

CHAPTER 437

LABOR AND INDUSTRY

HOUSE BILL 24-1280

BY REPRESENTATIVE(S) Velasco and Garcia, Weissman, Duran, Hernandez, Lindsay, Mabrey, Martinez, Marvin, Ortiz, Rutinel, Amabile, Bacon, Boesenecker, Brown, deGruy Kennedy, English, Epps, Froelich, Hamrick, Herod, Jodeh, Joseph, Kipp, Lindstedt, Mauro, McCormick, McLachlan, Parenti, Ricks, Story, Titone, Valdez, Vigil, Willford, Young, McCluskie, Clifford, Lukens, Sirota;
also SENATOR(S) Fields and Cutter, Danielson, Hinrichsen, Jaquez Lewis, Marchman, Michaelson Jenet, Priola, Sullivan, Winter F.

AN ACT

CONCERNING THE CREATION OF A GRANT PROGRAM FOR COMMUNITY-BASED ORGANIZATIONS TO PROVIDE APPROPRIATE SERVICES FOR MIGRANTS WHO ARE WITHIN ONE YEAR OF ARRIVAL IN THE UNITED STATES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** part 2 to article 3.7 of title 8 as follows:

PART 2
STATEWIDE WELCOME, RECEPTION, AND INTEGRATION
GRANT PROGRAM

8-3.7-201. Definitions. (1) AS USED IN THIS PART 2, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADMINISTERING ENTITY" MEANS THE STATEWIDE ENTITY SELECTED BY THE DEPARTMENT TO ADMINISTER THE STATEWIDE WELCOME, RECEPTION, AND INTEGRATION GRANT PROGRAM PURSUANT TO SECTION 8-3.7-202.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND EMPLOYMENT CREATED IN SECTION 24-1-121.

(c) "FUND" MEANS THE STATEWIDE WELCOME, RECEPTION, AND INTEGRATION CASH FUND CREATED IN SECTION 8-3.7-205.

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(d) "GRANT PROGRAM" MEANS THE STATEWIDE WELCOME, RECEPTION, AND INTEGRATION GRANT PROGRAM CREATED IN SECTION 8-3.7-202.

(e) "GRANT RECIPIENT" MEANS A COMMUNITY-BASED ORGANIZATION THAT IS SELECTED TO RECEIVE A GRANT PURSUANT TO SECTION 8-3.7-202.

(f) "MIGRANT" MEANS AN INDIVIDUAL WHO HAS ARRIVED IN THE UNITED STATES WITHIN THE PAST YEAR AND DOES NOT QUALIFY FOR FEDERAL SUPPORT SERVICES OR REFUGEE RESETTLEMENT ASSISTANCE BENEFITS.

8-3.7-202. Statewide welcome, reception, and integration grant program - created - rules. (1) THE STATEWIDE WELCOME, RECEPTION, AND INTEGRATION GRANT PROGRAM IS CREATED IN THE DEPARTMENT TO PROVIDE GRANTS TO COMMUNITY-BASED ORGANIZATIONS THAT PROVIDE CULTURALLY AND LINGUISTICALLY APPROPRIATE NAVIGATION OF SERVICES AND PROGRAMS TO MIGRANTS.

(2) GRANT RECIPIENTS SHALL USE THE GRANT AWARD FOR ONE OR MORE OF THE FOLLOWING SERVICES AND PROGRAMS, INCLUDING, BUT NOT LIMITED TO:

(a) CONDUCTING AN INTAKE AND ASSESSMENT OF NEEDS;

(b) PROVIDING CULTURAL ORIENTATION;

(c) PROVIDING CASE MANAGEMENT;

(d) DISTRIBUTING EMERGENCY AND TRANSITIONAL SUPPLIES, INCLUDING FOOD AND CLOTHING;

(e) PROVIDING EMPLOYMENT SERVICES OR REFERRALS TO EMPLOYMENT SERVICES, INCLUDING CAREER COACHING, COUNSELING, NAVIGATING, TRAINING, INCLUDING TRAINING ON WORKERS' RIGHTS AND IDENTIFYING HOW TO ADDRESS AND AVOID EXPLOITATION, CERTIFICATION AND LICENSURE, AND JOB PLACEMENT;

(f) PROVIDING HOUSING, HOUSING-RELATED SERVICES, OR REFERRALS TO HOUSING, INCLUDING ADVISING ABOUT THE OBLIGATIONS UNDER A LEASE, PAYING SECURITY DEPOSITS, CONDUCTING BACKGROUND CHECKS AND HOME VISITS FOR SPONSORS, AND ORIENTING MIGRANTS TO RENT AND ONLINE PAYMENT SYSTEMS;

(g) PROVIDING ENGLISH AS A SECOND LANGUAGE CLASSES OR A REFERRAL TO ENGLISH AS A SECOND LANGUAGE CLASSES;

(h) PROVIDING FINANCIAL ORIENTATION, INCLUDING UNDERSTANDING CREDIT, LOANS, AND UNBANKED ISSUES FOR UNDOCUMENTED INDIVIDUALS;

(i) PROVIDING OR PROVIDING REFERRALS TO MENTAL HEALTH SERVICES;

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(j) PROVIDING REFERRALS TO PHYSICAL HEALTH SERVICES;

(k) PROVIDING SERVICES OR REFERRALS TO DISABILITY SERVICES;

(l) ASSISTING MIGRANT PARENTS TO ENROLL THEIR CHILDREN IN PUBLIC SCHOOL OR SUMMER PROGRAMS, INCLUDING EARLY CHILDHOOD PROGRAMS, TO ENABLE THE PARENTS TO FIND EMPLOYMENT AND TO HELP THE PARENTS NAVIGATE SCHOOL AND SUMMER PROGRAM SYSTEMS;

(m) PROVIDING INTERPRETATION AND TRANSLATION SERVICES;

(n) PROVIDING TRANSPORTATION, BUS PASSES, AND ORIENTATION TO THE BUS AND TRANSPORTATION SYSTEM;

(o) PROVIDING IMMIGRATION LEGAL ASSISTANCE OR REFERRALS TO IMMIGRATION LEGAL SERVICES; AND

(p) OTHER ELIGIBLE EXPENSES, AS DETERMINED BY THE DEPARTMENT AND THE ADMINISTERING ENTITY IN CONSULTATION WITH COMMUNITY-BASED ORGANIZATIONS.

(3) (a) THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS FOR A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER SECTION 501(c)(3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986" TO ADMINISTER THE GRANT PROGRAM. THE DEPARTMENT SHALL SELECT AND CONTRACT WITH A NONPROFIT ORGANIZATION THAT HAS A STATEWIDE REACH OF ORGANIZATIONS SERVING MIGRANTS AND DEMONSTRATED EXPERTISE IN:

(I) ADMINISTERING GRANT MONEY;

(II) TRAINING, MONITORING, AND EVALUATING GRANT RECIPIENTS TO ENSURE THE GRANT RECIPIENTS COMPLY WITH GRANT REQUIREMENTS;

(III) PROVIDING METRICS AND SUBMITTING REQUIRED REPORTING IN A TIMELY FASHION;

(IV) WORKING COLLABORATIVELY WITH OTHER MIGRANT-SERVING ORGANIZATIONS; AND

(V) WORKING WITH MULTILINGUAL MIGRANT COMMUNITIES.

(b) (I) NO LATER THAN DECEMBER 31, 2024, THE DEPARTMENT SHALL SELECT AND ENTER INTO A CONTRACT WITH THE ADMINISTERING ENTITY, WHICH CONTRACT IS SUBJECT TO ANNUAL REVIEW AND RENEWAL.

(II) NOTWITHSTANDING SUBSECTION (3)(b)(I) OF THIS SECTION, IF THE

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DEPARTMENT ISSUES A REQUEST FOR PROPOSAL BUT DOES NOT IDENTIFY A NONPROFIT ORGANIZATION THAT MEETS THE REQUIREMENTS FOR SELECTION AS THE ADMINISTERING ENTITY, THE COLORADO OFFICE OF NEW AMERICANS CREATED IN SECTION 8-3.7-103, SHALL ACT AS THE ADMINISTERING ENTITY OF THE PROGRAM.

(c) THE ADMINISTERING ENTITY SHALL COLLABORATE WITH THE DEPARTMENT TO DEVELOP THE GRANT APPLICATION, THE APPLICATION PROCESS, AND THE SELECTION PROCESS FOR GRANT RECIPIENTS THAT ARE CULTURALLY COMPETENT AND LINGUISTICALLY ACCESSIBLE, AND COMPLY WITH THE STATE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24.

(4) THE DEPARTMENT AND ADMINISTERING ENTITY SHALL IMPLEMENT THE GRANT PROGRAM PURSUANT TO THIS PART 2. GRANTS MUST BE AWARDED PURSUANT TO THIS PART 2.

(5) UPON RECEIVING NOTICE FROM THE ADMINISTERING ENTITY THAT A COMMUNITY-BASED ORGANIZATION IS SELECTED TO RECEIVE A GRANT, THE DEPARTMENT SHALL, AS SOON AS PRACTICABLE, TRANSFER THE AMOUNT OF THE GRANT AWARD TO THE ADMINISTERING ENTITY, WHICH MUST THEN TRANSMIT THE GRANT AWARD TO THE GRANT RECIPIENT.

(6) THE ADMINISTERING ENTITY OR SELECTED GRANT RECIPIENTS MUST NOT BE A POLITICAL ORGANIZATION, AS DEFINED IN SECTION 1-45-103, AND GRANT AWARDS MUST NOT BE DISTRIBUTED TO A POLITICAL ORGANIZATION OR USED FOR POLITICAL PURPOSES.

8-3.7-203. Administering entity - duties - funding. (1) THE ADMINISTERING ENTITY SHALL:

(a) ADMINISTER THE GRANT PROGRAM PURSUANT TO THIS PART 2, INCLUDING ESTABLISHING AND IMPLEMENTING, IN COLLABORATION WITH THE DEPARTMENT, THE PROCESS BY WHICH A COMMUNITY-BASED ORGANIZATION MAY APPLY TO RECEIVE A GRANT;

(b) CONDUCT STATEWIDE OUTREACH TO ENSURE THAT ALL COMMUNITY-BASED ORGANIZATIONS THAT SERVE MIGRANTS ARE AWARE OF THE OPPORTUNITY TO APPLY FOR A GRANT;

(c) CONVENE A STATEWIDE SELECTION PANEL WITH THE DEPARTMENT THAT INCLUDES REPRESENTATION FROM IMPACTED COMMUNITIES TO SELECT GRANT RECIPIENTS BASED ON THE FOLLOWING CRITERIA:

(I) DEMONSTRATED HISTORICAL COMMITMENT TO WORKING WITH AND IN THE IMMIGRANT AND MIGRANT POPULATIONS PROVIDING SERVICES;

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(II) DEMONSTRABLE ABILITY TO RESPOND TO EMERGING NEEDS OF THE MIGRANT POPULATION;

(III) EXPERIENCE IN PROVIDING ANY OF THE SERVICES DESCRIBED IN SECTION 8-3.7-202 (2); AND

(IV) EXPERIENCE IN MANAGING PRIVATE OR PUBLIC CONTRACTS OR GRANTS; AND

(d) SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT PURSUANT TO SECTION 8-3.7-204 (1) REGARDING THE NUMBER OF MIGRANTS SERVED, THE TYPES OF SERVICES PROVIDED, THE NUMBER OF REFERRALS FOR SERVICES PROVIDED BY OTHER GRANT RECIPIENTS, THE MIGRANTS' LEVEL OF SATISFACTION FOR THE SERVICES RECEIVED, KEY BARRIERS TO RECEIVING SERVICES, INCLUDING, IF POSSIBLE, THE NUMBER OF MIGRANTS WHO REQUESTED AND WERE NOT ABLE TO ACCESS AND RECEIVE SERVICES AND THE REASONS WHY.

(2) (a) IN SELECTING GRANT RECIPIENTS, PRIORITY MUST BE GIVEN TO GRANT APPLICANTS WHO PROVIDE TWO OR MORE OF THE SERVICES DESCRIBED IN SECTION 8-3.7-202 (2)(c), (2)(e), OR (2)(f).

(b) IN SELECTING GRANT RECIPIENTS, THE ADMINISTERING ENTITY SHALL GIVE CONSIDERATION TO GRANT APPLICANTS THAT ARE BASED IN, OR SERVE POPULATIONS IN, RURAL AND NON-METRO AREAS WITH LIMITED ACCESS TO RESOURCES.

(3) OF THE MONEY TRANSFERRED TO THE FUND, THE DEPARTMENT SHALL NOT USE MORE THAN TEN PERCENT TO COMPENSATE THE ADMINISTERING ENTITY TO OFFSET THE COSTS THAT THE ADMINISTERING ENTITY INCURS IN ADMINISTERING THE GRANT PROGRAM AND IN PROVIDING ASSISTANCE TO GRANT RECIPIENTS FOR CAPACITY BUILDING TO ENSURE COMPLIANCE WITH THE GRANT PROGRAM AND SUCCESSFUL EXECUTION OF THE GRANT PROGRAM'S GOALS. THE DEPARTMENT SHALL NOT AGREE TO PAY ANY ADDITIONAL AMOUNT OF REMUNERATION TO THE ADMINISTERING ENTITY FROM THE STATE. THE DEPARTMENT SHALL COMPENSATE THE ADMINISTERING ENTITY WITH FUNDS FROM THE APPROPRIATION FOR PURPOSES OF THIS SECTION.

8-3.7-204. Reporting requirements. (1) (a) ONE YEAR AFTER THE DATE OF THE CONTRACT ENTERED INTO PURSUANT TO SECTION 8-3.7-202 (3)(b), THE ADMINISTERING ENTITY SHALL SUBMIT A REPORT TO THE DEPARTMENT. AT A MINIMUM, THE REPORT MUST INCLUDE:

(I) A DESCRIPTION OF EXPENSES MADE WITH THE GRANT MONEY;

(II) THE NUMBER OF GRANT APPLICANTS;

(III) THE NUMBER OF COMMUNITY-BASED ORGANIZATIONS THAT RECEIVED A GRANT;

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(IV) THE GEOGRAPHIC LOCATION OF EACH GRANT RECIPIENT; AND

(V) THE AGGREGATE NUMBER OF MIGRANTS SERVED BY EACH GRANT RECIPIENT, THE SERVICES PROVIDED, AND THE MIGRANTS' LEVEL OF SATISFACTION FOR EACH SERVICE PROVIDED.

(b) ANY INFORMATION INCLUDED IN THE REPORT REQUIRED PURSUANT TO THIS SUBSECTION (1) MUST NOT INCLUDE PERSONAL IDENTIFYING INFORMATION.

(2) NO LATER THAN THREE MONTHS AFTER THE REPORT IS SUBMITTED TO THE DEPARTMENT PURSUANT TO SUBSECTION (1) OF THIS SECTION, AND EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT THE ADMINISTERING ENTITY'S REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, REGARDING THE GRANT PROGRAM.

(3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENTS SET FORTH IN THIS SECTION CONTINUE AS LONG AS THE GRANT PROGRAM IS OPERATIONAL.

8-3.7-205. Statewide welcome, reception, and integration cash fund - appropriation - repeal. (1) THE STATEWIDE WELCOME, RECEPTION, AND INTEGRATION CASH FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (6) OF THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

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

(3) ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

(4) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE COLORADO OFFICE OF NEW AMERICANS MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES OF THIS PART 2.

(5) THE ONA MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 2. THE ONA SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

(6) (a) ON JULY 1, 2024, THE STATE TREASURER SHALL MAKE A ONE-TIME TRANSFER OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE FUND FOR THE PURPOSE OF THE GRANT PROGRAM.

(b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 2. Appropriation. For the 2024-25 state fiscal year, \$2,500,000 is appropriated to the department of labor and employment for use by the office of new Americans. This appropriation is from the statewide welcome, reception, and integration cash fund created in section 8-3.7-205, C.R.S., and is based on an assumption that the office will require an additional 0.8 FTE. To implement this act, the office may use this appropriation for the statewide welcome, reception, and integration grant program. Any money appropriated in this section not expended prior to July 1, 2025, is further appropriated to the office for the 2025-26 and 2026-27 state fiscal years for the same purpose.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2024