

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

**ENGROSSED**

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

LLS NO. 20B-0052.01 Richard Sweetman x4333

**SENATE BILL 20B-002**

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**SENATE SPONSORSHIP**

**Gonzales and Holbert**, Ginal, Moreno, Rodriguez

**HOUSE SPONSORSHIP**

**Exum and Tipper**, Bird, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Michaelson  
Jenet, Mullica, Weissman, Woodrow

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**Senate Committees**

Finance  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING TEMPORARY ASSISTANCE FOR INDIVIDUALS WHO ARE**  
102                    **FACING A FINANCIAL HARDSHIP DUE TO THE COVID-19**  
103                    **PANDEMIC, AND, IN CONNECTION THEREWITH, CREATING THE**  
104                    **EMERGENCY DIRECT ASSISTANCE GRANT PROGRAM; AND**  
105                    **TRANSFERRING MONEY TO THE EMERGENCY DIRECT ASSISTANCE**  
106                    **GRANT PROGRAM FUND, AND TO THE HOUSING DEVELOPMENT**  
107                    **GRANT FUND, AND TO THE EVICTION LEGAL DEFENSE FUND FOR**  
108                    **THIS ASSISTANCE; AND MAKING AN APPROPRIATION.**

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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*

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.

SENATE  
Amended 2nd Reading  
November 30, 2020

<http://leg.colorado.gov>.)

The bill requires the state treasurer to transfer \$44.5 million from the general fund to the housing development grant fund for the purpose of providing emergency housing assistance to individuals and households who have experienced financial need due to the COVID-19 pandemic or second-order effects of the COVID-19 pandemic. The money must be used by June 30, 2021.

The bill also creates the emergency direct assistance grant program (program) in the division of housing (division) within the department of local affairs (department) to provide grants to individuals who have experienced financial need due to the COVID-19 pandemic or second-order effects of the COVID-19 pandemic and are ineligible for certain other types of assistance. The bill allows the division to promulgate rules and requires the department to submit a report to legislative committees of reference with jurisdiction over local government and to the governor concerning the program.

The bill creates the emergency direct assistance grant program fund (fund) and directs the state treasurer to transfer \$5 million from the general fund to the fund for the program. The division must use the money by June 30, 2021.

The program is repealed, effective June 30, 2022.

The bill requires the state treasurer to transfer \$500,000 from the general fund to the eviction legal defense fund for the purpose of providing legal representation to indigent tenants to resolve civil legal matters arising on and after March 1, 2020, concerning an eviction or impending eviction related to the public health emergency caused by the COVID-19 pandemic. The state court administrator must use the money by June 30, 2021.

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-32-721, **amend**  
3 (1.7)(b); and **add** (1.7)(a.5), (1.7)(g.5), and (1.7)(h.5) as follows:

4           **24-32-721. Colorado affordable housing construction grants**  
5 **and loans - housing development grant fund - creation - housing**  
6 **assistance for persons with behavioral, mental health, or substance**  
7 **use disorders - cash fund - appropriation - report to general assembly**  
8 **- rules - definitions - repeal.** (1.7) (a.5) WITHIN THREE DAYS AFTER THE

1 EFFECTIVE DATE OF THIS SUBSECTION (1.7)(a.5), THE STATE TREASURER  
2 SHALL TRANSFER FIFTY-FOUR MILLION DOLLARS FROM THE GENERAL FUND  
3 TO THE HOUSING DEVELOPMENT GRANT FUND FOR THE PURPOSE OF  
4 PROVIDING HOUSING ASSISTANCE AS SPECIFIED IN THIS SUBSECTION (1.7).  
5 MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (1.7)(a.5) SHALL  
6 BE ACCOUNTED FOR SEPARATELY. THE DIVISION MAY USE UP TO THREE  
7 PERCENT OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION  
8 (1.7)(a.5) FOR THE COSTS OF ADMINISTERING THIS SUBSECTION (1.7).

9 (b) The general assembly shall appropriate the money transferred  
10 to the fund pursuant to this subsection (1.7) to the division for use in  
11 providing individuals and households who, on or after March 1, 2020,  
12 have experienced financial need due to the COVID-19 pandemic or  
13 second-order effects of the COVID-19 pandemic, with rental assistance,  
14 residential mortgage assistance, HOUSING ASSISTANCE THAT PROVIDES  
15 FUTURE HOUSING STABILITY, and guidance on how to access additional  
16 housing services. The division must use the money TRANSFERRED TO THE  
17 FUND PURSUANT TO SUBSECTION (1.7)(a) OF THIS SECTION by December  
18 30, 2020, for the purposes specified in this subsection (1.7). THE DIVISION  
19 MUST USE THE MONEY TRANSFERRED TO THE FUND PURSUANT TO  
20 SUBSECTION (1.7)(a.5) OF THIS SECTION BY JUNE 30, 2021, FOR THE  
21 PURPOSES SPECIFIED IN THIS SUBSECTION (1.7).

22 (g.5) HOUSING ASSISTANCE PROVIDED UNDER THIS SUBSECTION  
23 (1.7) MAY INCLUDE PAYMENT OF ARREARS, INCLUDING OVERDUE RENT  
24 PAYMENTS AND MORTGAGE PAYMENTS.

25 (h.5) ANY FULL-TIME EMPLOYEE THAT THE DIVISION HIRES OR  
26 CONTRACTS WITH FOR THE PURPOSE OF IMPLEMENTING THIS SUBSECTION  
27 (1.7) SHALL NOT BE EMPLOYED BY THE DIVISION FOR SUCH PURPOSE AFTER

1 SEPTEMBER 1, 2022.

2 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-721.5 as  
3 follows:

4 **24-32-721.5. Emergency direct assistance grant program -**  
5 **created - purposes of grants - rules - applications - fund created -**  
6 **report - definition - repeal.** (1) THERE IS HEREBY CREATED IN THE  
7 DIVISION THE EMERGENCY DIRECT ASSISTANCE GRANT PROGRAM,  
8 REFERRED TO IN THIS SECTION AS THE "GRANT PROGRAM", TO PROVIDE  
9 GRANTS TO INDIVIDUALS WHO HAVE EXPERIENCED FINANCIAL NEED DUE  
10 TO THE COVID-19 PANDEMIC OR SECOND-ORDER EFFECTS OF THE  
11 COVID-19 PANDEMIC AND WHO MAY NOT BE ELIGIBLE FOR CERTAIN  
12 OTHER TYPES OF ASSISTANCE, SUCH AS:

13 (a) UNEMPLOYMENT INSURANCE PURSUANT TO THE "COLORADO  
14 EMPLOYMENT SECURITY ACT", ARTICLES 70 TO 82 OF TITLE 8;

15 (b) FOOD ASSISTANCE; OR

16 (c) FEDERAL STIMULUS PAYMENTS PURSUANT TO THE FEDERAL  
17 "CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT," ALSO  
18 KNOWN AS THE "CARES ACT", PUB.L. 116-36, AS AMENDED.

19 (2) THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM AND,  
20 SUBJECT TO AVAILABLE FUNDING, SHALL CONTRACT WITH NONPROFIT  
21 ORGANIZATIONS TO AWARD GRANTS AS PROVIDED IN THIS SECTION.  
22 SUBJECT TO AVAILABLE FUNDING, GRANTS SHALL BE PAID OUT OF THE  
23 FUND CREATED IN SUBSECTION (5) OF THIS SECTION.

24 (3) THE DIVISION SHALL IMPLEMENT THE GRANT PROGRAM IN  
25 ACCORDANCE WITH THIS SECTION. PURSUANT TO ARTICLE 4 OF THIS TITLE  
26 24, THE DIVISION MAY PROMULGATE SUCH RULES AS ARE REQUIRED IN THIS  
27 SECTION AND SUCH ADDITIONAL RULES AS MAY BE NECESSARY TO

1 IMPLEMENT THE GRANT PROGRAM, INCLUDING RULES SPECIFYING THE TIME  
2 FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM  
3 APPLICATION, AND THE TIME FRAMES FOR DISTRIBUTING GRANT MONEY.

4 (4) TO RECEIVE A GRANT, AN INDIVIDUAL MUST APPLY TO A  
5 NONPROFIT ORGANIZATION WITH WHICH THE DIVISION HAS CONTRACTED  
6 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

7 (5) (a) THE EMERGENCY DIRECT ASSISTANCE GRANT PROGRAM  
8 FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED  
9 IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE  
10 FUND PURSUANT TO SUBSECTION (7) OF THIS SECTION AND ANY OTHER  
11 MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER  
12 TO THE FUND.

13 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
14 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
15 FUND TO THE FUND.

16 (c) EXCEPT AS PROVIDED IN SUBSECTION (5)(e) OF THIS SECTION,  
17 ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND  
18 AT THE END OF A FISCAL YEAR REMAINS IN THE FUND AND DOES NOT  
19 REVERT TO THE GENERAL FUND OR ANY OTHER FUND.

20 (d) THE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO  
21 THE DIVISION TO EXPEND FOR THE PURPOSES DESCRIBED IN THIS SECTION.

22 (e) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
23 AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2022, TO THE  
24 GENERAL FUND.

25 (6) DURING THE SECOND REGULAR SESSION OF THE  
26 SEVENTY-THIRD GENERAL ASSEMBLY, THE EXECUTIVE DIRECTOR OF THE  
27 DEPARTMENT OF LOCAL AFFAIRS SHALL REPORT TO THE SENATE LOCAL

1 GOVERNMENT COMMITTEE AND THE HOUSE OF REPRESENTATIVES  
2 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE, OR ANY  
3 SUCCESSOR COMMITTEES, UNDER THE "STATE MEASUREMENT FOR  
4 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)  
5 GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2, CONCERNING THE  
6 ADMINISTRATION OF THE GRANT PROGRAM.

7 (7) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS  
8 SECTION, THE STATE TREASURER SHALL TRANSFER FIVE MILLION DOLLARS  
9 FROM THE GENERAL FUND TO THE FUND FOR THE PURPOSES OF THIS  
10 SECTION.

11 (b) THE DIVISION MUST USE THE MONEY BY JUNE 30, 2021, FOR  
12 THE PURPOSES DESCRIBED IN THIS SECTION.

13 (c) THE DIVISION MAY USE UP TO THREE PERCENT OF THE MONEY  
14 TRANSFERRED PURSUANT TO THIS SUBSECTION (7) TO PAY THE COSTS OF  
15 ADMINISTERING THE GRANT PROGRAM.

16 (8) ANY FULL-TIME EMPLOYEE THAT THE DIVISION HIRES OR  
17 CONTRACTS WITH FOR THE PURPOSE OF IMPLEMENTING THIS SECTION  
18 SHALL NOT BE EMPLOYED BY THE DIVISION FOR SUCH PURPOSE AFTER  
19 SEPTEMBER 1, 2022.

20 (9) AS USED IN THIS SECTION, "COVID-19" MEANS THE  
21 CORONAVIRUS DISEASE 2019 CAUSED BY THE SEVERE ACUTE RESPIRATORY  
22 SYNDROME CORONAVIRUS 2, ALSO KNOWN AS SARS-CoV-2.

23 (10) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2022.

24 **SECTION 3.** In Colorado Revised Statutes, 13-40-127, **add**  
25 (5)(c) and (8) as follows:

26 **13-40-127. Eviction legal assistance - fund - rules - report -**  
27 **definitions - repeal.** (5) (c) ANY UNEXPENDED AND UNENCUMBERED

1 MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAINS  
2 IN THE FUND AND DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER  
3 FUND.

4 (8) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS  
5 SUBSECTION (8), THE STATE TREASURER SHALL TRANSFER ONE MILLION  
6 DOLLARS FROM THE GENERAL FUND TO THE FUND. ON OR BEFORE  
7 JANUARY 1, 2021, THE ADMINISTRATOR SHALL GRANT THE MONEY  
8 TRANSFERRED PURSUANT TO THIS SUBSECTION (8)(a) TO QUALIFYING  
9 ORGANIZATIONS THAT HAVE BEEN PREVIOUSLY AWARDED GRANTS FROM  
10 THE FUND IN THE 2020-21 STATE FISCAL YEAR.

11 (b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JANUARY 1,  
12 2022.

13 **SECTION 4. Appropriation.** (1) For the 2020-21 state fiscal  
14 year, \$1,000,000 is appropriated to the judicial department. This  
15 appropriation is from the pandemic subaccount of the eviction legal  
16 defense fund created in section 13-40-127 (7)(a), C.R.S. To implement  
17 this act, the department may use this appropriation for the eviction legal  
18 defense grant program.

19 (2) For the 2020-21 state fiscal year, \$16,751 is appropriated to  
20 the office of the governor for use by the office of information technology.  
21 This appropriation is from reappropriated funds received from the transfer  
22 from the general fund to the housing development grant fund within the  
23 department of local affairs. To implement this act, the office may use this  
24 appropriation to provide information technology services for the  
25 department of local affairs.

26 **SECTION 5. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.