

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

INTRODUCED

LLS NO. 25-0492.03 Jessica Herrera x4218

HOUSE BILL 25-1130

HOUSE SPONSORSHIP

Carter and Duran,

SENATE SPONSORSHIP

Danielson,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING LABOR REQUIREMENTS FOR CERTAIN CONSTRUCTION**
102 **PROJECTS.**

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>.)

For public projects and energy sector public works projects, current law requires that any contractor or subcontractor that will perform mechanical, electrical, or plumbing work on the project participate in an apprenticeship program that:

- Is registered with either the United States department of labor or a state apprenticeship agency recognized by 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.

United States department of labor and that has a proven record of graduating apprentices for at least 3 of the past 5 years (registered apprenticeship program); and

- Satisfies specified graduation requirements (registered apprenticeship program that satisfies specified graduation requirements).

Currently, for energy sector public works projects, these requirements also apply to a contractor or subcontractor that employs construction laborers on the project. In addition, for energy sector public works projects, current law requires that all other contractors or subcontractors participate in a registered apprenticeship program.

Apprenticeship utilization requirements. The bill aligns the apprenticeship utilization requirements for public projects and energy sector public works projects and specifies that for both types of projects:

- Any contractor or subcontractor that will perform mechanical, electrical, or plumbing work or employ construction laborers on the project is required to participate in a registered apprenticeship program that satisfies specified graduation requirements; and
- Any other contractor or subcontractor that will perform work on the project is required to demonstrate a minimal training requirement by participating in a registered apprenticeship program.

The bill also aligns current statutory provisions for public projects and energy sector public works projects in connection with the apprenticeship utilization requirements, including provisions that:

- Require the lead contractor for a project to identify all contractors and subcontractors that will perform work on the project;
- Require the lead contractor for a project to certify that all contractors and subcontractors that perform work on the project satisfy the applicable apprenticeship utilization requirements;
- Require the contract for a project to include the apprenticeship utilization requirements;
- Require the lead contractor for a project to provide documentation to prove compliance with the apprenticeship utilization requirements;
- Allow waivers of the apprenticeship utilization requirements under specified circumstances; and
- Allow an apprenticeship program that does not satisfy the criteria specified in the bill to petition the department of labor and employment for conditional approval for the purposes of the bill.

Project labor agreements for public projects. The bill authorizes

an agency of government to incorporate a project labor agreement requirement for a public project if the project labor agreement will promote successful project delivery by securing a skilled labor force for the project and if it will promote cost-efficiency, safety, quality, and timely completion of the project. If all construction work on the public project is covered by a project labor agreement, the apprenticeship utilization requirements specified in the bill and the current statutory prevailing wage requirements for a public project do not apply to the project. The provisions in the bill regarding project labor agreements for public projects are parallel to the current statutory provisions regarding project labor agreements for energy sector public works projects.

County opt in to state apprenticeship utilization and prevailing wage requirements. The bill allows a county to opt in to the state apprenticeship utilization and prevailing wage requirements. A county that intends to opt in to such requirements may request, through a process specified in the bill, that the department of personnel collaborate with the county regarding the implementation, application, and enforcement of the state apprenticeship utilization and prevailing wage requirements. The bill allows the department of personnel or other agencies of government and a county that opts in to the state apprenticeship utilization and prevailing wage requirements to enter into an intergovernmental agreement to address the rights and obligations of the parties in connection with the implementation, administration, and enforcement of such requirements.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) The state of Colorado and counties share a common interest in
5 building effective programs for capital construction needs, including vital
6 infrastructure and other important government projects;

7 (b) Colorado, like many other states, has a critical need to build
8 a robust construction workforce for all craft labor occupations. Two of
9 the most effective policies for construction workforce development are
10 the prevailing wage and apprenticeship utilization policies.

11 (c) While the state has established prevailing wage and
12 apprenticeship utilization programs for its public projects, most counties

1 have not.

2 (2) The general assembly further finds that it is efficient and
3 beneficial to provide counties that are involved in public projects the
4 opportunity to participate in the state prevailing wage and apprenticeship
5 utilization programs and to allow counties to rely on state resources and
6 applicable statutory provisions.

7 **SECTION 2. Short title.** The short title of this act is the
8 "Colorado Quality Apprenticeship Training Act of 2025".

9 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**
10 **with amendments,** 24-92-115 as follows:

11 **24-92-115. Apprenticeship utilization requirements - public**
12 **projects - energy sector public works projects - definitions.**

13 (1) **Definitions.** (a) "CONSTRUCTION LABORER" MEANS A WORKER WHO
14 PERFORMS THE SCOPE OF WORK ON A CONSTRUCTION SITE PERFORMED BY
15 A CONSTRUCTION LABORER AS DEFINED BY THE UNITED STATES
16 DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, DIVISION OF
17 OCCUPATION EMPLOYMENT AND WAGE STATISTICS OCCUPATIONAL JOB
18 CODE DESIGNATION.

19 (b) "COVERED PROJECT" MEANS:

20 (I) AN ENERGY SECTOR PUBLIC WORKS PROJECT AS DEFINED IN
21 SECTION 24-92-102 (8) OR A PUBLIC PROJECT.

22 (II) "COVERED PROJECT" DOES NOT INCLUDE ANY PROJECT UNDER
23 THE SUPERVISION OF THE DEPARTMENT OF TRANSPORTATION, REGARDLESS
24 OF THE AMOUNT OR FUNDING SOURCE OF THE PROJECT, OR ANY PROJECT
25 UNDER THE SUPERVISION OF A COUNTY, CITY AND COUNTY, CITY,
26 MUNICIPALITY, TOWN, SCHOOL DISTRICT, SPECIAL DISTRICT, OR ANY
27 OTHER POLITICAL SUBDIVISION OF THE STATE.

1 (c) "GRADUATING" MEANS THE COMPLETION OF A MULTI-YEAR
2 APPRENTICESHIP PROGRAM, INCLUDING THE REQUISITE CLASSROOM
3 COURSE WORK AND ON-THE-JOB TRAINING REQUIREMENTS AND A
4 CERTIFICATE OF COMPLETION ISSUED BY THE UNITED STATES
5 DEPARTMENT OF LABOR OR AWARDED PURSUANT TO ARTICLE 15.7 OF
6 TITLE 8.

7 (d) "LEAD CONTRACTOR" MEANS A GENERAL CONTRACTOR,
8 CONSTRUCTION MANAGER, DEVELOPER, DESIGN BUILDER, OR OTHER PARTY
9 THAT IS:

10 (I) PRIMARILY RESPONSIBLE TO THE CONTRACTING AGENCY OF
11 GOVERNMENT FOR A COVERED PROJECT THAT IS A PUBLIC PROJECT; OR

12 (II) PRIMARILY RESPONSIBLE TO THE CONTRACTING PUBLIC
13 UTILITY, INDEPENDENT POWER PRODUCER, OR COOPERATIVE ELECTRIC
14 ASSOCIATION FOR A COVERED PROJECT THAT IS AN ENERGY SECTOR PUBLIC
15 WORKS PROJECT.

16 (e) "PUBLIC PROJECT" MEANS A PUBLIC PROJECT AS DEFINED IN
17 SECTION 24-92-201 (5) THAT DOES NOT RECEIVE FEDERAL MONEY,
18 INCLUDING A PUBLIC PROJECT THAT WILL HAVE AN INTEGRATED PROJECT
19 DELIVERY CONTRACT PURSUANT TO ARTICLE 93 OF THIS TITLE 24, IN THE
20 AMOUNT OF ONE MILLION DOLLARS OR MORE.

21 (2) **Apprenticeship utilization requirements for mechanical,**
22 **electrical, and plumbing work and construction contractors or**
23 **subcontractors employing construction laborers.** (a) UNLESS
24 PROHIBITED BY APPLICABLE FEDERAL LAW, ANY CONTRACTOR OR
25 SUBCONTRACTOR THAT PERFORMS MECHANICAL, SHEET METAL, FIRE
26 SUPPRESSION, SPRINKLER FITTING, ELECTRICAL, OR PLUMBING WORK OR
27 CONSTRUCTION LABOR ON A COVERED PROJECT IS REQUIRED TO

1 PARTICIPATE IN AN APPRENTICESHIP PROGRAM THAT:

2 (I) IS REGISTERED WITH EITHER THE UNITED STATES DEPARTMENT
3 OF LABOR OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE
4 UNITED STATES DEPARTMENT OF LABOR AND THAT HAS A PROVEN RECORD
5 OF GRADUATING APPRENTICES FOR AT LEAST THREE OF THE PAST FIVE
6 YEARS; AND

7 (II) HAS A PROVEN RECORD OF GRADUATING APPRENTICES AS
8 FOLLOWS:

9 (A) BEGINNING JULY 1, 2021, THROUGH JUNE 30, 2026, A
10 MINIMUM OF FIFTEEN PERCENT OF ITS APPRENTICES FOR AT LEAST THREE
11 OF THE PAST FIVE YEARS;

12 (B) BEGINNING JULY 1, 2026, THROUGH JUNE 30, 2031, A
13 MINIMUM OF TWENTY PERCENT OF APPRENTICES FOR AT LEAST THREE OF
14 THE PAST FIVE YEARS; AND

15 (C) BEGINNING JULY 1, 2031, AND EACH YEAR THEREAFTER, A
16 MINIMUM OF THIRTY PERCENT OF APPRENTICES FOR AT LEAST THREE OF
17 THE PAST FIVE YEARS.

18 (b) THE LEAD CONTRACTOR FOR A COVERED PROJECT SHALL:

19 (I) IDENTIFY, AT THE TIME THEY ARE PUT UNDER CONTRACT, ALL
20 CONTRACTORS OR SUBCONTRACTORS THAT WILL PERFORM MECHANICAL,
21 SHEET METAL, FIRE SUPPRESSION, SPRINKLER FITTING, ELECTRICAL, OR
22 PLUMBING WORK OR SUBCONTRACTORS THAT EMPLOY CONSTRUCTION
23 LABORERS REQUIRED FOR THE COVERED PROJECT; AND

24 (II) CERTIFY THAT CONTRACTORS OR SUBCONTRACTORS
25 IDENTIFIED PURSUANT TO SUBSECTION (2)(b)(I) OF THIS SECTION
26 PARTICIPATE IN AN APPRENTICESHIP PROGRAM THAT SATISFIES THE
27 CRITERIA SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION.

1 (c) THE LEAD CONTRACTOR FOR A COVERED PROJECT SHALL
2 SUPPLY TO THE CONTRACTING AGENCY OF GOVERNMENT FOR A PUBLIC
3 PROJECT OR THE CONTRACTING PUBLIC UTILITY, INDEPENDENT POWER
4 PRODUCER, OR COOPERATIVE ELECTRIC ASSOCIATION FOR AN ENERGY
5 SECTOR PUBLIC WORKS PROJECT SUPPORTING DOCUMENTATION FROM THE
6 UNITED STATES DEPARTMENT OF LABOR OR A STATE APPRENTICESHIP
7 AGENCY RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR TO
8 VERIFY THE ACCURACY OF THE INFORMATION PROVIDED IN THE
9 CERTIFICATION SPECIFIED IN SUBSECTION (2)(b)(II) OF THIS SECTION.

10 (d) WITHIN THIRTY DAYS OF RECEIVING ANY DOCUMENTATION
11 FROM THE LEAD CONTRACTOR OF A COVERED PROJECT AS REQUIRED
12 PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, THE CONTRACTING
13 AGENCY OF GOVERNMENT FOR A PUBLIC PROJECT OR THE CONTRACTING
14 PUBLIC UTILITY, INDEPENDENT POWER PRODUCER, OR COOPERATIVE
15 ELECTRIC ASSOCIATION FOR AN ENERGY SECTOR PUBLIC WORKS PROJECT
16 SHALL MAKE THE DOCUMENTATION PUBLICLY AVAILABLE ON ITS WEBSITE.

17 (e) TO ENSURE COMPLIANCE WITH SUBSECTION (2)(a)(II) OF THIS
18 SECTION, THE LEAD CONTRACTOR FOR A COVERED PROJECT SHALL AGREE
19 TO PROVIDE TO THE CONTRACTING AGENCY OF GOVERNMENT FOR A PUBLIC
20 PROJECT OR THE CONTRACTING PUBLIC UTILITY, INDEPENDENT POWER
21 PRODUCER, OR COOPERATIVE ELECTRIC ASSOCIATION FOR AN ENERGY
22 SECTOR PUBLIC WORKS PROJECT ADDITIONAL DOCUMENTATION
23 REGARDING AFFECTED APPRENTICESHIP TRAINING PROGRAMS RELATING
24 TO THE REQUIREMENTS OF THIS SECTION. IF A CONTRACTING AGENCY OF
25 GOVERNMENT OR A CONTRACTING PUBLIC UTILITY, INDEPENDENT POWER
26 PRODUCER, OR COOPERATIVE ELECTRIC ASSOCIATION DETERMINES THAT
27 A CONTRACTOR OR SUBCONTRACTOR THAT PERFORMS MECHANICAL, SHEET

1 METAL, FIRE SUPPRESSION, SPRINKLER FITTING, ELECTRICAL, OR PLUMBING
2 WORK OR EMPLOYS CONSTRUCTION LABORERS REQUIRED FOR THE
3 COVERED PROJECT HAS WILLFULLY FALSIFIED DOCUMENTATION OR
4 WILLFULLY MISREPRESENTED THEIR QUALIFICATIONS REQUIRED TO
5 COMPLY WITH THIS SUBSECTION (2) IN THE CONTRACT, THE CONTRACTING
6 AGENCY OF GOVERNMENT OR CONTRACTING PUBLIC UTILITY,
7 INDEPENDENT POWER PRODUCER, OR COOPERATIVE ELECTRIC
8 ASSOCIATION SHALL DIRECT THE LEAD CONTRACTOR TO TERMINATE THE
9 CONTRACTOR'S OR SUBCONTRACTOR'S CONTRACT IMMEDIATELY AND THE
10 CONTRACTOR OR SUBCONTRACTOR WILL BE IMMEDIATELY REMOVED FROM
11 THE COVERED PROJECT. FOR A PUBLIC PROJECT OR AN ENERGY PUBLIC
12 WORKS PROJECT, THE COLORADO DEPARTMENT OF LABOR AND
13 EMPLOYMENT MAY INITIATE THE PROCESS TO DEBAR THE CONTRACTOR OR
14 SUBCONTRACTOR PURSUANT TO SECTION 24-109-105, AND MAY PURSUE
15 ANY OTHER REMEDY PROVIDED BY LAW.

16 (3) **General apprenticeship utilization requirements.**

17 (a) UNLESS PROHIBITED BY APPLICABLE FEDERAL LAW, ANY CONTRACTOR
18 OR SUBCONTRACTOR REQUIRED FOR A COVERED PROJECT OTHER THAN A
19 CONTRACTOR OR SUBCONTRACTOR THAT PERFORMS MECHANICAL, SHEET
20 METAL, FIRE SUPPRESSION, SPRINKLER FITTING, ELECTRICAL, OR PLUMBING
21 WORK OR SUBCONTRACTORS THAT EMPLOYS CONSTRUCTION LABORERS IS
22 REQUIRED TO PARTICIPATE IN AN APPRENTICESHIP PROGRAM THAT IS
23 REGISTERED WITH EITHER THE UNITED STATES DEPARTMENT OF LABOR OR
24 A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES
25 DEPARTMENT OF LABOR AND THAT HAS A PROVEN RECORD OF
26 GRADUATING APPRENTICES FOR AT LEAST THREE OF THE PAST FIVE YEARS.

27 (b) THE LEAD CONTRACTOR FOR A COVERED PROJECT SHALL:

1 (I) IDENTIFY, AT THE TIME THEY ARE PUT UNDER CONTRACT, ALL
2 CONTRACTORS OR SUBCONTRACTORS THAT WILL PERFORM WORK ON A
3 COVERED PROJECT, OTHER THAN THE CONTRACTORS OR SUBCONTRACTORS
4 THAT PERFORM MECHANICAL, SHEET METAL, FIRE SUPPRESSION,
5 SPRINKLER FITTING, ELECTRICAL, OR PLUMBING WORK OR
6 SUBCONTRACTORS THAT EMPLOY CONSTRUCTION LABORERS; AND

7 (II) CERTIFY THAT THE CONTRACTORS OR SUBCONTRACTORS
8 IDENTIFIED PURSUANT TO SUBSECTION (3)(b)(I) OF THIS SECTION
9 PARTICIPATE IN AN APPRENTICESHIP PROGRAM THAT SATISFIES THE
10 CRITERIA SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION.

11 (4) **Contract requirements.** THE CONTRACT FOR ANY COVERED
12 PROJECT SHALL REQUIRE THE LEAD CONTRACTOR TO:

13 (a) CONTRACT ONLY WITH CONTRACTORS AND SUBCONTRACTORS
14 THAT COMPLY WITH SUBSECTION (2) OR (3) OF THIS SECTION, AS
15 APPLICABLE; AND

16 (b) SUBMIT THE DOCUMENTATION AND CERTIFICATIONS REQUIRED
17 BY SUBSECTION (2) OF THIS SECTION, IF APPLICABLE, TO THE CONTRACTING
18 AGENCY OF GOVERNMENT FOR A PUBLIC PROJECT OR THE CONTRACTING
19 PUBLIC UTILITY, INDEPENDENT POWER PRODUCER, OR COOPERATIVE
20 ELECTRIC ASSOCIATION FOR AN ENERGY SECTOR PUBLIC WORKS PROJECT
21 AT THE TIME A CONTRACTOR OR SUBCONTRACTOR IS PUT UNDER
22 CONTRACT.

23 (5) **Waiver for unavailable responsive contractors or**
24 **subcontractors.** (a) UPON EVALUATION OF THE SUBMITTED BIDS FOR A
25 COVERED PROJECT, THE CONTRACTING AGENCY OF GOVERNMENT FOR A
26 PUBLIC PROJECT OR THE CONTRACTING PUBLIC UTILITY, INDEPENDENT
27 POWER PRODUCER, OR COOPERATIVE ELECTRIC ASSOCIATION FOR AN

1 ENERGY SECTOR PUBLIC WORKS PROJECT MAY WAIVE THE REQUIREMENTS
2 OF THIS SECTION IF THE AGENCY OF GOVERNMENT OR THE PUBLIC UTILITY,
3 INDEPENDENT POWER PRODUCER, OR COOPERATIVE ELECTRIC
4 ASSOCIATION DETERMINES THAT THERE IS SUBSTANTIAL EVIDENCE THAT
5 THERE WERE NO RESPONSIVE, ELIGIBLE CONTRACTORS OR
6 SUBCONTRACTORS AVAILABLE TO FULFILL THE REQUIREMENTS OF THE
7 CONTRACT.

8 (b) EACH CONTRACTING AGENCY OF GOVERNMENT FOR A PUBLIC
9 PROJECT AND EACH CONTRACTING PUBLIC UTILITY, INDEPENDENT POWER
10 PRODUCER, OR COOPERATIVE ELECTRIC ASSOCIATION FOR AN ENERGY
11 SECTOR PUBLIC WORKS PROJECT THAT GRANTS A WAIVER PURSUANT TO
12 SUBSECTION (5)(a) OF THIS SECTION SHALL MAKE THE WAIVER, THE
13 SPECIFIC RATIONALE FOR GRANTING THE WAIVER, NOTICE OF THE
14 CONTRACTOR OR SUBCONTRACTOR TO WHICH THE WAIVER APPLIES, AND
15 THE JUSTIFICATION FOR THE WAIVER AVAILABLE TO THE PUBLIC ON ITS
16 WEBSITE.

17 (6) **Waiver to restore electric service.** FOR A COVERED PROJECT
18 THAT IS AN ENERGY SECTOR PUBLIC WORKS PROJECT, IN THE EVENT OF AN
19 EXTREME WEATHER EVENT, A WILDFIRE, OR AN EMERGENCY DECLARED BY
20 THE STATE OF COLORADO OR THE FEDERAL GOVERNMENT, A
21 CONTRACTING PUBLIC UTILITY, INDEPENDENT POWER PRODUCER, OR
22 COOPERATIVE ELECTRIC ASSOCIATION FOR AN ENERGY SECTOR PUBLIC
23 WORKS PROJECT MAY WAIVE THE REQUIREMENTS OF THIS SECTION WHEN
24 PERFORMING REPAIR WORK TO RESTORE ELECTRIC SERVICE TO CUSTOMERS
25 OR ASSOCIATION MEMBERS WHEN IT CAN REASONABLY DEMONSTRATE
26 THAT:

27 (a) THE CAPACITY NEEDED TO RESTORE POWER EXCEEDS THE

1 CONTRACTING PUBLIC UTILITY'S, INDEPENDENT POWER PRODUCER'S, OR
2 COOPERATIVE ELECTRIC ASSOCIATION'S AVAILABLE CAPACITY FOR
3 EMERGENCY REPAIRS THROUGH ITS EMPLOYEES, STANDBY CONTRACTOR
4 CAPACITY, OR APPLICABLE MUTUAL AID AGREEMENTS; AND

5 (b) THE CONTRACTING PUBLIC UTILITY, INDEPENDENT POWER
6 PRODUCER, OR COOPERATIVE ELECTRIC ASSOCIATION MADE A GOOD FAITH
7 EFFORT TO IDENTIFY CONTRACTORS AND SUBCONTRACTORS THAT CAN
8 COMPLY WITH SUBSECTION (2) OR (3) OF THIS SECTION, AS APPLICABLE,
9 AND NO ELIGIBLE CONTRACTORS OR SUBCONTRACTORS WERE AVAILABLE
10 FOR THE TIME FRAME FOR WHICH THE EMERGENCY CAPACITY WAS NEEDED.

11 (7) **New apprenticeship programs.** (a) TO PROMOTE AND
12 FACILITATE THE DEVELOPMENT OF NEW APPRENTICESHIP PROGRAMS, AN
13 APPRENTICESHIP PROGRAM THAT DOES NOT SATISFY THE REQUIREMENTS
14 OF SUBSECTION (3) OF THIS SECTION MAY PETITION THE DEPARTMENT OF
15 LABOR AND EMPLOYMENT FOR CONDITIONAL APPROVAL FOR THE
16 PURPOSES OF THIS SECTION. TO BE ALLOWED CONDITIONAL APPROVAL, AN
17 APPRENTICESHIP PROGRAM MUST DEMONSTRATE THE FOLLOWING:

18 (I) THE PROGRAM HAS BEEN REGISTERED WITH THE UNITED
19 STATES DEPARTMENT OF LABOR OR A STATE APPRENTICESHIP AGENCY
20 RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR AND HAS
21 BEEN PROVIDING TRAINING FOR AT LEAST SIX MONTHS; AND

22 (II) THE PROGRAM IS PERFORMING BONA FIDE APPRENTICESHIP
23 TRAINING AS EVIDENCED BY INFORMATION SHOWING THAT IT HAS THE
24 REQUISITE FACILITIES, PERSONNEL, AND OTHER RESOURCES NEEDED TO
25 PROVIDE SUCH TRAINING.

26 (b) IF THE DEPARTMENT OF LABOR AND EMPLOYMENT GRANTS
27 CONDITIONAL APPROVAL OF AN APPRENTICESHIP PROGRAM PURSUANT TO

1 SUBSECTION (7)(a) OF THIS SECTION, THE PROGRAM WILL REMAIN ELIGIBLE
2 FOR FUTURE COVERED PROJECTS, SUBJECT TO ANNUAL REVIEWS BY THE
3 DEPARTMENT OF LABOR AND EMPLOYMENT FOR FIVE YEARS AFTER
4 CONDITIONAL APPROVAL IS GRANTED OR UNTIL IT CAN SATISFY THE
5 REQUIREMENTS OF SUBSECTION (3) OF THIS SECTION AND CAN SHOW A
6 THREE-YEAR GRADUATION TRACK RECORD.

7 (c) TO MAINTAIN CONDITIONAL APPROVAL PURSUANT TO THIS
8 SUBSECTION (7), THE APPRENTICESHIP PROGRAM MUST DEMONSTRATE TO
9 THE DEPARTMENT OF LABOR AND EMPLOYMENT THAT IT HAS REGISTERED
10 NEW APPRENTICES INTO ITS PROGRAM FOR EVERY YEAR IT HAS BEEN IN
11 OPERATION AND THAT IT HAS ADVANCED, AT A MINIMUM, TEN PERCENT OF
12 ITS APPRENTICES IN EACH YEAR OF OPERATION. THE DEPARTMENT OF
13 LABOR AND EMPLOYMENT SHALL RESCIND A CONDITIONAL APPROVAL FOR
14 ANY PROGRAM THAT FAILS TO MAINTAIN THESE STANDARDS.

15 (8) **Project labor agreement.** IF ALL CONSTRUCTION WORK ON A
16 COVERED PROJECT THAT IS A PUBLIC PROJECT IS COVERED BY A PROJECT
17 LABOR AGREEMENT PURSUANT TO SECTION 24-92-115.5, THE
18 APPRENTICESHIP UTILIZATION REQUIREMENTS DO NOT APPLY TO THE
19 PROJECT.

20 (9) **Existing requirements.** NOTHING IN THIS SECTION
21 SUPERSEDES THE REQUIREMENTS FOR LICENSED PLUMBERS, LICENSED
22 ELECTRICIANS, OR APPRENTICES REGISTERED WITH THE STATE PURSUANT
23 TO TITLE 12, INCLUDING SECTIONS 12-115-109, 12-115-115, 12-155-108,
24 AND 12-155-124 OR THE APPRENTICESHIP RATIOS ESTABLISHED IN THE
25 APPROVED STANDARDS FOR APPRENTICESHIP PROGRAMS THAT ARE
26 REGISTERED WITH EITHER THE UNITED STATES DEPARTMENT OF LABOR OR
27 A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES

1 DEPARTMENT OF LABOR'S EMPLOYMENT AND TRAINING ADMINISTRATION.

2 **SECTION 4.** In Colorado Revised Statutes, **add** 24-92-115.5 as
3 follows:

4 **24-92-115.5. Public projects - use of project labor agreements**
5 **- definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT

6 OTHERWISE REQUIRES:

7 (a) "AGENCY OF GOVERNMENT" HAS THE MEANING SET FORTH IN
8 SECTION 24-92-201 (1).

9 (b) "CRAFT LABOR" MEANS EMPLOYEES WHO ARE ENGAGED IN THE
10 CONSTRUCTION OF A PUBLIC PROJECT, INCLUDING ALL TRADES, CRAFTS,
11 AND OCCUPATIONS THAT ARE PAID HOURLY.

12 (c) "PROJECT LABOR AGREEMENT" MEANS A PREHIRE COLLECTIVE
13 BARGAINING AGREEMENT BETWEEN A LEAD CONTRACTOR FOR A PUBLIC
14 PROJECT AND CONSTRUCTION LABOR ORGANIZATIONS, INCLUDING BUT NOT
15 LIMITED TO THE COLORADO BUILDING AND CONSTRUCTION TRADES
16 COUNCIL AND ITS AFFILIATES OR A GROUP OF LABOR UNIONS COVERING
17 THE AFFECTED TRADES NECESSARY TO PERFORM WORK ON THE PUBLIC
18 PROJECT, THAT ESTABLISHES THE TERMS AND CONDITIONS OF
19 EMPLOYMENT OF THE CONSTRUCTION WORKFORCE ON THE PUBLIC
20 PROJECT. A PROJECT LABOR AGREEMENT MUST INCLUDE PROVISIONS THAT:

21 (I) SET FORTH EFFECTIVE, IMMEDIATE, AND MUTUALLY BINDING
22 PROCEDURES FOR RESOLVING JURISDICTIONAL LABOR DISPUTES AND
23 GRIEVANCES ARISING BEFORE THE COMPLETION OF WORK;

24 (II) CONTAIN GUARANTEES AGAINST STRIKES, LOCKOUTS, OR
25 SIMILAR ACTIONS;

26 (III) ENSURE A RELIABLE SOURCE OF TRAINED, SKILLED, AND
27 EXPERIENCED CRAFT LABOR;

1 (IV) FURTHER PUBLIC POLICY OBJECTIVES REGARDING IMPROVED
2 EMPLOYMENT OPPORTUNITIES FOR MINORITIES, WOMEN, OR OTHER
3 ECONOMICALLY DISADVANTAGED POPULATIONS IN THE CONSTRUCTION
4 INDUSTRY, INCLUDING PERSONS FROM DISPROPORTIONATELY IMPACTED
5 COMMUNITIES, TO THE EXTENT PERMITTED BY STATE AND FEDERAL LAW;

6 (V) PERMIT THE SELECTION OF THE LOWEST QUALIFIED
7 RESPONSIBLE BIDDER OR LOWEST QUALIFIED RESPONSIBLE OFFEROR
8 WITHOUT REGARD TO UNION OR NON-UNION STATUS AT OTHER
9 CONSTRUCTION SITES;

10 (VI) BIND ALL CONTRACTORS AND SUBCONTRACTORS ON THE
11 PUBLIC PROJECT TO THE PROJECT LABOR AGREEMENT THROUGH THE
12 INCLUSION OF APPROPRIATE BID SPECIFICATIONS IN ALL RELEVANT
13 CONTRACT DOCUMENTS; AND

14 (VII) INCLUDE OTHER TERMS AS THE PARTIES DEEM APPROPRIATE.

15 (d) "PUBLIC PROJECT" HAS THE MEANING SET FORTH IN SECTION
16 24-92-201 (5).

17 (2) AN AGENCY OF GOVERNMENT IS AUTHORIZED TO INCORPORATE
18 A PROJECT LABOR AGREEMENT REQUIREMENT FOR A PUBLIC PROJECT IF
19 THE PROJECT LABOR AGREEMENT WILL PROMOTE SUCCESSFUL PROJECT
20 DELIVERY BY SECURING A SKILLED LABOR FORCE FOR THE PROJECT AND IF
21 IT WILL PROMOTE COST EFFICIENCY, SAFETY, QUALITY, AND TIMELY
22 COMPLETION OF THE PROJECT.

23 (3) IF ALL CONSTRUCTION WORK ON A PUBLIC PROJECT IS COVERED
24 BY A PROJECT LABOR AGREEMENT, THE APPRENTICESHIP UTILIZATION
25 REQUIREMENTS SPECIFIED IN SECTION 24-92-115 AND THE PREVAILING
26 WAGE REQUIREMENTS SPECIFIED IN PART 2 OF THIS ARTICLE 92 DO NOT
27 APPLY TO THE PUBLIC PROJECT.

1 **SECTION 5.** In Colorado Revised Statutes, **add** 24-92-119 as
2 follows:

3 **24-92-119. County opt in - state apprenticeship utilization and**
4 **prevailing wage requirements - intergovernmental agreement -**
5 **definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES, "STATE APPRENTICESHIP UTILIZATION AND
7 PREVAILING WAGE REQUIREMENTS" MEANS THE APPRENTICESHIP
8 UTILIZATION REQUIREMENTS FOR A PUBLIC PROJECT SPECIFIED IN SECTION
9 24-92-115 AND THE PREVAILING WAGE REQUIREMENTS FOR A PUBLIC
10 PROJECT SPECIFIED IN PART 2 OF THIS ARTICLE 92.

11 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY,
12 INCLUDING A CITY AND COUNTY, MAY OPT IN TO THE STATE
13 APPRENTICESHIP UTILIZATION AND PREVAILING WAGE REQUIREMENTS. A
14 COUNTY THAT INTENDS TO OPT IN TO SUCH REQUIREMENTS MAY REQUEST,
15 AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION, THAT THE DEPARTMENT
16 OF PERSONNEL COLLABORATE WITH THE COUNTY REGARDING THE
17 IMPLEMENTATION, APPLICATION, AND ENFORCEMENT OF THE STATE
18 APPRENTICESHIP UTILIZATION AND PREVAILING WAGE REQUIREMENTS.

19 (3) TO REQUEST THAT THE DEPARTMENT OF PERSONNEL
20 COLLABORATE WITH A COUNTY THAT INTENDS TO OPT IN TO THE STATE
21 APPRENTICESHIP UTILIZATION AND PREVAILING WAGE REQUIREMENTS, THE
22 COUNTY MUST:

23 (a) PREPARE A DRAFT COUNTY ORDINANCE OR RESOLUTION THAT
24 REQUIRES THE COUNTY TO COMPLY WITH THE STATE APPRENTICESHIP
25 UTILIZATION AND PREVAILING WAGE REQUIREMENTS AND THAT SPECIFIES
26 HOW SUCH REQUIREMENTS WILL BE IMPLEMENTED, APPLIED, AND
27 ENFORCED IN THE COUNTY;

1 (b) SUBMIT THE DRAFT COUNTY ORDINANCE OR RESOLUTION TO
2 THE DEPARTMENT OF PERSONNEL FOR THE DEPARTMENT'S ADVISORY
3 REVIEW PRIOR TO IMPLEMENTATION AND INCORPORATE ANY RELEVANT
4 INPUT FROM THE DEPARTMENT TO ENSURE THAT THE ORDINANCE OR
5 RESOLUTION, ONCE IMPLEMENTED, IS IN COMPLIANCE WITH THE
6 REQUIREMENTS OF THE STATE APPRENTICESHIP UTILIZATION AND
7 PREVAILING WAGE REQUIREMENTS;

8 (c) SUBMIT TO THE DEPARTMENT OF PERSONNEL THE COUNTY'S
9 PROPOSED TERMS OF COORDINATION, INCLUDING THE PAYMENT OF
10 EXPENSES OR SERVICES ASSOCIATED WITH THE IMPLEMENTATION AND
11 APPLICATION OF THE STATE APPRENTICESHIP UTILIZATION AND PREVAILING
12 WAGE REQUIREMENTS AND THE COSTS OF ENFORCING SUCH
13 REQUIREMENTS; AND

14 (d) PASS OR ADOPT THE COUNTY ORDINANCE OR RESOLUTION
15 REGARDING THE COUNTY'S INTEGRATION OF THE STATE APPRENTICESHIP
16 UTILIZATION AND PREVAILING WAGE REQUIREMENTS.

17 (4) THE DEPARTMENT OF PERSONNEL OR OTHER AGENCIES OF
18 GOVERNMENT AND A COUNTY THAT OPTS IN TO THE STATE
19 APPRENTICESHIP UTILIZATION AND PREVAILING WAGE REQUIREMENTS MAY
20 ENTER INTO AN INTERGOVERNMENTAL AGREEMENT TO ADDRESS THE
21 RIGHTS AND OBLIGATIONS OF THE PARTIES IN CONNECTION WITH THE
22 IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF SUCH
23 REQUIREMENTS. AN INTERGOVERNMENTAL AGREEMENT MAY ADDRESS
24 THE FOLLOWING:

25 (a) ANY NEGOTIATED REASONABLE ANNUAL FEE THAT THE
26 COUNTY WILL PAY THE STATE FOR THE RIGHT TO ACCESS AND USE STATE
27 RESOURCES AND SERVICES IN CONNECTION WITH THE COUNTY'S

1 INTEGRATION OF THE STATE APPRENTICESHIP UTILIZATION AND
2 PREVAILING WAGE REQUIREMENTS;

3 (b) THE RESOURCES, SERVICES, ASSISTANCE, OR INSTRUCTIONAL
4 INFORMATION THAT THE STATE WILL PROVIDE OR MAKE AVAILABLE TO
5 THE COUNTY IN CONNECTION WITH THE COUNTY'S INTEGRATION OF THE
6 STATE APPRENTICESHIP UTILIZATION AND PREVAILING WAGE
7 REQUIREMENTS;

8 (c) AN AGREEMENT ABOUT THE RESPONSIBILITIES FOR
9 ENFORCEMENT OF THE STATE APPRENTICESHIP UTILIZATION AND
10 PREVAILING WAGE REQUIREMENTS IN THE COUNTY, INCLUDING ANY
11 COST-SHARING AGREEMENT IN CONNECTION WITH THE COSTS OF
12 ENFORCEMENT; AND

13 (d) ANY OTHER TERMS OR AGREEMENTS DEEMED NECESSARY BY
14 THE DEPARTMENT OF PERSONNEL OR OTHER AGENCY OF GOVERNMENT
15 AND THE COUNTY.

16 (5) THE DEPARTMENT OF PERSONNEL OR OTHER APPLICABLE
17 AGENCY OF GOVERNMENT AND A COUNTY THAT HAS OPTED IN TO THE
18 STATE APPRENTICESHIP UTILIZATION AND PREVAILING WAGE
19 REQUIREMENTS SHALL CONDUCT A BIENNIAL REVIEW OF AN
20 INTERGOVERNMENTAL AGREEMENT EXECUTED PURSUANT TO SUBSECTION
21 (4) OF THIS SECTION TO ENSURE THAT ANY NEGOTIATED FEES THAT THE
22 COUNTY IS REQUIRED TO PAY ARE ADEQUATE TO ENSURE FAIR AND
23 REASONABLE COMPENSATION FOR STATE RESOURCES AND SERVICES. THE
24 DEPARTMENT OF PERSONNEL AND THE COUNTY MAY INCREASE OR REDUCE
25 THE FEES AS DEEMED NECESSARY AND AGREED TO BY BOTH PARTIES.

26 (6) A COUNTY MAY TERMINATE THE INTERGOVERNMENTAL
27 AGREEMENT AND OPT OUT OF THE APPRENTICESHIP UTILIZATION AND

1 PREVAILING WAGE REQUIREMENTS BY PASSING AN ORDINANCE OR
2 RESOLUTION THAT REPEALS THE COUNTY'S DECISION TO PARTICIPATE IN
3 SUCH REQUIREMENTS.

4 **SECTION 6.** In Colorado Revised Statutes, **add** 24-92-211 as
5 follows:

6 **24-92-211. Public projects - use of project labor agreements.**

7 IF ALL CONSTRUCTION WORK ON A PUBLIC PROJECT IS COVERED BY A
8 PROJECT LABOR AGREEMENT PURSUANT TO SECTION 24-92-115.5, THE
9 PREVAILING WAGE REQUIREMENTS SPECIFIED IN THIS PART 2 DO NOT APPLY
10 TO THE PUBLIC PROJECT.

11 **SECTION 7.** In Colorado Revised Statutes, 24-92-302, **amend**
12 (1)(k) as follows:

13 **24-92-302. Legislative declaration.** (1) The general assembly
14 hereby finds and declares that:

15 (k) Use of these quality contracting tools is already incorporated
16 into Colorado's traditional public procurement law as prevailing wage and
17 apprenticeship policies adopted in ~~sections 24-92-115 (7)~~ SECTION
18 24-92-115 and part 2 of this article 92. In addition, project labor
19 agreements have been successfully used in Colorado in the past for
20 projects in the energy sector and the broader private sector construction
21 industry. These agreements have also been upheld by the courts, for
22 example, in *Bldg. & Constr. Trades Council v. Associated Builders &*
23 *Contractors of Mass./R.I., Inc.*, 507 U.S. 230, 231 (1993), due to their
24 ability to help secure reliable craft labor staffing and promote timely
25 project delivery.

26 **SECTION 8.** In Colorado Revised Statutes, 24-92-303, **amend**
27 (4) as follows:

1 **24-92-303. Definitions.** As used in this part 3, unless the context
2 otherwise requires:

3 (4) "Craft labor certification" means all documentation and
4 certification of payroll required for an energy sector public works project
5 in accordance with the requirements of ~~section 24-92-115 (7)~~ SECTION
6 24-92-115 and part 2 of this article 92.

7 **SECTION 9.** In Colorado Revised Statutes, 24-92-304, **amend**
8 (1)(a), (3), (4), and (5) as follows:

9 **24-92-304. Energy sector public works projects - craft labor**
10 **employment - training - wage requirements.** (1) (a) Except as
11 otherwise provided in subsections (1)(b) and (1)(c) of this section, a
12 contract between public utilities, cooperative electric associations, or
13 independent power producers and lead contractors for an energy sector
14 public works project must include provisions expressly requiring that all
15 work performed under the contract comply with ~~the requirements of~~
16 ~~section 24-92-115 (7)~~ SECTION 24-92-115 and ~~the requirements of~~ part 2
17 of this article 92 if the project is an electric power generation project with
18 a nameplate generation capacity of one megawatt or higher or if the
19 project is a project specified in section 24-92-303 (5)(b)(II) with a total
20 project cost of one million dollars or more. These requirements constitute
21 material terms of such contracts.

22 (3) The lead contractor engaged to perform construction services
23 for an energy sector public works project must require all subcontractors
24 used on the project to comply with ~~section 24-92-115 (7)~~ SECTION
25 24-92-115 and part 2 of this article 92 by ensuring that such requirements
26 are stipulated in all subcontracts. Lead contractors must take all
27 reasonably necessary steps to ensure compliance by monitoring

1 subcontractors.

2 (4) The public utilities commission shall not find an energy sector
3 public works project to be in compliance with section 40-2-129 unless the
4 construction contract for the project includes provisions expressly
5 requiring that all work performed under the contract comply with ~~the~~
6 ~~requirements of section 24-92-115 (7)~~ SECTION 24-92-115 and part 2 of
7 this article 92. Compliance with this subsection (4) does not prevent the
8 commission from considering all "best value" employment metrics as
9 defined in section 40-2-129, including those metrics that are not directly
10 related to the procurement of craft labor and apprenticeship training on
11 an energy sector public works project.

12 (5) Consistent with section 24-92-203 (4), bidders on energy
13 sector public works projects shall not artificially divide the overall
14 generation capacity or overall project cost of an energy sector public
15 works project to deliberately avoid the requirements to comply with
16 ~~section 24-92-115 (7)~~ SECTION 24-92-115 and part 2 of this article 92.
17 The public utilities commission, the state, a public utility, or a cooperative
18 electric association may still require compliance with prevailing wage and
19 apprenticeship utilization requirements if they determine that a bidder has
20 artificially divided a project with the intent of avoiding the requirement
21 to comply with those sections.

22 **SECTION 10.** In Colorado Revised Statutes, 24-92-305, **amend**
23 (3)(a), (5) introductory portion, and (6) as follows:

24 **24-92-305. Energy sector public works projects - record**
25 **keeping - reporting - craft labor certification - sanctions - compliance**
26 **with best value employment metrics.** (3) A craft labor certification
27 must include the following:

1 (a) A sworn attestation, under the penalty of perjury, that the lead
2 contractor is fully compliant with all employment, training, and wage
3 requirements of ~~section 24-92-115 (7)~~ SECTION 24-92-115 and part 2 of
4 this article 92; and

5 (5) No later than January 1, 2029, and at least five years
6 thereafter, the state auditor's office shall conduct an audit of the
7 commission's approval of energy sector public works projects. The
8 purpose of the audit is to establish oversight and accountability for
9 compliance with section 40-2-129, and to determine whether a sample of
10 projects that have been approved by the commission are fully compliant
11 with all employment, training, wage, and apprenticeship requirements of
12 ~~section 24-92-115 (7)~~ SECTION 24-92-115 and part 2 of this article 92.
13 The audit must consider information and records related to the craft labor
14 certifications that are collected and maintained by the department of labor
15 and employment. The department of labor and employment shall provide
16 any information needed to perform the audit as requested by the state
17 auditor's office.

18 (6) Violations of the requirements specified in this section,
19 including wage and hour violations, violations of apprenticeship
20 requirements, falsification of records, or willful noncompliance, are
21 subject to the penalties and enforcement rights and remedies described in
22 ~~sections 24-92-115 (3), 24-92-209, 24-92-210, and 24-109-105~~ SECTIONS
23 24-92-115, 24-92-209, 24-92-210, AND 24-109-105.

24 **SECTION 11.** In Colorado Revised Statutes, 40-3.2-105.5,
25 **amend** (3)(a)(II) as follows:

26 **40-3.2-105.5. Labor standards for gas DSM projects.**

27 (3) (a) The utility shall make use of a list, referred to in this section as the

1 "certified contractor list", containing the names and contact information
2 of:

3 (II) Qualified mechanical, electrical, and plumbing contractors
4 that participate in apprenticeship programs meeting the standards
5 specified in ~~section 24-92-115 (1)(a)(II)~~ SECTION 24-92-115 (2).

6 **SECTION 12.** In Colorado Revised Statutes, 40-3.2-105.6,
7 **amend** (3)(a)(II) as follows:

8 **40-3.2-105.6. Labor standards for beneficial electrification**
9 **projects.** (3) (a) The utility shall obtain from the Colorado department
10 of labor and employment and shall make use of a list, referred to in this
11 section as the "certified contractor list", containing the names and contact
12 information of:

13 (II) Qualified mechanical, electrical, and plumbing contractors
14 that meet the graduation standards specified in ~~section 24-92-115~~
15 ~~(1)(a)(II)~~ SECTION 24-92-115 (2).

16 **SECTION 13. Act subject to petition - effective date.** This act
17 takes effect July 1, 2026; except that, if a referendum petition is filed
18 pursuant to section 1 (3) of article V of the state constitution against this
19 act or an item, section, or part of this act within the ninety-day period
20 after final adjournment of the general assembly, then the act, item,
21 section, or part will not take effect unless approved by the people at the
22 general election to be held in November 2026 and, in such case, will take
23 effect on the date of the official declaration of the vote thereon by the
24 governor.