

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

ENGROSSED

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

LLS NO. 21-0911.01 Christy Chase x2008

SENATE BILL 21-218

SENATE SPONSORSHIP

Hansen and Rankin, Moreno

HOUSE SPONSORSHIP

McCluskie, Herod

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING REVENUE ALLOCATED TO THE EMPLOYMENT AND**
102 **TRAINING TECHNOLOGY FUND IN THE DIVISION OF**
103 **UNEMPLOYMENT INSURANCE IN THE DEPARTMENT OF LABOR**
104 **AND EMPLOYMENT.**

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/>.)

Joint Budget Committee. Under current law, revenue from an assessment on employers' unemployment insurance premiums, not to exceed \$10 million per year and not to exceed cumulative revenue 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.

SENATE
Amended 2nd Reading
April 8, 2021

\$100 million, is allocated to the employment and training technology fund (technology fund) in the division of unemployment insurance (division) in the department of labor and employment to fund employment and training automation initiatives established by the director of the division. Any amount of revenues from the assessment that exceeds the \$10 million annual cap or the \$100 million cumulative revenue cap is allocated to the unemployment compensation fund. Additionally, if the balance in the unemployment compensation fund falls below \$100 million, the balance in the technology fund is allocated to the unemployment compensation fund.

The bill:

- Eliminates the allocation of the technology fund balance to the unemployment compensation fund when the unemployment compensation fund balance falls below \$100 million;
- Eliminates the \$10 million cap on annual allocations to the technology fund and adds a new, \$7 million annual cap starting July 1, 2023;
- Eliminates the cap on cumulative revenue to the technology fund;
- Transfers any amounts credited to and remaining in the technology fund between July 1, 2020, and the effective date of the bill to the unemployment compensation fund; and
- Repeals the assessment for the technology fund on June 30, 2031.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-77-109, **amend**
3 (2)(a.9)(II) as follows:

4 **8-77-109. Employment support fund - employment and**
5 **training technology fund - created - uses - repeal.**

6 (2) (a.9) (II) (A) THE EMPLOYMENT AND TRAINING TECHNOLOGY FUND,
7 REFERRED TO IN THIS SUBSECTION (2)(a.9) AS THE "FUND", IS CREATED IN
8 THE STATE TREASURY. Notwithstanding any provision of this subsection
9 (2) to the contrary, on and after ~~July 1, 2011~~ THE EFFECTIVE DATE OF THIS
10 SUBSECTION (2)(a.9)(II), AS AMENDED, 0.0004 assessed against each

1 employer's premium under section 8-76-102.5 (3)(a) ~~or ten million dollars~~
2 ~~of all revenue collected annually under section 8-76-102.5 (3)(a),~~
3 ~~whichever is less,~~ shall be credited to the employment and training
4 technology fund. ~~also referred to in this paragraph (a.9) as the "fund",~~
5 ~~which is hereby created in the state treasury.~~ ON AND AFTER THE
6 EFFECTIVE DATE OF THIS SUBSECTION (2)(a.9)(II), AS AMENDED, AND ON
7 OR BEFORE JUNE 30, 2023, IF CUMULATIVE REVENUE TO THE EMPLOYMENT
8 AND TRAINING TECHNOLOGY FUND EQUALS THIRTY-ONE MILLION
9 DOLLARS, LESS ANY MONEY TRANSFERRED TO THE UNEMPLOYMENT
10 COMPENSATION FUND, NO ADDITIONAL MONEY SHALL BE CREDITED TO THE
11 EMPLOYMENT AND TRAINING TECHNOLOGY FUND BUT INSTEAD SHALL BE
12 ALLOCATED TO THE UNEMPLOYMENT COMPENSATION FUND. ON AND
13 AFTER JULY 1, 2023, any amount collected IN A FISCAL YEAR in excess of
14 ~~ten~~ SEVEN million dollars under this ~~subparagraph (H)~~ SUBSECTION
15 (2)(a.9)(II) shall be credited to the unemployment compensation fund.
16 ~~Moneys~~ MONEY in the fund shall be used for employment and training
17 automation initiatives established by the director of the division. ~~Moneys~~
18 MONEY in the fund ~~are~~ IS subject to annual appropriation by the general
19 assembly for the purposes of this ~~paragraph (a.9)~~ SUBSECTION (2)(a.9) and
20 shall not revert to the general fund or any other fund at the end of any
21 fiscal year. The ~~moneys~~ MONEY in the fund ~~are~~ IS exempt from section
22 24-75-402. C.R.S. ~~If the balance of the unemployment compensation fund~~
23 ~~created in section 8-77-101 falls below one hundred million dollars, the~~
24 ~~moneys in the employment and training technology fund shall be~~
25 ~~allocated to the unemployment compensation fund. Once cumulative~~
26 ~~revenue to the employment and training technology fund equals one~~
27 ~~hundred million dollars, less any moneys transferred to the unemployment~~

1 ~~compensation fund, no additional moneys shall be credited to the~~
2 ~~employment and training technology fund but instead shall be allocated~~
3 ~~to the unemployment compensation fund.~~ At any other time, the moneys
4 MONEY in the employment and training technology fund may be
5 APPROPRIATED BY THE GENERAL ASSEMBLY TO THE UNEMPLOYMENT
6 COMPENSATION FUND OR allocated to the unemployment compensation
7 fund at the discretion of the executive director of the department of labor
8 and employment.

9 (B) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (2)
10 TO THE CONTRARY, ANY UNENCUMBERED BALANCE IN THE FUND AS OF
11 JUNE 30, 2020, ANY AMOUNT RECEIVED AND CREDITED TO THE FUND ON
12 OR AFTER JULY 1, 2020, AND ON OR BEFORE THE EFFECTIVE DATE OF THIS
13 SUBSECTION (2)(a.9)(II), AS AMENDED, AND ANY UNENCUMBERED
14 BALANCE IN THE FUND AS OF THE EFFECTIVE DATE OF THIS SUBSECTION
15 (2)(a.9)(II)(B), AS AMENDED, IS TRANSFERRED TO THE UNEMPLOYMENT
16 COMPENSATION FUND. ~~This subparagraph (H) is effective December 31,~~
17 ~~2012~~ SUBSECTION (2)(a.9)(II)(B) IS REPEALED, EFFECTIVE DECEMBER 31,
18 2021.

19 (C) THIS SUBSECTION (2)(a.9) IS REPEALED, EFFECTIVE JUNE 30,
20 2031.

21 **SECTION 2. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety.