

CHAPTER 62

LABOR AND INDUSTRY

SENATE BILL 21-218

BY SENATOR(S) Hansen and Rankin, Moreno, Bridges, Holbert, Jaquez Lewis, Liston, Priola;
 also REPRESENTATIVE(S) McCluskie, Herod, Bacon, Bennett, Bird, Caraveo, Cutter, Duran, Esgar, Exum, Gray, Hooton,
 Jackson, Jodeh, Kipp, Lontine, McCormick, Michaelson Jenet, Mullica, Ortiz, Ricks, Snyder, Sullivan, Titone, Valdez A., Young.

AN ACT

**CONCERNING REVENUE ALLOCATED TO THE EMPLOYMENT AND TRAINING TECHNOLOGY FUND IN
 THE DIVISION OF UNEMPLOYMENT INSURANCE IN THE DEPARTMENT OF LABOR AND
 EMPLOYMENT.**

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

SECTION 1. In Colorado Revised Statutes, 8-77-109, **amend** (2)(a.9)(II) as follows:

8-77-109. Employment support fund - employment and training technology fund - created - uses - repeal. (2) (a.9) (II) (A) THE EMPLOYMENT AND TRAINING TECHNOLOGY FUND, REFERRED TO IN THIS SUBSECTION (2)(a.9) AS THE "FUND", IS CREATED IN THE STATE TREASURY. Notwithstanding any provision of this subsection (2) to the contrary, on and after ~~July 1, 2011~~ THE EFFECTIVE DATE OF THIS SUBSECTION (2)(a.9)(II), AS AMENDED, 0.0004 assessed against each employer's premium under section 8-76-102.5 (3)(a) ~~or ten million dollars of all revenue collected annually under section 8-76-102.5 (3)(a), whichever is less,~~ shall be credited to the employment and training technology fund. ~~also referred to in this paragraph (a.9) as the "fund", which is hereby created in the state treasury.~~ ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (2)(a.9)(II), AS AMENDED, AND ON OR BEFORE JUNE 30, 2023, IF CUMULATIVE REVENUE TO THE EMPLOYMENT AND TRAINING TECHNOLOGY FUND EQUALS THIRTY-ONE MILLION DOLLARS, LESS ANY MONEY TRANSFERRED TO THE UNEMPLOYMENT COMPENSATION FUND, NO ADDITIONAL MONEY SHALL BE CREDITED TO THE EMPLOYMENT AND TRAINING TECHNOLOGY FUND BUT INSTEAD SHALL BE ALLOCATED TO THE UNEMPLOYMENT COMPENSATION FUND. ON AND AFTER JULY 1, 2023, any amount collected in a fiscal year in excess of ~~ten~~ SEVEN million dollars under this ~~subparagraph (II)~~ SUBSECTION (2)(a.9)(II) shall be credited to the unemployment compensation fund.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~Moneys MONEY in the fund shall be used for employment and training automation initiatives established by the director of the division. Moneys MONEY in the fund are~~ IS subject to annual appropriation by the general assembly for the purposes of this ~~paragraph (a.9)~~ SUBSECTION (2)(a.9) and shall not revert to the general fund or any other fund at the end of any fiscal year. The ~~moneys MONEY in the fund are~~ IS exempt from section 24-75-402. ~~C.R.S. If the balance of the unemployment compensation fund created in section 8-77-101 falls below one hundred million dollars, the moneys in the employment and training technology fund shall be allocated to the unemployment compensation fund. Once cumulative revenue to the employment and training technology fund equals one hundred million dollars, less any moneys transferred to the unemployment compensation fund, no additional moneys shall be credited to the employment and training technology fund but instead shall be allocated to the unemployment compensation fund. At any other time, the moneys MONEY in the employment and training technology fund may be~~ APPROPRIATED BY THE GENERAL ASSEMBLY TO THE UNEMPLOYMENT COMPENSATION FUND OR allocated to the unemployment compensation fund at the discretion of the executive director of the department of labor and employment.

(B) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (2) TO THE CONTRARY, ANY UNENCUMBERED BALANCE IN THE FUND AS OF JUNE 30, 2020, ANY AMOUNT RECEIVED AND CREDITED TO THE FUND ON OR AFTER JULY 1, 2020, AND ON OR BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (2)(a.9)(II), AS AMENDED, AND ANY UNENCUMBERED BALANCE IN THE FUND AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (2)(a.9)(II)(B), AS AMENDED, IS TRANSFERRED TO THE UNEMPLOYMENT COMPENSATION FUND. ~~This subparagraph (II) is effective December 31, 2012~~ SUBSECTION (2)(a.9)(II)(B) IS REPEALED, EFFECTIVE DECEMBER 31, 2021.

(C) THIS SUBSECTION (2)(a.9) IS REPEALED, EFFECTIVE JUNE 30, 2031.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: April 27, 2021