

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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