

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0760.01 Kristen Forrestal x4217

HOUSE BILL 15-1231

HOUSE SPONSORSHIP

Esgar and Kraft-Tharp,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs and Labor
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ENHANCED UNEMPLOYMENT COMPENSATION BENEFITS.**

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://www.leg.state.co.us/billsummaries>.)

The bill reenacts the implementation of enhanced unemployment insurance compensation benefits for eligible unemployment insurance claimants that expired in accordance with a self-repealer clause in 2014. Enhanced unemployment insurance compensation benefits are available to claimants who are enrolled and making satisfactory progress in an approved training program that will train them for a high-demand occupation, a more stable occupation, or a long-term occupation. An approved training program includes vocational training, a registered

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

apprenticeship, or an entrepreneurial training program. The availability of the enhanced unemployment insurance compensation benefits will expire in accordance with a self-repealer clause on July 1, 2018.

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

2 **SECTION 1.** In Colorado Revised Statutes, **recreate and**
3 **reenact, with amendments, 8-73-114** as follows:

4 **8-73-114. Enhanced unemployment insurance compensation**
5 **benefits - eligibility - approved training programs - amount of**
6 **benefits - outreach - repeal.** (1) ENHANCED UNEMPLOYMENT
7 INSURANCE COMPENSATION BENEFITS ARE AVAILABLE FOR AN ELIGIBLE
8 UNEMPLOYMENT INSURANCE CLAIMANT WHO IS ENGAGED IN AND MAKING
9 SATISFACTORY PROGRESS, AS CERTIFIED BY THE TRAINING PROGRAM
10 PROVIDER, IN AN APPROVED TRAINING PROGRAM.

11 (2) AN APPROVED TRAINING PROGRAM MUST PREPARE THE
12 ELIGIBLE UNEMPLOYMENT INSURANCE CLAIMANT FOR ENTRY INTO AN
13 OCCUPATION. THE DIRECTOR SHALL IDENTIFY OCCUPATIONS BASED UPON
14 THE RECOMMENDATIONS OF LOCAL WORKFORCE INVESTMENT BOARDS,
15 WORKING WITH THE SECTION OF THE DEPARTMENT RESPONSIBLE FOR
16 LABOR MARKET INFORMATION.

17 (3) (a) ENHANCED UNEMPLOYMENT INSURANCE COMPENSATION
18 BENEFITS ARE PAYABLE TO AN ELIGIBLE UNEMPLOYMENT INSURANCE
19 CLAIMANT WHO SATISFIES THE REQUIREMENTS OF SUBSECTION (1) OF THIS
20 SECTION AS FOLLOWS:

21 (I) THE TOTAL ENHANCED UNEMPLOYMENT INSURANCE
22 COMPENSATION BENEFIT AMOUNT CANNOT EXCEED TWENTY WEEKS OF
23 BENEFITS ON THE REGULAR CLAIM OR FORTY PERCENT OF THE MAXIMUM
24 BENEFIT AMOUNT ON THE REGULAR CLAIM, WHICHEVER IS LESS.

1 (II) THE ENHANCED UNEMPLOYMENT INSURANCE COMPENSATION
2 BENEFIT MUST BE PAID WEEKLY, IN ADDITION TO THE REGULAR WEEKLY
3 BENEFIT AMOUNT, PAYABLE IN INCREMENTS EQUAL TO FIFTY PERCENT OF
4 THE REGULAR WEEKLY BENEFIT AMOUNT, ROUNDED DOWN TO THE
5 NEAREST WHOLE DOLLAR.

6 (b) THE DIVISION SHALL NOT PAY ENHANCED UNEMPLOYMENT
7 INSURANCE COMPENSATION BENEFITS PURSUANT TO THIS SECTION AFTER
8 JUNE 30, 2018.

9 (4) (a) THE DIRECTOR OF THE DIVISION SHALL ADOPT RULES IN
10 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., THAT THE DIRECTOR
11 DEEMS NECESSARY FOR THE PROPER ADMINISTRATION, IMPLEMENTATION,
12 AND ENFORCEMENT OF FEDERAL LAW AND THIS SECTION.

13 (b) THE DIVISION SHALL DEVELOP OUTREACH EFFORTS TO
14 UNEMPLOYED WORKERS, PARTICULARLY TRADITIONALLY UNDERSERVED
15 POPULATIONS, TO INFORM THEM OF THE AVAILABILITY OF ENHANCED
16 UNEMPLOYMENT INSURANCE COMPENSATION BENEFITS UNDER THIS
17 SECTION.

18 (5) THE DIVISION MAY PAY ENHANCED UNEMPLOYMENT
19 INSURANCE COMPENSATION BENEFITS PURSUANT TO THIS SECTION BUT
20 SHALL NOT OBLIGATE EXPENDITURES BEYOND THE LIMITS SPECIFIED IN
21 THIS SECTION OR AS OTHERWISE ESTABLISHED BY THE GENERAL
22 ASSEMBLY. FOR THE 2015-16 THROUGH 2017-18 FISCAL YEARS, THE
23 DIRECTOR MAY OBLIGATE A TOTAL OF TWELVE MILLION DOLLARS, BUT NOT
24 MORE THAN FOUR MILLION DOLLARS IN ANY GIVEN FISCAL YEAR, TO BE
25 EXPENDED OVER THOSE THREE FISCAL YEARS.

26 (6) BY DECEMBER 31, 2016, AND BY EACH DECEMBER 31
27 THEREAFTER UNTIL DECEMBER 31, 2017, THE DIVISION SHALL SUBMIT A

1 REPORT TO THE JOINT BUDGET COMMITTEE, THE BUSINESS AFFAIRS AND
2 LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND THE
3 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR
4 THEIR SUCCESSOR COMMITTEES, REGARDING THE STATUS OF THE
5 ENHANCED UNEMPLOYMENT INSURANCE COMPENSATION BENEFITS
6 PROGRAM AND THE RESULTING OUTCOMES. THE REPORT MUST INCLUDE AT
7 LEAST THE FOLLOWING:

8 (a) A DEMOGRAPHIC ANALYSIS OF PARTICIPANTS IN THE ENHANCED
9 UNEMPLOYMENT INSURANCE COMPENSATION BENEFITS PROGRAM UNDER
10 THIS SECTION, INCLUDING THE GENDER, RACE, AGE, DISABILITY, AND
11 GEOGRAPHIC REPRESENTATION OF PARTICIPANTS;

12 (b) THE DURATION OF THE ENHANCED UNEMPLOYMENT INSURANCE
13 COMPENSATION BENEFITS CLAIMED PER ELIGIBLE UNEMPLOYMENT
14 INSURANCE CLAIMANT;

15 (c) THE EMPLOYMENT AND WAGE HISTORY OF PARTICIPANTS,
16 INCLUDING THE PRETRAINING AND POST-TRAINING WAGE AND WHETHER
17 THOSE PARTICIPATING IN TRAINING RETURN TO THEIR PREVIOUS EMPLOYER
18 OR OCCUPATION AFTER TRAINING;

19 (d) A RETURN-ON-INVESTMENT CALCULATION TO DETERMINE THE
20 BENEFITS AND FISCAL CONTRIBUTION OF UNEMPLOYMENT INSURANCE
21 CLAIMANTS PARTICIPATING IN THE PROGRAM WHO BECOME EMPLOYED.
22 EMPLOYERS PARTICIPATING IN THE PROGRAM SHALL PROVIDE THE
23 DEPARTMENT WITH INFORMATION ON PERMANENT HIRES OF PROGRAM
24 PARTICIPANTS, AS WELL AS FEEDBACK ON PROGRAM VALUE AND ISSUES,
25 FOR USE BY THE DEPARTMENT IN CALCULATING THE RETURN ON
26 INVESTMENT.

27 (7) THE DIVISION SHALL PAY THE ENHANCED UNEMPLOYMENT

1 INSURANCE COMPENSATION BENEFITS AWARDED PURSUANT TO THIS
2 SECTION FROM MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY TO
3 THE DIVISION FROM THE GENERAL FUND.

4 (8) AS USED IN THIS SECTION:

5 (a) (I) "APPROVED TRAINING PROGRAM" MEANS A VOCATIONAL
6 TRAINING, REGISTERED APPRENTICESHIP, OR ENTREPRENEURIAL TRAINING
7 PROGRAM APPROVED BY THE DIRECTOR THAT:

8 (A) IS DESIGNED TO TRAIN A PARTICIPANT FOR AN OCCUPATION,
9 BASED ON LABOR MARKET INFORMATION; AND

10 (B) IS LIKELY TO ENHANCE THE UNEMPLOYMENT INSURANCE
11 CLAIMANT'S MARKETABLE SKILLS AND EARNING POWER.

12 (II) "APPROVED TRAINING PROGRAM" DOES NOT INCLUDE ANY
13 COURSE OF EDUCATION PRIMARILY INTENDED TO MEET THE
14 REQUIREMENTS OF AN ASSOCIATE, BACCALAUREATE, OR HIGHER DEGREE
15 UNLESS THE TRAINING MEETS SPECIFIC REQUIREMENTS FOR
16 CERTIFICATION, LICENSING, OR SPECIFIC SKILLS NECESSARY FOR THE
17 OCCUPATION.

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

20 (c) "ELIGIBLE UNEMPLOYMENT INSURANCE CLAIMANT" MEANS AN
21 UNEMPLOYMENT INSURANCE CLAIMANT ON A REGULAR OR EXTENDED
22 BENEFITS STATE UNEMPLOYMENT CLAIM OR A MILITARY OR FEDERAL
23 CLAIM WHO IS RECEIVING BENEFITS AND IS ELIGIBLE FOR ENHANCED
24 UNEMPLOYMENT INSURANCE COMPENSATION BENEFITS PURSUANT TO THIS
25 SECTION.

26 (d) "ENHANCED UNEMPLOYMENT INSURANCE COMPENSATION
27 BENEFITS" MEANS ADDITIONAL BENEFITS PAID TO AN ELIGIBLE

1 UNEMPLOYMENT INSURANCE CLAIMANT IN ACCORDANCE WITH THIS
2 SECTION.

3 (e) "TRAINING PROGRAM PROVIDER" MEANS A POSTSECONDARY
4 EDUCATIONAL INSTITUTION, INCLUDING AN INSTITUTION OF HIGHER
5 EDUCATION, A COMMUNITY OR TECHNICAL COLLEGE, AN OCCUPATIONAL
6 EDUCATION PROGRAM, AN EMPLOYER, OR ANY OTHER ENTITY THAT
7 PROVIDES AN APPRENTICESHIP OR ENTREPRENEURIAL TRAINING PROGRAM
8 APPROVED BY THE DIVISION OR AUTHORIZED UNDER THE FEDERAL
9 "WORKFORCE INVESTMENT ACT OF 1998", 29 U.S.C. SEC. 2801 ET SEQ.,
10 AS AMENDED.

11 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2018.

12 **SECTION 2. Effective date.** This act takes effect July 1, 2015.

13 **SECTION 3. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety.