

Final
STAFF SUMMARY OF MEETING

ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE

Date:	10/16/2013	ATTENDANCE
Time:	10:07 AM to 03:33 PM	Balmer X
Place:	SCR 356	Exum *
		Hudak X
		Joshi X
This Meeting was called to order by		Marble X
<u>Senator Kefalas</u>		Pettersen X
		Saine X
This Report was prepared by		Ulibarri X
<u>Rachel Kurtz-Phelan</u>		Fields *
		Kefalas X

X = Present, E = Excused, A = Absent, * = Present after roll call

Bills Addressed:	Action Taken:
Welcome and Discussion of Bill Prioritization	Witness Testimony and/or Committee Discussion Only
Consideration of Proposed Legislation	Witness Testimony and/or Committee Discussion Only
Discussion of Bill 3	Witness Testimony and/or Committee Discussion Only
Discussion of Bill 4	Witness Testimony and/or Committee Discussion Only
Discussion of Bill 8	Witness Testimony and/or Committee Discussion Only
Discussion of Bill 5	Witness Testimony and/or Committee Discussion Only
Discussion of Bill 9	Witness Testimony and/or Committee Discussion Only
Discussion of Bill 10	Witness Testimony and/or Committee Discussion Only
Discussion of Bill 11	Witness Testimony and/or Committee Discussion Only
Task Force Vote on Legislation	Witness Testimony and/or Committee Discussion Only

10:07 AM -- Welcome and Discussion of Bill Prioritization

Senator Kefalas, chair, welcomed the task force members and audience to the meeting. He explained the day's agenda and how the task force would vote on and prioritize which bills to send to the Legislative Council Executive Committee. He stated that public testimony would be taken on all bills, and that final action would not be taken on the bills until after lunch. He told the task force that Bill 7 was removed from the agenda at the request of the sponsoring member in order to further engage the stakeholders before introducing the bill. He reminded the task force that of the ten bills being considered by the task force, only eight of would be sent to Legislative Council. Senator Kefalas explained that the task force members must decide whether the bill title and short title are appropriate, whether to include a safety clause in the bill, and whether to allow staff from the Office of Legislative Legal Services (OLLS) to make necessary technical changes to the bills. He stated that the task force must also decide whether each bill will start in the house or senate, and who will be the sponsor and co-sponsor of each bill. Senator Balmer asked whether the task force would be voting on the concept of the bill or the bill itself. Senator Kefalas responded that the task force would be voting on the actual bill draft and reminded the members that there is still time to make changes to the bills before sending them to Legislative Council.

10:15 AM

The task force continued to discuss the bill drafting process and whether particular bills should be considered task force bills or bills from individual task force members. Senator Kefalas responded that the interim committee process is different from the normal standing committee process in terms of drafting bills and procedures. Senator Hudak talked about the role of the working groups in drafting bills and working with the OLLS drafters.

10:20 AM -- Consideration of Proposed Legislation- Bill 1

Senator Kefalas introduced Bill 1 (Attachment A) which concerns property-related expense assistance grants for low-income seniors and individuals with disabilities. He gave a brief description of the Property Tax/Rent/Heat (PTC) rebate program, and reminded the task force members about the presentation they heard on the performance audit of the PTC program and the recommendations made by the Office of the State Auditor in terms of implementation and outreach. He explained that the bill increases income thresholds for participants to a range of \$6,639 on the low end to \$11,369 on the high end. He stated that as a person or couple's income increases, the rebate decreases. Senator Kefalas explained that the bill also creates a flat rebate amount for the rent and heat for higher income levels, and provides support for people on low and fixed incomes. He told the task force that the bill creates a hybrid program model with the Department of Revenue (DOR) responsible for administration of the program, and the Department of Human Services responsible for outreach. He stated that the departments must work together with counties and community-based organizations on outreach and implementation. Senator Kefalas discussed the importance of updating the DOR GenTax system to ensure that rebate overpayments and underpayments do not happen in the future. He stated that the bill gives the Executive Director of DOR the authority to waive the requirement to return a rebate overpayment if it is due to an error made by DOR.

10:27 AM

Senator Kefalas distributed amendment L.003 (Attachment B). Ed DeCecco, Office of Legislative Legal Services, came to the table to answer questions about how the grant program in the bill is funded. He explained that the program is funded through an account that is already established for people who are owed income tax refunds, and not from the General Fund. Alex Schatz, Legislative Council Staff, came to the table to answer questions from the task force on the fiscal impact of the bill. He discussed the components of the rebate program that have fiscal impacts. Senator Balmer stated that it is important to work towards bringing energy costs down for all people in Colorado, not just for low-income individuals. Senator Marble asked whether the state has the money to support the PTC rebate program.

10:39 AM

Senator Ulibarri stated that energy costs have increased while income has decreased and therefore it is the responsibility of the state to assist those who can't afford to pay for heat in the winter. He said the state must provide assistance to people living in affordable housing, and talked about those impacted by the recent floods in Colorado. Senator Kefalas explained that amendment L.003 (Attachment B) changes the bill so that the rebate payments will be paid in four installments as opposed to the one rebate payment per year as required in the bill.

The following people testified on the bill:

10:43 AM -- Dr. Mike Cortes, representing the University of Denver Graduate School of Social Work and the Colorado Latino Age Wave, spoke in favor of the bill. He said that Latino Age Wave supports the bill and the amendment (Attachment B). He said often older Latinos do not receive services for which they are eligible and it is important to change that.

10:45 AM -- Rich Mauro, representing Denver Regional Council Of Governments and the Colorado Senior Lobby, and Eileen Doherty, representing the Colorado Gerontological Society (CGS), spoke about the bill. Mr. Mauro stated that the Senior Lobby supports the bill. Ms. Doherty stated that CGS supports the bill but would like the grant calculation formula to be simplified. Senator Ulibarri asked the witnesses to comment on how important it is for seniors to be able to heat their homes during the winter. Senator Hudak stated that the program is also for people with disabilities who do not have a way to earn income. Representative Pettersen stated that some people must choose between purchasing medications or keeping their home heated.

10:53 AM

There were no more witnesses. Senator Kefalas gave closing comments to the bill and explained to the task force how he determined the rebate and grant amounts included in the bill. He said the bill is intended to help low-income and disabled people stay in their homes which ultimately will lead to saving taxpayer dollars.

10:56 AM -- Discussion of Bill 3

Senator Balmer introduced Bill 3 (Attachment C) concerning the issuance of identification cards to people who are lawfully present in the United States but may have difficulty with certain documentary evidence. He thanked the working group for identifying a need in the state and talked about the working group's concern about people who are unable to obtain a state-issued identification card (ID) because they are unable to produce a birth certificate for a variety of reasons. He said that the bill applies to seniors ages 70 and older and veterans. He told the task force that some stakeholders have expressed concerns that the ID created by the bill will be incongruent with the federal requirements of the REAL ID Act. He stated that banks and other financial institutions may have issues with accepting the new state ID and that they will be watching the bill very closely. Senator Balmer reiterated that the bill offers a new route to obtaining a state ID, and explained that DOR is concerned about the estimated \$2-\$5 million implementation cost of the bill since there will be an increase in hearings for people going through the exceptions process. He said the exceptions process is cumbersome and time consuming. Senator Balmer questioned whether the bill is necessary since over the past year there have been only seven hearings conducted for people who are unable to obtain an ID through the regular process.

The following people testified:

11:08 AM -- Terry Scanlon, representing the Colorado Center on Law and Policy, and Linda Olsen, representing Colorado Legal Services clients, came to the table to speak about the bill. Mr. Scanlon talked about the groups that support the bill, and stated that the bill will reduce poverty for many people who have a hard time accessing an ID in order to obtain employment, housing, and public benefits. He said there are a variety of critical services that require an ID to access. Mr. Scanlon stated that there are organizations of lawyers who work an average of 60 pro bono hours and 7-8 months to help people obtain IDs. He said the bill will ease the process of legally changing one's name, and discussed the two new documents that the bill allows to be used to prove lawful presence.

11:22 AM -- Ms. Olsen talked about the ID project managed by Colorado Legal Services, and ways to simplify the current process. She discussed reasons why a person may not have access to his or her birth certificate and why it is helpful to be able to show another type of document instead of a birth certificate when applying for an ID. She stated that the exceptions process is not the same as a hearing and that the bill may need to be amended to show this difference. She said that a simplified process will save the department time and money because people won't have to come in repeatedly. Senator Kefalas asked if any of the changes made by the bill can be made administratively instead of statutorily and asked whether there is a middle-ground to the exceptions issue to lessen the fiscal impact. He discussed Senate Bill 13-004 and asked whether Bill 3 (Attachment C) comports with any aspects of SB 13-004. He talked about the difficulty in obtaining finger prints for very elderly people and issues with name changes.

11:24 AM -- Jerry Payne, OLLS, came to the table and stated that Bill 3 is not in conflict with SB 13-004.

11:27 AM

Senator Ulibarri asked the witnesses to comment on issues that may be faced by victims of the recent floods in Colorado when trying to replace a lost ID.

11:29 AM -- Mike Dixon, representing the Division of Motor Vehicles (DMV), DOR, stated that the department maintains a neutral position on the bill. He talked about recent improvements in DMV procedures that deal with the exceptions processes. He talked about the fiscal impact of the bill and told the task force about the exceptions process hearing. Mr. Dixon answered questions from the committee about the DMV's current exceptions process.

11:43 AM

Senator Ulibarri said that he recognizes that there is already a process in place at the DMV but that it's not serving everyone that has a need. Senator Kefalas asked Mr. Dixon to comment on how the DMV has altered its policies to accommodate elderly customers who do not have access to a birth certificate, as well as those who are disabled or incarcerated.

11:49 AM

There were no more witnesses and no amendments to the bill.

11:50 AM -- Discussion of Bill 4

Senator Kefalas introduced Bill 4 (Attachment D) which concerns the Aid to the Needy Disabled (AND) program. He explained that AND functions as an interim aid program, and that in order to qualify a person must be between 18 and 59 years old and must have a disability that cause him or her to not be able to work for at least six months. He said the bill increases the cash assistance amount for the program and that the amount will be adjusted for inflation and to conform to federal poverty guidelines. He talked about the matching requirement for the counties and explained that since the bill increases the cash assistance amount given by the state, it also increases the county match amount. Senator Balmer stated that these types of decisions should remain within the normal budgetary process and should not be changed legislatively. He said that the Joint Budget Committee is able to increase the amount of assistance as needed and expressed concern about setting the adjustment rate to federal poverty guidelines. The committee discussed the financial impacts of the bill and the need to prioritize limited financial resources.

The following people testified:

12:02 PM -- Pat Ratliff, representing Colorado Counties, Inc. (CCI), spoke about the bill. She stated that there may be a way to lessen the impact of the 20 percent county match requirement.

12:03 PM -- Chaer Robert, representing the Colorado Center on Law and Policy, spoke about the bill. She discussed the need for a safety net for those people who are unable to find their way out of poverty because they are destitute and disabled and in need of assistance before they are able to qualify for Supplemental Security Income. Ms. Robert talked about the organizations in Colorado that help people who are at the bottom of the income ladder.

12:06 PM

There were no more witnesses and no amendments to the bill. The task force recessed for lunch.

12:48 PM -- Discussion of Bill 8

The task force came back to order. Senator Marble stated that she would be withdrawing Bill 6 in order to continue working on the bill. Senator Kefalas introduced Bill 8 (Attachment E) concerning Community Development Financial Institutions (CDFI). He said that there are currently nine CDFIs in Colorado that work in local communities assisting with affordable housing, community development, and micro-enterprise. He explained that CDFIs provide financing options to individuals or entities who would otherwise not be able to get financing for certain projects. He said that the bill allows a local jurisdiction to invest its reserve funds into a certified CDFI if it chooses to do so, and creates another tool for localities to invest dollars into local community development projects. He said that bill also makes technical changes to CDFIs to give them more flexibility in making loans and releasing deeds of trust for particular parcels of land that are held as collateral. Senator Hudak asked if the bill was suggested by one of the working groups.

The following person testified:

12:57 PM -- Joe Rowan, representing Colorado CDFIs, spoke in support of the bill. He distributed a handout (Attachment F) and told the task force how and why CDFIs were developed in Colorado and about their mission and purpose. He explained that CDFIs partake in micro-financing, small loans to help small businesses get started, home financing for low-income populations, flexible financing focused on the needs of a community and the buyer, and help people become "bankable" in order to move up the economic ladder. He said the bill allows communities to invest in their own community development, and invest in areas that are emerging but are not yet ready for traditional financing. Senator Kefalas asked Mr. Rowan to talk about the aspect of the bill that add CDFIs as a qualified holder. Mr. Rowan responded that this provision allows CDFIs to submit to the public trustee a request for a partial release of collateral.

01:07 PM

There were no more witnesses and no amendments to the bill.

01:07 PM -- Discussion of Bill 5

Representative Fields introduced Bill 5 (Attachment G) concerning adult education and literacy programs. She stated that the best path out of poverty is to ensure educational opportunity. She explained that the bill provides funding for adult education and literacy programs throughout the state and that currently adult education programs in Colorado only receive federal funding and no state funding. She stated that increasing literacy in math and reading will help adults become more competitive in the middle-skill job market and that technical certification programs will help people be more employable. Senator Kefalas asked how the bill helps foster collaboration. Representative Fields responded that currently, CDE has an office that is responsible for adult education programs so the infrastructure is already in place in the state. She said the funding provided in the bill will help fund the office so that it can further expand the programs it offers. Senator Kefalas asked about the fiscal impact of the bill and where the funding will come from. Representative Fields stated that it will require an approximately \$1.2 million appropriation, but exact figures will be determined at a later time. The task force discussed the differences between the Family Literacy Act and the Adult Education and Literacy Act in the bill.

The following people testified:

01:18 PM -- Frank Waterous, representing the Bell Policy Center, Laurie Harvey, representing the Center for Work, Education, and Employment (CWEE), and Chaer Robert, representing the Skills to Compete Coalition, came to the table as a group to speak about the bill. Ms. Robert talked about the need for people to access skills training in order to help them get a better job. She talked about the organizations that are members of the Skills to Compete Coalition. Ms. Harvey talked about CWEE's programs and the need for additional programs to enhance skills. Mr. Waterous talked about the process the working group and coalition went through to develop the bill. He said that educational attainment is one of the key pathways out of poverty and talked about the benefits of increased skills to employers. He reiterated the partnerships and collaboration defined in the bill are crucial, and said that the state must make a meaningful investment in order to support the partnerships created by the bill and to ensure its success..

01:32 PM

Mr. Waterous responded to questions from the committee about program funding and the importance of the partnerships outlined in the bill.

01:35 PM -- Margaret Kirkpatrick, Director of the Adult Education and Family Literacy Office in the Colorado Department of Education, came to the table to answer questions from the committee. She said that currently the office is not allowed to offer skills training or transition assistance programs and told the task force how the funding in the bill will assist her office with implementing adult education programs that are not currently being offered. The task force members expressed concern about putting the 17 percent set-aside for administrative costs into statute.

01:40 PM -- Jennifer Mello, representing the Colorado Department of Education, came to the table to talk about the 17 percent set-aside for administrative costs in the bill.

01:44 PM

There were no more witnesses. Representative Fields distributed amendment L.001 (Attachment H) which allocates an appropriation for the bill.

01:45 PM -- Discussion of Bill 9

Senator Kefalas introduced Bill 9 (Attachment I) which concerns manufactured home communities. He stated that mobile homes, also called manufactured homes, are an important part of the affordable housing continuum and that the state is losing manufactured home communities so it's important to maintain the communities that do still exist. He explained that when a community is going to be sold or redeveloped, it is important to mitigate the impacts to those who may be relocated or kicked out of their homes due to the change in use of the land and community. Senator Kefalas distributed amendment L.001 (Attachment J) and explained the changes the amendment makes to the bill. He told the task force that the bill changes the Mobile Home Park Act to the Manufactured Home Communities Act and seeks to ensure good relationships between the owners of manufactured home communities and the owners of the manufactured homes themselves. He went through the provisions of the bill that deal with consumer protection and titling issues.

01:56 PM

Senator Kefalas continued to discuss the changes amendment L.001 (Attachment J) makes to the bill.

The following people testified:

01:59 PM -- Joan Green, representing mobile home park owners, spoke about the bill. She said that some of the changes made by the bill do not address the concerns of mobile home park owners and said that mobile home park owners were not consulted about the bill. She said that many protections in the bill are already in law, that the bill imposes rent control, the language in the bill is conflicting, and adds significant burdens to mobile home park owners. She stated that she does not support the bill in its current form.

02:07 PM -- Tawny Peyton, representing the Rocky Mountain Home Association, spoke about the bill. She stated that she has concerns about the bill.

02:09 PM -- Corrine Fowler, representing the Colorado Progressive Coalition, spoke in support of the bill. She stated that she supports the consumer protection aspects of the bill and that there are currently no protections for mobile home owners when mobile home parks are sold.

02:12 PM

There were no more witnesses. Senator Balmer said that he is concerned that the bill will place new regulations on mobile home park businesses. He said that mobile home parks are different than public housing complexes and the bill will cause consumers to have less access to affordable housing. Senator Ulibarri talked about the importance of consumer protections for people who own mobile homes and reviewed the discussions that took place during the Housing Continuum working group meetings. Representative Saine said that there is already affordable housing available without the government getting involved. She talked about her concerns with the bill. Senator Kefalas withdrew Bill 9 (Attachment I) from consideration and stated that he will continue working on the bill with stakeholders.

02:20 PM -- Discussion of Bill 10

Senator Hudak introduced Bill 10 (Attachment K) concerning an income tax credit for child care expenses. She told the task force that the bill was recommended by the Early Childcare and Education Working group, and that the people that need this tax credit the most are currently ineligible to receive it in Colorado. She explained that a person or family must have a federal adjusted gross income of less than \$25,000 to apply for the refundable tax credit. She explained that the people the bill targets don't have a high enough federal income tax liability to file for the federal child care credit, and since the state child care credit is tied to the federal credit the bill separates the state credit from the federal credit. She said the credit is for child care expenses for children under 13 years old.

02:25 PM -- Ed DeCecco, Office of Legislative Legal Services, came to the table to answer questions about specific provisions of the bill. Senator Balmer responded to Mr. DeCecco by talking about the purpose of tax credits and said that the credit provided in the bill is not a tax credit. Mr. DeCecco continued to answer questions from the task force about the changes the bill makes to current law and about the fiscal impact of the bill.

02:34 PM -- Natalie Mullis, Legislative Council Staff, came to the table to answer questions about the fiscal impact of the bill.

The following person testified:

02:35 PM -- Chaer Robert, representing the Colorado Center on Law and Policy, spoke in support of the bill. She distributed a handout (Attachment L) and explained the handout. She said that child care can be a family's highest expense aside from rent and that a person cannot get and keep a job without child care. She explained that a person must be working and earn income in order to qualify for the tax credit. She stated that the bill fixes that part of the existing state child care tax credit that unintentionally excludes the lowest income workers.

02:42 PM

There were no more witnesses. Senator Hudak distributed amendment L.001 (Attachment M) and explained that it is a technical amendment.

02:43 PM -- Discussion on Bill 11

Senator Hudak introduced Bill 11 (Attachment N) concerning the Colorado Child Care Assistance Program (CCAP). She spoke about the "cliff effect" and the pilot program created to help counties ease the assistance cut-off for individuals in order to counteract the cliff effect. She said that during the recession, counties did not participate in the pilot program due to a lack of finances. Senator Hudak explained that the bill extends the pilot program in order to give counties time to implement the program and report back on its success or failure, as well as provide money to help implement the pilot program. She said that up to 10 counties may choose to participate in the pilot program.

The following people testified:

02:48 PM -- Bill Jager, representing the Colorado Children's Campaign, Terry Scanlon, representing the Colorado Center on Law and Policy, Molly Yost, representing Clayton Early Learning, and Rich Jones, representing the Bell Policy Center, came to the table as a group to testify in support of the bill. Mr. Scanlon spoke about child care expenses and the under-funding of CCAP in recent years. He said that counties can choose to participate in the pilot program, it is not required. Mr. Jones spoke about the cliff effect and about why counties did not participate in the pilot program when it was first established in 2012. He talked about the specifics of the pilot program in the bill. Mr. Jager stated that the bill seeks to improve the quality of child care in Colorado.

02:57 PM -- Pat Ratliff, representing Colorado Counties, Inc. (CCI), came to the table and said that CCI is neutral on the bill but supports the fact that the bill is permissive to counties. She answered questions from the task force about the dates for funding the pilot program.

03:00 PM -- Sarah Sills, Legislative Liaison for the Department of Human Services, came to the table to answer questions about the dates of the pilot program funding.

03:01 PM

Senator Hudak distributed amendment L.001 (Attachment O). Mr. Scanlon and Mr. Jager came back to the table to discuss the changes the amendment makes to the bill.

03:04 PM -- Natalie Mullis, Legislative Council Staff, came to the table to answer questions about the fiscal impact to the state if all counties decide to opt-in to the pilot program.

03:08 PM

Senator Hudak told that task force that she is withdrawing Bill 2.

03:09 PM -- Task Force Vote on Legislation

Senator Kefalas stated that the committee would vote on the bills to send to Legislative Council and the amendments to the bills.

BILL:	Bill 1	
TIME:	03:10:02 PM	
MOVED:	Kefalas	
MOTION:	Moved amendment L.003 (Attachment B) to Bill 1. The motion passed without objection.	
SECONDED:		
		VOTE
	Balmer	
	Exum	
	Hudak	
	Joshi	
	Marble	
	Pettersen	
	Saine	
	Ulibarri	
	Fields	
	Kefalas	
YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection		

BILL:	Bill 1	
TIME:	03:12:08 PM	
MOVED:	Kefalas	
MOTION:	Moved to refer Bill 1 (Attachment A), as amended, to Legislative Council. The motion passed on a vote of 6-4.	
SECONDED:	Pettersen	
		VOTE
	Balmer	No
	Exum	Yes
	Hudak	Yes
	Joshi	No
	Marble	No
	Pettersen	Yes
	Saine	No
	Ulibarri	Yes
	Fields	Yes
	Kefalas	Yes
Final YES: 6 NO: 4 EXC: 0 ABS: 0 FINAL ACTION: PASS		

BILL:	Bill 3	
TIME:	03:14:14 PM	
MOVED:	Ulibarri	
MOTION:	Moved to refer Bill 3 (Attachment C) to Legislative Council. The motion passed on a vote of 6-4.	
SECONDED:	Fields	
		VOTE
	Balmer	No
	Exum	Yes
	Hudak	Yes
	Joshi	No
	Marble	No
	Pettersen	Yes
	Saine	No
	Ulibarri	Yes
	Fields	Yes
	Kefalas	Yes
Final YES: 6 NO: 4 EXC: 0 ABS: 0 FINAL ACTION: PASS		

BILL:	Bill 4	
TIME:	03:18:05 PM	
MOVED:	Kefalas	
MOTION:	Moved to refer Bill 4 (Attachment D) to Legislative Council. The motion passed on a vote of 6-4.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	No
	Exum	Yes
	Hudak	Yes
	Joshi	No
	Marble	No
	Pettersen	Yes
	Saine	No
	Ulibarri	Yes
	Fields	Yes
	Kefalas	Yes
Final YES: 6 NO: 4 EXC: 0 ABS: 0 FINAL ACTION: PASS		

BILL:	Bill 8	
TIME:	03:20:07 PM	
MOVED:	Kefalas	
MOTION:	Moved to refer Bill 8 (Attachment E) to Legislative Council. The motion passed on a vote of 6-4.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	No
	Exum	Yes
	Hudak	Yes
	Joshi	No
	Marble	No
	Pettersen	Yes
	Saine	No
	Ulibarri	Yes
	Fields	Yes
	Kefalas	Yes
Final YES: 6 NO: 4 EXC: 0 ABS: 0 FINAL ACTION: PASS		

BILL:	Bill 5	
TIME:	03:22:15 PM	
MOVED:	Fields	
MOTION:	Moved amendment L.001 (Attachment H) to Bill 5. The motion passed without objection.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	
	Exum	
	Hudak	
	Joshi	
	Marble	
	Pettersen	
	Saine	
	Ulibarri	
	Fields	
	Kefalas	
YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection		

03:22 PM

Representative Fields distributed amendment L.002 (Attachment P) to Bill 5 and explained the changes the amendment makes to the bill.

BILL:	Bill 5	
TIME:	03:23:34 PM	
MOVED:	Fields	
MOTION:	Moved amendment L.002 (Attachment P) to Bill 5. The motion passed without objection.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	
	Exum	
	Hudak	
	Joshi	
	Marble	
	Pettersen	
	Saine	
	Ulibarri	
	Fields	
	Kefalas	
YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection		

BILL:	Bill 5	
TIME:	03:24:28 PM	
MOVED:	Fields	
MOTION:	Moved to refer Bill 5 (Attachment G), as amended, to Legislative Council. The motion passed on a vote of 6-4.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	No
	Exum	Yes
	Hudak	Yes
	Joshi	No
	Marble	No
	Pettersen	Yes
	Saine	No
	Ulibarri	Yes
	Fields	Yes
	Kefalas	Yes
Final YES: 6 NO: 4 EXC: 0 ABS: 0 FINAL ACTION: PASS		

BILL:	Bill 10	
TIME:	03:26:09 PM	
MOVED:	Kefalas	
MOTION:	Moved amendment L.001 (Attachment M) to Bill 10. The motion passed without objection.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	
	Exum	
	Hudak	
	Joshi	
	Marble	
	Pettersen	
	Saine	
	Ulibarri	
	Fields	
	Kefalas	
YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection		

BILL:	Bill 10	
TIME:	03:26:56 PM	
MOVED:	Hudak	
MOTION:	Moved to refer Bill 10 (Attachment K), as amended, to Legislative Council. The motion passed on a vote of 6-4.	
SECONDED:		
		VOTE
	Balmer	No
	Exum	Yes
	Hudak	Yes
	Joshi	No
	Marble	No
	Pettersen	Yes
	Saine	No
	Ulibarri	Yes
	Fields	Yes
	Kefalas	Yes
Final YES: 6 NO: 4 EXC: 0 ABS: 0 FINAL ACTION: PASS		

BILL:	Bill 11	
TIME:	03:28:33 PM	
MOVED:	Hudak	
MOTION:	Moved amendment L.001 (Attachment O) to Bill 11. The motion passed without objection.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	
	Exum	
	Hudak	
	Joshi	
	Marble	
	Pettersen	
	Saine	
	Ulibarri	
	Fields	
	Kefalas	
YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection		

BILL:	Bill 11	
TIME:	03:31:19 PM	
MOVED:	Hudak	
MOTION:	Moved a conceptual amendment to Bill 11 (Attachment N) to change "calendar year" to "state fiscal year." The motion passed without objection.	
SECONDED:		
		VOTE
	Balmer	
	Exum	
	Hudak	
	Joshi	
	Marble	
	Pettersen	
	Saine	
	Ulibarri	
	Fields	
	Kefalas	
YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection		

BILL:	Bill 11	
TIME:	03:31:32 PM	
MOVED:	Hudak	
MOTION:	Moved to refer Bill 11 (Attachment N), as amended, to Legislative Council. The motion passed on a vote of 6-4.	
SECONDED:	Ulibarri	
		VOTE
	Balmer	No
	Exum	Yes
	Hudak	Yes
	Joshi	No
	Marble	No
	Pettersen	Yes
	Saine	No
	Ulibarri	Yes
	Fields	Yes
	Kefalas	Yes
Final YES: 6 NO: 4 EXC: 0 ABS: 0 FINAL ACTION: PASS		

03:35 PM

The meeting adjourned.

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.8.13

BILL 1

LLS NO. 14-0152.02 Ed DeCecco x4216

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Prop Tax Rent Heat Fuel Grants For Low-income"

A BILL FOR AN ACT

101 **CONCERNING THE PROPERTY-RELATED EXPENSE ASSISTANCE GRANTS**
102 **FOR LOW-INCOME SENIORS AND INDIVIDUALS WITH**
103 **DISABILITIES.**

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>.)

Economic Opportunity Poverty Reduction Task Force. Beginning with grants claimed for 2014, the bill modifies the real property tax assistance grants, which includes grants for property tax, specific ownership tax, or tax equivalent payments, (**Section 1** of the bill)

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

and heat or fuel expenses assistance grants (**Section 4**) for low-income seniors and individuals with disabilities as follows:

- Increases the maximum real tax property expense assistance grant from \$600 to \$700;
- For claims made for 2014, increases the income limits for grant eligibility from approximately \$12,639 to \$14,937 for individuals and from approximately \$16,935 to \$20,163 for married couples; and
- Establishes flat minimum grant amounts for any eligible individual or married couple of \$227 for the real property tax expense assistance grant and \$73 for the heat or fuel expenses assistance grant, assuming that the actual expenses exceed these amounts.

Section 2 requires the department of revenue to pay a grant with a single payment, which replaces the existing quarterly payments, and the payment must be made by the same deadline that applies to an income tax refund. This section also clarifies the executive director of the department of revenue's responsibilities for preparing grant application forms and related instructions, and it permits the executive director to develop an electronic form to supplement the paper forms.

Section 3 repeals the requirement that the department of revenue mail copies of the grant forms to county departments of social services and public and private pensions. This mailing is replaced with a requirement that the department of human services conduct specific types of outreach related to the grant. On or before July 1, 2015, the department of human services is required to report about the outreach to the public health care and human services committee of the house of representatives and the health and human services committee of the senate. The department of human services outreach efforts do not affect the department of revenue's responsibility to create the grant forms and pay the grants. The departments are required to share information.

If the department of revenue incorrectly pays a grant as a result of a departmental mistake, **section 5** permits the executive director of the department to waive the reimbursement of the grant and any interest or penalties that accrue.

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

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

4 (a) There is a property tax, rent, and heat assistance grant program
5 administered by the department of revenue, which is commonly referred

1 to as the PTC rebate program;

2 (b) The PTC rebate program was started in 1972 to provide
3 property tax and rent assistance through grants to low-income seniors, and
4 the program was expanded to include assistance for heating expenses in
5 1980 and to include individuals with disabilities in 1989;

6 (c) The department of revenue administers the program, including
7 application controls and program outreach, and there is a need to improve
8 the department's application, eligibility, and payment controls and the
9 program outreach and administration;

10 (d) Grants are made from the income tax refund reserve without
11 further appropriation;

12 (e) In fiscal year 2012-13 about 21,000 households participated
13 in the program and received a total of \$6.9 million in rebates, which is an
14 average of \$329 for each participating household;

15 (f) The PTC rebate program applies to thousands of low-income
16 Coloradans over age 65, surviving spouses over age 58, or individuals
17 with disabilities who have lived in the state for the entire tax year and
18 have paid property tax, rent, or heating expenses during the year;

19 (g) Qualifying seniors and individuals with disabilities, including
20 veterans, who live in their homes on fixed or low-incomes face greater
21 financial hardships and encounter difficulties in maintaining their homes
22 and living independently with limited resources, and the rebate helps
23 these people stay in their homes;

24 (h) The PTC rebate program helps seniors and individuals with
25 disabilities live independently in their homes and serves as a lifeline for
26 thousands of Coloradans who spend the grants on basic necessities,
27 including home repairs; and

1 (i) Spending grants in local communities is good for business and
2 creates jobs, it allows people to stay in their homes and live with greater
3 dignity as contributing members of society, and it saves taxpayer dollars.

4 (2) Therefore, the general assembly declares the PTC rebate
5 program offers a rational, fiscally prudent, and targeted approach for
6 assisting seniors and individuals with disabilities with essential living
7 expenses, and that it is in the public interest to improve the
8 administration, delivery, and outreach of this program to ensure
9 efficiencies and effectiveness in terms of serving those individuals most
10 in need. Furthermore, it is in the public interest to encourage
11 collaboration between the department of revenue, the department of
12 human services, and community-based organizations to achieve
13 continuous quality improvement of the program.

14 **SECTION 2.** In Colorado Revised Statutes, 39-31-101, **amend**
15 (1) (c) and (2); and **add** (2.3) as follows:

16 **39-31-101. Real property tax assistance - eligibility -**
17 **applicability - definitions.** (1) (c) (I) The grant authorized by this
18 section shall also be allowed to individuals having resided in this state for
19 the entire taxable year and coming within the limitations imposed by
20 subsection (3) of this section who, regardless of age, ~~were disabled~~ HAVE
21 A DISABILITY during the entire taxable year to a degree sufficient to
22 qualify for the payment to them of full benefits from any bona fide public
23 or private plan or source based solely upon such disability.

24 (II) An individual ~~is disabled~~ HAS A DISABILITY for the purposes
25 of subparagraph (I) of this paragraph (c) if such individual is unable to
26 engage in any substantial gainful activity by reason of any medically
27 determinable physical or mental impairment ~~which~~ THAT can be expected

1 to result in death or ~~which~~ THAT has lasted for a continuous period of not
2 less than twelve months.

3 (2) ~~Such~~ A grant ~~shall be~~ IS the amount of the general property
4 taxes actually paid on the residence or the amount of taxes actually paid
5 on a mobile home, plus any tax-equivalent payments computed pursuant
6 to subsection (4) of this section, with respect to the rent of a trailer space
7 during the year for which ~~such~~ THE grant is claimed, the amount of the
8 specific ownership tax actually paid on a trailer coach, or the amount of
9 the tax-equivalent payments, computed pursuant to subsection (4) of this
10 section, actually made during the year for which such grant is claimed,
11 but in no event may it exceed:

12 (a) In the case of an individual:

13 (I) ~~For grants claimed for years commencing prior to January 1,~~
14 ~~1999, five hundred dollars reduced by twenty percent of the amount by~~
15 ~~which the individual's income exceeds five thousand dollars;~~

16 (II) ~~For grants claimed for years commencing on or after January~~
17 ~~1, 1999, but prior to January 1, 2008, six hundred dollars reduced by ten~~
18 ~~percent of the amount by which the individual's income exceeds five~~
19 ~~thousand dollars; and~~

20 (III) For grants claimed for years commencing on or after January
21 1, 2008, BUT BEFORE JANUARY 1, 2014, six hundred dollars reduced by
22 ten percent of the amount by which the individual's income exceeds six
23 thousand dollars in 2008, and, each year thereafter, the amount for the
24 prior year adjusted for inflation; AND

25 (IV) EXCEPT AS SET FORTH IN SUBSECTION (2.3) OF THIS SECTION,
26 FOR GRANTS CLAIMED FOR YEARS COMMENCING ON OR AFTER JANUARY 1,
27 2014:

1 (A) FOR AN INDIVIDUAL WHOSE INCOME IS LESS THAN OR EQUAL
2 TO ELEVEN THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS, SEVEN
3 HUNDRED DOLLARS REDUCED BY TEN PERCENT OF THE AMOUNT BY WHICH
4 THE INDIVIDUAL'S INCOME EXCEEDS SIX THOUSAND SIX HUNDRED
5 THIRTY-NINE DOLLARS; OR

6 (B) FOR AN INDIVIDUAL WHOSE INCOME IS MORE THAN ELEVEN
7 THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS BUT LESS THAN OR
8 EQUAL TO FOURTEEN THOUSAND NINE HUNDRED THIRTY-SEVEN DOLLARS,
9 TWO HUNDRED TWENTY-SEVEN DOLLARS.

10 (b) In the case of a husband and wife:

11 ~~(I) For grants claimed for years commencing prior to January 1,~~
12 ~~1999, five hundred dollars reduced by twenty percent of their income~~
13 ~~over eight thousand seven hundred dollars;~~

14 ~~(II) For grants claimed for years commencing on or after January~~
15 ~~1, 1999, but prior to January 1, 2008, six hundred dollars reduced by ten~~
16 ~~percent of their income over eight thousand seven hundred dollars; and~~

17 (III) For grants claimed for years commencing on or after January
18 1, 2008, BUT BEFORE JANUARY 1, 2014, six hundred dollars reduced by
19 ten percent of their income over nine thousand seven hundred dollars in
20 2008, and, each year thereafter, the amount for the prior year adjusted for
21 inflation; AND

22 (IV) EXCEPT AS SET FORTH IN SUBSECTION (2.3) OF THIS SECTION,
23 FOR GRANTS CLAIMED FOR YEARS COMMENCING ON OR AFTER JANUARY 1,
24 2014:

25 (A) FOR A HUSBAND AND WIFE WHOSE INCOME IS LESS THAN OR
26 EQUAL TO FIFTEEN THOUSAND FOUR HUNDRED SIXTY-ONE DOLLARS, SEVEN
27 HUNDRED DOLLARS REDUCED BY TEN PERCENT OF THEIR INCOME OVER

1 TEN THOUSAND SEVEN HUNDRED THIRTY-ONE DOLLARS; OR

2 (B) FOR A HUSBAND AND WIFE WHOSE INCOME IS MORE THAN
3 FIFTEEN THOUSAND FOUR HUNDRED SIXTY-ONE DOLLARS BUT LESS THAN
4 OR EQUAL TO TWENTY THOUSAND ONE HUNDRED SIXTY-THREE DOLLARS,
5 TWO HUNDRED TWENTY-SEVEN DOLLARS.

6 (2.3) FOR GRANTS CLAIMED FOR YEARS COMMENCING ON OR AFTER
7 JANUARY 1, 2015, THE INCOME THRESHOLDS USED TO DETERMINE THE
8 ELIGIBILITY FOR AND AMOUNT OF A GRANT PURSUANT TO SUBSECTION (2)
9 OF THIS SECTION ARE EQUAL TO THE INCOME THRESHOLDS FOR THE PRIOR
10 YEAR ADJUSTED FOR INFLATION.

11 **SECTION 3.** In Colorado Revised Statutes, 39-31-102, **amend**
12 **(1) and (2) as follows:**

13 **39-31-102. Procedures to obtain grant - department of revenue**
14 **- responsibilities.** (1) (a) A grant authorized by section 39-31-101 or
15 39-31-104 shall be paid from the reserve for refunds created by section
16 39-22-622. FOR A GRANT APPLICATION RECEIVED PRIOR TO JANUARY 1,
17 2015, payments shall be made on a quarterly basis, with the amount of
18 each payment equal to the total amount of the grant divided by the
19 number of quarters remaining in the calendar year in which the grant is
20 awarded, with the calculation including the quarter in which the grant is
21 awarded. FOR A GRANT APPLICATION RECEIVED ON OR AFTER JANUARY 1,
22 2015, THE DEPARTMENT OF REVENUE SHALL PAY THE GRANT IN A SINGLE
23 PAYMENT BY THE SAME DEADLINE FOR A REFUND ESTABLISHED IN SECTION
24 39-22-622 (2). Claimants meeting all qualification requirements for an
25 entire taxable year shall be entitled to a grant allowable pursuant to
26 section 39-31-101 or 39-31-104. Grants paid pursuant to this subsection
27 (1) shall be included for informational purposes in the general

1 appropriation bill or in supplemental appropriation bills for the purpose
2 of complying with the limitation on state fiscal year spending imposed by
3 section 20 of article X of the state constitution and section 24-77-103,
4 C.R.S.

5 (b) THE DEPARTMENT OF REVENUE SHALL UPDATE ITS DATABASE
6 ON A PERIODIC BASIS AS NECESSARY TO ENSURE THAT ALL ELIGIBLE
7 CLAIMANTS ARE RECEIVING THE GRANTS.

8 (2) ~~A grant~~ THE EXECUTIVE DIRECTOR SHALL PRESCRIBE THE
9 FORMS TO BE USED FOR THE GRANTS authorized by section 39-31-101 or
10 39-31-104 ~~shall be claimed on such forms as prescribed by the executive~~
11 ~~director~~ AND PREPARE ANY INSTRUCTIONS RELATED TO THE FORMS. THE
12 EXECUTIVE DIRECTOR MAY CREATE AN ELECTRONIC FORM TO BE USED IN
13 ADDITION TO THE PAPER FORM. If a sales tax refund is allowed for any
14 given income tax year in accordance with section ~~39-22-120~~ or
15 39-22-2002, ~~such forms~~ THE EXECUTIVE DIRECTOR shall include
16 provisions ~~allowing~~ ON THE FORMS TO ALLOW qualified individuals to
17 apply for the refund pursuant to section ~~39-22-120 (5) (c)~~ or 39-22-2003
18 (5) (c). TO RECEIVE A GRANT, AN INDIVIDUAL MUST CLAIM THE GRANT ON
19 THE EXECUTIVE DIRECTOR'S FORM.

20 **SECTION 4.** In Colorado Revised Statutes, **repeal and reenact,**
21 **with amendments,** 39-31-103 as follows:

22 **39-31-103. Department of human services - outreach -**
23 **departmental information sharing.** (1) THE DEPARTMENT OF HUMAN
24 SERVICES SHALL CONDUCT OUTREACH FOR THE GRANTS AVAILABLE UNDER
25 THIS ARTICLE. AS PART OF THIS DUTY, THE DEPARTMENT SHALL:

26 (a) TARGET THE OUTREACH TO PARTICIPANTS IN OTHER STATE
27 BENEFIT PROGRAMS;

1 (b) INCORPORATE THE OUTREACH INTO EXISTING MEDIA
2 CAMPAIGNS;

3 (c) WORK WITH COUNTY DEPARTMENTS OF HUMAN OR SOCIAL
4 SERVICES;

5 (d) COLLABORATE WITH INTERESTED COMMUNITY-BASED
6 ORGANIZATIONS, INCLUDING SHARING OF OUTREACH EXPENSES; AND

7 (e) UNDERTAKE ANY OTHER MEASURES THAT IT DEEMS
8 NECESSARY.

9 (2) THE DEPARTMENT OF HUMAN SERVICES MAY SOLICIT, RECEIVE,
10 AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM ANY PERSON,
11 INCLUDING COMMUNITY-BASED ORGANIZATIONS, FOR THE PURPOSE OF
12 PAYING ANY PART OF THE OUTREACH.

13 (3) (a) ON OR BEFORE JULY 1, 2015, AND JULY 1 OF EVERY
14 ODD-NUMBERED YEAR THEREAFTER, THE DEPARTMENT OF HUMAN
15 SERVICES SHALL REPORT TO THE PUBLIC HEALTH CARE AND HUMAN
16 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
17 HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY
18 SUCCESSOR COMMITTEES, ABOUT ITS OUTREACH CONDUCTED PURSUANT
19 TO THIS SECTION. IN THE REPORT, THE DEPARTMENT SHALL INCLUDE A
20 DESCRIPTION OF:

21 (I) THE TYPES OF OUTREACH UNDERTAKEN BY THE DEPARTMENT;

22 (II) THE SUCCESS OF THE OUTREACH AS MEASURED BY PUBLIC
23 PARTICIPATION OR OTHER INDICATORS THAT THE DEPARTMENT CAN
24 EVALUATE;

25 (III) ANY RECOMMENDATIONS FOR STATUTORY CHANGES THAT
26 WOULD HELP IMPROVE PROGRAM PARTICIPATION; AND

27 (IV) ANY OTHER RECOMMENDATIONS RELATED TO THE GRANTS

1 MADE UNDER THIS ARTICLE.

2 (b) THIS SUBSECTION (3) IS EXEMPT FROM THE PROVISIONS OF
3 SECTION 24-1-136 (11), C.R.S., AND THE PERIODIC REPORTING
4 REQUIREMENTS OF THIS SECTION ARE EFFECTIVE UNTIL CHANGED BY THE
5 GENERAL ASSEMBLY ACTING BY BILL.

6 (4) NOTHING IN THIS SECTION CHANGES THE DEPARTMENT OF
7 REVENUE'S RESPONSIBILITY TO CREATE THE GRANT FORMS AND TO PAY
8 THE GRANTS UNDER THIS ARTICLE.

9 (5) THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF
10 HUMAN SERVICES SHALL SHARE INFORMATION AND COLLABORATE AS IS
11 NECESSARY FOR EACH DEPARTMENT TO EFFICIENTLY ADMINISTER THIS
12 ARTICLE.

13 **SECTION 5.** In Colorado Revised Statutes, 39-31-104, **amend** (1)
14 (c) and (2); and **add** (2.3) as follows:

15 **39-31-104. Heat or fuel expenses assistance - eligibility -**
16 **applicability - definitions.** (1) (c) (I) The grant authorized by this
17 section shall also be allowed to individuals having resided in this state for
18 the entire taxable year and coming within the limitations imposed by
19 subsection (3) of this section who, regardless of age, ~~were disabled~~ HAVE
20 A DISABILITY during the entire taxable year to a degree sufficient to
21 qualify for the payment to them of full benefits from any bona fide public
22 or private plan or source based solely upon such disability.

23 (II) An individual ~~is disabled~~ HAS A DISABILITY for the purposes
24 of subparagraph (I) of this paragraph (c) if such individual is unable to
25 engage in any substantial gainful activity by reason of any medically
26 determinable physical or mental impairment ~~which~~ THAT can be expected
27 to result in death or ~~which~~ THAT has lasted for a continuous period of not

1 less than twelve months.

2 (2) ~~Such~~ THE grant shall be as follows:

3 (a) In the case of an individual:

4 (I) ~~For grants claimed for years commencing prior to January 1,~~
5 ~~1999, one hundred sixty dollars reduced by six and four-tenths percent of~~
6 ~~the amount by which the individual's income exceeds five thousand~~
7 ~~dollars;~~

8 (II) ~~For grants claimed for years commencing on or after January~~
9 ~~1, 1999, but prior to January 1, 2008, one hundred ninety-two dollars~~
10 ~~reduced by three and two-tenths percent of the amount by which the~~
11 ~~individual's income exceeds five thousand dollars; and~~

12 (III) For grants claimed for years commencing on or after January
13 1, 2008, BUT BEFORE JANUARY 1, 2014, one hundred ninety-two dollars
14 reduced by three and two-tenths percent of the amount by which the
15 individual's income exceeds six thousand dollars in 2008, and, each year
16 thereafter, the amount for the prior year adjusted for inflation; AND

17 (IV) EXCEPT AS SET FORTH IN SUBSECTION (2.3) OF THIS SECTION,
18 FOR GRANTS CLAIMED FOR YEARS COMMENCING ON OR AFTER JANUARY 1,
19 2014:

20 (A) FOR AN INDIVIDUAL WHOSE INCOME IS LESS THAN OR EQUAL
21 TO ELEVEN THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS, ONE
22 HUNDRED NINETY-TWO DOLLARS REDUCED BY TEN PERCENT OF THE
23 AMOUNT BY WHICH THE INDIVIDUAL'S INCOME EXCEEDS SIX THOUSAND SIX
24 HUNDRED THIRTY-NINE DOLLARS; OR

25 (B) FOR AN INDIVIDUAL WHOSE INCOME IS MORE THAN ELEVEN
26 THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS BUT LESS THAN OR
27 EQUAL TO FOURTEEN THOUSAND NINE HUNDRED THIRTY-SEVEN DOLLARS,

1 SEVENTY-THREE DOLLARS.

2 (b) In the case of a husband and wife:

3 (I) ~~For grants claimed for years commencing prior to January 1,~~
4 ~~1999, one hundred sixty dollars reduced by six and four-tenths percent of~~
5 ~~their income over eight thousand seven hundred dollars;~~

6 (II) ~~For grants claimed for years commencing on or after January~~
7 ~~1, 1999, but prior to January 1, 2008, one hundred ninety-two dollars~~
8 ~~reduced by three and two-tenths percent of their income over eight~~
9 ~~thousand seven hundred dollars; and~~

10 (III) For grants claimed for years commencing on or after January
11 1, 2008, BUT BEFORE JANUARY 1, 2014, one hundred ninety-two dollars
12 reduced by three and two-tenths percent of their income over nine
13 thousand seven hundred dollars in 2008, and, each year thereafter, the
14 amount for the prior year adjusted for inflation; AND

15 (IV) EXCEPT AS SET FORTH IN SUBSECTION (2.3) OF THIS SECTION,
16 FOR GRANTS CLAIMED FOR YEARS COMMENCING ON OR AFTER JANUARY 1,
17 2014:

18 (A) FOR A HUSBAND AND WIFE WHOSE INCOME IS LESS THAN OR
19 EQUAL TO FIFTEEN THOUSAND FOUR HUNDRED SIXTY-ONE DOLLARS, ONE
20 HUNDRED NINETY-TWO DOLLARS REDUCED BY TEN PERCENT OF THEIR
21 INCOME OVER TEN THOUSAND SEVEN HUNDRED THIRTY-ONE DOLLARS; OR

22 (B) FOR A HUSBAND AND WIFE WHOSE INCOME IS MORE THAN
23 FIFTEEN THOUSAND FOUR HUNDRED SIXTY-ONE DOLLARS BUT LESS THAN
24 OR EQUAL TO TWENTY THOUSAND ONE HUNDRED SIXTY-THREE DOLLARS,
25 SEVENTY-THREE DOLLARS.

26 (2.3) FOR GRANTS CLAIMED FOR YEARS COMMENCING ON OR AFTER
27 JANUARY 1, 2015, THE INCOME THRESHOLDS USED TO DETERMINE THE

1 ELIGIBILITY FOR AND AMOUNT OF A GRANT PURSUANT TO SUBSECTION (2)
2 OF THIS SECTION ARE EQUAL TO THE INCOME THRESHOLDS FOR THE PRIOR
3 YEAR ADJUSTED FOR INFLATION.

4 **SECTION 6.** In Colorado Revised Statutes, **amend** 39-31-105 as
5 follows:

6 **39-31-105. Executive director - rule-making - collection of**
7 **erroneous payments - waiver.** (1) The executive director of the
8 department of revenue may promulgate rules necessary for the
9 administration of this article. Such rules shall be promulgated in
10 accordance with article 4 of title 24, C.R.S.

11 (2) IF THE DEPARTMENT OF REVENUE INCORRECTLY PAYS A GRANT
12 UNDER SECTION 39-31-101 OR 39-31-104 AS A RESULT OF A
13 DEPARTMENTAL ERROR, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
14 MAY WAIVE THE REIMBURSEMENT OF THE GRANT AND ANY RELATED
15 INTEREST OR PENALTIES THAT ACCRUE.

16 **SECTION 7. Effective date.** This act takes effect July 1, 2014.

17 **SECTION 8. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.

LLS No. 14-0152_Bill 1_L.003

INTERIM COMMITTEE AMENDMENT

Economic Opportunity Poverty Reduction Task Force

- 1 Amend LLS No. 14-0152 (Bill 1), page 7, strike line 16.
- 2 Page 7, line 17, strike "2015, payments" and substitute "39-22-622.
- 3 Payments".
- 4 Page 7, strike lines 21 through 23.
- 5 Page 7, line 24, strike "39-22-622 (2)." and substitute "awarded."
- 6 Page 9, strike line 8 and substitute "NECESSARY TO ENSURE
- 7 COLLABORATION AND COST-EFFECTIVE OUTREACH THAT IMPROVES
- 8 PROGRAM PARTICIPATION."
- 9 Page 9, line 23, strike "PARTICIPATION" and substitute "PARTICIPATION,
- 10 INCLUDING THE PARTICIPATION BY ELIGIBLE MEMBERS OF RACIAL AND
- 11 ETHNIC MINORITY POPULATIONS,".

** ** ** ** **

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.8.13

BILL 3

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LLS NO. 14-0154.01 Jery Payne x2157

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Identification Card Issuance Standards"

A BILL FOR AN ACT

101 **CONCERNING ISSUANCE OF IDENTIFICATION CARDS TO PEOPLE WHO**
102 **ARE LAWFULLY PRESENT IN THE UNITED STATES BUT MAY HAVE**
103 **DIFFICULTY WITH CERTAIN DOCUMENTARY EVIDENCE.**

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>.)

Economic Opportunity Poverty Reduction Task Force. Section 1 of the bill requires the department of revenue to offer exceptions processing at each of its offices that issue driver's licenses or identification cards. **Section 2** requires the department to issue an

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Dashes through the words indicate deletions from existing statute.*

identification card using certain documents issued by the United States government to prove lawful presence if the person applying for the card is:

- At least 70 years old; or
- At least 50 years old and a veteran of the armed forces.

The department is also required to promulgate rules to clear up minor spelling discrepancies and to accept alternate documents showing lawful presence.

Sections 3 and 4 create a simplified process for a person to change his or her name to settle name discrepancies if the person is:

- At least 70 years old; or
- At least 50 years old and a veteran of the armed forces.

The person need not publish the name change and may get a name-based instead of a fingerprint-based criminal history check. The person must sign an affidavit saying the change is to get an identification card and will not harm other people.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-1-229 as
3 follows:

4 **42-1-229. Exceptions processing.** THE DEPARTMENT OF REVENUE
5 SHALL PROVIDE THE OPPORTUNITY FOR A HEARING IN PERSON AT EVERY
6 OFFICE THAT IS ACTUALLY OPERATED BY THE DEPARTMENT OF REVENUE
7 AND THAT ISSUES DRIVER'S LICENSES OR IDENTIFICATION CARDS UNDER
8 PART 3 OF ARTICLE 2 OF THIS TITLE. EACH OF THESE OFFICES SHALL ISSUE
9 IDENTIFICATION CARDS USING THE PROCESS ESTABLISHED BY SECTION
10 42-2-302 (8). THIS HEARING REQUIREMENT MAY BE FULFILLED BY
11 EXCEPTIONS PROCESSING.

12 **SECTION 2.** In Colorado Revised Statutes, 42-2-302, **add** (8) as
13 follows:

14 **42-2-302. Department may or shall issue - limitations - rules.**

15 (8) (a) THE DEPARTMENT SHALL ISSUE AN IDENTIFICATION CARD TO A
16 COLORADO RESIDENT WHO:

1 (I) IS AT LEAST SEVENTY YEARS OF AGE;
2 (II) PAYS THE FEES REQUIRED UNDER THIS ARTICLE;
3 (III) IS QUALIFIED FOR A LICENSE UNDER THIS SECTION; EXCEPT
4 THAT THIS SUBSECTION (8) SUPERSEDES ANY CONFLICTING PROVISION OF
5 THIS SECTION; AND

6 (IV) PROVIDES DOCUMENTS ESTABLISHING THE PERSON'S NAME,
7 AGE, IDENTITY, AND LAWFUL PRESENCE.

8 (b) THE DEPARTMENT SHALL ISSUE AN IDENTIFICATION CARD TO
9 A COLORADO RESIDENT WHO:

10 (I) IS AT LEAST FIFTY YEARS OF AGE;

11 (II) IS AN HONORABLY DISCHARGED OR RETIRED MEMBER OF THE
12 UNITED STATES ARMED FORCES;

13 (III) PAYS THE FEES REQUIRED UNDER THIS ARTICLE;

14 (IV) IS QUALIFIED FOR A LICENSE UNDER THIS SECTION; EXCEPT
15 THAT THIS SUBSECTION (8) SUPERSEDES ANY CONFLICTING PROVISION OF
16 THIS SECTION; AND

17 (V) PROVIDES DOCUMENTS ESTABLISHING THE PERSON'S NAME,
18 AGE, IDENTITY, AND LAWFUL PRESENCE.

19 (c) ANY OF THE FOLLOWING RECORDS IS SUFFICIENT EVIDENCE OF
20 LAWFUL PRESENCE TO BE ISSUED AN IDENTIFICATION CARD UNDER THIS
21 SUBSECTION (8):

22 (I) A NUMERICAL IDENTIFICATION SYSTEM RECORD ISSUED BY THE
23 SOCIAL SECURITY ADMINISTRATION THAT SHOWS BIRTH IN THE UNITED
24 STATES; OR

25 (II) A DD214 ISSUED BY THE UNITED STATES ARMED FORCES.

26 (d) THE DEPARTMENT SHALL PROMULGATE RULES FOR
27 IMPLEMENTING THIS SUBSECTION (8), INCLUDING PROCEDURES FOR
28 RESOLVING MINOR SPELLING INCONSISTENCIES AND ACCEPTING

1 ALTERNATIVE DOCUMENTS TO BIRTH CERTIFICATES TO ESTABLISH LAWFUL
2 PRESENCE.

3 **SECTION 3.** In Colorado Revised Statutes, 13-15-101, **add** (5)
4 as follows:

5 **13-15-101. Petition - proceedings.** (5) (a) IF A PETITIONER IS
6 SEEKING A NAME CHANGE TO HARMONIZE NAME DISCREPANCIES
7 NECESSARY TO BE ISSUED AN IDENTIFICATION CARD, THE PETITIONER:

8 (I) MAY SUBMIT, IN LIEU OF A FINGERPRINT-BASED CRIMINAL
9 HISTORY RECORD CHECK, A NAME-BASED CRIMINAL HISTORY CHECK WITH
10 ALL PREVIOUSLY USED NAMES USING THE RECORDS OF BOTH THE FEDERAL
11 AND COLORADO BUREAUS OF INVESTIGATION AND AN ATTESTATION
12 UNDER PENALTY OF PERJURY THAT THE PETITIONER HAS NOT BEEN
13 CONVICTED OF A FELONY; AND

14 (II) NEED NOT PUBLISH THE NAME CHANGE UNDER SECTION
15 13-15-102.

16 (b) TO QUALIFY FOR THE SIMPLIFIED NAME CHANGE PROCESS IN
17 THIS SUBSECTION (5), THE PETITIONER MUST:

18 (I) SIGN AN AFFIDAVIT THAT THE PURPOSE OF THE NAME CHANGE
19 IS TO OBTAIN AN IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF
20 REVENUE AND THAT THE DESIRED NAME CHANGE WOULD BE PROPER AND
21 NOT DETRIMENTAL TO THE INTERESTS OF ANY OTHER PERSON; AND

22 (II) (A) BE AT LEAST SEVENTY YEARS OF AGE; OR

23 (B) BE AT LEAST FIFTY YEARS OF AGE AND AN HONORABLY
24 DISCHARGED OR RETIRED MEMBER OF THE UNITED STATES ARMED FORCES.

25 **SECTION 4.** In Colorado Revised Statutes, 13-15-102, **add** (3)
26 as follows:

27 **13-15-102. Publication of change.** (3) A PETITIONER NEED NOT
28 GIVE PUBLIC NOTICE OF A NAME CHANGE AS REQUIRED BY SUBSECTION (1)

1 OF THIS SECTION IF THE PETITIONER QUALIFIES FOR THE SIMPLIFIED
2 PROCESS UNDER SECTION 13-15-101 (5).

3 **SECTION 5. Act subject to petition - effective date -**
4 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
5 the expiration of the ninety-day period after final adjournment of the
6 general assembly (August 6, 2014, if adjournment sine die is on May 7,
7 2014); except that, if a referendum petition is filed pursuant to section 1
8 (3) of article V of the state constitution against this act or an item, section,
9 or part of this act within such period, then the act, item, section, or part
10 will not take effect unless approved by the people at the general election
11 to be held in November 2014 and, in such case, will take effect on the
12 date of the official declaration of the vote thereon by the governor.

13 (2) This act applies to applications or petitions filed on or after the
14 applicable effective date of this act.

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.8.13

BILL 4

Temporary storage location: S:\LLS\2014A\Bills\Pre-Draft\14-0155.wpd

LLS NO. 14-0155.01 Brita Darling x2241

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Aid To The Needy Disabled Program"

A BILL FOR AN ACT

101 **CONCERNING THE PROGRAM FOR AID TO THE NEEDY DISABLED.**

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>.)

Economic Opportunity Poverty Reduction Task Force. The bill requires the department of human services, by rule, to tie the assistance payment under the program for aid to the needy disabled to an amount equal to a certain percentage of monthly income under the federal poverty guidelines.

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

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

4 (a) The Aid to the Needy Disabled (AND) program was
5 established in 1953 as an “interim assistance program” for qualifying
6 people waiting for their federal Supplemental Security Income (SSI)
7 benefit to begin;

8 (b) The majority of people receiving AND support ultimately
9 receive SSI, and the state receives reimbursement for all of the state's
10 AND payments to program participants, retroactively from the date of
11 application;

12 (c) The AND program provides basic financial assistance to
13 people who meet the requirements of need and disability between the ages
14 of 18 and 59, and a physician must medically certify their disability status
15 and their inability to work for at least six months;

16 (d) The AND program serves some of our most vulnerable
17 Colorado residents: Individuals who are poor, disabled, unable to work
18 and awaiting SSI and ineligible for other state assistance programs, and
19 many who are also homeless; and

20 (e) State funding for the AND program has not kept up with
21 increased caseloads in recent years due to the recession and other factors,
22 resulting in lower monthly financial assistance amounts that fall far short
23 of meeting the basic needs of any Coloradan.

24 (2) Therefore, the general assembly declares that the State of
25 Colorado places a high priority on caring for our most vulnerable
26 residents, and that it is in the public interest to restore funding to the AND
27 program at the FY 2007 level, including an adjustment for the increased

1 cost of living.

2 (3) Furthermore, the general assembly declares that it is in the
3 public interest to encourage greater efficiencies and collaboration
4 between departments, other public-sector agencies and private-sector
5 community-based organizations to effectively administer the AND
6 program and achieve savings from more timely SSI reimbursements to the
7 state.

8 **SECTION 2.** In Colorado Revised Statutes, 26-2-119, **amend** (1)
9 as follows:

10 **26-2-119. Amount of assistance payments - aid to the needy**
11 **disabled.** (1) (a) The amount of assistance payments that shall be granted
12 to a recipient under the program for aid to the needy disabled shall be on
13 the basis of budgetary need, as determined by the county department with
14 due regard to any income, property, or other resources available to the
15 recipient, within available appropriations, and in accordance with rules
16 of the state department.

17 (b) The rules of the state department:

18 (I) SHALL ESTABLISH THE ASSISTANCE PAYMENT UNDER THE
19 PROGRAM FOR AID TO THE NEEDY DISABLED, WHICH ASSISTANCE PAYMENT
20 MUST NOT BE LESS THAN AN AMOUNT EQUAL TO TWENTY-EIGHT PERCENT
21 OF THE MONTHLY INCOME FOR A HOUSEHOLD OF ONE AT ONE HUNDRED
22 PERCENT OF THE FEDERAL POVERTY GUIDELINES, AS UPDATED ANNUALLY.

23 (II) ~~May~~ SHALL require an applicant or recipient who may be
24 eligible for benefits under another federal or state program or who may
25 have a right to receive or recover other income or resources to take
26 reasonable steps to apply for, otherwise pursue, and accept such benefits,
27 income, or resources.

1 **SECTION 3. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 6, 2014, if adjournment sine die is on May 4, 2014); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2014 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.11.13

BILL 8

Temporary storage location: S:\LLS\2014A\Bills\Pre-Draft\14-0159.wpd

LLS NO. 14-0159.01 Bob Lackner x4350

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Community Development Financial Institutions"

A BILL FOR AN ACT

101 CONCERNING CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL
102 INSTITUTIONS, AND, IN CONNECTION THEREWITH, AUTHORIZING
103 THE INVESTMENT OF PUBLIC FUNDS IN SUCH INSTITUTIONS AND
104 ALLOWING THE INSTITUTIONS TO PRESENT A REQUEST FOR FULL
105 OR PARTIAL RELEASE OF COLLATERAL PLEDGED WITHOUT
106 PRESENTATION OF THE ORIGINAL PROMISSORY NOTE.

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>.)

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

Economic Opportunity Poverty Reduction Task Force. Section 1 of the bill authorizes public funds to be invested in any security that is a general obligation of a community development financial institution (CDFI) as long as the institution is registered to operate and in good standing with the office of the Colorado secretary of state. Section 1 of the bill also specifies the conditions under which a security issued by a CDFI may be purchased using public funds.

Section 2 of the bill amends the definition of "qualified holder" in connection with statutory provisions governing foreclosure sales to include any entity with active certification under the United States department of the treasury certified community development financial institutions fund that originates, insures, guarantees, or purchases loans or a person acting on behalf of such an entity to enforce an evidence of debt or the deed of trust securing an evidence of debt.

Section 3 of the bill further allows the entities covered in section 2 of the bill to present a request for full or partial release of collateral pledged without presentation of the original promissory note.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-75-601.1, **add** (1)
3 (o) as follows:

4 **24-75-601.1. Legal investments of public funds.** (1) It is lawful
5 to invest public funds in any of the following securities:

6 (o) (I) ANY SECURITY THAT IS A GENERAL OBLIGATION OF A
7 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION AS LONG AS THE
8 INSTITUTION IS REGISTERED TO OPERATE AND IN GOOD STANDING WITH
9 THE OFFICE OF THE COLORADO SECRETARY OF STATE. FOR PURPOSES OF
10 THIS PARAGRAPH (o), A COMMUNITY DEVELOPMENT FINANCIAL
11 INSTITUTION IS REFERRED TO AS A "CDFI".

12 (II) NO SECURITY ISSUED BY A CDFI MAY BE PURCHASED
13 PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (o) UNLESS:

14 (A) AT THE TIME OF PURCHASE OF THE SECURITY, THE CDFI HOLDS
15 CERTIFICATION FROM THE CDFI FUND OPERATED BY THE UNITED STATES
16 DEPARTMENT OF THE TREASURY THAT IS CURRENT;

1 (B) AT THE TIME OF THE PURCHASE OF THE SECURITY, THE CDFI
2 HAS BEEN RATED IN ONE OF THE TWO HIGHEST RATING CATEGORIES BY ONE
3 OR MORE NATIONALLY RECOGNIZED ORGANIZATIONS THAT RATE CDFIS;
4 AND

5 (C) THE PERIOD FROM THE DATE OF PURCHASE OF THE TYPE OF
6 SECURITY AT ISSUE TO THE MATURITY DATE OF THE SECURITY DOES NOT
7 EXCEED FIVE YEARS UNLESS THE GOVERNING BODY OF THE PUBLIC ENTITY
8 AUTHORIZES INVESTMENT IN THE SECURITY FOR A PERIOD IN EXCESS OF
9 FIVE YEARS.

10 **SECTION 2.** In Colorado Revised Statutes, 38-38-100.3, **amend**
11 (20) (i) and (20) (j); and **add** (20) (k) as follows:

12 **38-38-100.3. Definitions.** As used in articles 37 to 39 of this title,
13 unless the context otherwise requires:

14 (20) "Qualified holder" means a holder of an evidence of debt,
15 certificate of purchase, certificate of redemption, or confirmation deed
16 that is also one of the following:

17 (i) An entity created or sponsored by the federal or state
18 government that originates, insures, guarantees, or purchases loans or a
19 person acting on behalf of such an entity to enforce an evidence of debt
20 or the deed of trust securing an evidence of debt; ~~or~~

21 ~~(j) Any entity listed in paragraphs (a) to (i) of this subsection (20)~~
22 ~~acting in the capacity of agent, nominee except as otherwise specified in~~
23 ~~subsection (10) of this section, or trustee for another person WITH ACTIVE~~
24 CERTIFICATION UNDER THE UNITED STATES DEPARTMENT OF THE
25 TREASURY CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL
26 INSTITUTIONS FUND THAT ORIGINATES, INSURES, GUARANTEES, OR
27 PURCHASES LOANS OR A PERSON ACTING ON BEHALF OF SUCH AN ENTITY

1 TO ENFORCE AN EVIDENCE OF DEBT OR THE DEED OF TRUST SECURING AN
2 EVIDENCE OF DEBT; OR

3 (k) ANY ENTITY LISTED IN PARAGRAPHS (a) TO (j) OF THIS
4 SUBSECTION (20) ACTING IN THE CAPACITY OF AGENT, NOMINEE EXCEPT
5 AS OTHERWISE SPECIFIED IN SUBSECTION (10) OF THIS SECTION, OR
6 TRUSTEE FOR ANOTHER PERSON.

7 **SECTION 3.** In Colorado Revised Statutes, 38-38-101, amend
8 (2) as follows:

9 **38-38-101. Holder of evidence of debt may elect to foreclose.**
10 **(2) Foreclosure by qualified holder without original evidence of debt,**
11 **original or certified copy of deed of trust, or proper indorsement.**

12 (a) A qualified holder, whether acting for itself or as agent, nominee, or
13 trustee under ~~section 38-38-100.3 (20) (j)~~ SECTION 38-38-100.3 (20), that
14 elects to foreclose without the original evidence of debt pursuant to
15 subparagraph (II) of paragraph (b) of subsection (1) of this section, or
16 without the original recorded deed of trust or a certified copy thereof
17 pursuant to subparagraph (II) of paragraph (c) of subsection (1) of this
18 section, or without the proper indorsement or assignment of an evidence
19 of debt under paragraph (b) of subsection (1) of this section shall, by
20 operation of law, be deemed to have agreed to indemnify and defend any
21 person liable for repayment of any portion of the original evidence of debt
22 in the event that the original evidence of debt is presented for payment to
23 the extent of any amount, other than the amount of a deficiency remaining
24 under the evidence of debt after deducting the amount bid at sale, and any
25 person who sustains a loss due to any title defect that results from reliance
26 upon a sale at which the original evidence of debt was not presented. The
27 indemnity granted by this subsection (2) shall be limited to actual

1 economic loss suffered together with any court costs and reasonable
2 attorney fees and costs incurred in defending a claim brought as a direct
3 and proximate cause of the failure to produce the original evidence of
4 debt, but such indemnity shall not include, and no claimant shall be
5 entitled to, any special, incidental, consequential, reliance, expectation,
6 or punitive damages of any kind. A qualified holder acting as agent,
7 nominee, or trustee shall be liable for the indemnity pursuant to this
8 subsection (2).

9 **SECTION 4. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly (August
12 6, 2014, if adjournment sine die is on May 4, 2014); except that, if a
13 referendum petition is filed pursuant to section 1 (3) of article V of the
14 state constitution against this act or an item, section, or part of this act
15 within such period, then the act, item, section, or part will not take effect
16 unless approved by the people at the general election to be held in
17 November 2014 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.

Colorado CDFIs: Financing for Community Impact

Mission

To revitalize communities
by delivering capital, credit and financial
services to people and in places with limited or
no historical access to financial services.

Community Development Financial Institutions (CDFI)

- Certified by the U.S. Treasury CDFI Fund
- Private sector financial entities that provide capital, credit and technical assistance to benefit very low to moderate income households
- Attract public, private and philanthropic capital to support activities
- Support affordable housing, small business, micro finance and community facility infrastructure
- Accountable to the community, investors and public regulators
- Innovate products and services that expand participation of mainstream providers

Certification

- CDFI Fund recertifies institutions every three years.
- Applicant must be a legal entity
- Hold a primary mission of promoting community development
- Actively engaged in financing to target markets
- Provide technical assistance
- Maintain accountability to its defined target market
- Be a non-government entity and not under the control of any government entity (other than Tribal governments)

Accountability

- Investors, primarily banks, embed safety and soundness standards within all agreements
- Policies, processes, management and financial position are routinely monitored by investors
- Financial assistance applicants to the CDFI Fund are subject to rigorous analysis against a nationwide sample
- Governing board must include adequate representation of low-income and special need populations
- Residential mortgage lending activities subject to DORA Division of Real Estate oversight and comply with all applicable federal regulation

CDFI Rating System

- CDFI Assessment and Ratings System (“C.A.R.S.”) was established in 2004
- Rating assessments are based upon on-site examinations
- Comprehensive analysis of financial and programmatic information over a 5-year period
- Extensive review of loan files and risk management systems
- In-depth interviews with management and board members
- Ratings are valid for three years based upon 1-5 scale. [‘1’ is highest; 8% of rated entities]
- CDFIs are closely monitored and may be re-rated or lose rating due to adverse conditions

Colorado CDFI Resources

- CDFIs actively serving the state report aggregated assets of \$489 million.
- Entities headquartered in Colorado report assets of \$97.2 million
- Investors include banks, CHFA, foundations, corporations, local and federal government
- Since 2010, the CDFI Fund has awarded \$14.9 million to Colorado-based entities; \$5.5 million in 2013 alone

In 2012, Colorado CDFIs:

- Issued **\$30,248,000** new loans to **621** individuals, small businesses and non-profit organizations [**\$95 million** since 2010]
- Supported **302** first-time homebuyers
- Financed **282** businesses
- Helped establish **119** new businesses

Community Impact

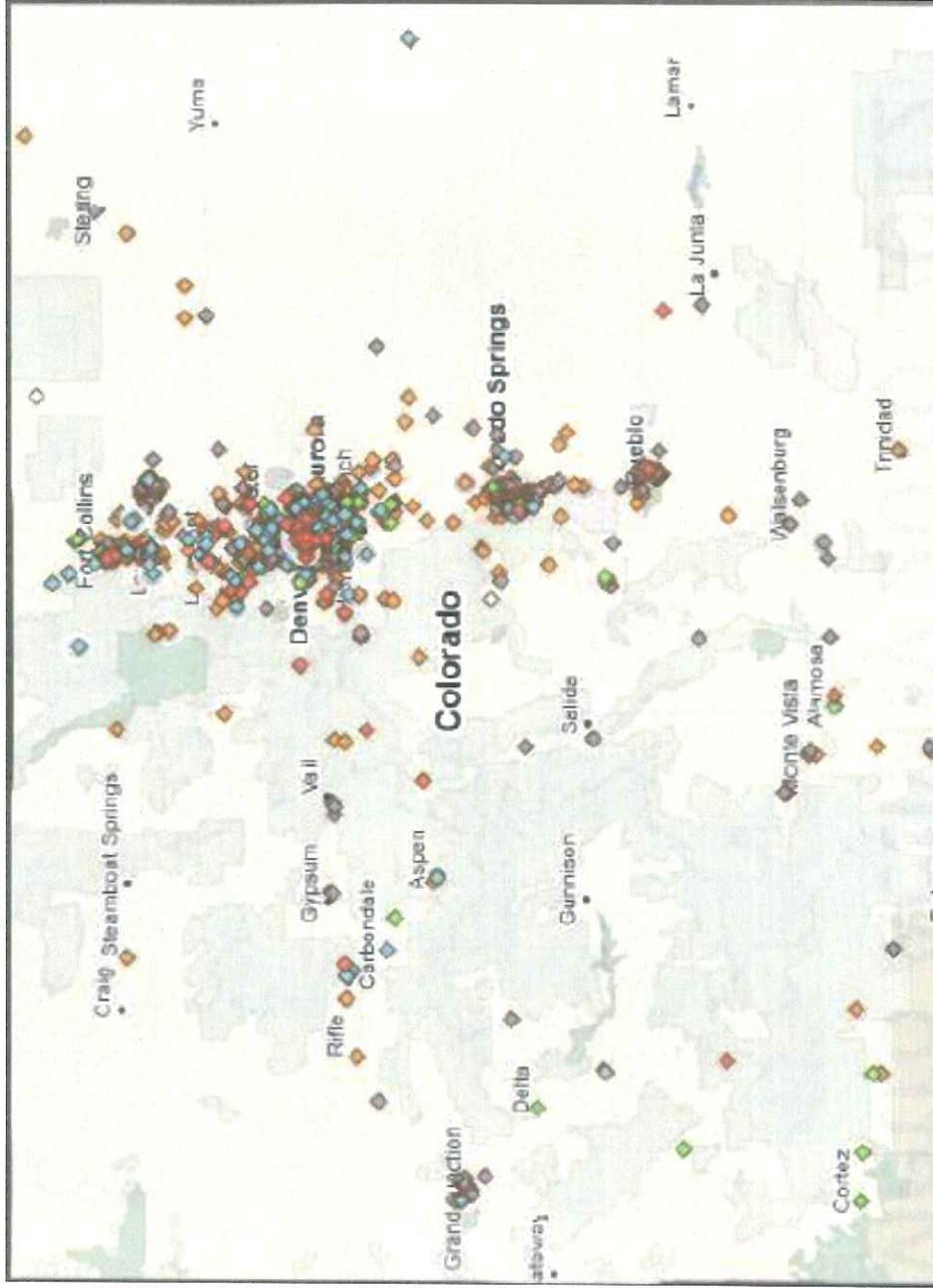
- Created or sustained 1,665 jobs
- Developed or preserved 1,589 affordable housing units
- Finished or renovated 256,435 square feet of community facility space
- Supported 1,175 charter school student positions

CDFI Activity 2010-2012

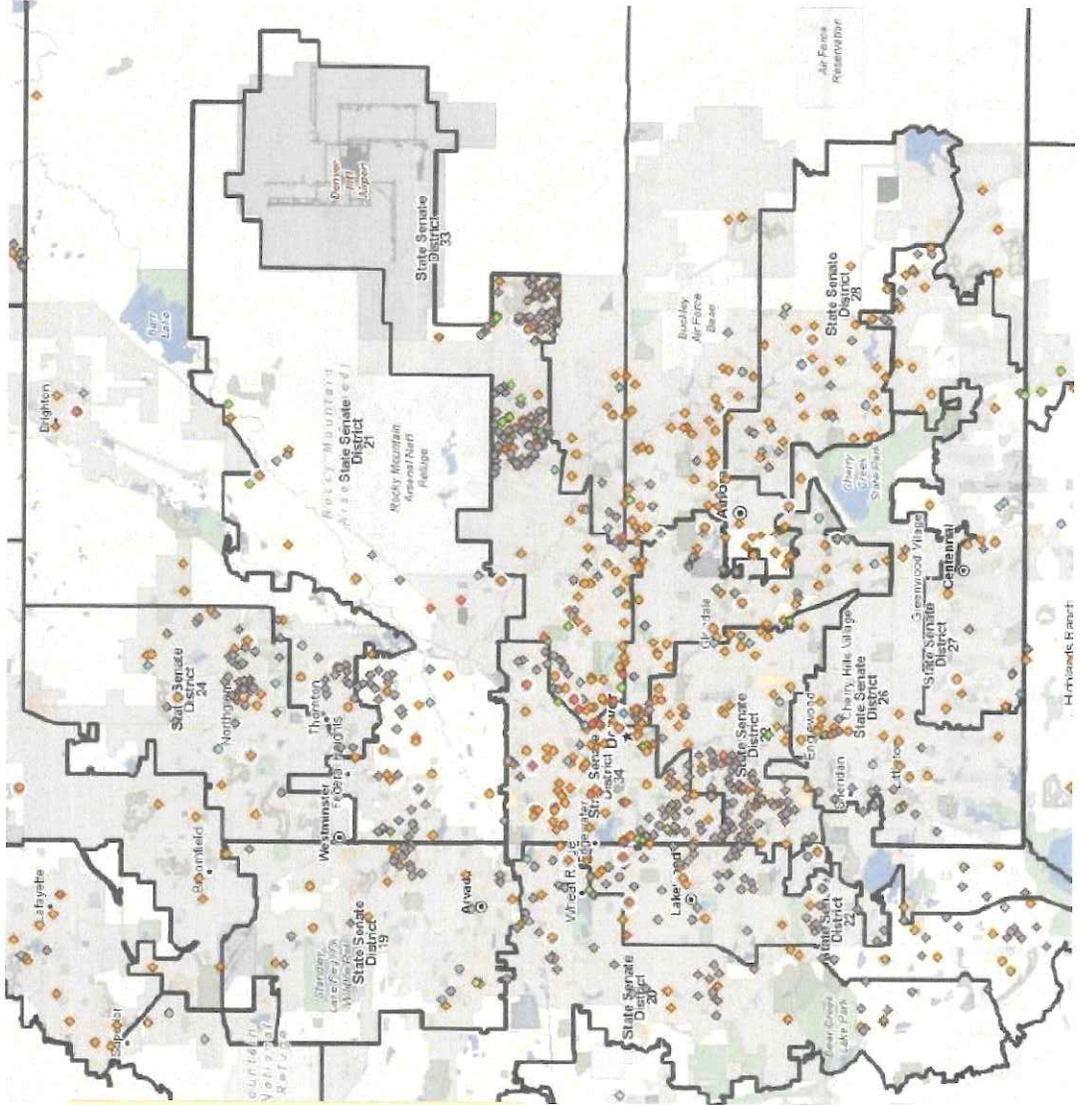
Sites

- ◆ CDFI Loans
- Sector
 - ◆ Microenterprise
 - ◆ Housing to Individuals
 - ◆ Housing to Organizations
 - ◆ Business
 - ◆ Commercial Real Estate
 - ◆ Community Facilities
 - ◆ Community Services
 - ◆ Consumer

the policy map



Metro Activity 2010-2012



Sites

- ◆ CDFI Loans
- Sector
- ◆ Microenterprise
- ◆ Housing to Individuals
- ◆ Housing to Organizations
- ◆ Business
- ◆ Commercial Real Estate
- ◆ Community Facilities
- ◆ Community Services
- ◆ Consumer

the policy map

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.15.13

BILL 5

Temporary storage location: S:\LLS\2014A\Bills\Pre-Draft\14-0156.wpd

LLS NO. 14-0156.01 Julie Pelegrin x2700

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Adult Education And Literacy Programs"

A BILL FOR AN ACT

101 **CONCERNING ADULT EDUCATION, AND, IN CONNECTION THEREWITH,**
102 **CREATING THE ADULT EDUCATION AND LITERACY GRANT**
103 **PROGRAM TO PROVIDE STATE MONEYS FOR ADULT EDUCATION**
104 **PROGRAMS THAT PARTICIPATE IN WORKFORCE DEVELOPMENT**
105 **PARTNERSHIPS.**

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>.)

Economic Opportunity Poverty Reduction Task Force. The bill

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

creates the "Adult Education and Literacy Act of 2014". Under this new act, the office within the department of education that is responsible for adult education (office) will administer the adult education and literacy grant program to provide state moneys to adult education and literacy programs that provide basic literacy and numeracy skills programs and that are members of workforce development partnerships that provide additional education to enable students to achieve a postsecondary credential and employment.

A local education provider, which includes public education providers, postsecondary institutions, and local, nonprofit workforce development providers, may apply for a grant by submitting an application to the office. At a minimum, the application must demonstrate that the local education provider is a member of a workforce development partnership that provides training leading to employment opportunities for students after they attain basic skills. The application must also specify the measurable goals that the local education provider expects to achieve with the grant moneys. The state board of education (state board) will adopt rules to establish the requirements for the grant program.

The office will review each application and recommend grant recipients to the state board. Based on the office's recommendations, the state board will award grants. The office must annually evaluate the effectiveness of the programs that receive grants and prepare a report concerning the grant program for the governor, the state board, and the general assembly. The report must include an analysis of student outcomes and of the continuing unmet need for adult education in the state.

The office must periodically convene meetings of representatives from the state agencies and institutions and community-based programs that are involved with adult education and workforce development. The meetings are intended to increase communication and collaboration among these entities.

The bill creates the adult education and literacy grant fund, to consist of any gifts, grants, or donations the department of education may receive for adult education and literacy and any state moneys the general assembly may appropriate to the fund. The department is authorized to use a percentage of the moneys appropriated from the fund to offset the costs of administering the grants, evaluating the grant recipients and preparing the report, and convening the adult education and workforce development agencies and programs. The department is not required to implement any portion of the bill if the general assembly does not appropriate sufficient state moneys to offset the implementation costs.

The bill repeals the family literacy education grant program, effective July 1, 2014.

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, article 10 of title 22 as follows:

4 **ARTICLE 10**

5 **Adult Education and Literacy**

6 **22-10-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
7 BE CITED AS THE "ADULT EDUCATION AND LITERACY ACT OF 2014".

8 **22-10-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY
9 FINDS THAT:

10 (a) INCREASED EDUCATIONAL ATTAINMENT IS A PROVEN PATHWAY
11 OUT OF POVERTY. IN GENERAL, RESEARCH SHOWS THAT AVERAGE ANNUAL
12 EARNINGS INCREASE AND UNEMPLOYMENT RATES DECREASE WITH EACH
13 SUCCESSIVE LEVEL OF EDUCATION OR TRAINING THAT A PERSON ACHIEVES.

14 (b) POSTSECONDARY EDUCATION AND CREDENTIAL ATTAINMENT
15 IS INCREASINGLY CENTRAL TO A PERSON'S ABILITY TO EARN
16 FAMILY-SUSTAINING WAGES, PARTICIPATE MORE FULLY IN COLORADO'S
17 TWENTY-FIRST CENTURY WORKFORCE, AND CONTRIBUTE TO THE STATE'S
18 ECONOMIC HEALTH AND VITALITY;

19 (c) BOTH NATIONALLY AND IN COLORADO, PROJECTIONS INDICATE
20 THAT BY 2025, TWO-THIRDS OF ALL JOBS WILL REQUIRE SOME LEVEL OF
21 POSTSECONDARY EDUCATION OR TECHNICAL SKILL TRAINING;

22 (d) COLORADO HAS A SUBSTANTIAL "MIDDLE-SKILL GAP" IN ITS
23 WORKFORCE. MIDDLE-SKILL JOBS REQUIRE SOME POSTSECONDARY
24 EDUCATION OR TRAINING BUT LESS THAN A FOUR-YEAR DEGREE. THESE
25 POSITIONS MAKE UP APPROXIMATELY FORTY-SEVEN PERCENT OF THE
26 STATE'S JOBS, BUT ONLY THIRTY-SIX PERCENT OF COLORADO WORKERS
27 HAVE THE TRAINING NECESSARY TO FILL THEM.

1 (e) BEFORE COLORADO CAN MEET ITS WORKFORCE, EDUCATIONAL
2 ATTAINMENT, AND POVERTY-REDUCTION GOALS, THE STATE MUST
3 ADDRESS THE NEED FOR ADULT EDUCATION. A SIGNIFICANT PERCENTAGE
4 OF THE STATE'S WORKING-AGE POPULATION LACKS A HIGH SCHOOL
5 DIPLOMA OR ITS EQUIVALENT. MANY OF THESE INDIVIDUALS DO NOT HAVE
6 BASIC LITERACY OR NUMERACY SKILLS AND ARE UNPREPARED FOR
7 PARTICIPATION IN POSTSECONDARY EDUCATION AND FOR PARTICIPATION
8 IN THE TWENTY-FIRST CENTURY WORKFORCE.

9 (f) EFFECTIVELY ADDRESSING THE NEED FOR ADULT EDUCATION
10 REQUIRES THE APPROPRIATION OF STATE MONEYS TO FUND ADULT
11 EDUCATION AND LITERACY PROGRAMS THAT PARTICIPATE IN WORKFORCE
12 DEVELOPMENT PARTNERSHIPS. ALTHOUGH THERE ARE SEVERAL
13 POSTSECONDARY PROGRAMS THAT FOCUS ON WORKFORCE DEVELOPMENT
14 AND SKILLS ACQUISITION, THESE PROGRAMS TYPICALLY ASSUME THAT
15 PARTICIPANTS ARE OR HAVE BEEN IN THE WORKFORCE IN SOME CAPACITY
16 AND HAVE ALREADY ATTAINED A BASE LEVEL OF LITERACY AND
17 NUMERACY. ADULT EDUCATION AND LITERACY PROGRAMS, HOWEVER,
18 ARE TYPICALLY DESIGNED FOR ADULTS WHO HAVE BEEN UNABLE TO ENTER
19 THE WORKFORCE IN A MEANINGFUL CAPACITY DUE TO A LACK OF BASIC
20 LITERACY AND NUMERACY SKILLS.

21 (g) IN RETURN FOR STATE INVESTMENT IN ADULT EDUCATION AND
22 LITERACY PROGRAMS, THESE PROGRAMS MUST REFOCUS THEIR MISSION TO
23 ENSURE THAT MORE LOW-SKILLED, LOW-INCOME ADULTS NOT ONLY
24 ATTAIN THE BASIC LITERACY AND NUMERACY SKILLS THAT THEY LACK,
25 BUT THAT THEY MOVE AS QUICKLY AS POSSIBLE FROM SKILL ACQUISITION
26 TO POSTSECONDARY CREDENTIAL ATTAINMENT TO EMPLOYMENT; AND

27 (h) SUCCESSFULLY REFOCUSING THE MISSION OF ADULT

1 EDUCATION AND LITERACY PROGRAMS REQUIRES THE ACTIVE
2 COLLABORATION AND COORDINATION OF A VARIETY OF STATE AGENCIES
3 AND ORGANIZATIONS THAT ARE INVOLVED IN ADULT EDUCATION AND
4 LITERACY, POSTSECONDARY EDUCATION, TRAINING AND CREDENTIAL
5 ATTAINMENT, WORKFORCE DEVELOPMENT, ECONOMIC DEVELOPMENT, AND
6 HUMAN SERVICES.

7 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE
8 BEST INTERESTS OF THE STATE TO ESTABLISH AN ADULT EDUCATION AND
9 LITERACY GRANT PROGRAM TO PROVIDE STATE FUNDING FOR PUBLIC AND
10 PRIVATE NONPROFIT ADULT EDUCATION AND LITERACY PROGRAMS.
11 INVESTING IN THESE PROGRAMS WILL ENABLE THEM TO SERVE A LARGER
12 SHARE OF THE STATE'S ELIGIBLE ADULT POPULATION AND ENSURE THAT
13 MORE ADULTS CAN REACH AND COMPLETE THE NEXT LEVEL OF EDUCATION
14 AND TRAINING, THEREBY LEADING TO BETTER EMPLOYMENT OUTCOMES
15 THAT ENABLE MORE LOW-INCOME, LOW-LITERACY ADULTS TO
16 ULTIMATELY ACHIEVE ECONOMIC SELF-SUFFICIENCY.

17 **22-10-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
18 CONTEXT OTHERWISE REQUIRES:

19 (1) "ADULT EDUCATION AND LITERACY PROGRAMS" MEANS
20 PROGRAMS THAT PROVIDE ADULT BASIC EDUCATION, ADULT EDUCATION
21 LEADING TO A HIGH SCHOOL EQUIVALENCY CREDENTIAL, ENGLISH AS A
22 SECOND LANGUAGE INSTRUCTION, OR INTEGRATED BASIC EDUCATION AND
23 SKILLS TRAINING.

24 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
25 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

26 (3) "ELIGIBLE ADULT" MEANS A PERSON WHO:

27 (a) IS AT LEAST SEVENTEEN YEARS OF AGE;

1 (b) IS NOT ENROLLED IN A PUBLIC OR PRIVATE SECONDARY
2 SCHOOL; AND

3 (c) (I) LACKS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; OR

4 (II) IS IN NEED OF ENGLISH LANGUAGE INSTRUCTION; OR

5 (III) LACKS SUFFICIENT MASTERY OF THE BASIC LITERACY AND
6 NUMERACY SKILLS NECESSARY TO ENABLE THE PERSON TO FUNCTION
7 EFFECTIVELY IN THE WORKPLACE.

8 (4) "ENGLISH LANGUAGE INSTRUCTION" MEANS INSTRUCTION THAT
9 IS DESIGNED TO ASSIST A PERSON WITH LIMITED ENGLISH PROFICIENCY TO
10 ACHIEVE COMPETENCE IN THE ENGLISH LANGUAGE, THUS ALLOWING THE
11 PERSON TO UNDERSTAND AND NAVIGATE GOVERNMENTAL, EDUCATIONAL,
12 AND WORKPLACE SYSTEMS.

13 (5) "GRANT PROGRAM" MEANS THE ADULT EDUCATION AND
14 LITERACY GRANT PROGRAM CREATED IN SECTION 22-10-104.

15 (6) "LITERACY" MEANS A PERSON'S ABILITY TO READ, WRITE, AND
16 SPEAK ENGLISH AT LEVELS OF PROFICIENCY THAT ARE NECESSARY TO
17 FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE PERSON'S GOALS,
18 AND DEVELOP THE PERSON'S KNOWLEDGE AND POTENTIAL.

19 (7) "LOCAL EDUCATION PROVIDER" MEANS ONE OF THE FOLLOWING
20 ENTITIES THAT THE DEPARTMENT RECOGNIZES AS PROVIDING APPROPRIATE
21 AND EFFECTIVE ADULT EDUCATION AND LITERACY PROGRAMS:

22 (a) A SECONDARY OR POSTSECONDARY, PUBLIC OR PRIVATE,
23 NONPROFIT EDUCATIONAL ENTITY, INCLUDING BUT NOT LIMITED TO A
24 SCHOOL DISTRICT, CHARTER SCHOOL, BOARD OF COOPERATIVE SERVICES,
25 STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE, AND AREA
26 VOCATIONAL SCHOOL;

27 (b) A COMMUNITY-BASED, NONPROFIT AGENCY OR ORGANIZATION;

- 1 (c) A LIBRARY;
- 2 (d) A LITERACY COUNCIL OR OTHER LITERACY INSTITUTE;
- 3 (e) A BUSINESS OR BUSINESS ASSOCIATION THAT PROVIDES ADULT
4 EDUCATION AND LITERACY PROGRAMS EITHER ON-SITE OR OFF-SITE;
- 5 (f) A VOLUNTEER LITERACY ORGANIZATION;
- 6 (g) A WORK FORCE BOARD, AS DEFINED IN SECTION 8-83-203,
7 C.R.S., THAT OVERSEES A WORK FORCE INVESTMENT PROGRAM DESCRIBED
8 IN THE "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE
9 83 OF TITLE 8, C.R.S.;
- 10 (h) A ONE-STOP PARTNER, AS DESCRIBED IN SECTION 8-83-216,
11 C.R.S., UNDER THE "COLORADO WORK FORCE INVESTMENT ACT", PART
12 2 OF ARTICLE 83 OF TITLE 8, C.R.S.; OR
- 13 (i) A CONSORTIA OF ENTITIES DESCRIBED IN THIS SUBSECTION (7).
- 14 (8) "NUMERACY" MEANS A PERSON'S ABILITY TO COMPUTE AND
15 SOLVE MATHEMATICAL PROBLEMS AT LEVELS OF PROFICIENCY THAT ARE
16 NECESSARY TO FUNCTION ON THE JOB AND IN SOCIETY, ACHIEVE THE
17 PERSON'S GOALS, AND DEVELOP THE PERSON'S KNOWLEDGE AND
18 POTENTIAL.
- 19 (9) "OFFICE" MEANS THE OFFICE WITHIN THE DEPARTMENT THAT
20 IS RESPONSIBLE FOR ADULT EDUCATION.
- 21 (10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
22 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.
- 23 (11) (a) "WORKFORCE DEVELOPMENT PARTNERSHIP" MEANS A
24 COLLABORATION THAT ASSISTS ADULTS IN ATTAINING BASIC LITERACY
25 AND NUMERACY SKILLS LEADING TO ADDITIONAL SKILL ACQUISITION,
26 POSTSECONDARY CREDENTIALS, AND EMPLOYMENT. AT A MINIMUM, A
27 WORKFORCE DEVELOPMENT PARTNERSHIP MUST INCLUDE AT LEAST ONE

1 LOCAL EDUCATION PROVIDER, AT LEAST ONE POSTSECONDARY EDUCATION
2 OR TRAINING PROVIDER, AND AT LEAST ONE WORKFORCE DEVELOPMENT
3 PROVIDER.

4 (b) FOR PURPOSES OF THIS SUBSECTION (11), A POSTSECONDARY
5 EDUCATION OR TRAINING PROVIDER INCLUDES, BUT NEED NOT BE LIMITED
6 TO:

7 (I) A STATE INSTITUTION OF HIGHER EDUCATION, JUNIOR COLLEGE,
8 OR AREA VOCATIONAL SCHOOL;

9 (II) AN APPRENTICESHIP PROGRAM;

10 (III) AN ENTITY THAT PROVIDES ACCELERATED EDUCATION AND
11 SKILLS TRAINING CERTIFICATE PROGRAMS CREATED PURSUANT TO PART 9
12 OF ARTICLE 60 OF TITLE 23, C.R.S.;

13 (IV) AN ENTITY THAT OPERATES PROGRAMS THROUGH THE
14 MANUFACTURING CAREER PATHWAY ESTABLISHED BY THE STATE BOARD
15 FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION AS PROVIDED
16 IN PART 10 OF ARTICLE 60 OF TITLE 23, C.R.S.; AND

17 (V) A COMMUNITY-BASED WORKFORCE DEVELOPMENT PROGRAM
18 THAT IS OPERATED THROUGH THE COLORADO CUSTOMIZED TRAINING
19 PROGRAM CREATED IN SECTION 23-60-306, C.R.S.

20 (c) FOR PURPOSES OF THIS SUBSECTION (11), A WORKFORCE
21 DEVELOPMENT PROVIDER INCLUDES, BUT NEED NOT BE LIMITED TO:

22 (I) A WORK FORCE INVESTMENT PROGRAM DESCRIBED IN THE
23 "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE 83 OF
24 TITLE 8, C.R.S.; AND

25 (II) A PROGRAM THAT IS SUPPORTED BY THE STATE WORK FORCE
26 DEVELOPMENT COUNCIL CREATED IN ARTICLE 46.3 OF TITLE 24, C.R.S.

27 **22-10-104. Adult education and literacy grant program -**

1 **created - rules.** (1) (a) THERE IS CREATED IN THE OFFICE THE ADULT
2 EDUCATION AND LITERACY GRANT PROGRAM TO PROVIDE FUNDING FOR
3 LOCAL EDUCATION PROVIDERS THAT ARE MEMBERS OF WORKFORCE
4 DEVELOPMENT PARTNERSHIPS THROUGH WHICH ELIGIBLE ADULTS RECEIVE
5 BASIC EDUCATION IN LITERACY AND NUMERACY THAT LEADS TO
6 ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL
7 ATTAINMENT, AND EMPLOYMENT.

8 (b) A LOCAL EDUCATION PROVIDER MAY APPLY TO THE OFFICE TO
9 RECEIVE A GRANT PURSUANT TO THIS ARTICLE IN ACCORDANCE WITH THE
10 RULES, PROCEDURES, FORMS, AND TIMELINES ADOPTED BY THE STATE
11 BOARD. THE OFFICE SHALL REVIEW EACH APPLICATION AND RECOMMEND
12 APPROPRIATE GRANT RECIPIENTS TO THE STATE BOARD.

13 (c) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD,
14 TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE OFFICE,
15 SHALL AWARD ADULT EDUCATION AND LITERACY GRANTS TO LOCAL
16 EDUCATION PROVIDERS. THE GRANTS AWARDED ARE PAYABLE FROM THE
17 ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN SECTION
18 22-10-107. THE STATE BOARD SHALL ESTABLISH THE AMOUNT AND
19 DURATION OF EACH GRANT AWARDED AND MAY AWARD A GRANT FOR
20 MULTIPLE FISCAL YEARS, SUBJECT TO ANNUAL RENEWAL. A GRANT
21 RECIPIENT THAT RECEIVES A MULTI-YEAR GRANT MUST ANNUALLY SUBMIT
22 TO THE OFFICE THE NECESSARY INFORMATION TO DETERMINE WHETHER
23 THE GRANT RECIPIENT IS MAKING SUFFICIENT PROGRESS TOWARD
24 ACHIEVING THE GOALS OF THE ADULT EDUCATION AND LITERACY
25 PROGRAM THAT WERE SPECIFIED IN THE GRANT APPLICATION. IF THE
26 OFFICE FINDS THAT A GRANT RECIPIENT IS NOT MAKING SUFFICIENT
27 PROGRESS TOWARD ACHIEVING THE GOALS, THE STATE BOARD SHALL NOT

1 RENEW THE GRANT FOR SUBSEQUENT FISCAL YEARS.

2 (d) A LOCAL EDUCATION PROVIDER MAY USE GRANT MONEYS
3 RECEIVED PURSUANT TO THIS ARTICLE IN COMBINATION WITH ANY
4 MONEYS RECEIVED FROM OTHER PUBLIC OR PRIVATE SOURCES. A LOCAL
5 EDUCATION PROVIDER MAY USE GRANT MONEYS RECEIVED PURSUANT TO
6 THIS ARTICLE ON BEHALF OF A STUDENT WHO IS ENROLLED IN OR HAS
7 COMPLETED THE ADULT EDUCATION AND LITERACY PROGRAM AND IS
8 RECEIVING TRAINING FROM A POSTSECONDARY EDUCATION OR TRAINING
9 PROVIDER OR FROM A WORKFORCE DEVELOPMENT PROVIDER THAT
10 PARTICIPATES IN THE WORKFORCE DEVELOPMENT PARTNERSHIP WITH THE
11 LOCAL EDUCATION PROVIDER.

12 (2) THE STATE BOARD, IN ACCORDANCE WITH THE "STATE
13 ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, C.R.S.,
14 SHALL PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM, WHICH
15 RULES MUST INCLUDE:

16 (a) THE TIME FRAMES FOR SUBMITTING APPLICATIONS, REVIEWING
17 APPLICATIONS, AND AWARDING GRANTS;

18 (b) THE GRANT APPLICATION REQUIREMENTS. AT A MINIMUM:

19 (I) EACH APPLICANT MUST DEMONSTRATE THAT IT IS AN ACTIVE
20 MEMBER OF A WORKFORCE DEVELOPMENT PARTNERSHIP THROUGH WHICH
21 STUDENTS RECEIVE BASIC EDUCATION IN LITERACY AND NUMERACY THAT
22 LEADS TO ADDITIONAL SKILLS ACQUISITION, POSTSECONDARY CREDENTIAL
23 ATTAINMENT, AND EMPLOYMENT; AND

24 (II) EACH APPLICATION MUST SPECIFY THE MEASURABLE GOALS OF
25 THE ADULT EDUCATION AND LITERACY PROGRAM THAT THE APPLYING
26 LOCAL EDUCATION PROVIDER EXPECTS TO ACHIEVE USING THE GRANT
27 MONEYS;

1 (c) ANY FACTORS IN ADDITION TO THOSE LISTED IN SUBSECTION (3)
2 OF THIS SECTION THAT THE OFFICE MAY CONSIDER IN RECOMMENDING
3 GRANT RECIPIENTS TO THE STATE BOARD AND THAT THE STATE BOARD
4 MAY CONSIDER IN AWARDING GRANTS;

5 (d) THE BASIS FOR ESTABLISHING THE AMOUNT AND DURATION OF
6 EACH GRANT;

7 (e) THE INFORMATION THAT EACH GRANT RECIPIENT MUST SUBMIT
8 TO THE OFFICE TO EVALUATE THE RECIPIENT'S USE OF THE GRANT AND TO
9 PREPARE THE REPORT REQUIRED IN SECTION 22-10-105; AND

10 (f) ANY ADDITIONAL RULES THAT THE STATE BOARD FINDS ARE
11 NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

12 (3) THE OFFICE, IN EVALUATING GRANT APPLICATIONS, AND THE
13 STATE BOARD, IN AWARDING GRANTS, MAY CONSIDER, AT A MINIMUM, THE
14 FOLLOWING FACTORS:

15 (a) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE
16 ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED
17 BY THE GRANT WHO ARE MEMBERS OF MINORITY GROUPS;

18 (b) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE
19 SERVED USING GRANT MONEYS WHO DO NOT HAVE HIGH SCHOOL
20 DIPLOMAS OR THE EQUIVALENT AND WHO ARE NOT CURRENTLY ENROLLED
21 IN ADULT EDUCATION AND LITERACY PROGRAMS;

22 (c) (I) THE PERCENTAGE OF ELIGIBLE ADULTS EXPECTED TO BE
23 ENROLLED IN THE ADULT EDUCATION AND LITERACY PROGRAMS FUNDED
24 BY THE GRANT WHO ARE RECEIVING EITHER STATE OR FEDERAL PUBLIC
25 ASSISTANCE; OR

26 (II) THE PERCENTAGE OF ELIGIBLE ADULTS IN THE AREA TO BE
27 SERVED WHO ARE UNEMPLOYED WORKERS; AND

1 (d) THE DEMONSTRATED SUCCESS OF THE LOCAL EDUCATION
2 PROVIDER IN ENABLING ADULTS TO ATTAIN BASIC LITERACY AND
3 NUMERACY SKILLS AND IN ASSISTING THEM, THROUGH COLLABORATION
4 WITH POSTSECONDARY EDUCATION OR TRAINING PROVIDERS AND
5 WORKFORCE DEVELOPMENT PROVIDERS, TO ACHIEVE ADDITIONAL SKILLS
6 ATTAINMENT, POSTSECONDARY CREDENTIAL ATTAINMENT, AND
7 EMPLOYMENT.

8 **22-10-105. Evaluation of grants - report.** (1) (a) THE OFFICE
9 SHALL ANNUALLY REVIEW THE INFORMATION RECEIVED FROM ADULT
10 EDUCATION AND LITERACY GRANT RECIPIENTS TO EVALUATE THE
11 EFFECTIVENESS OF THE PROGRAMS THAT RECEIVE GRANTS IN MEETING THE
12 GOALS SET FOR THE PROGRAMS IN THE GRANT APPLICATIONS. THE OFFICE
13 SHALL REPORT ITS CONCLUSIONS TO THE STATE BOARD FOR PURPOSES OF
14 EVALUATING ON-GOING GRANTS.

15 (b) THE DEPARTMENT MAY AUDIT THE RECORDS AND ACCOUNTS
16 OF GRANT RECIPIENTS RELATING TO GRANTS AWARDED PURSUANT TO THIS
17 ARTICLE. A LOCAL EDUCATION PROVIDER SHALL MAKE THE RECORDS AND
18 ACCOUNTS AVAILABLE TO THE DEPARTMENT UPON REQUEST.

19 (c) UPON COMPLETING AN ADULT EDUCATION AND LITERACY
20 PROGRAM FUNDED, IN WHOLE OR IN PART, BY A GRANT AWARDED
21 PURSUANT TO THIS ARTICLE, A LOCAL EDUCATION PROVIDER SHALL
22 REPORT TO THE DEPARTMENT THE SAME INFORMATION CONCERNING THE
23 STATE-FUNDED PROGRAM AS IS REQUIRED BY TITLE II OF THE FEDERAL
24 "WORK FORCE INVESTMENT ACT OF 1998", AS AMENDED, 20 U.S.C. SEC.
25 9201 ET SEQ., FOR FEDERALLY FUNDED PROGRAMS. THE DEPARTMENT MAY
26 REQUEST SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED BY RULE
27 OF THE STATE BOARD.

1 (2) (a) THE OFFICE SHALL PREPARE AN ANNUAL REPORT
2 CONCERNING THE GRANT PROGRAM THAT, AT A MINIMUM, ADDRESSES THE
3 USE, ALLOCATION, AND OUTCOMES OF THE GRANT MONEYS, INCLUDING
4 THE EFFECTIVENESS OF EACH PROGRAM THAT RECEIVES A GRANT, AND THE
5 CONTINUING LEVEL OF UNMET NEED FOR ADULT EDUCATION WITHIN THE
6 STATE. IN EVALUATING PROGRAM OUTCOMES, THE OFFICE MAY CONSIDER,
7 BUT NEED NOT BE LIMITED TO, STUDENT PARTICIPATION, COMPLETION,
8 EDUCATIONAL ATTAINMENT, EMPLOYMENT, AND POVERTY-REDUCTION
9 DATA AND ANALYSIS. THE REPORT MUST ALSO INCLUDE AN OVERVIEW OF
10 THE COLLABORATION EFFORTS OF THE OFFICE, THE DEPARTMENT OF
11 HIGHER EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE
12 COMMUNITY COLLEGE SYSTEM, OTHER LOCAL EDUCATION PROVIDERS,
13 OTHER POSTSECONDARY EDUCATION OR TRAINING PROVIDERS, AND OTHER
14 WORKFORCE DEVELOPMENT PROVIDERS IN MEETING THE STATE'S NEED FOR
15 ADULT EDUCATION AND LITERACY PROGRAMS AND WORKFORCE
16 DEVELOPMENT.

17 (b) THE OFFICE SHALL SUBMIT THE REPORT TO THE GOVERNOR'S
18 OFFICE; THE STATE BOARD; THE JOINT BUDGET COMMITTEE OF THE
19 GENERAL ASSEMBLY; THE EDUCATION COMMITTEES OF THE SENATE AND
20 THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; THE
21 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY
22 SUCCESSOR COMMITTEE; AND THE BUSINESS, LABOR, ECONOMIC, AND
23 WORKFORCE DEVELOPMENT COMMITTEE OF THE HOUSE OF
24 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE. THE OFFICE SHALL
25 ALSO POST THE REPORT ON THE DEPARTMENT'S WEB SITE FOR PUBLIC
26 VIEWING.

27 **22-10-106. Adult education and literacy - workforce**

1 **development - meetings.** (1) THE OFFICE SHALL CONVENE PERIODIC
2 MEETINGS OF REPRESENTATIVES OF, AT A MINIMUM, THE DEPARTMENT OF
3 HIGHER EDUCATION, THE DEPARTMENT OF LABOR AND EMPLOYMENT, THE
4 COMMUNITY COLLEGE SYSTEM, OTHER LOCAL EDUCATION PROVIDERS,
5 OTHER POSTSECONDARY EDUCATION OR TRAINING PROVIDERS, AND OTHER
6 WORKFORCE DEVELOPMENT PROVIDERS TO DISCUSS, AT A MINIMUM:

7 (a) WAYS TO INCREASE THE COMMUNICATION AND
8 COLLABORATION AMONG ADULT EDUCATION AND LITERACY PROGRAMS,
9 POSTSECONDARY EDUCATION OR TRAINING PROGRAMS, AND WORKFORCE
10 DEVELOPMENT PROGRAMS WITHIN THE STATE; AND

11 (b) THE STATE'S WORKFORCE DEVELOPMENT NEEDS AND THE
12 LEVELS OF UNMET NEED FOR ADULT EDUCATION WITHIN THE STATE,
13 INCLUDING IDENTIFYING PARTICULAR AREAS OF THE STATE WITH
14 SIGNIFICANT UNMET ADULT EDUCATION NEEDS.

15 **22-10-107. Adult education and literacy grant fund - created.**

16 (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE ADULT
17 EDUCATION AND LITERACY GRANT FUND, REFERRED TO IN THIS SECTION AS
18 THE "FUND", CONSISTING OF:

19 (I) ANY MONEYS RECEIVED BY THE DEPARTMENT PURSUANT TO
20 SUBSECTION (2) OF THIS SECTION;

21 (II) ANY MONEYS TRANSFERRED TO THE FUND PURSUANT TO
22 SECTION 22-2-124 (10), AS IT EXISTED BEFORE JULY 1, 2014; AND

23 (III) ANY MONEYS THAT THE GENERAL ASSEMBLY MAY
24 APPROPRIATE TO THE FUND.

25 (b) THE MONEYS IN THE FUND ARE SUBJECT TO ANNUAL
26 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR
27 THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS

1 ARTICLE. THE DEPARTMENT MAY EXPEND UP TO SEVENTEEN PERCENT OF
2 THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE
3 COSTS INCURRED IN IMPLEMENTING THE GRANT PROGRAM, EVALUATING
4 THE GRANT RECIPIENTS AND OUTCOMES, PREPARING THE REPORT
5 REQUIRED IN SECTION 22-10-105, AND CONVENING AND COLLABORATING
6 WITH THE ENTITIES IDENTIFIED IN SECTION 22-10-106. NOTWITHSTANDING
7 ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, THE DEPARTMENT,
8 THE OFFICE, AND THE STATE BOARD ARE NOT REQUIRED TO IMPLEMENT
9 THE PROVISIONS OF THIS ARTICLE UNLESS THE GENERAL ASSEMBLY
10 APPROPRIATES SUFFICIENT STATE MONEYS TO THE FUND TO OFFSET THE
11 COSTS OF IMPLEMENTING THE ARTICLE.

12 (c) THE STATE TREASURER MAY INVEST, AS PROVIDED BY LAW,
13 ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS
14 ARTICLE. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
15 INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE
16 FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS
17 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN
18 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
19 GENERAL FUND OR ANOTHER FUND.

20 (2) THE DEPARTMENT MAY RECEIVE AND EXPEND GIFTS,
21 DONATIONS, OR GRANTS OF ANY KIND FROM ANY PUBLIC OR PRIVATE
22 ENTITY TO CARRY OUT THE PURPOSES OF THIS ARTICLE, SUBJECT TO THE
23 TERMS AND CONDITIONS UNDER WHICH GIVEN; EXCEPT THAT THE
24 DEPARTMENT SHALL NOT ACCEPT A GIFT, DONATION, OR GRANT IF THE
25 CONDITIONS ATTACHED TO THE GIFT, DONATION, OR GRANT REQUIRE THE
26 USE OR EXPENDITURE THE GIFT, DONATION, OR GRANT IN A MANNER
27 CONTRARY TO LAW. THE DEPARTMENT SHALL TRANSMIT TO THE STATE

1 TREASURER ANY GIFTS, DONATIONS, OR GRANTS RECEIVED PURSUANT TO
2 THIS SUBSECTION (2), AND THE STATE TREASURER SHALL CREDIT THESE
3 AMOUNTS TO THE FUND. IMPLEMENTATION OF THE GRANT PROGRAM IS
4 NOT CONDITIONED ON THE RECEIPT OF GIFTS, DONATIONS, OR GRANTS
5 PURSUANT TO THIS SUBSECTION (2).

6 **SECTION 2.** In Colorado Revised Statutes, 22-2-124, **add** (10)
7 as follows:

8 **22-2-124. Family literacy education grant program - rules -**
9 **repeal.** (10) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.
10 NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF SUBSECTION
11 (8) OF THIS SECTION, ANY MONEYS REMAINING IN THE FAMILY LITERACY
12 EDUCATION FUND AS OF JULY 1, 2014, ARE TRANSFERRED ON THAT DATE
13 TO THE ADULT EDUCATION AND LITERACY GRANT FUND CREATED IN
14 SECTION 22-10-107.

15 <{Does the committee prefer a safety clause or a 90-day conditional
16 effectiveness clause?}>

LLS No. 14-0156_Bill 5_L.001

INTERIM COMMITTEE AMENDMENT
Economic Opportunity Poverty Reduction Task Force

1 Amend LLS No. 14-0156 (Bill 5), page 16, after line 14, insert:

2 **"SECTION 3. Appropriation.** (1) In addition to any other
3 appropriation, there is hereby appropriated, out of any moneys in the
4 general fund not otherwise appropriated, to the adult education and
5 literacy grant fund created in section 22-10-107, Colorado Revised
6 Statutes, for the fiscal year beginning July 1, 2014, the sum of \$1,200,000
7 and 1 FTE, or so much thereof as may be necessary for the
8 implementation of this act.

9 (2) In addition to any other appropriation, there is hereby
10 appropriated, out of any moneys in the adult education and literacy grant
11 fund created in section 22-10-107, Colorado Revised Statutes, not
12 otherwise appropriated, to the department of education, for the fiscal year
13 beginning July 1, 2014, the sum of \$1,200,000 and 1 FTE, or so much
14 thereof as may be necessary, for allocation to the office within the
15 department of education that is responsible for adult education for the
16 implementation of this act."

17 Page 1, strike line 105 and substitute "**PARTNERSHIPS AND MAKING AN**
18 **APPROPRIATION.**".

** ** ** ** **



Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.11.13

BILL 9

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LLS NO. 14-0160.01 Bob Lackner x4350

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Manufactured Home Communities"

A BILL FOR AN ACT

101 CONCERNING MANUFACTURED HOME COMMUNITIES, AND, IN
102 CONNECTION THEREWITH, PRESERVING MANUFACTURED HOME
103 COMMUNITIES AND MITIGATING THE IMPACTS OF RELOCATION
104 RESULTING FROM THE REDEVELOPMENT OF SUCH
105 COMMUNITIES.

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>.)

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

Economic Opportunity Poverty Reduction Task Force. The bill summary for this measure has been intentionally omitted and will appear on future redrafts of this measure.

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

SECTION 1. In Colorado Revised Statutes, **amend** 38-12-200.1 as follows:

38-12-200.1. Short title. This part 2 shall be known and may be cited as the ~~"Mobile Home Park Act"~~ "MANUFACTURED HOME COMMUNITIES ACT".

SECTION 2. In Colorado Revised Statutes, **amend** 38-12-201.3 as follows:

38-12-201.3. Legislative declaration - increased availability of manufactured home communities. (1) The general assembly hereby finds and declares that mobile homes, manufactured ~~housing~~ HOMES, and factory-built housing are important and effective ways to meet Colorado's affordable housing needs. The general assembly further finds and declares that, because of the unique aspects of ~~mobile homes and mobile home park ownership~~ MANUFACTURED HOMES AND THE OWNERSHIP OF MANUFACTURED HOME COMMUNITIES, there is a need to protect ~~mobile home~~ owners OF MANUFACTURED HOMES from eviction with short notice so as to prevent ~~mobile home~~ SUCH owners from losing their shelter as well as any equity in their ~~mobile~~ homes. The general assembly encourages local governments to allow and protect ~~mobile home parks~~ MANUFACTURED HOME COMMUNITIES in their jurisdictions and to enact plans to increase the number of ~~mobile home parks~~ SUCH COMMUNITIES in their jurisdictions. The general assembly further encourages local

1 governments to provide incentives to ~~mobile home park~~ THE OWNERS OF
2 MANUFACTURED HOME COMMUNITIES TO ATTRACT ADDITIONAL ~~mobile home~~
3 ~~parks~~ MANUFACTURED HOME COMMUNITIES AND TO INCREASE THE VIABILITY
4 OF CURRENT ~~parks~~ COMMUNITIES.

5 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
6 IT IS THE POLICY OF THE STATE TO PRESERVE AFFORDABLE HOUSING,
7 ENHANCE THE QUALITY AND STABILITY OF MANUFACTURED HOME
8 COMMUNITIES, AND FOSTER THE COMMITMENT TO SOCIETY THAT COMES
9 THROUGH HOME OWNERSHIP AND SELF-GOVERNANCE BY ENCOURAGING
10 RESIDENT OWNERSHIP OF MANUFACTURED HOME COMMUNITIES THROUGH
11 RESIDENT OWNED COMMUNITIES, ASSOCIATIONS OR COOPERATIVES
12 COMPRISED OF OWNERS OF MANUFACTURED HOMES, LAND TRUSTS,
13 NON-PROFIT HOUSING DEVELOPERS, AND HOUSING AUTHORITIES, OR
14 SIMILAR ORGANIZATIONS OR ENTITIES.

15 (3) THIS PART 2 SHALL BE LIBERALLY CONSTRUED TO ACCOMPLISH
16 THE LEGISLATIVE INTENT EXPRESSED IN SUBSECTIONS (1) AND (2) OF THIS
17 SECTION.

18 **SECTION 3.** In Colorado Revised Statutes, 38-12-201.5, **add**
19 (1.6) and (1.7) as follows:

20 **38-12-201.5. Definitions.** As used in this part 2, unless the
21 context otherwise requires:

22 (1.6) "MANUFACTURED HOME" MEANS ANY PRECONSTRUCTED
23 BUILDING UNIT OR COMBINATION OF PRECONSTRUCTED BUILDING UNITS,
24 WITHOUT MOTIVE POWER, WHERE SUCH UNIT OR UNITS ARE
25 MANUFACTURED IN A FACTORY OR AT A LOCATION OTHER THAN THE
26 RESIDENTIAL SITE OF THE COMPLETED HOME, WHICH IS DESIGNED AND
27 COMMONLY USED FOR OCCUPANCY BY PERSONS FOR RESIDENTIAL

1 PURPOSES, IN EITHER TEMPORARY OR PERMANENT LOCATIONS, AND WHICH
2 UNIT OR UNITS ARE NOT LICENSED AS A VEHICLE.

3 (1.7) "MANUFACTURED HOME COMMUNITY" MEANS ANY
4 INDIVIDUAL SITE, AREA, TRACT, OR PARCEL OF LAND UPON WHICH TWO OR
5 MORE MANUFACTURED HOMES USED OR OCCUPIED FOR DWELLING
6 PURPOSES ARE LOCATED, AND SHALL INCLUDE ANY ROADWAY, BUILDING,
7 STRUCTURE, INSTALLATION, ENCLOSURE, FIXTURES, EQUIPMENT, OR
8 VEHICLE USED OR INTENDED FOR USE AS A PART OF THE FACILITIES OF THE
9 COMMUNITY. ANY MOBILE HOME PARK THAT MEETS THE DEFINITION OF A
10 MANUFACTURED HOME COMMUNITY IS SYNONYMOUS WITH A
11 MANUFACTURED HOME COMMUNITY AND IS HEREAFTER RENAMED IN THIS
12 PART 2 AS A MANUFACTURED HOME COMMUNITY.

13 **SECTION 4.** In Colorado Revised Statutes, 38-12-202, **amend** (1)
14 (b) as follows:

15 **38-12-202. Tenancy - notice to quit.** (1)(b) Service of the notice
16 to quit shall be ~~as specified in section 13-40-108, C.R.S. Service by~~
17 ~~posting shall be deemed legally sufficient within the meaning of section~~
18 ~~13-40-108, C.R.S., if the notice is affixed to the main entrance of the~~
19 ~~mobile home~~ PERSONALLY SERVED UPON THE HOME OWNER. IF PERSONAL
20 SERVICE ON THE HOMEOWNER HAS BEEN ATTEMPTED WITHOUT SUCCESS,
21 SERVICE OF THE NOTICE TO QUIT MUST BE AFFIXED TO THE MAIN
22 ENTRANCE OF THE HOME IN A CONSPICUOUS PLACE AND ALSO MAILED BY
23 MEANS OF UNITED STATES MAIL TO THE ADDRESS OF THE HOME AS
24 SPECIFIED IN THE LEASE OR RENTAL AGREEMENT.

25 **SECTION 5.** In Colorado Revised Statutes, 38-12-202.5, **amend**
26 (2) as follows:

1 **38-12-202.5. Action for termination.** (2) (a) ~~Service of~~
2 ~~summons shall be as specified in section 13-40-112, C.R.S. Service by~~
3 ~~posting shall be deemed legally sufficient within the meaning of section~~
4 ~~13-40-112, C.R.S., if the summons is affixed to the main entrance of the~~
5 ~~mobile home: SERVICE OF SUMMONS SHALL BE EITHER:~~

6 (I) PERSONALLY SERVED UPON THE HOME OWNER; OR

7 (II) IF PERSONAL SERVICE ON THE HOMEOWNER HAS BEEN
8 ATTEMPTED WITHOUT SUCCESS, AFFIXED TO THE MAIN ENTRANCE OF THE
9 HOME IN A CONSPICUOUS PLACE AND ALSO MAILED BY MEANS OF UNITED
10 STATES MAIL TO THE ADDRESS OF THE HOME AS SPECIFIED IN THE LEASE
11 OR RENTAL AGREEMENT.

12 (b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE HOME
13 OWNER SHALL BE GIVEN NOT LESS THAN THIRTY DAYS TO RESPOND TO A
14 SUMMONS, AND ANY COURT HEARING FOLLOWING SERVICE OF THE
15 SUMMONS MUST BE SCHEDULED FOR NOT LESS THAN THIRTY DAYS AFTER
16 THE HOME OWNER HAS BEEN SERVED WITH THE SUMMONS.

17 **SECTION 6.** In Colorado Revised Statutes, 38-12-204, **amend**
18 **(2); and add (3) as follows:**

19 **38-12-204. Nonpayment of rent - notice required for rent**
20 **increase.** (2) ~~Rent shall not be increased without sixty days' written~~
21 ~~notice to the home owner~~ SUBJECT TO THE PROVISIONS OF SUBSECTION (3)
22 OF THIS SECTION, THE OWNER OR MANAGEMENT OF THE MANUFACTURED
23 HOME COMMUNITY MAY INCREASE THE RENT NOT MORE THAN ONCE EACH
24 YEAR COMMENCING ON THE ANNIVERSARY OF THE DATE THE HOME OWNER
25 EXECUTED THE LEASE OR RENTAL AGREEMENT AND ONLY WHERE THE
26 OWNER OR MANAGEMENT OF THE COMMUNITY GIVES THE HOMEOWNER
27 NINETY DAYS' NOTICE IN WRITING OF THE PROPOSED RENT INCREASE. In

1 addition to the amount and the effective date of the rent increase, such
2 written notice shall include the name, address, and telephone number of
3 the ~~mobile home park~~ management OF THE MANUFACTURED HOME
4 COMMUNITY, if such management is a principal owner, or owner of the
5 ~~mobile home park~~ COMMUNITY and, if the owner is other than a natural
6 person, the name, address, and telephone number of the owner's chief
7 executive officer or managing partner; except that such ownership
8 information need not be given if it was disclosed in the rental agreement
9 made pursuant to section 38-12-213.

10 (3) THE OWNER OR MANAGEMENT OF THE MANUFACTURED HOME
11 COMMUNITY MAY PROVIDE THE BASIS FOR THE RENT INCREASE AS A
12 GESTURE OF GOODWILL, AND THIS BASIS FOR THE RENT INCREASE MUST BE
13 COMMUNICATED TO THE HOMEOWNER BY MEANS OF THE NOTICE REQUIRED
14 BY SUBSECTION (2) OF THIS SECTION.

15 **SECTION 7.** In Colorado Revised Statutes, 38-12-204.3, **amend**
16 (2) as follows:

17 **38-12-204.3. Notice required for termination.** (2) The notice
18 required under this section shall be in at least ~~ten-point~~ TWELVE-POINT
19 type and shall read as follows:

20 **IMPORTANT NOTICE TO THE HOME OWNER:**

21 This notice and the accompanying notice to quit/notice of
22 nonpayment of rent are the first steps in the eviction process. Any dispute
23 you may have regarding the grounds for eviction should be addressed
24 with your landlord or the management of the ~~mobile home park~~
25 MANUFACTURED HOME COMMUNITY or in the courts if an eviction action
26 is filed. Please be advised that the ~~"Mobile Home Park Act"~~

1 "MANUFACTURED HOME COMMUNITIES ACT", part 2 of article 12 of title
2 38, Colorado Revised Statutes, may provide you with legal protection:

3 NOTICE TO QUIT: The landlord or management of a ~~mobile~~
4 ~~home park~~ MANUFACTURED HOME COMMUNITY must PERSONALLY serve
5 to a home owner a notice to quit in order to terminate a home owner's
6 tenancy. The notice must be in writing and must contain certain
7 information, including:

- 8 ● The grounds for the termination of the tenancy;
- 9 ● Whether or not the home owner has a right to cure under the
10 ~~"Mobile Home Park Act"~~ "MANUFACTURED HOME COMMUNITIES
11 ACT"; and
- 12 ● That the home owner has a right to mediation pursuant to
13 section 38-12-216, Colorado Revised Statutes, of the ~~"Mobile~~
14 ~~Home Park Act"~~ "MANUFACTURED HOME COMMUNITIES ACT".

15 NOTICE OF NONPAYMENT OF RENT: The landlord or
16 management of a ~~mobile home park~~ MANUFACTURED HOME COMMUNITY
17 must serve to a home owner a notice of nonpayment of rent in order to
18 terminate a home owner's tenancy. The notice must be in writing and
19 must require that the home owner either make payment of rent and any
20 applicable fees due and owing or remove the owner's unit from the
21 premises, within a period of not less than five days after the date the
22 notice is served or posted, for failure to pay rent when due.

23 CURE PERIODS: If the home owner has a right to cure under the
24 ~~"Mobile Home Park Act"~~ "MANUFACTURED HOME COMMUNITIES ACT",
25 the landlord or management of a ~~mobile home park~~ MANUFACTURED
26 HOME COMMUNITY cannot terminate a home owner's tenancy without first
27 providing the home owner with a time period of 30 DAYS to cure the

1 noncompliance. "Cure" refers to a home owner remedying, fixing, or
2 otherwise correcting the situation or problem that caused the tenancy to
3 be terminated pursuant to sections 38-12-202, 38-12-203, or 38-12-204,
4 Colorado Revised Statutes.

5 COMMENCEMENT OF LEGAL ACTION TO TERMINATE
6 THE TENANCY: After the last day of the notice period, a legal action
7 may be commenced to take possession of the space leased by the home
8 owner. In order to evict a home owner, the landlord or management of the
9 ~~mobile home park~~ MANUFACTURED HOME COMMUNITY must prove:

- 10 ● The landlord or management complied with the notice
11 requirements of the "~~Mobile Home Park Act~~" "MANUFACTURED
12 HOME COMMUNITIES ACT";
- 13 ● The landlord or management provided the home owner with a
14 statement of reasons for termination of the tenancy; and
- 15 ● The reasons for termination of the tenancy are true and valid
16 under the "~~Mobile Home Park Act~~" "MANUFACTURED HOME
17 COMMUNITIES ACT".

18 A home owner must appear in court, IN PERSON OR THROUGH A
19 REPRESENTATIVE, to defend against an eviction action. If the court rules
20 in favor of the landlord or management of the mobile home park, the
21 home owner will have not less than ~~48 hours~~ 5 DAYS from the time of the
22 ruling to remove the mobile home and to vacate the premises. If a tenancy
23 is being terminated pursuant to section 38-12-203 (1) (f), Colorado
24 Revised Statutes, the home owner shall have not less than ~~48 hours~~ 5
25 DAYS from the time of the ruling to remove the home and vacate the
26 premises. In all other circumstances, if the home owner wishes to extend
27 such period beyond ~~48 hours~~ 5 DAYS but not more than thirty days from

1 the date of the ruling, the home owner shall prepay to the landlord an
2 amount equal to any total amount declared by the court to be due to the
3 landlord, as well as a pro rata share of rent for each day following the
4 court's ruling that the mobile home owner will remain on the premises.
5 All prepayments shall be paid by certified check, by cashier's check, or by
6 wire transfer and shall be paid no later than ~~48 hours~~ 5 DAYS after the
7 court ruling. IF THE HOME OWNER PAYS TO THE LANDLORD THE TOTAL
8 AMOUNT OF RENT DUE AND OWING ALONG WITH ALL COURT COSTS
9 INCURRED BY THE LANDLORD AS OF THE DATE OF THE JUDGMENT WITHIN
10 FIVE DAYS OF JUDGMENT BEING ENTERED, THE HOME OWNER'S TENANCY
11 WILL BE REINSTATED.

12 **SECTION 8.** In Colorado Revised Statutes, **amend** 38-12-205 as
13 follows:

14 **38-12-205. Termination prohibited.** (1) A tenancy or other
15 estate at will or lease in a ~~mobile home park~~ MANUFACTURED HOME
16 COMMUNITY may not be terminated solely for the purpose of making the
17 home owner's space in the ~~park~~ COMMUNITY available for another mobile
18 home, or trailer coach, OR MANUFACTURED HOME.

19 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 2, A
20 TENANCY OR OTHER ESTATE AT WILL OR LEASE IN A MANUFACTURED
21 HOME COMMUNITY MAY ONLY BE TERMINATED ON THE BASIS OF ONE OR
22 MORE OF THE REASONS SPECIFIED IN SECTION 38-12-203. UNDER NO
23 CIRCUMSTANCES MAY A TENANCY OR OTHER ESTATE AT WILL OR LEASE IN
24 A MANUFACTURED HOME COMMUNITY BE TERMINATED SOLELY BECAUSE
25 OF THE COMPLETION OF A FIXED PERIOD. IF THE HOME OWNER CURES ANY
26 OF THE REASONS FOR TERMINATION SPECIFIED IN SECTION 38-12-205, THE
27 HOME OWNER'S TENANCY WILL BE REINSTATED.

1 **SECTION 9.** In Colorado Revised Statutes, **amend** 38-12-211 as
2 follows:

3 **38-12-211. Selling fees prohibited.** The owner of a ~~mobile home~~
4 ~~park~~ MANUFACTURED HOME COMMUNITY or his OR HER agent shall not
5 require payment of any type of selling fee or transfer fee by either a home
6 owner in the ~~park~~ COMMUNITY wishing to sell his ~~mobile home~~ OR HER
7 MANUFACTURED HOME to another party or by any party wishing to buy a
8 ~~mobile home~~ MANUFACTURED HOME from a home owner in the ~~park~~
9 COMMUNITY as a condition of tenancy in a ~~mobile home park~~
10 MANUFACTURED HOME COMMUNITY for the prospective buyer. This
11 section shall in no way prevent the owner of a ~~mobile home park~~
12 MANUFACTURED HOME COMMUNITY or his OR HER agent from applying
13 the ~~normal park~~ standards OF THE COMMUNITY AS SUCH STANDARDS MAY
14 BE SPECIFIED IN THE LEASE OR RENTAL AGREEMENT to prospective buyers
15 before granting or denying tenancy or from charging a reasonable selling
16 fee or transfer fee for services actually performed and agreed to in writing
17 by the home owner. Nothing in this section shall be construed to affect
18 the rent charged. The owner of a ~~mobile~~ MANUFACTURED home shall have
19 the right to place a "for sale" sign on or in his ~~mobile~~ OR HER
20 MANUFACTURED home. The size, placement, and character of such signs
21 shall be subject to reasonable rules and regulations of the ~~mobile home~~
22 ~~park~~ MANUFACTURED HOME COMMUNITY.

23 **SECTION 10.** In Colorado Revised Statutes, 38-12-213, **amend**
24 (4) as follows:

25 **38-12-213. Rental agreement - disclosure of terms in writing.**
26 (4) The terms of tenancy shall be specified in a written rental agreement
27 subject to the following conditions:

1 (a) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, the standard
2 rental agreement shall be for a ~~month-to-month tenancy~~ FIXED PERIOD OF
3 NOT LESS THAN ONE YEAR IN DURATION.

4 (b) ~~Upon written request by the home owner to the landlord, the~~
5 ~~landlord shall allow a rental agreement for a fixed tenancy of not less than~~
6 ~~one year if the home owner is current on all rent payments and is not in~~
7 ~~violation of the terms of the then-current rental agreement, except that An~~
8 ~~initial rental agreement for a fixed tenancy may be for less~~ MORE than one
9 year in order to ensure conformity with a standard anniversary date. ~~A~~
10 ~~landlord shall not evict or otherwise penalize a home owner for~~
11 ~~requesting a rental agreement for a fixed period.~~

12 (c) ~~A landlord may, in the landlord's discretion, allow a lease for~~
13 ~~a fixed period of longer than one year. In such circumstances, the~~
14 ~~requirements of paragraphs (a) and (b) of this subsection (4) shall not~~
15 ~~apply.~~

16 (d) A HOME OWNER WHO DESIRES TO OCCUPY HIS OR HER HOME
17 LOT HOME FOR OTHER THAN A TERM OF ONE YEAR OR MORE HAS THE
18 OPTION TO REQUEST THE TERMS OF THE RENTAL AGREEMENT BE ON A
19 MONTH TO MONTH BASIS.

20 **SECTION 11.** In Colorado Revised Statutes, **amend** 38-12-214
21 as follows:

22 **38-12-214. Rules and regulations.** (1) The management shall
23 adopt written rules and regulations concerning all home owners' use and
24 occupancy of the premises. Such rules and regulations are enforceable
25 against a home owner only if:

26 (a) Their purpose is to promote the convenience, safety, or welfare
27 of the home owners, protect and preserve the premises from abusive use,

1 or make a fair distribution of services and facilities held out for the home
2 owners generally;

3 (b) They are reasonably related to the purpose for which they are
4 adopted;

5 (c) They are not retaliatory or discriminatory in nature;

6 (d) They are sufficiently explicit in prohibition, direction, or
7 limitation of the home owner's conduct to fairly inform him of what he
8 must or must not do to comply.

9 (e) RULES APPLY TO ON-SITE MANAGERS AND OTHER LIVE-IN
10 AGENTS OF THE COMMUNITY OWNER.

11 **SECTION 12.** In Colorado Revised Statutes, **amend** 38-12-217
12 as follows:

13 **38-12-217. Notice of sale of manufactured housing community**
14 **- notice of change in use.** (1) (a) ~~The mobile home park owner shall~~
15 ~~notify the owners of all mobile homes in the park and the municipality in~~
16 ~~which the park is situated or, if none, the county in which the park is~~
17 ~~situated of his or her intent to change the use of the land comprising the~~
18 ~~park or to sell the park pursuant to paragraph (b) or (c) of this subsection~~
19 ~~(1), as applicable.~~

20 (b) (I) ~~If the mobile home park owner intends to sell the park, the~~
21 ~~notification shall be made only once for any particular contract to sell or~~
22 ~~trade and shall be by written notice mailed to each mobile home owner at~~
23 ~~the address shown on the rental agreement with the mobile home park~~
24 ~~owner at least ten days prior to the first scheduled closing for the sale or~~
25 ~~trade~~ NO OWNER OR MANAGEMENT OF A MANUFACTURED HOME
26 COMMUNITY MAY MAKE A FINAL UNCONDITIONAL ACCEPTANCE OF ANY
27 OFFER FOR THE SALE OR TRANSFER OF A MANUFACTURED HOME

1 COMMUNITY WITHOUT FIRST GIVING NINETY DAYS' NOTICE THAT THE
2 OWNER OR MANAGEMENT OF THE COMMUNITY INTENDS TO SELL THE
3 COMMUNITY. THE NOTICE MUST BE DELIVERED BY CERTIFIED OR
4 REGISTERED MAIL, RETURN RECEIPT REQUESTED, TO EACH OWNER OF
5 RECORD OF A HOME WITHIN THE COMMUNITY AT THE ADDRESS OF THE
6 HOME OWNER AS SPECIFIED IN THE LEASE OR RENTAL AGREEMENT, THE
7 COLORADO HOUSING AND FINANCE AUTHORITY OR THE COLORADO
8 DIVISION OF HOUSING, AND A LOCAL GOVERNMENTAL ORGANIZATION,
9 SUCH AS THE HOUSING AUTHORITY SERVING THE AREA WHERE THE
10 MANUFACTURED HOME COMMUNITY IS LOCATED. THE NOTICE MUST ALSO
11 LIST THE PRICE, TERMS, AND CONDITIONS OF ANY ACCEPTABLE OFFER TO
12 PURCHASE THE COMMUNITY THAT THE OWNER OR MANAGEMENT INTENDS
13 TO ACCEPT, IN WHICH CASE A COPY OF THE OFFER SHALL BE INCLUDED, OR,
14 IF THE OWNER OR MANAGEMENT HAS NOT YET RECEIVED AN ACCEPTABLE
15 OFFER, THE PRICE, TERMS, AND CONDITIONS FOR WHICH THE OWNER OR
16 MANAGEMENT INTENDS TO SELL THE COMMUNITY. NOTWITHSTANDING
17 ANY OTHER PROVISION OF LAW, THIS SUBPARAGRAPH (I) DOES NOT
18 PRECLUDE THE OWNER OR MANAGEMENT OF A MANUFACTURED HOME
19 COMMUNITY FROM CONDITIONALLY ACCEPTING AN OFFER FOR THE SALE
20 OR TRANSFER OF THE MANUFACTURED HOME COMMUNITY ON THE
21 CONDITION THAT THE OWNER OR MANAGEMENT OF THE MANUFACTURED
22 HOME COMMUNITY COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH
23 (b).

24 (II) DURING THE NOTICE PERIOD REQUIRED BY SUBPARAGRAPH (I)
25 OF THIS PARAGRAPH (b), THE OWNER OR MANAGEMENT OF THE
26 MANUFACTURED HOME COMMUNITY SHALL CONSIDER ANY OFFER TO
27 PURCHASE THE COMMUNITY THAT HAS BEEN MADE BY AN ASSOCIATION OF

1 SUCH HOME OWNERS FORMED UNDER SECTION 38-12-206, OR A
2 COOPERATIVE FORMED BY SUCH HOME OWNERS UNDER SECTION
3 38-12-218, AS LONG AS THE ASSOCIATION OR COOPERATIVE IS OPEN TO
4 ALL HOMEOWNERS. THE OWNER OF THE COMMUNITY SHALL CONSIDER ANY
5 OFFER MADE BY AN ASSOCIATION OR COOPERATIVE REPRESENTING THE
6 HOME OWNERS AND NEGOTIATE IN GOOD FAITH WITH THEM. IF AN
7 AGREEMENT TO PURCHASE THE COMMUNITY IS REACHED DURING THE
8 60-DAY NOTICE PERIOD, THE ASSOCIATION OR COOPERATIVE HAS A
9 REASONABLE TIME BEYOND THE 60-DAY PERIOD, IF NECESSARY, TO
10 OBTAIN FINANCING FOR THE PURCHASE. A HOMEOWNER ASSOCIATION OR
11 COOPERATIVE MAY ASSIGN ANY RIGHTS SUCH OWNERS POSSESS UNDER
12 THIS SECTION TO THE MUNICIPALITY OR COUNTY, AS APPLICABLE, IN
13 WHICH THE COMMUNITY IS LOCATED, A LOCAL HOUSING AUTHORITY, OR
14 A LOCAL NONPROFIT ENTITY SPECIALIZING IN THE PROVISION OR
15 PRESERVATION OF AFFORDABLE HOUSING.

16 (c) (I) If the ~~mobile home park~~ owner OR MANAGEMENT OF THE
17 MANUFACTURED HOME COMMUNITY intends to change the use of the land
18 comprising the ~~mobile home park~~ COMMUNITY, the ~~mobile home park~~
19 owner OR MANAGEMENT OF THE COMMUNITY shall give written notice to
20 each ~~mobile home owner~~ at least ~~one hundred eighty days~~ TWENTY-FOUR
21 MONTHS before the change in use will occur. THE OWNER OR
22 MANAGEMENT OF THE COMMUNITY SHALL DISCLOSE AND DESCRIBE IN THE
23 NOTICE THE NATURE OF THE CHANGE OF THE USE OF THE LANDS AND THE
24 REASONS FOR THE CHANGE. The ~~mobile home park~~ owner OR
25 MANAGEMENT OF THE COMMUNITY shall mail the written notice, BY
26 CERTIFIED OR REGISTERED MAIL, to each ~~mobile home owner~~ at the

1 address shown on the LEASE OR rental agreement with the ~~mobile home~~
2 ~~park~~ owner OR MANAGEMENT OF THE COMMUNITY.

3 (II) IN THE ALTERNATIVE TO GIVING WRITTEN NOTICE TO THE
4 HOME OWNER OF TWENTY-FOUR MONTHS AS REQUIRED BY SUBPARAGRAPH
5 (I) OF THIS PARAGRAPH (c), THE OWNER OR MANAGEMENT OF THE
6 MANUFACTURED HOUSING COMMUNITY SHALL PAY TO ANY HOME OWNER,
7 AT THE ELECTION OF THE HOME OWNER, EITHER THE HOME OWNER'S
8 ACTUAL RELOCATION COSTS OR THE APPRAISED VALUE OF THE HOME.
9 RELOCATION COSTS MUST INCLUDE THE COSTS OF DISCONNECTING AND
10 MOVING THE HOME TO A NEW COMMUNITY SELECTED BY THE HOME OWNER
11 WITHIN A ONE HUNDRED MILE RADIUS OF ITS EXISTING LOCATION,
12 RECONNECTING THE HOME TO ALL UTILITY HOOK-UPS SO THAT THE HOME
13 IS IN SUBSTANTIALLY THE SAME CONDITION AS BEFORE THE MOVE, WITH
14 ANY REQUIRED AND COMPARABLE APPURTENANCES, AND THE
15 REASONABLE COSTS OF SUITABLE LODGING UNTIL THE MOVE AND
16 INSTALLATION ARE COMPLETED. THE APPRAISED VALUE OF THE
17 MANUFACTURED HOME IS THE FAIR MARKET VALUE OF THE HOME ON SITE
18 AS REPORTED ON THE MOST RECENT PROPERTY TAX ASSESSMENT ROLLS
19 AND ANY EXISTING APPURTENANCES BUT EXCLUDING THE VALUE OF THE
20 UNDERLYING REAL PROPERTY, AS DETERMINED BY AN INDEPENDENT
21 APPRAISER JOINTLY SELECTED BY THE OWNER OR MANAGEMENT OF THE
22 COMMUNITY AND THE HOME OWNER. THE APPRISED VALUE SHALL BE
23 CALCULATED AS OF THE DATE PRIOR TO PUBLIC ANNOUNCEMENT OF THE
24 SALE OR CLOSURE OF THE MANUFACTURED HOUSING COMMUNITY.
25 PAYMENT OF THE APPRAISED VALUE OR THE ESTIMATED RELOCATION
26 COSTS, AS APPLICABLE, MUST BE MADE TO THE HOME OWNER NO LATER
27 THAN THE DATE OF THE HOME OWNER'S DEPARTURE FROM THE

1 COMMUNITY WITH ADJUSTMENTS MADE FOR THE TOTAL ACTUAL
2 RELOCATION COSTS. ARRANGEMENTS MUST BE MADE BY THE OWNER OR
3 MANAGEMENT OF THE COMMUNITY FOR PAYMENT OF RELOCATION COSTS
4 DIRECTLY TO THIRD-PARTY VENDORS AS APPLICABLE. RELOCATION COSTS
5 UPON THE COMPLETION OF RELOCATION. NOTWITHSTANDING ANY OTHER
6 PROVISION OF THIS PARAGRAPH (c), WHERE THE HOME OWNER IS BEING
7 COMPENSATED FOR EITHER THE HOME OWNER'S ACTUAL RELOCATION
8 COSTS OR THE APPRAISED VALUE OF THE HOME IN ACCORDANCE WITH THE
9 REQUIREMENTS OF THIS SUBPARAGRAPH (II), THE OWNER OR
10 MANAGEMENT OF THE COMMUNITY NEED ONLY PROVIDE TO THE HOME
11 OWNER ONE HUNDRED EIGHTY DAYS WRITTEN NOTICE OF THE CHANGE IN
12 THE USE OF THE LAND.

13 (2) The provisions of paragraph (b) of subsection (1) of this
14 section shall not apply to the sale of a ~~mobile home park~~ MANUFACTURED
15 HOME COMMUNITY when such sale occurs between members of an
16 immediate family, related business entities, members and managers of a
17 limited liability company, shareholders, officers, and directors in a
18 corporation, trustees and beneficiaries of a trust, or partners and limited
19 liability partners in a partnership or limited liability partnership; except
20 that such purchasers shall not change the use of the land comprising the
21 ~~mobile home park~~ MANUFACTURED HOME COMMUNITY without complying
22 with the notice provisions of this section. For purposes of this section,
23 "immediate family" means persons related by blood or adoption.

24 (3) IN ORDER TO ASSIST ASSOCIATIONS OR COOPERATIVES OF
25 OWNERS OF HOMES WITHIN MANUFACTURED HOUSING COMMUNITIES WITH
26 EFFORTS TO PURCHASE THEIR COMMUNITIES, THE COLORADO HOUSING
27 AND FINANCE AUTHORITY CREATED IN SECTION 29-4-704, C.R.S., THE

1 DIVISION OF HOUSING WITHIN THE DEPARTMENT OF LOCAL AFFAIRS
2 CREATED IN SECTION 24-32-704 (1), C.R.S., COMMUNITY DEVELOPMENT
3 FINANCIAL INSTITUTIONS, LOCAL HOUSING AUTHORITIES, OR
4 COMMUNITY-BASED ORGANIZATIONS SHALL PROVIDE TECHNICAL
5 ASSISTANCE TO THE ASSOCIATIONS OR COOPERATIVES OR TO THE OWNERS
6 OF HOMES WITHIN SUCH COMMUNITIES WHO ARE SEEKING TO FORM AN
7 ASSOCIATION OR A COOPERATIVE. THE TECHNICAL ASSISTANCE MAY BE
8 PROVIDED DIRECTLY OR THROUGH CONTRACTED SERVICES. SUCH
9 ASSISTANCE MAY INCLUDE, WITHOUT LIMITATION, THE PROVISION OF LOAN
10 OR GRANT MONEYS DIRECTED TO FINANCING SUCH ACQUISITIONS AND
11 RELATED COSTS.

12 (4) ANY DEADLINE SPECIFIED IN THIS SECTION MAY BE EXTENDED
13 UPON MUTUAL CONSENT OF THE PARTIES TO THE TRANSACTION.

14 **SECTION 13.** In Colorado Revised Statutes, **amend** 38-12-219
15 as follows:

16 **38-12-219. Home owners' and landlords' rights - treatment of**
17 **manufactured home as real property.** (1) Every home owner and
18 ~~landlord~~ OWNER OR MANAGEMENT OF THE MANUFACTURED HOME
19 COMMUNITY shall have the right to the following:

20 (a) Protection from abuse or disregard of state or local law by the
21 ~~landlord~~ OWNER OR MANAGEMENT and home owners;

22 (b) Peaceful enjoyment of the home owner's ~~mobile home~~ space,
23 free from unreasonable, arbitrary, or capricious rules and enforcement
24 thereof; and

25 (c) Tenancy free from harassment or frivolous lawsuits by the
26 ~~landlord~~ OWNER OR MANAGEMENT and homeowners.

1 (2) A MANUFACTURED HOME IS TREATED AS REAL PROPERTY
2 WHERE THE OWNER OF THE HOME HAS ELECTED TO TREAT THE HOME AS
3 REAL PROPERTY IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF
4 SECTIONS 38-29-118 (2) AND 38-29-202 REGARDLESS OF WHETHER THE
5 REAL PROPERTY UNDERLYING THE HOME IS OWNED BY THE HOME OWNER
6 IN FEE SIMPLE OR IS SUBJECT TO A LAND LEASE.

7 **SECTION 14. Act subject to petition - effective date.** This act
8 takes effect January 1, 2015; except that, if a referendum petition is filed
9 pursuant to section 1 (3) of article V of the state constitution against this
10 act or an item, section, or part of this act within the ninety-day period
11 after final adjournment of the general assembly, then the act, item,
12 section, or part will not take effect unless approved by the people at the
13 general election to be held in November 2014 and, in such case, will take
14 effect on the date of the official declaration of the vote thereon by the
15 governor.

LLS No. 14-0160_Bill 9_L.001

INTERIM COMMITTEE AMENDMENT
Economic Opportunity Poverty Reduction Task Force

- 1 Amend LLS No. 14-0160 (Bill 9), page 3, line 10, strike "COMMUNITIES"
2 and substitute "COMMUNITIES, AS APPROPRIATE,".
- 3 Page 12, line 14, strike "use." and substitute "use - legislative
4 declaration.".
- 5 Page 13, strike line 7 and substitute "COLORADO".
- 6 Page 13, line 23, after "(b)." add "THE GENERAL ASSEMBLY FINDS,
7 DETERMINES, AND DECLARES THAT THE PURPOSE OF NOTIFYING THE
8 DIVISION AND LOCAL GOVERNMENTAL ORGANIZATIONS IS TO PROVIDE
9 INFORMATION THAT MAY LEAD TO COLLABORATION AMONG
10 ORGANIZATIONS, HOME OWNERS, AND COMMUNITY LEADERS TO PRESERVE
11 THE MANUFACTURED HOME COMMUNITY.".
- 12 Page 14, line 8, strike "60-DAY" and substitute "NINETY-DAY".
- 13 Page 14, line 9, strike "60-DAY" and substitute "NINETY-DAY".
- 14 Page 15, line 24, strike "HOUSING" and substitute "HOME".
- 15 Page 16, strike lines 4 and 5 and substitute "DIRECTLY TO THIRD-PARTY
16 VENDORS AS APPLICABLE. NOTWITHSTANDING ANY OTHER".
- 17 Page 16, line 23, strike "related by blood or adoption." and substitute
18 "~~related by blood or adoption~~ WHO WOULD BE ENTITLED TO INHERIT FROM
19 THE COMMUNITY OWNER UNDER PART 1 OR 2 OF ARTICLE 11 OF TITLE 15,
20 C.R.S.".
- 21 Page 16, strike lines 26 and 27 and substitute "EFFORTS TO PURCHASE
22 THEIR COMMUNITIES, THE".
- 23 Page 17, line 2, after "C.R.S.," insert "IN CONSULTATION WITH".
- 24 Page 17, line 4, strike "ORGANIZATIONS SHALL" and substitute
25 "ORGANIZATIONS, MAY".

** ** ** ** **

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.8.13

BILL 10

LLS NO. 14-0161.01 Ed DeCecco x4216

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Income Tax Credit For Child Care Expenses"

A BILL FOR AN ACT

101 **CONCERNING AN INCOME TAX CREDIT FOR CHILD CARE EXPENSES FOR**
102 **A RESIDENT INDIVIDUAL WITH A FEDERAL ADJUSTED GROSS**
103 **INCOME OF TWENTY-FIVE THOUSAND DOLLARS OR LESS.**

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>.)

Economic Opportunity Poverty Reduction Task Force. Currently, if a resident individual is allowed a federal income tax credit for his or her child care expenses, the individual may claim a state income tax credit for the same expenses. The amount of the state credit is a

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

percentage of the federal credit claimed. Because the federal credit is not refundable, the amount of an individual's federal tax liability may limit the amount of an individual's state tax credit.

The bill creates a new state child care expenses tax credit (state credit) for a resident individual who has a federal adjusted gross income of \$25,000 or less. The amount of the state credit is equal to 25% of the child care expenses that the individual incurred during the taxable year if:

- The expenses are for the care of a dependent of the taxpayer who is less than 13 years old; and
- The individual would be allowed a federal credit for the expenses if he or she had sufficient tax liability to claim the credit.

The state credit is not based on the amount of any federal credit claimed, but its maximum amount is \$500 for a single dependent or \$1,000 for 2 or more dependents. Like the existing state credit, this tax credit is refundable, which means that the credit amount that exceeds the resident individual's income taxes due is refunded to the individual.

Similar to the federal credit, the amount of the state credit may not exceed a resident individual's earned income for the year. Also like the federal credit, an individual is not permitted a state credit unless he or she provides the tax identification number for the child and child care provider. The latter requirement does not apply if the individual is able to show that he or she exercised due diligence in trying to provide the identification number.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-22-119, **amend**
3 (1) (a) (I) and (1) (b) as follows:

4 **39-22-119. Expenses related to child care - credits against state**
5 **tax.** (1) (a) For income tax years beginning on and after January 1, 1996,
6 if a resident individual claims a credit for child care expenses on the
7 individual's federal tax return, the individual shall be allowed a child care
8 expenses credit against the income taxes due on the individual's income
9 under this article calculated as follows:

10 (I) EXCEPT AS SET FORTH IN PARAGRAPH (b) OF THIS SUBSECTION
11 (1), if the resident individual's federal adjusted gross income is

1 twenty-five thousand dollars or less, the credit shall be in an amount equal
2 to fifty percent of the credit for child care expenses claimed on the
3 resident individual's federal tax return. THIS SUBPARAGRAPH (I) IS
4 REPEALED, EFFECTIVE JANUARY 1, 2015.

5 (b) If the resident individual's federal adjusted gross income is
6 sixty thousand one dollars or more, the resident individual ~~shall not be~~ IS
7 NOT allowed a credit under this subsection (1). FOR INCOME TAX YEARS
8 COMMENCING ON OR AFTER JANUARY 1, 2014, A RESIDENT INDIVIDUAL
9 WHOSE FEDERAL ADJUSTED GROSS INCOME IS TWENTY-FIVE THOUSAND
10 DOLLARS OR LESS IS NOT ALLOWED A CREDIT UNDER THIS SUBSECTION (1).

11 **SECTION 2.** In Colorado Revised Statutes, **add** 39-22-119.5 as
12 follows:

13 **39-22-119.5. Child care expenses tax credit - legislative**
14 **declaration - definitions.** (1)(a) THE GENERAL ASSEMBLY HEREBY FINDS
15 AND DECLARES THAT:

16 (I) COLORADO FAMILIES AND THE STATE ECONOMY THRIVE WHEN
17 PARENTS ARE ABLE TO WORK;

18 (II) WHILE RESEARCH SHOWS THAT HIGH-QUALITY CHILD CARE
19 CONTRIBUTES TO ECONOMIC MOBILITY, CHILD CARE CAN BE COST
20 PROHIBITIVE FOR LOW-INCOME WORKING PARENTS;

21 (III) THE GENERAL ASSEMBLY CREATED THE CHILD CARE EXPENSES
22 TAX CREDIT IN SECTION 39-22-119 IN 1996 TO MAKE CHILD CARE MORE
23 AFFORDABLE FOR WORKING FAMILIES;

24 (IV) THE CREDIT IN SECTION 39-22-119 IS CURRENTLY BASED ON
25 THE AMOUNT CLAIMED FOR A SIMILAR FEDERAL CREDIT;

26 (V) AS A RESULT, SOME LOW-INCOME FAMILIES ARE NOT
27 RECEIVING THE STATE CHILD CARE EXPENSES TAX CREDIT BECAUSE THEY

1 FAIL TO FILE A FEDERAL RETURN OR, BASED ON THEIR INCOME TAXES
2 OWED, ARE INELGIBLE FOR A FEDERAL CREDIT; AND

3 (VI) AS A RESULT, THE STATE TAX CREDIT IS UNINTENTIONALLY
4 UNFAIR AND REGRESSIVE.

5 (b) NOW, THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
6 THE INTENDED PURPOSE OF THE TAX EXPENDITURE IN THIS SECTION IS TO
7 FIX THE COLORADO CHILD CARE EXPENSES INCOME TAX CREDIT SO THAT
8 ALL LOW-INCOME WORKING FAMILIES ARE ABLE TO CLAIM THE CREDIT
9 REGARDLESS OF THE AMOUNT OF THEIR FEDERAL CHILD CARE EXPENSES
10 CREDIT.

11 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (a) "CREDIT" MEANS THE CHILD CARE EXPENSES TAX CREDIT
14 CREATED IN THIS SECTION.

15 (b) "DEPENDENT" HAS THE SAME MEANING AS IN SECTION 152 (a)
16 (1) OF THE INTERNAL REVENUE CODE, OR ANY SUCCESSOR SECTION.

17 (3) (a) FOR INCOME TAX YEARS BEGINNING ON AND AFTER
18 JANUARY 1, 2014, A RESIDENT INDIVIDUAL IS ALLOWED A CREDIT AGAINST
19 THE TAXES DUE UNDER THIS ARTICLE FOR CHILD CARE EXPENSES THAT THE
20 INDIVIDUAL INCURRED DURING THE TAXABLE YEAR IF:

21 (I) THE INDIVIDUAL HAS AN ADJUSTED GROSS INCOME OF
22 TWENTY-FIVE THOUSAND DOLLARS OR LESS;

23 (II) THE EXPENSES ARE FOR THE CARE OF A DEPENDENT OF THE
24 TAXPAYER WHO IS LESS THAN THIRTEEN YEARS OLD; AND

25 (III) THE INDIVIDUAL WOULD BE ALLOWED A CREDIT FOR THE
26 EXPENSES UNDER SECTION 21 OF THE INTERNAL REVENUE CODE, OR ANY
27 SUCCESSOR SECTION, IF HE OR SHE HAD SUFFICIENT TAX LIABILITY TO

1 CLAIM THE CREDIT.

2 (b) THE CREDIT IS EQUAL TO TWENTY-FIVE PERCENT OF THE
3 RESIDENT INDIVIDUAL'S CHILD CARE EXPENSES; EXCEPT THAT THE
4 MAXIMUM AMOUNT OF A CREDIT THAT A RESIDENT INDIVIDUAL IS
5 ALLOWED UNDER THIS SECTION IS:

6 (I) FIVE HUNDRED DOLLARS FOR A SINGLE DEPENDENT; OR

7 (II) ONE THOUSAND DOLLARS FOR TWO OR MORE DEPENDENTS.

8 (c) THE AMOUNT OF THE CREDIT THAT EXCEEDS THE RESIDENT
9 INDIVIDUAL'S INCOME TAXES DUE IS REFUNDED TO THE INDIVIDUAL.

10 (4) THE AMOUNT OF AN INDIVIDUAL'S CHILD CARE EXPENSES
11 INCURRED DURING A TAXABLE YEAR THAT MAY BE THE BASIS OF THE
12 CREDIT SHALL NOT EXCEED:

13 (a) IN THE CASE OF AN INDIVIDUAL WHO FILES A SINGLE RETURN,
14 THE INDIVIDUAL'S EARNED INCOME FOR THE YEAR; OR

15 (b) IN THE CASE OF TWO INDIVIDUALS WHO FILE A JOINT RETURN,
16 THE LESSER OF EITHER INDIVIDUAL'S EARNED INCOME FOR THE YEAR.

17 (5) (a) EXCEPT AS SET FORTH IN PARAGRAPH (b) OF THIS
18 SUBSECTION (5), A RESIDENT INDIVIDUAL IS NOT ALLOWED A CREDIT FOR
19 ANY AMOUNT PAID TO ANY PERSON WHO PROVIDES CHILD CARE UNLESS:

20 (I) THE NAME, ADDRESS, AND TAXPAYER IDENTIFICATION NUMBER
21 OF THE PERSON ARE INCLUDED ON THE RESIDENT INDIVIDUAL'S RETURN;
22 OR

23 (II) IF THE PERSON IS AN ORGANIZATION DESCRIBED IN SECTION
24 501(c)(3) OF THE INTERNAL REVENUE CODE, OR ANY SUCCESSOR SECTION,
25 AND EXEMPT FROM TAX UNDER SECTION 501 (a) OF THE INTERNAL
26 REVENUE CODE, OR ANY SUCCESSOR SECTION, THE NAME AND ADDRESS OF
27 THE PERSON ARE INCLUDED ON THE RESIDENT INDIVIDUAL'S RETURN.

1 (b) IF THE RESIDENT INDIVIDUAL DOES NOT PROVIDE THE
2 TAXPAYER IDENTIFICATION NUMBER BUT IS ABLE TO SHOW THAT HE OR
3 SHE EXERCISED DUE DILIGENCE IN ATTEMPTING TO PROVIDE THE REQUIRED
4 INFORMATION, THE INDIVIDUAL MAY CLAIM THE CREDIT.

5 (c) A RESIDENT INDIVIDUAL MAY NOT CLAIM A CREDIT WITH
6 RESPECT TO A DEPENDENT UNLESS THE RESIDENT INDIVIDUAL INCLUDES
7 THE DEPENDENT'S NAME AND TAXPAYER IDENTIFICATION NUMBER ON THE
8 INDIVIDUAL'S RETURN.

9 (6) IN THE CASE OF A PART-YEAR RESIDENT, THE CREDIT IS
10 APPORTIONED IN THE RATIO DETERMINED UNDER SECTION 39-22-110 (1).

11 **SECTION 3. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 6, 2014, if adjournment sine die is on May 4, 2014); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2014 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.

Child Care Tax Credit Impact: Examples demonstrating the need for state law change

Table 1 compares the benefits for an example family earning \$50,000 per year versus a sample family earning \$15,000 per year.

Example Family	Federal Tax Credit	State Tax Credit	Total Savings
1. Comparison Case (example of a parent who does benefit from the current law) Single mother with one child pays \$4,000 per year to send the child to an afterschool program. Mother earns \$50,000 per year	Expenses claimed capped at \$3,000. Mother can claim \$3,000 x .20%, therefore she gets a reduction in federal taxes of \$600	Mother can claim 10% of the federal tax credit claimed. \$600 x 10% means a reduction in state taxes of \$60	\$660
2. Current Law (example of a parent who falls through the cracks of the current law) Single mother with one child pays \$4,000 per year to send the child to an afterschool program. Mother earns \$15,000 per year	Mother could claim \$3,000 x .35% or \$1,050, but she does not owe income tax because her income is too low, and this tax credit is not refundable. She gets \$0	Mother can claim 50% of the federal credit claimed, and state law says the credit is refundable, but 50% of \$0 = \$0	\$0
3. The Fix (same scenario as example 2 if the EOPRTF "Income Tax Credit for Child Care Expenses bill passed.) Single mother with one child pays \$4,000 per year to send the child to an afterschool program. Mother earns \$15,000 per year	Same as above, unless Congress changes the federal tax credit to be refundable. She gets \$0	PROPOSED CHANGE: The credit equals 25% of the total expenses of \$4,000 = \$1000, except that the total credit is capped at \$500 = \$500	\$500

Table 1

Under current law, a single mother earning \$50,000 per year would see a tax benefit of \$660 to partially defray the costs of child care, while another single mother in the same situation making only \$15,000 per year would see a tax benefit of \$0. This is because a single mother earning \$15,000 per year does not owe income tax, and the Federal Tax Credit is not refundable. Under the proposed state law change, she would get \$500.

Calculations by Chaer Robert,

Family Economic Security Program Manager, 303-573-5669 ext.307, crobert@ccjponline.org

LLS No. 14-0161_Bill 10_L.001

INTERIM COMMITTEE AMENDMENT

Economic Opportunity Poverty Reduction Task Force

- 1 Amend LLS No. 14-0161 (Bill 10), page 1, line 101, strike the second
- 2 "FOR" and substitute "PAID BY".

** ** ** ** **



Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

DRAFT
10.8.13

BILL 11

Temporary storage location: S:\LLS\2014A\Bills\Pre-Draft\14-0162.wpd

LLS NO. 14-0162.01 Debbie Haskins x2313

INTERIM COMMITTEE BILL

Economic Opportunity Poverty Reduction Task Force

SHORT TITLE: "Colorado Child Care Assistance Program"

A BILL FOR AN ACT

101 **CONCERNING CHILD CARE ASSISTANCE FOR WORKING FAMILIES.**

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>.)

Economic Opportunity Poverty Reduction Task Force. The bill makes several changes to the statute that created a pilot program to address the cliff effect that occurs when working parents in the Colorado child care assistance program (CCCAP) receive a minor increase in their income that makes them ineligible for child care assistance and the increase in wages is not enough to cover the costs for child care without the child care assistance. The cliff effect pilot program was designed to

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

allow families to remain in the CCCAP program notwithstanding the increase in income. The changes to the statute governing the pilot program include:

- Extending the duration of the cliff effect pilot program;
- Allowing counties to limit participation in the pilot program to a reasonable percentage of their CCCAP caseload instead of having to cover all of their CCCAP caseload;
- Allowing counties to limit participation in the pilot program to families who enter CCCAP with children who are 36 months of age or younger;
- Allowing counties to have more flexibility in designing a pilot program that best addresses their specific community needs;
- Clarifying the data collection and reporting responsibilities of the county departments of human services and the department of human services (department) about the pilot program.

The bill creates a grant program in the department for the purpose of encouraging counties to undertake activities or strategies that promote access to child care or increase the quality of child care in CCCAP. A county may apply to the department for a grant to fund any of these purposes:

- To pay the county's administrative expenses to participate in a cliff effect pilot program and to provide additional benefits to CCCAP parents in the cliff effect pilot program;
- or
- To expand access to child care in CCCAP by providing a full or partial subsidy for child care without a county contribution for up to 15% more families than those currently served in the county; or
- To pay all or a portion of the county's expenses to engage in more than one activity or strategy to promote quality child care in CCCAP in that county.

The state department awards grants from a CCCAP enhancement fund created in the state treasury. To the extent possible and subject to available appropriations, the state department must manage the amount of funds in the enhancement fund and allocate the grants awarded to counties in an equal amount among the purposes or strategies allowed for distributions from the fund. The bill specifies the types of activities or strategies that may be used to qualify for a grant for activities that promote quality child care.

Grant moneys awarded to a county out of the enhancement fund do not affect the county's block grant for CCCAP and do not affect the county's maintenance of effort for CCCAP. A county is not required to

provide local funds to qualify for a grant from the enhancement fund.

Counties are highly encouraged to collaborate with early childhood councils and other community partners as necessary in the development of a grant application.

The executive director of the department or his or her designee must enter into a memorandum of understanding with each county that receives a grant from the CCCAP enhancement fund. The state department may adopt rules as necessary concerning the application process and the administration of the grant program.

The cliff effect program and authority to make grants from the CCCAP enhancement fund for a cliff effect program are repealed, effective July 1, 2020.

The department is directed to report annually about CCCAP and the results of the CCCAP enhancement fund grant program to the house public health care and human services committee and to the senate health and human services committee, or any successor committees. The bill lists the items that should be included in the annual report.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 26-2-802.5 as
3 follows:

4 **26-2-802.5. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "COLORADO CHILD CARE ASSISTANCE PROGRAM" OR "CCCAP"
7 MEANS THE COLORADO CHILD CARE ASSISTANCE PROGRAM IN THE STATE
8 DEPARTMENT.

9 (2) "EARLY CHILDHOOD COUNCIL" MEANS AN EARLY CHILDHOOD
10 COUNCIL ESTABLISHED PURSUANT TO PART 1 OF ARTICLE 6.5 OF THIS
11 TITLE.

12 (3) "HIGH-QUALITY EARLY CHILDHOOD PROGRAM" MEANS A
13 PROGRAM THAT IS OPERATED BY A PROVIDER WITH A CONTRACT THROUGH
14 THE COLORADO CHILD CARE ASSISTANCE PROGRAM AND THAT IS IN THE
15 TOP TWO RATINGS OF THE STATE'S QUALITY RATING AND IMPROVEMENT
16 SYSTEM, OR IS ACCREDITED BY A STATE DEPARTMENT-APPROVED

1 ACCREDITING BODY, OR IS AN EARLY HEAD START PROGRAM THAT MEETS
2 FEDERAL STANDARDS.

3 (4) "TIERED QUALITY REIMBURSEMENT" MEANS A PAY STRUCTURE
4 THAT REFLECTS AN INCREASED RATE OF REIMBURSEMENT FOR HIGH-
5 QUALITY EARLY CHILDHOOD PROGRAMS THAT RECEIVE MONEYS THROUGH
6 CCCAP.

7 **SECTION 2.** In Colorado Revised Statutes, 26-2-808, **amend** (2),
8 (3), (6), (7), and (8); and **add** (2.5) as follows:

9 **26-2-808. Pilot program to continue child care assistance with**
10 **modifications - legislative declaration - county participation - report**
11 **- repeal.** (2) Beginning on April 13, 2012, the state department is
12 authorized to develop and oversee a pilot program in which the Colorado
13 child care assistance program as outlined in section 26-2-805 is modified
14 to mitigate the cliff effect for low-income families that are working and
15 receiving child care assistance, referred to in this section as the "pilot
16 program". County departments of social services may apply to the
17 executive director or his or her designee to participate in the pilot
18 program. COUNTIES ARE HIGHLY ENCOURAGED TO COLLABORATE WITH
19 EARLY CHILDHOOD COUNCILS AND OTHER COMMUNITY PARTNERS AS
20 NECESSARY IN THE DEVELOPMENT OF THE APPLICATION. The executive
21 director or his or her designee may select up to ten counties that will
22 participate in the pilot program as described in this section. In selecting
23 the counties, the executive director or his or her designee shall seek
24 diversity in the size of population, regional location, and demographic
25 composition AND SHOULD CONSIDER WHETHER THERE WILL BE ENOUGH
26 PARTICIPANTS IN EACH PILOT PROGRAM TO ENABLE RESEARCHERS TO
27 EVALUATE WHETHER THE STRATEGIES USED IN THE PILOT PROGRAM HAVE

1 ADDRESSED THE CLIFF EFFECT. THE EXECUTIVE DIRECTOR OR HIS OR HER
2 DESIGNEE SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH
3 EACH COUNTY DEPARTMENT SELECTED TO PARTICIPATE IN THE PILOT
4 PROGRAM. THE MEMORANDUM OF UNDERSTANDING GOVERNS THE
5 IMPLEMENTATION OF THE PILOT PROGRAM IN THAT COUNTY, INCLUDING
6 BUT NOT LIMITED TO HOW THE COUNTY DECIDES WHICH AND HOW MANY
7 FAMILIES CAN PARTICIPATE IN THE PILOT PROGRAM.

8 (2.5) A COUNTY DEPARTMENT SELECTED TO PARTICIPATE IN THE
9 PILOT PROGRAM MAY APPLY TO THE STATE DEPARTMENT FOR A GRANT
10 FROM THE COLORADO CHILD CARE ASSISTANCE PROGRAM ENHANCEMENT
11 FUND, CREATED IN SECTION 26-2-809, TO COVER THE ADMINISTRATIVE
12 COSTS OF PARTICIPATING IN THE PILOT PROGRAM AND THE COSTS OF
13 PROVIDING CONTINUED BENEFITS TO THE FAMILIES WHO ARE
14 PARTICIPATING IN THE PILOT PROGRAM.

15 (3) A COUNTY HAS THE FLEXIBILITY TO DESIGN THE PILOT
16 PROGRAM IN A MANNER THAT BEST ADDRESSES THE COUNTY'S SPECIFIC
17 COMMUNITY NEEDS. IN DEVELOPING THE PILOT PROGRAM FOR THE
18 COUNTY, A COUNTY MAY LIMIT PARTICIPATION IN THE PILOT PROGRAM TO
19 A REASONABLE PERCENTAGE OF THE COUNTY'S CASELOAD FOR THE
20 COLORADO CHILD CARE ASSISTANCE PROGRAM. A COUNTY MAY ALSO
21 LIMIT PARTICIPATION IN THE PILOT PROGRAM TO FAMILIES WHO ENTER THE
22 COLORADO CHILD CARE ASSISTANCE PROGRAM WITH CHILDREN WHO ARE
23 THIRTY-SIX MONTHS OF AGE OR YOUNGER. Subject to available
24 appropriations, a county that is participating in the pilot program shall
25 continue to provide child care assistance for a period of up to two years
26 for ~~any person who has~~ A GROUP OF PARTICIPANTS WHO HAVE BEEN
27 receiving child care assistance from the county and whose income

1 exceeds the county-adopted income eligibility limit for the county's child
2 care assistance program. The county shall require a parent who is
3 receiving extended child care assistance to pay a series of incremental
4 increases in the portion of the parental share of the child care costs on a
5 scheduled basis based upon a formula established by the county; except
6 that assistance shall not be provided if said income exceeds the maximum
7 level for eligibility for services set by federal law for a family of the same
8 size. The county shall work with the person to provide a gradual transition
9 off of the child care assistance over a two-year period. Each county
10 department shall set its own parental fee schedule and may consult with
11 the state department on setting the parental fee schedule.

12 (6) A county may participate in the pilot program on and after July
13 1, 2012, and through ~~July 1, 2016~~ JUNE 30, 2019. A county shall operate
14 the pilot program for at least two years. A county may apply to participate
15 in the pilot program on or before January 1, ~~2014~~ 2017. Each
16 participating county SHALL IDENTIFY THE FAMILIES PARTICIPATING IN THE
17 PILOT PROGRAM IN THAT COUNTY. THE STATE DEPARTMENT shall collect
18 ALL data on the pilot program. ~~and shall work with~~ The state department
19 ~~to~~ SHALL evaluate and report on the pilot program using measurable
20 outcomes.

21 (7) The state department shall compile the data submitted by the
22 counties pursuant to subsection (6) of this section and submit a report on
23 the pilot program with the state department's findings and
24 recommendations to the house PUBLIC health and ~~environment~~ HUMAN
25 SERVICES committee and to the senate health and human services
26 committee, or any successor committees. THE STATE DEPARTMENT SHALL
27 MAKE ITS REPORT ON THE PILOT PROGRAM AVAILABLE TO THE PUBLIC ON

1 ITS WEB SITE AND THROUGH OTHER ELECTRONIC MEANS. The state
2 department shall submit its report TO THE COMMITTEES on or before
3 October 1, ~~2015~~ 2019.

4 (8) This section is repealed, effective July 1, ~~2016~~ 2020.

5 **SECTION 3.** In Colorado Revised Statutes, **add** 26-2-809 and
6 26-2-810 as follows:

7 **26-2-809. Colorado child care assistance program**
8 **enhancement fund - creation - legislative declaration - grants - rules**

9 **- repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS THAT ONE OF THE MOST
10 EFFECTIVE WAYS TO ALLEVIATE POVERTY IS TO ADDRESS THE NEEDS OF
11 THE PARENTS AND THE CHILD TOGETHER. RESEARCH SHOWS THAT THESE
12 TWO-GENERATION POVERTY-REDUCTION STRATEGIES ARE THE MOST
13 EFFECTIVE WAY TO COMBAT POVERTY. THE COLORADO CHILD CARE
14 ASSISTANCE PROGRAM SHOULD MEET THE DUAL GOALS OF ALLOWING THE
15 PARENTS TO PARTICIPATE IN THE WORKFORCE OR ENGAGE IN EDUCATION
16 AND TRAINING ACTIVITIES TO BETTER PREPARE FOR THE WORKFORCE
17 WHILE ALSO PROVIDING THE CHILDREN WITH CARE IN A HIGH-QUALITY
18 LEARNING ENVIRONMENT THAT RESULTS IN THE CHILDREN BEING READY
19 FOR SCHOOL.

20 (b) THE GENERAL ASSEMBLY FURTHER FINDS THAT THE COLORADO
21 CHILD CARE ASSISTANCE PROGRAM SHOULD EXPAND ACCESS TO MORE
22 LOW-INCOME FAMILIES WITH PARENTS WHO ARE EITHER WORKING OR WHO
23 ARE ENGAGED IN ACTIVITIES TO BETTER PREPARE FOR THE WORKFORCE.

24 (c) THE GENERAL ASSEMBLY FURTHER FINDS THAT, IN MEETING
25 THE GOALS OF EXPANDING ACCESS TO CHILD CARE AND PROMOTING
26 QUALITY CHILD CARE, THERE NEEDS TO BE A BALANCE BETWEEN THE
27 ROLES OF THE STATE DEPARTMENT OF HUMAN SERVICES AND THE

1 COUNTIES. IN STRIKING THAT BALANCE, WHERE POSSIBLE, COUNTIES
2 SHOULD HAVE THE FLEXIBILITY TO IMPLEMENT LOCAL SOLUTIONS THAT
3 MEET THE UNIQUE NEEDS OF THEIR COMMUNITIES.

4 (2) THERE IS CREATED IN THE STATE TREASURY THE COLORADO
5 CHILD CARE ASSISTANCE PROGRAM ENHANCEMENT FUND, REFERRED TO IN
6 THIS SECTION AS THE "ENHANCEMENT FUND", CONSISTING OF ANY MONEYS
7 THAT MAY BE APPROPRIATED TO THE ENHANCEMENT FUND BY THE
8 GENERAL ASSEMBLY. THE MONEYS IN THE ENHANCEMENT FUND ARE
9 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE
10 DEPARTMENT OF HUMAN SERVICES TO PROVIDE GRANTS TO COUNTY
11 DEPARTMENTS FOR ANY OF THE PURPOSES OR STRATEGIES STATED IN
12 SUBSECTION (4) OF THIS SECTION. THE STATE TREASURER MAY INVEST ANY
13 MONEYS IN THE ENHANCEMENT FUND NOT EXPENDED FOR THE PURPOSE OF
14 THIS SECTION AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT
15 ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT
16 OF MONEYS IN THE ENHANCEMENT FUND TO THE FUND. ANY UNEXPENDED
17 AND UNENCUMBERED MONEYS REMAINING IN THE ENHANCEMENT FUND AT
18 THE END OF A FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE
19 CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

20 (3) THE STATE DEPARTMENT SHALL DEVELOP A GRANT PROGRAM
21 AND AN APPLICATION PROCESS FOR COUNTY DEPARTMENTS TO APPLY FOR
22 GRANTS FROM THE ENHANCEMENT FUND. THE STATE DEPARTMENT MAY
23 ADOPT RULES AS NECESSARY CONCERNING THE APPLICATION PROCESS AND
24 THE ADMINISTRATION OF THE GRANT PROGRAM. COUNTIES ARE HIGHLY
25 ENCOURAGED TO COLLABORATE WITH EARLY CHILDHOOD COUNCILS AND
26 OTHER COMMUNITY PARTNERS AS NECESSARY IN THE DEVELOPMENT OF
27 THE APPLICATION. GRANTS MAY BE AWARDED TO COUNTIES FOR

1 UNDERTAKING ACTIVITIES THAT IMPROVE ACCESS TO OR IMPROVE THE
2 QUALITY OF CHILD CARE THROUGH ONE OF THE PURPOSES OR STRATEGIES
3 STATED IN SUBSECTION (4) OF THIS SECTION. THE STATE DEPARTMENT
4 REVIEWS APPLICATIONS AND DETERMINES WHICH APPLICATIONS WILL
5 RECEIVE GRANTS AND THE AMOUNT OF EACH GRANT. TO THE EXTENT
6 POSSIBLE AND SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
7 DEPARTMENT MUST MANAGE THE AMOUNT OF FUNDS IN THE
8 ENHANCEMENT FUND AND ALLOCATE THE GRANTS AWARDED TO COUNTIES
9 EQUALLY AMONG THE PURPOSES OR STRATEGIES STATED IN SUBSECTION
10 (4) OF THIS SECTION. THE EXECUTIVE DIRECTOR OR HIS OR HER DESIGNEE
11 SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH EACH
12 COUNTY AWARDED A GRANT GOVERNING HOW THE COUNTY WILL
13 IMPLEMENT THE PROGRAM OR STRATEGY FUNDED BY THE GRANT AND HOW
14 THE COUNTY WILL RECEIVE FUNDING TO UNDERTAKE THE PROGRAM OR
15 STRATEGY. THE MEMORANDUM OF UNDERSTANDING MAY ALSO INDICATE
16 IF THERE ARE RULES OF THE STATE DEPARTMENT THAT ARE WAIVED IN
17 ORDER TO CARRY OUT THE PROGRAM OR STRATEGY.

18 (4) THE STATE DEPARTMENT MAY AWARD A GRANT FROM THE
19 ENHANCEMENT FUND TO A COUNTY FOR ANY OF THE FOLLOWING PURPOSES
20 OR STRATEGIES:

21 (a) (I) TO PAY THE EXPENSES OF THE COUNTY FOR THE
22 ADMINISTRATIVE COSTS OF PARTICIPATING IN A CLIFF EFFECT PILOT
23 PROGRAM UNDER SECTION 26-2-808 AND THE EXPENSES OF PROVIDING
24 CONTINUED BENEFITS UNDER THE COLORADO CHILD CARE ASSISTANCE
25 PROGRAM AS PART OF A CLIFF EFFECT PILOT PROGRAM;

26 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JULY 1, 2020,
27 UNLESS THE CLIFF EFFECT PILOT PROGRAM IN SECTION 26-2-808 IS

1 EXTENDED.

2 (b) TO EXPAND ACCESS TO CHILD CARE UNDER THE COLORADO
3 CHILD CARE ASSISTANCE PROGRAM BY PROVIDING A FULL OR PARTIAL
4 SUBSIDY FOR CHILD CARE WITHOUT A COUNTY CONTRIBUTION FOR AN
5 ADDITIONAL NUMBER OF FAMILIES OVER THOSE SERVED IN THE COUNTY'S
6 CCCAP AS DESCRIBED IN SUBSECTION (6) OF THIS SECTION; OR

7 (c) TO PAY ALL OR A PORTION OF THE COUNTY'S EXPENSES FOR
8 UNDERTAKING MORE THAN ONE ACTIVITY OR STRATEGY TO PROMOTE
9 QUALITY CHILD CARE AS DESCRIBED IN SUBSECTION (7) OF THIS SECTION.

10 (5) GRANT MONEYS AWARDED TO A COUNTY OUT OF THE
11 ENHANCEMENT FUND DO NOT AFFECT THE COUNTY'S BLOCK GRANT FOR
12 THE COLORADO CHILD CARE ASSISTANCE PROGRAM AND DO NOT AFFECT
13 THE COUNTY'S MAINTENANCE OF EFFORT FOR THE COLORADO CHILD CARE
14 ASSISTANCE PROGRAM. A COUNTY IS NOT REQUIRED TO PROVIDE LOCAL
15 FUNDS TO QUALIFY FOR A GRANT FROM THE ENHANCEMENT FUND.

16 (6) A COUNTY MAY APPLY TO THE STATE DEPARTMENT FOR A
17 GRANT FROM THE ENHANCEMENT FUND FOR THE PURPOSE OF INCREASING
18 THE NUMBER OF FAMILIES PARTICIPATING IN THE COLORADO CHILD CARE
19 ASSISTANCE PROGRAM IN THAT COUNTY BY UP TO FIFTEEN PERCENT OVER
20 THE NUMBER SERVED IN CALENDAR YEAR 2014. THE INCREASE IN THE
21 NUMBER OF FAMILIES SHALL BE FAMILIES THAT HAVE NOT BEEN
22 PREVIOUSLY SERVED IN CCCAP OR SHALL BE FAMILIES THAT HAVE NOT
23 BEEN SERVED IN CCCAP IN THE SIX MONTHS PRIOR TO THE DISBURSEMENT
24 OF THE GRANT MONEYS . THE AMOUNT OF THE GRANT WILL PROVIDE
25 FUNDING TO COVER THE FULL COSTS OF PROVIDING CHILD CARE
26 ASSISTANCE TO THE NEW POPULATION AND TO AN INDIVIDUAL FAMILY
27 NEWLY SERVED UNDER THE GRANT FOR AS LONG AS THAT FAMILY REMAINS

1 ELIGIBLE FOR CCCAP. THE COUNTY IS NOT REQUIRED TO PROVIDE ANY
2 COUNTY CONTRIBUTION FOR THE CHILD CARE ASSISTANCE PROVIDED TO
3 THE NEW POPULATION. <{should this be tied to the state's fiscal year or
4 to the counties' fiscal year which is a calendar year?}>

5 (7) A COUNTY MAY APPLY TO THE STATE DEPARTMENT FOR A
6 GRANT FROM THE ENHANCEMENT FUND TO PAY ALL OR A PORTION OF THE
7 COUNTY'S EXPENSES FOR ENGAGING IN MORE THAN ONE ACTIVITY OR
8 STRATEGY TO PROMOTE QUALITY CHILD CARE, INCLUDING THE
9 FOLLOWING:

10 (a) DEVELOPING AND IMPLEMENTING A TIERED QUALITY
11 REIMBURSEMENT FOR PROVIDERS IN THE COUNTY'S CCCAP TIED TO THE
12 STATE'S TIERED QUALITY RATING AND IMPROVEMENT SYSTEM FOR
13 HIGH-QUALITY EARLY CHILDHOOD PROGRAMS;

14 (b) SUPPORTING CARE FOR INFANTS AND TODDLERS BY
15 SUPPLEMENTING FUNDS RECEIVED FROM A GRANT THROUGH THE
16 COLORADO INFANT AND TODDLER QUALITY AND AVAILABILITY GRANT
17 PROGRAM ESTABLISHED IN ARTICLE 6.7 OF THIS TITLE;

18 (c) SUPPORTING PROVIDERS IN CCCAP IN SEEKING
19 ACCREDITATION THROUGH A NATIONAL ACCREDITING BODY;

20 (d) WAIVING OR SUBSTANTIALLY DECREASING CO-PAYMENTS PAID
21 BY PARENTS IN CCCAP IF THE PARENTS ENROLL THEIR CHILDREN IN
22 HIGH-QUALITY CHILD CARE;

23 (e) REDUCING WORK REQUIREMENTS, JOB SEARCH REQUIREMENTS,
24 OR OTHER ELIGIBILITY REQUIREMENTS, OR LOWERING CO-PAYMENTS IN
25 CCCAP IF PARENTS ENROLL THEIR CHILDREN IN HIGH-QUALITY CHILD
26 CARE;

27 (f) EXTENDING CHILD CARE ASSISTANCE IN CCCAP FOR A

1 MINIMUM OF TWO YEARS TO PARENTS ENGAGED IN POST-SECONDARY
2 EDUCATION OR OTHER WORKFORCE TRAINING AND DEVELOPMENT
3 PROGRAMS;

4 (g) PROMOTING STABILITY IN PROVIDER AND COUNTY BUDGETS
5 FOR CCCAP THROUGH CONTRACTING FOR A CERTAIN NUMBER OF
6 AUTHORIZED REIMBURSEMENTS AND PRIORITIZING THE NUMBER OF
7 CONTRACTS FOR CARE FOR INFANTS AND TODDLERS;

8 (h) IMPLEMENTING A REIMBURSEMENT SYSTEM FOR PROVIDERS IN
9 CCCAP THAT ACCOUNTS FOR OPERATING COSTS FOR AN ENROLLED
10 CHILD'S ABSENCE OR ILLNESS AND FOR HOLIDAYS;

11 (i) MITIGATING THE CLIFF EFFECT THROUGH OTHER STRATEGIES
12 OUTSIDE OF THE PILOT PROGRAM SO THAT CHILDREN DO NOT EXPERIENCE
13 A DISRUPTION IN THE CONTINUITY OF CARE;

14 (j) INCREASING REIMBURSEMENT RATES FOR CHILD CARE
15 PROVIDERS TO AT LEAST SEVENTY-FIVE PERCENT OF THE LOCAL MARKET
16 RATE AS DETERMINED BY THE STATE DEPARTMENT'S MARKET RATE
17 SURVEY; AND

18 (k) OTHER ACTIVITIES DETERMINED BY THE STATE DEPARTMENT
19 TO IMPROVE QUALITY WITH MEASURABLE OUTCOMES TIED TO SCHOOL
20 READINESS AND TO CHILD AND FAMILY WELL-BEING.

21 **26-2-810. Colorado child care assistance program - annual**
22 **report to the general assembly.** (1) ON OR BEFORE JANUARY 1, 2015,
23 AND ON OR BEFORE EVERY JANUARY 1 THEREAFTER, THE STATE
24 DEPARTMENT SHALL REPORT TO THE HOUSE PUBLIC HEALTH CARE AND
25 HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
26 SERVICES COMMITTEE, OR ANY SUCCESSOR COMMITTEES, ON THE
27 COLORADO CHILD CARE ASSISTANCE PROGRAM. THE STATE DEPARTMENT

1 SHALL ALSO MAKE THIS REPORT AVAILABLE TO THE PUBLIC THROUGH ITS
2 WEB SITE OR THROUGH OTHER ELECTRONIC MEANS.

3 (2) THE ANNUAL REPORT MUST INCLUDE, BUT NEED NOT BE
4 LIMITED TO, THE FOLLOWING:

5 (a) THE NUMBER OF CHILDREN AND FAMILIES SERVED THROUGH
6 CCCAP STATEWIDE AND BY COUNTY, THE GEOGRAPHIC AND
7 DEMOGRAPHIC DETAILS OF THE PARTICIPANTS AND INCOME LEVELS OF THE
8 FAMILIES BASED ON THE FEDERAL POVERTY LEVEL, AND THE NUMBER OF
9 FAMILIES SERVED BY AND THE LENGTH OF TIME SERVED THROUGH THE
10 CLIFF EFFECT PILOT PROGRAM CREATED IN SECTION 26-2-808;

11 (b) THE NUMBER OF GRANTS AWARDED FROM THE COLORADO
12 CHILD CARE ASSISTANCE PROGRAM ENHANCEMENT FUND CREATED IN
13 SECTION 26-2-809, THE AMOUNT AND PURPOSE OF EACH GRANT, AND THE
14 IMPACT OF EACH GRANT ON IMPROVING ACCESS TO CHILD CARE OR
15 IMPROVING THE QUALITY OF CHILD CARE;

16 (c) THE NUMBER OF CHILDREN AUTHORIZED FOR A FULL- OR
17 PART-DAY REIMBURSEMENT IN CCCAP IN EACH COUNTY;

18 (d) THE POPULATION OF ELIGIBLE CHILDREN WHO ARE NOT SERVED
19 BY CCCAP BOTH STATEWIDE AND BY COUNTY;

20 (e) THE CONTINUITY OF CARE AND ATTACHMENT TO THE
21 WORKFORCE SUPPORTED BY CCCAP AS MEASURED BY THE CONTINUOUS
22 NUMBER OF MONTHS A CHILD IS IN CARE AND THE INSTANCES OF
23 DISRUPTIONS IN WORKFORCE ATTACHMENT BY PARENTS;

24 (f) THE NUMBER OF PROVIDERS SERVING CHILDREN ENROLLED IN
25 CCCAP BY COUNTY AND HOW MANY NEW PROVIDERS ACCEPT CHILDREN
26 THROUGH CCCAP AFTER THE PASSAGE OF HB/SB 14-___; <*this blank*
27 *will be filled in with the bill number of this bill after it is introduced*>

1 (g) THE NUMBER OF CHILDREN IN CCCAP SERVED IN EACH TIER OF
2 THE STATE'S NEW TIERED QUALITY RATING AND IMPROVEMENT SYSTEM;

3 (h) THE PERCENTAGE OF AUTHORIZATIONS FOR REIMBURSEMENT
4 IN CCCAP FOR WHICH THERE ARE CONTRACTS WITH PROVIDERS,
5 INCLUDING HOW MANY ARE FOR INFANTS, TODDLERS, OR CHILDREN, AND
6 THE NUMBER OF PROVIDERS PER CATEGORY;

7 (i) THE AVERAGE LENGTH OF TIME A FAMILY IS AUTHORIZED FOR
8 A SUBSIDY UNDER CCCAP INSTEAD OF BEING ELIGIBLE FOR FULL
9 ASSISTANCE AND THE STANDARD DEVIATION OF THAT DATA;

10 (j) THE NUMBER AND PERCENTAGE OF FAMILIES WHO EXPERIENCE
11 THE CLIFF EFFECT AND ARE NO LONGER ELIGIBLE FOR CHILD CARE
12 ASSISTANCE AFTER A REDETERMINATION;

13 (k) THE NUMBER AND PERCENTAGE OF FAMILIES WHO DO NOT
14 RETURN FOR A REDETERMINATION; AND

15 (l) A COMPARISON BY COUNTY OF THE REIMBURSEMENT RATES FOR
16 CCCAP PROVIDERS COMPARED TO THE LOCAL MARKET RATE FOR CHILD
17 CARE IN EACH COUNTY.

18 **SECTION 4. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety. <*does the task force*
21 *want to have a safety clause on the bill?*>

LLS No. 14-0162_Bill 11_L.001

INTERIM COMMITTEE AMENDMENT
Economic Opportunity Poverty Reduction Task Force

1 Amend LLS No. 14-0162 (Bill 11), page 9, line 5, after "GRANT." insert
2 "THE STATE DEPARTMENT IS ENCOURAGED TO DISTRIBUTE THE GRANT
3 MONEYS AMONG THE COUNTIES IN A WAY THAT FAIRLY DISTRIBUTES THE
4 MONEYS AMONG THE COUNTIES WITH VARYING POPULATIONS AND AMONG
5 COUNTIES IN DIFFERENT REGIONS OF THE STATE."

6 Page 9, line 9, strike "EQUALLY AMONG" and substitute "FOR".

7 Page 9, line 10, after "SECTION." insert "AT LEAST TWENTY-FIVE PERCENT
8 OF THE MONEYS IN THE ENHANCEMENT FUND MUST BE SPENT ON EACH OF
9 THE THREE PURPOSES STATED IN SUBSECTION (4) OF THIS SECTION."

10 Page 10, strike lines 19 through 23.

11 Page 10, line 24, strike "OF THE GRANT MONEYS." and substitute
12 "ASSISTANCE PROGRAM IN THAT COUNTY. THE STATE DEPARTMENT SHALL
13 DISTRIBUTE THE MONEYS IN THE ENHANCEMENT FUND AMONG THE
14 COUNTIES THAT ARE AWARDED GRANTS IN A MANNER THAT INCREASES
15 THE NUMBER OF CHILDREN SERVED STATEWIDE BY AN AMOUNT THAT DOES
16 NOT EXCEED FIFTEEN PERCENT MORE CHILDREN THAN THE UNDUPLICATED
17 COUNT OF THE NUMBER OF CHILDREN WHO WERE SERVED STATEWIDE IN
18 CALENDAR YEAR 2014."

** ** ** ** **



LLS No. 14-0156_Bill 5_L.002

INTERIM COMMITTEE AMENDMENT
Economic Opportunity Poverty Reduction Task Force

1 Amend LLS No. 14-0156 (Bill 5), page 15, strike lines 1 through 6 and
2 substitute "ARTICLE.

3 (c) THE DEPARTMENT MAY EXPEND UP TO SEVENTEEN PERCENT OF
4 THE MONEYS ANNUALLY APPROPRIATED FROM THE FUND, BUT NOT MORE
5 THAN TWO HUNDRED THOUSAND DOLLARS IN ANY FISCAL YEAR, TO OFFSET
6 THE ACTUAL COSTS INCURRED IN IMPLEMENTING THE GRANT PROGRAM.
7 THE DEPARTMENT MAY EXPEND NO MORE THAN HALF OF THE AMOUNT
8 EXPENDED PURSUANT TO THIS PARAGRAPH (c) IN ANY FISCAL YEAR TO
9 ADMINISTER THE GRANT PROGRAM AND COLLABORATE WITH THE ENTITIES
10 IDENTIFIED IN SECTION 22-10-106. THE DEPARTMENT MUST EXPEND AT
11 LEAST HALF OF THE AMOUNT EXPENDED PURSUANT TO THIS PARAGRAPH
12 (c) IN ANY FISCAL YEAR TO EVALUATE THE GRANT RECIPIENTS AND
13 OUTCOMES AND PREPARE THE REPORT REQUIRED IN SECTION 22-10-105.

14 (d) NOTWITHSTANDING".

15 Page 15, line 12, strike "(c)" and substitute "(e)".

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