

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0296.01 Shelby Ross x4510

HOUSE BILL 22-1259

HOUSE SPONSORSHIP

Duran and Jodeh, Froelich, Lontine

SENATE SPONSORSHIP

Moreno, Story

House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE COLORADO WORKS PROGRAM.**

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 allows the state board of human services (state board) to utilize eligibility processes from other public assistance or entitlement programs when promulgating rules for redetermining and verifying eligibility for the Colorado works program (works program).

When determining income requirements for the works program, the bill requires the department of human services (state department) to use an income conversion ratio for converting weekly and biweekly income to a monthly amount using the lowest ratio or methodology that

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.

results in the lowest monthly income amount allowable under federal law.

Current law prohibits a person convicted of a drug-related felony offense from being eligible for assistance under the works program unless the person is determined by a county department of human or social services to have taken action toward rehabilitation. The bill removes the ban on eligibility.

The bill requires the state board to promulgate rules establishing statewide standards and procedures that require counties to offer an extension:

- Beyond the 60-month lifetime maximum for all households that demonstrate good cause, which includes an applicant or participant who is a child-only case, the head of a single parent household and has a child under one year of age, experiencing hardship, or addressing family or medical needs; and
- From work requirements to all households that demonstrate good cause, which includes for an applicant or participant who is the head of a single-parent household and has a child under one year of age, experiencing hardship, or addressing family or medical needs.

The bill requires the state department to annually review and promulgate rules as necessary to update the standard of need to ensure the standard of need is equitable, promotes economic mobility and self-sufficiency, and reflects the current economic status of the state.

The bill requires the state department to disregard any earned income for at least the first 6 months an applicant or participant is employed while enrolled in the works program. The bill requires that the state department determine the amount of earned income that must be disregarded after the first 6 months and ensure a gradual step down of the amount of earned income disregarded and that the appropriate work supports are made available to the applicant or participant.

Current law requires the state department to ensure the amount of a basic cash assistance grant that an applicant or participant receives is equal to or exceeds 102% of the need standard for a participant in a similarly sized household on January 1, 2008. By the 2027-28 state fiscal year, and each state fiscal year thereafter, the bill requires the amount of the basic cash assistance grant to equal or exceed 50% of the federal poverty guidelines established by the federal department of health and human services for a similarly sized household for that fiscal year.

No later than January 1, 2023, the bill requires the state department to begin phasing in the increase in basic cash assistance that is equal to or exceeds 50% of the federal poverty guidelines.

The bill requires a county department to attempt to contact each participant using each method of communication provided by the participant in order to conduct exit and follow-up interviews upon case

closure. The bill expands the purpose of the exit and follow-up interviews to include evaluating the participant's experience with the works program, how well the program met the participant's needs and assisted the participant in meeting the participant's goals, and informing the state department of any changes to rules that are needed to improve the participant's experience.

The bill requires the state department to monitor impacts to counties' workload in the works program and consult with counties regarding additional need for money to administer the works program.

Beginning January 2023, and each January thereafter, the state department is required to submit a report to the general assembly on the effectiveness of the works program.

Current law requires the state board to promulgate rules that require a percentage reduction in the basic cash assistance grant upon the imposition of a sanction affecting the grant, with the percentage to be specified in the rules but not to be less than 25%. The bill requires the percentage not to exceed one dollar.

No later than September 30, 2022, the bill requires the state department to develop an outreach and engagement plan to promote access to the works program for eligible persons.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) "Temporary Assistance for Needy Families" (TANF), known
5 as the "Colorado Works Program" (works program), provides financial
6 assistance and work supports to families living far below the federal
7 poverty level. The works program should promote family safety, stability,
8 and self-sufficiency by assisting with job preparation and supporting
9 career goals and employment. As of fiscal year 2021-22, a parent with
10 two children must make less than \$421 per month in income to qualify for
11 a basic cash assistance grant under the works program. The COVID-19
12 pandemic brought unprecedented hardships and changes to both families
13 and the works program. Even before the COVID-19 pandemic, families
14 enrolled in the works program were facing the greatest barriers to

1 financial security and well-being.

2 (b) Families enrolled in the works program are eligible to receive
3 cash assistance to help meet the family's ongoing basic needs, such as
4 diapers, food, bus passes, and school supplies. Cash assistance payments
5 were not adequate at the start of the works program in 1996 and since
6 payments have not adjusted for inflation, cash assistance has eroded even
7 further and failed to keep up with the cost of living in Colorado. In 1996,
8 the amount of Colorado's cash assistance was 32.9% of the federal
9 poverty level, but by 2021 it had fallen to 27.8% with the maximum
10 amount of cash assistance for a parent with two children at \$508 per
11 month.

12 (c) Families can often face a "cliff effect" when the family
13 receives more income through employment or a raise and then abruptly
14 has its public assistance reduced or discontinued. Too often families are
15 left without supports right when they begin to get their feet underneath
16 them. Reducing the "cliff effect" will incentivize work, help parents stay
17 employed, and create a smoother off-ramp toward employment,
18 self-sufficiency, and economic security.

19 (d) Families can be better supported in the works program by
20 reducing punitive sanctions and overly burdensome work requirements.
21 While sanctions and work requirements are required by the federal
22 government, states have some discretion on how to administer those
23 requirements. Colorado has made some strides in easing these
24 requirements and can do more to be responsive to families' circumstances
25 and needs. Sanctions, or financial penalties that are issued when a
26 participant does not meet the work requirements of the works program,
27 are disproportionately applied to certain families, including families of

1 color, do not achieve the intended outcome of connecting families to
2 sustainable employment, and increase the administrative burden on case
3 managers and counties. Moreover, families who receive sanctions face
4 the most significant barriers to employment and economic security, such
5 as a child being hospitalized, domestic violence, lack of a vehicle, or less
6 work experience.

7 (e) Colorado receives federal TANF funds each year and the state
8 is permitted to retain a certain amount of unexpended funds for future use
9 in the event of an economic downturn or caseload growth. Colorado has
10 two sets of TANF reserves: A state TANF long-term reserve and a TANF
11 reserve in each county. Although there was severe economic downturn,
12 including historic unemployment, during the COVID-19 pandemic, the
13 amount of money in the reserves actually increased in Colorado. The
14 beginning fiscal year 2021-22 balance of all county TANF reserves was
15 \$61.2 million and the balance in the state TANF long-term reserve, which
16 has a mandatory floor of \$33 million, was \$76.2 million. In total, there
17 was more than \$137 million in TANF reserves in Colorado at the end of
18 the 2020-21 fiscal year.

19 (f) To support the economic recovery from the COVID-19
20 pandemic, the department of human services may receive additional
21 money to support subsidized training and employment. The money may
22 be used to support current Colorado works participants and individuals
23 who are eligible for short-term non-recurrent assistance and other
24 assistance, as defined by the state board of human services, whose
25 income does not exceed 200% of the federal poverty level.

26 (2) Therefore, the general assembly declares that Colorado must
27 prioritize strategies and investments to remove barriers to employment

1 and economic security for families and children experiencing extreme
2 poverty in the state. Colorado should ensure a basic cash assistance
3 amount sufficient enough to lift families out of extreme poverty and
4 ensure that it keeps with the rising cost of living; make improvements in
5 the way the works program serves families, including reducing the "cliff
6 effect"; elevate family voices in the works program; and improve
7 outreach and communication about the works program.

8 (3) The general assembly further finds and declares that the
9 increase in basic cash assistance grants and funding for subsidized
10 employment established in this act are critical government services.

11 **SECTION 2.** In Colorado Revised Statutes, 26-2-705, **amend**
12 (2)(a) and (2)(e) as follows:

13 **26-2-705. Works program - purposes.** (2) The purposes of the
14 works program are to:

15 (a) Assist participants ~~to terminate their dependence on~~
16 ~~government benefits~~ TOWARD SELF-SUFFICIENCY, ECONOMIC MOBILITY,
17 AND FAMILY SAFETY AND STABILITY by promoting job preparation, work,
18 and marriage;

19 (e) Develop strategies and policies that focus on SUPPORTING
20 PARTICIPANTS IN THE PARTICIPANTS' EMPLOYMENT AND CAREER GOALS,
21 REMOVING BARRIERS TO EMPLOYMENT FOR PARTICIPANTS, AND ensuring
22 that ~~participants are in work activities as soon as possible so that~~ the state
23 is able to meet ~~or exceed~~ work participation rates specified in the federal
24 law; and

25 **SECTION 3.** In Colorado Revised Statutes, 26-2-706, **amend** (3)
26 and (4); and **add** (2)(c) as follows:

27 **26-2-706. Target populations.** (2) (c) IN DETERMINING THE

1 INCOME REQUIREMENTS PURSUANT TO SUBSECTION (2)(a) OF THIS
2 SECTION, THE STATE DEPARTMENT SHALL USE AN INCOME CONVERSION
3 RATIO FOR CONVERTING WEEKLY AND BIWEEKLY INCOME TO A MONTHLY
4 AMOUNT USING THE LOWEST RATIO OR METHODOLOGY THAT RESULTS IN
5 THE LOWEST MONTHLY INCOME AMOUNT ALLOWABLE UNDER FEDERAL
6 LAW.

7 (3) A person convicted of a drug-related felony offense under the
8 laws of this state, any other state, or the federal government on or after
9 June 3, 1997, ~~shall not be~~ IS eligible for assistance under the works
10 program. ~~unless such person is determined by the county department to~~
11 ~~have taken action toward rehabilitation such as, but not limited to,~~
12 ~~participation in a drug treatment program.~~

13 (4) The state board shall promulgate rules to simplify the
14 requirements relating to determination and verification of eligibility
15 criteria. ELIGIBILITY PROCESSES FROM OTHER PUBLIC ASSISTANCE OR
16 ENTITLEMENT PROGRAMS MAY BE USED WHEN REDETERMINING AND
17 VERIFYING ELIGIBILITY. WHEN POSSIBLE, THE STATE BOARD IS STRONGLY
18 ENCOURAGED TO ALIGN REDETERMINATION AND VERIFICATION TIMELINES
19 WITH OTHER PUBLIC ASSISTANCE OR ENTITLEMENT PROGRAMS. Nothing in
20 this subsection (4) ~~shall authorize~~ AUTHORIZES the state board to amend
21 or delete eligibility criteria for participation in the works program that the
22 board is not otherwise authorized to amend or delete.

