

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20B-0051.01 Christy Chase x2008

SENATE BILL 20B-001

SENATE SPONSORSHIP

Winter and Priola, Bridges

HOUSE SPONSORSHIP

Herod,

Senate Committees

Finance
Appropriations

House Committees

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.

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

12 **24-32-129. Small business relief program - address negative**
13 **effects of capacity limits due to COVID-19 pandemic - distribution**
14 **through local governments - definitions - report - repeal.**

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

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

20
21 (b) "DIVISION" MEANS THE DIVISION OF LOCAL GOVERNMENT IN
22 THE DEPARTMENT OF LOCAL AFFAIRS.

23 (c) "ELIGIBLE COUNCIL OF GOVERNMENTS" MEANS A COUNCIL OF
24 GOVERNMENTS THAT INCLUDES AT LEAST ONE ELIGIBLE COUNTY.

25 (d) "ELIGIBLE COUNTY" MEANS A COUNTY OR CITY AND COUNTY
26 THAT IS:

27 (I) AS OF DECEMBER 31, 2020, UNDER SEVERE CAPACITY

1 RESTRICTIONS, AS DETERMINED THROUGH A STATEWIDE OR LOCAL PUBLIC
2 HEALTH ORDER THAT HAS BEEN IN EFFECT SINCE DECEMBER 10, 2020, OR
3 EARLIER AND THAT INCLUDES THE FOLLOWING RESTRICTIONS:

4 (A) THE CLOSURE OF RESTAURANTS FOR IN-PERSON, INDOOR
5 DINING;

6 (B) THE CLOSURE OF BARS AND THE PROHIBITION OF INDOOR
7 EVENTS; AND

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

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

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

22 (B) THE COUNTY NOT ADOPTING A PUBLIC HEALTH ORDER OR
23 ENFORCEMENT POLICY THAT IS LESS RESTRICTIVE THAN A STATEWIDE
24 PUBLIC HEALTH ORDER ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH
25 AND ENVIRONMENT, UNLESS THE COUNTY HAS OBTAINED A VARIANCE OR
26 OTHER EXEMPTION FROM THE DEPARTMENT OF PUBLIC HEALTH AND
27 ENVIRONMENT.

1 (e) "ELIGIBLE ECONOMIC DEVELOPMENT DISTRICT" MEANS AN
2 ECONOMIC DEVELOPMENT DISTRICT DESIGNATED BY THE UNITED STATES
3 ECONOMIC DEVELOPMENT ADMINISTRATION THAT INCLUDES AT LEAST ONE
4 ELIGIBLE COUNTY.

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

6 (I) RESTAURANT, INCLUDING ANY LIQUOR LICENSED
7 ESTABLISHMENT HOLDING A HOTEL AND RESTAURANT LICENSE PURSUANT
8 TO SECTION 44-3-413;

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

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

12 (B) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;

13 (C) A HOTEL AND RESTAURANT LICENSE UNDER SECTION 44-3-413;

14 (D) A TAVERN LICENSE UNDER SECTION 44-3-414;

15 (E) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;

16 (F) A RETAIL GAMING TAVERN LICENSE UNDER SECTION 44-3-416;

17 (G) A BREW PUB LICENSE UNDER SECTION 44-3-417;

18 (H) A CLUB LICENSE UNDER SECTION 44-3-418;

19 (I) AN ARTS LICENSE UNDER SECTION 44-3-419;

20 (J) A RACETRACK LICENSE UNDER SECTION 44-3-420;

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

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

23 (M) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
24 44-3-428;

25 (N) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
26 44-4-107 (1)(b); OR

27 (O) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION

1 44-4-107 (1)(c);

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

5 (IV) WINERY, LICENSED PURSUANT TO SECTION 44-3-402 (1) OR
6 44-3-403 AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO
7 SECTION 44-3-402 (2) OR 44-3-403 (2)(e);

8 (V) DISTILLERY, LICENSED PURSUANT TO SECTION 44-3-402 (1)
9 AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO SECTION
10 44-3-402 (7);

11 (VI) CATERER;

12 (VII) MOVIE THEATER; OR

13 (VIII) FITNESS AND RECREATIONAL SPORTS CENTER.

14 (g) "ELIGIBLE LOCAL GOVERNMENT" MEANS AN ELIGIBLE COUNTY,
15 ELIGIBLE COUNCIL OF GOVERNMENTS, OR ELIGIBLE ECONOMIC
16 DEVELOPMENT DISTRICT.

17 (h) "ELIGIBLE SMALL BUSINESS" MEANS A SMALL BUSINESS THAT:

18 (I) IS LOCATED IN AN ELIGIBLE COUNTY, AS OF THE TIME OF
19 APPLICATION FOR RELIEF;

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

21 (A) VERIFICATION OF THE SMALL BUSINESS'S COLORADO INCOME
22 TAX ACCOUNT NUMBER; AND

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

25 (III) IS ENGAGED IN AN ELIGIBLE INDUSTRY CATEGORY, AS
26 VERIFIED BY ITS NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM
27 (NAICS) CODE;

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

3 (V) PROVIDES EVIDENCE OF AT LEAST THIRTY-THREE PERCENT
4 REVENUE LOSS SINCE MARCH 26, 2020, DUE TO THE RESTRICTIONS
5 IMPOSED ON THE BUSINESS UNDER THE GOVERNOR'S EXECUTIVE ORDER D
6 2020 017, ORDERING COLORADANS TO STAY AT HOME, AND THE
7 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S AMENDED PUBLIC
8 HEALTH ORDER 20-24 IMPLEMENTING STAY-AT-HOME REQUIREMENTS;

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

11 (VII) CERTIFIES TO THE ELIGIBLE LOCAL GOVERNMENT TO WHICH
12 THE SMALL BUSINESS APPLIES FOR A RELIEF PAYMENT UNDER THE DIRECT
13 RELIEF PROGRAM THAT THE SMALL BUSINESS:

14 (A) HAS NOT APPLIED FOR NOR RECEIVED ANY OTHER RELIEF
15 PAYMENTS FROM THE ARTS RELIEF PROGRAM CREATED IN SECTION
16 24-48.5-316, ENACTED BY SENATE BILL 20B-001, ENACTED IN THE FIRST
17 EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY;
18 AND

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

23 (i) "SMALL BUSINESS" MEANS A CORPORATION, LIMITED LIABILITY
24 COMPANY, PARTNERSHIP, SOLE PROPRIETORSHIP, OR OTHER BUSINESS
25 ENTITY THAT:

26 (I) HAS ITS HEADQUARTERS LOCATED IN AND IS DOING BUSINESS
27 IN COLORADO;

1 (II) HAS AT LEAST ONE FULL-TIME EMPLOYEE; AND
2 (III) FOR THE 2019 CALENDAR YEAR, HAD ANNUAL RECEIPTS OF
3 LESS THAN TWO MILLION FIVE HUNDRED THOUSAND DOLLARS.

4 (j) "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) THERE IS CREATED IN
8 THE DIVISION THE SMALL BUSINESS RELIEF PROGRAM TO ALLOCATE MONEY
9 TO ELIGIBLE LOCAL GOVERNMENTS TO PROVIDE ___ RELIEF PAYMENTS TO
10 ELIGIBLE SMALL BUSINESSES OPERATING WITHIN THE GEOGRAPHICAL
11 BOUNDARIES OF THOSE ELIGIBLE LOCAL GOVERNMENTS. THE DIVISION
12 SHALL DEVELOP A PROCESS FOR ELIGIBLE LOCAL GOVERNMENTS TO APPLY
13 FOR AN ALLOCATION OF AVAILABLE MONEY TO PROVIDE ___ RELIEF
14 PAYMENTS TO ELIGIBLE SMALL BUSINESSES OPERATING WITHIN THEIR
15 BOUNDARIES. AN ELIGIBLE LOCAL GOVERNMENT THAT CHOOSES TO APPLY
16 TO PARTICIPATE IN THE RELIEF PROGRAM MUST SUBMIT AN APPLICATION
17 TO THE DIVISION BY JANUARY 8, 2021, AND BY JANUARY 15, 2021, THE
18 DIVISION SHALL ALLOCATE THE MONEY APPROPRIATED PURSUANT TO
19 SUBSECTION (3) OF THIS SECTION TO ELIGIBLE LOCAL GOVERNMENTS.
20 EXCEPT AS PROVIDED IN SUBSECTION (2)(a)(II) OF THIS SECTION, THE
21 DIVISION SHALL ALLOCATE MONEY TO ELIGIBLE LOCAL GOVERNMENTS
22 BASED ON THE POPULATION OF THE ELIGIBLE LOCAL GOVERNMENTS, AS
23 DETERMINED PURSUANT TO THE MOST RECENTLY PUBLISHED POPULATION
24 ESTIMATES FROM THE STATE DEMOGRAPHER APPOINTED BY THE
25 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS.

26 (II) THE DIVISION SHALL SET ASIDE TEN PERCENT OF THE TOTAL
27 AMOUNT APPROPRIATED PURSUANT TO SUBSECTION (3) OF THIS SECTION

1 TO DISTRIBUTE ADDITIONAL AMOUNTS TO ELIGIBLE COUNTIES THAT:

2 (A) DEMONSTRATE HIGH NEEDS, AS DETERMINED BY THE DIVISION;

3 (B) HAVE A POPULATION OF NOT MORE THAN ONE HUNDRED
4 THOUSAND PEOPLE.

5 (b) (I) THE DIVISION MAY ALLOCATE UP TO THE AMOUNT
6 APPROPRIATED TO THE DIVISION PURSUANT TO SUBSECTION (3) OF THIS
7 SECTION TO ELIGIBLE LOCAL GOVERNMENTS IN THE STATE UNDER THE ___
8 RELIEF PROGRAM; EXCEPT THAT THE DIVISION MAY USE UP TO FIVE
9 PERCENT OF THE THE APPROPRIATED AMOUNT FOR THE DIVISION'S AND
10 ELIGIBLE LOCAL GOVERNMENTS' ADMINISTRATIVE COSTS IN OPERATING
11 AND ADMINISTERING THE ___ RELIEF PROGRAM. ___

12 (II) ELIGIBLE SMALL BUSINESSES MAY RECEIVE _____ RELIEF
13 PAYMENTS AS FOLLOWS, REDUCED AS NECESSARY BY THE ELIGIBLE LOCAL
14 GOVERNMENT TO AVOID EXCEEDING THE TOTAL AMOUNT ALLOCATED TO
15 THE ELIGIBLE LOCAL GOVERNMENT PURSUANT TO SUBSECTION (2)(a) OF
16 THIS SECTION:

17 (A) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD LESS THAN FIVE
18 HUNDRED THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR,
19 A _____ RELIEF PAYMENT OF UP TO THREE THOUSAND FIVE HUNDRED
20 DOLLARS;

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

25 (C) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD ONE MILLION
26 DOLLARS OR MORE BUT NOT MORE THAN TWO MILLION FIVE HUNDRED
27 THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A _____

1 RELIEF PAYMENT OF UP TO SEVEN THOUSAND DOLLARS.

2 (c) (I) EACH ELIGIBLE LOCAL GOVERNMENT SHALL ESTABLISH A
3 PROCESS FOR SMALL BUSINESSES TO APPLY FOR AND DEMONSTRATE
4 ELIGIBILITY FOR RELIEF PAYMENTS AND THE AMOUNT FOR WHICH A
5 SMALL BUSINESS IS ELIGIBLE UNDER THE RELIEF PROGRAM. AN ELIGIBLE
6 LOCAL GOVERNMENT MAY USE ANY NEW OR EXISTING PROCESSES
7 AVAILABLE IN THE LOCAL GOVERNMENT, INCLUDING PROCESSES
8 AVAILABLE THROUGH INTERGOVERNMENTAL AGREEMENTS WITH OTHER
9 ELIGIBLE LOCAL GOVERNMENTS OR POLITICAL SUBDIVISIONS AND
10 CONTRACTS WITH PUBLIC OR PRIVATE ENTITIES, TO ENABLE THE ELIGIBLE
11 LOCAL GOVERNMENT TO:

12 (A) PROVIDE THE RELIEF PAYMENTS TO ELIGIBLE SMALL
13 BUSINESSES IN THE LEAST COSTLY AND MOST EXPEDITIOUS AND EFFICIENT
14 MANNER; AND

15 (B) ENCOURAGE AND FACILITATE THE EQUITABLE DISTRIBUTION
16 OF RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES WITHIN THE
17 MUNICIPALITIES AND POLITICAL SUBDIVISIONS LOCATED WITHIN THE
18 GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT.

19 (II) EACH ELIGIBLE LOCAL GOVERNMENT THAT RECEIVES AN
20 ALLOCATION FROM THE DIVISION PURSUANT TO THE RELIEF PROGRAM
21 SHALL:

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

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

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

5 (III) ELIGIBLE LOCAL GOVERNMENTS THAT APPLY TO PARTICIPATE
6 IN THE RELIEF PROGRAM MUST COMMUNICATE INFORMATION ABOUT THE
7 RELIEF PROGRAM IN A MANNER THAT INFORMS SMALL BUSINESSES
8 LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE
9 LOCAL GOVERNMENT ABOUT THE RELIEF PROGRAM AND HOW AND WHEN
10 TO APPLY FOR RELIEF PAYMENTS.

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

23 (d) THE DIVISION MAY DEVELOP POLICIES AND PROCEDURES
24 NECESSARY FOR THE OPERATION OF THE RELIEF PROGRAM, INCLUDING:

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

26

27 (II) A REQUIREMENT THAT EACH ELIGIBLE LOCAL GOVERNMENT

1 THAT RECEIVES AN ALLOCATION PROVIDE A REPORT TO THE DIVISION
2 DESCRIBING HOW THE MONEY WAS DISTRIBUTED TO ELIGIBLE SMALL
3 BUSINESSES.

4 (e) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
5 AN ELIGIBLE SMALL BUSINESS THAT RECEIVES A RELIEF PAYMENT
6 PURSUANT TO THE RELIEF PROGRAM:

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

11 (II) IS REQUIRED TO RETURN ANY RELIEF PAYMENT RECEIVED
12 PURSUANT TO THE RELIEF PROGRAM IF THE ELIGIBLE SMALL BUSINESS
13 IS FOUND TO BE OUT OF COMPLIANCE WITH ANY ELIGIBILITY CRITERIA
14 SPECIFIED IN SUBSECTION (1)(h) OF THIS SECTION.

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

19 (4) **Report.** (a) AS PART OF ITS REPORT PURSUANT TO THE "STATE
20 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
21 (SMART) GOVERNMENT ACT" BEFORE THE 2022 LEGISLATIVE SESSION,
22 THE DIVISION SHALL SUBMIT A REPORT TO THE LOCAL GOVERNMENT
23 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE AND THE
24 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE
25 OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING HOW
26 RELIEF PROGRAM MONEY WAS ALLOCATED, INCLUDING:

27 (I) THE LIST OF ELIGIBLE LOCAL GOVERNMENTS THAT RECEIVED AN

1 ALLOCATION UNDER THE PROGRAM;
2 (II) THE AMOUNT EACH ELIGIBLE LOCAL GOVERNMENT RECEIVED;
3 (III) INFORMATION ABOUT THE ELIGIBLE SMALL BUSINESSES THAT
4 RECEIVED RELIEF PAYMENTS AND THE AMOUNT OF THE PAYMENTS; AND
5 (IV) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
6 DIVISION.
7 (b) THE DIVISION SHALL ALSO SUBMIT THE REPORT TO THE
8 GOVERNOR.

9 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
10 2022.

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

13 **39-21-113. Reports and returns - rule.** (27) NOTWITHSTANDING
14 ANY OTHER PROVISION OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE
15 DEPARTMENT OF REVENUE SHALL PROVIDE THE DIVISION OF LOCAL
16 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS, OR ANY ELIGIBLE
17 LOCAL GOVERNMENT, AS DEFINED IN SECTION 24-32-129 (1)(g), WITH ANY
18 INFORMATION OBTAINED PURSUANT TO THIS SECTION THAT IS NECESSARY
19 TO VERIFY THE ELIGIBILITY OF A SMALL BUSINESS FOR A RELIEF
20 PAYMENT PURSUANT TO SECTION 24-32-129. ANY INFORMATION
21 PROVIDED TO THE DIVISION OR TO AN ELIGIBLE LOCAL GOVERNMENT
22 PURSUANT TO THIS SUBSECTION (27) REMAINS CONFIDENTIAL, AND ANY
23 EMPLOYEE OF THE DIVISION OR AN ELIGIBLE LOCAL GOVERNMENT SHALL
24 BE SUBJECT TO THE LIMITATIONS SET FORTH IN SUBSECTION (4) OF THIS
25 SECTION AND THE PENALTIES CONTAINED IN SUBSECTION (6) OF THIS
26 SECTION.

27 **SECTION 4.** In Colorado Revised Statutes, 24-48.5-301, **amend**

1 (2)(a)(IV), (2)(a)(V), (2)(b) introductory portion, (2)(b)(III), and
2 (2)(b)(IV); and **add** (2)(a)(VI) and (2)(b)(V) as follows:

3 **24-48.5-301. Creative industries division - creative industries**
4 **cash fund - creation - definition - repeal.** (2) (a) There is hereby
5 created in the state treasury the creative industries cash fund, referred to
6 in this section as the "fund". The fund consists of:

7 (IV) ~~Moneys~~ MONEY appropriated to the fund by the general
8 assembly, including, but not limited to, ~~moneys~~ MONEY appropriated for
9 the purpose of providing need-based funding for infrastructure
10 development within creative districts as authorized by section
11 24-48.5-314 (5)(b); and

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

14 (VI) (A) SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS
15 APPROPRIATED BY THE GENERAL ASSEMBLY TO THE FUND FOR THE ARTS
16 RELIEF PROGRAM ESTABLISHED PURSUANT TO SECTION 24-48.5-316.

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

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

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

26 (IV) For need-based funding for infrastructure development in
27 creative districts as authorized by section 24-48.5-314 (5)(b), to the extent

1 that the general assembly appropriates ~~moneys~~ MONEY to the fund for that
2 purpose; AND

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

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

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

10 **24-48.5-316. COVID-19 == relief program for arts, cultural,
11 and entertainment artists, crew members, and organizations -
12 definitions - report - repeal. (1) Definitions.** AS USED IN THIS SECTION,
13 UNLESS THE CONTEXT OTHERWISE REQUIRES:

14 (a) "ARTS, CULTURE, AND ENTERTAINMENT ARTIST OR CREW
15 MEMBER" MEANS AN INDIVIDUAL INVOLVED IN THE MUSIC, THEATER,
16 DANCE, OR VISUAL ARTS INDUSTRY.

17 (b) "ARTS, CULTURE, AND ENTERTAINMENT ORGANIZATION"
18 MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION INVOLVED IN THE
19 MUSIC, THEATER, DANCE, OR VISUAL ARTS INDUSTRY.

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

23 (2) Arts relief program. (a) THE DIVISION SHALL ADMINISTER OR
24 CONTRACT WITH A THIRD PARTY TO ADMINISTER AN ARTS RELIEF
25 PROGRAM TO PROVIDE == RELIEF PAYMENTS TO ARTS, CULTURE, AND
26 ENTERTAINMENT ARTISTS, CREW MEMBERS, AND ORGANIZATIONS THAT
27 MEET ELIGIBILITY CRITERIA DEVELOPED BY THE DIVISION. WHEN

1 DETERMINING ELIGIBILITY FOR AND THE SIZE OF AN ARTS RELIEF PAYMENT,
2 THE DIVISION SHALL CONSIDER THE TYPE OF ARTS, CULTURE, AND
3 ENTERTAINMENT ARTIST, CREW MEMBER, OR ORGANIZATION THAT IS
4 APPLYING FOR AN ARTS RELIEF PAYMENT, THE IMPACT OF THE COVID-19
5 PANDEMIC ON THE ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S
6 BUSINESS MODEL, IF APPLICABLE, THE SIZE OF THE ORGANIZATION, IF THE
7 APPLICANT IS AN ORGANIZATION, AND THE AVAILABILITY OF AND THE
8 ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S ACCESS TO OTHER RELIEF
9 OR GRANT FUNDING. THE DIVISION SHALL COLLECT SUFFICIENT
10 INFORMATION FROM APPLICANTS TO ENABLE THE DIVISION TO ISSUE AN
11 INTERNAL REVENUE SERVICE FORM 1099 TO AN APPLICANT THAT RECEIVES
12 A RELIEF PAYMENT PURSUANT TO THIS SECTION. WHEN ISSUING A RELIEF
13 PAYMENT TO AN APPLICANT, THE DIVISION SHALL PROVIDE THE INTERNAL
14 REVENUE SERVICE FORM 1099 TO THE APPLICANT.

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

1 ASSEMBLY.

2 (3) **Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL
3 ASSEMBLY SHALL APPROPRIATE SEVEN MILLION FIVE HUNDRED THOUSAND
4 DOLLARS FROM THE GENERAL FUND TO THE CREATIVE INDUSTRIES CASH
5 FUND CREATED IN SECTION 24-48.5-301 (2) FOR THE ARTS RELIEF
6 PROGRAM. THE DIVISION MAY USE UP TO FIVE PERCENT OF THE AMOUNT
7 APPROPRIATED PURSUANT TO THIS SECTION FOR ITS ADMINISTRATIVE
8 COSTS IN ADMINISTERING OR CONTRACTING WITH A THIRD PARTY TO
9 ADMINISTER THE ARTS RELIEF PROGRAM.

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

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

19 (b) THE TYPES OF ARTS, CULTURE, AND ENTERTAINMENT ARTISTS,
20 CREW MEMBERS, AND ORGANIZATIONS THAT RECEIVED ARTS RELIEF
21 PAYMENTS; AND

22 (c) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
23 DIVISION.

24 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
25 2022.

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

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

6 (b) (I) NOTWITHSTANDING SUBSECTION (10)(a) OF THIS SECTION,
7 STARTING JANUARY 1, 2020, THROUGH DECEMBER 31, 2021, COUNTY OR
8 DISTRICT BOARDS OF HEALTH AND THE CITY AND COUNTY OF DENVER MAY
9 CONTRACT WITH THE DEPARTMENT TO RECEIVE MONEY FROM THE STATE
10 IN LIEU OF CHARGING ESTABLISHMENTS AN ANNUAL LICENSING FEE.

11 (II) THIS SUBSECTION (10)(b) IS REPEALED, EFFECTIVE DECEMBER
12 31, 2022.

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

15 **44-3-501. State fees - rules - one-time fee waiver - repeal.**

16 (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
17 CONTRARY, THE FOLLOWING FEES IMPOSED PURSUANT TO THIS SECTION
18 ARE WAIVED FOR TWELVE MONTHS FOLLOWING THE EFFECTIVE DATE OF
19 THIS SUBSECTION (6):

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

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

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

27 (b) THE WAIVER OF FEES SPECIFIED IN SUBSECTION (6)(a) OF THIS

- 1 SECTION APPLIES TO THE FOLLOWING LICENSE TYPES:
- 2 (I) A LIMITED WINERY LICENSE UNDER SECTION 44-3-403;
- 3 (II) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;
- 4 (III) A HOTEL AND RESTAURANT LICENSE UNDER SECTION
- 5 44-3-413;
- 6 (IV) A TAVERN LICENSE UNDER SECTION 44-3-414;
- 7 (V) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;
- 8 (VI) A RETAIL GAMING TAVERN LICENSE UNDER SECTION
- 9 44-3-416;
- 10 (VII) A BREW PUB LICENSE UNDER SECTION 44-3-417;
- 11 (VIII) A CLUB LICENSE UNDER SECTION 44-3-418;
- 12 (IX) AN ARTS LICENSE UNDER SECTION 44-3-419;
- 13 (X) A RACETRACK LICENSE UNDER SECTION 44-3-420;
- 14 (XI) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;
- 15 (XII) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;
- 16 (XIII) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
- 17 44-3-428;
- 18 (XIV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 19 44-4-107 (1)(b); AND
- 20 (XV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 21 44-4-107 (1)(c).

22 (c) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT NOT

23 TO EXCEED ONE MILLION EIGHT HUNDRED SEVENTY-EIGHT THOUSAND

24 DOLLARS FROM THE GENERAL FUND TO THE LIQUOR ENFORCEMENT

25 DIVISION AND STATE LICENSING AUTHORITY CASH FUND FOR USE BY THE

26 DEPARTMENT TO OFFSET THE REDUCTION IN FEE REVENUES USED BY THE

27 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS OF THE LIQUOR

1 ENFORCEMENT DIVISION AND THE STATE LICENSING AUTHORITY IN THE
2 ADMINISTRATION AND ENFORCEMENT OF ARTICLES 3 TO 5 OF THIS TITLE
3 44.

4 (d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31,
5 2022.

6 **SECTION 8.** In Colorado Revised Statutes, **add** 24-49.5-106 as
7 follows:

8 **24-49.5-106. COVID-19 relief for minority-owned businesses**
9 **- definitions - repeal.** (1) **Definitions.** AS USED IN THIS SECTION, UNLESS
10 THE CONTEXT OTHERWISE REQUIRES:

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

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

17 (c) "MINORITY-OWNED BUSINESS" MEANS A BUSINESS THAT IS AT
18 LEAST FIFTY-ONE PERCENT OWNED, OPERATED, AND CONTROLLED BY AN
19 INDIVIDUAL WHO IS A MEMBER OF A MINORITY GROUP, INCLUDING AN
20 INDIVIDUAL WHO IS AFRICAN AMERICAN, ASIAN-INDIAN, ASIAN-PACIFIC
21 AMERICAN, HISPANIC AMERICAN, OR NATIVE AMERICAN.

22 (2) **Relief payments, grants, and loans to minority-owned**
23 **businesses.** (a) (I) THE OFFICE SHALL USE THREE MILLION SEVEN
24 HUNDRED FIFTY THOUSAND DOLLARS OF THE MONEY APPROPRIATED
25 PURSUANT TO SUBSECTION (4) OF THIS SECTION TO ADMINISTER A
26 PROGRAM TO PROVIDE:

27 (A) **RELIEF** PAYMENTS TO MINORITY-OWNED BUSINESSES THAT

1 HAVE BEEN MOST IMPACTED BY COVID-19 AND HAVE LACKED
2 MEANINGFUL ACCESS TO FEDERAL LOANS AND GRANTS UNDER THE
3 CARES ACT; AND

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

6 (II) THE DIRECTOR SHALL ESTABLISH A PROCESS FOR
7 MINORITY-OWNED BUSINESSES TO APPLY FOR A ___ RELIEF PAYMENT,
8 GRANT, OR LOAN UNDER THE PROGRAM, INCLUDING THE DEADLINE FOR
9 APPLYING, THE INFORMATION AND DOCUMENTATION REQUIRED TO BE
10 SUBMITTED TO THE OFFICE TO DEMONSTRATE ELIGIBILITY FOR A ___ RELIEF
11 PAYMENT, GRANT, OR LOAN, AND ANY OTHER REQUIREMENTS SPECIFIED
12 BY THE DIRECTOR.

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

15 (I) THE TERMS OF AND ELIGIBILITY FOR A ___ RELIEF PAYMENT,
16 GRANT, OR LOAN;

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

19 (III) DEADLINES FOR APPLYING FOR A ___ RELIEF PAYMENT, GRANT,
20 OR LOAN;

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

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

23 (c) THE OFFICE SHALL COLLECT SUFFICIENT INFORMATION FROM
24 MINORITY-OWNED BUSINESSES APPLYING FOR A RELIEF PAYMENT OR
25 GRANT PURSUANT TO THIS SUBSECTION (2) TO ENABLE THE DIVISION TO
26 ISSUE AN INTERNAL REVENUE SERVICE FORM 1099 TO A MINORITY-OWNED
27 BUSINESS THAT RECEIVES A RELIEF PAYMENT OR GRANT. WHEN ISSUING

1 A RELIEF PAYMENT OR GRANT TO A MINORITY-OWNED BUSINESS, THE
2 DIVISION SHALL PROVIDE THE INTERNAL REVENUE SERVICE FORM 1099 TO
3 THE RELIEF PAYMENT OR GRANT RECIPIENT.

4 (3) **Technical support.** THE OFFICE SHALL USE TWO HUNDRED
5 FIFTY THOUSAND DOLLARS OF THE MONEY APPROPRIATED PURSUANT TO
6 SUBSECTION (4) OF THIS SECTION, OF WHICH UP TO ONE HUNDRED FIFTY
7 THOUSAND DOLLARS MAY BE USED ANNUALLY FOR STAFF AND
8 ADMINISTRATIVE SUPPORT, TO INCREASE THE OFFICE'S ABILITY TO PROVIDE
9 TECHNICAL ASSISTANCE AND CONSULTING SUPPORT TO MINORITY-OWNED
10 BUSINESSES ACROSS THE STATE. THE TECHNICAL ASSISTANCE AND
11 CONSULTING SUPPORT MAY INCLUDE:

12 (a) PROVIDING MINORITY-OWNED BUSINESS LEADERS WITH
13 EXPANDED PROFESSIONAL DEVELOPMENT AND NETWORKING
14 OPPORTUNITIES;

15 (b) INCREASING THE AVAILABILITY OF THE OFFICE'S EXISTING
16 PROGRAMMING AND TECHNICAL SUPPORT, INCLUDING THROUGH THE
17 SMALL BUSINESS DEVELOPMENT CENTER;

18 (c) DESIGNING STATEWIDE CERTIFICATION OPPORTUNITIES; AND

19 (d) CONDUCTING STATEWIDE AND LOCAL OUTREACH CAMPAIGNS
20 TO EDUCATE BUSINESS OWNERS AND ENTREPRENEURS OF PROGRAMMING
21 AND TECHNICAL SUPPORT.

22

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

1 **(5) Report.** BY NOVEMBER 1, 2021, AND NOVEMBER 1, 2022, THE
2 OFFICE SHALL SUBMIT A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR,
3 AND TECHNOLOGY COMMITTEE OF THE SENATE OR ITS SUCCESSOR
4 COMMITTEE, AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE
5 HOUSE OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING
6 HOW THE OFFICE IS EXPENDING THE MONEY APPROPRIATED FOR THE
7 PURPOSES OF THIS SECTION.

8 **(6) Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
9 2022.

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

12 **24-46-105. Colorado economic development fund - creation -**
13 **repeal.** **(6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO**
14 **THE CONTRARY, THE COMMISSION SHALL ALLOCATE MONEY**
15 **APPROPRIATED TO THE FUND PURSUANT TO SECTION 24-49.5-106 (4) TO**
16 **THE MINORITY BUSINESS OFFICE CREATED IN SECTION 24-49.5-102 FOR USE**
17 **IN ACCORDANCE WITH SECTION 24-49.5-106.**

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

19 **SECTION 10.** In Colorado Revised Statutes, **add 35-1-107.5 as**
20 **follows:**

21 **35-1-107.5. Relief program for agriculture events**
22 **organizations - definitions - report - repeal.** **(1) Definitions.** **AS USED**
23 **IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:**

24 **(a) "AGRICULTURE EVENTS ORGANIZATION" MEANS A NONPROFIT**
25 **OR FOR-PROFIT ORGANIZATION THAT CONDUCTS ONE OR MORE**
26 **AGRICULTURE EVENTS IN THE STATE.**

27 **(b) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY**

1 THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO
2 KNOWN AS SARS-CoV-2.

3 (2) **Agriculture events relief program.** THE COMMISSIONER
4 SHALL ADMINISTER OR CONTRACT WITH A THIRD PARTY TO ADMINISTER A
5 RELIEF PROGRAM TO PROVIDE RELIEF PAYMENTS TO AGRICULTURE EVENTS
6 ORGANIZATIONS THAT MEET ELIGIBILITY CRITERIA DEVELOPED BY THE
7 DIVISION. WHEN DETERMINING ELIGIBILITY FOR AND THE SIZE OF A RELIEF
8 PAYMENT, THE COMMISSIONER SHALL CONSIDER THE TYPE OF
9 AGRICULTURE EVENTS ORGANIZATION THAT IS APPLYING FOR A RELIEF
10 PAYMENT, THE IMPACT OF THE COVID-19 PANDEMIC ON THE
11 ORGANIZATION'S AGRICULTURAL EVENTS OR BUSINESS MODEL, THE SIZE
12 OF THE ORGANIZATION, AND THE AVAILABILITY OF AND THE
13 ORGANIZATION'S ACCESS TO OTHER RELIEF OR GRANT FUNDING.

14 (3) **Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL
15 ASSEMBLY SHALL APPROPRIATE THREE MILLION DOLLARS FROM THE
16 GENERAL FUND TO THE DEPARTMENT FOR ALLOCATION TO THE
17 COMMISSIONER FOR THE AGRICULTURE EVENTS RELIEF PROGRAM. THE
18 COMMISSIONER MAY USE UP TO ONE PERCENT OF THE AMOUNT
19 APPROPRIATED PURSUANT TO THIS SECTION FOR THE COMMISSIONER'S
20 ADMINISTRATIVE COSTS IN ADMINISTERING OR CONTRACTING WITH A
21 THIRD PARTY TO ADMINISTER THE RELIEF PROGRAM.

22 (4) **Report.** BY NOVEMBER 1, 2021, THE COMMISSIONER SHALL
23 SUBMIT A REPORT TO THE GOVERNOR, THE AGRICULTURE AND NATURAL
24 RESOURCES COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE,
25 AND THE RURAL AFFAIRS AND AGRICULTURE COMMITTEE OF THE HOUSE OF
26 REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING HOW THE
27 MONEY WAS ALLOCATED THROUGH THE AGRICULTURE EVENTS RELIEF

1 PROGRAM, INCLUDING:

2 (a) THE LIST OF RELIEF PAYMENT RECIPIENTS AND THE AMOUNT
3 ALLOCATED TO EACH RECIPIENT;

4 (b) THE TYPES OF AGRICULTURE EVENTS ORGANIZATIONS THAT
5 RECEIVED RELIEF PAYMENTS; AND

6 (c) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
7 COMMISSIONER.

8 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
9 2022.

10 **SECTION 11. Appropriation.** (1) For the 2021-22 state fiscal
11 year, \$37,000,000 is appropriated to the department of local affairs for
12 use by the division of local government. This appropriation is from the
13 general fund and is based on an assumption that the department will
14 require an additional 1.2 FTE. To implement this act, the division may
15 use this appropriation for direct relief to small businesses.

16 (2) (a) For the 2021-22 state fiscal year, \$7,500,000 is
17 appropriated to the creative industries cash fund created in section
18 24-48.5-301 (2)(a), C.R.S. This appropriation is from the general fund.
19 The office of the governor is responsible for the accounting related to this
20 appropriation.

21 (b) For the 2021-22 state fiscal year, \$7,500,000 is appropriated
22 to the office of the governor for use by economic development programs.
23 This appropriation is from reappropriated funds in the creative industries
24 cash fund under subsection (2)(a) of this section. To implement this act,
25 the office may use the appropriation for the council on creative industries.

26 (3) For the 2021-22 state fiscal year, \$4,000,000 is appropriated
27 to the economic development fund created in section 24-48.5-301 (2)(a),

1 C.R.S. This appropriation is from the general fund. The office of the
2 governor is responsible for the accounting related to this appropriation.

3 (4) (a) For the 2021-22 state fiscal year, \$6,780,000 is
4 appropriated to the food protection cash fund created in section
5 25-4-1608 (1), C.R.S. This appropriation is from the general fund. The
6 department of public health and environment is responsible for the
7 accounting related to this appropriation.

8 (b) For the 2021-22 state fiscal year, \$6,780,000 is appropriated
9 to the department of public health and environment for use by the division
10 of environmental health and sustainability. This appropriation is from
11 reappropriated funds in the food protection cash fund under subsection
12 (4)(a) of this section. To implement this act, the division may use the
13 appropriation for the environmental health programs.

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

17 (5) For the 2021-22 state fiscal year, \$1,891,775 is appropriated
18 to the department of revenue. This appropriation is from the general fund.
19 To implement this act, the department may use this appropriation as
20 follows:

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

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

25 (c) Any money appropriated in this subsection (5)(b) not expended
26 prior to July 1, 2021, is further appropriated to the department for the
27 2021-22 state fiscal year for the same purpose.

1 (6) For the 2021-22 state fiscal year, \$3,000,000 is appropriated
2 to the department of agriculture for use by the commissioner's office and
3 administrative services. This appropriation is from the general fund. The
4 department may use this appropriation for the agriculture events relief
5 program in accordance with section 35-1-107.5, C.R.S.

6 **SECTION 12. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety.