

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

REVISED

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

LLS NO. 24-1029.01 Josh Schultz x5486

HOUSE BILL 24-1410

HOUSE SPONSORSHIP

Bird and Taggart, Sirota, Duran, Epps, Froelich, Hamrick, Joseph, Lieder, Weissman

SENATE SPONSORSHIP

Bridges and Zenzinger, Kirkmeyer

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ADMINISTRATIVE CHANGES TO THE JUST TRANSITION**
102 **OFFICE IN THE DEPARTMENT OF LABOR AND EMPLOYMENT.**

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/>.)

Joint Budget Committee. The bill relocates the just transition office (office) from the division of employment and training in the department of labor and employment to the office of the executive director of the department of labor and employment. The bill changes the deadline for the office to expend money in the just transition cash fund (fund) from state fiscal year 2023-24 to state fiscal year 2029-30. Any

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.*

SENATE
Amended 2nd Reading
April 4, 2024

HOUSE
3rd Reading Unamended
April 1, 2024

HOUSE
Amended 2nd Reading
March 28, 2024

unexpended money in the fund at the end of state fiscal year 2029-30, including unexpended money in the coal transition workforce assistance program account in the fund, shall be transferred to the general fund.

The bill modifies the types of programs that the office supports using money from the fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-83-502, **amend** (7);
3 and **add** (5.5) as follows:

4 **8-83-502. Definitions.** As used in this part 5, unless the context
5 otherwise requires:

6 (5.5) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
7 THE DEPARTMENT OF LABOR AND EMPLOYMENT.

8 (7) "Just transition plan" means the plan, in draft or final form,
9 prepared by the just transition advisory committee as outlined in section
10 8-83-503 (6) and submitted by the director as outlined in section 8-83-503
11 (4), OR ANY SUBSEQUENT VERSION OF THE PLAN DEVELOPED THROUGH A
12 SIMILAR PROCESS.

13 **SECTION 2.** In Colorado Revised Statutes, 8-83-503, **amend** (1),
14 (2), and (4) introductory portion as follows:

15 **8-83-503. Just transition office - advisory committee - repeal.**

16 (1) ~~There is hereby created within the division a~~ THE just transition office
17 IS CREATED IN THE OFFICE OF THE EXECUTIVE DIRECTOR. The JUST
18 TRANSITION office ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN
19 SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its
20 duties and functions under the department ~~as if the office were transferred~~
21 ~~to the department by a type 2 transfer as defined in section 24-1-105~~ OF
22 LABOR AND EMPLOYMENT.

23 (2) The ~~director of the division~~ EXECUTIVE DIRECTOR shall appoint

1 the director of the office. The director shall manage the operations of the
2 office.

3 (4) Based on the draft just transition plan recommended by the
4 advisory committee pursuant to subsection (6) of this section, and with
5 the approval of the executive director of the department and the executive
6 director of the department of local affairs, on or before December 31,
7 2020, the director shall submit to the governor and the general assembly
8 a ~~final~~ just transition plan for Colorado. This ~~final~~ plan must include, at
9 a minimum:

10 **SECTION 3.** In Colorado Revised Statutes, 8-83-504, **amend** (1),
11 (4)(a)(II), and (4)(b)(III); and **repeal** (4)(a)(III) as follows:

12 **8-83-504. Just transition cash fund - transfer from general**
13 **fund - transfer from account - definition.** (1) ~~There is hereby created~~
14 ~~in the state treasury the just transition cash fund~~ THE JUST TRANSITION
15 CASH FUND IS CREATED IN THE STATE TREASURY. The fund consists of
16 money credited to the fund in accordance with section 39-29-108 (2)(d)
17 and any other money that the general assembly may appropriate or
18 transfer to the fund. The state treasurer shall credit all interest and income
19 derived from the deposit and investment of money in the fund to the fund.
20 Subject to annual appropriation by the general assembly, the office may
21 expend money from the fund and the department may expend money from
22 the coal transition workforce assistance program account of the fund
23 created in section 8-83-504.5 (1) for purposes specified in this part 5,
24 including paying for the office's direct and indirect costs in administering
25 this part 5. Any unexpended and unencumbered money in the fund at the
26 end of any fiscal year remains in the fund and shall not be credited or
27 transferred to the general fund; EXCEPT THAT, AT THE END OF STATE

1 FISCAL YEAR 2031-32, ANY UNEXPENDED AND UNENCUMBERED MONEY
2 SHALL BE TRANSFERRED TO THE GENERAL FUND. ■

3 (4) (a) (II) Subject to annual appropriation by the general
4 assembly, the office shall expend the money transferred to the fund
5 pursuant to this subsection (4)(a) to implement the ~~final~~ just transition
6 plan for Colorado prepared as required by section 8-83-503 (4), ~~and~~ to
7 provide supplemental funding for existing state programs that the office
8 identifies as the most effective vehicles for targeted investment in coal
9 transition communities, AND TO PROVIDE GRANTS AND OTHER SUPPORT
10 DIRECTLY TO COAL TRANSITION COMMUNITIES AND OTHER ELIGIBLE
11 ENTITIES. ~~In providing such supplemental funding~~ EXPENDING MONEY
12 FROM THE FUND, the office shall place a heavy emphasis on investment in
13 tier one transition communities and shall support programs that:

14 (A) Support targeted economic development, INCLUDING
15 EXPANSION ASSISTANCE FOR EXISTING LOCAL BUSINESSES, PROGRAMS
16 EXPANDING PRIVATE FINANCIAL INVESTMENT, AND SITE SELECTOR AND
17 TECHNICAL ASSISTANCE ENGAGEMENTS;

18 (B) Assist with regional capacity for coordination of economic
19 development programs and worker assistance programs;

20 (C) Support infrastructure projects and workforce development
21 programs; or

22 (D) Are consistent with the goals and strategies outlined in the
23 ~~final~~ just transition plan.

24 (III) ~~For purposes of the money transferred to the fund pursuant~~
25 ~~to subsection (4)(a)(I)(C) of this section, the office shall use the money~~
26 ~~to support targeted economic development for the following:~~

27 (A) ~~Expansion assistance for existing local businesses;~~

1 ~~(B) Expanding private financial investment; and~~
2 ~~(C) Site selector and technical assistance engagements.~~

3 (b) In addition to the requirements set forth in subsection (4)(a) of
4 this section, the office shall expend money transferred to the fund
5 pursuant to subsection (4)(a) of this section in accordance with the
6 following requirements and limitations:

7 (III) ~~(A)~~ The office shall expend OR ENCUMBER the money
8 transferred to the fund pursuant to ~~subsections (4)(a)(I)(A) and~~
9 ~~(4)(a)(I)(B)~~ of this section by the close of state fiscal year ~~2023-24~~
10 2031-32.

11 ~~(B) The office shall expend the money transferred to the fund~~
12 ~~pursuant to subsection (4)(a)(I)(C) of this section by the close of state~~
13 ~~fiscal year 2025-26.~~

14 **SECTION 4.** In Colorado Revised Statutes, 8-83-504.5, **amend**
15 (1)(a)(III) and (1)(f); and **repeal** (1)(a)(IV) as follows:

16 **8-83-504.5. Additional coal transition workforce assistance**
17 **program funding - coal transition workforce assistance program**
18 **account.** (1) (a) (III) Subject to annual appropriation by the general
19 assembly, the department shall expend money from the account for coal
20 transition workforce assistance programs that directly assist coal
21 transition workers, ~~or~~ their family members, and other household
22 members, INCLUDING THOSE COAL TRANSITION WORKERS, THEIR FAMILY
23 MEMBERS, AND THEIR HOUSEHOLD MEMBERS WHO ARE MEMBERS OF A
24 DISPROPORTIONATELY IMPACTED COMMUNITY, including programs that:

25 (A) Establish or expand existing apprenticeship programs, the
26 training capacity of such programs, and the placement of coal transition
27 workers into such programs, prioritizing programs that are recognized as

1 registered apprenticeship programs by the department or a state
2 apprenticeship agency recognized by the United States department of
3 labor;

4 (B) Aid implementation of the ~~final~~ just transition plan;

5 (C) Provide tuition ~~reimbursement~~ ASSISTANCE;

6 (D) Provide job search assistance;

7 (E) Provide ~~individualized financial and transition~~ CAREER
8 planning SERVICES AND FINANCIAL COUNSELING;

9 (F) SUPPORT CHILD CARE ASSISTANCE;

10 (G) SUPPORT HOUSING ASSISTANCE;

11 (H) SUPPORT HEALTH-CARE AND BEHAVIORAL HEALTH
12 ASSISTANCE;

13 (I) SUPPORT RETIREMENT ASSISTANCE;

14 (J) PROVIDE BUSINESS START-UP ASSISTANCE;

15 ~~(F)~~ (K) Provide other services authorized by the federal
16 "Workforce Innovation and Opportunity Act", Pub.L. 113-128, such as
17 on-the-job training, subsidized employment, and other strategies that aid
18 in the implementation of individual transition plans; OR

19 ~~(G)~~ Support family members or other household members of coal
20 transition workers; or

21 ~~(H)~~ (L) Test innovative coal transition work support programs
22 through a pilot program. The department is encouraged to limit any pilot
23 program to no more than forty total participants who are coal transition
24 workers, coal transition worker family members, coal transition worker
25 households, or a combination of coal transition workers, family members,
26 and households.

27 (IV) ~~For purposes of the money transferred to the account~~

1 pursuant to subsection (1)(a)(H)(B) of this section, the office shall use the
2 money for the following purposes that directly assist coal transition
3 workers, their family members, and other household members, including
4 coal transition workers, their family members, and their household
5 members who are members of a disproportionately impacted community:

6 (A) ~~Tuition assistance and apprenticeships;~~

7 (B) ~~Expanded child care assistance;~~

8 (C) ~~Career planning services;~~

9 (D) ~~Financial counseling; and~~

10 (E) ~~Housing assistance.~~

11 (f) Any unexpended and unencumbered money in the account at
12 the end of any fiscal year remains in the account and shall not be credited
13 or transferred to the general fund; EXCEPT THAT, AT THE END OF STATE
14 FISCAL YEAR 2031-32, ANY UNEXPENDED AND UNENCUMBERED MONEY
15 SHALL BE TRANSFERRED TO THE GENERAL FUND.

16

17 **SECTION 5. Safety clause.** The general assembly finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety or for appropriations for
20 the support and maintenance of the departments of the state and state
21 institutions.