

## CHAPTER 241

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**LABOR AND INDUSTRY**

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## HOUSE BILL 18-1316

BY REPRESENTATIVE(S) Pabon and Exum, Kraft-Tharp, McKean, Arndt, Becker K., Bridges, Buckner, Coleman, Covarrubias, Danielson, Esgar, Foote, Ginal, Gray, Hamner, Herod, Hooton, Kennedy, Lawrence, Lee, Lontine, McLachlan, Melton, Michaelson Jenet, Pettersen, Roberts, Rosenthal, Salazar, Singer, Valdez, Weissman, Winter, Young, Duran, Jackson, Rankin; also SENATOR(S) Cooke and Williams A., Crowder, Kefalas, Martinez Humenik, Tate, Todd.

## AN ACT

CONCERNING MODIFICATIONS TO THE SKILLED WORKER TRAINING PROGRAM ADMINISTERED BY THE DEPARTMENT OF LABOR AND EMPLOYMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 8-83-303, **add** (2.5) as follows:

**8-83-303. Definitions.** As used in this part 3 unless the context otherwise requires:

(2.5) "COUNCIL" MEANS THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN SECTION 24-46.3-101.

**SECTION 2.** In Colorado Revised Statutes, 8-83-304, **amend** (1)(b)(I), (1)(d), and (2) as follows:

**8-83-304. Skilled worker outreach, recruitment, and key training grant program - creation - award criteria.** (1) (b) (I) ~~For the 2015-16 through 2018-19 fiscal years,~~ The department shall administer the grant program by accepting and processing matching grant applications submitted pursuant to this section, and the grant review committee shall review and make recommendations for awarding matching grants. The department shall develop application guidelines, ~~and~~ establish deadlines for the grant program, and ~~may~~ develop an expedited application process in accordance with subsection (1)(d) of this section.

(d) Notwithstanding the requirements of the "Procurement Code", articles 101 to

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*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

112 of title 24, the department ~~may~~ SHALL use an expedited procedure for accepting and reviewing ~~an application~~ APPLICATIONS from ~~an eligible applicant that received matching grant awards in the 2015-16 or 2016-17 fiscal year and is applying for an additional matching grant or to extend a matching grant award under an existing agreement if~~ APPLICANTS.

~~(I) The eligible applicant demonstrates positive outcomes resulting from its receipt and use of matching grants under the WORK grant program;~~

~~(II) The eligible applicant demonstrates that all organizations that were named in the original grant application agree to participate in an expedited application process; and~~

~~(III) The WORK grant review committee approves the use of an expedited application process for the eligible applicant.~~

(2) No later than January 1, 2016, and no later than each January 1 thereafter through January 1, 2018, The department shall start accepting grant applications for matching grants ~~to be awarded~~ BY JANUARY 1 OF EACH YEAR; SHALL AWARD GRANTS pursuant to section 8-83-305 WITHIN NINETY DAYS, BUT no later than the April 1, following the application submittal deadline; AND SHALL ISSUE GRANT AWARDS TO RECIPIENTS WITHIN FORTY-FIVE DAYS AFTER NOTIFYING THE AWARD RECIPIENTS OF THE GRANT AWARD.

**SECTION 3.** In Colorado Revised Statutes, 8-83-305, **amend** (1) introductory portion, (1)(i), and (2)(c) as follows:

**8-83-305. Skilled worker outreach, recruitment, and key training grant review committee - creation - membership - duties - grant award recommendations.** (1) There is created the skilled worker outreach, recruitment, and key training grant review committee, also referred to as the "WORK grant review committee". The grant review committee consists of thirteen members appointed by the ~~governor~~ COUNCIL as follows:

~~(i) One member of the state work force development council. created in section 24-46.3-101, C.R.S.~~

(2) (c) (I) After reviewing the grant applications AND SUBJECT TO SUBSECTION (2)(c)(II) OF THIS SECTION, the grant review committee shall make recommendations about which eligible applicants should be awarded matching grants and the amounts of the matching grants. ~~which~~ Recommendations shall be based on the committee's determination as to which eligible applicants best satisfy the grant criteria pursuant to ~~paragraphs (a) and (b) of this subsection (2)~~ SUBSECTIONS (2)(a) AND (2)(b) OF THIS SECTION. The grant review committee shall submit its recommendations to THE EXECUTIVE COMMITTEE OF THE COUNCIL, WHICH INCLUDES the executive directors of the departments of labor and employment and higher education and the director of the office. After considering the grant review committee's recommendations AND SUBJECT TO SUBSECTION (2)(c)(II) OF THIS SECTION, the executive ~~directors and the director~~ COMMITTEE shall ~~jointly~~ determine to whom and in what amounts to award matching grants. Grants shall be awarded WITHIN NINETY DAYS, BUT no later than the April 1, following the application submittal deadline, AND, TO THE EXTENT

POSSIBLE, THE DEPARTMENT SHALL ISSUE THE GRANT AWARDS WITHIN FORTY-FIVE DAYS AFTER NOTIFYING THE AWARD RECIPIENTS OF THE GRANT AWARDS.

(II) FOR THE 2018-19, 2019-20, AND 2020-21 FISCAL YEARS, THE GRANT REVIEW COMMITTEE SHALL ENSURE, TO THE EXTENT POSSIBLE, THAT IT RECOMMENDS MATCHING GRANT AMOUNTS, AND THE EXECUTIVE DIRECTORS AND DIRECTOR OF THE OFFICE SHALL ENSURE, TO THE EXTENT POSSIBLE, THAT THEY AWARD MATCHING GRANTS, IN ACCORDANCE WITH THE ALLOCATION OF AVAILABLE MONEY IN THE WORK FUND SPECIFIED IN SECTION 8-83-307 (3)(b).

**SECTION 4.** In Colorado Revised Statutes, 8-83-306, **amend** (2) introductory portion; and **add** (3) as follows:

**8-83-306. Reports.** (2) ~~By May 1, 2017, and by each May 1 thereafter through May 1, 2020~~ BY DECEMBER 31, 2018, AND BY EACH DECEMBER 31 THEREAFTER, the grant review committee shall submit, AS PART OF THE COLORADO TALENT PIPELINE REPORT PREPARED PURSUANT TO SECTION 24-46.3-103, an annual report to the governor, the senate committee on business, labor, and technology or its successor committee, and the house of representatives committee on business affairs and labor or its successor committee. The grant review committee shall include in the report at least the following information:

(3) SECTION 24-1-136 (11)(a)(I) DOES NOT APPLY TO THE REPORTING REQUIREMENT SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

**SECTION 5.** In Colorado Revised Statutes, 8-83-307, **amend** (1)(b), (3), and (5) as follows:

**8-83-307. Skilled worker outreach, recruitment, and key training grant program fund - creation.** (1) (b) EXCEPT AS PROVIDED IN SUBSECTION (5) OF THIS SECTION, the ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual appropriation by the general assembly to the department for the direct and indirect costs associated with implementing this part 3.

(3) (a) For the ~~2015-16, 2016-17, and 2017-18~~ 2018-19, 2019-20, AND 2020-21 fiscal years, the general assembly shall appropriate a total of ~~ten million~~ SEVEN MILLION SIX HUNDRED THOUSAND dollars to the fund, OF WHICH NOT MORE THAN THREE MILLION THREE HUNDRED THOUSAND DOLLARS MAY BE APPROPRIATED IN ANY GIVEN FISCAL YEAR.

(b) THE MONEY IN THE FUND THAT IS AVAILABLE FOR MATCHING GRANTS SHOULD BE ALLOCATED, TO THE EXTENT POSSIBLE, TO ELIGIBLE APPLICANTS APPROVED FOR A MATCHING GRANT AWARD PURSUANT TO SECTION 8-83-305 (2)(c) AS FOLLOWS:

(I) TWO-THIRDS TO ELIGIBLE APPLICANTS THAT WERE AWARDED MATCHING GRANTS IN A PRIOR FISCAL YEAR; AND

(II) ONE-THIRD TO ELIGIBLE APPLICANTS THAT HAVE NOT RECEIVED A MATCHING GRANT PREVIOUSLY.

(5) Any unexpended and unencumbered ~~moneys~~ MONEY remaining in the WORK

fund at the end of a fiscal year ~~remain~~ REMAINS in the fund and shall not be credited or transferred to the general fund or another fund. UNEXPENDED AND UNENCUMBERED MONEY FROM AN APPROPRIATION MADE PURSUANT TO SUBSECTION (3) OF THIS SECTION REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT IN THE NEXT FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

**SECTION 6. Appropriation.** (1) For the 2018-19 state fiscal year, \$1,000,000 is appropriated to the skilled worker outreach, recruitment, and key training grant program fund created in section 8-83-307, C.R.S. This appropriation is from the general fund. The department of labor and employment is responsible for the accounting related to this appropriation.

(2) For the 2018-19 state fiscal year, \$1,000,000 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from reappropriated funds in the skilled worker outreach, recruitment, and key training grant program fund under subsection (1) of this section. To implement this act, the division may use the appropriation for the skilled worker outreach, recruitment, and key training grant program.

**SECTION 7. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 24, 2018