

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

ENGROSSED

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

LLS NO. 22-0772.01 Christy Chase x2008

HOUSE BILL 22-1193

HOUSE SPONSORSHIP

Herod and McCluskie, Ransom

SENATE SPONSORSHIP

Hansen and Rankin, Moreno

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ADJUSTMENTS TO EXPENDITURES FROM FUNDS**
102 **DEDICATED TO ASSISTING THOSE IMPACTED BY THE TRANSITION**
103 **TO A CLEAN ENERGY ECONOMY, AND, IN CONNECTION**
104 **THEREWITH, MAKING AN APPROPRIATION.**

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/>.)

Joint Budget Committee. The bill directs the state treasurer to transfer \$2 million from the coal transition workforce assistance program account (account) to the just transition cash fund (fund) on the effective

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

HOUSE
2nd Reading Unamended
February 9, 2022

date of the bill and directs the general assembly to appropriate \$150,000 from the fund to the department of higher education for allocation to the Colorado school of mines to expand the Carbon Ore, Rare Earth, and Critical Minerals Initiative for U.S. Basins (CORE-CM initiative) in the Greater Green river and Wind river basins.

Additionally, the bill modifies the account as follows:

- Removes the requirement that the department of labor and employment (department) expend specified percentages of money in the account by specified fiscal years; and
- Removes the prioritization of account expenditures first for programs that directly support coal transition workers, thereby allowing the department to also expend money in the account for programs that support coal transition workers' family members and other household members.

The bill also:

- Repeals the \$7,000,000 appropriation from the account to the department, made pursuant to House Bill 21-1290, for the 2020-21 state fiscal year;
- Appropriates from the account to the department, for the coal transition workforce assistance program, \$500,000 for the 2021-22 state fiscal year and \$2 million for the 2022-23 state fiscal year;
- Appropriates from the fund to the department, for authorized investments in just transition programs for communities, \$1,295,000 for the 2021-22 state fiscal year and \$555,000 for the 2022-23 state fiscal year; and
- Appropriates \$150,000 to the department of higher education for allocation to the Colorado school of mines to expand the CORE-CM initiative.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-83-502, **add** (2.5)

3 as follows:

4 **8-83-502. Definitions.** As used in this part 5, unless the context
5 otherwise requires:

6 (2.5) "COAL TRANSITION WORKFORCE ASSISTANCE PROGRAM
7 ACCOUNT" OR "ACCOUNT" MEANS THE COAL TRANSITION WORKFORCE
8 ASSISTANCE PROGRAM ACCOUNT CREATED IN SECTION 8-83-504.5.

1 **SECTION 2.** In Colorado Revised Statutes, 8-83-504, **amend**
2 (4)(a) introductory portion; and **add** (5) as follows:

3 **8-83-504. Just transition cash fund - transfer from general**
4 **fund - transfer from account - definition - repeal.** (4) (a) On June 30,
5 2021, the state treasurer shall transfer eight million dollars from the
6 general fund to the fund. ON THE EFFECTIVE DATE OF THE INTRODUCTORY
7 PORTION TO THIS SUBSECTION (4)(a), AS AMENDED, THE STATE TREASURER
8 SHALL TRANSFER TWO MILLION DOLLARS FROM THE ACCOUNT TO THE
9 FUND. Subject to annual appropriation by the general assembly, the office
10 shall expend the money transferred TO THE FUND PURSUANT TO THIS
11 SUBSECTION (4)(a) to implement the final just transition plan for Colorado
12 prepared as required by section 8-83-503 (4) and to provide supplemental
13 funding for existing state programs that the office identifies as the most
14 effective vehicles for targeted investment in coal transition communities.
15 In providing such supplemental funding, the office shall place a heavy
16 emphasis on investment in tier one transition communities and shall
17 support programs that:

18 (5) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
19 SECTION, FOR THE 2021-22 STATE FISCAL YEAR, THE GENERAL ASSEMBLY
20 SHALL APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS FROM THE
21 FUND TO THE DEPARTMENT OF HIGHER EDUCATION FOR USE BY THE BOARD
22 OF TRUSTEES OF THE COLORADO SCHOOL OF MINES TO EXPAND THE
23 CORE-CM INITIATIVE IN THE GREATER GREEN RIVER AND WIND RIVER
24 BASINS.

25 (b) AS USED IN THIS SUBSECTION (5), "CORE-CM INITIATIVE"
26 MEANS THE CARBON ORE, RARE EARTH, AND CRITICAL MINERALS
27 INITIATIVE FOR U.S. BASINS, AN INITIATIVE THROUGH THE OFFICE OF

1 FOSSIL ENERGY IN THE FEDERAL DEPARTMENT OF ENERGY, THE PURPOSE
2 OF WHICH IS TO DEVELOP AND CATALYZE REGIONAL ECONOMIC GROWTH,
3 JOB CREATION, AND ASSOCIATED TECHNOLOGY INNOVATION ACROSS
4 BASINS THROUGHOUT THE COUNTRY.

5 **SECTION 3.** In Colorado Revised Statutes, 8-83-504.5, **amend**
6 (1) introductory portion, (1)(a) introductory portion, (1)(a)(V), and (2);
7 **repeal** (1)(b) and (1)(c); and **add** (1)(a)(VII), (1)(a)(VIII), and (3) as
8 follows:

9 **8-83-504.5. Additional coal transition workforce assistance**
10 **program funding - coal transition workforce assistance program**
11 **account.** (1) The coal transition ~~worker~~ WORKFORCE assistance program
12 account is hereby created in the fund. On June 30, 2021, the state
13 treasurer shall transfer seven million dollars from the general fund to the
14 ~~workforce assistance program~~ account. Subject to annual appropriation
15 by the general assembly, the department shall expend money from the
16 account for coal transition ~~worker~~ WORKFORCE assistance programs
17 subject to the following requirements and limitations:

18 (a) The money must be expended ~~first~~ for programs that directly
19 assist coal transition workers OR THEIR FAMILY MEMBERS AND OTHER
20 HOUSEHOLD MEMBERS, including programs that:

21 (V) Provide individualized financial and transition planning; ~~or~~

22 (VII) SUPPORT FAMILY MEMBERS OR OTHER HOUSEHOLD MEMBERS
23 OF COAL TRANSITION WORKERS; OR

24 (VIII) TEST INNOVATIVE COAL TRANSITION WORK SUPPORT
25 PROGRAMS THROUGH A PILOT PROGRAM. THE DEPARTMENT IS
26 ENCOURAGED TO LIMIT ANY PILOT PROGRAM TO NO MORE THAN FORTY
27 TOTAL PARTICIPANTS WHO ARE COAL TRANSITION WORKERS, COAL

1 TRANSITION WORKER FAMILY MEMBERS, COAL TRANSITION WORKER
2 HOUSEHOLDS, OR A COMBINATION OF COAL TRANSITION WORKERS, FAMILY
3 MEMBERS, AND HOUSEHOLDS.

4 (b) ~~If money required by subsection (1)(c) of this section to be~~
5 ~~expended during state fiscal year 2021-22 or during state fiscal year~~
6 ~~2022-23 remains unexpended as of March 1 of the applicable state fiscal~~
7 ~~year after expenditures are made pursuant to subsection (1)(a) of this~~
8 ~~section, additional expenditures shall be made during the applicable state~~
9 ~~fiscal year:~~

10 (I) ~~To support family members or other household members of~~
11 ~~coal transition workers; and~~

12 (II) ~~To create and implement a pilot program to test innovative~~
13 ~~coal transition work support programs. The department is encouraged to~~
14 ~~limit any pilot program to no more than forty coal transition workers or~~
15 ~~coal transition worker households.~~

16 (c) ~~The department shall expend at least seventy percent of the~~
17 ~~money by the close of state fiscal year 2021-22 and shall expend any~~
18 ~~remaining money by the close of state fiscal year 2022-23.~~

19 (2) Subject to the requirements of subsection (1) of this section,
20 the office may expend money from the ~~workforce assistance program~~
21 ~~account to make grants to any eligible entity.~~

22 (3) ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE
23 TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE ACCOUNT
24 TO THE FUND.

25 **SECTION 4.** In Session Laws of Colorado 2021, section 4 of
26 chapter 400, (HB21-1290), **repeal** (2) as follows:

27 Section 4. **Appropriation.** (2) ~~For the 2020-21 state fiscal year,~~

1 ~~\$7,000,000 is appropriated to the department of labor and employment.~~
2 ~~This appropriation is from the coal transition worker assistance program~~
3 ~~account of the just transition cash fund created in section 8-83-504.5 (1),~~
4 ~~C.R.S., and is based on an assumption that the department will require an~~
5 ~~additional 1.0 FTE. To implement this act, the department may use this~~
6 ~~appropriation for the purposes specified in section 8-83-504.5, C.R.S.~~
7 ~~Any money appropriated in this section not expended prior to July 1,~~
8 ~~2021, is further appropriated to the department for the 2021-22 and~~
9 ~~2022-23 state fiscal years for the same purpose.~~

10 **SECTION 5. Appropriation.** (1) For the 2021-22 state fiscal
11 year, \$500,000 is appropriated to the department of labor and employment
12 for use by the division of employment and training. This appropriation is
13 from the coal transition workforce assistance program account of the just
14 transition cash fund created in section 8-83-504.5 (1), C.R.S., and is
15 based on an assumption that the department will require an additional 1.0
16 FTE. To implement this act, the division may use this appropriation for
17 the purposes specified in section 8-83-504.5, C.R.S.

18 (2) For the 2022-23 state fiscal year, \$2,000,000 is appropriated
19 to the department of labor and employment for use by the division of
20 employment and training. This appropriation is from the coal transition
21 workforce assistance program account of the just transition cash fund
22 created in section 8-83-504.5 (1), C.R.S. To implement this act, the
23 division may use this appropriation for the purposes specified in section
24 8-83-504.5, C.R.S.

25 (3) For the 2021-22 state fiscal year, \$1,295,000 is appropriated
26 to the department of labor and employment for use by the division of
27 employment and training. This appropriation is from the just transition

1 cash fund created in section 8-83-504 (1), C.R.S. To implement this act,
2 the division may use this appropriation for the purposes specified in
3 section 8-83-504, C.R.S.

4 (4) For the 2022-23 state fiscal year, \$555,000 is appropriated to
5 the department of labor and employment for use by the division of
6 employment and training. This appropriation is from the just transition
7 cash fund created in section 8-83-504 (1), C.R.S. To implement this act,
8 the division may use this appropriation for the purposes specified in
9 section 8-83-504, C.R.S.

10 (5) For the 2021-22 state fiscal year, \$150,000 is appropriated to
11 the department of higher education for use by the trustees of the Colorado
12 school of mines. This appropriation is from the just transition cash fund
13 created in section 8-83-504 (1), C.R.S. To implement this act, the trustees
14 may use this appropriation to expand the CORE-CM initiative, as defined
15 in section 8-83-504 (5)(b), C.R.S.

16 **SECTION 6. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.