23 **SECTION 4.** In Colorado Revised Statutes, 26-2-706.5, **add** (4)
24 as follows:

25 **26-2-706.5. Restrictions on length of participation - rules.**

26 (4) THE STATE BOARD SHALL PROMULGATE RULES:

27 (a) ESTABLISHING STATEWIDE STANDARDS AND PROCEDURES THAT

1 REQUIRE COUNTIES TO OFFER EXTENSIONS BEYOND THE SIXTY-MONTH
2 LIFETIME MAXIMUM FOR ALL HOUSEHOLDS THAT DEMONSTRATE GOOD
3 CAUSE, WHICH INCLUDES, BUT IS NOT LIMITED TO, AN APPLICANT OR
4 PARTICIPANT WHO IS:

- 5 (I) A CHILD-ONLY CASE;
- 6 (II) THE HEAD OF A SINGLE PARENT HOUSEHOLD UNIT AND HAS A
7 CHILD UNDER ONE YEAR OF AGE; OR
- 8 (III) EXPERIENCING HARDSHIP, AS DEFINED IN RULES
9 PROMULGATED BY THE STATE BOARD; AND

10 [REDACTED]

11 (b) TO ADDRESS HOW THE STATE WILL MONITOR EXTENSIONS IN
12 RELATION TO REQUIREMENTS UNDER THE FEDERAL LAW.

13 **SECTION 5.** In Colorado Revised Statutes, 26-2-708, **add** (5.3)
14 as follows:

15 **26-2-708. Assistance - assessment - individual responsibility**
16 **contract - waivers for domestic violence - rules.** (5.3) (a) THE STATE
17 BOARD SHALL PROMULGATE RULES:

18 (I) ESTABLISHING STATEWIDE STANDARDS AND PROCEDURES THAT
19 REQUIRE COUNTIES TO INFORM AND NOT PENALIZE ANY APPLICANT OR
20 HOUSEHOLD THAT DEMONSTRATES GOOD CAUSE FOR AN EXEMPTION FROM
21 WORK REQUIREMENTS, WHICH INCLUDES, BUT IS NOT LIMITED TO, AN
22 APPLICANT OR PARTICIPANT WHO IS:

23 (A) THE HEAD OF A SINGLE-PARENT HOUSEHOLD UNIT AND HAS A
24 CHILD UNDER ONE YEAR OF AGE; OR

25 (B) EXPERIENCING HARDSHIP, AS DEFINED IN RULES PROMULGATED
26 BY THE STATE BOARD; AND

27 [REDACTED]

1 (II) ENSURING EQUAL ACCESS TO TANF SERVICES FOR THOSE
2 EXEMPTED WHO WISH TO PARTICIPATE ON A VOLUNTARY BASIS.

3 (b) WHEN PROMULGATING RULES PURSUANT TO THIS SUBSECTION
4 (5.3), THE STATE BOARD SHALL CONSIDER COMPLIANCE WITH THE FEDERAL
5 LAW IN RELATION TO THE CALCULATION OF THE STATE'S WORK
6 PARTICIPATION RATES SPECIFIED IN THE FEDERAL LAW.

7 **SECTION 6.** In Colorado Revised Statutes, 26-2-709, **amend**
8 (1)(a) introductory portion, (1)(a)(III), (1)(b), and (1.3) as follows:

9 **26-2-709. Benefits - cash assistance - programs - rules - repeal.**

10 (1) **Standard of need - basic cash assistance grant.** (a) The state
11 department shall promulgate rules determining the standard of need for
12 eligibility for a basic cash assistance grant, whether an applicant or
13 participant meets the standard of need, and the amount of the basic cash
14 assistance grant. THE STATE DEPARTMENT SHALL ANNUALLY REVIEW AND
15 PROMULGATE RULES AS NECESSARY TO UPDATE THE STANDARD OF NEED
16 TO ENSURE THE STANDARD OF NEED IS EQUITABLE, PROMOTES ECONOMIC
17 MOBILITY AND SELF-SUFFICIENCY, AND REFLECTS THE CURRENT ECONOMIC
18 SITUATIONS IN THE STATE. In addition to any other rules necessary for the
19 implementation of this part 7, the state department's rules shall:

20 (III) Establish the calculation for determining the amount of an
21 eligible applicant's or participant's basic cash assistance grant, which
22 calculation ~~shall~~ MUST include an earned income disregard ~~which shall be~~
23 THAT IS applied to the gross countable earned income of an applicant or
24 participant who is employed AND A GRADUAL STEP DOWN OF THE AMOUNT
25 OF INCOME DISREGARDED FOLLOWING THE INITIAL EARNED INCOME
26 DISREGARD. The INITIAL earned income disregard ~~shall~~ AND GRADUAL
27 STEP DOWN MUST promote work and self-sufficiency, BE RESPONSIVE TO

1 FAMILY CIRCUMSTANCES AND NEED, and shall benefit the applicant or
2 participant by reducing the unintended economic consequences of
3 becoming employed. The rules promulgated by the state department
4 pursuant to this ~~subparagraph (H)~~ shall SUBSECTION (1)(a)(III) MUST not
5 establish an earned income disregard that results in an applicant or
6 participant having fewer financial resources available to ~~him or her~~ THE
7 APPLICANT OR PARTICIPANT than a similarly situated applicant or
8 participant would have had under the earned income disregard pursuant
9 to section 26-2-709 as it existed on July 1, 2009; and

10 (b) (I) In establishing the calculation for determining the amount
11 of an eligible applicant's or participant's basic cash assistance grant, the
12 state department shall ensure that the amount of the basic cash assistance
13 grant that a participant or applicant receives ~~FOR THE STATE FISCAL~~
14 ~~YEAR COMMENCING JULY 1, 2022, is equal to or exceeds one hundred two~~
15 ~~percent of the need standard for a participant in a similarly sized~~
16 ~~household on January 1, 2008. The state department is encouraged to~~
17 ~~establish a calculation for determining the amount of a basic cash~~
18 ~~assistance grant that results in a basic cash assistance grant that is equal~~
19 ~~to or exceeds one hundred twelve percent of the need standard for a~~
20 ~~participant in a similarly sized household on January 1, 2008; ONE~~
21 ~~HUNDRED PERCENT OF THE AMOUNT OF BASIC CASH ASSISTANCE IN 2021,~~
22 ~~PLUS TWENTY PERCENT. FOR THE STATE FISCAL YEAR COMMENCING JULY~~
23 ~~1, 2023, AND EACH STATE FISCAL YEAR THEREAFTER, THE AMOUNT OF~~
24 ~~BASIC CASH ASSISTANCE MUST BE EQUAL TO OR EXCEED THE AMOUNT OF~~
25 ~~BASIC CASH ASSISTANCE FOR THE PREVIOUS STATE FISCAL YEAR PLUS A~~
26 ~~TWO PERCENT COST OF LIVING ADJUSTMENT OR A COST OF LIVING~~
27 ~~ADJUSTMENT THAT IS EQUAL TO THE AVERAGE OF THE FEDERAL SOCIAL~~

1 SECURITY ADMINISTRATION'S COST OF LIVING ADJUSTMENT FOR THAT
2 FISCAL YEAR PLUS THE PREVIOUS TWO FISCAL YEARS, WHICHEVER IS
3 GREATER.

4 (II) (A) ON JULY 1, 2022, THE STATE TREASURER SHALL TRANSFER
5 EIGHTEEN MILLION DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF
6 CASH FUND, CREATED IN SECTION 24-75-228, TO THE COLORADO
7 LONG-TERM WORKS RESERVE TO COVER ANY INCREASE IN BASIC CASH
8 ASSISTANCE ABOVE THE AMOUNT OF BASIC CASH ASSISTANCE IN STATE
9 FISCAL YEAR 2021-22.

10 (B) THE MONEY TRANSFERRED PURSUANT TO SUBSECTION
11 (1)(b)(II)(A) OF THIS SECTION MUST BE EXPENDED NO LATER THAN
12 DECEMBER 30, 2026.

13 (C) THIS SUBSECTION (1)(b)(II) IS REPEALED, EFFECTIVE JULY 1,
14 2027.

15 (III) (A) BEGINNING STATE FISCAL YEAR 2023-24, AND EACH
16 STATE FISCAL YEAR THEREAFTER, THE STATE DEPARTMENT SHALL EXPEND
17 MONEY IN EQUAL AMOUNTS FROM THE STATE GENERAL FUND, THE
18 UNCLAIMED PROPERTY TRUST FUND CREATED IN SECTION 38-13-801, AND
19 AVAILABLE TANF FUNDS, WHICH MUST INCLUDE FUNDS IN THE COLORADO
20 LONG-TERM WORKS RESERVE AND THE TOTAL STATEWIDE COUNTY TANF
21 RESERVE TO COVER ANY INCREASE IN BASIC CASH ASSISTANCE ABOVE THE
22 AMOUNT OF BASIC CASH ASSISTANCE IN STATE FISCAL YEAR 2021-22. THE
23 STATE DEPARTMENT AND COUNTIES SHALL IDENTIFY AN EQUITABLE
24 PORTION OF THE COLORADO LONG-TERM WORKS RESERVE AND TOTAL
25 STATEWIDE COUNTY TANF RESERVE FOR THE IMPLEMENTATION OF THIS
26 SUBSECTION (1)(b)(III)(A).

27 (B) IF THE TOTAL STATEWIDE COUNTY TANF RESERVE FALLS

1 BELOW FIFTEEN PERCENT OF THE COUNTY BLOCK GRANT AMOUNT, THE
2 GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM THE COLORADO
3 LONG-TERM WORKS RESERVE TO THE COUNTY BLOCK GRANT UNTIL THE
4 BALANCE OF THE TOTAL STATEWIDE COUNTY TANF RESERVE EXCEEDS
5 FIFTEEN PERCENT OF THE COUNTY BLOCK GRANT AMOUNT OR UNTIL THE
6 COLORADO LONG-TERM WORKS RESERVE FALLS BELOW TWENTY-FIVE
7 PERCENT OF THE STATE BLOCK GRANT AMOUNT.

8 (C) IF THE COLORADO LONG-TERM WORKS RESERVE FALLS BELOW
9 TWENTY-FIVE PERCENT OF THE STATE BLOCK GRANT AMOUNT AND THE
10 TOTAL STATEWIDE COUNTY TANF RESERVE EXCEEDS FIFTEEN PERCENT OF
11 THE COUNTY BLOCK GRANT AMOUNT, THE COUNTIES SHALL FUND THE
12 TANF PROGRAM FROM AVAILABLE TANF FUNDS UNTIL THE TOTAL
13 STATEWIDE COUNTY TANF RESERVE FALLS BELOW FIFTEEN PERCENT OF
14 THE COUNTY BLOCK GRANT AMOUNT. COUNTIES ARE ONLY REQUIRED TO
15 SPEND AVAILABLE TANF MONEY, INCLUDING COUNTY TANF RESERVES
16 AND THE MAINTENANCE OF EFFORT, FOR THE COLORADO WORKS
17 PROGRAM.

18 (IV) BEGINNING JANUARY 2023, AND EACH JANUARY
19 THEREAFTER, THE JOINT BUDGET COMMITTEE SHALL AT LEAST ANNUALLY
20 REVIEW THE BALANCE OF THE COLORADO LONG-TERM WORKS RESERVE
21 AND THE TOTAL STATEWIDE COUNTY TANF RESERVE, AND, IF THE JOINT
22 BUDGET COMMITTEE DETERMINES THAT THE BALANCE OF THE COLORADO
23 LONG-TERM WORKS RESERVE WILL FALL BELOW TWENTY-FIVE PERCENT OF
24 THE STATE BLOCK GRANT AMOUNT AND THE BALANCE OF THE TOTAL
25 STATEWIDE COUNTY TANF RESERVE WILL FALL BELOW FIFTEEN PERCENT
26 OF THE COUNTY BLOCK GRANT AMOUNT IN THE CURRENT OR NEXT STATE
27 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM

1 THE STATE GENERAL FUND OR THE UNCLAIMED PROPERTY TRUST FUND TO
2 COVER ANY INCREASE IN BASIC CASH ASSISTANCE ABOVE THE AMOUNT OF
3 BASIC CASH ASSISTANCE IN STATE FISCAL YEAR 2021-22 UNTIL THE
4 BALANCE OF THE COLORADO LONG-TERM WORKS RESERVE EXCEEDS
5 TWENTY-FIVE PERCENT OF THE STATE BLOCK GRANT AMOUNT AND THE
6 TOTAL STATEWIDE COUNTY TANF RESERVE EXCEEDS FIFTEEN PERCENT OF
7 THE COUNTY BLOCK GRANT AMOUNT.

8 (V) THE STATE DEPARTMENT AND A COUNTY DEPARTMENT THAT
9 RECEIVES MONEY FROM THE STATE DEPARTMENT PURSUANT TO THIS
10 SECTION SHALL COMPLY WITH THE COMPLIANCE, REPORTING,
11 RECORD-KEEPING, AND PROGRAM EVALUATION REQUIREMENTS
12 ESTABLISHED BY THE OFFICE OF STATE PLANNING AND BUDGETING AND
13 THE STATE CONTROLLER IN ACCORDANCE WITH SECTION 24-75-226 (5).

14 (1.3) **Redetermination of eligibility for persons receiving cash**
15 **assistance.** The STATE BOARD SHALL PROMULGATE RULES THAT REQUIRE
16 county ~~department shall~~ DEPARTMENTS TO perform ~~an annual~~ A
17 redetermination of eligibility for all assistance units receiving cash
18 assistance. ELIGIBILITY PROCESSES FROM OTHER PUBLIC ASSISTANCE OR
19 ENTITLEMENT PROGRAMS MAY BE USED WHEN REDETERMINING
20 ELIGIBILITY. WHEN POSSIBLE, THE STATE BOARD IS STRONGLY
21 ENCOURAGED TO ALIGN REDETERMINATION TIMELINES WITH OTHER
22 PUBLIC ASSISTANCE OR ENTITLEMENT PROGRAMS.

23 **SECTION 7.** In Colorado Revised Statutes, **amend** 26-2-709.5
24 as follows:

25 **26-2-709.5. Exit interviews and follow-up interviews of**
26 **participants.** (1) In order to follow the legislative intent declared in
27 section 26-2-702 (1)(a), a county department is strongly encouraged to

1 CONTACT EACH PARTICIPANT USING EACH METHOD OF COMMUNICATION
2 PROVIDED BY THE PARTICIPANT IN ORDER TO conduct exit and follow-up
3 interviews upon case closure, either in person or by telephone, ~~with all~~
4 ~~participants of the Colorado works program~~, including participants who
5 are or have been receiving short-term assistance payments pursuant to
6 section 26-2-706.6. The interviews shall be CONDUCTED IN ACCORDANCE
7 WITH STATE DEPARTMENT GUIDANCE for the purpose of:

8 (a) EVALUATING THE PARTICIPANT'S EXPERIENCE WITH THE WORKS
9 PROGRAM;

10 (b) EVALUATING HOW WELL THE WORKS PROGRAM MET THE
11 PARTICIPANT'S NEEDS AND ASSISTED THE PARTICIPANT IN MEETING THE
12 PARTICIPANT'S GOALS;

13 (c) INFORMING THE STATE DEPARTMENT OF ANY CHANGES TO
14 RULES THAT ARE NEEDED TO IMPROVE THE PARTICIPANT'S EXPERIENCE;
15 AND

16 (d) Providing information to the participant and offering
17 assistance with applications for or continuance of assistance under
18 medicaid, food stamps, the Colorado child care assistance program, the
19 earned income tax credit, or other programs such as welfare-to-work or
20 other county benefits or services.

