

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Joint Budget Committee Members
FROM JBC Staff
DATE February 1, 2022
SUBJECT Potential Legislation

This packet includes bill drafts for the Committee’s consideration. Each individual item has page numbers but also a packet page number to help navigate the whole document. The page numbers below refer to the packet page number.

POTENTIAL LEGISLATION

Local Firefighter Safety Resources LLS 22-0818 (Hansen)..... 1

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Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
1.27.22

DRAFT

LLS NO. 22-0818.01 Megan Waples x4348

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Local Firefighter Safety Resources"

A BILL FOR AN ACT

101 **CONCERNING LOCAL FIREFIGHTER SAFETY RESOURCES PROVIDED**
102 **THROUGH THE LOCAL FIREFIGHTER SAFETY AND DISEASE**
103 **PREVENTION FUND.**

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 bill allows the division of fire prevention and control (division) in the department of public safety (department) to spend up to \$5 million from the local firefighter safety and disease prevention fund (fund) in fiscal year 2021-22 to directly pay for equipment and training for local and volunteer fire departments or to reimburse local and

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Dashes through the words indicate deletions from existing statute.*

volunteer fire departments for the costs of equipment and training without requiring a grant application and review process. The division is required to prioritize fire departments that it identifies as having the greatest need for assistance to ensure firefighter safety. The state treasurer is required to transfer \$5 million from the general fund to the fund, and this money is continuously appropriated to the department.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-1231,
3 **amend** (1); and **add** (5) as follows:

4 **24-33.5-1231. Local firefighter safety and disease prevention**
5 **fund - creation - grants - rules.** (1) There is hereby created in the state
6 treasury the local firefighter safety and disease prevention fund,
7 REFERRED TO IN THIS SECTION AS THE "FUND". The fund consists of all
8 ~~moneys~~ MONEY that may be appropriated to the fund by the general
9 assembly and all private and public ~~moneys~~ MONEY received through
10 gifts, grants, or donations that ~~are~~ IS transmitted to the state treasurer and
11 credited to the fund. The state treasurer shall credit all interest earned
12 from the investment of ~~moneys~~ MONEY in the fund to the fund. The
13 ~~moneys~~ MONEY in the fund ~~are~~ IS hereby continuously appropriated to the
14 division for the purposes indicated in this section. Any ~~moneys~~ MONEY
15 not expended at the end of each fiscal year ~~remain~~ REMAINS in the fund
16 and shall not be transferred to or revert to the general fund.

17 (5) (a) NOTWITHSTANDING ANY OTHER REQUIREMENT OF THIS
18 SECTION, IN FISCAL YEAR 2021-22, THE DIVISION MAY USE UP TO FIVE
19 MILLION DOLLARS IN THE FUND TO DIRECTLY PURCHASE AND DISTRIBUTE
20 PROTECTIVE EQUIPMENT TO GOVERNING BODIES AND VOLUNTEER FIRE
21 DEPARTMENTS, TO DIRECTLY PAY FOR TRAINING DESIGNED TO INCREASE
22 FIREFIGHTER SAFETY AND PREVENT OCCUPATION-RELATED DISEASES FOR

1 GOVERNING BODIES AND VOLUNTEER FIRE DEPARTMENTS, OR TO
2 REIMBURSE GOVERNING BODIES AND VOLUNTEER FIRE DEPARTMENTS FOR
3 THE COSTS OF PROTECTIVE EQUIPMENT AND TRAINING WITHOUT
4 REQUIRING A GRANT APPLICATION AND PEER REVIEW PROCESS PURSUANT
5 TO SUBSECTIONS (2) AND (3) OF THIS SECTION.

6 (b) IN DISTRIBUTING EQUIPMENT, PAYING FOR TRAINING, OR
7 PROVIDING REIMBURSEMENT PURSUANT TO SUBSECTION (5)(a) OF THIS
8 SECTION, THE DIVISION SHALL PRIORITIZE GOVERNING BODIES AND
9 VOLUNTEER FIRE DEPARTMENTS THAT IT IDENTIFIES AS HAVING THE
10 GREATEST NEED FOR ASSISTANCE TO ENSURE FIREFIGHTER SAFETY.

11 (c) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS
12 SECTION, THE STATE TREASURER SHALL TRANSFER FIVE MILLION DOLLARS
13 FROM THE GENERAL FUND TO THE FUND.

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

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REDRAFT
1.27.22

Double underlining
denotes changes from
prior draft

DRAFT

LLS NO. 22-0773.02 Jacob Baus x2173

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Displaced Workers Grant Appropriation"
DEADLINES: File by: 1/25/2022

A BILL FOR AN ACT

101 CONCERNING THE COLORADO OPPORTUNITY SCHOLARSHIP
102 INITIATIVE'S DISPLACED WORKERS GRANT, AND, IN CONNECTION
103 THEREWITH, CODIFYING THE GRANT AND EXTENDING A RELATED
104 EXISTING APPROPRIATION.

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 codifies the department of higher education's Colorado opportunity scholarship initiative's (initiative) displaced workers grant and extends the authority for the

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initiative to use an appropriation received in the 2020-21 state fiscal year for the displaced workers grant to disperse grant awards to grant recipients through the 2023-24 state fiscal year.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-3.3-1008 as
3 follows:

4 **23-3.3-1008. Displaced workers grant - repeal.** (1) PURSUANT
5 TO THE INITIATIVE'S INTENDED PURPOSE STATED IN SECTION 23-3.3-1001
6 (1)(a) AND AUTHORITY GRANTED IN SECTION 23-3.3-1004 (4)(a), THE
7 INITIATIVE MAY PROVIDE DISPLACED WORKERS GRANTS FOR THE PURPOSE
8 OF SUPPORTING COLORADANS DISPLACED BY THE COVID-19 PANDEMIC
9 WHO HAVE AN INCENTIVE TO RESKILL, UPSKILL, OR COMPLETE
10 INDUSTRY-RECOGNIZED CREDENTIALS IN ORDER TO IMPROVE ECONOMIC
11 PROSPECTS FOR THEMSELVES OR THEIR COMMUNITIES. THE INITIATIVE
12 MUST DISPERSE GRANT AWARDS TO GRANT RECIPIENTS ON AN ANNUAL
13 BASIS OR MORE FREQUENTLY, AS DETERMINED BY THE EXECUTIVE
14 DIRECTOR.

15 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

16 **SECTION 2.** In Session Laws of Colorado 2021, section 2 of
17 chapter 318 (SB 21-232), **amend** (1) as follows:

18 Section 2. **Appropriation.** (1) (a) For the 2020-21 state fiscal
19 year, ~~\$15,000,000~~ \$1,950,000 is appropriated to the department of higher
20 education for use by the Colorado opportunity scholarship initiative
21 advisory board. This appropriation is from the workers, employers, and
22 workforce centers cash fund created in section 24-75-231 (2)(a), C.R.S.,
23 and ~~from~~ IS OF money the state received from the federal coronavirus state
24 fiscal recovery fund. The Colorado opportunity scholarship initiative

1 advisory board may use this appropriation for the Colorado opportunity
2 scholarship initiative's displaced workers grant. ~~Any money appropriated~~
3 ~~in this section not expended prior to July 1, 2021, is further appropriated~~
4 ~~to the Colorado opportunity scholarship initiative advisory board for the~~
5 ~~2021-22 state fiscal year for the same purpose.~~

6 (b) FOR THE 2021-22 STATE FISCAL YEAR, \$13,050,000 IS
7 APPROPRIATED TO THE DEPARTMENT OF HIGHER EDUCATION FOR USE BY
8 THE COLORADO OPPORTUNITY SCHOLARSHIP INITIATIVE ADVISORY BOARD.
9 THIS APPROPRIATION IS FROM THE WORKERS, EMPLOYERS, AND
10 WORKFORCE CENTERS CASH FUND CREATED IN SECTION 24-75-231 (2)(a),
11 C.R.S., AND IS OF MONEY THE STATE RECEIVED FROM THE FEDERAL
12 CORONAVIRUS STATE FISCAL RECOVERY FUND. THE ADVISORY BOARD MAY
13 USE THIS APPROPRIATION FOR THE COLORADO OPPORTUNITY SCHOLARSHIP
14 INITIATIVE'S DISPLACED WORKERS GRANT. ANY MONEY APPROPRIATED IN
15 THIS SECTION NOT EXPENDED PRIOR TO JULY 1, 2022, IS FURTHER
16 APPROPRIATED TO THE DEPARTMENT OF HIGHER EDUCATION FOR USE BY
17 THE ADVISORY BOARD FOR THE 2022-23 AND 2023-24 STATE FISCAL
18 YEARS FOR THE SAME PURPOSE.

19 **SECTION 3. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety.

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
1.26.22

DRAFT

LLS NO. 22-0776.01 Jessica Herrera x4218

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Office Of Econ Dev COVID Relief Prog Extension"
DEADLINES: File by: 1/25/2022

A BILL FOR AN ACT

101 **CONCERNING EXTENDING STATUTORY DEADLINES FOR COVID-19**
102 **RELIEF PROGRAMS WITHIN THE OFFICE OF ECONOMIC**
103 **DEVELOPMENT.**

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 extends deadlines related to COVID-19 relief programs within the Colorado office of economic development and international trade dedicated to accelerating the recovery of negatively impacted industries and businesses.

Specifically, the bill extends the:

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Dashes through the words indicate deletions from existing statute.*

- COVID-19 relief programs for small businesses spending authority for technical assistance from June 30, 2022, to December 31, 2023;
- Closing of applications deadline for the small business accelerated growth program from December 31, 2022, to October 31, 2023; and
- The deadline for eligible events to occur under the Colorado meetings and events incentive program from December 31, 2022, to June 30, 2024, and the date on which the balance of the related cash fund is transferred back to the general fund June 30, 2023, to December 31, 2024.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-48.5-127, **amend**
3 (5) and (7) as follows:

4 **24-48.5-127. COVID-19 relief for disproportionately impacted**
5 **businesses - report - legislative declaration - definitions - repeal.**
6 (5) **Funding.** The general assembly shall appropriate four million dollars
7 from the general fund to the Colorado economic development fund
8 created in section 24-46-105 for use in accordance with this section in the
9 2020-21, ~~and~~ 2021-22, 2022-23, AND 2023-24 state fiscal years.

10 (7) **Repeal.** This section is repealed, effective ~~December 31, 2022~~
11 DECEMBER 31, 2023.

12 **SECTION 2.** In Colorado Revised Statutes, 24-48.5-130, **amend**
13 (5) as follows:

14 **24-48.5-130. Small business accelerated growth program -**
15 **creation - funding - reports - definitions - repeal.** (5) On or before
16 ~~December 31, 2022~~ OCTOBER 31, 2023, the office shall select certain
17 eligible businesses to participate in the program. The office shall give
18 priority for participation in the program to eligible businesses that are
19 located in a target area. A participating eligible business has one year

1 from the date the office selects the business to use the program's business
2 development support. On or before December 31, 2023, the office shall
3 give a total of one million three hundred fifty thousand dollars in grants
4 from the Colorado startup loan fund created in section 24-48.5-127 (9)(a)
5 to participating eligible businesses demonstrating need and success under
6 the program. Money transferred to the fund in accordance with section
7 24-48.5-127 (9)(e) is continuously appropriated to the office until
8 December 31, 2023, for the purpose of making the grants.

9 **SECTION 3.** In Colorado Revised Statutes, 24-49.7-109, **amend**
10 (2)(b)(I), (5)(e), and (8) as follows:

11 **24-49.7-109. Colorado meeting and events incentive program**
12 **- creation - policies - report - legislative declaration - definitions -**
13 **repeal.** (2) As used in this section, unless the context otherwise requires:

14 (b) "Eligible event" means a meeting, conference, festival, or
15 other event that:

16 (I) Takes place in Colorado between July 1, 2021, and ~~December~~
17 ~~31, 2022~~ JUNE 30, 2024;

18 (5) (e) The state treasurer shall transfer all unexpended and
19 unencumbered money in the fund ~~at the end of the fiscal year on June 30,~~
20 ~~2023~~ ON DECEMBER 31, 2024, to the general fund.

21 (8) This section is repealed, effective ~~January 1, 2024~~ JULY 1,
22 2025.

23 **SECTION 4. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety.

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
1.26.22

DRAFT

LLS NO. 22-0776.02 Jessica Herrera x4218

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Office Of Econ Dev COVID Relief Prog Extension"
DEADLINES: File by: 1/25/2022

A BILL FOR AN ACT

101 **CONCERNING EXTENDING STATUTORY DEADLINES FOR COVID-19**
102 **RELIEF PROGRAMS WITHIN THE OFFICE OF ECONOMIC**
103 **DEVELOPMENT.**

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 extends deadlines related to COVID-19 relief programs within the Colorado office of economic development and international trade dedicated to accelerating the recovery of negatively impacted industries and businesses.

Specifically, the bill extends the:

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

- COVID-19 relief programs for small businesses spending authority for technical assistance from June 30, 2022, to December 31, 2023, and extends the reporting deadline from November 1, 2022, to November 1, 2023, and adds another report due on November 1, 2024;
- Closing of applications deadline for the small business accelerated growth program from December 31, 2022, to October 31, 2023; and
- The deadline for eligible events to occur under the Colorado meetings and events incentive program from December 31, 2022, to June 30, 2024, and extends the reporting requirement due dates through July 1, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-48.5-127, **amend**
3 (5), (6), and (7) as follows:

4 **24-48.5-127. COVID-19 relief for disproportionately impacted**
5 **businesses - report - legislative declaration - definitions - repeal.**

6 (5) **Funding.** The general assembly shall appropriate four million dollars
7 from the general fund to the Colorado economic development fund
8 created in section 24-46-105 for use in accordance with this section in the
9 2020-21, ~~and~~ 2021-22, 2022-23, AND 2023-24 state fiscal years.

10 (6) **Report.** By ~~November 1, 2021~~ NOVEMBER 1, 2023, and
11 ~~November 1, 2022~~ NOVEMBER 1, 2024, the office shall submit a report to
12 the governor, the business, labor, and technology committee of the senate
13 or its successor committee, and the business affairs and labor committee
14 of the house of representatives or its successor committee, detailing how
15 the office is expending the money appropriated for the purposes of this
16 section.

17 (7) **Repeal.** This section is repealed, effective ~~December 31, 2022~~
18 DECEMBER 31, 2023.

19 **SECTION 2.** In Colorado Revised Statutes, 24-48.5-130, **amend**

1 (5) as follows:

2 **24-48.5-130. Small business accelerated growth program -**
3 **creation - funding - reports - definitions - repeal.** (5) On or before
4 ~~December 31, 2022~~ OCTOBER 31, 2023, the office shall select certain
5 eligible businesses to participate in the program. The office shall give
6 priority for participation in the program to eligible businesses that are
7 located in a target area. A participating eligible business has one year
8 from the date the office selects the business to use the program's business
9 development support. On or before December 31, 2023, the office shall
10 give a total of one million three hundred fifty thousand dollars in grants
11 from the Colorado startup loan fund created in section 24-48.5-127 (9)(a)
12 to participating eligible businesses demonstrating need and success under
13 the program. Money transferred to the fund in accordance with section
14 24-48.5-127 (9)(e) is continuously appropriated to the office until
15 December 31, 2023, for the purpose of making the grants.

16 **SECTION 3.** In Colorado Revised Statutes, 24-49.7-109, **amend**
17 (2)(b)(I), (5)(e), (7), and (8) as follows:

18 **24-49.7-109. Colorado meeting and events incentive program**
19 **- creation - policies - report - legislative declaration - definitions -**
20 **repeal.** (2) As used in this section, unless the context otherwise requires:

21 (b) "Eligible event" means a meeting, conference, festival, or
22 other event that:

23 (I) Takes place in Colorado between July 1, 2021, and ~~December~~
24 ~~31, 2022~~ JUNE 30, 2024;

25 (5) (e) The state treasurer shall transfer all unexpended and
26 unencumbered money in the fund ~~at the end of the fiscal year on June 30,~~
27 ~~2023~~ ON DECEMBER 31, 2024, to the general fund.

1 (7) On or before July 1, 2022, and on or before July 1, 2023, OF
2 THE NEXT THREE YEARS, the office shall submit a report detailing the
3 expenditure of money appropriated to the program to the governor and to
4 the house of representatives business affairs and labor committee and the
5 senate business, labor, and technology committee, or their successor
6 committees.

7 (8) This section is repealed, effective ~~January 1, 2024~~ JULY 1,
8 2026.

9 **SECTION 4. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety.

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
1.31.22

DRAFT

LLS NO. 22-0810.01 Shelby Ross x4510

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "ARPA Money For Home- & Community-based Services"
DEADLINES: File by: 1/31/2022

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZING MONEY IN THE ARPA ACCOUNT WITHIN**
102 **THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE**
103 **CASH FUND TO BE USED FOR HOME- AND COMMUNITY-BASED**
104 **SERVICES THAT ARE INELIGIBLE FOR A FEDERAL MATCH BUT**
105 **OTHERWISE AUTHORIZED PURSUANT TO THE FEDERAL**
106 **"AMERICAN RESCUE PLAN ACT OF 2021".**

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. Under current law, money in the ARPA

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account in the healthcare affordability and sustainability fee cash fund as a result of fund savings and federal matching dollars must be used in accordance with the federal "American Rescue Plan Act of 2021" (ARPA) to implement or supplement the implementation of home- and community-based services. The bill authorizes money in the ARPA account to be used for a purpose that is ineligible for a federal match but otherwise authorized pursuant to the ARPA if the general assembly appropriates the money for that purpose.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-4-402.4, **amend**
3 (5)(c)(I) as follows:

4 **25.5-4-402.4. Hospitals - healthcare affordability and**
5 **sustainability fee - legislative declaration - Colorado healthcare**
6 **affordability and sustainability enterprise - federal waiver - fund**
7 **created - rules - reports - repeal. (5) Healthcare affordability and**
8 **sustainability fee cash fund. (c) ARPA home- and community-based**
9 **services account. (I) (A)** There is created the "ARPA home- and
10 community-based services account" within the fund, referred to in this
11 subsection (5)(c) as the "ARPA account". Notwithstanding any other
12 provision of this section to the contrary, money in the ARPA account as
13 a result of fund savings and federal matching dollars must be used in
14 accordance with section 9817 of the federal "American Rescue Plan Act
15 of 2021", Pub.L. 117-2, as amended, referred to in this section as
16 "ARPA", to implement or supplement the implementation of home- and
17 community-based services under the medical assistance program pursuant
18 to the provisions of part 18 of article 6 of this title 25.5.

19 (B) NOTWITHSTANDING SUBSECTION (5)(c)(I)(A) OR ANY OTHER
20 PROVISION OF THIS SECTION, MONEY IN THE ARPA ACCOUNT MAY BE USED
21 FOR A PURPOSE THAT IS INELIGIBLE FOR A FEDERAL MATCH BUT

1 OTHERWISE AUTHORIZED PURSUANT TO THE ARPA IF THE GENERAL
2 ASSEMBLY APPROPRIATES THE MONEY FOR THAT PURPOSE.

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

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

DRAFT
1.28.22

DRAFT

LLS NO. 22-0772.01 Christy Chase x2008

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Fund Just Transition Coal Workforce Programs"

A BILL FOR AN ACT

101 **CONCERNING ADJUSTMENTS TO EXPENDITURES FROM FUNDS**
102 **DEDICATED TO ASSISTING THOSE IMPACTED BY THE TRANSITION**
103 **TO A CLEAN ENERGY ECONOMY, AND, IN CONNECTION**
104 **THEREWITH, MAKING AN APPROPRIATION.**

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 directs the state treasurer to transfer \$2 million from the coal transition workforce assistance program account (account) to the just transition cash fund (fund) on the effective

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Dashes through the words indicate deletions from existing statute.*

date of the bill and directs the general assembly to appropriate \$150,000 from the fund to the department of higher education for allocation to the Colorado school of mines to expand the Carbon Ore, Rare Earth, and Critical Minerals Initiative for U.S. Basins (CORE-CM initiative) in the Greater Green river and Wind river basins.

Additionally, the bill modifies the account as follows:

- Removes the requirement that the department of labor and employment (department) expend specified percentages of money in the account by specified fiscal years; and
- Removes the prioritization of account expenditures first for programs that directly support coal transition workers, thereby allowing the department to also expend money in the account for programs that support coal transition workers' family members and other household members.

The bill also:

- Modifies the appropriation from the account to the department, made pursuant to House Bill 21-1290, to repeal the ability for the department to roll forward to and expend in the next 2 state fiscal years any portion of the \$7 million appropriation from the account for the 2020-21 state fiscal year that is unexpended at the end of the 2020-21 state fiscal year;
- Appropriates from the account to the department \$500,000 for the 2021-22 state fiscal year and \$2 million for the 2022-23 state fiscal year; and
- Appropriates \$150,000 to the department of higher education for allocation to the Colorado school of mines to expand the CORE-CM initiative.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-83-502, **add** (2.5)

3 as follows:

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

6 (2.5) "COAL TRANSITION WORKFORCE ASSISTANCE PROGRAM
7 ACCOUNT" OR "ACCOUNT" MEANS THE COAL TRANSITION WORKFORCE
8 ASSISTANCE PROGRAM ACCOUNT CREATED IN SECTION 8-83-504.5.

9 **SECTION 2.** In Colorado Revised Statutes, 8-83-504, **amend**

1 (4)(a) introductory portion; and **add** (5) as follows:

2 **8-83-504. Just transition cash fund - transfer from general**
3 **fund - transfer from account - definition - repeal.** (4) (a) On June 30,
4 2021, the state treasurer shall transfer eight million dollars from the
5 general fund to the fund. ON THE EFFECTIVE DATE OF THIS SUBSECTION
6 (4)(a), AS AMENDED, THE STATE TREASURER SHALL TRANSFER TWO
7 MILLION DOLLARS FROM THE ACCOUNT TO THE FUND. Subject to annual
8 appropriation by the general assembly, the office shall expend the money
9 transferred TO THE FUND PURSUANT TO THIS SUBSECTION (4)(a) to
10 implement the final just transition plan for Colorado prepared as required
11 by section 8-83-503 (4) and to provide supplemental funding for existing
12 state programs that the office identifies as the most effective vehicles for
13 targeted investment in coal transition communities. In providing such
14 supplemental funding, the office shall place a heavy emphasis on
15 investment in tier one transition communities and shall support programs
16 that:

17 (5) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
18 SECTION, FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY
19 SHALL APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS FROM THE
20 FUND TO THE DEPARTMENT OF HIGHER EDUCATION FOR USE BY THE BOARD
21 OF TRUSTEES OF THE COLORADO SCHOOL OF MINES TO EXPAND THE
22 CORE-CM INITIATIVE IN THE GREATER GREEN RIVER AND WIND RIVER
23 BASINS.

24 (b) AS USED IN THIS SUBSECTION (5), "CORE-CM INITIATIVE"
25 MEANS THE CARBON ORE, RARE EARTH, AND CRITICAL MINERALS
26 INITIATIVE FOR U.S. BASINS, AN INITIATIVE THROUGH THE OFFICE OF
27 FOSSIL ENERGY IN THE FEDERAL DEPARTMENT OF ENERGY, THE PURPOSE

1 OF WHICH IS TO DEVELOP AND CATALYZE REGIONAL ECONOMIC GROWTH,
2 JOB CREATION, AND ASSOCIATED TECHNOLOGY INNOVATION ACROSS
3 BASINS THROUGHOUT THE COUNTRY.

4 **SECTION 3.** In Colorado Revised Statutes, 8-83-504.5, **amend**
5 (1) introductory portion, (1)(a) introductory portion, (1)(a)(V), and (2);
6 **repeal** (1)(b) and (1)(c); and **add** (1)(a)(VII), (1)(a)(VIII), and (3) as
7 follows:

8 **8-83-504.5. Additional coal transition workforce assistance**
9 **program funding - coal transition workforce assistance program**
10 **account.** (1) The coal transition ~~worker~~ WORKFORCE assistance program
11 account is hereby created in the fund. On June 30, 2021, the state
12 treasurer shall transfer seven million dollars from the general fund to the
13 ~~workforce assistance program~~ account. Subject to annual appropriation
14 by the general assembly, the department shall expend money from the
15 account for coal transition ~~worker~~ WORKFORCE assistance programs
16 subject to the following requirements and limitations:

17 (a) The money must be expended ~~first~~ for programs that directly
18 assist coal transition workers OR THEIR FAMILY MEMBERS AND OTHER
19 HOUSEHOLD MEMBERS, including programs that:

20 (V) Provide individualized financial and transition planning; ~~or~~

21 (VII) SUPPORT FAMILY MEMBERS OR OTHER HOUSEHOLD MEMBERS
22 OF COAL TRANSITION WORKERS; OR

23 (VIII) TEST INNOVATIVE COAL TRANSITION WORK SUPPORT
24 PROGRAMS THROUGH A PILOT PROGRAM. THE DEPARTMENT IS
25 ENCOURAGED TO LIMIT ANY PILOT PROGRAM TO NO MORE THAN FORTY
26 TOTAL PARTICIPANTS WHO ARE COAL TRANSITION WORKERS, COAL
27 TRANSITION WORKER FAMILY MEMBERS, COAL TRANSITION WORKER

1 HOUSEHOLDS, OR A COMBINATION OF COAL TRANSITION WORKERS, FAMILY
2 MEMBERS, AND HOUSEHOLDS.

3 ~~(b) If money required by subsection (1)(c) of this section to be~~
4 ~~expended during state fiscal year 2021-22 or during state fiscal year~~
5 ~~2022-23 remains unexpended as of March 1 of the applicable state fiscal~~
6 ~~year after expenditures are made pursuant to subsection (1)(a) of this~~
7 ~~section, additional expenditures shall be made during the applicable state~~
8 ~~fiscal year:~~

9 ~~(I) To support family members or other household members of~~
10 ~~coal transition workers; and~~

11 ~~(II) To create and implement a pilot program to test innovative~~
12 ~~coal transition work support programs. The department is encouraged to~~
13 ~~limit any pilot program to no more than forty coal transition workers or~~
14 ~~coal transition worker households.~~

15 ~~(c) The department shall expend at least seventy percent of the~~
16 ~~money by the close of state fiscal year 2021-22 and shall expend any~~
17 ~~remaining money by the close of state fiscal year 2022-23.~~

18 (2) Subject to the requirements of subsection (1) of this section,
19 the office may expend money from the ~~workforce assistance program~~
20 account to make grants to any eligible entity.

21 (3) ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE
22 TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE ACCOUNT
23 TO THE FUND.

24 **SECTION 4.** In Session Laws of Colorado 2021, section 4 of
25 chapter 400, (HB21-1290), **amend** (2) as follows:

26 Section 4. **Appropriation.** (2) For the 2020-21 state fiscal year,
27 \$7,000,000 is appropriated to the department of labor and employment.

1 This appropriation is from the coal transition ~~worker~~ WORKFORCE
2 assistance program account of the just transition cash fund created in
3 section 8-83-504.5 (1), C.R.S., and is based on an assumption that the
4 department will require an additional 1.0 FTE. To implement this act, the
5 department may use this appropriation for the purposes specified in
6 section 8-83-504.5, C.R.S. ~~Any money appropriated in this section not~~
7 ~~expended prior to July 1, 2021, is further appropriated to the department~~
8 ~~for the 2021-22 and 2022-23 state fiscal years for the same purpose.~~

9 **SECTION 5. Appropriation.** (1) For the 2021-22 state fiscal
10 year, \$500,000 is appropriated to the department of labor and
11 employment. This appropriation is from the coal transition workforce
12 assistance program account of the just transition cash fund created in
13 section 8-83-504.5 (1), C.R.S. To implement this act, the department may
14 use this appropriation for the purposes specified in section 8-83-504.5,
15 C.R.S.

16 (2) For the 2022-23 state fiscal year, \$2,000,000 is appropriated
17 to the department of labor and employment. This appropriation is from
18 the coal transition workforce assistance program account of the just
19 transition cash fund created in section 8-83-504.5 (1), C.R.S. To
20 implement this act, the department may use this appropriation for the
21 purposes specified in section 8-83-504.5, C.R.S.

22 (3) For the 2021-22 state fiscal year, \$150,000 is appropriated to
23 the department of higher education for use by the trustees of the Colorado
24 school of mines. This appropriation is from the just transition cash fund
25 created in section 8-83-504 (1), C.R.S. To implement this act, the trustees
26 may use this appropriation to expand the CORE-CM initiative, as defined
27 in section 8-83-504 (5)(b), C.R.S.

1 **SECTION 6. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REDRAFT
2.3.22

Double underlining
denotes changes from
prior draft

DRAFT

LLS NO. 22-0772.01 Christy Chase x2008

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Fund Just Transition Coal Workforce Programs"

A BILL FOR AN ACT

101 **CONCERNING ADJUSTMENTS TO EXPENDITURES FROM FUNDS**
102 **DEDICATED TO ASSISTING THOSE IMPACTED BY THE TRANSITION**
103 **TO A CLEAN ENERGY ECONOMY, AND, IN CONNECTION**
104 **THEREWITH, MAKING AN APPROPRIATION.**

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 directs the state treasurer to transfer \$2 million from the coal transition workforce assistance program account (account) to the just transition cash fund (fund) on the effective

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

date of the bill and directs the general assembly to appropriate \$150,000 from the fund to the department of higher education for allocation to the Colorado school of mines to expand the Carbon Ore, Rare Earth, and Critical Minerals Initiative for U.S. Basins (CORE-CM initiative) in the Greater Green river and Wind river basins.

Additionally, the bill modifies the account as follows:

- Removes the requirement that the department of labor and employment (department) expend specified percentages of money in the account by specified fiscal years; and
- Removes the prioritization of account expenditures first for programs that directly support coal transition workers, thereby allowing the department to also expend money in the account for programs that support coal transition workers' family members and other household members.

The bill also:

- Repeals the \$7,000,000 appropriation from the account to the department, made pursuant to House Bill 21-1290, for the 2020-21 state fiscal year;
- Appropriates from the account to the department, for the coal transition workforce assistance program, \$500,000 for the 2021-22 state fiscal year and \$2 million for the 2022-23 state fiscal year; ==
- Appropriates from the fund to the department, for authorized investments in just transition programs for communities, \$1,295,000 for the 2021-22 state fiscal year and \$555,000 for the 2022-23 state fiscal year; and
- Appropriates \$150,000 to the department of higher education for allocation to the Colorado school of mines to expand the CORE-CM initiative.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-83-502, **add** (2.5)

3 as follows:

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

6 (2.5) "COAL TRANSITION WORKFORCE ASSISTANCE PROGRAM
7 ACCOUNT" OR "ACCOUNT" MEANS THE COAL TRANSITION WORKFORCE
8 ASSISTANCE PROGRAM ACCOUNT CREATED IN SECTION 8-83-504.5.

1 **SECTION 2.** In Colorado Revised Statutes, 8-83-504, **amend**
2 (4)(a) introductory portion; and **add** (5) as follows:

3 **8-83-504. Just transition cash fund - transfer from general**
4 **fund - transfer from account - definition - repeal.** (4) (a) On June 30,
5 2021, the state treasurer shall transfer eight million dollars from the
6 general fund to the fund. ON THE EFFECTIVE DATE OF THIS SUBSECTION
7 (4)(a), AS AMENDED, THE STATE TREASURER SHALL TRANSFER TWO
8 MILLION DOLLARS FROM THE ACCOUNT TO THE FUND. Subject to annual
9 appropriation by the general assembly, the office shall expend the money
10 transferred TO THE FUND PURSUANT TO THIS SUBSECTION (4)(a) to
11 implement the final just transition plan for Colorado prepared as required
12 by section 8-83-503 (4) and to provide supplemental funding for existing
13 state programs that the office identifies as the most effective vehicles for
14 targeted investment in coal transition communities. In providing such
15 supplemental funding, the office shall place a heavy emphasis on
16 investment in tier one transition communities and shall support programs
17 that:

18 (5) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
19 SECTION, FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY
20 SHALL APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS FROM THE
21 FUND TO THE DEPARTMENT OF HIGHER EDUCATION FOR USE BY THE BOARD
22 OF TRUSTEES OF THE COLORADO SCHOOL OF MINES TO EXPAND THE
23 CORE-CM INITIATIVE IN THE GREATER GREEN RIVER AND WIND RIVER
24 BASINS.

25 (b) AS USED IN THIS SUBSECTION (5), "CORE-CM INITIATIVE"
26 MEANS THE CARBON ORE, RARE EARTH, AND CRITICAL MINERALS
27 INITIATIVE FOR U.S. BASINS, AN INITIATIVE THROUGH THE OFFICE OF

1 FOSSIL ENERGY IN THE FEDERAL DEPARTMENT OF ENERGY, THE PURPOSE
2 OF WHICH IS TO DEVELOP AND CATALYZE REGIONAL ECONOMIC GROWTH,
3 JOB CREATION, AND ASSOCIATED TECHNOLOGY INNOVATION ACROSS
4 BASINS THROUGHOUT THE COUNTRY.

5 **SECTION 3.** In Colorado Revised Statutes, 8-83-504.5, **amend**
6 (1) introductory portion, (1)(a) introductory portion, (1)(a)(V), and (2);
7 **repeal** (1)(b) and (1)(c); and **add** (1)(a)(VII), (1)(a)(VIII), and (3) as
8 follows:

9 **8-83-504.5. Additional coal transition workforce assistance**
10 **program funding - coal transition workforce assistance program**
11 **account.** (1) The coal transition ~~worker~~ WORKFORCE assistance program
12 account is hereby created in the fund. On June 30, 2021, the state
13 treasurer shall transfer seven million dollars from the general fund to the
14 ~~workforce assistance program~~ account. Subject to annual appropriation
15 by the general assembly, the department shall expend money from the
16 account for coal transition ~~worker~~ WORKFORCE assistance programs
17 subject to the following requirements and limitations:

18 (a) The money must be expended ~~first~~ for programs that directly
19 assist coal transition workers OR THEIR FAMILY MEMBERS AND OTHER
20 HOUSEHOLD MEMBERS, including programs that:

21 (V) Provide individualized financial and transition planning; ~~or~~

22 (VII) SUPPORT FAMILY MEMBERS OR OTHER HOUSEHOLD MEMBERS
23 OF COAL TRANSITION WORKERS; OR

24 (VIII) TEST INNOVATIVE COAL TRANSITION WORK SUPPORT
25 PROGRAMS THROUGH A PILOT PROGRAM. THE DEPARTMENT IS
26 ENCOURAGED TO LIMIT ANY PILOT PROGRAM TO NO MORE THAN FORTY
27 TOTAL PARTICIPANTS WHO ARE COAL TRANSITION WORKERS, COAL

1 TRANSITION WORKER FAMILY MEMBERS, COAL TRANSITION WORKER
2 HOUSEHOLDS, OR A COMBINATION OF COAL TRANSITION WORKERS, FAMILY
3 MEMBERS, AND HOUSEHOLDS.

4 (b) ~~If money required by subsection (1)(c) of this section to be~~
5 ~~expended during state fiscal year 2021-22 or during state fiscal year~~
6 ~~2022-23 remains unexpended as of March 1 of the applicable state fiscal~~
7 ~~year after expenditures are made pursuant to subsection (1)(a) of this~~
8 ~~section, additional expenditures shall be made during the applicable state~~
9 ~~fiscal year:~~

10 (I) ~~To support family members or other household members of~~
11 ~~coal transition workers; and~~

12 (II) ~~To create and implement a pilot program to test innovative~~
13 ~~coal transition work support programs. The department is encouraged to~~
14 ~~limit any pilot program to no more than forty coal transition workers or~~
15 ~~coal transition worker households.~~

16 (c) ~~The department shall expend at least seventy percent of the~~
17 ~~money by the close of state fiscal year 2021-22 and shall expend any~~
18 ~~remaining money by the close of state fiscal year 2022-23.~~

19 (2) Subject to the requirements of subsection (1) of this section,
20 the office may expend money from the ~~workforce assistance program~~
21 ~~account to make grants to any eligible entity.~~

22 (3) ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE
23 TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE ACCOUNT
24 TO THE FUND.

25 **SECTION 4.** In Session Laws of Colorado 2021, section 4 of
26 chapter 400, (HB21-1290), repeal (2) as follows:

27 Section 4. **Appropriation.** (2) For the 2020-21 state fiscal year,

1 ~~\$7,000,000 is appropriated to the department of labor and employment.~~
2 ~~This appropriation is from the coal transition worker assistance program~~
3 ~~account of the just transition cash fund created in section 8-83-504.5 (1),~~
4 ~~C.R.S., and is based on an assumption that the department will require an~~
5 ~~additional 1.0 FTE. To implement this act, the department may use this~~
6 ~~appropriation for the purposes specified in section 8-83-504.5, C.R.S.~~
7 ~~Any money appropriated in this section not expended prior to July 1,~~
8 ~~2021, is further appropriated to the department for the 2021-22 and~~
9 ~~2022-23 state fiscal years for the same purpose.~~

10 **SECTION 5. Appropriation.** (1) For the 2021-22 state fiscal
11 year, \$500,000 is appropriated to the department of labor and employment
12 for use by the division of employment and training. This appropriation is
13 from the coal transition workforce assistance program account of the just
14 transition cash fund created in section 8-83-504.5 (1), C.R.S., and is
15 based on an assumption that the department will require an additional 1.0
16 FTE. To implement this act, the division may use this appropriation for
17 the purposes specified in section 8-83-504.5, C.R.S.

18 (2) For the 2022-23 state fiscal year, \$2,000,000 is appropriated
19 to the department of labor and employment for use by the division of
20 employment and training. This appropriation is from the coal transition
21 workforce assistance program account of the just transition cash fund
22 created in section 8-83-504.5 (1), C.R.S. To implement this act, the
23 division may use this appropriation for the purposes specified in section
24 8-83-504.5, C.R.S.

25 (3) For the 2021-22 state fiscal year, \$1,295,000 is appropriated
26 to the department of labor and employment for use by the division of
27 employment and training. This appropriation is from the just transition

1 cash fund created in section 8-83-504 (1), C.R.S. To implement this act,
2 the division may use this appropriation for the purposes specified in
3 section 8-83-504, C.R.S.

4 (4) For the 2022-23 state fiscal year, \$555,000 is appropriated to
5 the department of labor and employment for use by the division of
6 employment and training. This appropriation is from the just transition
7 cash fund created in section 8-83-504 (1), C.R.S. To implement this act,
8 the division may use this appropriation for the purposes specified in
9 section 8-83-504, C.R.S.

10 (5) For the 2021-22 state fiscal year, \$150,000 is appropriated to
11 the department of higher education for use by the trustees of the Colorado
12 school of mines. This appropriation is from the just transition cash fund
13 created in section 8-83-504 (1), C.R.S. To implement this act, the trustees
14 may use this appropriation to expand the CORE-CM initiative, as defined
15 in section 8-83-504 (5)(b), C.R.S.

16 **SECTION 6. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.