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SENATE BILL 24-053

BY SENATOR(S) Coleman, Bridges, Buckner, Cutter, Exum, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Mullica, Priola, Roberts, Rodriguez, Sullivan, Winter F., Zenzinger;

also REPRESENTATIVE(S) Herod and Ricks, Amabile, Bird, Boesenecker, Brown, Clifford, Daugherty, deGruy Kennedy, Duran, English, Froelich, Hamrick, Hernandez, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, Martinez, Marvin, Mauro, McLachlan, Ortiz, Parenti, Rutinel, Sirota, Snyder, Story, Titone, Valdez, Velasco, Vigil, Weissman, Willford, Woodrow, Young, McCluskie.

CONCERNING AN EVALUATION OF RACIAL EQUITY FOR BLACK COLORADANS.

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

SECTION 1. In Colorado Revised Statutes, **add** part 23 to article 2 of title 2 as follows:

PART 23
BLACK COLORADAN RACIAL EQUITY STUDY

2-2-2301. Legislative declaration. (1) (a) THE GENERAL ASSEMBLY

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.

FINDS, DETERMINES, AND DECLARES THAT:

(I) THE LEGACY OF SLAVERY, RACIAL DISCRIMINATION, AND SYSTEMIC RACISM HAS HARMED BLACK COLORADANS AND CONTINUES TO HARM BLACK COLORADANS IN MATERIAL WAYS. BLACK INDIVIDUALS AND COMMUNITIES, WHOSE UNPAID LABOR FORMED THE BASIS FOR WEALTH AND POWER IN THIS COUNTRY, ARE OWED THE OPPORTUNITY AND RESOURCES TO BUILD WEALTH AND POWER FOR THEMSELVES. LIKE MANY WESTERN STATES, COLORADO IS WIDELY PERCEIVED AS HISTORICALLY ABSTINENT FROM PARTICIPATING IN SLAVERY. HOWEVER, SLAVERY WAS ONLY FULLY ABOLISHED IN THE COLORADO CONSTITUTION IN 2018.

(II) COLORADO DEMONSTRATES A TRACK RECORD OF RACIAL DISCRIMINATION, RESULTING DIRECTLY IN RACIAL DISPARITIES. THE KU KLUX KLAN WIELDED GREAT INFLUENCE AND POWER IN DENVER AND IN STATE POLITICS IN THE 1920S. MAJOR COLORADO TOWNS SUCH AS DENVER, GRAND JUNCTION, PUEBLO, AND CANON CITY WERE HOTBEDS OF KLAN ACTIVITY. THE KLAN IN COLORADO PEAKED IN 1925. BY THIS TIME, IT HAD INFILTRATED ALL LEVELS OF THE STATE GOVERNMENT. THE KLAN CONTROLLED MANY MEMBERS OF THE LEGISLATURE, HELD A STATE SUPREME COURT JUDGESHIP AND SEVEN DENVER DISTRICT COURT BENCHES, AND HAD CONTROLLING MAJORITIES IN SOME TOWN COUNCILS. SOME OF THE MOST NOTABLE KLANSMEN AT THE TIME INCLUDED THE MAYOR AND POLICE CHIEF OF DENVER AND THE GOVERNOR OF COLORADO.

(III) THE IMPACT OF THOSE IN POWER TRANSPIRES INTO POLICIES, SYSTEMS, AND PRACTICES ADOPTED AT THE STATE LEVEL. THOSE POLICIES, SYSTEMS, AND PRACTICES ARE BUILT UPON OVER DECADES AND FURTHER INGRAIN INEQUITIES THAT HAVE A DISPARATE IMPACT ON BLACK COLORADANS.

(IV) IN 2020, THE HOME OWNERSHIP GAP BETWEEN BLACK AND WHITE COLORADANS WAS THIRTY-ONE PERCENT. JUST TWENTY-FIVE PERCENT OF ADULT BLACK COLORADANS HAVE EARNED A POSTSECONDARY DEGREE OR CREDENTIAL, WHILE NINETY-ONE AND FOUR-TENTHS PERCENT OF TIER ONE JOBS IDENTIFIED IN THE COLORADO WORKFORCE DEVELOPMENT COUNCIL'S 2022 TALENT PIPELINE REPORT AND SEVENTY AND FOUR-TENTHS PERCENT OF TIER TWO JOBS REQUIRE A POSTSECONDARY CREDENTIAL. IN COLORADO, BLACK INDIVIDUALS CONSTITUTE FIVE PERCENT OF THE POPULATION BUT SEVENTEEN PERCENT OF THOSE IN JAIL AND EIGHTEEN

PERCENT OF THOSE IN PRISON. AT THIRTEEN AND SEVEN-TENTHS PERCENT UNEMPLOYMENT, BLACK WORKERS IN COLORADO FACED HIGHER UNEMPLOYMENT RATES THAN OTHER RACIAL GROUPS SURVEYED BETWEEN MAY 2021 AND APRIL 2022. BLACK COLORADANS EXPERIENCE A WIDE ARRAY OF NEGATIVE HEALTH OUTCOMES AT RATES THAT ARE DISPROPORTIONATE TO WHITE COLORADANS IN THE FOLLOWING AREAS: FOOD INSECURITY, INFANT MORTALITY, CHILDHOOD ASTHMA, DIABETES, AND HIV AND AIDS. THE AVERAGE BLACK COLORADAN HAS A LIFE EXPECTANCY NEARLY THREE YEARS FEWER THAN THE AVERAGE WHITE COLORADAN.

(V) DISPARITIES IN BOTH K-12 EDUCATION AND POSTSECONDARY TRAINING, INCLUDING HIGHER EDUCATION AND WORKFORCE TRAINING; HOME OWNERSHIP; HEALTH DISPARITIES AND ACCESS TO HEALTH CARE; AND A SYSTEMICALLY UNJUST CRIMINAL JUSTICE SYSTEM, COMBINED WITH POLICE BRUTALITY, HAVE CONTRIBUTED TO A REALITY IN WHICH HALF OF BLACK FAMILIES IN COLORADO ARE CONSIDERED LOW-INCOME. A LACK OF ACCESS TO ECONOMIC MOBILITY AND FINANCIAL PROSPERITY HAS IMPACTED BLACK COLORADANS FOR GENERATIONS. BLACK COLORADANS' LOST EARNINGS AND ASSETS DETRACT FROM COLORADO'S LABOR FORCE AND TAX BASE, AS WELL AS THE GROWTH OF COLORADO'S ECONOMY.

(VI) RACIAL EQUITY STUDIES ARE TOOLS USED TO QUALIFY AND QUANTIFY PAST DISCRIMINATION AND RECOMMEND CERTAIN CORRECTIVE MEASURES AS MAY BE WARRANTED BY THE STUDY'S FINDINGS.

(b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT AN INDEPENDENT STUDY MUST BE CONDUCTED AND A STEERING COMMITTEE BE CREATED IN THE STATE HISTORICAL SOCIETY TO DETERMINE THE EXTENT TO WHICH BLACK COLORADANS HAVE EXPERIENCED AND CONTINUE TO EXPERIENCE RACIAL DISCRIMINATION DIRECTLY LINKED TO HARMFUL PRACTICES, SYSTEMS, AND POLICIES OF THE STATE AND TO QUANTIFY THE ECONOMIC IMPACTS OF ANY DISCRIMINATION DISCOVERED DURING THE STUDY.

2-2-2302. Definitions. AS USED IN THIS PART 23, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COMMISSION" MEANS THE BLACK COLORADAN RACIAL EQUITY STUDY COMMISSION CREATED IN SECTION 2-2-2303.

(2) "ECONOMIC ANALYSIS" MEANS THE ECONOMIC ANALYSIS CONDUCTED BY A THIRD-PARTY ENTITY PURSUANT TO SECTION 2-2-2306.

(3) "FUND" MEANS THE BLACK COLORADAN RACIAL EQUITY STUDY CASH FUND CREATED IN SECTION 2-2-2308.

(4) "HISTORICALLY IMPACTED BLACK COLORADANS" OR "BLACK COLORADANS" MEANS AFRICAN AMERICAN PERSONS, INCLUDING INDIVIDUALS WHO HAVE ORIGINS IN ANY OF THE BLACK RACIAL GROUPS, WHO HAVE RESIDED OR WHO ARE RESIDING IN COLORADO.

(5) "HISTORICAL RESEARCH" MEANS THE HISTORICAL RESEARCH CONDUCTED BY THE STATE HISTORICAL SOCIETY PURSUANT TO SECTION 2-2-2305.

(6) "STATE HISTORICAL SOCIETY" OR "SOCIETY" MEANS THE STATE HISTORICAL SOCIETY ESTABLISHED IN SECTION 24-80-201 AND COMMONLY KNOWN AS HISTORY COLORADO.

(7) "STUDY" MEANS THE STUDY TO DETERMINE ANY POTENTIAL HISTORICAL AND ONGOING EFFECTS OF SLAVERY AND SUBSEQUENT SYSTEMIC RACISM ON BLACK COLORADANS CONDUCTED PURSUANT TO THIS PART 23.

(8) "THIRD-PARTY ENTITY" MEANS AN ENTITY THAT SATISFIES THE QUALIFICATIONS SET FORTH IN SECTION 2-2-2303 (2) AND THAT HAS ENTERED INTO AN AGREEMENT WITH THE COMMISSION OR WITH THE SOCIETY TO CONDUCT ALL OR PART OF THE HISTORICAL RESEARCH.

2-2-2303. Black Coloradan racial equity study - third-party entity qualifications - commission created - membership - staff support - legislative intent. (1) (a) THERE IS ESTABLISHED IN THE LEGISLATIVE DEPARTMENT THE BLACK COLORADAN RACIAL EQUITY STUDY COMMISSION TO CONDUCT A STUDY TO DETERMINE, AND MAKE RECOMMENDATIONS RELATED TO, ANY POTENTIAL HISTORICAL AND ONGOING EFFECTS OF SLAVERY AND SUBSEQUENT SYSTEMIC RACISM ON BLACK COLORADANS THAT MAY BE ATTRIBUTED TO PRACTICES, SYSTEMS, AND POLICIES OF THE STATE. THE COMMISSION IS ONLY REQUIRED TO CONDUCT A STUDY IF, PURSUANT TO SECTION 2-2-2309, SECTIONS 2-2-2304, 2-2-2305, 2-2-2306, AND 2-2-2307 BECOME EFFECTIVE. THE GOALS OF THE STUDY ARE TO:

(I) DETERMINE THE EXTENT TO WHICH BLACK COLORADANS HAVE EXPERIENCED AND CONTINUE TO EXPERIENCE RACIAL DISCRIMINATION DIRECTLY LINKED TO HARMFUL PRACTICES, SYSTEMS, AND POLICIES OF THE STATE THAT HAVE EXISTED HISTORICALLY OR THAT CONTINUE TO EXIST;

(II) QUANTIFY THE ECONOMIC IMPACT ON BLACK COLORADANS, INCLUDING IMPACTS ON INDIVIDUALS AND FAMILIES, OF ANY DISCRIMINATION DISCOVERED DURING THE STUDY, TO THE EXTENT THAT THE STUDY ESTABLISHES THAT DISPARITIES ATTRIBUTABLE TO PAST OR PRESENT DISCRIMINATION EXIST; AND

(III) IDENTIFY MEASURES THAT ARE CONSISTENT WITH THE CONSTITUTION TO ADDRESS THE EFFECTS OF DISCRIMINATION THAT MAY BE ATTRIBUTED TO PRACTICES, SYSTEMS, AND POLICIES OF THE STATE.

(b) THE STUDY INCLUDES HISTORICAL RESEARCH CONDUCTED BY THE SOCIETY PURSUANT TO SECTION 2-2-2305 AND AN ECONOMIC ANALYSIS CONDUCTED PURSUANT TO SECTION 2-2-2306.

(c) (I) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE STUDY BE FUNDED ENTIRELY BY GIFTS, GRANTS, AND DONATIONS; THAT GIFTS, GRANTS, AND DONATIONS WILL BE RECEIVED THROUGHOUT THE COURSE OF THE STUDY; AND THAT NO ADDITIONAL GENERAL FUND MONEY BE APPROPRIATED FOR THE IMPLEMENTATION OF THE STUDY.

(II) THE STUDY IS CONTINGENT ON MONEY BEING AVAILABLE TO CARRY OUT THE STUDY. IF MONEY IS NOT AVAILABLE FOR THE COMMISSION, STATE HISTORICAL SOCIETY, OR ANY OTHER ENTITY TO CARRY OUT ITS DUTIES REQUIRED PURSUANT TO THIS PART 23, THE COMMISSION, SOCIETY, OR ENTITY IS NOT REQUIRED TO CARRY OUT THE DUTIES. A CONTRACT WITH A THIRD-PARTY ENTITY MUST PROVIDE THAT THE CONTRACT IS CONTINGENT ON FUNDS BEING AVAILABLE FOR THAT PURPOSE.

(2) (a) A THIRD-PARTY ENTITY THAT ENTERS INTO AN AGREEMENT WITH THE COMMISSION OR SOCIETY TO CONDUCT ECONOMIC ANALYSIS OR RESEARCH PURSUANT TO THIS PART 23 MUST HAVE:

(I) EXPERIENCE WORKING WITH BLACK COMMUNITIES;

(II) AN UNDERSTANDING OF BLACK HISTORY AND CULTURE, WITH

DEMONSTRATED EXPERIENCE WORKING ON ISSUES RELATED TO BLACK HISTORY, SOCIAL EQUITY, CIVIL RIGHTS, AND ECONOMIC MOBILITY; AND

(III) AN UNDERSTANDING OF THE IMPACT OF TRAUMA AND HOW IT PASSES THROUGH GENERATIONS.

(b) THE THIRD-PARTY ENTITY MAY BE FROM OUTSIDE COLORADO.

(3) (a) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

(I) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(A) ONE PERSON WHO HAS EXPERTISE IN QUANTIFYING THE ECONOMIC IMPACTS ON HISTORICALLY IMPACTED BLACK COLORADANS;

(B) ONE COMMUNITY REPRESENTATIVE WITH A TRACK RECORD OF PUBLIC SERVICE WITH HISTORICALLY IMPACTED BLACK COLORADANS;

(C) ONE PERSON WHO HAS LEGAL EXPERTISE IN CONSTITUTIONAL LAW AND RACIAL JUSTICE; AND

(D) ONE PERSON WHO IS A HISTORIAN WITH EXPERTISE IN THE HISTORY OF BLACK COLORADANS;

(II) THE FOLLOWING MEMBERS, APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

(A) ONE PERSON WHO HAS EXPERTISE IN QUANTIFYING THE ECONOMIC IMPACTS ON HISTORICALLY IMPACTED BLACK COLORADANS;

(B) ONE PERSON WHO HAS EXPERTISE IN RESEARCHING THE HISTORY AND IMPACT OF SLAVERY AND SYSTEMIC RACISM ON BLACK COLORADANS;

(C) ONE COMMUNITY REPRESENTATIVE WITH A TRACK RECORD OF PUBLIC SERVICE WITH HISTORICALLY IMPACTED BLACK COLORADANS; AND

(D) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES; AND

(III) THE FOLLOWING MEMBERS, APPOINTED BY THE PRESIDENT OF THE SENATE:

(A) ONE PERSON WHO HAS LEGAL EXPERTISE IN CONSTITUTIONAL LAW AND RACIAL JUSTICE;

(B) ONE PERSON WHO HAS EXPERTISE IN RESEARCHING THE HISTORY AND IMPACT OF SLAVERY ON BLACK COLORADANS;

(C) ONE COMMUNITY REPRESENTATIVE WITH A TRACK RECORD OF PUBLIC SERVICE WITH HISTORICALLY IMPACTED BLACK COLORADANS; AND

(D) TWO MEMBERS OF THE SENATE.

(b) THE PRESIDENT OF THE SENATE SHALL APPOINT ONE OF THE MEMBERS OF THE COMMISSION WHO IS A SENATOR AS THE CHAIR OF THE COMMISSION. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE OF THE MEMBERS OF THE COMMISSION WHO IS A MEMBER OF THE HOUSE OF REPRESENTATIVES AS THE VICE-CHAIR OF THE COMMISSION.

(c) THE APPOINTING AUTHORITIES SHALL APPOINT MEMBERS OF THE COMMISSION AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3), BUT NO LATER THAN SEPTEMBER 1, 2024. THE TERM OF APPOINTMENT IS FOR THE DURATION OF THE COMMISSION'S EXISTENCE. IF A VACANCY ARISES ON THE COMMISSION, THE APPOINTING AUTHORITY SHALL APPOINT A REPLACEMENT TO FILL THE VACANCY AS SOON AS POSSIBLE.

(d) NONLEGISLATIVE MEMBERS OF THE COMMISSION SERVE WITHOUT COMPENSATION BUT ARE ENTITLED TO REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF THE MEMBERS' DUTIES.

(e) THE LEGISLATIVE COUNCIL STAFF SHALL ASSIST THE COMMISSION IN CARRYING OUT ITS DUTIES; EXCEPT THAT LEGISLATIVE COUNCIL STAFF SHALL NOT:

(I) CONDUCT RESEARCH FOR THE COMMISSION OR DRAFT THE REPORT REQUIRED PURSUANT TO SECTION 2-2-2307;

(II) ORGANIZE OR OTHERWISE FACILITATE A COMMUNITY ENGAGEMENT SESSION DESCRIBED IN SECTION 2-2-2305 (2); AND

(III) TRAVEL FOR THE PURPOSE OF ASSISTING THE COMMISSION,

UNLESS AUTHORIZED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL.