21 (2) ~~Repealed.~~ IF THE STATE DEPARTMENT, IN CONSULTATION
22 WITH COUNTIES, IDENTIFIES ADDITIONAL NEED FOR FUNDING TO
23 ADMINISTER THE WORKS PROGRAM, THE STATE DEPARTMENT IS STRONGLY
24 ENCOURAGED TO REQUEST STATE GENERAL FUND MONEY OR, IF THE
25 BALANCE OF THE STATE TANF RESERVE IS GREATER THAN THE
26 MANDATORY FLOOR, APPROPRIATE ADDITIONAL STATE TANF MONEY TO
27 FUND COUNTIES' ADMINISTRATION OF THE WORKS PROGRAM.

1 (3) BEGINNING JANUARY 2023, AND EACH JANUARY THEREAFTER,
2 THE STATE DEPARTMENT SHALL SUBMIT A REPORT TO THE HOUSE OF
3 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
4 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES
5 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AS PART OF ITS "STATE
6 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
7 (SMART) GOVERNMENT ACT" PRESENTATION REQUIRED BY SECTION
8 2-7-203, ON THE EFFECTIVENESS OF THE WORKS PROGRAM. TO THE
9 EXTENT PRACTICABLE, THE STATE DEPARTMENT MAY REQUEST A COUNTY
10 DEPARTMENT TO PROVIDE ANY INFORMATION AND DATA THAT MAY BE
11 NECESSARY TO DEVELOP THE REPORT, INCLUDING INFORMATION AND DATA
12 FROM EXIT INTERVIEWS CONDUCTED BY THE COUNTY DEPARTMENTS
13 PURSUANT TO SUBSECTION (1) OF THIS SECTION. ANY DATA USED MUST
14 PROTECT PERSONAL IDENTIFYING INFORMATION OF THE PARTICIPANTS AND
15 THE PARTICIPANTS' FAMILY MEMBERS. AT A MINIMUM, THE REPORT MUST
16 INCLUDE:

17 (a) THE TOTAL NUMBER OF PARTICIPANTS ENROLLED IN THE
18 WORKS PROGRAM IN THE PREVIOUS FISCAL YEAR, DISAGGREGATED BY
19 CASE TYPE, RACE, AND ETHNICITY;

20 (b) THE TOTAL NUMBER OF PARTICIPANTS WHO EXITED AND
21 RE-ENROLLED IN THE WORKS PROGRAM ONE OR MORE TIMES IN THE
22 PREVIOUS FISCAL YEAR, DISAGGREGATED BY CASE TYPE, RACE, AND
23 ETHNICITY;

24 (c) THE TOTAL NUMBER OF INSTANCES A PARTICIPANT EXITED AND
25 RE-ENROLLED IN THE WORKS PROGRAM ONE OR MORE TIMES IN THE
26 PREVIOUS FISCAL YEAR, DISAGGREGATED BY CASE TYPE, RACE, AND
27 ETHNICITY;

1 (d) THE TOTAL NUMBER OF MONTHS EACH PARTICIPANT REMAINED
2 ENROLLED IN THE WORKS PROGRAM IN THE PREVIOUS FISCAL YEAR,
3 DISAGGREGATED BY CASE TYPE, RACE, AND ETHNICITY; AND

4 (e) TO THE EXTENT PRACTICABLE, DATA GATHERED THROUGH
5 SURVEYS AND EXIT INTERVIEWS WITH PARTICIPANTS IN THE WORKS
6 PROGRAM REGARDING PARTICIPANTS' EXPERIENCE WITH THE PROGRAM,
7 BELIEFS ABOUT THE GOALS OF THE PROGRAM, PERCEPTIONS OF HOW
8 PARTICIPATION IN THE PROGRAM CONTRIBUTED TO THE FAMILY GOALS,
9 REASONS FOR LEAVING THE PROGRAM, AND CURRENT EMPLOYMENT
10 STATUS AND WAGE RATE.

11 (4) THE STATE DEPARTMENT MAY REVIEW AND CONSIDER
12 INFORMATION TECHNOLOGY SOLUTIONS FOR THE IMPLEMENTATION OF
13 THIS SECTION.

