

## CHAPTER 31

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**HUMAN SERVICES - SOCIAL SERVICES**

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**HOUSE BILL 04-1029**

BY REPRESENTATIVE(S) Boyd, Cloer, Coleman, Frangas, Johnson R., Stafford, Tochtrop, Borodkin, Carroll, Hodge, Jahn, Madden, Marshall, McFadyen, McGihon, Merrifield, Weddig, Weissmann, and Williams S.;  
also SENATOR(S) Hagedorn, Hanna, Kester, Sandoval, Fitz-Gerald, Groff, Isgar, Phillips, Taylor, and Tupa.

**AN ACT**

**CONCERNING AUTHORIZATION FOR COUNTIES TO INCREASE PARTICIPATION IN VOCATIONAL EDUCATION BY COLORADO WORKS PARTICIPANTS.**

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

**SECTION 1.** Part 7 of article 2 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**26-2-714.5. Adjusted work participation rate - notification - county authorization - vocational education.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "FEDERAL CREDIT" MEANS THE CASELOAD REDUCTION CREDIT AS CALCULATED PURSUANT TO 45 C.F.R. SECTION 261.40, OR ANY EMPLOYMENT CREDIT, CASELOAD REDUCTION CREDIT, OR OTHER CREDIT AGAINST SUCH RATE FOR A FISCAL YEAR THAT MAY BE SUBSEQUENTLY ADOPTED BY THE FEDERAL GOVERNMENT.

(2) THE STATE DEPARTMENT SHALL NOTIFY EACH COUNTY, WITHIN THIRTY DAYS AFTER THE BEGINNING OF THE STATE FISCAL YEAR, OF THE STATE DEPARTMENT'S PROJECTION REGARDING THE ADJUSTED RATE THAT THE STATE MUST ATTAIN FOR THE FISCAL YEAR IN ORDER TO BE IN COMPLIANCE WITH FEDERAL REQUIREMENTS, BASED ON THE STATE'S ESTIMATE OF THE FEDERAL CREDIT THE STATE ANTICIPATES QUALIFYING TO RECEIVE. THIS ADJUSTED RATE SHALL BE THE COUNTY'S ADJUSTED WORK PARTICIPATION RATE FOR THAT STATE FISCAL YEAR.

(3) EACH COUNTY IS AUTHORIZED TO PLACE PARTICIPANTS IN VOCATIONAL EDUCATION, AS THAT TERM IS DEFINED BY RULE OF THE STATE BOARD, FOR LONGER THAN TWELVE MONTHS IN ORDER TO MEET CRITICAL SKILLS SHORTAGES IN THE LABOR MARKET, PROVIDED THAT THE PERCENTAGE OF PARTICIPANTS ALLOWED TO SATISFY PROGRAM REQUIREMENTS THROUGH VOCATIONAL EDUCATION OF LONGER THAN

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

TWELVE MONTHS IN A COUNTY SHALL NOT EXCEED SEVENTY-FIVE PERCENT OF THE STATE'S ESTIMATE OF THE FEDERAL CREDIT.

(4) THE PROVISIONS OF THIS SECTION SHALL BE IMPLEMENTED BY THE STATE DEPARTMENT CONSISTENT WITH THE REQUIREMENT OF SECTION 26-2-715 (1)(a)(III).

(5) THE STATE DEPARTMENT MAY SUSPEND A COUNTY'S ABILITY TO PLACE PARTICIPANTS IN VOCATIONAL EDUCATION FOR LONGER THAN TWELVE MONTHS IF THE STATE DEPARTMENT CERTIFIES THAT ALLOWING VOCATIONAL EDUCATION TO COUNT TOWARD A WORKS PARTICIPANT'S REQUIRED WORK ACTIVITIES WOULD AFFECT THE STATE'S ABILITY TO MEET FEDERAL WORK PARTICIPATION RATES.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 9, 2004