

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-1021.01 Nicole Myers x4326

HOUSE BILL 19-1306

HOUSE SPONSORSHIP

Esgar and Galindo,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE MONITORING OF COLORADO CALL CENTER JOB**
102 **LOSSES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires a business to notify the office of economic development (OED) of any plans to terminate customer service employee positions and employees who are employed by or work on behalf of a call center in those positions in the state and relocate the duties of those positions outside of the United States.

The bill requires the OED to maintain and make public a list of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

businesses that have terminated and relocated customer service employee positions outside of the United States.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-48.5-125 as
3 follows:

4 **24-48.5-125. Protecting Colorado call center jobs - definitions.**

5 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES:

7 (a) "BUSINESS" MEANS ANY LAWFUL ACTIVITY PERFORMED BY AN
8 ENTITY, WHETHER OR NOT ENGAGED IN FOR PROFIT, THAT CONTRACTS
9 WITH OR OPERATES A CALL CENTER. "BUSINESS" ALSO MEANS TAXPAYER
10 AS THAT TERM IS USED IN TITLE 39.

11 (b) "CALL CENTER" MEANS A BUSINESS ENTITY OR A DIVISION OF
12 A BUSINESS ENTITY WHOSE PRIMARY PURPOSE INCLUDES INITIATING OR
13 RECEIVING TELEPHONE COMMUNICATIONS ON BEHALF OF A PERSON FOR
14 THE PURPOSE OF INITIATING SALES, INCLUDING MAKING A TELEPHONE
15 SOLICITATION, OR PROVIDING OR RECEIVING INFORMATION IN CONNECTION
16 WITH THE PROVISION OF SERVICES, AND THAT HAS:

17 (I) AT LEAST FIFTY CUSTOMER SERVICE EMPLOYEES LOCATED IN
18 THE STATE, NOT INCLUDING CUSTOMER SERVICE EMPLOYEES WHO WORK
19 LESS THAN TWENTY HOURS PER WEEK; OR

20 (II) AT LEAST FIFTY CUSTOMER SERVICE EMPLOYEES LOCATED IN
21 THE STATE WHO, IN THE AGGREGATE, WORK A TOTAL OF AT LEAST ONE
22 THOUSAND FIVE HUNDRED HOURS PER WEEK.

23 (c) "CUSTOMER SERVICE EMPLOYEE" MEANS A PERSON EMPLOYED
24 BY OR WORKING ON BEHALF OF A CALL CENTER.

25 (d) "OFFICE" MEANS THE OFFICE OF ECONOMIC DEVELOPMENT

1 CREATED IN SECTION 24-48.5-101.

2 (e) "PUBLIC ENTITY" MEANS THE STATE AND ANY OF ITS
3 DEPARTMENTS, BOARDS, AGENCIES, INSTRUMENTALITIES, AUTHORITIES,
4 AND COMMISSIONS.

5 (2) (a) A BUSINESS SHALL NOTIFY THE OFFICE IF THE BUSINESS
6 PLANS TO:

7 (I) TERMINATE CUSTOMER SERVICE EMPLOYEE POSITIONS IN THE
8 STATE; AND

9 (II) RELOCATE THE DUTIES OF THOSE POSITIONS TO PERSONS IN
10 ONE OR MORE CALL CENTERS LOCATED OUTSIDE OF THE UNITED STATES.

11 (b) THE BUSINESS SHALL NOTIFY THE OFFICE OF THE INTENT
12 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION AT LEAST ONE
13 HUNDRED TWENTY DAYS BEFORE THE TERMINATION OR RELOCATION OF
14 THE POSITIONS.

15 (3) (a) THE OFFICE SHALL MAINTAIN A LIST OF BUSINESSES THAT
16 HAVE TERMINATED AND RELOCATED CUSTOMER SERVICE EMPLOYEE
17 POSITIONS AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

18 (b) THE OFFICE SHALL MAKE THE LIST AVAILABLE TO THE PUBLIC
19 AND SHALL SEMIANNUALLY DISTRIBUTE THE LIST TO ALL PUBLIC ENTITIES
20 AND ANY BETTER BUSINESS BUREAU.

21 (c) EXCEPT AS PROVIDED IN SUBSECTION (3)(d) OF THIS SECTION,
22 A BUSINESS THAT IS ADDED TO THE LIST MAY NOT BE REMOVED FROM THE
23 LIST BEFORE THE FIFTH ANNIVERSARY OF THE DATE THE BUSINESS WAS
24 ADDED TO THE LIST.

25 (d) THE OFFICE SHALL REMOVE A BUSINESS FROM THE LIST IF THE
26 BUSINESS RELOCATES AS MANY CUSTOMER SERVICE EMPLOYEE POSITIONS
27 IN THE STATE AS THE BUSINESS TERMINATED AND RELOCATED WHEN THE

1 BUSINESS WAS ADDED TO THE LIST.

2 (e) THE OFFICE SHALL ANNUALLY REPORT ON THE LIST AS PART OF
3 ITS PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD
4 PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR
5 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
6 GOVERNMENT ACT".

7 **SECTION 2. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2020 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.