SENATE COMMITTEE OF REFERENCE REPORT

_______________________________ June 3, 2021
Chair of Committee Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB21-1264  be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1  Amend reengrossed bill, page 2, strike lines 2 through 13.

2  Page 3, strike lines 1 through 10.

3  Renumber succeeding sections accordingly.

4  Page 4, after line 4 insert:

"SECTION 2.  Legislative declaration.  (1) The general assembly finds and declares that:

(a) The COVID-19 pandemic that spread to Colorado in February of 2020 has led to extensive job losses throughout the state;

(b) The devastating effects of the COVID-19 pandemic have disproportionately impacted communities of color as well as women and low-income, senior, and disabled populations in the state;

(c) In order to assist states in recovering from the impacts the COVID-19 pandemic has had on states' economies, on March 11, 2021, the federal government enacted the "American Rescue Plan Act of 2021" (ARPA), pursuant to which Colorado will receive $3,828,761,790 from the federal coronavirus state fiscal recovery fund to be used for certain specified purposes, including "to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel,
hospitality";

(d) Under the authority granted under section 602 (f) of the ARPA, the secretary of the United States treasury adopted regulations providing further guidance to states regarding the authorized uses of the money allocated to states from the federal coronavirus state fiscal recovery fund to respond to the public health emergency or its negative economic impacts, which include:

(I) Assistance to unemployed workers, including job training for individuals who want and are available for work;

(II) Aid to impacted industries to respond to the negative economic impacts of the COVID-19 public health emergency; and

(III) Programs, services, or other assistance for populations disproportionately impacted by the COVID-19 public health emergency, such as programs or services that address or mitigate the impact of the public health emergency on education;

(e) A program to award funding to work force development areas, local governments, institutions of higher education, and community-based nonprofit organizations to support reskilling, upskilling, and next-skilling workers who lost employment or have remained unemployed due to the COVID-19 public health emergency and its negative economic impacts, including providing short-term training to obtain an industry-recognized certificate and related services, that will aid unemployed workers, including those from communities disproportionately impacted by the public health emergency, and that will assist employers and nonprofit organizations working with these unemployed workers, is a program to respond to the public health emergency and its negative economic impacts on workers and industry;

(f) A program through which local work force development boards award grants to drive innovation to build in-demand skills, connect workers and learners to quality jobs, and drive employer engagement in talent development will provide job training assistance to unemployed workers and will aid impacted industries;

(g) Likewise, statewide innovation initiatives to support employers and trade associations in developing training programs for use in multiple counties, to align statewide activities in partnership with local work force development areas for skills-based hiring and talent development, and to engage and provide support to local work force development boards and community leaders in designing and implementing statewide work force innovative initiatives are programs, services, or other assistance to respond to the public health emergency and its negative economic impacts on workers and industry;
(h) Additionally, allocating federal funding to:

(I) Postsecondary career and technical education (CTE) providers to expand CTE equipment, facility, and industry capacity in key CTE job demand areas will encourage high-wage, demand-driven training and short-term program growth to meet post-pandemic demand and will provide job training to unemployed workers, assist industries negatively impacted by the public health emergency, and address the impacts of the public health emergency on education by expanding the availability of and access to CTE programs in key job demand areas; and

(II) The adult education and literacy program established in article 10 of title 22, Colorado Revised Statutes, that provides next-level education and training to many Colorado unemployed adults will provide training to adults disproportionately impacted by the COVID-19 public health emergency for better employment outcomes.

(2) Therefore, the general assembly determines that the programs enacted under the "Investments in Reskilling, Upskilling, and Next-skilling Workers Act" and the "Work Force Innovation Act" and the allocation of federal funding to expand CTE equipment, facility, and industry capacity in key CTE job demand areas and to the adult education and literacy program are appropriate uses of the money transferred to Colorado under the federal "American Rescue Plan Act of 2021" to respond to the COVID-19 public health emergency and its negative impacts on Colorado's economy, including its workers, industries, and education systems."

Renumber succeeding sections accordingly.

Page 4, line 5, strike "part 5" and substitute "parts 5 and 6".

Page 4, line 8, strike "STIMULUS".

Page 4, line 11, strike ""STIMULUS INVESTMENTS" and substitute ""INVESTMENTS"."

Page 4, line 13, strike "PART 5," and substitute "PART 5 AND PART 6 OF THIS ARTICLE 46.3,".

Page 4, after line 14 insert:

"(1) "AMERICAN RESCUE PLAN ACT OF 2021" OR "ARPA" MEANS THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS
THE ACT MAY BE SUBSEQUENTLY AMENDED.

Renumber succeeding subsections accordingly.

Page 4, line 27, strike "STIMULUS".

Page 5, line 26, strike "Stimulus investments" and substitute "Investments".

Page 5, line 27, strike "STIMULUS".

Page 8, line 26, strike "2020-21" and substitute "2021-22".

Page 8, line 13, strike "GENERAL FUND" and substitute "WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED IN SECTION 24-75-231 (2)(a)".

Page 8, line 15, strike "2020-21" and substitute "2021-22".

Page 8, line 18, strike "THE NEXT TWO" and substitute "SUBSEQUENT" and strike "APPROPRIATION." and substitute "APPROPRIATION, SUBJECT TO THE REQUIREMENTS FOR OBLIGATING AND EXPENDING MONEY RECEIVED UNDER THE ARPA AS SPECIFIED IN SECTION 24-75-226 (4)(d).".

Page 8, after line 26 insert:

"(4) THE STATE COUNCIL SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 24-75-226 (4) AND (5) REGARDING THE OBLIGATION, EXPENDITURE, AND TRACKING OF MONEY ALLOCATED TO THE STATE COUNCIL PURSUANT TO THIS SECTION."

Page 8, line 27, strike the second "DECEMBER" and substitute "EACH DECEMBER THEREAFTER THROUGH DECEMBER 2026,".

Page 9, line 1, strike "2023,".

Page 9, line 4, after "24-46.3-103 (3)." add "THE STATE COUNCIL SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 24-75-226 (5) REGARDING REPORTING ON MONEY ALLOCATED TO THE STATE COUNCIL PURSUANT TO SECTION 24-46.3-504."
"PART 6
WORK FORCE INNOVATION ACT
24-46.3-601. Short title. The short title of this Part 6 is the
"Work Force Innovation Act".
24-46.3-602. Definitions. As used in this Part 6, unless the
context otherwise requires:
(1) "Adult education program" has the same meaning as
"adult education and literacy programs", as defined in Section
22-10-103 (1).
(2) "Apprenticeship sponsor" means an employer,
association, committee, or organization that operates an
apprenticeship program registered with the United States
department of labor.
(3) "Colorado work force center" means an American jobs
center established pursuant to the federal "Workforce
Investment Act of 1998", 29 U.S.C. sec. 2801 et seq., and
reauthorized in the federal "Workforce Innovation and
Opportunities Act of 2014", Pub.L. 113-128, that is operating in
Colorado and offers training referrals, career counseling, job
listings, and similar employment-related services.
(4) "Connecting Colorado database" means the labor
exchange system administered by the department to connect
individuals to jobs and to manage data and produce reports
required by the United States department of labor.
(5) "COVID-19" means the coronavirus disease caused by
the severe acute respiratory syndrome coronavirus 2, also
known as SARS-CoV-2.
(6) "COVID-19 public health emergency" or "public health
emergency" means the period beginning on January 1, 2020, and
extending until the termination of the national emergency
concerning the COVID-19 outbreak declared pursuant to the
(7) "Economic development corporation" means an
organization whose mission is to promote economic development
within a specific geographical area.
(8) "Eligible applicant" means:
(a) A public or private sector employer, employer
1. ORGANIZATION, OR TRADE ASSOCIATION;
2. (b) AN APPRENTICESHIP SPONSOR;
3. (c) A COMMUNITY-BASED ORGANIZATION;
4. (d) A COLORADO WORK FORCE CENTER; OR
5. (e) A SECTOR PARTNERSHIP RECOGNIZED BY THE STATE COUNCIL.
6. (9) "LOCAL EDUCATION PROVIDER" HAS THE SAME MEANING AS
7. SET FORTH IN SECTION 22-20.5-102 (4).
8. (10) "PROPRIETARY TRAINING PROVIDER" MEANS A TRAINING
9. PROGRAM OPERATED BY THE PRIVATE SECTOR.
10. (11) "SECTOR PARTNERSHIP" MEANS AN INDUSTRY-SPECIFIC,
11. REGIONAL PARTNERSHIP LED BY BUSINESS IN PARTNERSHIP WITH
12. ECONOMIC DEVELOPMENT, EDUCATION, AND WORK FORCE DEVELOPMENT
13. ENTITIES.
14. (12) "STATEWIDE WORK FORCE INNOVATION INITIATIVE" MEANS
15. A STATEWIDE ACTIVITY DEVELOPED PURSUANT TO SECTION 24-46.3-605.
16. (13) "SUBAPPLICANT" MEANS:
17. (a) AN INSTITUTION OF HIGHER EDUCATION;
18. (b) A PUBLIC LIBRARY;
19. (c) A LOCAL EDUCATION PROVIDER;
20. (d) AN ADULT EDUCATION PROGRAM;
21. (e) A PROPRIETARY TRAINING PROVIDER;
22. (f) AN ECONOMIC DEVELOPMENT CORPORATION; OR
23. (g) A NONPROFIT ORGANIZATION.
24. (15) "WORK FORCE DEVELOPMENT BOARD" HAS THE SAME
25. MEANING AS SET FORTH IN SECTION 8-83-203 (23).
26. (16) "WORK FORCE INNOVATION GRANT PROGRAM" OR "GRANT
27. PROGRAM" MEANS THE WORK FORCE INNOVATION GRANT PROGRAM
28. CREATED IN SECTION 24-46.3-604.
29. 24-46.3-603. Funding for work force innovation - grant
30. program - statewide initiatives - allocation of ARPA money. (1) For
31. THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL
32. APPROPRIATE THIRTY-FIVE MILLION DOLLARS FROM THE WORKERS,
33. EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED IN SECTION
34. 24-75-231 (2)(a) TO THE DEPARTMENT FOR ALLOCATION TO THE STATE
35. COUNCIL FOR THE FOLLOWING PURPOSES:
36. (a) SEVENTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS FOR
37. ALLOCATION TO WORK FORCE DEVELOPMENT BOARDS FOR THE WORK
38. FORCE INNOVATION GRANT PROGRAM AND PURPOSES SPECIFIED IN SECTION
39. 24-46.3-604 (1)(b); EXCEPT THAT A WORK FORCE DEVELOPMENT BOARD
40. SHALL RETURN TO THE STATE COUNCIL ANY MONEY ALLOCATED TO AND
41. NOT EXPENDED OR OBLIGATED BY THE WORK FORCE DEVELOPMENT BOARD
(b) Seventeen million five hundred thousand dollars, plus any amount returned to the State Council pursuant to subsection (1)(a) of this section, for statewide work force innovation initiatives.

(2) The State Council and Department may use up to twelve percent of the amount appropriated pursuant to this section for costs associated with implementing and administering this Part 6 and for the evaluation activities required pursuant to section 24-46.3-606.

(3) Any money appropriated pursuant to this section that is not expended or encumbered at the end of the 2021-22 state fiscal year remains available for expenditure in subsequent fiscal years without further appropriation, subject to the requirements for obligating and expending money received under the ARPA as specified in section 24-75-226 (4)(d).

(4) The State Council shall comply with the requirements of section 24-75-226 (4) and (5) regarding the obligation, expenditure, and tracking of and reporting on the use of any ARPA money allocated to the State Council pursuant to this section.

24-46.3-604. Work force innovation grant program - creation - local boards to administer - eligibility for grants - use of grants - grant proposal requirements - other innovation activities performed by local boards - reporting to statewide database. (1) (a) The work force innovation grant program is hereby created for the purpose of promoting innovation in order to improve outcomes for learners and workers, including underserved populations, by promoting partnerships and helping prepare Coloradans for well-paying, quality jobs. The State Council shall administer the program and shall distribute the money allocated to the program pursuant to section 24-46.3-603 (1)(a) to work force development boards based on a formula that considers the following factors in each work force development area:

(I) The share of unemployment claims;

(II) The total jobs lost and the total jobs lost in the industries most impacted by the public health emergency; and

(III) Other factors determined by the State Council.

(b) (I) The work force development boards shall use the money distributed pursuant to subsection (1)(a) of this section:

(A) To award grants to eligible applicants through a
COMPETITIVE PROCESS, CONSISTENT WITH SUBSECTIONS (2) AND (3) OF THIS SECTION;

(B) FOR OUTCOMES-BASED OR PAY-FOR-PERFORMANCE CONTRACTS WITH GRANT RECIPIENTS, CONSISTENT WITH SUBSECTIONS (2) AND (3) OF THIS SECTION;

(C) FOR NEW PROGRAM DEVELOPMENT;

(D) TO EXPAND ACCESS TO EXISTING PROGRAMS;

(E) FOR OUTREACH AND ENGAGEMENT, ESPECIALLY TO MARGINALIZED OR DISPROPORTIONATELY IMPACTED POPULATIONS; AND

(F) FOR CAREER COACHING AND NAVIGATION FOR INDIVIDUALS.

(II) WORK FORCE DEVELOPMENT BOARDS MAY USE UP TO TEN PERCENT OF THE MONEY DISTRIBUTED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION FOR ADMINISTRATIVE COSTS ASSOCIATED WITH PERFORMING THE ACTIVITIES SPECIFIED IN SUBSECTION (1)(b)(I) OF THIS SECTION.

(2) (a) AN APPLICANT FOR A GRANT FROM A WORK FORCE DEVELOPMENT BOARD:

(I) MUST DEMONSTRATE THAT THE APPLICANT IS AN ELIGIBLE APPLICANT;

(II) MAY APPLY FOR A GRANT IN PARTNERSHIP WITH ONE OR MORE SUBAPPLICANTS; AND

(III) IS ENCOURAGED TO APPLY FOR A GRANT WITH PARTNERS IN ORDER TO SUPPORT TRANSFORMATIVE STRATEGIES FOCUSED ON SYSTEMIC ALIGNMENT WITH COLORADO WORK FORCE CENTERS.

(b) IF APPLYING WITH ONE OR MORE SUBAPPLICANTS, AN APPLICANT MUST IDENTIFY THE SPECIFIC ROLE EACH SUBAPPLICANT WILL SERVE AND THE REASON WHY THE APPLICANT AND SUBAPPLICANT HAVE PARTNERED IN THE APPLICATION, INCLUDING HOW THE LEAD APPLICANT WILL DISTRIBUTE MONEY TO SUBAPPLICANTS AND WHAT AMOUNTS WOULD BE SHARED AMONG THE APPLICANT AND SUBAPPLICANTS.

(c) THE WORK FORCE DEVELOPMENT BOARDS MAY PARTNER WITH EACH OTHER TO ADMINISTER GRANTS.

(d) ALL GRANTS AWARDED PURSUANT TO THIS SECTION MUST BE OBLIGATED BY DECEMBER 31, 2024, AND EXPENDED BY DECEMBER 31, 2026.

(3) THE WORK FORCE DEVELOPMENT BOARDS SHALL AWARD GRANTS TO ELIGIBLE APPLICANTS APPLYING FOR GRANTS FOR PROPOSALS THAT WILL BUILD IN-DEMAND SKILLS, CONNECT WORKERS AND LEARNERS TO QUALITY JOBS, AND DRIVE EMPLOYER ENGAGEMENT IN TALENT DEVELOPMENT IN ANY OF THE FOLLOWING AREAS:

(a) SUPPORTING WORK-BASED LEARNING, SKILL DEVELOPMENT,
TRAINING COMPLETION, AND QUALITY JOB PLACEMENT THROUGH THE FOLLOWING:

(I) PROVIDING QUALITY EDUCATION AND TRAINING FOR RESKILLING, UPSKILLING, AND NEXT-SKILLING INDIVIDUALS WHO ARE IN COVID-19-IMPACTED HOUSEHOLDS AND UNDERSERVED POPULATIONS THAT WERE DISPROPORTIONATELY IMPACTED BY THE COVID-19 PUBLIC HEALTH EMERGENCY, WHICH MAY INCLUDE ENTREPRENEURSHIP; DIGITAL LITERACY AND INCLUSION ACTIVITIES; WORK FORCE READINESS; ON-THE-JOB TRAINING; SHORT-TERM, IN-DEMAND CREDENTIALS; OR APPRENTICESHIPS;

(II) BUILDING ACCOUNTABLE PARTNERSHIPS AND SYSTEMS TO DRAMATICALLY IMPROVE OUTCOMES OR DECREASE COSTS FOR WORKERS AND LEARNERS TO ACCESS QUALITY EDUCATION AND TRAINING;

(III) PROVIDING SUPPORTIVE SERVICES AND EQUIPMENT TO WORKERS AND LEARNERS WITH BARRIERS TO ACCESSING EDUCATION, TRAINING, AND JOB PLACEMENT;

(IV) INCREASING ACCESS TO CAREER COUNSELING AND NAVIGATION PROGRAMS FOR IN-SCHOOL AND OUT-OF-SCHOOL WORKERS AND LEARNERS;

(V) DEVELOPING NEW, WORK-BASED LEARNING PROGRAMS IN PARTNERSHIP WITH EMPLOYERS; OR

(VI) INCREASING ACCESS TO ENGLISH-AS-A-SECOND-LANGUAGE AND OTHER CAREER READINESS PROGRAMS THAT ENABLE EQUITABLE ACCESS AND INTEGRATION;

(b) SUPPORTING EMPLOYERS AND SMALL BUSINESSES TO MITIGATE FINANCIAL HARDSHIPS RESULTING FROM THE PUBLIC HEALTH EMERGENCY OR PROVIDING GREATER OPPORTUNITIES FOR COMMUNITIES DISPROPORTIONATELY AFFECTED BY COVID-19 TO ENGAGE IN TALENT DEVELOPMENT THROUGH THE FOLLOWING:

(I) INCREASING ADOPTION OF SKILLS-BASED PRACTICES, INCLUDING INCENTIVIZING NEW SKILLS-BASED HIRES;

(II) DEVELOPING OR EXPANDING INCUMBENT WORKER TRAINING AND WORK-BASED LEARNING PROGRAMS IN PARTNERSHIP WITH COLORADO WORK FORCE CENTERS, TRAINING PROVIDERS, COMMUNITY-BASED ORGANIZATIONS, LOCAL EDUCATION PROVIDERS, AND INSTITUTIONS OF HIGHER EDUCATION; OR

(III) BUILDING NEW INTERNAL PATHWAYS FOR EXISTING EMPLOYEES; AND

(c) INCREASING PARTICIPATION BY UNDERSERVED COMMUNITIES, INCLUDING BLACK, INDIGENOUS, AND PEOPLE OF COLOR, PEOPLE WITH DISABILITIES, NEW AMERICANS, EX-OFFENDERS, AND OLDER WORKERS,
THROUGH THE FOLLOWING:

(I) ADOPTING FOCUSED OUTREACH STRATEGIES SPECIFIC TO UNDERSERVED COMMUNITIES;

(II) INCREASING PARTNERSHIP WITH COMMUNITY-BASED ORGANIZATIONS THAT SERVE THESE POPULATIONS IN ORDER TO SUPPORT EXISTING TRUSTED MESSENGERS THAT CAN ENHANCE OUTREACH; OR

(III) IMPROVING LANGUAGE ACCESS, TO INCLUDE AMERICAN SIGN LANGUAGE, TO ENSURE OUTREACH AND PARTICIPATION.

(4) AN APPLICANT SHOULD ADDRESS THE FOLLOWING IN ITS PROJECT PROPOSAL:

(a) THE NEED FOR THE PROJECT, SPECIFYING HOW AND WHY THE PROJECT IS DESIGNED TO MEET THE NEED BASED ON DATA AND EVIDENCE;

(b) THE PROPOSED IMPACT OF THE PROJECT, INCLUDING HOW THE PROJECT WILL IMPROVE OUTCOMES FOR WORKERS AND STUDENTS OR INCREASE EMPLOYER ENGAGEMENT;

(c) THE PARTNERSHIPS FOSTERED BY THE PROJECT, INCLUDING THE DEGREE TO WHICH THE PROJECT HAS SUPPORT FROM COMMUNITY-BASED ORGANIZATIONS SUCH AS LOCAL CHAMBERS OF COMMERCE, NONPROFIT ORGANIZATIONS, BUSINESSES, OR FAITH-BASED ORGANIZATIONS;

(d) THE SUSTAINABILITY OF THE PROJECT, SPECIFYING HOW THE PROJECT WILL CONTINUE AFTER THE GRANT TERM EXPIRES;

(e) THE GOVERNANCE OF THE PROJECT, SPECIFYING HOW THE PROJECT WILL ENSURE APPROPRIATE ADMINISTRATION, MONITORING, REPORTING, AND COMPLIANCE FOR THE GRANT;

(f) THE INNOVATION OF THE PROJECT, SPECIFYING HOW THE PROJECT SUPPORTS INNOVATIVE, LOCALLY DRIVEN SOLUTIONS TO RESPOND TO COMMUNITY NEEDS; AND

(g) THE EQUITY OF THE PROJECT, SPECIFYING HOW THE PROJECT WILL IMPROVE EDUCATION AND ECONOMIC OUTCOMES FOR UNDERSERVED POPULATIONS OR COMMUNITIES.

(5) EACH WORK FORCE DEVELOPMENT BOARD THAT AWARDS GRANTS TO ELIGIBLE APPLICANTS PURSUANT TO THIS SECTION SHALL REPORT INFORMATION AS REQUIRED BY SECTION 24-46.3-606 TO THE CONNECTING COLORADO DATABASE TO TRACK PARTICIPANTS AND FACILITATE AN EVALUATION OF THE GRANT RECIPIENT’S USE OF THE GRANT AWARD AND THE OUTCOMES ACHIEVED.

(6) EACH ELIGIBLE APPLICANT THAT RECEIVES A GRANT PURSUANT TO THIS SECTION SHALL COMPLY WITH ANY REPORTING REQUIREMENTS AS DETERMINED BY THE STATE CONTROLLER PURSUANT TO SECTION 24-75-226.

24-46.3-605. Statewide work force innovation initiatives -
development - stakeholder process - distribution of money for initiatives. (1) The state council shall use the money allocated pursuant to section 24-46.3-603 (1)(b) for statewide work force innovation initiatives designed to perform the activities specified in subsection (2) of this section to address the negative economic impacts of the COVID-19 public health emergency.

(2) The state council shall conduct a stakeholder process to engage work force development boards and community leaders in the design of statewide initiatives, which may include the following activities:

(a) Supporting employers and trade associations that operate in multiple counties in developing training programs;
(b) Managing alignment of statewide activities in partnership with work force development areas for skills-based hiring and talent development activities;
(c) Capacity building and technical assistance activities, such as staff or contractors to support the administration of local competitions and related activities and contracting with local or national experts on evidence-based policy, results-based contracting, rigorous evaluation design, and implementation science;
(d) Capacity building and technical assistance for community-based organizations to increase knowledge and understanding of work force programming;
(e) Testing similar programs in multiple locations to assess what works so that successful practices used in specific locations can be scaled or replicated in other locations;
(f) Executing and managing contracts with external evaluators in accordance with section 24-46.3-606;
(g) Performing monitoring and compliance activities necessary to demonstrate fiscal integrity; and
(h) Conducting outreach and communication campaigns to reach Coloradans, including underserved and disproportionately impacted populations, who may benefit from available programs.

(3) (a) The state council shall distribute money in accordance with state and federal procurement guidelines for statewide work force innovation initiatives developed pursuant to this section that will perform activities specified in subsection (2) of this section.
(b) Any person that receives money for a statewide work
FORCE INNOVATION INITIATIVE PURSUANT TO THIS SECTION SHALL:

(I) REPORT INFORMATION AS REQUIRED BY SECTION 24-46.3-606 TO THE CONNECTING COLORADO DATABASE TO FACILITATE AN EVALUATION OF THE ACTIVITIES AND THE OUTCOMES ACHIEVED; AND

(II) COMPLY WITH ANY REPORTING REQUIREMENTS AS DETERMINED BY THE STATE CONTROLLER PURSUANT TO SECTION 24-75-226.

24-46.3-606. Evaluation - grant-funded projects and programs - statewide innovation initiatives. (1) THE STATE COUNCIL SHALL CONDUCT OR FACILITATE AN EVALUATION OF ALL PROGRAMS, PROJECTS, AND INITIATIVES FUNDED PURSUANT TO THIS PART 6 ON EITHER A STATEWIDE LEVEL OR WORK FORCE DEVELOPMENT AREA LEVEL.

(2) ANY WORK FORCE DEVELOPMENT BOARD OR PERSON THAT RECEIVES MONEY OR A GRANT PURSUANT TO SECTION 24-46.3-604 OR 24-46.3-605 MUST USE THE CONNECTING COLORADO DATABASE TO REPORT INFORMATION ABOUT HOW THE RECIPIENT USED THE MONEY, THE OUTCOMES ACHIEVED, AND ANY OTHER INFORMATION NECESSARY TO FACILITATE THE EVALUATION REQUIRED BY THIS SECTION.

(3) IN ADDITION TO THE REQUIREMENTS OF SECTION 24-75-226(5), PROGRAMS, PROJECTS, AND INITIATIVES FUNDED PURSUANT TO THIS PART 6 MUST BE EVALUATED TO:

(a) DETERMINE WHETHER THE PROGRAM, PROJECT, OR INITIATIVE DEMONSTRATES AN IMPACT ON WORK FORCE DEVELOPMENT AND INNOVATION IN THE FOLLOWING AREAS:

(I) SKILL OR COMPETENCY ATTAINMENT;

(II) INDUSTRY-RECOGNIZED CREDENTIAL ATTAINMENT;

(III) GRADUATION OR CREDENTIAL ATTAINMENT RATES;

(IV) JOB PLACEMENT; AND

(V) JOB QUALITY;

(b) SPECIFY THE PERCENTAGE OF MONEY THAT WAS ALLOCATED, DISTRIBUTED, OR AWARDED TO INSTITUTIONS OF HIGHER EDUCATION THROUGH SCHOLARSHIPS OR OTHER MECHANISMS.

24-46.3-607. Repeal of part. THIS PART 6 IS REPEALED, EFFECTIVE JULY 1, 2027.

SECTION 4. In Colorado Revised Statutes, add 24-75-231 as follows:

24-75-231. Workers, employers, and workforce centers cash fund - creation - allowable uses - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AMERICAN RESCUE PLAN ACT OF 2021" MEANS THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY
BE SUBSEQUENTLY AMENDED.

(b) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY
THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO
KNOWN AS SARS-CoV-2.

(c) "COVID-19 PUBLIC HEALTH EMERGENCY" OR "PUBLIC HEALTH
EMERGENCY" MEANS THE PERIOD BEGINNING ON JANUARY 1, 2020, AND
EXTENDING UNTIL THE TERMINATION OF THE NATIONAL EMERGENCY
CONCERNING THE COVID-19 OUTBREAK DECLARED PURSUANT TO THE
FEDERAL "NATIONAL EMERGENCIES ACT", 50 U.S.C. SEC. 1601 ET SEQ.

(d) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT IDENTIFIED
in section 24-1-110 and the judicial department. The term also
includes the office of the governor, including any offices
created therein.

(e) "FUND" MEANS THE WORKERS, EMPLOYERS, AND WORKFORCE
CENTERS CASH FUND CREATED IN SUBSECTION (2)(a) OF THIS SECTION OR
AN IDENTICAL COMPANION FUND CREATED BY OPERATION OF SECTION
24-75-226 (4)(c).

(2) (a) THE WORKERS, EMPLOYERS, AND WORKFORCE CENTERS
CASH FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND
CONSISTS OF MONEY CREDITED TO THE FUND IN ACCORDANCE WITH
SUBSECTION (2)(b) OF THIS SECTION AND ANY OTHER MONEY THAT THE
GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. TO
RESPOND TO THE PUBLIC HEALTH EMERGENCY OR ITS NEGATIVE ECONOMIC
IMPACTS, THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE
FUND TO RESPOND TO THE NEGATIVE ECONOMIC IMPACTS OF THE
COVID-19 PUBLIC HEALTH EMERGENCY, INCLUDING FOR THE FOLLOWING
PURPOSES:

(I) To provide assistance to unemployed workers,
including job training for individuals who want to and are
available for work;

(II) To provide assistance to households;

(III) For programs, services, or other assistance for
populations disproportionately impacted by the COVID-19 public
health emergency, such as programs or services that address or
mitigate the impacts of the public health emergency on
education;

(IV) To provide aid to impacted industries, small
businesses, and nonprofit organizations to respond to the
negative economic impacts of the COVID-19 public health
emergency through the provision of related educational and job
training services; and
V) For administrative costs related to the purposes specified in subsections (2)(a)(I) to (2)(a)(IV) of this section.
(b) (I) Three days after the effective date of this subsection (2)(b)(I), the state treasurer shall transfer:
(A) Two hundred million dollars from the "American Rescue Plan Act of 2021" cash fund created in section 24-75-226 to the fund; and
(B) Twenty-five million dollars from the general fund to the fund.
(II) The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.
(3) A department may expend money appropriated from the fund for purposes permitted under the "American Rescue Plan Act of 2021" and shall not use the money for any purpose prohibited by that act. A department or any person who receives money from the fund shall comply with any requirements set forth in section 24-75-226.
(4) This section is repealed, effective July 1, 2027.

SECTION 5. In Colorado Revised Statutes, add part 2 to article 8 of title 23 as follows:

PART 2
CAREER AND TECHNICAL EDUCATION
EQUIPMENT, FACILITY, AND INSTRUCTION CAPACITY FUNDING

23-8-201. Funding for technical education equipment, facilities, and instruction capacity - allocation to CTE providers - definitions - repeal. (1) As used in this section, unless the context otherwise requires:
(a) "Colorado Talent Report" means the annual Colorado Talent Report prepared pursuant to section 24-46.3-103 (3).
(b) "Commission" means the Colorado Commission on Higher Education established in section 23-1-102.
(c) "CTE Provider" means any of the following that provides career or technical education programs approved by the board:
(I) An area technical college as defined in section 23-60-103 (1);
(II) A community college included in the state system of community and technical colleges pursuant to section 23-60-205;
COLORADO MESA UNIVERSITY ESTABLISHED PURSUANT TO SECTION 23-53-101; OR

A LOCAL DISTRICT COLLEGE AS DEFINED IN SECTION 23-71-102 (1)(a).

"DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114.

(2) (a) FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TEN MILLION DOLLARS FROM THE WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND CREATED IN SECTION 24-75-231 (2)(a) TO THE DEPARTMENT FOR ALLOCATION BY THE BOARD IN ACCORDANCE WITH THE METHODOLOGY DEVELOPED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION TO CTE PROVIDERS TO EXPAND EQUIPMENT, FACILITY, AND INSTRUCTION CAPACITY IN KEY CAREER AND TECHNICAL EDUCATION JOB DEMAND AREAS AS IDENTIFIED IN THE COLORADO TALENT REPORT.

(b) THE BOARD SHALL DEVELOP A METHODOLOGY FOR DISTRIBUTING THE MONEY APPROPRIATED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION TO CTE PROVIDERS, SUBJECT TO APPROVAL BY THE COMMISSION. THE METHODOLOGY MUST TAKE INTO CONSIDERATION FACTORS SUCH AS THE CAPACITY NEEDS OF CTE PROVIDERS, THE LENGTH OF WAIT LISTS, AND PROGRAMS OFFERED BY CTE PROVIDERS THAT PROVIDE TRAINING FOR JOB DEMAND AREAS AS IDENTIFIED IN THE COLORADO TALENT REPORT.

(c) ANY MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (2) THAT IS NOT EXPENDED OR ENCUMBERED AT THE END OF THE 2021-22 STATE FISCAL YEAR REMAINS AVAILABLE FOR EXPENDITURE IN SUBSEQUENT FISCAL YEARS WITHOUT FURTHER APPROPRIATION, SUBJECT TO THE REQUIREMENTS FOR OBLIGATING AND EXPENDING MONEY RECEIVED UNDER THE FEDERAL "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY BE SUBSEQUENTLY AMENDED, AS SPECIFIED IN SECTION 24-75-226 (4)(d).

(3) THE BOARD SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 24-75-226 (4) AND (5) REGARDING THE OBLIGATION, EXPENDITURE, AND TRACKING OF AND REPORTING ON THE USE OF ANY MONEY APPROPRIATED TO THE DEPARTMENT AND ALLOCATED TO THE BOARD PURSUANT TO THIS SECTION.

(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027."

Renumber succeeding sections accordingly.

Page 9, line 13, strike "For the 2020-21" and substitute "(1) For the
Page 9, line 16, strike "general fund." and substitute "workers, employers, and workforce centers cash fund created in section 24-75-231 (2)(a), C.R.S., and of money the state received from the federal coronavirus state fiscal recovery fund."

Page 9, after line 18 insert:

"(2) For the 2021-22 state fiscal year, $35,000,000 is appropriated to the department of labor and employment for use by the Colorado workforce development council. This appropriation is from the workers, employers, and workforce centers cash fund created in section 24-75-231 (2)(a), C.R.S., and of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the council may use this appropriation for "Work Force Innovation Act" programs under part 6 of article 46.3 of title 24, C.R.S.

(3) For the 2021-22 state fiscal year, $10,000,000 is appropriated to the department of higher education. This appropriation is from the workers, employers, and workforce centers cash fund created in section 24-75-231 (2)(a), C.R.S., and of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation for career and technical education equipment, facility, and instruction capacity funding.

(4) (a) For the 2021-22 state fiscal year, $5,000,000 is appropriated to the department of education. This appropriation is from the workers, employers, and workforce centers cash fund created in section 24-75-231 (2)(a), C.R.S., and of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation for the adult education and literacy grant program.

(b) Any money appropriated pursuant to subsection (4)(a) of this section that is not expended or encumbered at the end of the 2021-22 state fiscal year remains available for expenditure in subsequent fiscal years without further appropriation.

SECTION 7. Effective date. This act takes effect upon passage; except that sections 2 through 6 of this act take effect only if Senate Bill 21-288 becomes law and, in which case, sections 2 through 6 of this act take effect either upon the effective date of this act or one day after the effective date of Senate Bill 21-288, whichever is later."
1 Renumber succeeding section accordingly.

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