

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0323.01 Megan McCall x4215

HOUSE BILL 24-1245

HOUSE SPONSORSHIP

Story,

SENATE SPONSORSHIP

Gonzales,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REQUIREMENTS THAT PROJECTS FOR BROADBAND
102 DEPLOYMENT RECEIVING MONEY DISTRIBUTED BY THE
103 COLORADO BROADBAND OFFICE COMPLY WITH CERTAIN FAIR
104 LABOR PRACTICES.

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 Colorado broadband office (office) is authorized to seek or apply for, accept, and expend money from the federal government for broadband deployment. The bill requires that for federal money that the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

office distributes, or for state money that it distributes as matching funding for federal money, it must give substantial weight, but not less than 25% weight, to fair labor practices by establishing evaluation metrics for applicants. Additionally, for projects that receive an award of over \$500,000, workers involved in the projects must be paid prevailing wages for the project to receive the award.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-37.5-903, **add** (6)
3 as follows:

4 **24-37.5-903. Colorado broadband office - creation -**
5 **responsibilities - gifts, grants, or donations.** (6) (a) THE BROADBAND
6 OFFICE SHALL GIVE SUBSTANTIAL WEIGHT, BUT NOT LESS THAN
7 TWENTY-FIVE PERCENT WEIGHT, TO FAIR LABOR PRACTICES BY
8 ESTABLISHING APPROPRIATE EVALUATION METRICS FOR APPLICANTS FOR
9 FEDERAL MONEY THAT THE BROADBAND OFFICE DISTRIBUTES PURSUANT
10 TO THE AUTHORIZATION TO SEEK OR APPLY FOR, ACCEPT, AND EXPEND
11 FEDERAL MONEY SET FORTH IN SUBSECTION (3)(h)(II) OF THIS SECTION,
12 AND FOR STATE MONEY THAT THE BROADBAND OFFICE DISTRIBUTES AS
13 MATCHING FUNDING FOR FEDERAL MONEY. ADDITIONALLY, FOR PROJECTS
14 THAT RECEIVE AN AWARD OF OVER FIVE HUNDRED THOUSAND DOLLARS,
15 THE BROADBAND OFFICE SHALL REQUIRE THAT WORKERS INVOLVED IN THE
16 PROJECTS ARE PAID PREVAILING WAGES AS DEFINED IN SECTION 24-92-201
17 (6).

18 (b) (I) THE EVALUATION METRICS ESTABLISHED BY THE
19 BROADBAND OFFICE PURSUANT TO SUBSECTION (6)(a) OF THIS SECTION
20 MUST INCLUDE COMPLIANCE BY APPLICANTS WITH SPECIFIED LABOR
21 PRACTICES NOT OTHERWISE EXCLUDED UNDER LAW, AND A COMMITMENT
22 TO ONGOING COMPLIANCE, INCLUDING THE FOLLOWING:

- 1 (A) USING A DIRECTLY EMPLOYED WORKFORCE;
- 2 (B) PROVIDING ROBUST IN-HOUSE TRAINING;
- 3 (C) PROVIDING HIGH-QUALITY WAGES AND BENEFITS;
- 4 (D) DEMONSTRATING A COMMITMENT TO RETAINING A
- 5 LOCALLY-BASED WORKFORCE OR ESTABLISHING PROGRAMS TO PROMOTE
- 6 TRAINING AND HIRING PROCESSES FOR UNDERREPRESENTED COMMUNITIES
- 7 AND A COMMITMENT TO SUCH PROGRAMS;
- 8 (E) USING PROJECT LABOR AGREEMENTS OR LABOR PEACE
- 9 AGREEMENTS;
- 10 (F) USING AN APPROPRIATELY SKILLED AND APPROPRIATELY
- 11 CREDENTIALLED WORKFORCE;
- 12 (G) HAVING A COMMITMENT TO UNION NEUTRALITY;
- 13 (H) TAKING STEPS TO PREVENT THE MISCLASSIFICATION OF
- 14 WORKERS;
- 15 (I) REQUIRING COMMITMENTS FROM ANY SUBCONTRACTORS FOR
- 16 THE SAME LEVEL OF LABOR PRACTICES; AND
- 17 (J) HAVING ROBUST RECORDS OF COMPLIANCE WITH THE STATE'S
- 18 LABOR LAWS.
- 19 (II) THE BROADBAND OFFICE MAY WEIGH SPECIFIED LABOR
- 20 PRACTICES FOR THE EVALUATION METRICS EQUALLY OR DIFFERENTLY;
- 21 EXCEPT THAT EVALUATION METRICS REGARDING LABOR PRACTICES
- 22 DURING THE PERFORMANCE OF THE FUNDED PROJECT, AS OPPOSED TO
- 23 EVALUATION METRICS REGARDING PAST RECORDS OF COMPLIANCE, MUST
- 24 COMPOSE AT LEAST TWENTY PERCENT OF THE WEIGHT.

25 **SECTION 2. Applicability.** This act applies to federal money
26 that the broadband office seeks or applies for, accepts, and expends as
27 authorized by section 24-37.5-903 (3)(h)(II), C.R.S., and to state money

1 that the office distributes as matching funding for federal money on or
2 after the effective date of this act.

3 **SECTION 3. Safety clause.** The general assembly finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety or for appropriations for
6 the support and maintenance of the departments of the state and state
7 institutions.