14 **SECTION 8.** In Colorado Revised Statutes, 26-2-711, **amend**
15 (1)(a) introductory portion, (1)(a)(II), and (1)(a)(III) as follows:

16 **26-2-711. Works program - sanctions against participants -**
17 **rules.** (1) (a) The state board shall promulgate rules for the imposition of
18 sanctions affecting the basic cash assistance grant as described in section
19 26-2-709 (1). The rules ~~shall~~ MUST require:

20 (II) A ~~percentage~~ reduction in the basic CASH assistance grant
21 upon the first imposition of a sanction affecting ~~such~~ A basic CASH
22 assistance grant, with the ~~percentage~~ AMOUNT to be specified in the rules
23 but not ~~less than twenty-five percent~~ TO EXCEED ONE DOLLAR;

24 (III) Specific reductions in the basic CASH assistance grant for
25 second and subsequent sanctions affecting the basic CASH assistance
26 grant;

27 **SECTION 9.** In Colorado Revised Statutes, 26-2-720.5, **amend**

1 (3) as follows:

2 **26-2-720.5. County block grant support fund - created.**

3 (3) (a) A county that meets the criteria established by the state
4 department and the works allocation committee pursuant to subsection (2)
5 of this section may request ~~moneys~~ MONEY from the county block grant
6 support fund. Priority shall be given to any county that exhausts all
7 ~~moneys~~ MONEY available in the county's block grant for the Colorado
8 works program for that fiscal year.

9 (b) A COUNTY THAT IS PROJECTED TO EXHAUST ALL MONEY
10 AVAILABLE IN THE COUNTY'S TANF RESERVE AND FACES A LOCAL OR
11 STATEWIDE NATURAL DISASTER OR OTHER EMERGENCY MAY REQUEST
12 MONEY FROM THE COUNTY BLOCK GRANT SUPPORT FUND. THE STATE
13 DEPARTMENT, WITH INPUT FROM THE WORKS ALLOCATION COMMITTEE,
14 SHALL DEVELOP CRITERIA AND PROCEDURES TO INCLUDE USE OF THE FUND
15 IN CIRCUMSTANCES OF A NATURAL DISASTER OR OTHER EMERGENCY.

16 **SECTION 10.** In Colorado Revised Statutes, **add** 26-2-725 as
17 follows:

18 **26-2-725. Outreach and engagement plan - family voice**
19 **participation.** (1) NO LATER THAN SEPTEMBER 30, 2022, THE STATE
20 DEPARTMENT SHALL DEVELOP AN OUTREACH AND ENGAGEMENT PLAN TO
21 PROMOTE ACCESS TO THE COLORADO WORKS PROGRAM FOR ELIGIBLE
22 PERSONS.

23 (2) THE STATE DEPARTMENT SHALL PARTNER WITH COUNTIES AND
24 NONPROFIT ORGANIZATIONS WHEN DEVELOPING AND IMPLEMENTING THE
25 OUTREACH AND ENGAGEMENT PLAN AND SHALL INCORPORATE FEEDBACK
26 FROM CURRENT AND FORMER PARTICIPANTS TO ENSURE PARTICIPANTS ARE
27 INFLUENTIAL STAKEHOLDERS IN THE PROCESS.

1 (3) AT A MINIMUM, THE OUTREACH AND ENGAGEMENT PLAN MUST
2 INCLUDE SPECIFIC STRATEGIES FOR:

3 (a) OUTREACH TO MONOLINGUAL, NON-ENGLISH SPEAKING
4 COMMUNITIES AND FAMILIES, INCLUDING A LINGUISTICALLY DIVERSE
5 WEBSITE AND TRANSLATION OF OTHER MATERIALS THAT INCLUDE
6 INFORMATION ABOUT THE WORKS PROGRAM IN THE SEVEN MOST COMMON
7 LANGUAGES SPOKEN IN EACH COUNTY OF THE STATE;

8 [REDACTED]
9 (b) DEVELOPING CULTURALLY APPROPRIATE MESSAGING;

10 (c) SHARING INFORMATION ABOUT THE SERVICES AND SUPPORTS
11 AVAILABLE AND PARTICIPANTS' RIGHTS AND RESPONSIBILITIES UNDER THE
12 WORKS PROGRAM;

13 (d) HOW TO APPEAL IF REDETERMINATION IS DENIED;

14 (e) CONFIDENTIALITY PROTECTIONS FOR APPLICANTS AND
15 PARTICIPANTS; AND

16 (f) OUTREACH THROUGH A VARIETY OF SETTINGS, INCLUDING BUT
17 NOT LIMITED TO SOCIAL MEDIA, SCHOOLS, CHILD CARE CENTERS, FOOD
18 BANKS, LIBRARIES, FEDERALLY QUALIFIED HEALTH CENTERS, HOME
19 VISITING PROGRAMS, MOBILE HOME PARKS, HEAD START AND EARLY HEAD
20 START CENTERS, AND MOBILE SITES.

21 (4) THE STATE DEPARTMENT SHALL:

22 (a) REQUIRE THAT COUNTY STAFF WORKING WITH APPLICANTS AND
23 PARTICIPANTS RECEIVE COMPREHENSIVE TRAINING REGARDING THE
24 WORKS PROGRAM. THE TRAINING MUST INCLUDE TRAUMA-INFORMED
25 APPROACHES TO INTERACTING WITH PARTICIPANTS, CONSISTENCY IN
26 COMMUNICATING INFORMATION ABOUT CHILD CARE ACCESS AND
27 ASSISTANCE, THE ALIGNMENT OF A PARTICIPANT'S WORK REQUIREMENTS

1 WITH CHILD CARE ACCESS AND FAMILY MEDICAL NEEDS, THE FULL SCOPE
2 OF OPTIONS FOR THE PARTICIPANT TO MEET WORK AND EDUCATION
3 REQUIREMENTS IN ALIGNMENT WITH THE PARTICIPANT'S GOALS, AND THE
4 AVAILABILITY OF SUPPORT SERVICES FOR FAMILIES.

5 [REDACTED]

6 (b) DEVELOP TOOLKITS, MANUALS, AND OTHER MATERIALS FOR
7 COUNTY STAFF, APPLICANTS, AND PARTICIPANTS THAT INCLUDE
8 INFORMATION ABOUT CHILD CARE ACCESS AND ASSISTANCE, THE
9 ALIGNMENT OF A PARTICIPANT'S WORK REQUIREMENTS WITH CHILD CARE
10 ACCESS, THE FULL SCOPE OF OPTIONS FOR THE PARTICIPANT TO MEET
11 WORK AND EDUCATION REQUIREMENTS IN ALIGNMENT WITH THE
12 PARTICIPANT'S GOALS, AND THE AVAILABILITY OF SUPPORT SERVICES FOR
13 FAMILIES;

14 (c) PARTNER WITH COUNTIES, NONPROFIT ORGANIZATIONS, AND
15 PARTICIPANTS TO DEVELOP CULTURALLY AND LINGUISTICALLY
16 APPROPRIATE MESSAGING AND ENSURE THAT APPLICANTS AND
17 PARTICIPANTS HAVE ACCESS TO SUFFICIENT SUPPORTS AND
18 COMMUNICATION IN THE SEVEN MOST COMMON LANGUAGES SPOKEN IN
19 EACH COUNTY OF THE STATE, OR, IN THE INSTANCE OF A MONOLINGUAL
20 SPEAKER OF A LANGUAGE OTHER THAN THE SEVEN MOST COMMON
21 LANGUAGES, USE BEST EFFORTS TO PROVIDE SUPPORTS AND
22 COMMUNICATION IN THE LANGUAGE SPOKEN BY THE INDIVIDUAL;

23 (d) ENSURE ADEQUATE AND MEANINGFUL REPRESENTATION BY,
24 FEEDBACK FROM, OR ENGAGEMENT WITH CURRENT AND FORMER
25 PARTICIPANTS WHEN MAKING DECISIONS AND RECOMMENDATIONS
26 REGARDING THE WORKS PROGRAM, INCLUDING DURING ANY RULE-MAKING
27 OR REGULATORY PROCESS AND OTHER POLICY CHANGES THAT IMPACT

1 RECIPIENTS. TO THE EXTENT POSSIBLE, THE STATE DEPARTMENT SHALL
2 ENSURE THAT PARTICIPANTS INVOLVED PURSUANT TO THIS SUBSECTION
3 (4)(d) ARE DIVERSE WITH REGARD TO RACE, ETHNICITY, AGE, ABILITY,
4 SEXUAL ORIENTATION, GENDER IDENTITY, AND GEOGRAPHY AND THAT
5 PARTICIPANT FEEDBACK HAS A GENUINE OPPORTUNITY TO INFLUENCE
6 SUBSTANTIAL CHANGES TO THE WORKS PROGRAM. THE STATE
7 DEPARTMENT MAY UTILIZE ANY ESTABLISHED COUNCILS AT THE STATE
8 AND LOCAL LEVEL THAT HAVE CURRENT AND FORMER PARTICIPANTS
9 REPRESENTED OR APPOINTED TO COMPLY WITH THE REQUIREMENTS OF
10 THIS SUBSECTION (4)(d). TO THE EXTENT POSSIBLE, THE STATE
11 DEPARTMENT SHALL CONSIDER REIMBURSING PARTICIPANTS INVOLVED
12 PURSUANT TO THIS SUBSECTION (4)(d) FOR TRAVEL EXPENSES AND
13 ATTENDANT AND DEPENDENT CARE.

14 (5) BEGINNING JANUARY 2023, AND EACH JANUARY THEREAFTER,
15 THE STATE DEPARTMENT SHALL INCLUDE INFORMATION ON THE
16 IMPLEMENTATION OF THE REQUIREMENTS IN THIS SECTION IN ITS REPORT
17 TO THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH
18 AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
19 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AS PART OF ITS
20 "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND
21 TRANSPARENT (SMART) GOVERNMENT ACT" PRESENTATION REQUIRED
22 BY SECTION 2-7-203.

23 (6) THE STATE DEPARTMENT MAY REVIEW AND CONSIDER
24 INFORMATION TECHNOLOGY SOLUTIONS FOR THE IMPLEMENTATION OF
25 THIS SECTION."

26 **SECTION 11. Appropriation.** For the 2022-23 state fiscal year,
27 \$7,000,000 is appropriated to the department of human services for use

1 by the office of economic security. This appropriation is from the
2 economic recovery and relief cash fund created in section 24-75-228,
3 C.R.S., and is of money the state received from the federal coronavirus
4 state fiscal recovery fund. To implement this act, the office may use this
5 appropriation for the employment opportunities with wages program. Any
6 money appropriated in this section not expended prior to July 1, 2023, is
7 further appropriated to the office from July 1, 2023, through December
8 30, 2024, for the same purpose.

9 **SECTION 12. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety.