

CHAPTER 422

LABOR AND INDUSTRY

SENATE BILL 21-233

BY SENATOR(S) Rodriguez and Hansen, Bridges, Gonzales, Moreno, Pettersen, Winter;
also REPRESENTATIVE(S) Benavidez and Gonzales-Gutierrez, Bacon, Bennett, Bird, Caraveo, Cutter, Daugherty, Duran, Esgar,
Froelich, Gray, Herod, Hooton, Jackson, Jodeh, Lontine, McCluskie, Michaelson Jenet, Mullica, Roberts, Valdez A., Garnett.

AN ACT

CONCERNING FUNCTIONS OF THE DIVISION OF UNEMPLOYMENT INSURANCE, AND, IN CONNECTION THEREWITH, REQUIRING A FEASIBILITY STUDY CONCERNING A WAGE REPLACEMENT PROGRAM AND MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 8-1-154 as follows:

8-1-154. Wage replacement program - department - new American advisor - feasibility study - recommendations. (1) THE EXECUTIVE DIRECTOR, IN PARTNERSHIP WITH THE DIRECTOR OF THE DIVISION OF UNEMPLOYMENT INSURANCE, THE NEW AMERICAN ADVISOR FROM THE DEPARTMENT, AND THE OFFICE OF THE GOVERNOR, SHALL STUDY THE FEASIBILITY OF ESTABLISHING A CONTRACT WITH A NONPROFIT, THIRD-PARTY ENTITY TO ADMINISTER A WAGE REPLACEMENT PROGRAM FOR INDIVIDUALS WHO ARE UNEMPLOYED THROUGH NO FAULT OF THEIR OWN AND WHO ARE INELIGIBLE FOR REGULAR UNEMPLOYMENT BENEFITS DUE TO THEIR IMMIGRATION STATUS. THE FEASIBILITY STUDY MUST INCLUDE POTENTIAL SOURCES OF MONEY TO FUND A WAGE REPLACEMENT PROGRAM, LEGAL COMPLIANCE WITH THE UNITED STATES DEPARTMENT OF LABOR'S REGULAR UNEMPLOYMENT INSURANCE PROGRAMS, DATA SHARING AND DATA PRIVACY, AND INPUT FROM RELEVANT STAKEHOLDERS.

(2) ON OR BEFORE DECEMBER 1, 2021, THE EXECUTIVE DIRECTOR AND THE NEW AMERICAN ADVISOR SHALL SUBMIT RECOMMENDATIONS TO THE GOVERNOR AND TO THE SENATE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE AND THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

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

SECTION 2. In Colorado Revised Statutes, article 3.7 of title 8 as added by **HB 21-1150**, add 8-3.7-105 as follows:

8-3.7-105. Wage replacement program - executive director - director of the ONA - feasibility study - recommendations. (1) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, IN PARTNERSHIP WITH THE DIRECTOR OF THE DIVISION OF UNEMPLOYMENT INSURANCE, THE DIRECTOR OF THE ONA, AND THE OFFICE OF THE GOVERNOR, SHALL STUDY THE FEASIBILITY OF ESTABLISHING A CONTRACT WITH A NONPROFIT, THIRD-PARTY ENTITY TO ADMINISTER A WAGE REPLACEMENT PROGRAM FOR INDIVIDUALS WHO ARE UNEMPLOYED THROUGH NO FAULT OF THEIR OWN AND WHO ARE INELIGIBLE FOR REGULAR UNEMPLOYMENT BENEFITS DUE TO THEIR IMMIGRATION STATUS. THE FEASIBILITY STUDY MUST INCLUDE POTENTIAL SOURCES OF MONEY TO FUND A WAGE REPLACEMENT PROGRAM, LEGAL COMPLIANCE WITH THE UNITED STATES DEPARTMENT OF LABOR'S REGULAR UNEMPLOYMENT INSURANCE PROGRAMS, DATA SHARING AND DATA PRIVACY, AND INPUT FROM RELEVANT STAKEHOLDERS.

(2) ON OR BEFORE DECEMBER 1, 2021, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AND THE DIRECTOR OF THE ONA SHALL SUBMIT RECOMMENDATIONS TO THE GOVERNOR AND TO THE SENATE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE AND THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

SECTION 3. Appropriation. For the 2021-22 state fiscal year, \$75,000 is appropriated to the department of labor and employment for use by the executive director's office. This appropriation is from the general fund. To implement this act, the office may use this appropriation for a wage replacement program study.

SECTION 4. Effective date. (1) This act takes effect upon passage; except that:

(a) Section 1 of this act takes effect only if House Bill 21-1150 does not become law; and

(b) Section 2 of this act takes effect only if House Bill 21-1150 becomes law and takes effect either upon the effective date of this act or House Bill 21-1150, whichever is later.

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

Approved: July 2, 2021