

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 24-0323.01 Megan McCall x4215

HOUSE BILL 24-1245

HOUSE SPONSORSHIP

Story and Garcia,

SENATE SPONSORSHIP

Gonzales,

House Committees

Business Affairs & Labor
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS THAT PROJECTS FOR BROADBAND**
102 **DEPLOYMENT RECEIVING MONEY DISTRIBUTED BY THE**
103 **COLORADO BROADBAND OFFICE COMPLY WITH CERTAIN FAIR**
104 **LABOR PRACTICES.**

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 Colorado broadband office (office) is authorized to seek or apply for, accept, and expend money from the federal government for broadband deployment. The bill requires that for federal money that the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
May 2, 2024

office distributes, or for state money that it distributes as matching funding for federal money, it must give substantial weight, but not less than 25% weight, to fair labor practices by establishing evaluation metrics for applicants. Additionally, for projects that receive an award of over \$500,000, workers involved in the projects must be paid prevailing wages for the project to receive the award.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-37.5-106, **amend**
3 (4) as follows:

4 **24-37.5-106. Chief information officer - duties and**
5 **responsibilities.** (4) The chief information officer may promulgate as
6 rules pursuant to article 4 of this title 24, all of the policies, procedures,
7 standards, specifications, guidelines, or criteria that are developed or
8 approved pursuant to section 24-37.5-105 (4) and to establish
9 accessibility standards for individuals with a disability pursuant to section
10 24-85-103. THE CHIEF INFORMATION OFFICER SHALL PROMULGATE
11 PURSUANT TO ARTICLE 4 OF THIS TITLE 24 RULES IN ACCORDANCE WITH
12 THE PROVISIONS SET FORTH IN SECTION 24-37.5-903 (6).

13 **SECTION 2.** In Colorado Revised Statutes, 24-37.5-903, **add** (6)
14 and (7) as follows:

15 **24-37.5-903. Colorado broadband office - creation -**
16 **responsibilities - gifts, grants, or donations.** (6) THE BROADBAND
17 OFFICE, BY AND THROUGH THE CHIEF INFORMATION OFFICER PURSUANT TO
18 THE CHIEF INFORMATION OFFICER'S AUTHORITY SET FORTH IN SECTION
19 24-37.5-106 (4), SHALL PROMULGATE RULES, UNLESS PROHIBITED BY
20 FEDERAL LAW, THAT ESTABLISH LABOR STANDARDS FOR GRANTEEES AND
21 SUBGRANTEEES NO LATER THAN NINETY-ONE DAYS AFTER THE BROADBAND
22 OFFICE RECEIVES APPROVAL OF ITS INITIAL PROPOSAL FOR FEDERAL

1 FUNDING UNDER THE BROADBAND EQUITY, ACCESS, AND DEPLOYMENT
2 PROGRAM AUTHORIZED BY THE FEDERAL "INFRASTRUCTURE INVESTMENT
3 AND JOBS ACT", PUB.L. 117-58, AND BEFORE, IN CONNECTION WITH
4 RECEIPT OF SUCH FEDERAL FUNDING, APPROVING GRANTS TO INTERNET
5 SERVICE PROVIDERS. THE RULES MUST, AT A MINIMUM, REQUIRE THAT
6 GRANTEES AND SUBGRANTEES:

- 7 (a) PAY THEIR WORKERS PREVAILING WAGE;
- 8 (b) UTILIZE APPRENTICESHIPS REGISTERED WITH THE UNITED
9 STATES DEPARTMENT OF LABOR OR THE STATE APPRENTICESHIP AGENCY
10 CREATED IN SECTION 8-15.7-102 FOR THE APPLICABLE WORKFORCE;
- 11 (c) EMPLOY A SKILLED AND TRAINED WORKFORCE; AND
- 12 (d) UTILIZE IN-HOUSE WORKFORCE TRAINING.

13 (7) GRANTEES OF FUNDING ADMINISTERED OR DISTRIBUTED BY THE
14 BROADBAND OFFICE SHALL PROVIDE TO THE BROADBAND OFFICE
15 BIENNIAL REPORTS THAT CONTAIN INFORMATION ON THE GRANTEE'S
16 WORKFORCE IN ACCORDANCE WITH THIS SUBSECTION (7). THE
17 BROADBAND OFFICE SHALL MAKE THE REPORTS PUBLICLY AVAILABLE ON
18 ITS WEBSITE. THE REPORTS MUST INCLUDE:

- 19 (a) JOB TITLES AND SIZE OF A GRANTEE'S WORKFORCE, INCLUDING
20 THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS THAT ARE REQUIRED
21 TO CARRY OUT THE FUNDED WORK OVER THE COURSE OF THE PROJECT;
- 22 (b) IF THE WORKFORCE IS DIRECTLY EMPLOYED BY THE GRANTEE
23 OR THE INTERNET SERVICE PROVIDER OR IF WORK WILL BE PERFORMED BY
24 A SUBCONTRACTED WORKFORCE;
- 25 (c) IDENTIFICATION OF ANY ENTITIES THAT THE GRANTEE
26 SUBCONTRACTS WITH IN CARRYING OUT THE FUNDED WORK AND
27 IDENTIFICATION OF THE ENTITY THAT IS FUNCTIONING AS THE LEGAL

1 EMPLOYER OF THE WORKERS IN EACH JOB TITLE ASSOCIATED WITH THE
2 PROJECT; AND

3 (d) A DESCRIPTION OF WHETHER THE GRANTEE'S WORKFORCE IS
4 SUBJECT TO COMPLIANCE WITH THE STATE'S LAWS CONCERNING
5 OVERTIME, BREAKS, PAID SICK TIME, MISCLASSIFICATION, AND PAID
6 FAMILY AND MEDICAL LEAVE AND A DESCRIPTION OF ANY LEGAL ACTION
7 THE GRANTEE HAS BEEN INVOLVED IN DURING THE REPORTING PERIOD
8 CONCERNING ANY OF THESE LAWS.

9 **SECTION 3. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.