

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 20B-0051.01 Christy Chase x2008

SENATE BILL 20B-001

SENATE SPONSORSHIP

Winter and Priola, Bridges, Crowder, Danielson, Donovan, Fields, Foote, Garcia, Ginal, Gonzales, Hansen, Lee, Moreno, Pettersen, Rankin, Story, Tate, Todd, Williams A., Zenzinger

HOUSE SPONSORSHIP

Herod and Sandridge,

Senate Committees

Finance
Appropriations

House Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING SUPPORT FOR ENTITIES IMPACTED BY SEVERE CAPACITY**
102 **RESTRICTIONS DUE TO THE COVID-19 PANDEMIC, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 provides funding as follows to support entities impacted by capacity restrictions imposed to address the COVID-19 pandemic:

- \$37 million for direct relief payments to small businesses located in a county that is subject to, and in compliance with, severe capacity restrictions pursuant to a public health

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.*

HOUSE
Amended 2nd Reading
December 1, 2020

SENATE
Amended 3rd Reading
December 1, 2020

SENATE
Amended 2nd Reading
November 30, 2020

order, with payments allocated to the counties for distribution to eligible small businesses, which businesses include restaurants, bars, movie theaters, and fitness and recreational sports centers;

- \$7.5 million for direct relief payments to eligible arts, culture, and entertainment artists, crew members, and organizations, with payments allocated by the creative industries division in the Colorado office of economic development;
- \$6,775,000 to the department of public health and environment to enable the department to contract with county or district boards of health to provide state funding in lieu of those local government agencies charging annual licensing fees to certain retail food establishments;
- \$1.8 million to the department of revenue to offset the department's waiver of certain liquor license fees; and
- \$4 million for use by the minority business office in the Colorado office of economic development to provide direct relief payments, grants and loans, and technical assistance and consulting support to minority-owned businesses.

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

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

4 (a) Due to the COVID-19 pandemic and the ongoing public health
5 emergency that Colorado has been battling since March of 2020, many
6 small businesses in the state, including those that are subject to mandatory
7 capacity restrictions, have suffered severe declines in revenue during the
8 pandemic;

9 (b) Small, minority-owned, and women-owned businesses are
10 among those most impacted by the pandemic;

11 (c) Arts venues and artists have also been severely impacted by the
12 pandemic and associated public health restrictions;

13 (d) The closure of small businesses in the state also has a
14 devastating effect on employees of those businesses, will further strain

1 the state's unemployment insurance program, and will have other ripple
2 effects throughout the state; and

3 (e) As more counties in the state move to heightened restrictions
4 on business operations to help contain COVID-19 and to protect the
5 health of all Coloradans, it is imperative that the state provide ___ relief
6 to those small businesses in the most severely restricted counties in order
7 to stem the tide of business closures, protect the state's economy and its
8 communities, and help small businesses continue their operations and
9 retain their employees.

10 (2) The general assembly further declares that the executive
11 branch will continue to develop a framework to certify businesses that
12 demonstrate exemplary compliance with public health orders during the
13 pandemic through an evidence-based certification program that is aligned
14 with the state's objectives to contain the COVID-19 virus.

15 **SECTION 2.** In Colorado Revised Statutes, **add** 24-32-129 as
16 follows:

17 **24-32-129. Small business relief program - address negative**
18 **effects of capacity limits due to COVID-19 pandemic - distribution**
19 **through local governments - definitions - report - repeal.**

20 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
21 OTHERWISE REQUIRES:

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

25

26 (b) "DIVISION" MEANS THE DIVISION OF LOCAL GOVERNMENT IN
27 THE DEPARTMENT OF LOCAL AFFAIRS.

1 (c) "ELIGIBLE COUNCIL OF GOVERNMENTS" MEANS A COUNCIL OF
2 GOVERNMENTS THAT INCLUDES AT LEAST ONE ELIGIBLE COUNTY OR, IF
3 APPLICABLE, AT LEAST ONE ELIGIBLE MUNICIPALITY.

4 (d) "ELIGIBLE COUNTY" MEANS A COUNTY OR CITY AND COUNTY
5 THAT IS:

6 (I) AS OF DECEMBER 31, 2020, UNDER SEVERE CAPACITY
7 RESTRICTIONS, AS DETERMINED THROUGH A STATEWIDE OR LOCAL PUBLIC
8 HEALTH ORDER THAT HAS BEEN IN EFFECT SINCE DECEMBER 10, 2020, OR
9 EARLIER AND THAT INCLUDES THE FOLLOWING RESTRICTIONS:

10 (A) THE CLOSURE OF RESTAURANTS FOR IN-PERSON, INDOOR
11 DINING;

12 (B) THE CLOSURE OF BARS AND THE PROHIBITION OF INDOOR
13 EVENTS; AND

14 (C) A LIMIT OF THE LESSER OF TEN PERCENT CAPACITY OR TEN
15 PEOPLE PER ROOM OR POOL FOR GYMS, RECREATION CENTERS, AND INDOOR
16 POOLS; AND

17 (II) IN GOOD-FAITH COMPLIANCE WITH THE EXECUTIVE ORDERS
18 PERTAINING TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND
19 ALL APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS THAT
20 ESTABLISH SEVERE CAPACITY RESTRICTIONS, AS DETERMINED BY THE
21 DIVISION IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH
22 AND ENVIRONMENT AND AS DEMONSTRATED BY:

23 (A) THE COUNTY'S GOOD-FAITH EFFORTS TO ENFORCE OR PROMOTE
24 COMPLIANCE WITH APPLICABLE EXECUTIVE AND PUBLIC HEALTH ORDERS
25 WITHIN THE SCOPE OF ITS AUTHORITY AND IN CONSIDERATION OF
26 AVAILABLE RESOURCES, INCLUDING ENGAGING LAW ENFORCEMENT TO
27 ENFORCE EXECUTIVE AND PUBLIC HEALTH ORDER VIOLATIONS; AND

1 (B) THE COUNTY NOT ADOPTING A PUBLIC HEALTH ORDER OR
2 ENFORCEMENT POLICY THAT IS LESS RESTRICTIVE THAN A STATEWIDE
3 PUBLIC HEALTH ORDER ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH
4 AND ENVIRONMENT, UNLESS THE COUNTY HAS OBTAINED A VARIANCE OR
5 OTHER EXEMPTION FROM THE DEPARTMENT OF PUBLIC HEALTH AND
6 ENVIRONMENT.

7 (e) "ELIGIBLE ECONOMIC DEVELOPMENT DISTRICT" MEANS AN
8 ECONOMIC DEVELOPMENT DISTRICT DESIGNATED BY THE UNITED STATES
9 ECONOMIC DEVELOPMENT ADMINISTRATION THAT INCLUDES AT LEAST ONE
10 ELIGIBLE COUNTY OR, IF APPLICABLE, AT LEAST ONE ELIGIBLE
11 MUNICIPALITY.

