTMENT, THE COMMITTEE CAN MAKE A RECOMMENDATION THAT A

1 MEMBER OF THE GENERAL ASSEMBLY SPONSOR APPROPRIATE LEGISLATION
2 TO DO SO.

3 (2) THE COLORADO OFFICE OF NEW AMERICANS SHALL:

4 (a) IMPLEMENT A STATEWIDE STRATEGY TO FACILITATE ECONOMIC
5 STABILITY AND PROMOTE SUCCESSFUL ECONOMIC, SOCIAL, LINGUISTIC,
6 AND CULTURAL INTEGRATION BY INVESTING IN THE SUCCESS OF
7 IMMIGRANTS IN COLORADO;

8 (b) IDENTIFY AND ADDRESS ISSUES RELATED TO INTEGRATION;

9 (c) FOSTER ENHANCED INCLUSION FOR IMMIGRANTS;

10 (d) ENSURE EQUITABLE OPPORTUNITIES AND ACCESS TO SERVICES
11 FOR IMMIGRANTS;

12 (e) ESTABLISH AND WORK WITH A COMMUNITY ADVISORY
13 COMMITTEE THAT CAN PROVIDE INPUT TO THE STATE FROM COLORADO'S
14 IMMIGRANT COMMUNITIES;

15 (f) WORK DIRECTLY WITH IMMIGRANT POPULATIONS TO HEAR AND
16 ADDRESS THEIR CONCERNS AND OBSTACLES IN ACCESSING SERVICES;

17 (g) MANAGE THE COLORADO REFUGEE SERVICES PROGRAM
18 CREATED IN SECTION 26-2-138, AND ANY OTHER RELEVANT PROGRAMS
19 THAT MIGHT EXIST OR BE CREATED ON OR AFTER THE EFFECTIVE DATE OF
20 THIS SUBSECTION (2)(g), INCLUDING IMMIGRANT-FOCUSED STATE
21 PROGRAMS, INITIATIVES, AND POLICIES, THAT MIGHT EXIST OR BE CREATED
22 IN THE FUTURE;

23 (h) COORDINATE WITH AND MAKE RECOMMENDATIONS TO THE
24 GOVERNOR, THE GENERAL ASSEMBLY, AND STATE AGENCIES ON WAYS TO
25 IMPROVE POLICIES AND PROGRAMS TO SUPPORT IMMIGRANT INTEGRATION
26 ACROSS THE STATE, SUCH AS:

27 (I) RECOMMENDING CHANGES IN THE ORGANIZATION,

1 MANAGEMENT, PROGRAMS, AND BUDGET OF STATE AGENCIES IN ORDER TO
2 PROMOTE THE INTEGRATION OF IMMIGRANTS;

3 (II) COORDINATING WITH STATE AGENCIES AND PUBLIC-PRIVATE
4 PARTNERSHIPS;

5 (III) SERVING AS A RESOURCE FOR COMMUNITY-BASED
6 ORGANIZATIONS SERVING IMMIGRANTS IN COLORADO;

7 (IV) CREATING A PUBLIC-PRIVATE PROGRAM TO BUILD UP
8 IMMIGRANT-SERVING NONPROFITS STATEWIDE;

9 (V) RESPONDING TO INQUIRIES AND SERVING AS THE POINT OF
10 CONTACT FOR IMMIGRANT-SERVING AGENCIES, STATE AGENCIES, AND THE
11 PUBLIC ABOUT IMMIGRANT ISSUES IN COLORADO; AND

12 (VI) RECOMMENDING AND PARTICIPATING IN CULTURAL
13 COMPETENCY AND DIVERSITY, EQUITY, AND INCLUSION TRAINING FOR
14 STATE DEPARTMENTS;

15 (i) ENSURE THE ONA IS UTILIZING DATA ONLY AS AUTHORIZED
16 UNDER STATE AND FEDERAL LAW TO INFORM THE STATE'S EFFORTS TO
17 ADVANCE ECONOMIC STABILITY AND INTEGRATION FOR IMMIGRANTS. THE
18 ONA SHALL NEVER USE OR SHARE DATA SOLELY FOR THE USE OF CIVIL
19 IMMIGRATION ENFORCEMENT.

20 (j) AS FUNDING ALLOWS, UNDERTAKE STUDIES, SYMPOSIA,
21 RESEARCH, AND FACTUAL REPORTS TO GATHER INSIGHT AND TO
22 FORMULATE AND PRESENT RECOMMENDATIONS TO THE GOVERNOR, STATE
23 AGENCIES, AND THE GENERAL ASSEMBLY RELATED TO ISSUES OF CONCERN
24 AND IMPORTANCE TO IMMIGRANTS IN COLORADO. THE ONA SHALL ALSO
25 ANALYZE ECONOMIC AND DEMOGRAPHIC TRENDS IN ORDER TO MAKE
26 POLICY AND PROGRAMMATIC RECOMMENDATIONS TO THE GOVERNOR,
27 STATE AGENCIES, AND THE GENERAL ASSEMBLY.

1 (k) TO THE EXTENT POSSIBLE, ENSURE THAT ALL ONA SERVICES,
2 SYSTEMS, VITAL DOCUMENTS, AND OTHER COMMUNICATIONS AND
3 RESOURCES, INCLUDING WEBSITES, ARE ACCESSIBLE TO ALL COLORADANS,
4 REGARDLESS OF ENGLISH PROFICIENCY AND DISABILITIES. WHERE
5 APPLICABLE AND POSSIBLE, THE ONA SHALL ENSURE COMPLIANCE
6 EXCEEDS THE COMPLIANCE REQUIREMENTS OF THE FEDERAL "AMERICANS
7 WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS
8 AMENDED, ANY AVAILABLE ENGLISH PROFICIENCY PLANS, AND THE
9 COLORADO ANTI-DISCRIMINATION ACT IN PART 6 OF ARTICLE 34 OF TITLE
10 24.

11 (3) AS FUNDING ALLOWS, THE ONA SHALL PROMOTE INTEGRATION
12 ACTIVITIES AMONG IMMIGRANTS BY USING A MODEL SIMILAR TO THE
13 FAMILY RESOURCE CENTER PROGRAM SET FORTH IN ARTICLE 18 OF TITLE
14 26 WITH THE GOAL OF IMPLEMENTING IMMIGRANT SUPPORT THROUGH
15 COMMUNITY-BASED INITIATIVES AND NONPROFIT ORGANIZATIONS WHERE
16 IMMIGRANTS AND IMMIGRANT FAMILIES CAN ACCESS FORMAL AND
17 INFORMAL SUPPORT TO PROMOTE THEIR HEALTH, ECONOMIC WELL-BEING,
18 AND INTEGRATION. THE ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED
19 TO:

- 20 (a) ECONOMIC OPPORTUNITIES SUCH AS:
- 21 (I) WORKFORCE DEVELOPMENT, SKILLS RECOGNITION, AND
 - 22 BARRIER REDUCTION;
 - 23 (II) INITIATIVES THAT INCREASE ECONOMIC STABILITY;
 - 24 (III) ENTREPRENEURSHIP AND HIGHER EDUCATION ATTAINMENT;
 - 25 AND
 - 26 (IV) NATURALIZATION AMONG ELIGIBLE INDIVIDUALS;
 - 27 (b) INCREASED ACCESS, SUCH AS:

1 (I) CONNECTING IMMIGRANTS TO LOCAL, STATE, AND FEDERAL
2 RESOURCES, AND TO OTHER RESOURCES AS THEY ARE AVAILABLE OR
3 RELEVANT TO MEET THE IMMIGRANTS' NEEDS;

4 (II) CONNECTING IMMIGRANTS AND IMMIGRANT FAMILIES WITH
5 ENGLISH LANGUAGE LEARNING PROGRAMS; AND

6 (III) PROVIDING IMMIGRANTS AND IMMIGRANT FAMILIES WITH
7 REFERRALS TO COMMUNITY-BASED ORGANIZATIONS; AND

8 (c) STATE EDUCATION AND OUTREACH BY:

9 (I) PROMOTING AND CELEBRATING THE SUCCESS AND
10 CONTRIBUTIONS OF COLORADO'S IMMIGRANT COMMUNITY; AND

11 (II) ENGAGING WITH THE RECEIVING COMMUNITY IN ORDER TO
12 FOSTER INCLUSIVITY AND INTEGRATION BY BUILDING AWARENESS,
13 PROMOTING MUTUAL UNDERSTANDING, AND INCREASING SOCIAL BRIDGING
14 OPPORTUNITIES.

15 (4) THE ONA SHALL ADVISE AND PROVIDE GUIDANCE TO THE
16 GOVERNOR, STATE AGENCIES, AND THE GENERAL ASSEMBLY ON ANY
17 IMMIGRANT ISSUE.

18 (5) (a) ON OR BEFORE NOVEMBER 1, 2022, AND,
19 NOTWITHSTANDING SECTION 24-1-136 (11), ON OR BEFORE NOVEMBER 1
20 EACH YEAR THEREAFTER, THE DIRECTOR OF THE OFFICE OF NEW
21 AMERICANS, OR THE DIRECTOR'S DESIGNEE, SHALL SUBMIT A REPORT TO
22 THE GENERAL ASSEMBLY. THE REPORT SHALL INCLUDE A REVIEW AND
23 SUMMARY OF THE ACTIVITY, INFORMATION, AND DATA ON ALL THE
24 PROGRAMS THAT THE OFFICE ADMINISTERED DURING THE PRIOR FISCAL
25 YEAR.

26 (b) IN ORDER TO MINIMIZE THE COSTS ASSOCIATED WITH
27 PREPARING THE REPORT REQUIRED BY SUBSECTION (5)(a) OF THIS SECTION,

1 THE ONA IS AUTHORIZED TO INCORPORATE OR APPEND TO SUCH REPORT
2 ANY OTHER REPORTS IT IS REQUIRED BY LAW TO DEVELOP.

3 **8-3.7-104. Colorado office of new Americans - funding.** THE
4 GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE GENERAL FUND
5 OR FROM ANY OTHER AVAILABLE SOURCE FOR THE PURPOSES OF THE ONA
6 SPECIFIED IN THIS ARTICLE 3.7. THE ONA MAY SEEK, ACCEPT, AND
7 EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES
8 FOR THE PURPOSES OF THIS ARTICLE 3.7.

9 **SECTION 2.** In Colorado Revised Statutes, 24-1-121, **add** (3)(k)
10 as follows:

11 **24-1-121. Department of labor and employment - creation.**

12 (3) The department of labor and employment consists of the following
13 divisions and programs:

14 (k) THE OFFICE OF NEW AMERICANS, OR "ONA", CREATED IN
15 ARTICLE 3.7 OF TITLE 8, THE HEAD OF WHICH IS THE DIRECTOR OF THE
16 ONA. THE ONA AND THE DIRECTOR SHALL EXERCISE THEIR POWERS,
17 DUTIES, AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND
18 EMPLOYMENT AS IF TRANSFERRED BY A **TYPE 1** TRANSFER.

19 **SECTION 3.** In Colorado Revised Statutes, 26-2-138, **amend** (1),
20 (2), (5), and (6) as follows:

21 **26-2-138. Refugee services program - state plan - rules -**
22 **definitions.** (1) As used in this section, unless the context otherwise
23 requires:

24 (a) "Federal act" means Title IV of the federal "Immigration and
25 Nationality Act", 8 U.S.C. sec. 1521 et seq., as amended, including any
26 federal rules adopted pursuant to the federal act.

27 (b) "OFFICE OF NEW AMERICANS" MEANS THE COLORADO OFFICE

1 OF NEW AMERICANS CREATED IN ARTICLE 3.7 OF TITLE 8.

2 (b) (c) "Program" means the Colorado refugee services program
3 established pursuant to subsection (2)(a) of this section.

4 (c) (d) "State plan" means Colorado's refugee services plan,
5 described in subsection (2)(b) of this section.

6 (2) (a) The Colorado refugee services program is established in
7 the ~~state department~~ OFFICE OF NEW AMERICANS. The program must be
8 administered in accordance with the state plan developed by the ~~state~~
9 ~~department~~ OFFICE OF NEW AMERICANS and approved by the federal office
10 of refugee resettlement within the federal department of health and
11 human services pursuant to the federal act.

12 (b) The ~~state department~~ OFFICE OF NEW AMERICANS is ~~the single~~
13 ~~state agency~~ responsible for the development, review, and administration
14 of the state plan.

15 (5) The ~~state department~~ OFFICE OF NEW AMERICANS shall adopt
16 rules, in accordance with article 4 of title 24, to implement this section.

17 (6) The general assembly may appropriate funds to the ~~state~~
18 ~~department~~ OFFICE OF NEW AMERICANS for the administration of the
19 program.

20 **SECTION 4. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

1 November 2022 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor.