A BILL FOR AN ACT

CONCERNING SUPPORT FOR ENTITIES IMPACTED BY SEVERE CAPACITY RESTRICTIONS DUE TO THE COVID-19 PANDEMIC.

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 bill provides funding as follows to support entities impacted by capacity restrictions imposed to address the COVID-19 pandemic:

- $37 million for direct relief payments to small businesses located in a county that is subject to, and in compliance with, severe capacity restrictions pursuant to a public health order, with payments allocated to the counties for
distribution to eligible small businesses, which businesses include restaurants, bars, movie theaters, and fitness and recreational sports centers;

- $7.5 million for direct relief payments to eligible arts, culture, and entertainment artists, crew members, and organizations, with payments allocated by the creative industries division in the Colorado office of economic development;

- $6,775,000 to the department of public health and environment to enable the department to contract with county or district boards of health to provide state funding in lieu of those local government agencies charging annual licensing fees to certain retail food establishments;

- $1.8 million to the department of revenue to offset the department's waiver of certain liquor license fees; and

- $4 million for use by the minority business office in the Colorado office of economic development to provide direct relief payments, grants and loans, and technical assistance and consulting support to minority-owned businesses.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Due to the COVID-19 pandemic and the ongoing public health emergency that Colorado has been battling since March of 2020, many small businesses in the state, including those that are subject to mandatory capacity restrictions, have suffered severe declines in revenue during the pandemic;

(b) Small, minority-owned, and women-owned businesses are among those most impacted by the pandemic;

(c) Arts venues and artists have also been severly impacted by the pandemic and associated public health restrictions;

(d) The closure of small businesses in the state also has a devastating effect on employees of those businesses, will further strain
the state's unemployment insurance program, and will have other ripple
effects throughout the state; and

(e) As more counties in the state move to heightened restrictions
on business operations to help contain COVID-19 and to protect the
health of all Coloradans, it is imperative that the state provide direct relief
to those small businesses in the most severely restricted counties in order
to stem the tide of business closures, protect the state's economy and its
communities, and help small businesses continue their operations and
retain their employees.

SECTION 2. In Colorado Revised Statutes, add 24-32-129 as
follows:

24-32-129. Direct relief to small businesses program - address
negative effects of capacity limits due to COVID-19 pandemic -
distribution through counties - exemptions from procurement
requirements - definitions - report - repeal. (1) Definitions. As used
in this section, unless the context otherwise requires:

(a) "COVID-19" means the coronavirus disease caused by
the severe acute respiratory syndrome coronavirus 2, also
known as SARS-CoV-2.

(b) "Direct relief program" means the direct relief to
small businesses program created in subsection (2) of this
section.

(c) "Division" means the division of local government in
the department of local affairs.

(d) "Eligible council of governments" means a council of
governments that includes at least one eligible county.

(e) "Eligible county" means a county or city and county
THAT IS:

(I) UNDER SEVERE CAPACITY RESTRICTIONS, AS DETERMINED THROUGH A PUBLIC HEALTH ORDER ISSUED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THAT INCLUDES THE FOLLOWING RESTRICTIONS:

(A) THE CLOSURE OF RESTAURANTS FOR IN-PERSON, INDOOR DINING;

(B) THE CLOSURE OF BARS AND THE PROHIBITION OF INDOOR EVENTS; AND

(C) A LIMIT OF THE LESSER OF TEN PERCENT CAPACITY OR TEN PEOPLE PER ROOM OR POOL FOR GYMS, RECREATION CENTERS, AND INDOOR POOLS; AND

(II) IS IN COMPLIANCE WITH THE PUBLIC HEALTH ORDER THAT ESTABLISHES SEVERE CAPACITY RESTRICTIONS.

(f) "ELIGIBLE ECONOMIC DEVELOPMENT DISTRICT" MEANS AN ECONOMIC DEVELOPMENT DISTRICT DESIGNATED BY THE UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION THAT INCLUDES AT LEAST ONE ELIGIBLE COUNTY.

(g) "ELIGIBLE INDUSTRY CATEGORY" MEANS A:

(I) RESTAURANT, INCLUDING ANY LIQUOR LICENSED ESTABLISHMENT HOLDING A HOTEL AND RESTAURANT LICENSE PURSUANT TO SECTION 44-3-413;

(II) BAR, INCLUDING A LIQUOR LICENSED ESTABLISHMENT HOLDING ONE OR MORE OF THE FOLLOWING LICENSES:

(A) A LIMITED WINERY LICENSE UNDER SECTION 44-3-403;

(B) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;

(C) A HOTEL AND RESTAURANT LICENSE UNDER SECTION 44-3-413;
(D) A TAVERN LICENSE UNDER SECTION 44-3-414;

(E) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;

(F) A RETAIL GAMING TAVERN LICENSE UNDER SECTION 44-3-416;

(G) A BREW PUB LICENSE UNDER SECTION 44-3-417;

(H) A CLUB LICENSE UNDER SECTION 44-3-418;

(I) AN ARTS LICENSE UNDER SECTION 44-3-419;

(J) A RACETRACK LICENSE UNDER SECTION 44-3-420;

(K) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;

(L) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;

(M) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION 44-3-428;

(N) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION 44-4-107 (1)(b); OR

(O) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION 44-4-107 (1)(c);

(III) CATERER;

(IV) MOVIE THEATER; OR

(V) FITNESS AND RECREATIONAL SPORTS CENTER.

(h) "ELIGIBLE LOCAL GOVERNMENT" MEANS AN ELIGIBLE COUNTY, ELIGIBLE COUNCIL OF GOVERNMENTS, OR ELIGIBLE ECONOMIC DEVELOPMENT DISTRICT.

(i) "ELIGIBLE SMALL BUSINESS" MEANS A SMALL BUSINESS THAT:

(I) IS LOCATED IN AN ELIGIBLE COUNTY, AS OF THE TIME OF APPLICATION FOR DIRECT RELIEF;

(II) IS CURRENTLY OPERATING IN THE STATE, AS EVIDENCED BY:

(A) VERIFICATION OF THE SMALL BUSINESS'S FEDERAL TAX EMPLOYER IDENTIFICATION NUMBER; AND
(B) The small business's receipt from its most recent payment of unemployment insurance payroll taxes;

(III) Is engaged in an eligible industry category, as verified by its North American Industry Classification System (NAICS) code;

(IV) Demonstrates its intent to continue operating in the state for at least six months;

(V) Provides evidence of at least ten percent revenue loss since March 26, 2020, due to the restrictions imposed on the business under the governor's executive order D 2020 017, ordering Coloradans to stay at home, and the department of public health and environment's amended public health order 20-24 implementing stay-at-home requirements;

(VI) Has a valid business license and is in good standing with the agency that issued the business license; and

(VII) Certifies to the division that the small business:

(A) Has not applied for nor received any other direct payments, grants, or other relief from any other relief programs enacted by Senate Bill 20B-____, enacted in the first extraordinary session of the seventy-second general assembly; and

(B) Is in compliance with all state and local public health orders, including capacity restrictions.

(j) "Small business" means a corporation, limited liability company, partnership, sole proprietorship, or other business entity that:

(I) Has its headquarters located in and is doing business
IN COLORADO;

(II) HAS AT LEAST ONE FULL-TIME EMPLOYEE; AND

(III) FOR THE 2019 CALENDAR YEAR, HAD ANNUAL RECEIPTS OF LESS THAN TWO MILLION FIVE HUNDRED THOUSAND DOLLARS.

(2) **Direct relief to small businesses program.** (a) (I) THERE IS CREATED IN THE DIVISION THE DIRECT RELIEF TO SMALL BUSINESSES PROGRAM TO ALLOCATE MONEY TO ELIGIBLE LOCAL GOVERNMENTS TO PROVIDE DIRECT RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES OPERATING WITHIN THE GEOGRAPHICAL BOUNDARIES OF THOSE ELIGIBLE LOCAL GOVERNMENTS. THE DIVISION SHALL DEVELOP A PROCESS FOR ELIGIBLE LOCAL GOVERNMENTS TO APPLY FOR AN ALLOCATION TO PROVIDE DIRECT RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES OPERATING WITHIN THEIR GEOGRAPHICAL BOUNDARIES.

(II) AN ELIGIBLE LOCAL GOVERNMENT APPLYING FOR AN ALLOCATION UNDER THIS SECTION SHALL SUBMIT THE FOLLOWING INFORMATION TO THE DIVISION:

(A) THE NUMBER OF SMALL BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT THAT THE ELIGIBLE LOCAL GOVERNMENT HAS VERIFIED ARE ELIGIBLE SMALL BUSINESSES; AND

(B) THE TOTAL AMOUNT REQUESTED AND THE AMOUNT REQUESTED FOR EACH ELIGIBLE SMALL BUSINESS WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT, BASED ON THE MAXIMUM DIRECT RELIEF PAYMENT AMOUNTS SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION.

(b)(I) THE DIVISION MAY ALLOCATE UP TO THIRTY-SEVEN MILLION DOLLARS TO ELIGIBLE LOCAL GOVERNMENTS IN THE STATE UNDER THE
DIRECT RELIEF PROGRAM; EXCEPT THAT THE DIVISION MAY USE UP TO FIVE
PERCENT OF THE THIRTY-SEVEN MILLION DOLLARS FOR THE DIVISION'S AND
ELIGIBLE LOCAL GOVERNMENTS' ADMINISTRATIVE COSTS IN OPERATING
AND ADMINISTERING THE DIRECT RELIEF PROGRAM. FOR PURPOSES OF
determining the total allocation amount for each eligible
local government, the division shall calculate the amount
based on the maximum direct relief payment amounts specified in
subsection (2)(b)(II) of this section and shall adjust the
allocations to all eligible local governments on a pro rata
basis based on the total amount of money available for the
direct relief program and the number of eligible small
businesses within the geographical boundaries of each eligible
local government.

(II) Eligible small businesses may receive direct relief
payments as follows, reduced as necessary to avoid exceeding
the total amount available for the direct relief program as
specified in subsection (2)(b)(I) of this section:

(A) For an eligible small business that had less than five
hundred thousand dollars in receipts in the 2019 calendar year,
a direct relief payment of up to three thousand five hundred
dollars;

(B) For an eligible small business that had five hundred
thousand dollars or more but not more than one million
dollars in receipts in the 2019 calendar year, a direct relief
payment of up to five thousand dollars; and

(C) For an eligible small business that had one million
dollars or more but not more than two million five hundred
THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A DIRECT
RELIEF PAYMENT OF UP TO SEVEN THOUSAND DOLLARS.

(c) (I) EACH ELIGIBLE LOCAL GOVERNMENT SHALL ESTABLISH A
PROCESS FOR SMALL BUSINESSES TO APPLY FOR AND DEMONSTRATE
ELIGIBILITY FOR DIRECT RELIEF PAYMENTS AND THE AMOUNT FOR WHICH
A SMALL BUSINESS IS ELIGIBLE UNDER THE DIRECT RELIEF PROGRAM. AN
ELIGIBLE LOCAL GOVERNMENT MAY USE ANY EXISTING PROCESSES
AVAILABLE IN THE LOCAL GOVERNMENT, INCLUDING PROCESSES
AVAILABLE THROUGH CONTRACTS WITH PRIVATE ENTITIES, TO ENABLE THE
ELIGIBLE LOCAL GOVERNMENT TO PROVIDE THE DIRECT RELIEF PAYMENTS
TO ELIGIBLE SMALL BUSINESSES IN THE LEAST COSTLY AND MOST
EXPEDITIOUS AND EFFICIENT MANNER.

(II) UPON DETERMINING THE ELIGIBILITY OF EACH SMALL BUSINESS
APPLICANT, THE ELIGIBLE LOCAL GOVERNMENT SHALL SUBMIT THE LIST OF
ELIGIBLE SMALL BUSINESSES AND THE AMOUNT FOR WHICH EACH SMALL
BUSINESS QUALIFIES TO THE DIVISION BY JANUARY 15, 2021.

(III) UPON RECEIPT OF THE INFORMATION FROM ELIGIBLE LOCAL
GOVERNMENTS PURSUANT TO SUBSECTION (2)(c)(II) OF THIS SECTION, THE
DIVISION SHALL CALCULATE THE ALLOCATION AMOUNT FOR EACH
ELIGIBLE LOCAL GOVERNMENT AND, SUBJECT TO AVAILABLE
APPROPRIATIONS, SHALL DISTRIBUTE THE ALLOCATION TO EACH ELIGIBLE
LOCAL GOVERNMENT BY JANUARY 29, 2021.

(IV) ELIGIBLE LOCAL GOVERNMENTS SHALL DETERMINE THE
DIRECT RELIEF PAYMENT AMOUNT FOR EACH ELIGIBLE SMALL BUSINESS
WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL
GOVERNMENT AND SHALL MAKE THE DISTRIBUTION OF RELIEF PAYMENTS
AS SOON AS PRACTICABLE AFTER RECEIVING THE MONEY FROM THE
DIVISION, but no later than FEBRUARY 26, 2021.

(d) The Division may develop policies and procedures necessary for the operation of the Direct Relief Program, including:

(I) The application and information submittal process;

(II) The formula for determining the amount allocated to each eligible local government; and

(III) A requirement that each eligible local government that receives an allocation provide a report to the Division describing how the money was distributed to eligible small businesses.

(e) Notwithstanding any provision of law to the contrary, an eligible small business that receives a Direct Relief payment pursuant to the Direct Relief Program:

(I) Is not eligible for any other direct payments, grants, or other relief from any other relief programs enacted by Senate Bill 20B-____, enacted in the first extraordinary session of the seventy-second general assembly; and

(II) Is required to return any Direct Relief payment received pursuant to the Direct Relief Program if the eligible small business is found to be out of compliance with any eligibility criteria specified in subsection (1)(i) of this section.

(3) Exemption from procurement requirements. The Division may enter into contracts or agreements as necessary to operate and administer the Direct Relief Program, which contracts and agreements are not subject to the "Procurement Code", articles 101 to 112 of title 24.
(4) **Report.** (a) As part of its report pursuant to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" before the 2022 legislative session, the division shall submit a report to the local government committee of the senate or its successor committee and the transportation and local government committee of the house of representatives or its successor committee, detailing how direct relief program money was allocated, including:

(I) The list of eligible local governments that received an allocation under the program;

(II) The amount each eligible local government received;

(III) Information about the eligible small businesses that received direct relief payments and the amount of the payments; and

(IV) Any other information deemed pertinent by the division.

(b) The division shall also submit the report to the governor.

(5) **Repeal.** This section is repealed, effective December 31, 2022.

**SECTION 3.** In Colorado Revised Statutes, 39-21-113, add (27) as follows:

39-21-113. Reports and returns - rule. (27) Notwithstanding any other provision of this section, the executive director of the department of revenue shall provide the division of local government in the department of local affairs, or any eligible local government, as defined in section 24-32-129 (1)(h), with any
INFORMATION OBTAINED PURSUANT TO THIS SECTION THAT IS NECESSARY
TO VERIFY THE ELIGIBILITY OF A SMALL BUSINESS FOR A DIRECT RELIEF
PAYMENT PURSUANT TO SECTION 24-32-129. ANY INFORMATION
PROVIDED TO THE DIVISION OR TO AN ELIGIBLE LOCAL GOVERNMENT
PURSUANT TO THIS SUBSECTION (27) REMAINS CONFIDENTIAL, AND ANY
EMPLOYEE OF THE DIVISION OR AN ELIGIBLE LOCAL GOVERNMENT SHALL
BE SUBJECT TO THE LIMITATIONS SET FORTH IN SUBSECTION (4) OF THIS
SECTION AND THE PENALTIES CONTAINED IN SUBSECTION (6) OF THIS
SECTION.

SECTION 4. In Colorado Revised Statutes, 24-48.5-301, amend
(2)(a)(IV), (2)(a)(V), (2)(b) introductory portion, (2)(b)(III), and
(2)(b)(IV); and add (2)(a)(VI) and (2)(b)(V) as follows:

24-48.5-301. Creative industries division - creative industries
cash fund - creation - definition - repeal. (2) (a) There is hereby
created in the state treasury the creative industries cash fund, referred to
in this section as the "fund". The fund consists of:

(IV) Moneys MONEY appropriated to the fund by the general
assembly, including, but not limited to, moneys MONEY appropriated for
the purpose of providing need-based funding for infrastructure
development within creative districts as authorized by section
24-48.5-314 (5)(b); and

(V) Any gifts, grants, or donations from private or public sources
that the division is hereby authorized to seek and accept; AND

(VI) (A) SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS
APPROPRIATED BY THE GENERAL ASSEMBLY TO THE FUND FOR THE GRANT
PROGRAM ESTABLISHED PURSUANT TO SECTION 24-48.5-316.

(B) THIS SUBSECTION (2)(a)(VI) IS REPEALED, EFFECTIVE
DECEMBER 31, 2022.

. (b) The moneys money in the fund shall be annually appropriated to the division for the operation of the division, and for the following:

   (III) For the purchase of works of art pursuant to the art in public places program, taking into consideration the artist's preliminary site visit, the design fee, the total costs of construction and installation of the work of art, jury expenses, and program administration in compliance with the provisions of section 24-48.5-312 (6); and

   (IV) For need-based funding for infrastructure development in creative districts as authorized by section 24-48.5-314 (5)(b), to the extent that the general assembly appropriates moneys money to the fund for that purpose; and

   (V) (A) With regard to the amount appropriated to the fund pursuant to subsection (2)(a)(VI) of this section, for the grant program established pursuant to section 24-48.5-316.

   (B) This subsection (2)(b)(V) is repealed, effective December 31, 2022.

SECTION 5. In Colorado Revised Statutes, add 24-48.5-316 as follows:

24-48.5-316. COVID-19 direct relief program for arts, cultural, and entertainment artists, crew members, and organizations - definitions - report - repeal. (1) Definitions. As used in this section, unless the context otherwise requires:

   (a) "Arts, culture, and entertainment artist or crew member" means an individual involved in the music, theater, dance, or visual arts industry.

   (b) "Arts, culture, and entertainment organization"
MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION INVOLVED IN THE MUSIC, THEATER, DANCE, OR VISUAL ARTS INDUSTRY.

(c) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO KNOWN AS SARS-CoV-2.

(2) Direct relief program. (a) The division shall administer or contract with a third party to administer a direct relief program to provide direct relief payments to arts, culture, and entertainment artists, crew members, and organizations that meet eligibility criteria developed by the division. When determining eligibility for and the size of a direct relief payment, the division shall consider the type of arts, culture, and entertainment artist, crew member, or organization that is applying for a direct relief payment, the impact of the COVID-19 pandemic on the artist's, crew member's, or organization's business model, if applicable, the size of the organization, if the applicant is an organization, and the availability of and the artist's, crew member's, or organization's access to other relief or grant funding.

(b) Notwithstanding any provision of law to the contrary, an arts, culture, and entertainment artist, crew member, or organization that receives a direct relief payment pursuant to this section is not eligible for any other direct payments, grants, or other relief from any other relief programs enacted by Senate Bill 20B-_____, enacted in the first extraordinary session of the seventy-second general assembly. An organization that applies for a direct relief payment
PURSUANT TO THIS SECTION SHALL CERTIFY THAT THE ORGANIZATION
NEITHER APPLIED FOR NOR RECEIVED ANY OTHER DIRECT PAYMENTS,
GRANTS, OR OTHER RELIEF FROM ANY OTHER RELIEF PROGRAMS ENACTED
BY SENATE BILL 20B-____, ENACTED IN THE FIRST EXTRAORDINARY
SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY.

(3) Funding. For the 2020-21 state fiscal year, the General
Assembly shall appropriate seven million five hundred thousand
dollars from the General Fund to the Creative Industries Cash
Fund created in section 24-48.5-301 (2) for the Direct Relief
Program. The Division may use up to one percent of the amount
appropriated pursuant to this section for its administrative
costs in administering or contracting with a third party to
administer the Direct Relief Program.

(4) Report. By November 1, 2021, the Division shall submit
a report to the Governor, the Business, Labor, and Technology
Committee of the Senate or its successor Committee, and the
Business Affairs and Labor Committee of the House of
Representatives or its successor Committee detailing how the
money was allocated through the Direct Relief Program,
including:

(a) The list of Direct Relief payment recipients and the
amount allocated to each recipient;

(b) The types of arts, culture, and entertainment artists,
crew members, and organizations that received Direct Relief
payments; and

(c) Any other information deemed pertinent by the
Division.
(5) **Repeal.** This section is repealed, effective December 31, 2022.

**SECTION 6.** In Colorado Revised Statutes, 25-4-1607, amend (10) as follows:

**25-4-1607. Fees - repeal.** (10) (a) County or district boards of health created in part 5 of article 1 of this title shall collect fees under this section if the county or district boards of health are authorized by the department to enforce this part 16 and any rules promulgated pursuant to this part 16.

(b) (I) Notwithstanding subsection (10)(a) of this section, starting January 1, 2020, through December 31, 2021, county or district boards of health may contract with the department to receive money from the state in lieu of charging establishments an annual licensing fee. Contracts entered into pursuant to this subsection (10)(b) are not subject to the "Procurement Code", articles 101 to 112 of title 24.

(II) This subsection (10)(b) is repealed, effective December 31, 2022.

**SECTION 7.** In Colorado Revised Statutes, 44-3-501, add (6) as follows:

**44-3-501. State fees - rules - one-time fee waiver - repeal.**

(6) (a) Notwithstanding any provision of this section to the contrary, the following fees imposed pursuant to this section are waived for twelve months following the effective date of this subsection (6):

(I) License fees imposed pursuant to subsections (1)(a)(IV), (1)(g), (1)(h), (1)(i), (1)(j), (1)(l), (1)(m), (1)(n), (1)(o), (1)(p), (1)(q), and
(1)(v) of this section and pursuant to section 44-4-105;  

(II) application fees imposed pursuant to subsection (3)(a)(I), (3)(a)(XII), and (3)(a)(XIII) of this section and pursuant to regulation 47-302 (F), 1 CCR 203-2; and 

(III) all fees associated with the renewal of a license. 

(b) the waiver of fees specified in subsection (6)(a) of this section applies to the following license types:

(I) a limited winery license under section 44-3-403; 

(II) a beer and wine license under section 44-3-411; 

(III) a hotel and restaurant license under section 44-3-413; 

(IV) a tavern license under section 44-3-414; 

(V) an optional premises license under section 44-3-415; 

(VI) a retail gaming tavern license under section 44-3-416; 

(VII) a brew pub license under section 44-3-417; 

(VIII) a club license under section 44-3-418; 

(IX) an arts license under section 44-3-419; 

(X) a racetrack license under section 44-3-420; 

(XI) a vintner's restaurant license under section 44-3-422; 

(XII) a distillery pub license under section 44-3-426; 

(XIII) a lodging and entertainment license under section 44-3-428; 

(XIV) a fermented malt beverage license under section 44-4-107 (1)(b); and 

(XV) a fermented malt beverage license under section 44-4-107 (1)(c).
(c) The General Assembly shall appropriate an amount not to exceed one million eight hundred thousand dollars from the general fund to the liquor enforcement division and state licensing authority cash fund for use by the department to offset the reduction in fee revenues used by the department for the direct and indirect costs of the liquor enforcement division and the state licensing authority in the administration and enforcement of articles 3 to 5 of this title 44.

(d) This subsection (6) is repealed, effective December 31, 2022.

SECTION 8. In Colorado Revised Statutes, add 24-49.5-106 as follows:

24-49.5-106. COVID-19 relief for minority-owned businesses - definitions - repeal. (1) Definitions. As used in this section, unless the context otherwise requires:


(b) "COVID-19" means the coronavirus disease caused by the severe acute respiratory syndrome coronavirus 2, also known as SARS-CoV-2.

(c) "Minority-owned business" means a business that is at least fifty-one percent owned, operated, and controlled by an individual who is a member of a minority group, including an individual who is African American, Asian-Indian, Asian-Pacific American, Hispanic American, or Native American.

(2) Direct relief payments, grants, and loans to
minority-owned businesses. (a) (I) The office shall use three million seven hundred fifty thousand dollars of the money appropriated pursuant to subsection (5) of this section to administer a program to provide:

(A) Direct relief payments to minority-owned businesses that have been most impacted by COVID-19 and have lacked meaningful access to federal loans and grants under the CARES Act; and

(B) Grants and loans to minority-owned businesses for start-up and growth capital.

(II) The director shall establish a process for minority-owned businesses to apply for a direct relief payment, grant, or loan under the program, including the deadline for applying, the information and documentation required to be submitted to the office to demonstrate eligibility for a direct relief payment, grant, or loan, and any other requirements specified by the director.

(b) The office shall establish policies setting forth the parameters and eligibility for the program, including:

(I) The terms of and eligibility for a direct relief payment, grant, or loan;

(II) Caps on the amount of a direct relief payment, grant, or loan;

(III) Deadlines for applying for a direct relief payment, grant, or loan;

(IV) Grant requirements and loan repayment terms; and

(V) Any other policies necessary to operate the program.
(3) **Technical support.** The office shall use two hundred fifty thousand dollars of the money appropriated pursuant to subsection (5) of this section, of which up to one hundred fifty thousand dollars may be used for staff and administrative support, to increase the office's ability to provide technical assistance and consulting support to minority-owned businesses across the state. The technical assistance and consulting support may include:

(a) Providing minority-owned business leaders with expanded professional development and networking opportunities;

(b) Increasing the availability of the office's existing programming and technical support, including through the small business development center;

(c) Designing statewide certification opportunities; and

(d) Conducting statewide and local outreach campaigns to educate business owners and entrepreneurs of programming and technical support.

(4) **Exemption from procurement requirements.** The office may enter into contracts or agreements as necessary to operate and administer this section, which contracts and agreements are not subject to the "Procurement Code", articles 101 to 112 of this title 24.

(5) **Funding.** The General Assembly shall appropriate four million dollars from the general fund to the Colorado Economic Development Fund created in section 24-46-105 for use in accordance with this section in the 2020-21 and 2021-22 state
FISCAL YEARS.

(6) Report. By November 1, 2021, and November 1, 2022, the Office shall submit a report to the Governor, the Business, Labor, and Technology Committee of the Senate or its successor committee, and the Business Affairs and Labor Committee of the House of Representatives or its successor committee, detailing how the Office is expending the money appropriated for the purposes of this section.

(7) Repeal. This section is repealed, effective December 31, 2022.

SECTION 9. 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.