

CHAPTER 379

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 09-1064

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also SENATOR(S) Sandoval, Bacon, Boyd, Carroll M., Foster, Gibbs, Hodge, Hudak, Isgar, Newell, Schwartz, Shaffer B., Tochtrop, Veiga, Williams.

AN ACT

CONCERNING CREATING A LEGISLATIVE COMMITTEE TO STUDY POVERTY ISSUES, AND, IN CONNECTION THEREWITH, ESTABLISHING THE ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE FOR THE PURPOSE OF ADVANCING ECONOMIC OPPORTUNITY WHILE REDUCING CHILD AND FAMILY POVERTY.

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

SECTION 1. Article 2 of title 2, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 14
ECONOMIC OPPORTUNITY POVERTY
REDUCTION TASK FORCE ACT

2-2-1401. Short title. THIS PART 14 SHALL BE KNOWN AND MAY BE CITED AS THE "ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE ACT".

2-2-1402. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) IT IS IN THE PUBLIC INTEREST TO PURSUE THE COMMON GOOD WHEREBY ALL COLORADO FAMILIES AND INDIVIDUALS HAVE IMPROVED ACCESS TO ECONOMIC AND EDUCATIONAL OPPORTUNITIES THAT HELP FAMILIES ACHIEVE SELF-SUFFICIENCY AND FINANCIAL SECURITY WHILE REDUCING THE NUMBER OF COLORADANS LIVING IN POVERTY;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) POVERTY HAS SOCIAL AND ECONOMIC COSTS FOR CHILDREN AND FAMILIES, COMMUNITIES, AND THE STATE OF COLORADO. CHILDREN LIVING IN POVERTY OFTEN EXPERIENCE LOWER ACADEMIC ACHIEVEMENT AND INCREASED HEALTH AND BEHAVIORAL PROBLEMS. THESE PROBLEMS OFTEN CONTINUE INTO ADULTHOOD, RESULTING IN GREATER SOCIAL AND ECONOMIC COSTS TO SOCIETY, INCLUDING INCREASED CRIME RATES, HEALTH PROBLEMS, AND NEGATIVE ECONOMIC IMPACTS ESTIMATED TO COST THE UNITED STATES FIVE HUNDRED BILLION DOLLARS IN LOST EARNINGS EACH YEAR.

(c) MORE AND MORE MIDDLE-CLASS COLORADO FAMILIES ARE LIVING PAYCHECK TO PAYCHECK, ESPECIALLY IN THESE VERY DIFFICULT ECONOMIC TIMES. BETWEEN THE YEARS 2000 AND 2007, THE PERCENTAGE OF COLORADO CHILDREN LIVING IN POVERTY ROSE FROM TEN TO SIXTEEN PERCENT, WHICH IS AN EIGHTY-FIVE PERCENT INCREASE, THE HIGHEST OF ANY STATE IN THE NATION. IN 2007, ONE HUNDRED NINETY-TWO THOUSAND COLORADO CHILDREN LIVED IN POVERTY. OF THESE CHILDREN, HALF LIVED IN EXTREME POVERTY WITH FAMILY INCOMES EQUALING FIFTY PERCENT OR LESS OF THE FEDERAL POVERTY LEVEL.

(d) MORE STATES ARE RECOGNIZING THAT REDUCING POVERTY BY ADDRESSING THE NEEDS OF LOW- AND MODERATE-INCOME FAMILIES IS A CRITICAL ECONOMIC DEVELOPMENT ISSUE. REDUCING POVERTY REQUIRES STRATEGIC, INTEGRATED, AND COMPREHENSIVE APPROACHES THAT CREATE OPPORTUNITIES FOR FAMILIES TO ACHIEVE ECONOMIC SUCCESS, INCLUDING CREATING QUALITY JOBS, PROVIDING WORK SUPPORTS, PROMOTING GREATER COLLABORATION WITH THE PRIVATE SECTOR, AND IMPLEMENTING TARGETED TAX POLICIES.

