

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB21-1105 be amended as follows:

1 Amend the Finance Committee Report, dated March 29, 2021, page 1,  
2 strike lines 6 through 20 and substitute "**established - definitions -**  
3 **repeal.** (1) (a) ON AND AFTER OCTOBER 1, 2023, THE STATE DEPARTMENT  
4 SHALL IMPLEMENT A PROGRAM TO MAKE FUEL ASSISTANCE PAYMENTS BY  
5 CREDITING THE FUEL ASSISTANCE PAYMENTS TO RECIPIENTS' ELECTRONIC  
6 BENEFITS TRANSFER SERVICE CARDS.

7 (b) EXCEPT AS PROVIDED IN SUBSECTIONS (1)(c) AND (1)(d) OF  
8 THIS SECTION:

9 (I) THE STATE DEPARTMENT SHALL MAKE THE FUEL ASSISTANCE  
10 PAYMENTS TO ELIGIBLE HOUSEHOLDS THAT RECEIVE SNAP BENEFITS BUT  
11 THAT ARE NOT ELIGIBLE FOR ASSISTANCE UNDER LEAP IN ORDER TO  
12 QUALIFY THOSE HOUSEHOLDS FOR THE STANDARD UTILITY ALLOWANCE TO  
13 MAXIMIZE THEIR SNAP BENEFITS;

14 (II) TO HELP THE STATE DEPARTMENT MAXIMIZE THE NUMBER OF  
15 HOUSEHOLDS THAT ARE RECEIVING BOTH THE SNAP AND LEAP BENEFITS  
16 AND FACILITATE THE IDENTIFICATION OF THOSE HOUSEHOLDS THAT  
17 RECEIVE SNAP BENEFITS AND QUALIFY FOR THE FUEL ASSISTANCE  
18 PAYMENTS, THE STATE DEPARTMENT SHALL DEVELOP A DATABASE  
19 CONNECTION BETWEEN THE LEAP ELIGIBILITY SYSTEM AND THE  
20 COLORADO BENEFITS MANAGEMENT SYSTEM;

21 (III) THE STATE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND  
22 OUTSIDE FUNDS TO FINANCE ITS WORK TO DEVELOP THE DATABASE  
23 CONNECTION. THE STATE DEPARTMENT SHALL TRANSMIT ANY OUTSIDE  
24 FUNDS RECEIVED PURSUANT TO THIS SUBSECTION (1)(b)(III) TO THE STATE  
25 TREASURER WHO SHALL CREDIT THE OUTSIDE FUNDS TO THE FUND.

26 (IV) THE STATE DEPARTMENT SHALL USE OUTSIDE FUNDS  
27 RECEIVED TO PROCESS THE EBT CARD PAYMENTS AND FOR OTHER  
28 ADMINISTRATIVE COSTS INCURRED IN IMPLEMENTING THE PROGRAM. IF  
29 INSUFFICIENT FUNDS ARE AVAILABLE TO COVER THE ADMINISTRATIVE  
30 COSTS, THE STATE DEPARTMENT SHALL REQUEST THAT THE ORGANIZATION  
31 ALLOCATE, AS PART OF ITS BUDGET PREPARED PURSUANT TO SECTION  
32 40-8.7-108 (3), MONEY TO THE STATE DEPARTMENT FROM THE ENERGY  
33 ASSISTANCE SYSTEM BENEFIT CHARGE COLLECTED PURSUANT TO SECTION  
34 40-8.7-104 (2.5) FOR THIS PURPOSE.

35 (V) ON OR BEFORE JULY 1, 2023, AND ON OR BEFORE JULY 1 OF  
36 EACH YEAR THEREAFTER, THE STATE DEPARTMENT SHALL SUBMIT A  
37 BUDGET TO THE ORGANIZATION AND THE COMMISSION TO INCLUDE THE  
38 STATE DEPARTMENT'S ADMINISTRATIVE COSTS TO IMPLEMENT THE  
39 PROGRAM AND THE PROJECTED NUMBER OF ELIGIBLE HOUSEHOLDS THAT  
40 THE STATE DEPARTMENT IDENTIFIES AS RECEIVING SNAP BENEFITS BUT  
41 THAT ARE NOT ELIGIBLE FOR ASSISTANCE UNDER LEAP INCLUDING AN

1 ESTIMATED NUMBER OF NEW SNAP CASES THAT THE STATE DEPARTMENT  
2 WILL APPROVE DURING THE UPCOMING FEDERAL FISCAL YEAR. BASED ON  
3 THE BUDGET THAT THE STATE DEPARTMENT SUBMITS, THE ORGANIZATION  
4 SHALL CALCULATE THE AMOUNT OF MONEY FROM THE ENERGY  
5 ASSISTANCE SYSTEM BENEFIT CHARGE COLLECTED PURSUANT TO SECTION  
6 40-8.7-104 (2.5) THAT IT ALLOCATES AS PART OF ITS BUDGET PREPARED  
7 PURSUANT TO SECTION 40-8.7-108 (3) FOR USE BY THE STATE  
8 DEPARTMENT TO MAKE FUEL ASSISTANCE PAYMENTS AND TO IMPLEMENT  
9 THE PROGRAM.

10 (c) IF, BY JANUARY 1, 2022, THE STATE DEPARTMENT DOES NOT  
11 RECEIVE OUTSIDE FUNDS PURSUANT TO SUBSECTION (1)(b)(III) OF THIS  
12 SECTION OR DOES NOT RECEIVE SUFFICIENT OUTSIDE FUNDS TO DEVELOP  
13 THE DATABASE CONNECTION, THE STATE DEPARTMENT SHALL NOTIFY THE  
14 JOINT TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1702 THAT  
15 OUTSIDE FUNDS WERE NOT RECEIVED OR THAT INSUFFICIENT OUTSIDE  
16 FUNDS WERE RECEIVED.

17 (d) IF INSUFFICIENT OUTSIDE FUNDS TO DEVELOP THE DATABASE  
18 CONNECTION ARE RECEIVED BY JANUARY 1, 2022, THE STATE  
19 DEPARTMENT NEED NOT COMMENCE WORK ON DEVELOPING THE  
20 DATABASE CONNECTION PURSUANT TO SUBSECTION (1)(b)(II) OF THIS  
21 SECTION, BUT SHALL:

22 (I) MAKE THE FUEL ASSISTANCE PAYMENTS TO ALL HOUSEHOLDS  
23 THAT RECEIVE SNAP BENEFITS;

24 (II) USE ANY OUTSIDE FUNDS RECEIVED TO HELP COVER ITS COSTS  
25 TO PROCESS THE EBT CARD PAYMENTS; AND

26 (III) ON OR BEFORE JULY 1, 2023, AND ON OR BEFORE JULY 1 OF  
27 EACH YEAR THEREAFTER, SUBMIT A BUDGET TO THE ORGANIZATION AND  
28 THE COMMISSION TO INCLUDE THE STATE DEPARTMENT'S ANTICIPATED  
29 ADMINISTRATIVE COSTS TO IMPLEMENT THE PROGRAM AND THE  
30 PROJECTED NUMBER OF HOUSEHOLDS THAT THE STATE DEPARTMENT  
31 IDENTIFIES AS RECEIVING SNAP BENEFITS, INCLUDING AN ESTIMATED  
32 NUMBER OF NEW SNAP CASES THAT THE STATE DEPARTMENT WILL  
33 APPROVE DURING THE UPCOMING FEDERAL FISCAL YEAR. BASED ON THE  
34 BUDGET THAT THE STATE DEPARTMENT SUBMITS, THE ORGANIZATION  
35 SHALL CALCULATE THE AMOUNT OF MONEY FROM THE ENERGY  
36 ASSISTANCE SYSTEM BENEFIT CHARGE COLLECTED PURSUANT TO SECTION  
37 40-8.7-104 (2.5) THAT IT ALLOCATES AS PART OF ITS BUDGET PREPARED  
38 PURSUANT TO SECTION 40-8.7-108 (3) FOR USE BY THE STATE  
39 DEPARTMENT:

40 (A) TO MAKE FUEL ASSISTANCE PAYMENTS; AND

41 (B) UNLESS THE STATE DEPARTMENT RECEIVED SUFFICIENT  
42 OUTSIDE FUNDS TO COVER ALL OF ITS ADMINISTRATIVE COSTS FOR  
43 IMPLEMENTING THE PROGRAM, TO COVER ITS COSTS TO PROCESS THE EBT

1 CARD PAYMENTS AND OTHER ADMINISTRATIVE COSTS AND TO IMPLEMENT  
2 THE PROGRAM.

3 (e) IF, AFTER JANUARY 1, 2022, THE STATE DEPARTMENT RECEIVES  
4 SUFFICIENT OUTSIDE FUNDS FOR THE PURPOSE OF DEVELOPING THE  
5 DATABASE CONNECTION, THE STATE DEPARTMENT SHALL, AS SOON AS  
6 PRACTICABLE, DEVELOP THE DATABASE CONNECTION AND TRANSITION TO  
7 IMPLEMENTING THE PROGRAM IN ACCORDANCE WITH SUBSECTION (1)(b)  
8 OF THIS SECTION."

9 Page 2 of the report, strike lines 14 through 18 and substitute:

10 "(b) "ELECTRONIC BENEFITS TRANSFER SERVICE" OR "EBT" MEANS  
11 THE SERVICE THAT THE STATE DEPARTMENT IMPLEMENTS PURSUANT TO  
12 SECTION 26-2-104 (2) TO ADMINISTER THE DELIVERY OF PUBLIC  
13 ASSISTANCE PAYMENTS AND FOOD STAMPS TO RECIPIENTS.

14 (c) "FUEL ASSISTANCE PAYMENT" MEANS AN ANNUAL PAYMENT  
15 THAT, WHEN MADE TO AN ELIGIBLE HOUSEHOLD IDENTIFIED PURSUANT TO  
16 SUBSECTION (1) OF THIS SECTION, MAKES THAT HOUSEHOLD ELIGIBLE TO  
17 RECEIVE THE STANDARD UTILITY ALLOWANCE.

18 (d) "LEAP" MEANS THE LOW-INCOME ENERGY ASSISTANCE  
19 PROGRAM SPECIFIED IN SECTION 26-2-122.5."

20 Reletter succeeding paragraph accordingly.

21 Page 2 of the report, strike line 20 and substitute:

22 "40-8.7-103 (4).

23 (f) "OUTSIDE FUNDS" MEANS:

24 (I) FEDERAL FUNDS; OR

25 (II) GIFTS, GRANTS, OR DONATIONS FROM PUBLIC OR PRIVATE  
26 SOURCES.

27 (g) "PROGRAM" MEANS THE FUEL ASSISTANCE PAYMENT PROGRAM  
28 IMPLEMENTED UNDER SUBSECTION (1)(a) OF THIS SECTION.

29 (h) "SNAP" MEANS THE SUPPLEMENTAL NUTRITION ASSISTANCE  
30 PROGRAM ESTABLISHED PURSUANT TO THIS PART 3.

31 (i) "STANDARD UTILITY ALLOWANCE" MEANS THE HEATING AND  
32 COOLING STANDARD UTILITY ALLOWANCE AUTHORIZED IN THE FEDERAL  
33 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM REGULATIONS  
34 PROMULGATED BY THE FOOD AND NUTRITION SERVICE IN THE UNITED  
35 STATES DEPARTMENT OF AGRICULTURE."."