2-2-2304. Commission - meetings - duties. (1) (a) THE CHAIR OF THE COMMISSION SHALL CONVENE THE FIRST MEETING OF THE COMMISSION NO LATER THAN FORTY-TWO DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

(b) THE COMMISSION SHALL NOT MEET MORE THAN SIX TIMES IN A CALENDAR YEAR AND SHALL NOT MEET DURING THE LEGISLATIVE SESSION; EXCEPT THAT:

(I) MEETINGS WITHIN THE FIRST THREE MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION DO NOT COUNT TOWARD THE SIX-MEETING LIMIT; AND

(II) THE COMMISSION MAY MEET ONCE DURING A LEGISLATIVE SESSION FOLLOWING RECEIPT OF A QUARTERLY UPDATE FROM THE SOCIETY PURSUANT TO SECTION 2-2-2305 (4).

(c) MEMBERS OF THE COMMISSION MAY PARTICIPATE REMOTELY IN COMMITTEE MEETINGS.

(d) THE COMMISSION MAY NOT TRAVEL UNLESS AUTHORIZED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL; EXCEPT THAT MEMBERS OF THE COMMISSION MAY TRAVEL TO PARTICIPATE IN A COMMUNITY ENGAGEMENT SESSION DESCRIBED IN SECTION 2-2-2305 (2).

(2) THE COMMISSION SHALL:

(a) COLLABORATE WITH THE SOCIETY ABOUT THE STUDY'S SCOPE OF RESEARCH IN THE SUBJECT AREAS DESCRIBED IN SECTION 2-2-2305 (1);

(b) IF THE SOCIETY ENTERS INTO AN AGREEMENT WITH A THIRD-PARTY ENTITY TO CONDUCT ALL OR PART OF THE HISTORICAL RESEARCH, ASSIST WITH THE DEVELOPMENT OF A RUBRIC FOR SELECTING THE ENTITY;

(c) COLLABORATE WITH THE SOCIETY ABOUT DETERMINING THE TIMING AND GEOGRAPHIC REACH FOR EACH COMMUNITY ENGAGEMENT

SESSION DESCRIBED IN SECTION 2-2-2305 (2) TO MAXIMIZE ATTENDANCE AT THE SESSION, CONSULT WITH THE SOCIETY ABOUT WHETHER TO HOLD ADDITIONAL COMMUNITY ENGAGEMENT SESSIONS, AND HELP THE SOCIETY MAXIMIZE ATTENDANCE AT THE COMMUNITY ENGAGEMENT SESSIONS;

(d) PROVIDE FEEDBACK TO THE SOCIETY FOLLOWING THE RECEIPT OF UPDATES ABOUT THE HISTORICAL RESEARCH;

(e) ENTER INTO AN AGREEMENT WITH ONE OR MORE THIRD-PARTY ENTITIES TO CONDUCT AN ECONOMIC ANALYSIS, AS DESCRIBED IN SECTION 2-2-2306; AND

(f) DRAFT AND SUBMIT THE REPORT REQUIRED PURSUANT TO SECTION 2-2-2307.

(3) AFTER THE COMMISSION SUBMITS THE REPORT TO THE GENERAL ASSEMBLY AND GOVERNOR PURSUANT TO SECTION 2-2-2307 (1), THE COMMISSION SHALL WORK WITH ANY PARTIES NECESSARY, INCLUDING MEMBERS OF THE GENERAL ASSEMBLY, TO IMPLEMENT THE RECOMMENDATIONS IN THE REPORT.

2-2-2305. Black Coloradan racial equity study - historical research. (1) (a) AS PART OF THE STUDY, THE STATE HISTORICAL SOCIETY SHALL CONDUCT HISTORICAL RESEARCH TO DETERMINE ANY POTENTIAL HISTORICAL AND ONGOING EFFECTS OF SLAVERY AND SUBSEQUENT SYSTEMIC RACISM ON BLACK COLORADANS THAT MAY BE ATTRIBUTED TO PRACTICES, SYSTEMS, AND POLICIES OF THE STATE. THE HISTORICAL RESEARCH MUST FOCUS ON AND INCLUDE ALL OF THE FOLLOWING, AS EACH MAY BE ATTRIBUTABLE TO STATE GOVERNMENTAL ENTITIES, POLICIES, SYSTEMS, AND PRACTICES:

(I) RESEARCH ON POTENTIAL HISTORICAL AND ONGOING EFFECTS OF SLAVERY AND SUBSEQUENT SYSTEMIC RACISM ON BLACK COLORADANS IN THE FOLLOWING SUBJECT AREAS: ACCESS TO ASSET AND WEALTH BUILDING, INCLUDING RESIDENTIAL AND COMMERCIAL LOANS, CAPITAL INVESTMENTS, AND GRANTS FOR BUSINESSES; TAX POLICY; K-12 EDUCATION; POSTSECONDARY EDUCATION, INCLUDING HIGHER EDUCATION AND WORKFORCE TRAINING PROGRAMS; HOME OWNERSHIP AND ACCESS TO HOUSING AS AN OWNER OR TENANT; HEALTH DISPARITIES AND ACCESS TO HEALTH CARE; POLICING AND POLICE BRUTALITY; INCARCERATION FOR

CRIMES; AND OVERALL TREATMENT OF BLACK COLORADANS AND TRENDS IN THE CRIMINAL JUSTICE SYSTEM. THE SOCIETY SHALL FOCUS ITS RESEARCH IN THE SUBJECT AREAS BASED ON GUIDANCE FROM THE COMMISSION ABOUT SPECIFIC TOPICS FOR STUDY WITHIN THE SUBJECT AREAS.

(II) RESEARCH INTO THE EXTENT STATE GOVERNMENTAL ENTITIES' POLICIES, SYSTEMS, AND PRACTICES MAY HAVE CONTRIBUTED TO ANY HARM CAUSED TO HISTORICALLY IMPACTED BLACK COLORADANS.

(b) IN CONDUCTING THE HISTORICAL RESEARCH, THE SOCIETY MAY CONSIDER AND INCORPORATE OTHER RESEARCH AND STUDIES THAT ARE RELEVANT TO THE SUBJECT AREAS DESCRIBED IN THIS SUBSECTION (1).

(2) (a) THE SOCIETY SHALL CONDUCT AT LEAST TWO COMMUNITY ENGAGEMENT SESSIONS IN DIFFERENT GEOGRAPHIC LOCATIONS IN THE STATE FOR THE PUBLIC TO OFFER INPUT BASED ON LIVED EXPERIENCE WITH STATE GOVERNMENTAL ENTITIES, POLICIES, SYSTEMS, AND PRACTICES THAT HAVE RESULTED IN SYSTEMIC RACISM AND DISCRIMINATION AGAINST HISTORICALLY IMPACTED BLACK COLORADANS AND THEIR IMPACT ON INDIVIDUALS, FAMILIES, AND THE COMMUNITY AS A WHOLE. EACH COMMUNITY ENGAGEMENT SESSION MUST BE HELD AT A TIME AND IN A PLACE THAT THE COMMISSION DETERMINES IS SUFFICIENT TO MAXIMIZE ATTENDANCE. THE SOCIETY SHALL ALLOW MEMBERS OF THE PUBLIC TO PARTICIPATE AND PROVIDE COMMENTS IN PERSON, REMOTELY, AND IN WRITING.

(b) THE SOCIETY MAY CONDUCT ADDITIONAL COMMUNITY ENGAGEMENT SESSIONS OR ENGAGE WITH THE COMMUNITY THROUGH INTERVIEWS AND OTHER METHODS DETERMINED BY THE SOCIETY.

(3) THE SOCIETY MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE THIRD-PARTY ENTITIES TO CONDUCT ALL OR PART OF THE HISTORICAL RESEARCH.

(4) BEGINNING THREE MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE SOCIETY SHALL PROVIDE THE COMMISSION WITH QUARTERLY UPDATES ABOUT THE STATUS OF THE STUDY. THE SOCIETY SHALL CONSIDER THE COMMISSION'S FEEDBACK ON THE UPDATES.

(5) NO LATER THAN TWO YEARS AND SIX MONTHS AFTER THE

EFFECTIVE DATE OF THIS SECTION, THE SOCIETY SHALL SUBMIT A REPORT TO THE COMMISSION WITH THE RESULTS OF ITS HISTORICAL RESEARCH CONDUCTED PURSUANT TO THIS SECTION AND ANY RECOMMENDATIONS OF THE SOCIETY.

2-2-2306. Black Coloradan racial equity study - economic analysis - contractor. (1) THE COMMISSION SHALL ENTER INTO AN AGREEMENT WITH ONE OR MORE THIRD-PARTY ENTITIES TO CONDUCT AN ECONOMIC ANALYSIS OF THE FINANCIAL IMPACT OF SYSTEMIC RACISM ON HISTORICALLY IMPACTED BLACK COLORADANS UTILIZING THE FINDINGS OF THE HISTORICAL RESEARCH AND, IF FEASIBLE, AN ESTIMATION OF THE FINANCIAL IMPACT ON COLORADO'S ECONOMY RESULTING FROM STATE GOVERNMENTAL ENTITIES, POLICIES, SYSTEMS, AND PRACTICES IN COLORADO.

(2) (a) THE THIRD-PARTY ENTITY SHALL BEGIN CONDUCTING ITS ECONOMIC ANALYSIS AFTER THE SOCIETY HAS COMPLETED ITS RESEARCH AND NO LATER THAN THE DATE THAT THE COMMISSION RECEIVES THE HISTORICAL RESEARCH REPORT FROM THE SOCIETY PURSUANT TO SECTION 2-2-2305 (5).

(b) NO LATER THAN SIX MONTHS AFTER BEGINNING TO CONDUCT ITS ECONOMIC ANALYSIS, THE THIRD-PARTY ENTITY SHALL DELIVER THE RESULTS OF ITS ANALYSIS TO THE COMMISSION.

2-2-2307. Black Coloradan racial equity study - report - presentation to legislative committees. (1) NO LATER THAN THREE YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE COMMISSION SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY AND THE GOVERNOR ABOUT THE STUDY. THE COMMISSION SHALL PROVIDE THE REPORT TO THE STATE BOARD OF EDUCATION, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE COLORADO ATTORNEY GENERAL, AND THE HEALTH EQUITY COMMISSION CREATED IN SECTION 25-4-2206, AND MAKE THE REPORT AVAILABLE ON A PUBLICLY ACCESSIBLE WEBPAGE OF THE GENERAL ASSEMBLY'S WEBSITE. THE REPORT MUST INCLUDE:

(a) A DESCRIPTION OF THE STUDY'S GOALS;

(b) THE RESULTS OF THE HISTORICAL RESEARCH AND ECONOMIC ANALYSIS;

(c) RECOMMENDATIONS THAT ARE CONSISTENT WITH THE CONSTITUTION TO ADDRESS ANY PAST HARM POTENTIALLY CAUSED BY GOVERNMENTAL ENTITIES, POLICIES, SYSTEMS, AND PRACTICES THAT ARE DISCOVERED THROUGH THE STUDY;

(d) RECOMMENDATIONS ABOUT HOW OUTCOMES OF THE HISTORICAL RESEARCH AND ECONOMIC ASSESSMENTS OF PAST HARM POTENTIALLY CAUSED TO BLACK COLORADANS BY THE PRACTICES, SYSTEMS, AND POLICIES OF THE STATE CAN BE INCORPORATED INTO THE STATE HISTORY STANDARDS FOR K-12 STUDENTS; AND

(e) RECOMMENDATIONS ABOUT HOW TO INCREASE PUBLIC AWARENESS ABOUT RESEARCH AND ECONOMIC ASSESSMENTS OF PAST HARM POTENTIALLY CAUSED TO HISTORICALLY IMPACTED BLACK COLORADANS BY GOVERNMENTAL ENTITIES, POLICIES, SYSTEMS, AND PRACTICES.

(2) THE COMMISSION SHALL PRESENT THE REPORT DESCRIBED IN THIS SECTION TO THE HOUSE OF REPRESENTATIVES STATE, CIVIC, MILITARY, AND VETERANS AFFAIRS COMMITTEE AND THE SENATE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, DURING THE NEXT REGULAR LEGISLATIVE SESSION THAT BEGINS AFTER THE REPORT IS SUBMITTED TO THE GENERAL ASSEMBLY AND GOVERNOR OR, IF THE GENERAL ASSEMBLY IS IN REGULAR SESSION WHEN THE REPORT IS SUBMITTED AND UPON REQUEST OF THE CHAIR OF THE COMMITTEE, DURING THAT ONGOING REGULAR LEGISLATIVE SESSION.

2-2-2308. Gifts, grants, and donations - cash fund. (1) THE COMMISSION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. THE COMMISSION SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE BLACK COLORADAN RACIAL EQUITY STUDY CASH FUND CREATED IN THIS SECTION.

(2) THE COMMISSION MAY ACCEPT DONATIONS OF IN-KIND SERVICES FOR THE PURPOSES OF THIS SECTION, INCLUDING FOR TECHNICAL ASSISTANCE.

(3) (a) THE BLACK COLORADAN RACIAL EQUITY STUDY CASH FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS,

AND DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (1) OF THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(b) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED AS FOLLOWS:

(I) TO THE LEGISLATIVE COUNCIL FOR THE COMMISSION TO CARRY OUT THIS PART 23; AND

(II) TO THE SOCIETY FOR CONDUCTING HISTORICAL RESEARCH PURSUANT TO SECTION 2-2-2305.

(c) (I) IF BY JUNE 30, 2025, THE MONEY IN THE FUND HAS NEVER REACHED OR EXCEEDED SEVEN HUNDRED EIGHTY-FIVE THOUSAND DOLLARS, THE STATE TREASURER SHALL RETURN FROM THE FUND TO THE GRANTOR OR DONOR THE AMOUNT OF THE GRANTOR'S OR DONOR'S GIFTS, GRANTS, OR DONATIONS.

(II) IF SECTIONS 2-2-2304, 2-2-2305, 2-2-2306, AND 2-2-2307 TAKE EFFECT PURSUANT TO SECTION 2-2-2309 (1), ON THE DAY PRIOR TO THE REPEAL OF THE FUND FOUR YEARS LATER PURSUANT TO SECTION 2-2-2309 (2), THE STATE TREASURER SHALL RETURN FROM THE FUND TO EACH GRANTOR OR DONOR THE MONEY REMAINING IN THE FUND IN AN AMOUNT THAT IS PROPORTIONAL TO THE GRANTOR'S OR DONOR'S SHARE OF THE TOTAL AMOUNT OF GIFTS, GRANTS, OR DONATIONS DEPOSITED TO THE FUND.

(III) IF ANY MONEY REMAINS IN THE FUND AFTER THE STATE TREASURER RETURNS MONEY TO DONORS OR GRANTORS PURSUANT TO SUBSECTION (3)(c)(I) OR (3)(c)(II) OF THIS SECTION, AS APPLICABLE, THE STATE TREASURER SHALL, PRIOR TO THE REPEAL OF THE FUND, TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND TO THE GENERAL FUND.

2-2-2309. Effective dates - repeal of part. (1) SECTIONS 2-2-2304, 2-2-2305, 2-2-2306, AND 2-2-2307 WILL TAKE EFFECT IF THE COMMISSION RECEIVES SEVEN HUNDRED EIGHTY-FIVE THOUSAND DOLLARS OF GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSES OF THIS PART 23. THE DIRECTOR

OF RESEARCH OF THE LEGISLATIVE COUNCIL SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE ON WHICH THE CONDITION SPECIFIED IN THIS SUBSECTION (1) HAS OCCURRED BY E-MAILING THE NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV. SECTIONS 2-2-2304, 2-2-2305, 2-2-2306, AND 2-2-2307 TAKE EFFECT UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE COMMISSION HAS RECEIVED SEVEN HUNDRED EIGHTY-FIVE THOUSAND DOLLARS OF GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSES OF THIS SECTION OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

(2) THIS PART 23 IS REPEALED, EFFECTIVE JULY 1, 2025; EXCEPT THAT, IF THE REVISOR OF STATUTES RECEIVES NOTICE PURSUANT TO THIS SECTION, THEN THIS PART 23 IS REPEALED, EFFECTIVE FOUR YEARS AFTER SECTIONS 2-2-2304, 2-2-2305, 2-2-2306, AND 2-2-2307 TAKE EFFECT.

SECTION 2. In Colorado Revised Statutes, 24-80-211, **add** (2) as follows:

24-80-211. Society and division - duties - repeal. (2) (a) SUBJECT TO AVAILABLE MONEY, THE STATE HISTORICAL SOCIETY SHALL CONDUCT HISTORICAL RESEARCH AS DESCRIBED IN PART 23 OF ARTICLE 2 OF TITLE 2.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2025; EXCEPT THAT, IF THE REVISOR OF STATUTES RECEIVES NOTICE PURSUANT TO SECTION 2-2-2309 (1), THEN THIS SUBSECTION (2) IS REPEALED, EFFECTIVE FOUR YEARS AFTER THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect

unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO