

CHAPTER 265

LABOR AND INDUSTRY

HOUSE BILL 12-1272

BY REPRESENTATIVE(S) Duran and Ramirez, Fields, Tyler, Casso, Ferrandino, Hullinghorst, Miklosi, Singer, Solano, Soper, Vigil, Brown, Court, Fischer, Hamner, Jones, Kefalas, Kerr A., Labuda, Lee, Levy, Pabon, Pace, Peniston, Ryden, Schafer S., Todd, Williams A., Wilson, Young;
also SENATOR(S) Newell, Aguilar, Bacon, Boyd, Foster, Giron, Heath, Hodge, Schwartz, Tochtrop, Williams S.

AN ACT

CONCERNING CONTINUATION OF ENHANCED UNEMPLOYMENT INSURANCE BENEFITS FOR UNEMPLOYED INDIVIDUALS PARTICIPATING IN APPROVED TRAINING PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 8-73-114, **amend** (1), (2), (3) (b), (4) (b), (5), (6), (8), and (9) as follows:

8-73-114. Enhanced unemployment insurance compensation benefits - eligibility - approved training programs - amount of benefits - outreach - notice of funding through gifts, grants, and donations - repeal. (1) Enhanced unemployment insurance compensation benefits are available for an ELIGIBLE unemployment insurance claimant ~~on a regular state unemployment claim~~ who is ~~enrolled~~ ENGAGED in and making satisfactory progress, as certified by the training program provider, in an approved training program.

(2) An approved training program ~~shall~~ **MUST** prepare the eligible unemployment insurance claimant for entry into ~~a high-demand~~ **AN** occupation. ~~an occupation that leads to stable, long-term employment, or an occupation in the renewable energy industry.~~ The director of the ~~division~~ shall identify ~~such~~ occupations based upon the recommendations of local work force investment boards, working with the section of the ~~division~~ **DEPARTMENT** responsible for labor market information.

(3) (b) **THE DIVISION SHALL NOT PAY** enhanced unemployment insurance compensation benefits ~~shall not be paid~~ pursuant to this section after June 30, ~~2012~~ **2014**.

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

(4)(b)(I) The division shall develop and improve outreach efforts to unemployed workers, and particularly traditionally underserved populations, to inform them of the availability of enhanced unemployment insurance compensation benefits under this section. ~~Subject to appropriation by the general assembly pursuant to section 8-77-107, the division is authorized to expend up to five hundred thousand dollars in the federal unemployment trust fund received pursuant to the federal "American Recovery and Reinvestment Act of 2009" and section 903(g) of the federal "Social Security Act" to cover its administrative costs related to its outreach efforts.~~

(II) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES, CONSISTENT WITH SECTION 8-71-102, TO COVER ITS ADMINISTRATIVE COSTS RELATED TO ITS OUTREACH EFFORTS AND THE IMPLEMENTATION OF THIS SECTION. THE DIVISION SHALL NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. ANY MONEYS GIVEN, GRANTED, OR DONATED TO THE DIVISION PURSUANT TO THIS SUBPARAGRAPH (II) ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DIVISION FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS SECTION.

(III) (A) THE DIVISION SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS TO IMPLEMENT THIS SECTION AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3), C.R.S.

(B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1, 2015.

(5) The division ~~is authorized to~~ MAY pay enhanced unemployment insurance compensation benefits pursuant to this section but ~~may~~ SHALL not obligate expenditures beyond the limits specified in this section or as otherwise established by the general assembly. For the 2009-10, 2010-11, and 2011-12 fiscal years, the director ~~of the division~~ may obligate a total of fifteen million dollars to be expended over those three fiscal years. FOR THE 2012-13 AND 2013-14 FISCAL YEARS, THE DIRECTOR MAY OBLIGATE A TOTAL OF EIGHT MILLION DOLLARS TO BE EXPENDED TO PAY ENHANCED UNEMPLOYMENT COMPENSATION BENEFITS DURING THOSE TWO FISCAL YEARS.

(6) By December 31, 2009, and by each December 31 thereafter until December 31, ~~2011~~ 2013, the division shall submit a report to the joint budget committee, the ECONOMIC AND ~~business affairs and labor~~ DEVELOPMENT committee of the house of representatives, and the business, labor, and technology committee of the senate, or their successor committees, regarding the status of the enhanced unemployment insurance compensation benefits program and the resulting outcomes. The report shall include at least the following:

(a) A demographic analysis of participants in the enhanced unemployment insurance compensation benefits program under this section, including ~~the number of claimants per North American industry classification system code~~ and the gender, race, age, and geographic representation of participants;

(b) The duration of the enhanced unemployment insurance compensation benefits claimed per eligible unemployment insurance claimant;

~~(c) An analysis of the training provided to participants, including the occupational category supported by the training, those participants who completed training in relationship to those that do not complete training, and the reasons for noncompletion of approved training programs;~~

(d) The employment and wage history of participants, including the pre-training and post-training wage and whether those participating in training return to their previous employer or occupation after training;

~~(e) An identification and analysis of administrative costs at both the local and state level for administering the enhanced unemployment insurance compensation benefits program~~ A RETURN ON INVESTMENT CALCULATION TO DETERMINE THE BENEFITS AND FISCAL CONTRIBUTION OF UNEMPLOYMENT INSURANCE CLAIMANTS PARTICIPATING IN THE PROGRAM WHO BECOME EMPLOYED. EMPLOYERS PARTICIPATING IN THE PROGRAM SHALL PROVIDE THE DEPARTMENT INFORMATION ON PERMANENT HIRES OF PROGRAM PARTICIPANTS, AS WELL AS FEEDBACK ON PROGRAM VALUE AND ISSUES, FOR USE BY THE DEPARTMENT IN CALCULATING THE RETURN ON INVESTMENT.

(8) As used in this section:

(a) (I) "Approved training program" means a vocational training, ~~or~~ registered apprenticeship, EMPLOYER-BASED, OR ENTREPRENEURIAL TRAINING program, approved by the director ~~of the division~~ that:

~~(A) Is targeted to training for a high-demand AN occupation, an occupation that would be more stable and long term for the unemployment insurance claimant, or an occupation in the renewable energy industry~~ BASED ON LABOR MARKET INFORMATION; and

(B) Is likely to enhance the unemployment insurance claimant's marketable skills and earning power.

(II) "APPROVED TRAINING PROGRAM" INCLUDES ENTREPRENEURIAL TRAINING APPROVED BY THE DIRECTOR AS PART OF THE SELF-EMPLOYMENT ASSISTANCE PROGRAM CREATED IN ARTICLE 75.5 OF THIS TITLE.

~~(H)~~ (III) "Approved training program" does not include any course of education primarily intended to meet the requirements of an associate, baccalaureate, or higher degree, unless the training meets specific requirements for certification, licensing, or specific skills necessary for the occupation.

(b) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OR HIS OR HER DESIGNEE.

~~(b)~~ (c) "Eligible unemployment insurance claimant" means an unemployment insurance claimant on a regular OR EXTENDED BENEFITS state unemployment claim OR A MILITARY OR FEDERAL CLAIM who is receiving benefits ~~pursuant to section 8-73-108~~ and is eligible for enhanced unemployment insurance compensation

benefits pursuant to this section.

~~(c)~~ (d) "Enhanced unemployment insurance compensation benefits" means additional benefits paid to an eligible unemployment insurance claimant in accordance with this section.

~~(d)~~ (e) "Training program provider" means a postsecondary educational institution, including an institution of higher education, a community or technical college, and an occupational education program, ~~providing a~~ AN EMPLOYER, OR ANY OTHER ENTITY THAT PROVIDES AN APPRENTICESHIP OR ENTREPRENEURIAL training program approved by the division or authorized under the federal "Workforce Investment Act of 1998", 29 U.S.C. sec. 2801 et seq., as amended.

(9) This section is repealed, effective July 1, ~~2012~~ 2014.

SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the employment support cash fund created in section 8-77-109 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of labor and employment, for the fiscal year beginning July 1, 2012, the sum of \$47,198, or so much thereof as may be necessary, related to the implementation of this act.

SECTION 3. Effective date. This act takes effect July 1, 2012.

SECTION 4. 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: June 6, 2012