12 (f) "ELIGIBLE INDUSTRY CATEGORY" MEANS A:

13 (I) RESTAURANT, INCLUDING ANY LIQUOR LICENSED
14 ESTABLISHMENT HOLDING A HOTEL AND RESTAURANT LICENSE PURSUANT
15 TO SECTION 44-3-413;

16 (II) BAR, INCLUDING A LIQUOR LICENSED ESTABLISHMENT
17 HOLDING ONE OR MORE OF THE FOLLOWING LICENSES:

- 18 (A) A LIMITED WINERY LICENSE UNDER SECTION 44-3-403;
- 19 (B) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;
- 20 (C) A HOTEL AND RESTAURANT LICENSE UNDER SECTION 44-3-413;
- 21 (D) A TAVERN LICENSE UNDER SECTION 44-3-414;
- 22 (E) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;
- 23 (F) A RETAIL GAMING TAVERN LICENSE UNDER SECTION 44-3-416;
- 24 (G) A BREW PUB LICENSE UNDER SECTION 44-3-417;
- 25 (H) A CLUB LICENSE UNDER SECTION 44-3-418;
- 26 (I) AN ARTS LICENSE UNDER SECTION 44-3-419;
- 27 (J) A RACETRACK LICENSE UNDER SECTION 44-3-420;

1 (K) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;

2 (L) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;

3 (M) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
4 44-3-428;

5 (N) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
6 44-4-107 (1)(b); OR

7 (O) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
8 44-4-107 (1)(c);

9 (III) BREWERY, LICENSED PURSUANT TO SECTION 44-3-407
10 (1)(b)(I) AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO
11 SECTION 44-3-407 (1)(b);

12 (IV) WINERY, LICENSED PURSUANT TO SECTION 44-3-402 (1) OR
13 44-3-403 AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO
14 SECTION 44-3-402 (2) OR 44-3-403 (2)(e);

15 (V) DISTILLERY, LICENSED PURSUANT TO SECTION 44-3-402 (1)
16 AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO SECTION
17 44-3-402 (7);

18 (VI) CATERER;

19 (VII) MOVIE THEATER; OR

20 (VIII) FITNESS AND RECREATIONAL SPORTS CENTER.

21 (g) "ELIGIBLE LOCAL GOVERNMENT" MEANS AN ELIGIBLE COUNTY,
22 ELIGIBLE COUNCIL OF GOVERNMENTS, OR ELIGIBLE ECONOMIC
23 DEVELOPMENT DISTRICT; EXCEPT THAT, IF A COUNTY IS DETERMINED BY
24 THE DIVISION TO BE INELIGIBLE BASED ON THE COUNTY'S FAILURE TO MEET
25 THE CRITERIA SPECIFIED IN SUBSECTION (1)(d) OF THIS SECTION OR IF A
26 COUNTY IS UNABLE TO ADMINISTER THE RELIEF PROGRAM, ELIGIBLE
27 MUNICIPALITIES WITHIN THE COUNTY, EITHER ACTING SEPARATELY OR

1 AS A GROUP, CONSTITUTE AN ELIGIBLE LOCAL GOVERNMENT AND MAY
2 PARTICIPATE IN THE RELIEF PROGRAM.

3 (h) "ELIGIBLE MUNICIPALITY" MEANS A MUNICIPALITY THAT IS:

4 (I) AS OF DECEMBER 31, 2020, UNDER SEVERE CAPACITY
5 RESTRICTIONS, AS DETERMINED THROUGH A STATEWIDE OR LOCAL PUBLIC
6 HEALTH ORDER THAT HAS BEEN IN EFFECT SINCE DECEMBER 10, 2020, OR
7 EARLIER AND THAT INCLUDES THE FOLLOWING RESTRICTIONS:

8 (A) THE CLOSURE OF RESTAURANTS FOR IN-PERSON, INDOOR
9 DINING;

10 (B) THE CLOSURE OF BARS AND THE PROHIBITION OF INDOOR
11 EVENTS; AND

12 (C) A LIMIT OF THE LESSER OF TEN PERCENT CAPACITY OR TEN
13 PEOPLE PER ROOM OR POOL FOR GYMS, RECREATION CENTERS, AND INDOOR
14 POOLS; AND

15 (II) IN GOOD-FAITH COMPLIANCE WITH THE EXECUTIVE ORDERS
16 PERTAINING TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND
17 ALL APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS THAT
18 ESTABLISH SEVERE CAPACITY RESTRICTIONS, AS DETERMINED BY THE
19 DIVISION IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH
20 AND ENVIRONMENT AND AS DEMONSTRATED BY:

21 (A) THE MUNICIPALITY'S GOOD-FAITH EFFORTS TO ENFORCE OR
22 PROMOTE COMPLIANCE WITH APPLICABLE EXECUTIVE AND PUBLIC HEALTH
23 ORDERS WITHIN THE SCOPE OF ITS AUTHORITY AND IN CONSIDERATION OF
24 AVAILABLE RESOURCES, INCLUDING ENGAGING LAW ENFORCEMENT TO
25 ENFORCE EXECUTIVE AND PUBLIC HEALTH ORDER VIOLATIONS; AND

26 (B) THE MUNICIPALITY NOT ADOPTING A PUBLIC HEALTH ORDER OR
27 ENFORCEMENT POLICY THAT IS LESS RESTRICTIVE THAN A STATEWIDE

1 PUBLIC HEALTH ORDER ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH
2 AND ENVIRONMENT, UNLESS THE MUNICIPALITY HAS OBTAINED A
3 VARIANCE OR OTHER EXEMPTION FROM THE DEPARTMENT OF PUBLIC
4 HEALTH AND ENVIRONMENT.

5 (i) "ELIGIBLE SMALL BUSINESS" MEANS A SMALL BUSINESS THAT:

6 (I) IS LOCATED IN AN ELIGIBLE COUNTY OR, IF APPLICABLE, AN
7 ELIGIBLE MUNICIPALITY, AS OF THE TIME OF APPLICATION FOR ___ RELIEF;

8 (II) IS CURRENTLY OPERATING IN THE STATE, AS EVIDENCED BY:

9 (A) VERIFICATION OF THE SMALL BUSINESS'S COLORADO INCOME
10 TAX ACCOUNT NUMBER OR, FOR A SMALL BUSINESS THAT IS EXEMPT FROM
11 FILING A COLORADO INCOME TAX RETURN, THE COLORADO TAX EXEMPT
12 CERTIFICATE NUMBER; AND

13 (B) THE SMALL BUSINESS'S RECEIPT FROM ITS MOST RECENT
14 PAYMENT OF UNEMPLOYMENT INSURANCE PAYROLL TAXES;

15 (III) IS ENGAGED IN AN ELIGIBLE INDUSTRY CATEGORY, AS
16 VERIFIED BY ITS NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM
17 (NAICS) CODE;

18 (IV) DEMONSTRATES ITS INTENT TO CONTINUE OPERATING IN THE
19 STATE FOR AT LEAST SIX MONTHS;

20 (V) PROVIDES EVIDENCE OF AT LEAST TWENTY PERCENT REVENUE
21 LOSS SINCE MARCH 26, 2020, DUE TO THE RESTRICTIONS IMPOSED ON THE
22 BUSINESS UNDER THE GOVERNOR'S EXECUTIVE ORDER D 2020 017,
23 ORDERING COLORADANS TO STAY AT HOME, AND THE DEPARTMENT OF
24 PUBLIC HEALTH AND ENVIRONMENT'S AMENDED PUBLIC HEALTH ORDER
25 20-24 IMPLEMENTING STAY-AT-HOME REQUIREMENTS; EXCEPT THAT THIS
26 SUBSECTION (1)(i)(V) DOES NOT APPLY TO A SMALL BUSINESS THAT BEGAN
27 OPERATING ON OR AFTER JANUARY 1, 2020, AND ON OR BEFORE MARCH

1 26, 2020;

2 (VI) HAS A VALID BUSINESS LICENSE AND IS IN GOOD STANDING
3 WITH THE AGENCY THAT ISSUED THE BUSINESS LICENSE; AND

4 (VII) CERTIFIES TO THE ELIGIBLE LOCAL GOVERNMENT TO WHICH
5 THE SMALL BUSINESS APPLIES FOR A RELIEF PAYMENT UNDER THE DIRECT
6 RELIEF PROGRAM THAT THE SMALL BUSINESS:

7 (A) HAS NOT APPLIED FOR NOR RECEIVED ANY OTHER RELIEF
8 PAYMENTS FROM THE ARTS RELIEF PROGRAM CREATED IN SECTION
9 24-48.5-316, ENACTED BY SENATE BILL 20B-001, ENACTED IN THE FIRST
10 EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY;
11 AND

12 (B) IS IN COMPLIANCE WITH THE EXECUTIVE ORDERS PERTAINING
13 TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND ALL
14 APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS, INCLUDING
15 CAPACITY RESTRICTIONS.

16 (i) "SMALL BUSINESS" MEANS A CORPORATION, LIMITED LIABILITY
17 COMPANY, PARTNERSHIP, SOLE PROPRIETORSHIP, OR OTHER BUSINESS
18 ENTITY THAT:

19 (I) HAS ITS HEADQUARTERS LOCATED IN AND IS DOING BUSINESS
20 IN COLORADO;

21 (II) HAS AT LEAST ONE FULL-TIME EMPLOYEE; EXCEPT THAT THE
22 REQUIREMENT TO HAVE ONE EMPLOYEE DOES NOT APPLY TO A SMALL
23 BUSINESS THAT IS A SOLE PROPRIETORSHIP; AND

24 (III) (A) FOR A SMALL BUSINESS THAT WAS OPERATING BEFORE
25 JANUARY 1, 2020, HAD ANNUAL RECEIPTS OF LESS THAN TWO MILLION FIVE
26 HUNDRED THOUSAND DOLLARS FOR THE 2019 CALENDAR YEAR; AND

27 (B) FOR A SMALL BUSINESS THAT BEGAN OPERATING ON OR AFTER

1 JANUARY 1, 2020, AND ON OR BEFORE MARCH 26, 2020, HAD ANNUAL
2 RECEIPTS OF LESS THAN TWO MILLION FIVE HUNDRED THOUSAND DOLLARS
3 IN THE 2020 CALENDAR YEAR.

4 (k) "SMALL BUSINESS RELIEF PROGRAM" OR "RELIEF PROGRAM"
5 MEANS THE SMALL BUSINESS RELIEF PROGRAM CREATED IN SUBSECTION
6 (2) OF THIS SECTION.

7 (2) **Small business relief program.** (a) (I) (A) THERE IS CREATED
8 IN THE DIVISION THE SMALL BUSINESS RELIEF PROGRAM TO ALLOCATE
9 MONEY TO ELIGIBLE LOCAL GOVERNMENTS TO PROVIDE RELIEF
10 PAYMENTS TO ELIGIBLE SMALL BUSINESSES OPERATING WITHIN THE
11 GEOGRAPHICAL BOUNDARIES OF THOSE ELIGIBLE LOCAL GOVERNMENTS.
12 THE DIVISION SHALL DEVELOP A PROCESS FOR ELIGIBLE LOCAL
13 GOVERNMENTS TO APPLY FOR AN ALLOCATION OF AVAILABLE MONEY TO
14 PROVIDE RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES OPERATING
15 WITHIN THEIR BOUNDARIES. NOTWITHSTANDING SUBSECTION (1)(d)(I) OF
16 THIS SECTION, IF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
17 ISSUES A STATEWIDE PUBLIC HEALTH ORDER AFTER DECEMBER 10, 2020,
18 AND ON OR BEFORE DECEMBER 31, 2020, THAT IMPOSES SEVERE CAPACITY
19 RESTRICTIONS, AS SPECIFIED IN SUBSECTIONS (1)(d)(I)(A), (1)(d)(I)(B),
20 AND (1)(d)(I)(C) OF THIS SECTION, ON A COUNTY THAT WAS NOT SUBJECT
21 TO THOSE SAME RESTRICTIONS ON OR BEFORE DECEMBER 10, 2020, THE
22 DIVISION SHALL NOTIFY THE COUNTY OF THE AVAILABILITY OF THE RELIEF
23 PROGRAM AND ACCEPT AN APPLICATION TO PARTICIPATE IN THE PROGRAM
24 FROM THE COUNTY. THE COUNTY MUST SATISFY ALL OTHER
25 REQUIREMENTS OF SUBSECTION (1)(d) OF THIS SECTION TO BE ELIGIBLE
26 FOR AN ALLOCATION PURSUANT TO THIS SECTION.

27 (B) AN ELIGIBLE LOCAL GOVERNMENT THAT CHOOSES TO APPLY TO

1 PARTICIPATE IN THE RELIEF PROGRAM MUST SUBMIT AN APPLICATION TO
2 THE DIVISION BY JANUARY 8, 2021, AND BY JANUARY 15, 2021,THE
3 DIVISION SHALL ALLOCATE THE MONEY APPROPRIATED PURSUANT TO
4 SUBSECTION (3) OF THIS SECTION TO ELIGIBLE LOCAL GOVERNMENTS.
5 EXCEPT AS PROVIDED IN SUBSECTIONS (2)(a)(II) AND (2)(a)(III) OF THIS
6 SECTION, THE DIVISION SHALL ALLOCATE MONEY TO ELIGIBLE LOCAL
7 GOVERNMENTS BASED ON THE POPULATION OF THE ELIGIBLE LOCAL
8 GOVERNMENTS, AS DETERMINED PURSUANT TO THE MOST RECENTLY
9 PUBLISHED POPULATION ESTIMATES FROM THE STATE DEMOGRAPHER
10 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
11 AFFAIRS.

12 (II) FOR PURPOSES OF THE ALLOCATION TO AN ELIGIBLE LOCAL
13 GOVERNMENT THAT IS AN ELIGIBLE MUNICIPALITY, THE DIVISION SHALL
14 ALLOCATE THE MONEY TO THE ELIGIBLE MUNICIPALITY BASED ON THE
15 PROPORTION OF THE POPULATION OF THE COUNTY IN WHICH THE ELIGIBLE
16 MUNICIPALITY IS LOCATED THAT IS ATTRIBUTABLE TO THE ELIGIBLE
17 MUNICIPALITY.

18 (III) THE DIVISION SHALL SET ASIDE TEN PERCENT OF THE TOTAL
19 AMOUNT APPROPRIATED PURSUANT TO SUBSECTION (3) OF THIS SECTION
20 TO DISTRIBUTE ADDITIONAL AMOUNTS TO ELIGIBLE COUNTIES THAT:

21 (A) DEMONSTRATE HIGH NEEDS, AS DETERMINED BY THE DIVISION;
22 AND

23 (B) HAVE A POPULATION OF NOT MORE THAN ONE HUNDRED
24 THOUSAND PEOPLE.

25 (b) (I) THE DIVISION MAY ALLOCATE UP TO THE AMOUNT
26 APPROPRIATED TO THE DIVISION PURSUANT TO SUBSECTION (3) OF THIS
27 SECTION TO ELIGIBLE LOCAL GOVERNMENTS IN THE STATE UNDER THE ___

1 RELIEF PROGRAM; EXCEPT THAT THE DIVISION MAY USE UP TO FIVE
2 PERCENT OF THE APPROPRIATED AMOUNT FOR THE DIVISION'S AND
3 ELIGIBLE LOCAL GOVERNMENTS' ADMINISTRATIVE COSTS IN OPERATING
4 AND ADMINISTERING THE RELIEF PROGRAM.

5 (II) ELIGIBLE SMALL BUSINESSES MAY RECEIVE RELIEF
6 PAYMENTS AS FOLLOWS, REDUCED AS NECESSARY BY THE ELIGIBLE LOCAL
7 GOVERNMENT TO AVOID EXCEEDING THE TOTAL AMOUNT ALLOCATED TO
8 THE ELIGIBLE LOCAL GOVERNMENT PURSUANT TO SUBSECTION (2)(a) OF
9 THIS SECTION:

10 (A) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD LESS THAN FIVE
11 HUNDRED THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR,
12 A RELIEF PAYMENT OF UP TO THREE THOUSAND FIVE HUNDRED
13 DOLLARS;

14 (B) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD FIVE HUNDRED
15 THOUSAND DOLLARS OR MORE BUT NOT MORE THAN ONE MILLION
16 DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A RELIEF PAYMENT
17 OF UP TO FIVE THOUSAND DOLLARS; AND

18 (C) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD ONE MILLION
19 DOLLARS OR MORE BUT NOT MORE THAN TWO MILLION FIVE HUNDRED
20 THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A RELIEF
21 PAYMENT OF UP TO SEVEN THOUSAND DOLLARS.

22 (c) (I) EACH ELIGIBLE LOCAL GOVERNMENT SHALL ESTABLISH A
23 PROCESS FOR SMALL BUSINESSES TO APPLY FOR AND DEMONSTRATE
24 ELIGIBILITY FOR RELIEF PAYMENTS AND THE AMOUNT FOR WHICH A
25 SMALL BUSINESS IS ELIGIBLE UNDER THE RELIEF PROGRAM. AN ELIGIBLE
26 LOCAL GOVERNMENT MAY USE ANY NEW OR EXISTING PROCESSES
27 AVAILABLE IN THE LOCAL GOVERNMENT, INCLUDING PROCESSES

1 AVAILABLE THROUGH INTERGOVERNMENTAL AGREEMENTS WITH OTHER
2 ELIGIBLE LOCAL GOVERNMENTS OR POLITICAL SUBDIVISIONS AND
3 CONTRACTS WITH PUBLIC OR PRIVATE ENTITIES, TO ENABLE THE ELIGIBLE
4 LOCAL GOVERNMENT TO:

5 (A) PROVIDE THE _____ RELIEF PAYMENTS TO ELIGIBLE SMALL
6 BUSINESSES IN THE LEAST COSTLY AND MOST EXPEDITIOUS AND EFFICIENT
7 MANNER; AND

8 (B) ENCOURAGE AND FACILITATE THE EQUITABLE DISTRIBUTION
9 OF RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES WITHIN THE
10 MUNICIPALITIES AND POLITICAL SUBDIVISIONS LOCATED WITHIN THE
11 GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT.

12 (II) EACH ELIGIBLE LOCAL GOVERNMENT THAT RECEIVES AN
13 ALLOCATION FROM THE DIVISION PURSUANT TO THE RELIEF PROGRAM
14 SHALL:

15 (A) ALLOW SMALL BUSINESSES LOCATED WITHIN THE
16 GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT A
17 SPECIFIED PERIOD OF NOT LESS THAN TWENTY-ONE DAYS DURING WHICH
18 TO APPLY FOR RELIEF PAYMENTS;

19 (B) NOT DISTRIBUTE RELIEF PAYMENTS BASED ON THE ORDER IN
20 WHICH APPLICATIONS ARE SUBMITTED OR RECEIVED; AND

21 (C) COLLECT SUFFICIENT INFORMATION FROM SMALL BUSINESS
22 APPLICANTS TO ENABLE THE ELIGIBLE LOCAL GOVERNMENT TO ISSUE AN
23 INTERNAL REVENUE SERVICE FORM 1099 TO AN ELIGIBLE SMALL BUSINESS
24 THAT RECEIVES A RELIEF PAYMENT PURSUANT TO THIS SECTION.

25 (III) ELIGIBLE LOCAL GOVERNMENTS THAT APPLY TO PARTICIPATE
26 IN THE RELIEF PROGRAM MUST COMMUNICATE INFORMATION ABOUT THE
27 RELIEF PROGRAM IN A MANNER THAT INFORMS SMALL BUSINESSES

1 LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE
2 LOCAL GOVERNMENT ABOUT THE RELIEF PROGRAM AND HOW AND WHEN
3 TO APPLY FOR RELIEF PAYMENTS.

4 (IV) ELIGIBLE LOCAL GOVERNMENTS SHALL DETERMINE THE
5 RELIEF PAYMENT AMOUNT FOR EACH ELIGIBLE SMALL BUSINESS WITHIN
6 THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT
7 BASED ON THE PAYMENT AMOUNTS SPECIFIED IN SUBSECTION (2)(b)(II) OF
8 THIS SECTION, REDUCED AS NECESSARY BASED ON THE TOTAL AMOUNT
9 ALLOCATED TO THE ELIGIBLE LOCAL GOVERNMENT PURSUANT TO
10 SUBSECTION (2)(a) OF THIS SECTION, AND SHALL MAKE THE DISTRIBUTION
11 OF RELIEF PAYMENTS AS SOON AS PRACTICABLE AFTER RECEIVING THE
12 MONEY FROM THE DIVISION, BUT NO LATER THAN FEBRUARY 12, 2021. AN
13 ELIGIBLE LOCAL GOVERNMENT SHALL PROVIDE AN INTERNAL REVENUE
14 SERVICE FORM 1099 TO EACH ELIGIBLE SMALL BUSINESS TO WHICH IT
15 DISTRIBUTES A RELIEF PAYMENT PURSUANT TO THIS SECTION.

16 (V) IF, AFTER DISTRIBUTING RELIEF PAYMENTS TO ALL ELIGIBLE
17 SMALL BUSINESSES IN THE ELIGIBLE LOCAL GOVERNMENT, THE ELIGIBLE
18 LOCAL GOVERNMENT HAS MONEY REMAINING FROM ITS ALLOCATION FROM
19 THE DIVISION, THE ELIGIBLE LOCAL GOVERNMENT MAY ACCEPT
20 APPLICATIONS FROM AND DISTRIBUTE THE REMAINING MONEY TO OTHER
21 BUSINESSES IN THE ELIGIBLE LOCAL GOVERNMENT THAT MEET ALL THE
22 REQUIREMENTS SPECIFIED IN SUBSECTIONS (1)(i) AND (1)(j) OF THIS
23 SECTION EXCEPT SUBSECTION (1)(j)(III) OF THIS SECTION. THE ELIGIBLE
24 LOCAL GOVERNMENT SHALL NOT DISTRIBUTE MORE THAN SEVEN
25 THOUSAND DOLLARS TO ANY BUSINESS THAT IS ELIGIBLE FOR A RELIEF
26 PAYMENT PURSUANT TO THIS SUBSECTION (2)(c)(V).

27 (d) THE DIVISION MAY DEVELOP POLICIES AND PROCEDURES

1 NECESSARY FOR THE OPERATION OF THE ___ RELIEF PROGRAM, INCLUDING:

2 (I) THE APPLICATION AND INFORMATION SUBMITTAL PROCESS; AND

3 ==

4 (II) A REQUIREMENT THAT EACH ELIGIBLE LOCAL GOVERNMENT
5 THAT RECEIVES AN ALLOCATION PROVIDE A REPORT TO THE DIVISION
6 DESCRIBING HOW THE MONEY WAS DISTRIBUTED TO ELIGIBLE SMALL
7 BUSINESSES AND HOW MUCH OF THE ALLOCATION THE ELIGIBLE LOCAL
8 GOVERNMENT USED FOR ADMINISTRATIVE COSTS, DETAILING HOW THE
9 MONEY FOR ADMINISTRATIVE COSTS WAS SPENT.

10 (e) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
11 AN ELIGIBLE SMALL BUSINESS THAT RECEIVES A ___ RELIEF PAYMENT
12 PURSUANT TO THE ___ RELIEF PROGRAM:

13 (I) IS NOT ELIGIBLE FOR ANY OTHER ___ RELIEF PAYMENTS FROM
14 THE ARTS RELIEF PROGRAM CREATED IN SECTION 24-48.5-316, ENACTED
15 BY SENATE BILL 20B-001, ENACTED IN THE FIRST EXTRAORDINARY
16 SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY; AND

17 (II) IS REQUIRED TO RETURN ANY ___ RELIEF PAYMENT RECEIVED
18 PURSUANT TO THE ___ RELIEF PROGRAM IF THE ELIGIBLE SMALL BUSINESS
19 IS FOUND TO BE OUT OF COMPLIANCE WITH ANY ELIGIBILITY CRITERIA
20 SPECIFIED IN SUBSECTION (1)(i) OF THIS SECTION.

21 (3) Funding. FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL
22 ASSEMBLY SHALL APPROPRIATE THIRTY-SEVEN MILLION DOLLARS FROM
23 THE GENERAL FUND TO THE DEPARTMENT OF LOCAL AFFAIRS FOR USE BY
24 THE DIVISION IN ACCORDANCE WITH THIS SECTION.

25 (4) **Report.** (a) AS PART OF ITS REPORT PURSUANT TO THE "STATE
26 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
27 (SMART) GOVERNMENT ACT" BEFORE THE 2022 LEGISLATIVE SESSION,

1 THE DIVISION SHALL SUBMIT A REPORT TO THE LOCAL GOVERNMENT
2 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE AND THE
3 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE
4 OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING HOW ==
5 RELIEF PROGRAM MONEY WAS ALLOCATED, INCLUDING:

6 (I) THE LIST OF ELIGIBLE LOCAL GOVERNMENTS THAT RECEIVED AN
7 ALLOCATION UNDER THE PROGRAM;

8 (II) THE AMOUNT EACH ELIGIBLE LOCAL GOVERNMENT RECEIVED,
9 DETAILING HOW MUCH OF EACH ALLOCATION TO EACH ELIGIBLE LOCAL
10 GOVERNMENT WAS:

11 (A) DISTRIBUTED BY THE ELIGIBLE LOCAL GOVERNMENT TO
12 ELIGIBLE SMALL BUSINESSES; AND

13 (B) SPENT BY THE ELIGIBLE LOCAL GOVERNMENT FOR
14 ADMINISTRATIVE COSTS, SPECIFYING THE PURPOSES FOR WHICH THE
15 MONEY WAS SPENT;

16 (III) INFORMATION ABOUT THE ELIGIBLE SMALL BUSINESSES THAT
17 RECEIVED == RELIEF PAYMENTS AND THE AMOUNT OF THE PAYMENTS; AND

18 (IV) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
19 DIVISION.

20 (b) THE DIVISION SHALL ALSO SUBMIT THE REPORT TO THE
21 GOVERNOR.

22 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
23 2022.

24 **SECTION 3.** In Colorado Revised Statutes, 39-21-113, **add** (27)
25 as follows:

26 **39-21-113. Reports and returns - rule.** (27) NOTWITHSTANDING
27 ANY OTHER PROVISION OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE

1 DEPARTMENT OF REVENUE SHALL PROVIDE THE DIVISION OF LOCAL
2 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS, OR ANY ELIGIBLE
3 LOCAL GOVERNMENT, AS DEFINED IN SECTION 24-32-129 (1)(g), WITH ANY
4 INFORMATION OBTAINED PURSUANT TO THIS SECTION THAT IS NECESSARY
5 TO VERIFY THE ELIGIBILITY OF A SMALL BUSINESS FOR A RELIEF
6 PAYMENT PURSUANT TO SECTION 24-32-129. ANY INFORMATION
7 PROVIDED TO THE DIVISION OR TO AN ELIGIBLE LOCAL GOVERNMENT
8 PURSUANT TO THIS SUBSECTION (27) REMAINS CONFIDENTIAL, AND ANY
9 EMPLOYEE OF THE DIVISION OR AN ELIGIBLE LOCAL GOVERNMENT SHALL
10 BE SUBJECT TO THE LIMITATIONS SET FORTH IN SUBSECTION (4) OF THIS
11 SECTION AND THE PENALTIES CONTAINED IN SUBSECTION (6) OF THIS
12 SECTION.

13 **SECTION 4.** In Colorado Revised Statutes, 24-48.5-301, **amend**
14 (2)(a)(IV), (2)(a)(V), (2)(b) introductory portion, (2)(b)(III), and
15 (2)(b)(IV); and **add** (2)(a)(VI) and (2)(b)(V) as follows:

16 **24-48.5-301. Creative industries division - creative industries**
17 **cash fund - creation - definition - repeal.** (2) (a) There is hereby
18 created in the state treasury the creative industries cash fund, referred to
19 in this section as the "fund". The fund consists of:

20 (IV) ~~Moneys~~ MONEY appropriated to the fund by the general
21 assembly, including, but not limited to, ~~moneys~~ MONEY appropriated for
22 the purpose of providing need-based funding for infrastructure
23 development within creative districts as authorized by section
24 24-48.5-314 (5)(b); and

25 (V) Any gifts, grants, or donations from private or public sources
26 that the division is hereby authorized to seek and accept; AND

27 (VI) (A) SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS

1 APPROPRIATED BY THE GENERAL ASSEMBLY TO THE FUND FOR THE ARTS
2 RELIEF PROGRAM ESTABLISHED PURSUANT TO SECTION 24-48.5-316.

3 (B) THIS SUBSECTION (2)(a)(VI) IS REPEALED, EFFECTIVE
4 DECEMBER 31, 2022.

5 (b) The ~~moneys~~ MONEY in the fund shall be annually appropriated
6 to the division for the operation of the division, and for the following:

7 (III) For the purchase of works of art pursuant to the art in public
8 places program, taking into consideration the artist's preliminary site visit,
9 the design fee, the total costs of construction and installation of the work
10 of art, jury expenses, and program administration in compliance with the
11 provisions of section 24-48.5-312 (6); and

12 (IV) For need-based funding for infrastructure development in
13 creative districts as authorized by section 24-48.5-314 (5)(b), to the extent
14 that the general assembly appropriates ~~moneys~~ MONEY to the fund for that
15 purpose; AND

16 (V) (A) WITH REGARD TO THE AMOUNT APPRIOPRIATED TO THE
17 FUND PURSUANT TO SUBSECTION (2)(a)(VI) OF THIS SECTION, FOR THE
18 ARTS RELIEF PROGRAM ESTABLISHED PURSUANT TO SECTION 24-48.5-316.

19 (B) THIS SUBSECTION (2)(b)(V) IS REPEALED, EFFECTIVE
20 DECEMBER 31, 2022.

21 **SECTION 5.** In Colorado Revised Statutes, **add** 24-48.5-316 as
22 follows:

23 **24-48.5-316. COVID-19 == relief program for arts, cultural,**
24 **and entertainment artists, crew members, and organizations -**
25 **definitions - report - repeal. (1) Definitions.** AS USED IN THIS SECTION,
26 UNLESS THE CONTEXT OTHERWISE REQUIRES:

27 (a) "ARTS, CULTURE, AND ENTERTAINMENT ARTIST OR CREW

1 MEMBER" MEANS AN INDIVIDUAL INVOLVED IN THE MUSIC, THEATER,
2 MOTION PICTURE, TELEVISION, DANCE, OR VISUAL ARTS INDUSTRY.

3 (b) "ARTS, CULTURE, AND ENTERTAINMENT ORGANIZATION"
4 MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION INVOLVED IN THE
5 MUSIC, THEATER, MOTION PICTURE, TELEVISION, DANCE, OR VISUAL ARTS
6 INDUSTRY.

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

10 (2) **Arts relief program.** (a) (I) THE DIVISION SHALL ADMINISTER
11 OR CONTRACT WITH A THIRD PARTY TO ADMINISTER AN ARTS RELIEF
12 PROGRAM TO PROVIDE RELIEF PAYMENTS TO ARTS, CULTURE, AND
13 ENTERTAINMENT ARTISTS, CREW MEMBERS, AND ORGANIZATIONS THAT
14 MEET ELIGIBILITY CRITERIA DEVELOPED BY THE DIVISION. WHEN
15 DETERMINING ELIGIBILITY FOR AND THE SIZE OF AN ARTS RELIEF PAYMENT,
16 THE DIVISION SHALL:

17 (A) CONSIDER THE TYPE OF ARTS, CULTURE, AND ENTERTAINMENT
18 ARTIST, CREW MEMBER, OR ORGANIZATION THAT IS APPLYING FOR AN ARTS
19 RELIEF PAYMENT, THE IMPACT OF THE COVID-19 PANDEMIC ON THE
20 ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S BUSINESS MODEL, IF
21 APPLICABLE, THE SIZE OF THE ORGANIZATION, IF THE APPLICANT IS AN
22 ORGANIZATION, AND THE AVAILABILITY OF AND THE ARTIST'S, CREW
23 MEMBER'S, OR ORGANIZATION'S ACCESS TO OTHER RELIEF OR GRANT
24 FUNDING; AND

25 (B) PRIORITIZE ARTS, CULTURE, AND ENTERTAINMENT
26 ORGANIZATIONS WHOSE VENUES ARE DETERMINED TO BE AT THE HIGHEST
27 RISK OF PERMANENT CLOSURE.

1 (II) THE DIVISION SHALL NOT DISTRIBUTE RELIEF PAYMENTS BASED
2 ON THE ORDER IN WHICH APPLICATIONS ARE SUBMITTED OR RECEIVED.

3 (III) THE DIVISION SHALL COLLECT SUFFICIENT INFORMATION
4 FROM APPLICANTS TO ENABLE THE DIVISION TO ISSUE AN INTERNAL
5 REVENUE SERVICE FORM 1099 TO AN APPLICANT THAT RECEIVES A RELIEF
6 PAYMENT PURSUANT TO THIS SECTION. WHEN ISSUING A RELIEF PAYMENT
7 TO AN APPLICANT, THE DIVISION SHALL PROVIDE THE INTERNAL REVENUE
8 SERVICE FORM 1099 TO THE APPLICANT.

9 (b) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
10 CONTRARY, AN ARTS, CULTURE, AND ENTERTAINMENT ARTIST, CREW
11 MEMBER, OR ORGANIZATION THAT RECEIVES AN ARTS RELIEF PAYMENT
12 PURSUANT TO THIS SECTION IS NOT ELIGIBLE FOR ANY OTHER RELIEF
13 PAYMENTS FROM THE SMALL BUSINESS RELIEF PROGRAM CREATED IN
14 SECTION 24-32-129, ENACTED BY SENATE BILL 20B-001, ENACTED IN THE
15 FIRST EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL
16 ASSEMBLY. AN ORGANIZATION THAT APPLIES FOR AN ARTS RELIEF
17 PAYMENT PURSUANT TO THIS SECTION SHALL CERTIFY THAT THE
18 ORGANIZATION NEITHER APPLIED FOR NOR RECEIVED ANY OTHER RELIEF
19 PAYMENTS FROM THE SMALL BUSINESS RELIEF PROGRAM CREATED
20 IN SECTION 24-32-129, ENACTED BY SENATE BILL 20B-001, ENACTED IN
21 THE FIRST EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL
22 ASSEMBLY.

23 (3) **Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL
24 ASSEMBLY SHALL APPROPRIATE SEVEN MILLION FIVE HUNDRED THOUSAND
25 DOLLARS FROM THE GENERAL FUND TO THE CREATIVE INDUSTRIES CASH
26 FUND CREATED IN SECTION 24-48.5-301 (2) FOR THE ARTS RELIEF
27 PROGRAM. THE DIVISION MAY USE UP TO FIVE PERCENT OF THE AMOUNT

1 APPROPRIATED PURSUANT TO THIS SECTION FOR ITS ADMINISTRATIVE
2 COSTS IN ADMINISTERING OR CONTRACTING WITH A THIRD PARTY TO
3 ADMINISTER THE ARTS RELIEF PROGRAM.

4 (4) **Report.** BY NOVEMBER 1, 2021, THE DIVISION SHALL SUBMIT
5 A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR, AND TECHNOLOGY
6 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE, AND THE
7 BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF
8 REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE DETAILING HOW THE
9 MONEY WAS ALLOCATED THROUGH THE ARTS RELIEF PROGRAM,
10 INCLUDING:

11 (a) THE LIST OF ARTS RELIEF PAYMENT RECIPIENTS AND THE
12 AMOUNT ALLOCATED TO EACH RECIPIENT;

13 (b) THE TYPES OF ARTS, CULTURE, AND ENTERTAINMENT ARTISTS,
14 CREW MEMBERS, AND ORGANIZATIONS THAT RECEIVED ARTS RELIEF
15 PAYMENTS; AND

16 (c) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
17 DIVISION.

18 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
19 2022.

20 **SECTION 6.** In Colorado Revised Statutes, 25-4-1607, **amend**
21 (10) as follows:

22 **25-4-1607. Fees - repeal.** (10) (a) County or district boards of
23 health created in part 5 of article 1 of this ~~title~~ TITLE 25 shall collect fees
24 under this section if the county or district boards of health are authorized
25 by the department to enforce this part 16 and any rules promulgated
26 pursuant to this part 16.

27 (b) (I) NOTWITHSTANDING SUBSECTION (10)(a) OF THIS SECTION,

1 STARTING JANUARY 1, 2020, THROUGH DECEMBER 31, 2021, COUNTY OR
2 DISTRICT BOARDS OF HEALTH AND THE CITY AND COUNTY OF DENVER MAY
3 CONTRACT WITH THE DEPARTMENT TO RECEIVE MONEY FROM THE STATE
4 IN LIEU OF CHARGING ESTABLISHMENTS AN ANNUAL LICENSING FEE.

5 (II) THIS SUBSECTION (10)(b) IS REPEALED, EFFECTIVE DECEMBER
6 31, 2022.

7 **SECTION 7.** In Colorado Revised Statutes, 44-3-501, **add** (6) as
8 follows:

9 **44-3-501. State fees - rules - one-time fee waiver - repeal.**

10 (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
11 CONTRARY, THE FOLLOWING FEES IMPOSED PURSUANT TO THIS SECTION
12 ARE WAIVED FOR TWELVE MONTHS FOLLOWING THE EFFECTIVE DATE OF
13 THIS SUBSECTION (6):

14 (I) LICENSE FEES IMPOSED PURSUANT TO SUBSECTIONS (1)(a)(IV),
15 (1)(g), (1)(h), (1)(i), (1)(j), (1)(k), (1)(l), (1)(m), (1)(n), (1)(o), (1)(p),
16 (1)(q), AND (1)(v) OF THIS SECTION AND PURSUANT TO SECTION 44-4-105;

17 (II) APPLICATION FEES IMPOSED PURSUANT TO SUBSECTION
18 (3)(a)(I), (3)(a)(XII), AND (3)(a)(XIII) OF THIS SECTION AND PURSUANT TO
19 REGULATION 47-302 (F), 1 CCR 203-2; AND

20 (III) ALL FEES ASSOCIATED WITH THE RENEWAL OF A LICENSE.

21 (b) THE WAIVER OF FEES SPECIFIED IN SUBSECTION (6)(a) OF THIS
22 SECTION APPLIES TO THE FOLLOWING LICENSE TYPES:

23 (I) A LIMITED WINERY LICENSE UNDER SECTION 44-3-403;

24 (II) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;

25 (III) A HOTEL AND RESTAURANT LICENSE UNDER SECTION
26 44-3-413;

27 (IV) A TAVERN LICENSE UNDER SECTION 44-3-414;

- 1 (V) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;
- 2 (VI) A RETAIL GAMING TAVERN LICENSE UNDER SECTION
- 3 44-3-416;
- 4 (VII) A BREW PUB LICENSE UNDER SECTION 44-3-417;
- 5 (VIII) A CLUB LICENSE UNDER SECTION 44-3-418;
- 6 (IX) AN ARTS LICENSE UNDER SECTION 44-3-419;
- 7 (X) A RACETRACK LICENSE UNDER SECTION 44-3-420;
- 8 (XI) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;
- 9 (XII) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;
- 10 (XIII) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
- 11 44-3-428;
- 12 (XIV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 13 44-4-107 (1)(b); AND
- 14 (XV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 15 44-4-107 (1)(c).

16 (c) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT NOT
17 TO EXCEED ONE MILLION EIGHT HUNDRED SEVENTY-EIGHT THOUSAND
18 DOLLARS FROM THE GENERAL FUND TO THE LIQUOR ENFORCEMENT
19 DIVISION AND STATE LICENSING AUTHORITY CASH FUND FOR USE BY THE
20 DEPARTMENT TO OFFSET THE REDUCTION IN FEE REVENUES USED BY THE
21 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS OF THE LIQUOR
22 ENFORCEMENT DIVISION AND THE STATE LICENSING AUTHORITY IN THE
23 ADMINISTRATION AND ENFORCEMENT OF ARTICLES 3 TO 5 OF THIS TITLE
24 44.

25 (d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31,
26 2022.

27 **SECTION 8.** In Colorado Revised Statutes, **add** 24-49.5-106 as

1 follows:

2 **24-49.5-106. COVID-19 relief for minority-owned businesses**

3 **- definitions - repeal. (1) Definitions.** AS USED IN THIS SECTION, UNLESS
4 THE CONTEXT OTHERWISE REQUIRES:

5 (a) "CARES ACT" MEANS THE "CORONAVIRUS AID, RELIEF, AND
6 ECONOMIC SECURITY ACT", PUB.L. 116-136, 134 STAT. 281 (2020), AS
7 AMENDED.

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

11 (c) "MINORITY-OWNED BUSINESS" MEANS A BUSINESS THAT IS AT
12 LEAST FIFTY-ONE PERCENT OWNED, OPERATED, AND CONTROLLED BY AN
13 INDIVIDUAL WHO IS A MEMBER OF A MINORITY GROUP, INCLUDING AN
14 INDIVIDUAL WHO IS AFRICAN AMERICAN, ASIAN-INDIAN, ASIAN-PACIFIC
15 AMERICAN, HISPANIC AMERICAN, OR NATIVE AMERICAN.

16 (2) **Relief payments, grants, and loans to minority-owned**
17 **businesses.** (a) (I) THE OFFICE SHALL USE A PORTION OF THE MONEY
18 APPROPRIATED PURSUANT TO SUBSECTION (4) OF THIS SECTION,
19 INCLUDING A PORTION ANNUALLY FOR ADMINISTRATIVE COSTS, TO
20 ADMINISTER A PROGRAM TO PROVIDE:

21 (A) RELIEF PAYMENTS TO MINORITY-OWNED BUSINESSES THAT
22 HAVE BEEN MOST IMPACTED BY COVID-19 AND HAVE LACKED
23 MEANINGFUL ACCESS TO FEDERAL LOANS AND GRANTS UNDER THE
24 CARES ACT; AND

25 (B) GRANTS AND LOANS TO MINORITY-OWNED BUSINESSES FOR
26 START-UP AND GROWTH CAPITAL.

27 (II) THE DIRECTOR SHALL ESTABLISH A PROCESS FOR

1 MINORITY-OWNED BUSINESSES TO APPLY FOR A _____ RELIEF PAYMENT,
2 GRANT, OR LOAN UNDER THE PROGRAM, INCLUDING THE DEADLINE FOR
3 APPLYING, THE INFORMATION AND DOCUMENTATION REQUIRED TO BE
4 SUBMITTED TO THE OFFICE TO DEMONSTRATE ELIGIBILITY FOR A ___ RELIEF
5 PAYMENT, GRANT, OR LOAN, AND ANY OTHER REQUIREMENTS SPECIFIED
6 BY THE DIRECTOR.

7 (b) THE OFFICE SHALL ESTABLISH POLICIES SETTING FORTH THE
8 PARAMETERS AND ELIGIBILITY FOR THE PROGRAM, INCLUDING:

9 (I) THE TERMS OF AND ELIGIBILITY FOR A _____ RELIEF PAYMENT,
10 GRANT, OR LOAN;

11 (II) CAPS ON THE AMOUNT OF A ___ RELIEF PAYMENT, GRANT, OR
12 LOAN;

13 (III) DEADLINES FOR APPLYING FOR A ___ RELIEF PAYMENT, GRANT,
14 OR LOAN;

15 (IV) GRANT REQUIREMENTS AND LOAN REPAYMENT TERMS; AND

16 (V) ANY OTHER POLICIES NECESSARY TO OPERATE THE PROGRAM.

17 (c) THE OFFICE SHALL COLLECT SUFFICIENT INFORMATION FROM
18 MINORITY-OWNED BUSINESSES APPLYING FOR A RELIEF PAYMENT OR
19 GRANT PURSUANT TO THIS SUBSECTION (2) TO ENABLE THE DIVISION TO
20 ISSUE AN INTERNAL REVENUE SERVICE FORM 1099 TO A MINORITY-OWNED
21 BUSINESS THAT RECEIVES A RELIEF PAYMENT OR GRANT. WHEN ISSUING
22 A RELIEF PAYMENT OR GRANT TO A MINORITY-OWNED BUSINESS, THE
23 DIVISION SHALL PROVIDE THE INTERNAL REVENUE SERVICE FORM 1099 TO
24 THE RELIEF PAYMENT OR GRANT RECIPIENT.

25 (3) **Technical support.** THE OFFICE SHALL USE A PORTION OF THE
26 MONEY APPROPRIATED PURSUANT TO SUBSECTION (4) OF THIS SECTION,
27 INCLUDING A PORTION ANNUALLY FOR STAFF AND ADMINISTRATIVE

1 SUPPORT, TO INCREASE THE OFFICE'S ABILITY TO PROVIDE TECHNICAL
2 ASSISTANCE AND CONSULTING SUPPORT TO MINORITY-OWNED BUSINESSES
3 ACROSS THE STATE. THE TECHNICAL ASSISTANCE AND CONSULTING
4 SUPPORT MAY INCLUDE:

5 (a) PROVIDING MINORITY-OWNED BUSINESS LEADERS WITH
6 EXPANDED PROFESSIONAL DEVELOPMENT AND NETWORKING
7 OPPORTUNITIES;

8 (b) INCREASING THE AVAILABILITY OF THE OFFICE'S EXISTING
9 PROGRAMMING AND TECHNICAL SUPPORT, INCLUDING THROUGH THE
10 SMALL BUSINESS DEVELOPMENT CENTER;

11 (c) DESIGNING STATEWIDE CERTIFICATION OPPORTUNITIES; AND

12 (d) CONDUCTING STATEWIDE AND LOCAL OUTREACH CAMPAIGNS
13 TO EDUCATE BUSINESS OWNERS AND ENTREPRENEURS OF PROGRAMMING
14 AND TECHNICAL SUPPORT.

15

16 (4) **Funding.** THE GENERAL ASSEMBLY SHALL APPROPRIATE FOUR
17 MILLION DOLLARS FROM THE GENERAL FUND TO THE COLORADO
18 ECONOMIC DEVELOPMENT FUND CREATED IN SECTION 24-46-105 FOR USE
19 IN ACCORDANCE WITH THIS SECTION IN THE 2020-21 AND 2021-22 STATE
20 FISCAL YEARS.

21 (5) **Report.** BY NOVEMBER 1, 2021, AND NOVEMBER 1, 2022, THE
22 OFFICE SHALL SUBMIT A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR,
23 AND TECHNOLOGY COMMITTEE OF THE SENATE OR ITS SUCCESSOR
24 COMMITTEE, AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE
25 HOUSE OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING
26 HOW THE OFFICE IS EXPENDING THE MONEY APPROPRIATED FOR THE
27 PURPOSES OF THIS SECTION.

1 (6) Repeal. THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
2 2022.

3 SECTION 9. In Colorado Revised Statutes, 24-46-105, **add (6)**
4 as follows:

5 24-46-105. Colorado economic development fund - creation -
6 repeal. (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
7 THE CONTRARY, THE COMMISSION SHALL ALLOCATE MONEY
8 APPROPRIATED TO THE FUND PURSUANT TO SECTION 24-49.5-106 (4) TO
9 THE MINORITY BUSINESS OFFICE CREATED IN SECTION 24-49.5-102 FOR USE
10 IN ACCORDANCE WITH SECTION 24-49.5-106.

11 (b) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

12 SECTION 10. Appropriation. (1) For the 2020-21 state fiscal
13 year, \$37,000,000 is appropriated to the department of local affairs for
14 use by the division of local government. This appropriation is from the
15 general fund and is based on an assumption that the department will
16 require an additional 2.1 FTE. To implement this act, the division may
17 use this appropriation for direct relief to small businesses.

18 (2) (a) For the 2020-21 state fiscal year, \$7,500,000 is
19 appropriated to the creative industries cash fund created in section
20 24-48.5-301 (2)(a), C.R.S. This appropriation is from the general fund.
21 The office of the governor is responsible for the accounting related to this
22 appropriation.

23 (b) For the 2020-21 state fiscal year, \$7,500,000 is appropriated
24 to the office of the governor for use by economic development programs.
25 This appropriation is from reappropriated funds in the creative industries
26 cash fund under subsection (2)(a) of this section. To implement this act,
27 the office may use the appropriation for the council on creative industries.

1 (3) For the 2020-21 state fiscal year, \$4,000,000 is appropriated
2 to the economic development fund created in section 24-48.5-301 (2)(a),
3 C.R.S. This appropriation is from the general fund. The office of the
4 governor is responsible for the accounting related to this appropriation.

5 (4) (a) For the 2020-21 state fiscal year, \$6,780,000 is
6 appropriated to the food protection cash fund created in section
7 25-4-1608 (1), C.R.S. This appropriation is from the general fund. The
8 department of public health and environment is responsible for the
9 accounting related to this appropriation.

10 (b) For the 2020-21 state fiscal year, \$6,780,000 is appropriated
11 to the department of public health and environment for use by the division
12 of environmental health and sustainability. This appropriation is from
13 reappropriated funds in the food protection cash fund under subsection
14 (4)(a) of this section. To implement this act, the division may use the
15 appropriation for the environmental health programs.

16 (c) Any money appropriated in this subsection (4)(b) not expended
17 prior to July 1, 2021, is further appropriated to the department for the
18 2021-22 state fiscal year for the same purpose.

19 (5) For the 2020-21 state fiscal year, \$1,891,775 is appropriated
20 to the department of revenue. This appropriation is from the general fund.
21 To implement this act, the department may use this appropriation as
22 follows:

23 (a) \$13,775 for the division of taxation for tax administration IT
24 system (GenTax) support; and

25 (b) \$1,878,000 for use by the liquor and tobacco enforcement
26 division for personal services.

27 (c) Any money appropriated in this subsection (5)(b) not expended

1 prior to July 1, 2021, is further appropriated to the department for the
2 2021-22 state fiscal year for the same purpose.

3 **SECTION 11. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety.