

SB21-095 be amended as follows:

1 Amend printed bill, page 2, after line 1 insert:

2 **"SECTION 1. Legislative declaration.** (1) The general
3 assembly hereby finds that:

4 (a) Persons with disabilities represent a talented population that
5 has long been and continues to be underemployed, underutilized, and
6 often denied employment opportunities within state government;

7 (b) The state of Colorado should be a model employer of persons
8 with disabilities and serve as an example for private employers to follow
9 by creating programs and enacting policies that increase the inclusion of
10 persons with disabilities in the state workforce;

11 (c) In many cases, an individual's experience as a person with a
12 disability is an underappreciated asset in considering the person for state
13 employment; and

14 (d) It is a strategic priority of the employment first advisory
15 partnership to support the implementation of a state hiring program for
16 persons with disabilities.

17 (2) Therefore, the general assembly intends to create a hiring
18 preference pilot program for persons with disabilities to encourage state
19 agencies to increase the number of employed persons with disabilities and
20 improve the state's practices on recruiting and hiring persons with
21 disabilities.".

22 Renumber succeeding sections accordingly.

23 Page 3, before line 1 insert:

24 **"SECTION 5.** In Colorado Revised Statutes, 8-84-301, **amend**
25 **(1)** as follows:

26 **8-84-301. Definitions.** As used in this part 3, unless the context
27 otherwise requires:

28 (1) "Agency partners" means the department, the department of
29 health care policy and financing, the department of education, the
30 department of higher education, ~~and~~ the department of human services,
31 THE COLORADO OFFICE OF EMPLOYMENT FIRST, JFK PARTNERS WITHIN
32 THE DEPARTMENT OF PEDIATRICS OF THE UNIVERSITY OF COLORADO
33 SCHOOL OF MEDICINE, AND THE UNIVERSITY OF COLORADO ANSCHUTZ
34 MEDICAL CAMPUS.

35 **SECTION 6.** In Colorado Revised Statutes, 24-50-112.5, **amend**
36 **(1)(b)(I); and add (8)** as follows:

1 **24-50-112.5. Selection system - definitions - rules - report -**
2 **repeal.** (1) (b) (I) Appointments and promotions to positions shall be
3 based on a fair and open comparative analysis of candidates based on
4 objective criteria. Selections shall be made without regard to race, color,
5 creed, religion, national origin, ancestry, age, sexual orientation, marital
6 status, or political affiliation and without regard to sex or disability except
7 as otherwise provided by law OR SUBSECTION (8) OF THIS SECTION.

8 **(8) Hiring preference pilot program for persons with**
9 **disabilities.** (a) (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
10 LABOR AND EMPLOYMENT, IN COLLABORATION WITH THE STATE
11 PERSONNEL DIRECTOR, SHALL DEVELOP AND IMPLEMENT A HIRING
12 PREFERENCE PILOT PROGRAM FOR PERSONS WITH DISABILITIES APPLYING
13 FOR A POSITION IN THE DEPARTMENT.

14 (II) WHEN THE DEPARTMENT USES A NONNUMERICAL METHOD
15 UNDER THE PILOT PROGRAM FOR THE COMPARATIVE ANALYSIS OF
16 CANDIDATES FOR A POSITION IN THE DEPARTMENT, THE DEPARTMENT
17 SHALL ADD ALL APPLICANTS WHO ARE ELIGIBLE FOR THE PREFERENCE FOR
18 PEOPLE WITH DISABILITIES AND WHO MEET ALL MINIMUM AND SPECIAL
19 QUALIFICATIONS UNDER THIS SUBSECTION (8) TO THE REFERRAL LIST FOR
20 INTERVIEW.

21 (III) WHEN THE DEPARTMENT USES A NUMERICAL METHOD UNDER
22 THE PILOT PROGRAM FOR THE COMPARATIVE ANALYSIS OF CANDIDATES
23 FOR A POSITION IN THE DEPARTMENT, THE DEPARTMENT SHALL ADD FIVE
24 POINTS TO THE FINAL SCORE OF THE APPLICANT WHEN ALL ELEMENTS OF
25 THE SELECTION PROCESS ARE COMPLETED, BUT PRIOR TO REFERRAL OF AN
26 APPLICANT FOR INTERVIEW FOR THE POSITION.

27 (IV) AN APPLICANT IS ELIGIBLE FOR A PREFERENCE UNDER THIS
28 SUBSECTION (8) IF THE CANDIDATE:

29 (A) MEETS THE MINIMUM QUALIFICATIONS OR ANY OTHER
30 REQUIREMENTS FOR THE POSITION;

31 (B) IS A PERSON WITH A DISABILITY, AS DEFINED IN THE FEDERAL
32 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET
33 SEQ., AS AMENDED, WHO HAS VOLUNTARILY IDENTIFIED AS A PERSON WITH
34 A DISABILITY ON THE APPLICATION FOR THE POSITION AND WHO HAS
35 REQUESTED TO PARTICIPATE IN THE PILOT PROGRAM; AND

36 (C) SUBMITS PROOF OF A DISABILITY IN A FORM AND MANNER
37 SPECIFIED UNDER THE PILOT PROGRAM.

38 (V) AN APPLICANT MAY BE GIVEN BOTH THE VETERAN'S
39 PREFERENCE AND A DISABILITY PREFERENCE, BUT AN APPLICANT IS NOT
40 ELIGIBLE FOR BOTH A DISABLED VETERAN'S PREFERENCE AND A DISABILITY
41 PREFERENCE.

42 (b) THE PILOT PROGRAM IS NOT AVAILABLE TO A CANDIDATE
43 SEEKING A PROMOTION OR TO A PERSON CURRENTLY EMPLOYED BY THE
44 STATE.

45 (c) WHEN THE PILOT PROGRAM IS DEVELOPED UNDER THIS

1 SUBSECTION (8):

2 (I) THE STATE PERSONNEL DIRECTOR SHALL ADOPT OR AMEND
3 RULES AS NECESSARY TO ENABLE THE IMPLEMENTATION OF THE PILOT
4 PROGRAM;

5 (II) THE DEPARTMENT SHALL IMPLEMENT THE PILOT PROGRAM NO
6 LATER THAN JANUARY 1, 2023;

7 (III) THE STATE PERSONNEL DIRECTOR MAY ALLOW OTHER
8 PRINCIPAL DEPARTMENTS TO IMPLEMENT THE PILOT PROGRAM FOR
9 APPOINTMENTS TO POSITIONS WITHIN THOSE DEPARTMENTS; AND

10 (IV) THE PILOT PROGRAM MAY NOT BE USED BY ANY PRINCIPAL
11 DEPARTMENT AFTER DECEMBER 31, 2027.

12 (d) BY NOVEMBER 1, 2027, ANY PRINCIPAL DEPARTMENT THAT
13 PARTICIPATES IN THE PILOT PROGRAM SHALL SUBMIT A REPORT TO THE
14 STATE PERSONNEL DIRECTOR. THE STATE PERSONNEL DIRECTOR SHALL
15 COMPILE ALL REPORTS AND SUBMIT ONE FINAL REPORT TO THE HOUSE
16 BUSINESS AFFAIRS AND LABOR COMMITTEE AND THE SENATE BUSINESS,
17 LABOR, AND TECHNOLOGY COMMITTEE, OR ANY SUCCESSOR COMMITTEES.
18 THE REPORT MUST INCLUDE AT LEAST THE FOLLOWING INFORMATION:

19 (I) THE PERIOD WHEN THE PILOT PROGRAM WAS USED BY THE
20 DEPARTMENT;

21 (II) THE NUMBER OF APPLICANTS FOR APPOINTMENTS WITHIN THE
22 DEPARTMENT THAT OPTED TO PARTICIPATE IN THE PILOT PROGRAM;

23 (III) THE NUMBER OF PERSONS WITH DISABILITIES WHO WERE
24 APPOINTED TO POSITIONS WITHIN THE DEPARTMENT; AND

25 (IV) ANY OTHER DETERMINING FACTORS OF DATA THAT MAY
26 AFFECT THE IMPLEMENTATION OF A PERMANENT PROGRAM.

27 (e) AS USED IN THIS SUBSECTION (8):

28 (I) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
29 EMPLOYMENT.

30 (II) "PILOT PROGRAM" MEANS THE HIRING PREFERENCE PILOT
31 PROGRAM, CREATED IN THIS SUBSECTION (8), FOR PEOPLE WITH
32 DISABILITIES.

33 (f) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE DECEMBER 31,
34 2027".

35 Rerumber succeeding sections accordingly.

36 Page 1, line 105, strike "AGENCIES." and substitute "AGENCIES AND
37 CREATING A HIRING PREFERENCE PILOT PROGRAM FOR PEOPLE WITH
38 DISABILITIES.".

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