

CHAPTER 319

LABOR AND INDUSTRY

HOUSE BILL 24-1410

BY REPRESENTATIVE(S) Bird and Taggart, Sirota, Duran, Epps, Froelich, Hamrick, Joseph, Lieder, Weissman, McLachlan, Titone;
also SENATOR(S) Bridges and Zenzinger, Kirkmeyer, Cutter, Hansen, Michaelson Jenet, Priola, Rich, Roberts, Fenberg.

AN ACT

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

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

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

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

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

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

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

8-83-503. Just transition office - advisory committee - repeal. (1) ~~There is hereby created within the division a~~ THE just transition office IS CREATED IN THE OFFICE OF THE EXECUTIVE DIRECTOR. ~~The JUST TRANSITION office shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department ~~as if the office~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~were transferred to the department by a type 2 transfer as defined in section 24-1-105 OF LABOR AND EMPLOYMENT.~~

(2) ~~The director of the division~~ EXECUTIVE DIRECTOR shall appoint the director of the office. The director shall manage the operations of the office.

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

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

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

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

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

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

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

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

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

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

~~(B) Expanding private financial investment; and~~

~~(C) Site selector and technical assistance engagements.~~

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

~~(III) (A) The office shall expend OR ENCUMBER the money transferred to the fund pursuant to subsections (4)(a)(I)(A) and (4)(a)(I)(B) of this section by the close of state fiscal year 2023-24 2029-30.~~

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

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

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

(A) Establish or expand existing apprenticeship programs, the training capacity of such programs, and the placement of coal transition workers into such programs, prioritizing programs that are recognized as registered apprenticeship programs by the department or a state apprenticeship agency recognized by the United States department of labor;

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

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

(D) Provide job search assistance;

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

- (F) SUPPORT CHILD CARE ASSISTANCE;
- (G) SUPPORT HOUSING ASSISTANCE;
- (H) SUPPORT HEALTH-CARE AND BEHAVIORAL HEALTH ASSISTANCE;
- (I) SUPPORT RETIREMENT ASSISTANCE;
- (J) PROVIDE BUSINESS START-UP ASSISTANCE;

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

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

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

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

- ~~(A)~~ Tuition assistance and apprenticeships;
- ~~(B)~~ Expanded child care assistance;
- ~~(C)~~ Career planning services;
- ~~(D)~~ Financial counseling; and
- ~~(E)~~ Housing assistance.

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

Approved: May 31, 2024