36 Page 2 of the report, strike line 36.

- 1 Page 3 of the report, strike line 1 and 2 and substitute:
- 2 "Page 4 of the printed bill, strike lines 5 through 7 and substitute:
- 3 **"40-8.5-103.5 Commission created - duties - repeal.**  
4 (1) (a) (I) There is created the legislative commission on low-income  
5 energy AND WATER assistance.  
6 (II) THIS SUBSECTION (1)(a) IS REPEALED, EFFECTIVE MAY 1, 2022.  
7 (b) COMMENCING MAY 1, 2022, THERE IS CREATED THE  
8 LEGISLATIVE COMMISSION ON LOW-INCOME ENERGY AND WATER  
9 ASSISTANCE IN THE COLORADO ENERGY OFFICE. THE COLORADO ENERGY  
10 OFFICE SHALL STAFF THE COMMISSION AS NEEDED."."
- 11 Page 4 of the report, line 23, strike **"rules - repeal."** and substitute  
12 **"repeal."**.
- 13 Page 5 of the report, strike lines 16 through 18 and substitute:
- 14 **"(2) EACH INVESTOR-OWNED UTILITY SHALL USE THE MOST**  
15 **COST-EFFECTIVE METHOD FOR IMPLEMENTING THE PROGRAM."**.
- 16 Page 6 of the report, strike lines 15 through 20 and substitute:
- 17 "Page 14 of the bill, strike line 4 and substitute:
- 18 **"(3) (a) (I) SUBJECT TO THE ALLOCATION REQUIREMENTS SET**  
19 **FORTH IN SUBSECTION (3)(a)(II) OF THIS SECTION, the organization shall,**  
20 **on an annual basis, develop a budget"**.
- 21 Page 14 of the bill, line 9, after the period insert **"TO IMPROVE AND**  
22 **INCREASE ENROLLMENT IN THE UTILITY ASSISTANCE PROGRAMS, THE**  
23 **BUDGET MUST INCLUDE AN ALLOCATION OF AT LEAST TWO PERCENT OF**  
24 **THE MONEY COLLECTED FROM THE CHARGE TO BE USED TO ENGAGE THE**  
25 **ASSISTANCE OF COMMUNITY-BASED ORGANIZATIONS THAT ARE ACTIVE IN**  
26 **OUTREACH TO, ENGAGEMENT OF, AND EDUCATION FOR, INCOME-QUALIFIED**  
27 **COMMUNITIES, COMMUNITIES OF COLOR, AND IMMIGRANT COMMUNITIES**  
28 **TO HELP PROVIDE OUTREACH AND EDUCATION ABOUT THE UTILITY**  
29 **ASSISTANCE PROGRAMS."**.
- 30 Page 14 of the bill, after line 11 insert:
- 31 **"(II) ONCE THE ORGANIZATION BEGINS ALLOCATING AN AMOUNT**  
32 **OF THE MONEY COLLECTED FROM THE ENERGY ASSISTANCE SYSTEM**

1 BENEFIT CHARGE TO BE CREDITED TO THE SUPPLEMENTAL UTILITY  
2 ASSISTANCE FUND CREATED IN SECTION 26-2-307 (2)(a), THE  
3 ORGANIZATION SHALL ALLOCATE FROM THE REMAINING AMOUNT OF THE  
4 MONEY COLLECTED FROM THE ENERGY ASSISTANCE SYSTEM BENEFIT  
5 CHARGE:  
6 (A) NOT MORE THAN FIFTY PERCENT TO DIRECT UTILITY BILL  
7 PAYMENT ASSISTANCE; AND  
8 (B) AT LEAST TWO PERCENT TO BE USED TO ENGAGE THE  
9 ASSISTANCE OF COMMUNITY-BASED ORGANIZATIONS THAT ARE ACTIVE IN  
10 OUTREACH TO, ENGAGEMENT OF, AND EDUCATION FOR, INCOME-QUALIFIED  
11 COMMUNITIES, COMMUNITIES OF COLOR, AND IMMIGRANT COMMUNITIES  
12 TO HELP PROVIDE OUTREACH AND EDUCATION ABOUT THE UTILITY  
13 ASSISTANCE PROGRAMS.  
14 (b) AS PART OF THE BUDGET DEVELOPED PURSUANT TO".".

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