

**First Extraordinary Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 20B-0051.01 Christy Chase x2008

SENATE BILL 20B-001

SENATE SPONSORSHIP

Winter and Priola, Bridges

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Herod,

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 **CONCERNING SUPPORT FOR ENTITIES IMPACTED BY SEVERE CAPACITY**
102 **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

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.

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.

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

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

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

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

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

13 (d) The closure of small businesses in the state also has a
14 devastating effect on employees of those businesses, will further strain

1 the state's unemployment insurance program, and will have other ripple
2 effects throughout the state; and

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

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

12 **24-32-129. Direct relief to small businesses program - address**
13 **negative effects of capacity limits due to COVID-19 pandemic -**
14 **distribution through counties - exemptions from procurement**
15 **requirements - definitions - report - repeal. (1) Definitions.** AS USED
16 IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

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

20 (b) "DIRECT RELIEF PROGRAM" MEANS THE DIRECT RELIEF TO
21 SMALL BUSINESSES PROGRAM CREATED IN SUBSECTION (2) OF THIS
22 SECTION.

23 (c) "DIVISION" MEANS THE DIVISION OF LOCAL GOVERNMENT IN
24 THE DEPARTMENT OF LOCAL AFFAIRS.

25 (d) "ELIGIBLE COUNCIL OF GOVERNMENTS" MEANS A COUNCIL OF
26 GOVERNMENTS THAT INCLUDES AT LEAST ONE ELIGIBLE COUNTY.

27 (e) "ELIGIBLE COUNTY" MEANS A COUNTY OR CITY AND COUNTY

1 THAT IS:

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

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

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

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

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

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

19 (g) "ELIGIBLE INDUSTRY CATEGORY" MEANS A:

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

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

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

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

27 (C) A HOTEL AND RESTAURANT LICENSE UNDER SECTION 44-3-413;

- 1 (D) A TAVERN LICENSE UNDER SECTION 44-3-414;
- 2 (E) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;
- 3 (F) A RETAIL GAMING TAVERN LICENSE UNDER SECTION 44-3-416;
- 4 (G) A BREW PUB LICENSE UNDER SECTION 44-3-417;
- 5 (H) A CLUB LICENSE UNDER SECTION 44-3-418;
- 6 (I) AN ARTS LICENSE UNDER SECTION 44-3-419;
- 7 (J) A RACETRACK LICENSE UNDER SECTION 44-3-420;
- 8 (K) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;
- 9 (L) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;
- 10 (M) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
- 11 44-3-428;
- 12 (N) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 13 44-4-107 (1)(b); OR
- 14 (O) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
- 15 44-4-107 (1)(c);
- 16 (III) CATERER;
- 17 (IV) MOVIE THEATER; OR
- 18 (V) FITNESS AND RECREATIONAL SPORTS CENTER.
- 19 (h) "ELIGIBLE LOCAL GOVERNMENT" MEANS AN ELIGIBLE COUNTY,
- 20 ELIGIBLE COUNCIL OF GOVERNMENTS, OR ELIGIBLE ECONOMIC
- 21 DEVELOPMENT DISTRICT.
- 22 (i) "ELIGIBLE SMALL BUSINESS" MEANS A SMALL BUSINESS THAT:
- 23 (I) IS LOCATED IN AN ELIGIBLE COUNTY, AS OF THE TIME OF
- 24 APPLICATION FOR DIRECT RELIEF;
- 25 (II) IS CURRENTLY OPERATING IN THE STATE, AS EVIDENCED BY:
- 26 (A) VERIFICATION OF THE SMALL BUSINESS'S FEDERAL TAX
- 27 EMPLOYER IDENTIFICATION NUMBER; AND

1 (B) THE SMALL BUSINESS'S RECEIPT FROM ITS MOST RECENT
2 PAYMENT OF UNEMPLOYMENT INSURANCE PAYROLL TAXES;

3 (III) IS ENGAGED IN AN ELIGIBLE INDUSTRY CATEGORY, AS
4 VERIFIED BY ITS NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM
5 (NAICS) CODE;

6 (IV) DEMONSTRATES ITS INTENT TO CONTINUE OPERATING IN THE
7 STATE FOR AT LEAST SIX MONTHS;

8 (V) PROVIDES EVIDENCE OF AT LEAST TEN PERCENT REVENUE LOSS
9 SINCE MARCH 26, 2020, DUE TO THE RESTRICTIONS IMPOSED ON THE
10 BUSINESS UNDER THE GOVERNOR'S EXECUTIVE ORDER D 2020 017,
11 ORDERING COLORADANS TO STAY AT HOME, AND THE DEPARTMENT OF
12 PUBLIC HEALTH AND ENVIRONMENT'S AMENDED PUBLIC HEALTH ORDER
13 20-24 IMPLEMENTING STAY-AT-HOME REQUIREMENTS;

14 (VI) HAS A VALID BUSINESS LICENSE AND IS IN GOOD STANDING
15 WITH THE AGENCY THAT ISSUED THE BUSINESS LICENSE; AND

16 (VII) CERTIFIES TO THE DIVISION THAT THE SMALL BUSINESS:

17 (A) HAS NOT APPLIED FOR NOR RECEIVED ANY OTHER DIRECT
18 PAYMENTS, GRANTS, OR OTHER RELIEF FROM ANY OTHER RELIEF
19 PROGRAMS ENACTED BY SENATE BILL 20B-_____, ENACTED IN THE FIRST
20 EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY;
21 AND

22 (B) IS IN COMPLIANCE WITH ALL STATE AND LOCAL PUBLIC HEALTH
23 ORDERS, INCLUDING CAPACITY RESTRICTIONS.

24 (j) "SMALL BUSINESS" MEANS A CORPORATION, LIMITED LIABILITY
25 COMPANY, PARTNERSHIP, SOLE PROPRIETORSHIP, OR OTHER BUSINESS
26 ENTITY THAT:

27 (I) HAS ITS HEADQUARTERS LOCATED IN AND IS DOING BUSINESS

1 IN COLORADO;

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

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

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

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

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

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

26 (b) (I) THE DIVISION MAY ALLOCATE UP TO THIRTY-SEVEN MILLION
27 DOLLARS TO ELIGIBLE LOCAL GOVERNMENTS IN THE STATE UNDER THE

1 DIRECT RELIEF PROGRAM; EXCEPT THAT THE DIVISION MAY USE UP TO FIVE
2 PERCENT OF THE THIRTY-SEVEN MILLION DOLLARS FOR THE DIVISION'S AND
3 ELIGIBLE LOCAL GOVERNMENTS' ADMINISTRATIVE COSTS IN OPERATING
4 AND ADMINISTERING THE DIRECT RELIEF PROGRAM. FOR PURPOSES OF
5 DETERMINING THE TOTAL ALLOCATION AMOUNT FOR EACH ELIGIBLE
6 LOCAL GOVERNMENT, THE DIVISION SHALL CALCULATE THE AMOUNT
7 BASED ON THE MAXIMUM DIRECT RELIEF PAYMENT AMOUNTS SPECIFIED IN
8 SUBSECTION (2)(b)(II) OF THIS SECTION AND SHALL ADJUST THE
9 ALLOCATIONS TO ALL ELIGIBLE LOCAL GOVERNMENTS ON A PRO RATA
10 BASIS BASED ON THE TOTAL AMOUNT OF MONEY AVAILABLE FOR THE
11 DIRECT RELIEF PROGRAM AND THE NUMBER OF ELIGIBLE SMALL
12 BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF EACH ELIGIBLE
13 LOCAL GOVERNMENT.

14 (II) ELIGIBLE SMALL BUSINESSES MAY RECEIVE DIRECT RELIEF
15 PAYMENTS AS FOLLOWS, REDUCED AS NECESSARY TO AVOID EXCEEDING
16 THE TOTAL AMOUNT AVAILABLE FOR THE DIRECT RELIEF PROGRAM AS
17 SPECIFIED IN SUBSECTION (2)(b)(I) OF THIS SECTION:

18 (A) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD LESS THAN FIVE
19 HUNDRED THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR,
20 A DIRECT RELIEF PAYMENT OF UP TO THREE THOUSAND FIVE HUNDRED
21 DOLLARS;

22 (B) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD FIVE HUNDRED
23 THOUSAND DOLLARS OR MORE BUT NOT MORE THAN ONE MILLION
24 DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A DIRECT RELIEF
25 PAYMENT OF UP TO FIVE THOUSAND DOLLARS; AND

26 (C) FOR AN ELIGIBLE SMALL BUSINESS THAT HAD ONE MILLION
27 DOLLARS OR MORE BUT NOT MORE THAN TWO MILLION FIVE HUNDRED

1 THOUSAND DOLLARS IN RECEIPTS IN THE 2019 CALENDAR YEAR, A DIRECT
2 RELIEF PAYMENT OF UP TO SEVEN THOUSAND DOLLARS.

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

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

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

23 (IV) ELIGIBLE LOCAL GOVERNMENTS SHALL DETERMINE THE
24 DIRECT RELIEF PAYMENT AMOUNT FOR EACH ELIGIBLE SMALL BUSINESS
25 WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL
26 GOVERNMENT AND SHALL MAKE THE DISTRIBUTION OF RELIEF PAYMENTS
27 AS SOON AS PRACTICABLE AFTER RECEIVING THE MONEY FROM THE

1 DIVISION, BUT NO LATER THAN FEBRUARY 26, 2021.

2 (d) THE DIVISION MAY DEVELOP POLICIES AND PROCEDURES
3 NECESSARY FOR THE OPERATION OF THE DIRECT RELIEF PROGRAM,
4 INCLUDING:

5 (I) THE APPLICATION AND INFORMATION SUBMITTAL PROCESS;

6 (II) THE FORMULA FOR DETERMINING THE AMOUNT ALLOCATED TO
7 EACH ELIGIBLE LOCAL GOVERNMENT; AND

8 (III) A REQUIREMENT THAT EACH ELIGIBLE LOCAL GOVERNMENT
9 THAT RECEIVES AN ALLOCATION PROVIDE A REPORT TO THE DIVISION
10 DESCRIBING HOW THE MONEY WAS DISTRIBUTED TO ELIGIBLE SMALL
11 BUSINESSES.

12 (e) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
13 AN ELIGIBLE SMALL BUSINESS THAT RECEIVES A DIRECT RELIEF PAYMENT
14 PURSUANT TO THE DIRECT RELIEF PROGRAM:

15 (I) IS NOT ELIGIBLE FOR ANY OTHER DIRECT PAYMENTS, GRANTS,
16 OR OTHER RELIEF FROM ANY OTHER RELIEF PROGRAMS ENACTED BY
17 SENATE BILL 20B-____, ENACTED IN THE FIRST EXTRAORDINARY SESSION
18 OF THE SEVENTY-SECOND GENERAL ASSEMBLY; AND

19 (II) IS REQUIRED TO RETURN ANY DIRECT RELIEF PAYMENT
20 RECEIVED PURSUANT TO THE DIRECT RELIEF PROGRAM IF THE ELIGIBLE
21 SMALL BUSINESS IS FOUND TO BE OUT OF COMPLIANCE WITH ANY
22 ELIGIBILITY CRITERIA SPECIFIED IN SUBSECTION (1)(i) OF THIS SECTION.

23 (3) **Exemption from procurement requirements.** THE DIVISION
24 MAY ENTER INTO CONTRACTS OR AGREEMENTS AS NECESSARY TO OPERATE
25 AND ADMINISTER THE DIRECT RELIEF PROGRAM, WHICH CONTRACTS AND
26 AGREEMENTS ARE NOT SUBJECT TO THE "PROCUREMENT CODE", ARTICLES
27 101 TO 112 OF TITLE 24.

1 (4) **Report.** (a) AS PART OF ITS REPORT PURSUANT TO THE "STATE
2 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
3 (SMART) GOVERNMENT ACT" BEFORE THE 2022 LEGISLATIVE SESSION,
4 THE DIVISION SHALL SUBMIT A REPORT TO THE LOCAL GOVERNMENT
5 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE AND THE
6 TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE OF THE HOUSE
7 OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING HOW
8 DIRECT RELIEF PROGRAM MONEY WAS ALLOCATED, INCLUDING:

9 (I) THE LIST OF ELIGIBLE LOCAL GOVERNMENTS THAT RECEIVED AN
10 ALLOCATION UNDER THE PROGRAM;

11 (II) THE AMOUNT EACH ELIGIBLE LOCAL GOVERNMENT RECEIVED;

12 (III) INFORMATION ABOUT THE ELIGIBLE SMALL BUSINESSES THAT
13 RECEIVED DIRECT RELIEF PAYMENTS AND THE AMOUNT OF THE PAYMENTS;

14 AND

15 (IV) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
16 DIVISION.

17 (b) THE DIVISION SHALL ALSO SUBMIT THE REPORT TO THE
18 GOVERNOR.

19 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
20 2022.

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

23 **39-21-113. Reports and returns - rule.** (27) NOTWITHSTANDING
24 ANY OTHER PROVISION OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE
25 DEPARTMENT OF REVENUE SHALL PROVIDE THE DIVISION OF LOCAL
26 GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS, OR ANY ELIGIBLE
27 LOCAL GOVERNMENT, AS DEFINED IN SECTION 24-32-129 (1)(h), WITH ANY

1 INFORMATION OBTAINED PURSUANT TO THIS SECTION THAT IS NECESSARY
2 TO VERIFY THE ELIGIBILITY OF A SMALL BUSINESS FOR A DIRECT RELIEF
3 PAYMENT PURSUANT TO SECTION 24-32-129. ANY INFORMATION
4 PROVIDED TO THE DIVISION OR TO AN ELIGIBLE LOCAL GOVERNMENT
5 PURSUANT TO THIS SUBSECTION (27) REMAINS CONFIDENTIAL, AND ANY
6 EMPLOYEE OF THE DIVISION OR AN ELIGIBLE LOCAL GOVERNMENT SHALL
7 BE SUBJECT TO THE LIMITATIONS SET FORTH IN SUBSECTION (4) OF THIS
8 SECTION AND THE PENALTIES CONTAINED IN SUBSECTION (6) OF THIS
9 SECTION.

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

13 **24-48.5-301. Creative industries division - creative industries**
14 **cash fund - creation - definition - repeal.** (2) (a) There is hereby
15 created in the state treasury the creative industries cash fund, referred to
16 in this section as the "fund". The fund consists of:

17 (IV) ~~Moneys~~ MONEY appropriated to the fund by the general
18 assembly, including, but not limited to, ~~moneys~~ MONEY appropriated for
19 the purpose of providing need-based funding for infrastructure
20 development within creative districts as authorized by section
21 24-48.5-314 (5)(b); and

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

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

27 (B) THIS SUBSECTION (2)(a)(VI) IS REPEALED, EFFECTIVE

1 DECEMBER 31, 2022.

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

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

9 (IV) For need-based funding for infrastructure development in
10 creative districts as authorized by section 24-48.5-314 (5)(b), to the extent
11 that the general assembly appropriates ~~moneys~~ MONEY to the fund for that
12 purpose; AND

13 (V) (A) WITH REGARD TO THE AMOUNT APPRIOPRIATED TO THE
14 FUND PURSUANT TO SUBSECTION (2)(a)(VI) OF THIS SECTION, FOR THE
15 GRANT PROGRAM ESTABLISHED PURSUANT TO SECTION 24-48.5-316.

16 (B) THIS SUBSECTION (2)(b)(V) IS REPEALED, EFFECTIVE
17 DECEMBER 31, 2022.

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

20 **24-48.5-316. COVID-19 direct relief program for arts,**
21 **cultural, and entertainment artists, crew members, and organizations**
22 **- definitions - report - repeal. (1) Definitions.** AS USED IN THIS
23 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

24 (a) "ARTS, CULTURE, AND ENTERTAINMENT ARTIST OR CREW
25 MEMBER" MEANS AN INDIVIDUAL INVOLVED IN THE MUSIC, THEATER,
26 DANCE, OR VISUAL ARTS INDUSTRY.

27 (b) "ARTS, CULTURE, AND ENTERTAINMENT ORGANIZATION"

1 MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION INVOLVED IN THE
2 MUSIC, THEATER, DANCE, OR VISUAL ARTS INDUSTRY.

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

6 (2) **Direct relief program.** (a) THE DIVISION SHALL ADMINISTER
7 OR CONTRACT WITH A THIRD PARTY TO ADMINISTER A DIRECT RELIEF
8 PROGRAM TO PROVIDE DIRECT RELIEF PAYMENTS TO ARTS, CULTURE, AND
9 ENTERTAINMENT ARTISTS, CREW MEMBERS, AND ORGANIZATIONS THAT
10 MEET ELIGIBILITY CRITERIA DEVELOPED BY THE DIVISION. WHEN
11 DETERMINING ELIGIBILITY FOR AND THE SIZE OF A DIRECT RELIEF
12 PAYMENT, THE DIVISION SHALL CONSIDER THE TYPE OF ARTS, CULTURE,
13 AND ENTERTAINMENT ARTIST, CREW MEMBER, OR ORGANIZATION THAT IS
14 APPLYING FOR A DIRECT RELIEF PAYMENT, THE IMPACT OF THE COVID-19
15 PANDEMIC ON THE ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S
16 BUSINESS MODEL, IF APPLICABLE, THE SIZE OF THE ORGANIZATION, IF THE
17 APPLICANT IS AN ORGANIZATION, AND THE AVAILABILITY OF AND THE
18 ARTIST'S, CREW MEMBER'S, OR ORGANIZATION'S ACCESS TO OTHER RELIEF
19 OR GRANT FUNDING.

20 (b) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
21 CONTRARY, AN ARTS, CULTURE, AND ENTERTAINMENT ARTIST, CREW
22 MEMBER, OR ORGANIZATION THAT RECEIVES A DIRECT RELIEF PAYMENT
23 PURSUANT TO THIS SECTION IS NOT ELIGIBLE FOR ANY OTHER DIRECT
24 PAYMENTS, GRANTS, OR OTHER RELIEF FROM ANY OTHER RELIEF
25 PROGRAMS ENACTED BY SENATE BILL 20B-_____, ENACTED IN THE FIRST
26 EXTRAORDINARY SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY.
27 AN ORGANIZATION THAT APPLIES FOR A DIRECT RELIEF PAYMENT

1 PURSUANT TO THIS SECTION SHALL CERTIFY THAT THE ORGANIZATION
2 NEITHER APPLIED FOR NOR RECEIVED ANY OTHER DIRECT PAYMENTS,
3 GRANTS, OR OTHER RELIEF FROM ANY OTHER RELIEF PROGRAMS ENACTED
4 BY SENATE BILL 20B-____, ENACTED IN THE FIRST EXTRAORDINARY
5 SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY.

6 (3) **Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL
7 ASSEMBLY SHALL APPROPRIATE SEVEN MILLION FIVE HUNDRED THOUSAND
8 DOLLARS FROM THE GENERAL FUND TO THE CREATIVE INDUSTRIES CASH
9 FUND CREATED IN SECTION 24-48.5-301 (2) FOR THE DIRECT RELIEF
10 PROGRAM. THE DIVISION MAY USE UP TO ONE PERCENT OF THE AMOUNT
11 APPROPRIATED PURSUANT TO THIS SECTION FOR ITS ADMINISTRATIVE
12 COSTS IN ADMINISTERING OR CONTRACTING WITH A THIRD PARTY TO
13 ADMINISTER THE DIRECT RELIEF PROGRAM.

14 (4) **Report.** BY NOVEMBER 1, 2021, THE DIVISION SHALL SUBMIT
15 A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR, AND TECHNOLOGY
16 COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE, AND THE
17 BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF
18 REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE DETAILING HOW THE
19 MONEY WAS ALLOCATED THROUGH THE DIRECT RELIEF PROGRAM,
20 INCLUDING:

21 (a) THE LIST OF DIRECT RELIEF PAYMENT RECIPIENTS AND THE
22 AMOUNT ALLOCATED TO EACH RECIPIENT;

23 (b) THE TYPES OF ARTS, CULTURE, AND ENTERTAINMENT ARTISTS,
24 CREW MEMBERS, AND ORGANIZATIONS THAT RECEIVED DIRECT RELIEF
25 PAYMENTS; AND

26 (c) ANY OTHER INFORMATION DEEMED PERTINENT BY THE
27 DIVISION.

1 (5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
2 2022.

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

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

10 (b) (I) NOTWITHSTANDING SUBSECTION (10)(a) OF THIS SECTION,
11 STARTING JANUARY 1, 2020, THROUGH DECEMBER 31, 2021, COUNTY OR
12 DISTRICT BOARDS OF HEALTH MAY CONTRACT WITH THE DEPARTMENT TO
13 RECEIVE MONEY FROM THE STATE IN LIEU OF CHARGING ESTABLISHMENTS
14 AN ANNUAL LICENSING FEE. CONTRACTS ENTERED INTO PURSUANT TO THIS
15 SUBSECTION (10)(b) ARE NOT SUBJECT TO THE "PROCUREMENT CODE",
16 ARTICLES 101 TO 112 OF TITLE 24.

17 (II) THIS SUBSECTION (10)(b) IS REPEALED, EFFECTIVE DECEMBER
18 31, 2022.

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

21 **44-3-501. State fees - rules - one-time fee waiver - repeal.**
22 (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
23 CONTRARY, THE FOLLOWING FEES IMPOSED PURSUANT TO THIS SECTION
24 ARE WAIVED FOR TWELVE MONTHS FOLLOWING THE EFFECTIVE DATE OF
25 THIS SUBSECTION (6):

26 (I) LICENSE FEES IMPOSED PURSUANT TO SUBSECTIONS (1)(a)(IV),
27 (1)(g), (1)(h), (1)(i), (1)(j), (1)(l), (1)(m), (1)(n), (1)(o), (1)(p), (1)(q), AND

1 (1)(v) OF THIS SECTION AND PURSUANT TO SECTION 44-4-105;
2 (II) APPLICATION FEES IMPOSED PURSUANT TO SUBSECTION
3 (3)(a)(I), (3)(a)(XII), AND (3)(a)(XIII) OF THIS SECTION AND PURSUANT TO
4 REGULATION 47-302 (F), 1 CCR 203-2; AND
5 (III) ALL FEES ASSOCIATED WITH THE RENEWAL OF A LICENSE.
6 (b) THE WAIVER OF FEES SPECIFIED IN SUBSECTION (6)(a) OF THIS
7 SECTION APPLIES TO THE FOLLOWING LICENSE TYPES:
8 (I) A LIMITED WINERY LICENSE UNDER SECTION 44-3-403;
9 (II) A BEER AND WINE LICENSE UNDER SECTION 44-3-411;
10 (III) A HOTEL AND RESTAURANT LICENSE UNDER SECTION
11 44-3-413;
12 (IV) A TAVERN LICENSE UNDER SECTION 44-3-414;
13 (V) AN OPTIONAL PREMISES LICENSE UNDER SECTION 44-3-415;
14 (VI) A RETAIL GAMING TAVERN LICENSE UNDER SECTION
15 44-3-416;
16 (VII) A BREW PUB LICENSE UNDER SECTION 44-3-417;
17 (VIII) A CLUB LICENSE UNDER SECTION 44-3-418;
18 (IX) AN ARTS LICENSE UNDER SECTION 44-3-419;
19 (X) A RACETRACK LICENSE UNDER SECTION 44-3-420;
20 (XI) A VINTNER'S RESTAURANT LICENSE UNDER SECTION 44-3-422;
21 (XII) A DISTILLERY PUB LICENSE UNDER SECTION 44-3-426;
22 (XIII) A LODGING AND ENTERTAINMENT LICENSE UNDER SECTION
23 44-3-428;
24 (XIV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
25 44-4-107 (1)(b); AND
26 (XV) A FERMENTED MALT BEVERAGE LICENSE UNDER SECTION
27 44-4-107 (1)(c).

1 (c) THE GENERAL ASSEMBLY SHALL APPROPRIATE AN AMOUNT NOT
2 TO EXCEED ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS FROM THE
3 GENERAL FUND TO THE LIQUOR ENFORCEMENT DIVISION AND STATE
4 LICENSING AUTHORITY CASH FUND FOR USE BY THE DEPARTMENT TO
5 OFFSET THE REDUCTION IN FEE REVENUES USED BY THE DEPARTMENT FOR
6 THE DIRECT AND INDIRECT COSTS OF THE LIQUOR ENFORCEMENT DIVISION
7 AND THE STATE LICENSING AUTHORITY IN THE ADMINISTRATION AND
8 ENFORCEMENT OF ARTICLES 3 TO 5 OF THIS TITLE 44.

9 (d) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE DECEMBER 31,
10 2022.

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

13 **24-49.5-106. COVID-19 relief for minority-owned businesses**
14 **- definitions - repeal.** (1) **Definitions.** AS USED IN THIS SECTION, UNLESS
15 THE CONTEXT OTHERWISE REQUIRES:

16 (a) "CARES ACT" MEANS THE "CORONAVIRUS AID, RELIEF, AND
17 ECONOMIC SECURITY ACT", PUB.L. 116-136, 134 STAT. 281 (2020), AS
18 AMENDED.

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

22 (c) "MINORITY-OWNED BUSINESS" MEANS A BUSINESS THAT IS AT
23 LEAST FIFTY-ONE PERCENT OWNED, OPERATED, AND CONTROLLED BY AN
24 INDIVIDUAL WHO IS A MEMBER OF A MINORITY GROUP, INCLUDING AN
25 INDIVIDUAL WHO IS AFRICAN AMERICAN, ASIAN-INDIAN, ASIAN-PACIFIC
26 AMERICAN, HISPANIC AMERICAN, OR NATIVE AMERICAN.

27 (2) **Direct relief payments, grants, and loans to**

1 **minority-owned businesses.** (a) (I) THE OFFICE SHALL USE THREE
2 MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS OF THE MONEY
3 APPROPRIATED PURSUANT TO SUBSECTION (5) OF THIS SECTION TO
4 ADMINISTER A PROGRAM TO PROVIDE:

5 (A) DIRECT RELIEF PAYMENTS TO MINORITY-OWNED BUSINESSES
6 THAT HAVE BEEN MOST IMPACTED BY COVID-19 AND HAVE LACKED
7 MEANINGFUL ACCESS TO FEDERAL LOANS AND GRANTS UNDER THE
8 CARES ACT; AND

9 (B) GRANTS AND LOANS TO MINORITY-OWNED BUSINESSES FOR
10 START-UP AND GROWTH CAPITAL.

11 (II) THE DIRECTOR SHALL ESTABLISH A PROCESS FOR
12 MINORITY-OWNED BUSINESSES TO APPLY FOR A DIRECT RELIEF PAYMENT,
13 GRANT, OR LOAN UNDER THE PROGRAM, INCLUDING THE DEADLINE FOR
14 APPLYING, THE INFORMATION AND DOCUMENTATION REQUIRED TO BE
15 SUBMITTED TO THE OFFICE TO DEMONSTRATE ELIGIBILITY FOR A DIRECT
16 RELIEF PAYMENT, GRANT, OR LOAN, AND ANY OTHER REQUIREMENTS
17 SPECIFIED BY THE DIRECTOR.

18 (b) THE OFFICE SHALL ESTABLISH POLICIES SETTING FORTH THE
19 PARAMETERS AND ELIGIBILITY FOR THE PROGRAM, INCLUDING:

20 (I) THE TERMS OF AND ELIGIBILITY FOR A DIRECT RELIEF PAYMENT,
21 GRANT, OR LOAN;

22 (II) CAPS ON THE AMOUNT OF A DIRECT RELIEF PAYMENT, GRANT,
23 OR LOAN;

24 (III) DEADLINES FOR APPLYING FOR A DIRECT RELIEF PAYMENT,
25 GRANT, OR LOAN;

26 (IV) GRANT REQUIREMENTS AND LOAN REPAYMENT TERMS; AND

27 (V) ANY OTHER POLICIES NECESSARY TO OPERATE THE PROGRAM.

1 (3) **Technical support.** THE OFFICE SHALL USE TWO HUNDRED
2 FIFTY THOUSAND DOLLARS OF THE MONEY APPROPRIATED PURSUANT TO
3 SUBSECTION (5) OF THIS SECTION, OF WHICH UP TO ONE HUNDRED FIFTY
4 THOUSAND DOLLARS MAY BE USED FOR STAFF AND ADMINISTRATIVE
5 SUPPORT, TO INCREASE THE OFFICE'S ABILITY TO PROVIDE TECHNICAL
6 ASSISTANCE AND CONSULTING SUPPORT TO MINORITY-OWNED BUSINESSES
7 ACROSS THE STATE. THE TECHNICAL ASSISTANCE AND CONSULTING
8 SUPPORT MAY INCLUDE:

9 (a) PROVIDING MINORITY-OWNED BUSINESS LEADERS WITH
10 EXPANDED PROFESSIONAL DEVELOPMENT AND NETWORKING
11 OPPORTUNITIES;

12 (b) INCREASING THE AVAILABILITY OF THE OFFICE'S EXISTING
13 PROGRAMMING AND TECHNICAL SUPPORT, INCLUDING THROUGH THE
14 SMALL BUSINESS DEVELOPMENT CENTER;

15 (c) DESIGNING STATEWIDE CERTIFICATION OPPORTUNITIES; AND

16 (d) CONDUCTING STATEWIDE AND LOCAL OUTREACH CAMPAIGNS
17 TO EDUCATE BUSINESS OWNERS AND ENTREPRENEURS OF PROGRAMMING
18 AND TECHNICAL SUPPORT.

19 (4) **Exemption from procurement requirements.** THE OFFICE
20 MAY ENTER INTO CONTRACTS OR AGREEMENTS AS NECESSARY TO OPERATE
21 AND ADMINISTER THIS SECTION, WHICH CONTRACTS AND AGREEMENTS ARE
22 NOT SUBJECT TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF
23 THIS TITLE 24.

24 (5) **Funding.** THE GENERAL ASSEMBLY SHALL APPROPRIATE FOUR
25 MILLION DOLLARS FROM THE GENERAL FUND TO THE COLORADO
26 ECONOMIC DEVELOPMENT FUND CREATED IN SECTION 24-46-105 FOR USE
27 IN ACCORDANCE WITH THIS SECTION IN THE 2020-21 AND 2021-22 STATE

1 FISCAL YEARS.

2 (6) **Report.** BY NOVEMBER 1, 2021, AND NOVEMBER 1, 2022, THE
3 OFFICE SHALL SUBMIT A REPORT TO THE GOVERNOR, THE BUSINESS, LABOR,
4 AND TECHNOLOGY COMMITTEE OF THE SENATE OR ITS SUCCESSOR
5 COMMITTEE, AND THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE
6 HOUSE OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING
7 HOW THE OFFICE IS EXPENDING THE MONEY APPROPRIATED FOR THE
8 PURPOSES OF THIS SECTION.

9 (7) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31,
10 2022.

11 **SECTION 9. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety.