

CHAPTER 11

LABOR AND INDUSTRY

HOUSE BILL 22-1193

BY REPRESENTATIVE(S) Herod and McCluskie, Ransom, Amabile, Bacon, Bennett, Bird, Bockenfeld, Boesecker, Caraveo, Cutter, Esgar, Exum, Froelich, Gray, Hooton, Jodeh, Kennedy, Kipp, Lindsay, Lontine, Lynch, McCormick, McLachlan, Michaelson Jenet, Mullica, Ortiz, Ricks, Roberts, Sirota, Snyder, Sullivan, Titone, Valdez A., Valdez D., Weissman, Will, Woodrow;
also SENATOR(S) Hansen and Rankin, Moreno, Bridges, Fields, Jaquez Lewis, Kolker, Lee, Pettersen, Simpson, Story, Winter.

AN ACT

CONCERNING ADJUSTMENTS TO EXPENDITURES FROM FUNDS DEDICATED TO ASSISTING THOSE IMPACTED BY THE TRANSITION TO A CLEAN ENERGY ECONOMY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 8-83-502, **add** (2.5) as follows:

8-83-502. Definitions. As used in this part 5, unless the context otherwise requires:

(2.5) "COAL TRANSITION WORKFORCE ASSISTANCE PROGRAM ACCOUNT" OR "ACCOUNT" MEANS THE COAL TRANSITION WORKFORCE ASSISTANCE PROGRAM ACCOUNT CREATED IN SECTION 8-83-504.5.

SECTION 2. In Colorado Revised Statutes, 8-83-504, **amend** (4)(a) introductory portion; and **add** (5) as follows:

8-83-504. Just transition cash fund - transfer from general fund - transfer from account - definition - repeal. (4) (a) On June 30, 2021, the state treasurer shall transfer eight million dollars from the general fund to the fund. ON THE EFFECTIVE DATE OF THE INTRODUCTORY PORTION TO THIS SUBSECTION (4)(a), AS AMENDED, THE STATE TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE ACCOUNT TO THE FUND. Subject to annual appropriation by the general assembly, the office shall expend the money transferred TO THE FUND PURSUANT TO THIS SUBSECTION (4)(a) to implement the final just transition plan for Colorado

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.

prepared as required by section 8-83-503 (4) and to provide supplemental funding for existing state programs that the office identifies as the most effective vehicles for targeted investment in coal transition communities. In providing such supplemental funding, the office shall place a heavy emphasis on investment in tier one transition communities and shall support programs that:

(5) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS FROM THE FUND TO THE DEPARTMENT OF HIGHER EDUCATION FOR USE BY THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL OF MINES TO EXPAND THE CORE-CM INITIATIVE IN THE GREATER GREEN RIVER AND WIND RIVER BASINS.

(b) AS USED IN THIS SUBSECTION (5), "CORE-CM INITIATIVE" MEANS THE CARBON ORE, RARE EARTH, AND CRITICAL MINERALS INITIATIVE FOR U.S. BASINS, AN INITIATIVE THROUGH THE OFFICE OF FOSSIL ENERGY IN THE FEDERAL DEPARTMENT OF ENERGY, THE PURPOSE OF WHICH IS TO DEVELOP AND CATALYZE REGIONAL ECONOMIC GROWTH, JOB CREATION, AND ASSOCIATED TECHNOLOGY INNOVATION ACROSS BASINS THROUGHOUT THE COUNTRY.

SECTION 3. In Colorado Revised Statutes, 8-83-504.5, **amend** (1) introductory portion, (1)(a) introductory portion, (1)(a)(V), and (2); **repeal** (1)(b) and (1)(c); and **add** (1)(a)(VII), (1)(a)(VIII), and (3) as follows:

8-83-504.5. Additional coal transition workforce assistance program funding - coal transition workforce assistance program account. (1) The coal transition ~~worker~~ WORKFORCE assistance program account is hereby created in the fund. On June 30, 2021, the state treasurer shall transfer seven million dollars from the general fund to the ~~workforce assistance program~~ account. Subject to annual appropriation by the general assembly, the department shall expend money from the account for coal transition ~~worker~~ WORKFORCE assistance programs subject to the following requirements and limitations:

(a) The money must be expended ~~first~~ for programs that directly assist coal transition workers OR THEIR FAMILY MEMBERS AND OTHER HOUSEHOLD MEMBERS, including programs that:

(V) Provide individualized financial and transition planning; ~~or~~

(VII) SUPPORT FAMILY MEMBERS OR OTHER HOUSEHOLD MEMBERS OF COAL TRANSITION WORKERS; OR

(VIII) TEST INNOVATIVE COAL TRANSITION WORK SUPPORT PROGRAMS THROUGH A PILOT PROGRAM. THE DEPARTMENT IS ENCOURAGED TO LIMIT ANY PILOT PROGRAM TO NO MORE THAN FORTY TOTAL PARTICIPANTS WHO ARE COAL TRANSITION WORKERS, COAL TRANSITION WORKER FAMILY MEMBERS, COAL TRANSITION WORKER HOUSEHOLDS, OR A COMBINATION OF COAL TRANSITION WORKERS, FAMILY MEMBERS, AND HOUSEHOLDS.

(b) ~~If money required by subsection (1)(c) of this section to be expended during state fiscal year 2021-22 or during state fiscal year 2022-23 remains unexpended as~~

of March 1 of the applicable state fiscal year after expenditures are made pursuant to subsection (1)(a) of this section, additional expenditures shall be made during the applicable state fiscal year:

~~(f) To support family members or other household members of coal transition workers; and~~

~~(H) To create and implement a pilot program to test innovative coal transition work support programs. The department is encouraged to limit any pilot program to no more than forty coal transition workers or coal transition worker households.~~

~~(c) The department shall expend at least seventy percent of the money by the close of state fiscal year 2021-22 and shall expend any remaining money by the close of state fiscal year 2022-23.~~

(2) Subject to the requirements of subsection (1) of this section, the office may expend money from the workforce assistance program account to make grants to any eligible entity.

(3) ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE ACCOUNT TO THE FUND.

SECTION 4. In Session Laws of Colorado 2021, section 4 of chapter 400, (HB21-1290), **repeal** (2) as follows:

~~Section 4. **Appropriation.** (2) For the 2020-21 state fiscal year, \$7,000,000 is appropriated to the department of labor and employment. This appropriation is from the coal transition worker assistance program account of the just transition cash fund created in section 8-83-504.5 (1), C.R.S., and is based on an assumption that the department will require an additional 1.0 FTE. To implement this act, the department may use this appropriation for the purposes specified in section 8-83-504.5, C.R.S. Any money appropriated in this section not expended prior to July 1, 2021, is further appropriated to the department for the 2021-22 and 2022-23 state fiscal years for the same purpose.~~

SECTION 5. Appropriation. (1) For the 2021-22 state fiscal year, \$500,000 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the coal transition workforce assistance program account of the just transition cash fund created in section 8-83-504.5 (1), C.R.S., and is based on an assumption that the department will require an additional 1.0 FTE. To implement this act, the division may use this appropriation for the purposes specified in section 8-83-504.5, C.R.S.

(2) For the 2022-23 state fiscal year, \$2,000,000 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the coal transition workforce assistance program account of the just transition cash fund created in section 8-83-504.5 (1), C.R.S. To implement this act, the division may use this appropriation for the purposes specified in section 8-83-504.5, C.R.S.

(3) For the 2021-22 state fiscal year, \$1,295,000 is appropriated to the department

of labor and employment for use by the division of employment and training. This appropriation is from the just transition cash fund created in section 8-83-504 (1), C.R.S. To implement this act, the division may use this appropriation for the purposes specified in section 8-83-504, C.R.S.

(4) For the 2022-23 state fiscal year, \$555,000 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the just transition cash fund created in section 8-83-504 (1), C.R.S. To implement this act, the division may use this appropriation for the purposes specified in section 8-83-504, C.R.S.

(5) For the 2021-22 state fiscal year, \$150,000 is appropriated to the department of higher education for use by the trustees of the Colorado school of mines. This appropriation is from the just transition cash fund created in section 8-83-504 (1), C.R.S. To implement this act, the trustees may use this appropriation to expand the CORE-CM initiative, as defined in section 8-83-504 (5)(b), C.R.S.

SECTION 6. 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: March 7, 2022