

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

**INTRODUCED**

LLS NO. 19-0390.02 Kristen Forrestal x4217

**HOUSE BILL 19-1107**

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**HOUSE SPONSORSHIP**

**Coleman**, Herod, Exum, Benavidez, Lontine, Singer

**SENATE SPONSORSHIP**

**Fields and Priola**,

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**House Committees**

Business Affairs and Labor  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF THE EMPLOYMENT SUPPORT AND JOB**  
102              **RETENTION SERVICES PROGRAM WITHIN THE DIVISION OF**  
103              **EMPLOYMENT AND TRAINING IN THE DEPARTMENT OF LABOR**  
104              **AND EMPLOYMENT.**

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**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 the employment support and job retention services program (program) within the division of employment and training (division) in the department of labor and employment (department) 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.



1 (4) "PROGRAM" MEANS THE EMPLOYMENT SUPPORT AND JOB  
2 RETENTION SERVICES PROGRAM CREATED IN SECTION 8-83-402.

3 (5) "SERVICE PROVIDER" MEANS A PUBLIC AGENCY OR NONPROFIT  
4 COMMUNITY ORGANIZATION THAT PROVIDES EMPLOYMENT, EMPLOYMENT  
5 PREPARATION, AND JOB RETENTION SERVICES TO ELIGIBLE INDIVIDUALS  
6 PURSUANT TO A MEMORANDUM OF UNDERSTANDING WITH THE  
7 ADMINISTERING ENTITY.

8 (6) "SERVICES" MEANS SERVICES PROVIDED BY A SERVICE  
9 PROVIDER TO ELIGIBLE INDIVIDUALS, WHICH SERVICES ARE ELIGIBLE FOR  
10 REIMBURSEMENT FROM THE PROGRAM PURSUANT TO SECTION 8-83-404  
11 (5).

12 **8-83-402. Employment support and job retention services**  
13 **program - creation.** THERE IS HEREBY CREATED IN THE DIVISION THE  
14 EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES PROGRAM. WITHIN  
15 SIX MONTHS AFTER THE DATE OF THE FIRST APPROPRIATION BY THE  
16 GENERAL ASSEMBLY TO THE EMPLOYMENT SUPPORT AND JOB RETENTION  
17 SERVICES CASH FUND PURSUANT TO SECTION 8-83-406, THE PROGRAM  
18 SHALL FUND EMPLOYMENT PREPARATION, JOB TRAINING, EMPLOYMENT  
19 PURSUIT, AND JOB RETENTION ACTIVITIES FOR ELIGIBLE INDIVIDUALS AS  
20 THEY PERTAIN TO THE INDIVIDUALS' JOB TRAINING AND EMPLOYMENT  
21 GOALS.

22 **8-83-403. Program purpose - duties of the director.** (1) THE  
23 PURPOSE OF THE PROGRAM IS TO PROVIDE ASSISTANCE TO ELIGIBLE  
24 INDIVIDUALS WHO MAY NOT BE ELIGIBLE FOR OR HAVE ACCESS TO OTHER  
25 EMPLOYMENT RESOURCES OR WHO ARE PREPARING FOR, SEEKING, OR  
26 ATTEMPTING TO RETAIN EMPLOYMENT.

27 (2) THE DIRECTOR SHALL:

1 (a) ENTER INTO A COMPETITIVE SOLICITATION PROCESS PURSUANT  
2 TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, TO  
3 CONTRACT WITH AN ADMINISTERING ENTITY;

4 (b) ESTABLISH PROCEDURES AND GUIDELINES FOR:

5 (I) THE SELECTION OF THE ADMINISTERING ENTITY TO OPERATE  
6 THE PROGRAM;

7 (II) THE DEVELOPMENT AND IMPLEMENTATION OF THE  
8 MEMORANDUMS OF UNDERSTANDING WITH SERVICE PROVIDERS;

9 (III) REQUESTING AND DISTRIBUTING REIMBURSEMENTS TO  
10 SERVICE PROVIDERS; AND

11 (IV) ANY ADDITIONAL PARAMETERS FOR THE OPERATION AND  
12 EVALUATION OF THE PROGRAM, SUBJECT TO DATA AVAILABLE TO THE  
13 DIVISION.

14 (3) THE DIRECTOR SHALL SOLICIT FEEDBACK FROM STAKEHOLDERS  
15 WHEN ESTABLISHING PROCEDURES AND GUIDELINES PURSUANT TO  
16 SUBSECTION (2) OF THIS SECTION.

17 **8-83-404. Administration of the program.** (1) THE  
18 ADMINISTERING ENTITY SHALL:

19 (a) DEVELOP FORMAL MEMORANDUMS OF UNDERSTANDING WITH  
20 SERVICE PROVIDERS AND GUIDELINES FOR THE OPERATION OF THE  
21 PROGRAM IN COORDINATION WITH THE DIRECTOR;

22 (b) ESTABLISH PROCEDURES AND GUIDELINES FOR REIMBURSING  
23 SERVICE PROVIDERS IN ACCORDANCE WITH THE TERMS OF THE  
24 MEMORANDUM OF UNDERSTANDING;

25 (c) REIMBURSE SERVICE PROVIDERS UP TO FOUR HUNDRED  
26 DOLLARS PER YEAR FOR EACH ELIGIBLE INDIVIDUAL TO WHOM THE  
27 SERVICE PROVIDER DELIVERED SERVICES AUTHORIZED FOR

1 REIMBURSEMENT PURSUANT TO SUBSECTION (5) OF THIS SECTION;

2 (d) ENSURE THE FISCAL RESPONSIBILITY OF THE PROGRAM IN  
3 COMPLIANCE WITH THE DIRECTOR;

4 (e) PARTICIPATE IN EVALUATION ACTIVITIES AS REQUIRED BY THE  
5 DIRECTOR; AND

6 (f) BE RESPONSIBLE FOR ALL OTHER REQUIREMENTS OUTLINED BY  
7 THE DIRECTOR.

8 (2) A SERVICE PROVIDER SHALL:

9 (a) SUBMIT REPORTS AS SPECIFIED BY THE ADMINISTERING ENTITY  
10 THAT OUTLINE THE TYPE OF SERVICE PROVIDED, REASON FOR THE SERVICE,  
11 BASIC DEMOGRAPHICS OF THE ELIGIBLE INDIVIDUAL, AND GEOGRAPHIC  
12 LOCATION WHERE THE SERVICE WAS PROVIDED; AND

13 (b) PARTICIPATE IN AN ANALYSIS PROCESS THROUGHOUT THE  
14 SERVICE PROVIDER'S PARTICIPATION IN THE PROGRAM.

15 (3) THE ADMINISTERING ENTITY MUST NOT REIMBURSE A SERVICE  
16 PROVIDER FOR EXPENSES INCURRED TO PROVIDE EMPLOYMENT  
17 PREPARATION, JOB TRAINING, EMPLOYMENT PURSUIT, OR JOB RETENTION  
18 ACTIVITIES TO AN ELIGIBLE INDIVIDUAL IF THE SERVICES ARE CURRENTLY  
19 PROVIDED TO THE INDIVIDUAL BY ANOTHER SOURCE.

20 (4) NOTWITHSTANDING ANY OTHER FEDERAL OR STATE LAW, IN  
21 ORDER TO BE ELIGIBLE TO RECEIVE SERVICES FOR WHICH A SERVICE  
22 PROVIDER MAY BE REIMBURSED UNDER THE PROGRAM, AN INDIVIDUAL  
23 MUST:

24 (a) HAVE A HOUSEHOLD INCOME AT OR BELOW THE FEDERAL  
25 POVERTY LINE;

26 (b) BE AT LEAST SIXTEEN YEARS OF AGE;

27 (c) BE ELIGIBLE TO WORK IN THE UNITED STATES; AND

1 (d) BE UNDEREMPLOYED OR UNEMPLOYED AND ACTIVELY  
2 PURSUING EMPLOYMENT, EMPLOYMENT PREPARATION, JOB TRAINING, OR  
3 JOB RETENTION ACTIVITIES, WITH THE ASSISTANCE OF A SERVICE  
4 PROVIDER.

5 (5) (a) THE ADMINISTERING ENTITY MAY REIMBURSE A SERVICE  
6 PROVIDER FOR EXPENSES INCURRED IN PROVIDING:

7 (I) EMPLOYMENT SUPPORT SERVICES TO AN ELIGIBLE INDIVIDUAL  
8 TO ASSIST WITH AN INDIVIDUAL'S EMPLOYMENT, EMPLOYMENT  
9 PREPARATION, OR JOB TRAINING GOALS; AND

10 (II) SERVICES TO ASSIST AN ELIGIBLE INDIVIDUAL WITH ONGOING  
11 JOB RETENTION FOR UP TO SIX MONTHS AFTER THE DATE OF EMPLOYMENT.

12 (b) EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES THAT  
13 ARE ELIGIBLE FOR REIMBURSEMENT INCLUDE:

14 (I) TRANSPORTATION OR VEHICLE;

15 (II) EMERGENCY CHILD CARE;

16 (III) EMERGENCY HOUSING;

17 (IV) FEES RELATED TO EMPLOYMENT PREPARATION, JOB TRAINING,  
18 EMPLOYMENT PURSUIT, OR JOB RETENTION ACTIVITIES;

19 (V) WORK TOOLS AND EQUIPMENT;

20 (VI) FOOD AND NUTRITION;

21 (VII) UTILITY, TELEPHONE, AND INTERNET BILLS;

22 (VIII) PREPAID CELL PHONES;

23 (IX) LICENSES AND CERTIFICATIONS;

24 (X) LEGAL SERVICES AND FEES RELATED TO EMPLOYMENT;

25 (XI) LANGUAGE, COMMUNICATION, INTERPRETATION, AND  
26 TRANSLATION EXPENSES;

27 (XII) EMERGENCY AND WORK-RELATED MEDICAL, BEHAVIORAL,

1 AND MENTAL HEALTH, DENTAL, AND VISION SERVICES AND EXPENSES THAT  
2 IMPEDE AN INDIVIDUAL'S ABILITY TO PREPARE FOR, OBTAIN, OR RETAIN  
3 EMPLOYMENT; AND

4 (XIII) OTHER EXPENSES AS THEY PERTAIN TO EMPLOYMENT  
5 PREPARATION, JOB TRAINING, EMPLOYMENT PURSUIT, OR JOB RETENTION  
6 SERVICES AS DETERMINED BY THE DIRECTOR.

7 **8-83-405. Reports required.** (1) ON OR BEFORE JULY 1 OF EACH  
8 YEAR, THE ADMINISTERING ENTITY SHALL REPORT TO THE DIVISION:

9 (a) THE INFORMATION PROVIDED BY A SERVICE PROVIDER  
10 PURSUANT TO SECTION 8-83-404 (2);

11 (b) A QUALITATIVE ANALYSIS BASED ON INTERVIEWS CONDUCTED  
12 WITH SERVICE PROVIDERS STATEWIDE CONCERNING THE EFFICACY OF THE  
13 PROGRAM; AND

14 (c) AN ACCOUNT OF THE PROGRAM'S EXPENDITURES.

15 (2) ON OR BEFORE SEPTEMBER 1, 2021, THE DIVISION SHALL  
16 REPORT TO THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE  
17 SENATE AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE  
18 HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, A  
19 COMPREHENSIVE ANALYSIS CONCERNING THE EFFICACY OF THE PROGRAM.

20 **8-83-406. Employment support and job retention services cash**  
21 **fund - created.** (1) (a) THE EMPLOYMENT SUPPORT AND JOB RETENTION  
22 SERVICES PROGRAM CASH FUND, REFERRED TO IN THIS SECTION AS THE  
23 "FUND", IS HEREBY CREATED IN THE STATE TREASURY. FOR THE 2019-20,  
24 2020-21, AND 2021-22 FISCAL YEARS, THE GENERAL ASSEMBLY SHALL  
25 APPROPRIATE ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE  
26 FUND.

27 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND

1 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
2 FUND TO THE FUND. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED  
3 AND UNENCUMBERED MONEY IN THE FUND REMAINS IN THE FUND AND  
4 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY  
5 OTHER FUND.

6 (c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
7 DEPARTMENT FOR THE PURPOSES OF THIS PART 4.

8 (2) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,  
9 GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE  
10 PURPOSES OF THIS PART 4.

11 (3) THE DIVISION MAY USE UP TO FIVE PERCENT OF THE MONEY IN  
12 THE FUND ANNUALLY FOR ADMINISTRATIVE COSTS RELATED TO THE  
13 PROGRAM. THE ADMINISTERING ENTITY MAY USE UP TO FIFTEEN PERCENT  
14 OF THE MONEY IN THE FUND ANNUALLY FOR ADMINISTRATIVE COSTS TO  
15 OPERATE THE PROGRAM. THE REMAINDER OF THE MONEY MAY BE USED  
16 ONLY FOR REIMBURSEMENTS MADE PURSUANT TO SECTION 8-83-404. THE  
17 DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY EXPEND MONEY FROM THE  
18 FUND FOR THE PURPOSES OF THIS PART 4.

19 **8-83-407. Repeal of part.** THIS PART 4 IS REPEALED, EFFECTIVE  
20 SEPTEMBER 30, 2022.

21 **SECTION 2. Effective date.** This act takes effect July 1, 2019.

22 **SECTION 3. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.