(2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS NECESSARY AND APPROPRIATE TO CREATE A TASK FORCE TO ASSESS CURRENT STATE POLICIES AND PRACTICES, ALONG WITH EVIDENCE-BASED SOLUTIONS UTILIZED IN OTHER STATES, THAT PROMOTE ECONOMIC OPPORTUNITY AND POVERTY REDUCTION AND TO DEVELOP A STRATEGIC, INTEGRATED, AND COMPREHENSIVE PLAN TO EXPAND ECONOMIC OPPORTUNITIES IN COLORADO, WITH THE GOAL OF, BY 2019, REDUCING BY AT LEAST FIFTY PERCENT THE NUMBER OF COLORADANS, INCLUDING CHILDREN AND FAMILIES, LIVING IN POVERTY.

2-2-1403. Definitions. AS USED IN THIS PART 14, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COLORADO WORKS PROGRAM" MEANS THE COLORADO WORKS PROGRAM CREATED IN PART 7 OF ARTICLE 2 OF TITLE 26, C.R.S.

(2) "FEDERAL POVERTY LEVEL" MEANS THE POVERTY GUIDELINES UPDATED PERIODICALLY IN THE FEDERAL REGISTER BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER THE AUTHORITY OF 42 U.S.C. 9902 (2).

(3) "POVERTY" MEANS LIVING AT OR BELOW ONE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL.

(4) "SELF-SUFFICIENCY STANDARD" MEANS A MEASURE OF THE INCOME NEEDED BY A FAMILY OF A GIVEN COMPOSITION IN A GIVEN PLACE TO ADEQUATELY MEET ITS BASIC NEEDS WITHOUT PUBLIC OR PRIVATE ASSISTANCE.

(5) "SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM" MEANS THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM CREATED IN 7 U.S.C. SEC. 2011 ET SEQ.

(6) "TASK FORCE" MEANS THE ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE CREATED IN SECTION 2-2-1404.

2-2-1404. Economic opportunity poverty reduction task force - creation - membership. (1) THERE IS HEREBY CREATED THE ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE TO ASSESS CURRENT STATE PRACTICES THAT PROMOTE ECONOMIC OPPORTUNITY AND POVERTY REDUCTION AND TO DEVELOP A STRATEGIC, INTEGRATED, AND COMPREHENSIVE PLAN TO EXPAND ECONOMIC OPPORTUNITIES IN COLORADO AND, BY 2019, TO REDUCE BY AT LEAST FIFTY PERCENT THE NUMBER OF COLORADANS, INCLUDING CHILDREN AND FAMILIES, LIVING IN POVERTY.

(2) (a) THE TASK FORCE SHALL CONSIST OF TEN MEMBERS OF THE GENERAL ASSEMBLY SELECTED AS FOLLOWS:

(I) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES, THREE OF WHOM ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TWO OF WHOM ARE APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES; AND

(II) FIVE MEMBERS OF THE SENATE, THREE OF WHOM ARE APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO OF WHOM ARE APPOINTED BY THE MINORITY LEADER OF THE SENATE.

(b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE ANNUALLY SHALL JOINTLY DESIGNATE ONE MEMBER OF THE TASK FORCE TO SERVE AS CHAIRPERSON OF THE TASK FORCE. THE FIRST CHAIRPERSON SHALL BE A MEMBER OF THE HOUSE OF REPRESENTATIVES, AND, THEREAFTER, THE POSITION OF TASK FORCE CHAIR SHALL ALTERNATE BETWEEN THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(3) EACH MEMBER OF THE TASK FORCE SHALL SERVE A TWO-YEAR TERM, COMMENCING ON JULY 1, 2009; EXCEPT THAT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL JOINTLY SELECT FIVE OF THE MEMBERS INITIALLY APPOINTED TO SERVE INITIAL ONE-YEAR TERMS. INITIAL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE BY JULY 1, 2009. MEMBERS MAY SERVE FOR UNLIMITED CONSECUTIVE TERMS.

(4) (a) NOTWITHSTANDING THE PROVISIONS OF SECTION 2-2-307 (3), THE MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION BUT SHALL BE REIMBURSED FOR ALL NECESSARY AND ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES; EXCEPT THAT MEMBERS SHALL RECEIVE REIMBURSEMENT FOR NO MORE THAN SIX MEETINGS IN ANY FISCAL YEAR.

(b) THE TASK FORCE SHALL MEET DURING EACH INTERIM AT LEAST FOUR TIMES AND ADDITIONALLY AS CONVENED BY THE CHAIRPERSON.

(5) (a) THE RESEARCH DIRECTOR OF THE LEGISLATIVE COUNCIL AND THE

DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL MAKE AVAILABLE THE STAFF OF THE LEGISLATIVE COUNCIL AND OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES TO ASSIST THE TASK FORCE IN CARRYING OUT ITS DUTIES UNDER THIS SECTION. IN ADDITION, THE TASK FORCE MAY ALSO ACCEPT STAFF SUPPORT FROM PUBLIC AND PRIVATE ENTITIES.

(b) ALL EXPENDITURES INCURRED FOR THE DIRECT OR INDIRECT COSTS OF CARRYING OUT THE DUTIES OF THE TASK FORCE PURSUANT TO THIS SECTION SHALL BE SUBJECT TO APPROVAL BY THE CHAIRPERSON OF THE LEGISLATIVE COUNCIL AND PAID BY VOUCHERS AND WARRANTS TO BE DRAWN AS PROVIDED BY LAW FROM MONEYS ALLOCATED TO THE LEGISLATIVE COUNCIL FOR LEGISLATIVE STUDIES FROM APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY.

(c) FOR THE PURPOSES OF CARRYING OUT THE DUTIES OF THE TASK FORCE PURSUANT TO THIS SECTION, THE LEGISLATIVE COUNCIL MAY ACCEPT AND EXPEND FEDERAL MONEYS, GRANTS, GIFTS, DONATIONS, SERVICES, AND IN-KIND DONATIONS FROM ANY PUBLIC OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED WITH THE DUTIES OF THE TASK FORCE. ALL PUBLIC AND PRIVATE MONEYS DONATED OR AWARDED PURSUANT TO THIS PARAGRAPH (c) SHALL BE CONTINUOUSLY APPROPRIATED FOR THE IMPLEMENTATION OF THIS PART 14.

(d) IN THE EVENT THE TASK FORCE DOES NOT RECEIVE MONEYS ALLOCATED TO THE LEGISLATIVE COUNCIL FOR LEGISLATIVE STUDIES FROM APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (5) AND THERE ARE INSUFFICIENT MONEYS RECEIVED BY THE LEGISLATIVE COUNCIL THROUGH GIFTS, GRANTS, AND DONATIONS PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (5) TO CARRY OUT THE DUTIES OF THE TASK FORCE PURSUANT TO THIS SECTION, THE TASK FORCE SHALL NOT MEET DURING THE INTERIM UNTIL SUCH TIME AS SUFFICIENT MONEYS BECOME AVAILABLE.

(6) (a) THE TASK FORCE SHALL APPOINT SUBCOMMITTEES TO ADVISE THE TASK FORCE IN COMPLETING ITS DUTIES. THE CHAIRPERSON OF THE TASK FORCE SHALL SELECT SUBCOMMITTEE MEMBERS FROM STAKEHOLDER GROUPS THAT INCLUDE, BUT ARE NOT LIMITED TO, RELEVANT EXECUTIVE BRANCH AGENCIES, COUNTIES AND MUNICIPALITIES, BUSINESS AND LABOR ORGANIZATIONS, EDUCATION ORGANIZATIONS, ADVOCATES, AND INDIVIDUALS DIRECTLY IMPACTED BY THE WORK OF THE TASK FORCE.

(b) THE CHAIRPERSON OF THE TASK FORCE SHALL APPOINT A MEMBER OF THE TASK FORCE TO CHAIR EACH SUBCOMMITTEE. MEMBERS OF THE SUBCOMMITTEES SHALL NOT RECEIVE COMPENSATION FOR THEIR SERVICES OR REIMBURSEMENT OF EXPENSES.

2-2-1405. Economic opportunity poverty reduction task force - duties.

(1) THE TASK FORCE SHALL ASSESS CURRENT STATE POLICIES AND PRACTICES THAT PROMOTE ECONOMIC OPPORTUNITY AND POVERTY REDUCTION AND, ON OR BEFORE DECEMBER 31, 2010, SHALL DEVELOP A STRATEGIC, INTEGRATED, AND COMPREHENSIVE PLAN THAT, ONCE IMPLEMENTED, WILL EXPAND ECONOMIC OPPORTUNITIES IN COLORADO AND, BY 2019, REDUCE BY AT LEAST FIFTY PERCENT THE NUMBER OF COLORADANS, INCLUDING CHILDREN AND FAMILIES, LIVING IN POVERTY.

(2) TO CARRY OUT ITS DUTIES PURSUANT TO THIS SECTION, THE TASK FORCE, AT A MINIMUM, SHALL:

(a) STUDY AND EVALUATE BEST POLICIES AND PRACTICES THAT:

(I) BUILD FAMILY ASSETS AND FINANCIAL STABILITY;

(II) INCREASE PRESCHOOL THROUGH POSTSECONDARY EDUCATIONAL OPPORTUNITIES;

(III) EXPAND THE WORK FORCE WITH QUALITY JOBS THAT MEET PRIVATE SECTOR NEEDS;

(IV) MAKE WORK PAY THROUGH THE USE OF FAIR AND SUSTAINABLE TARGETED TAX POLICIES; AND

(V) ADDRESS WORK-SUPPORT ISSUES;

(b) STUDY AND EVALUATE:

(I) FEDERALLY SUPPORTED AND STATE-SUPPORTED PROGRAMS THAT SERVE PERSONS LIVING IN POVERTY;

(II) THE ECONOMIC IMPACT OF POVERTY;

(III) CURRENT POLICIES AND SERVICES THAT AFFECT PERSONS LIVING BELOW THE SELF-SUFFICIENCY STANDARD;

(IV) HOW VARIOUS ISSUES INTERACT TO IMPACT POVERTY, SUCH AS A LACK OF EDUCATION, HEALTH CARE, HOUSING, INCOME, CHILD CARE, AND FOOD SECURITY;

(V) THE COLORADO WORKS PROGRAM, WITH THE GOAL OF RECOMMENDING CHANGES TO INCREASE PATHWAYS TO SELF-SUFFICIENCY; AND

(VI) THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, WITH THE GOAL OF RECOMMENDING CHANGES TO INCREASE PARTICIPATION AND SECURE ADDITIONAL FEDERAL DOLLARS FOR ASSISTANCE WITH EDUCATION AND TRAINING; AND

(c) REVIEW FINDINGS AND MAKE LEGISLATIVE RECOMMENDATIONS, EACH YEAR, IF APPROPRIATE, TO THE LEGISLATIVE COUNCIL IN CONFORMANCE WITH RULE 24 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. LEGISLATION RECOMMENDED BY THE TASK FORCE SHALL BE TREATED AS LEGISLATION RECOMMENDED BY AN INTERIM LEGISLATIVE COMMITTEE FOR PURPOSES OF ANY INTRODUCTION DEADLINES OR BILL LIMITATIONS IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY.

(3) (a) ON OR BEFORE JANUARY 15, 2010, AND ON OR BEFORE JANUARY 15 EACH YEAR THEREAFTER, THE TASK FORCE SHALL PREPARE A WRITTEN REPORT TO THE GENERAL ASSEMBLY THAT INCLUDES A SUMMARY OF THE WORK ACCOMPLISHED BY THE TASK FORCE AND SUCH LEGISLATIVE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AS IT DEEMS NECESSARY CONCERNING MATTERS STUDIED BY THE TASK

FORCE.

(b) IN ADDITION TO THE PROVISIONS CONTAINED IN PARAGRAPH (a) OF THIS SUBSECTION (3), THE INITIAL REPORT SUBMITTED ON OR BEFORE JANUARY 15, 2010, SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, A GENERAL DESCRIPTION OF THE SCOPE OF THE PROBLEM IN COLORADO WITH RESPECT TO POVERTY, AN INITIAL ASSESSMENT OF CURRENT POLICIES AND PROCEDURES THAT ADDRESS POVERTY, AN OUTLINE OF THE ISSUES BEING ADDRESSED BY THE TASK FORCE, AND THE PROPOSED TIME FRAME FOR ADDRESSING THOSE ISSUES.

2-2-1406. Repeal. THIS PART 14 IS REPEALED, EFFECTIVE JULY 1, 2014.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 2009