

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 20-1190.01 Christy Chase x2008

HOUSE BILL 20-1395

HOUSE SPONSORSHIP

McCluskie and Ransom, Esgar

SENATE SPONSORSHIP

Moreno and Rankin, Zenzinger, Crowder

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF THE "SKILLED WORKER OUTREACH,**
102 **RECRUITMENT, AND KEY TRAINING ACT" GRANT PROGRAM,**
103 **AND, IN CONNECTION THEREWITH, ELIMINATING NEW GRANTS**
104 **UNDER THE GRANT PROGRAM, TRANSFERRING THE BALANCE OF**
105 **THE GRANT PROGRAM FUND TO THE GENERAL FUND, REQUIRING**
106 **A FINAL REPORT ON THE GRANT PROGRAM, AND REDUCING AN**
107 **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/>.)

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.

SENATE
3rd Reading Unamended
June 5, 2020

SENATE
2nd Reading Unamended
June 4, 2020

HOUSE
3rd Reading Unamended
June 3, 2020

HOUSE
2nd Reading Unamended
June 1, 2020

Joint Budget Committee. The bill precludes the department of labor and employment from awarding or issuing grants under the "Skilled Worker Outreach, Recruitment, and Key Training Act", also known as the "WORK Act", as of the effective date of the bill. Additionally, the state treasurer is directed to transfer any balance in the WORK fund as of September 1, 2020, and September 1, 2021, to the general fund. The program is repealed on September 30, 2021. The bill adjusts the 2020 long bill by eliminating the \$3.3 million appropriation for the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-83-304, **amend** (2)
3 and (5) as follows:

4 **8-83-304. Skilled worker outreach, recruitment, and key**
5 **training grant program - creation - award criteria.** (2) (a) EXCEPT AS
6 PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, the department shall
7 start accepting grant applications for matching grants by January 1 of
8 each year; shall award grants pursuant to section 8-83-305 within ninety
9 days, but no later than the April 1 following the application submittal
10 deadline; and shall issue grant awards to recipients within forty-five days
11 after notifying the award recipients of the grant award.

12 (b) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (2),
13 AS AMENDED, THE DEPARTMENT SHALL NOT ACCEPT GRANT APPLICATIONS,
14 AWARD GRANTS, OR ISSUE GRANT AWARDS.

15 (5) The department ~~shall~~ MAY disburse all of the ~~moneys~~ MONEY
16 in the fund that ~~are~~ IS approved for a matching grant pursuant to section
17 8-83-305 to the eligible applicants selected in accordance with said
18 section.

19 **SECTION 2.** In Colorado Revised Statutes, 8-83-305, **amend**
20 (2)(c) as follows:

21 **8-83-305. Skilled worker outreach, recruitment, and key**

1 **training grant review committee - creation - membership - duties -**
2 **grant award recommendations.** (2) (c) (I) After reviewing the grant

3 applications and subject to subsection (2)(c)(II) of this section, the grant
4 review committee shall make recommendations about which eligible
5 applicants should be awarded matching grants and the amounts of the
6 matching grants. Recommendations shall be based on the committee's
7 determination as to which eligible applicants best satisfy the grant criteria
8 pursuant to subsections (2)(a) and (2)(b) of this section. The grant review
9 committee shall submit its recommendations to the executive committee
10 of the council, which includes the executive directors of the departments
11 of labor and employment and higher education and the director of the
12 office. After considering the grant review committee's recommendations
13 and subject to subsection (2)(c)(II) of this section, the executive
14 committee shall determine to whom and in what amounts to award
15 matching grants. EXCEPT AS PROVIDED IN SECTION 8-83-304 (2)(b), grants
16 shall be awarded within ninety days, but no later than the April 1
17 following the application submittal deadline, and, to the extent possible,
18 the department shall issue the grant awards within forty-five days after
19 notifying the award recipients of the grant awards.

20 (II) For the 2018-19 AND 2019-20 ~~and 2020-21~~ STATE fiscal years,
21 the grant review committee shall ensure, to the extent possible, that it
22 recommends matching grant amounts, and the executive directors and
23 director of the office shall ensure, to the extent possible, that they award
24 matching grants, in accordance with the allocation of available money in
25 the WORK fund specified in section 8-83-307 (3)(b).

26 **SECTION 3.** In Colorado Revised Statutes, 8-83-306, **amend** (2)
27 as follows:

1 **8-83-306. Reports.** (2) (a) By December 31, 2018, and by each
2 December 31 thereafter THROUGH DECEMBER 31, 2020, the grant review
3 committee shall submit, as part of the Colorado talent pipeline report
4 prepared pursuant to section 24-46.3-103, an annual report to the
5 governor, the senate committee on business, labor, and technology or its
6 successor committee, and the house of representatives committee on
7 business affairs and labor or its successor committee. The grant review
8 committee shall include in the report at least the following information:

- 9 ~~(a)~~ (I) The number of matching grants awarded in the prior year,
10 including the amount, recipient, and duration of each grant;
- 11 ~~(b)~~ (II) The number of individuals who enrolled in and completed
12 a skilled worker training program offered by each grant recipient;
- 13 ~~(c)~~ (III) The number of individuals who obtained employment in
14 a position that uses the skills for which they were trained through a
15 skilled worker training program offered by a grant recipient; and
- 16 ~~(d)~~ (IV) Other information obtained from grant recipients pursuant
17 to subsection (1) of this section.

18 (b) BY AUGUST 31, 2021, THE GRANT REVIEW COMMITTEE SHALL
19 SUBMIT A FINAL REPORT TO THE GOVERNOR, THE SENATE COMMITTEE ON
20 BUSINESS, LABOR, AND TECHNOLOGY OR ITS SUCCESSOR COMMITTEE, AND
21 THE HOUSE OF REPRESENTATIVES COMMITTEE ON BUSINESS AFFAIRS AND
22 LABOR OR ITS SUCCESSOR COMMITTEE THAT INCLUDES THE INFORMATION
23 SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION:

- 24 (I) FOR EACH YEAR OF OPERATION OF THE GRANT PROGRAM; AND
- 25 (II) AS A TOTAL IN EACH CATEGORY SPECIFIED, REFLECTING THE
26 OVERALL RESULTS OF THE OPERATION OF THE GRANT PROGRAM.

27 **SECTION 4.** In Colorado Revised Statutes, 8-83-307, **amend**

1 (3)(a) and (5) as follows:

2 **8-83-307. Skilled worker outreach, recruitment, and key**
3 **training grant program fund - creation.** (3) (a) For the 2018-19 AND
4 2019-20 ~~and 2020-21~~ STATE fiscal years, the general assembly shall
5 appropriate a total of ~~seven million six hundred thousand~~ FOUR MILLION
6 THREE HUNDRED THOUSAND dollars to the fund, of which not more than
7 three million three hundred thousand dollars may be appropriated in any
8 given STATE fiscal year.

9 (5) THE STATE TREASURER SHALL TRANSFER any unexpended and
10 unencumbered money remaining in the WORK fund ~~at the end of a fiscal~~
11 ~~year remains in the fund and shall not be credited or transferred ON~~
12 SEPTEMBER 1, 2020, to the general fund. ~~or another fund. Unexpended~~
13 ~~and unencumbered money from an appropriation made pursuant to~~
14 ~~subsection (3) of this section remains available for expenditure by the~~
15 ~~department in the next fiscal year without further appropriation~~ IF, AS OF
16 SEPTEMBER 1, 2021, THERE IS ANY UNEXPENDED AND UNENCUMBERED
17 BALANCE REMAINING IN THE WORK FUND, THE STATE TREASURER SHALL
18 TRANSFER THE REMAINING BALANCE TO THE GENERAL FUND.

19 **SECTION 5.** In Colorado Revised Statutes, **add** 8-83-307.5 as
20 follows:

21 **8-83-307.5. Repeal.** THIS SECTION AND SECTIONS 8-83-301 TO
22 8-83-307 ARE REPEALED, EFFECTIVE SEPTEMBER 30, 2021.

23 **SECTION 6.** In Colorado Revised Statutes, 8-83-308, **add** (3) as
24 follows:

25 **8-83-308. Colorado state apprenticeship resource directory -**
26 **collection of apprenticeship program information - promotion of**
27 **public awareness - definitions.** (3) AS USED IN THE SECTION, UNLESS

1 THE CONTEXT OTHERWISE REQUIRES:

2 (a) "APPRENTICESHIP PROGRAM" MEANS A COLORADO-BASED
3 APPRENTICESHIP TRAINING PROGRAM THAT IS REGISTERED WITH THE
4 UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP.

5 (b) "INDUSTRY" MEANS EITHER ONE OR MORE INDIVIDUAL
6 EMPLOYERS OR AN INDUSTRY ASSOCIATION.

7 **SECTION 7.** In Colorado Revised Statutes, 40-5-107, **amend**
8 (2)(e) and (3)(b) introductory portion; and **add** (4) as follows:

9 **40-5-107. Electric vehicle programs - definitions - repeal.**

10 (2) When considering transportation electrification programs and
11 determining cost recovery for investments and other expenditures related
12 to programs proposed by an electric public utility under subsection (1) of
13 this section, the commission shall consider whether the investments and
14 other expenditures are:

15 (e) Reasonably expected to stimulate innovation, competition, and
16 increased consumer choices in electric vehicle charging and related
17 infrastructure and services; attract private capital investments; and utilize
18 high-quality jobs and skilled worker training programs; ~~as defined in~~
19 ~~section 8-83-303;~~

20 (3) (b) For all electric vehicle infrastructure or charging stations
21 owned by the utility, the utility shall use utility employees or qualified
22 contractors if the contractors' employees have access to an apprenticeship
23 program as defined in ~~section 8-83-303 (2)~~ SECTION 8-83-308 (3)(a). This
24 apprenticeship requirement does not apply to:

25 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES:

27 (a) "INDUSTRY" MEANS EITHER ONE OR MORE INDIVIDUAL

1 EMPLOYERS OR AN INDUSTRY ASSOCIATION.

2 (b) (I) "SKILLED WORKER TRAINING PROGRAM" MEANS AN
3 ACCREDITED EDUCATIONAL, OCCUPATIONAL EDUCATION, AS DEFINED IN
4 SECTION 23-60-103 (2), APPRENTICESHIP, OR SIMILAR TRAINING PROGRAM
5 THAT:

6 (A) TRAINS OR RETRAINS INDIVIDUALS TO PERFORM A SKILL THAT
7 IS NEEDED IN THE WORKFORCE; AND

8 (B) AWARDS AN INDUSTRY- OR STATE-RECOGNIZED CERTIFICATE,
9 CREDENTIAL, ASSOCIATE DEGREE, PROFESSIONAL LICENSE, OR SIMILAR
10 EVIDENCE OF ACHIEVEMENT UPON COMPLETION OF THE PROGRAM.

11 (II) "SKILLED WORKER TRAINING PROGRAM" DOES NOT INCLUDE
12 AN EDUCATIONAL PROGRAM THAT AWARDS A BACHELOR'S OR HIGHER
13 DEGREE UPON COMPLETION OF THE PROGRAM.

14 **SECTION 8. Appropriation - adjustments to 2020 long bill.**

15 (1) To implement this act, appropriations made in the annual general
16 appropriation act for the 2020-21 state fiscal year to the department of
17 labor and employment for use by the division of employment and training
18 are adjusted as follows:

19 (a) The general fund appropriation to the skilled worker outreach,
20 recruitment, and key training grant program fund is decreased by
21 \$3,300,000; and

22 (b) The reappropriated funds appropriation from the skilled
23 worker outreach, recruitment, and key training grant program fund
24 created in section 8-83-307, C.R.S., for the skilled worker outreach,
25 recruitment, and key training grant program is decreased by \$3,300,000,
26 and the related FTE is decreased by 2.0 FTE.

27 **SECTION 9. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.