

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0735.01 Christy Chase x2008

SENATE BILL 15-239

SENATE SPONSORSHIP

Lambert, Grantham, Steadman

HOUSE SPONSORSHIP

Young, Hamner, Rankin

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 CONCERNING THE TRANSFER OF VOCATIONAL REHABILITATION
102 PROGRAMS FROM THE DEPARTMENT OF HUMAN SERVICES TO
103 THE DEPARTMENT OF LABOR AND EMPLOYMENT, AND, IN
104 CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Joint Budget Committee. Currently, the department of human services, through the division of vocational rehabilitation, administers vocational rehabilitation programs for persons with disabilities. The bill

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

transfers the program and the powers and duties of the division of vocational rehabilitation related to vocational rehabilitation programs to the department of labor and employment (department) as of July 1, 2016.

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 general assembly is committed to strengthening the
5 programs of rehabilitation of disabled and nondisabled persons to the end
6 that those persons may attain their maximum potential in employment,
7 self-care, and independent living;

8 (b) While the current vocational rehabilitation programs
9 administered within the department of human services have made
10 progress in getting more persons with disabilities into individualized,
11 integrated employment, there is an opportunity to do even more by
12 placing these vocational rehabilitation programs within the department of
13 labor and employment, where employment, training, and skill
14 development and connecting available workers and employers are
15 primary areas of focus for the entire department;

16 (c) With passage of the federal "Workforce Innovation and
17 Opportunity Act" of 2014 (WIOA), the United States Congress called for
18 improvements across core programs to better focus on and improve
19 employment service delivery to special populations, including specifically
20 identifying vocational rehabilitation as a required workforce partner for
21 states' employment and training efforts;

22 (d) Transferring the vocational rehabilitation programs currently
23 administered by the department of human services to the department of
24 labor and employment will provide a more comprehensive and integrated

1 approach to getting unemployed individuals with disabilities trained in
2 skills for today's jobs and into the workforce;

3 (e) It is in the public interest to help Coloradans with disabilities
4 achieve and maintain meaningful employment while simultaneously
5 providing employers with dependable, dedicated, and talented employees;
6 and

7 (f) The purpose of this act is to:

8 (I) Transfer vocational rehabilitation programs and functions from
9 the department of human services to the department of labor and
10 employment, effective on July 1, 2016; and

11 (II) Ensure that between passage of this act and July 1, 2016, the
12 department of labor and employment, in coordination with the department
13 of human services, engages, involves, and seeks the advice of the division
14 of vocational rehabilitation's many interested stakeholders, including the
15 state rehabilitation council, in developing detailed programmatic and
16 budget recommendations and plans for a smooth and effective transfer of
17 vocational rehabilitation programs and functions to the department of
18 labor and employment.

19 **SECTION 2.** In Colorado Revised Statutes, **add with amended**
20 **and relocated provisions** article 84 to title 8 as follows:

21 **ARTICLE 84**

22 **Vocational Rehabilitation**

23 **8-84-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
26 EMPLOYMENT CREATED IN SECTION 24-1-121, C.R.S.

27 (2) **[Formerly 26-8-105 (2) as amended by H.B. 15-1188] For**

1 ~~the purposes of this article,~~ "Person with a disability" means a person who
2 has a physical or mental impairment that constitutes or results in a
3 substantial impediment to employment, and who can benefit in terms of
4 an employment outcome from the provision of vocational rehabilitation
5 services.

6 (3) "VOCATIONAL REHABILITATION SERVICES" MEANS THOSE
7 SERVICES DESCRIBED IN SECTION 103 OF THE FEDERAL "REHABILITATION
8 ACT OF 1973", PUBLIC LAW 93-112, AS AMENDED.

9 **8-84-102. [Formerly 26-8-101 as amended by H.B. 15-1188]**
10 **Rehabilitation programs.** In carrying out the provisions of this article,
11 ~~the state department is charged with coordinating and strengthening~~
12 SHALL COORDINATE AND STRENGTHEN the programs of rehabilitation for
13 persons with disabilities to the end that they may attain or maintain their
14 maximum potential in employment, self-sufficiency, and independent
15 living. Nothing in this article is to be construed as an eligibility-based
16 entitlement to a vocational rehabilitation service provided by the state.

17 **8-84-103. [Formerly 26-8-102 (1)] Personnel.** Subject to the
18 availability of duly appropriated funds, the executive director OF THE
19 DEPARTMENT may appoint necessary personnel to administer
20 rehabilitation programs in accordance with ~~the provisions of~~ this article.

21 **8-84-104. [Formerly 26-8-103] Functions of the department.**

22 (1) The ~~state~~ department shall manage, control, and supervise all
23 rehabilitation programs provided in this article, including: ~~but not limited~~
24 ~~to:~~

25 (a) All duties and functions previously assigned to the vocational
26 rehabilitation division of the state board of vocational education;

27 (b) All duties and functions previously assigned to the division of

1 rehabilitation for the blind;

2 (c) ALL DUTIES AND FUNCTIONS REGARDING VOCATIONAL
3 REHABILITATION PROGRAMS PREVIOUSLY ASSIGNED TO THE DIVISION OF
4 VOCATIONAL REHABILITATION IN THE DEPARTMENT OF HUMAN SERVICES
5 OR ANY OTHER DUTIES AND FUNCTIONS RELATING TO VOCATIONAL
6 REHABILITATION PREVIOUSLY ASSIGNED TO THE DEPARTMENT OF HUMAN
7 SERVICES;

8 (e) (d) All duties and functions relating to home teaching of and
9 teachers for the adult blind vested in, exercised by, or imposed upon the
10 state department OF HUMAN SERVICES or its predecessors prior to July 1,
11 1973, whether by law, rule, or regulation; AND

12 (d) (e) Other duties and functions assigned by this article.

13 **8-84-105. [Formerly 26-8-104] Administration.** (1) The state
14 department shall: ~~in accordance with section 26-1-108:~~

15 (a) ~~Make~~ ADOPT rules ~~and regulations~~ governing personnel
16 standards, the protection of records and confidential information, the
17 manner and form of filing applications, eligibility, the investigation and
18 determination of eligibility for vocational rehabilitation services,
19 procedures for fair hearings, the establishment and operation of
20 rehabilitation facilities and workshops, and ~~such~~ other rules ~~and~~
21 ~~regulations~~ as ~~may be~~ necessary to carry out the purposes of this article;

22 (b) ~~Make certification for disbursement, in accordance with rules~~
23 ~~and regulations,~~ CERTIFY, IN ACCORDANCE WITH RULES, DISBURSEMENTS
24 of funds available for carrying out the purposes of this article;

25 (c) Accept and use gifts, GRANTS, OR DONATIONS made
26 unconditionally, by will or otherwise, for carrying out the purposes of this
27 article. THE DEPARTMENT MAY ACCEPT AND EXPEND gifts, GRANTS, OR

1 DONATIONS made under such conditions as in the judgment of THAT the
2 executive director DETERMINES are proper and consistent with the
3 provisions of this article may be accepted and shall be held, invested,
4 reinvested, and used HOLD, INVEST, REINVEST, AND USE THE GIFTS,
5 GRANTS, OR DONATIONS in accordance with the conditions. of the gift.

6 **8-84-106. Rehabilitation of persons with disabilities.**

7 (1) [Formerly 26-8-105 (1)] Except as otherwise provided by law, the
8 state department shall provide rehabilitation services to persons with
9 disabilities determined to be eligible therefor WHO THE DEPARTMENT
10 DETERMINES ARE ELIGIBLE FOR THE SERVICES.

11 (2) [Formerly 26-8-105 IP (3)] The state department shall:

12 (a) [Formerly 26-8-105 (3) (a) as amended by H.B. 15-1188]

13 Cooperate with other departments, agencies, and institutions, both public
14 and private, in:

15 (I) Providing the services authorized by this article to persons with
16 disabilities; ~~in~~

17 (II) Studying the problems involved ~~therein~~ IN PROVIDING THE
18 SERVICES; and ~~in~~

19 (III) Establishing, developing, and providing, in conformity with
20 the purposes of this article, such programs, facilities, and services as may
21 be THAT ARE necessary;

22 (b) [Formerly 26-8-105 (3) (b)] Enter into reciprocal agreements
23 with other states to provide for the services authorized by this article to
24 residents of the states concerned;

25 (c) [Formerly 26-8-105 (3) (c)] Establish and operate
26 rehabilitation facilities and workshops and make grants to public and
27 other nonprofit organizations for such THOSE purposes;

1 (d) [Formerly 26-8-105 (3) (d)] Operate through contract and
2 supervise the operation of vending stands and other small businesses,
3 established pursuant to this article and in accordance with the
4 requirements of the federal government for the receipt of federal funds,
5 to be conducted by individuals with severe disabilities, particularly the
6 blind;

7 (e) [Formerly 26-8-105 (3) (e)] Provide training and instruction,
8 including the establishment and maintenance of ~~such~~ research fellowships
9 and traineeships with ~~such~~ stipends and allowances as ~~may be deemed~~
10 necessary, in matters relating to vocational rehabilitation;

11 (f) [Formerly 26-8-105 (3) (f)] Provide home teaching of and
12 teachers for the adult blind; AND

13 (g) [Formerly 26-8-105 (3) (g)] Provide ~~such~~ medical, diagnostic,
14 physical restoration, training, and other rehabilitation services as ~~may be~~
15 needed to enable ~~disabled individuals~~ PERSONS WITH DISABILITIES to
16 attain the maximum degree of self-care.

17 ~~(h) [Formerly 26-8-105 (3) (h) as repealed by H.B. 15-1188]~~
18 ~~Repealed.~~

19 (3) [Formerly 26-8-105 (4) as amended by H.B. 15-1188]

20 (a) THE DEPARTMENT SHALL PROVIDE vocational rehabilitation services
21 ~~as defined by the federal "Vocational Rehabilitation Act", must be~~
22 ~~provided~~ directly or through public or private instrumentalities to or for
23 the benefit of an eligible person with a disability who:

24 (I) Is residing in the state at the time of filing an application FOR
25 THE SERVICES; and ~~whose rehabilitation~~

26 (II) (A) The ~~state~~ department determines, after full investigation,
27 ~~can be~~ satisfactorily ~~achieved~~ ACHIEVE REHABILITATION; or ~~who~~

1 (B) Is eligible FOR VOCATIONAL REHABILITATION SERVICES under
2 the terms of an agreement with another state or the federal government.

3 (b) The state department shall:

4 (I) Complete a comprehensive assessment and work with the
5 person with a disability to develop an employment outcome or goal based
6 on the person's strengths, resources, priorities, concerns, abilities,
7 capabilities, interests, and informed choice;

8 (II) Authorize those services that are appropriate and necessary to
9 address the rehabilitation needs of the person with a disability, based on
10 his or her documented disabilities and impairments, so that he or she
11 might achieve his or her employment outcome or goal;

12 (III) Give preference to cost-effective services provided in the
13 state of Colorado, but the state department may authorize payment for
14 out-of-state services on a case-by-case basis. The state department shall
15 not pay for any services provided outside the United States.

16 (IV) Establish a fee schedule for goods and services that is
17 designed to ensure reasonable cost to the program;

18 (V) Limit payment for services to Colorado in-state tuition or the
19 equivalent for all education and vocational schooling; except that, if the
20 state department finds, through its comprehensive assessment, that the
21 person with a disability needs specialized education outside of Colorado
22 to address his or her barriers to employment, the state department may
23 authorize payment for out-of-state tuition on a case-by-case basis;

24 (VI) Establish reasonable time frames within each employment
25 plan for individuals to attain the established employment outcomes or
26 goals;

27 (VII) Close the record of services in a timely manner and in

1 accordance with federal guidelines for a person with a disability who has
2 achieved his or her employment outcomes or goals; and

3 (VIII) Establish a review process to allow for exceptions to the
4 requirements of subparagraphs (I) to (VII) of this paragraph (a) in unique
5 cases, in accordance with federal regulations.

6 ~~(b) (c) (I) Any~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF
7 THIS PARAGRAPH (c), THE DEPARTMENT SHALL PROVIDE goods or services
8 ~~excluding~~ TO A PERSON WITH A DISABILITY ONLY TO THE EXTENT THE
9 DEPARTMENT DETERMINES, IN ACCORDANCE WITH PARAGRAPH (d) OF THIS
10 SUBSECTION (3) AND DEPARTMENT RULES, THAT THE PERSON WITH A
11 DISABILITY REQUIRES FINANCIAL ASSISTANCE.

12 (II) THE DEPARTMENT SHALL PROVIDE THE FOLLOWING SERVICES
13 AT PUBLIC COST WITHOUT CONSIDERATION OF FINANCIAL NEED:

14 (A) Diagnostic and related ~~assessment services (including~~
15 ~~transportation)~~, ASSESSMENTS, INCLUDING TRANSPORTATION NECESSARY
16 TO OBTAIN THE ASSESSMENT, THAT ARE ~~required for the determination of~~
17 TO DETERMINE eligibility for ~~service and of~~ SERVICES AND the nature and
18 scope of the services to be provided;

19 (B) Vocational rehabilitation guidance;

20 (C) Referral;

21 (D) Personal assistance training;

22 (E) Interpreter services; ~~and~~

23 (F) Job placement; and

24 (G) JOB retention. ~~must be provided at the public cost only to the~~
25 ~~extent that the person with a disability is found to require financial~~
26 ~~assistance in accordance with the rules and regulations of the state~~
27 ~~department.~~

1 (☞) (d) (I) The state department shall determine a person with a
2 disability's need for financial assistance based on the person's need and
3 income, or the income of the person's legally and financially responsible
4 relative. The state department shall determine the need for financial
5 assistance for a person with a disability, or for the person's legally and
6 financially responsible relative, prior to providing vocational
7 rehabilitation services, except for diagnostic, guidance, job placement,
8 and related services. The person with a disability, or the person's legally
9 and financially responsible relative, shall contribute toward the cost of his
10 or her vocational rehabilitation services to the extent that the state
11 department determines that he or she is financially able; except that, if the
12 person with a disability has been determined eligible for social security
13 benefits under Title II or XVI of the federal "Social Security Act", 42
14 U.S.C. 301 ET SEQ., as amended, he or she is not required to further
15 contribute to the costs of any services provided.

16 (II) As used in this paragraph (☞) (d), a "person's legally and
17 financially responsible relative" means the relative who identifies the
18 person as a dependant for federal income tax purposes.

19 (4) **[Formerly 26-8-105 (5) as added by H.B. 15-1188]** To the
20 extent that the state department determines that any goods or services
21 received by the person with a disability were acquired through
22 misrepresentation, fraud, collusion, or criminal conduct, payment for
23 those goods and services may be recovered by the state department from
24 the person with a disability.

25 **8-84-107. [Formerly 26-8-106] Cooperation with federal**
26 **government.** The state department shall cooperate with the federal
27 government in carrying out the purposes of any federal statutes pertaining

1 to the purposes of this article, including the licensing of blind persons to
2 operate vending stands on federal property. ~~and is hereby authorized to~~
3 THE DEPARTMENT MAY adopt by rule ~~and regulation~~ such methods of
4 administration ~~as~~ THAT are reasonably required by the federal government
5 for the proper and efficient operation of ~~such~~ THE agreements WITH THE
6 FEDERAL GOVERNMENT and to comply with ~~such~~ THE conditions ~~as may~~
7 ~~be~~ necessary to secure the full benefits of ~~such~~ THE federal statutes.

8 **8-84-108. Transfer of functions - transition plan - report.**

9 (1) (a) ON AND AFTER JULY 1, 2016, THE RIGHTS, POWERS, DUTIES, AND
10 FUNCTIONS REGARDING VOCATIONAL REHABILITATION PROGRAMS VESTED
11 IN THE DEPARTMENT OF HUMAN SERVICES PRIOR TO THAT DATE ARE
12 TRANSFERRED FROM THE DEPARTMENT OF HUMAN SERVICES TO THE
13 DEPARTMENT OF LABOR AND EMPLOYMENT BY A **TYPE 2** TRANSFER, AS
14 SUCH TRANSFER IS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT
15 OF 1968", ARTICLE 1 OF TITLE 24, C.R.S.

16 (b) BY JULY 1, 2016, THE DEPARTMENT OF LABOR AND
17 EMPLOYMENT SHALL EXECUTE, ADMINISTER, PERFORM, AND ENFORCE THE
18 RIGHTS, POWERS, DUTIES, FUNCTIONS, AND OBLIGATIONS REGARDING
19 VOCATIONAL REHABILITATION PROGRAMS THAT ARE TRANSFERRED TO THE
20 DEPARTMENT PURSUANT TO THIS ARTICLE.

21 (c) BY JULY 1, 2016, THE OFFICERS AND EMPLOYEES OF THE
22 DEPARTMENT OF HUMAN SERVICES PRIOR TO THAT DATE WHOSE DUTIES
23 AND FUNCTIONS CONCERNED THE DUTIES AND FUNCTIONS TRANSFERRED
24 TO THE DEPARTMENT PURSUANT TO THIS ARTICLE AND WHOSE
25 EMPLOYMENT IN THE DEPARTMENT IS DEEMED NECESSARY BY THE
26 EXECUTIVE DIRECTOR TO CARRY OUT THE PURPOSES OF THIS ARTICLE ARE
27 TRANSFERRED TO THE DEPARTMENT AND BECOME EMPLOYEES OF THE

1 DEPARTMENT. THE EMPLOYEES RETAIN ALL RIGHTS TO THE PERSONNEL
2 SYSTEM AND RETIREMENT BENEFITS PURSUANT TO THE LAWS OF THIS
3 STATE, AND THEIR SERVICES ARE DEEMED TO BE CONTINUOUS. ALL
4 TRANSFERS AND ANY ABOLISHMENT OF POSITIONS IN THE STATE
5 PERSONNEL SYSTEM SHALL BE MADE AND PROCESSED IN ACCORDANCE
6 WITH STATE PERSONNEL SYSTEM LAWS AND REGULATIONS.

7 (d) BY JULY 1, 2016, ALL ITEMS OF PROPERTY, REAL AND
8 PERSONAL, INCLUDING OFFICE FURNITURE AND FIXTURES, BOOKS,
9 DOCUMENTS, AND RECORDS OF THE DEPARTMENT OF HUMAN SERVICES
10 PRIOR TO THAT DATE PERTAINING TO THE DUTIES AND FUNCTIONS
11 TRANSFERRED TO THE DEPARTMENT PURSUANT TO THIS ARTICLE ARE
12 TRANSFERRED TO THE DEPARTMENT AND BECOME THE PROPERTY OF THE
13 DEPARTMENT.

14 (e) (I) ON AND AFTER JULY 1, 2016, WHENEVER THE FUNCTIONS OF
15 THE DEPARTMENT OF HUMAN SERVICES OR THE DIVISION OF VOCATIONAL
16 REHABILITATION IN THE DEPARTMENT OF HUMAN SERVICES RELATING TO
17 VOCATIONAL REHABILITATION PROGRAMS OR SERVICES IS REFERRED TO OR
18 DESIGNATED BY A CONTRACT OR OTHER DOCUMENT IN CONNECTION WITH
19 THE DUTIES AND FUNCTIONS TRANSFERRED TO THE DEPARTMENT
20 PURSUANT TO THIS ARTICLE, THE REFERENCE OR DESIGNATION IS DEEMED
21 TO APPLY TO THE DEPARTMENT.

22 (II) ALL CONTRACTS ENTERED INTO BY THE DEPARTMENT OF
23 HUMAN SERVICES PRIOR TO JULY 1, 2016, IN CONNECTION WITH THE
24 DUTIES AND FUNCTIONS TRANSFERRED TO THE DEPARTMENT PURSUANT TO
25 THIS ARTICLE ARE HEREBY VALIDATED, WITH THE DEPARTMENT
26 SUCCEEDING TO ALL THE RIGHTS AND OBLIGATIONS OF THE CONTRACTS.
27 ANY APPROPRIATIONS OF FUNDS FROM PRIOR FISCAL YEARS OPEN TO

1 SATISFY OBLIGATIONS INCURRED PURSUANT TO THOSE CONTRACTS ARE
2 TRANSFERRED AND APPROPRIATED TO THE DEPARTMENT FOR THE
3 PAYMENT OF THOSE OBLIGATIONS.

4 (2) (a) STARTING ON THE EFFECTIVE DATE OF THIS SECTION, THE
5 DEPARTMENT SHALL BEGIN WORKING WITH PARTNERS, STAKEHOLDERS,
6 AND RESPECTIVE STAFF FROM BOTH DEPARTMENTS TO TRANSITION
7 VOCATIONAL REHABILITATION PROGRAMS FROM THE DEPARTMENT OF
8 HUMAN SERVICES TO THE DEPARTMENT OF LABOR AND EMPLOYMENT.

9 (b) BY DECEMBER 1, 2015, THE DEPARTMENT OF HUMAN SERVICES
10 AND THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL PREPARE A
11 DETAILED TRANSITION PLAN, INCLUDING STATUTORY AND BUDGETARY
12 RECOMMENDATIONS, TO BE PRESENTED TO THE JOINT BUDGET COMMITTEE
13 AND THE OVERSIGHT STANDING COMMITTEES FOR EACH DEPARTMENT ON
14 ANY ADDITIONAL STATUTORY CHANGES THAT MAY BE NECESSARY TO
15 EFFECTUATE THE TRANSFER OF VOCATIONAL REHABILITATION PROGRAMS
16 TO THE DEPARTMENT OF LABOR AND EMPLOYMENT AND ENSURE THE
17 PROTECTION OF VOCATIONAL REHABILITATION CLIENTS. IN DEVELOPING
18 THE TRANSITION PLAN, THE DEPARTMENTS SHALL INCLUDE INPUT AND
19 RECOMMENDATIONS FROM INTERESTED STAKEHOLDERS, INCLUDING THE
20 STATE REHABILITATION COUNCIL.

21 **SECTION 3. Repeal of relocated and nonrelocated provisions**
22 **in this act.** In Colorado Revised Statutes, **repeal** 26-8-101, 26-8-102,
23 26-8-103, 26-8-104, 26-8-105, and 26-8-106; except that 26-8-102 (2) is
24 not relocated.

25 **SECTION 4.** In Colorado Revised Statutes, 24-1-120, **repeal** (4)
26 (b) as follows:

27 **24-1-120. Department of human services - creation.** (4) Unless

1 otherwise transferred to the department of health care policy and
2 financing or the department of public health and environment, the
3 department of human services shall exercise the following powers and
4 perform the following duties:

5 (b) ~~Powers, duties, and functions relating to vocational~~
6 ~~rehabilitation, which are transferred by a type 2 transfer to the department~~
7 ~~of human services.~~

8 **SECTION 5.** In Colorado Revised Statutes, 24-1-121, **amend** (3)
9 introductory portion; and **add** (3) (h) as follows:

10 **24-1-121. Department of labor and employment - creation.**

11 (3) The department of labor and employment consists of the following
12 divisions AND PROGRAMS:

13 (h) THE POWERS, DUTIES, AND FUNCTIONS RELATING TO
14 VOCATIONAL REHABILITATION, WHICH ARE TRANSFERRED BY A **TYPE 2**
15 TRANSFER TO THE DEPARTMENT OF LABOR AND EMPLOYMENT.

16 **SECTION 6.** In Colorado Revised Statutes, 26-1-201, **repeal** (1)
17 (l) as follows:

18 **26-1-201. Programs administered - services provided -**
19 **department of human services.** (1) This section specifies the programs
20 to be administered and the services to be provided by the department of
21 human services. These programs and services include the following:

22 (l) ~~The vocational rehabilitation programs, as specified in article~~
23 ~~8 of this title;~~

24 **SECTION 7.** In Colorado Revised Statutes, **amend** 26-8.5-102
25 as follows:

26 **26-8.5-102. Priority for blind persons - licensing.** The state
27 department shall issue licenses to blind persons who are qualified to

1 operate vending facilities, in accordance with the criteria used for the
2 licensing of operators of vending facilities on federal property pursuant
3 to section ~~26-8-106~~ 8-84-107 and the federal "Randolph-Sheppard
4 Vending Stand Act", as from time to time amended. In authorizing
5 vending facilities on state property, priority shall be given to blind
6 persons who are licensed by the state department. The purpose of this
7 priority is to enlarge the economic opportunities of blind persons by
8 providing remunerative employment and to stimulate blind persons to
9 greater efforts in striving to make themselves self-supporting.

10 **SECTION 8.** In Colorado Revised Statutes, **repeal** 27-10.5-801.

11 **SECTION 9.** In Colorado Revised Statutes, 27-90-111, **repeal** (3)
12 (c) as follows:

13 **27-90-111. Employment of personnel - screening of applicants**
14 **- disqualifications from employment.** (3) The employment screening
15 and disqualification requirements in this section apply to the following
16 facilities or programs operated by the department:

17 (c) ~~Vocational rehabilitation services provided pursuant to article~~
18 ~~8 of title 26, C.R.S.;~~

19 **SECTION 10.** In Colorado Revised Statutes, 22-54-115, **amend**
20 (1.5), (2), and (3) (b) as follows:

21 **22-54-115. Distribution from state public school fund.**
22 (1.5) Any school district may give written instructions to the state board
23 directing that a specified portion of a monthly payment or monthly
24 payments that the district is otherwise entitled to receive pursuant to this
25 section shall be transferred to the ~~division of vocational rehabilitation in~~
26 ~~the~~ department of ~~human services~~ LABOR AND EMPLOYMENT for the
27 district's cost of participating in ~~school to work~~ SCHOOL-TO-WORK

1 alliance programs. ~~Such~~ THESE written instructions shall specify the
2 amount to be transferred to the ~~division of vocational rehabilitation~~
3 DEPARTMENT OF LABOR AND EMPLOYMENT from the district's payment for
4 a specified month or months. ~~Such~~ THE written instructions shall be given
5 to the state board no later than the fifth day of the first month in which
6 such amount is to be transferred to the ~~division of vocational~~
7 ~~rehabilitation~~ DEPARTMENT OF LABOR AND EMPLOYMENT.

8 (2) No later than the fifteenth day of each month, the state board
9 shall certify to the state treasurer the amount payable to each district and
10 to the state charter school institute in accordance with subsection (1.3) of
11 this section during said month and the amount, if any, to be transferred to
12 the ~~division of vocational rehabilitation~~ DEPARTMENT OF LABOR AND
13 EMPLOYMENT during said month in accordance with subsection (1.5) of
14 this section.

15 (3) No later than the twenty-fifth day of each month, the state
16 treasurer shall:

17 (b) Transfer the amount certified, if any, to the ~~division of~~
18 ~~vocational rehabilitation~~ DEPARTMENT OF LABOR AND EMPLOYMENT; and

19 **SECTION 11.** In Colorado Revised Statutes, 22-54.5-408,
20 **amend** (1) (b), (4), and (5) (b) as follows:

21 **22-54.5-408. Distribution from state public school fund.**

22 (1) (b) A district may give written instructions to the state board directing
23 the department to transfer a specified portion of a monthly payment or
24 monthly payments that the district is otherwise entitled to receive
25 pursuant to this section to the ~~division of vocational rehabilitation in the~~
26 department of ~~human services~~ LABOR AND EMPLOYMENT for the district's
27 cost of participating in school-to-work alliance programs. The written

1 instructions must specify the amount that the department must transfer to
2 the ~~division of vocational rehabilitation~~ DEPARTMENT OF LABOR AND
3 EMPLOYMENT from the district's payment for a specified month or
4 months. The district shall submit the written instructions to the state board
5 no later than the fifth day of the first month in which the amount is
6 transferred to the ~~division of vocational rehabilitation~~ DEPARTMENT OF
7 LABOR AND EMPLOYMENT.

8 (4) No later than the fifteenth day of each month, the state board
9 shall certify to the state treasurer the amount payable to each district and
10 to the state charter school institute for institute charter schools in
11 accordance with this section during the month and the amount, if any, to
12 be transferred to the ~~division of vocational rehabilitation~~ DEPARTMENT OF
13 LABOR AND EMPLOYMENT during the month in accordance with paragraph
14 (b) of subsection (1) of this section.

15 (5) No later than the twenty-fifth day of each month, the state
16 treasurer shall:

17 (b) Transfer the amount certified, if any, to the ~~division of~~
18 ~~vocational rehabilitation~~ DEPARTMENT OF LABOR AND EMPLOYMENT; and

19 **SECTION 12. Appropriation.** (1) For the 2015-16 state fiscal
20 year, \$665,300 is appropriated to the department of labor and
21 employment. This appropriation is from the general fund. To implement
22 this act, the department may use this appropriation as follows:

23 (a) \$379,620 for use by the executive director's office for personal
24 services;

25 (b) \$190,000 for use by the executive director's office for
26 operating expenses;

27 (c) \$17,528 for leased space;

1 (d) \$18,902 for the purchase of legal services; and
2 (e) \$59,280 for the purchase of information technology services.

3 (2) For the 2015-16 state fiscal year, \$18,902 is appropriated to
4 the department of law. This appropriation is from reappropriated funds
5 received from the department of labor and employment under paragraph
6 (d) of subsection (1) of this section and is based on an assumption that the
7 department of law will require an additional 0.1 FTE. To implement this
8 act, the department of law may use this appropriation to provide legal
9 services for the department of labor and employment.

10 (3) For the 2015-16 state fiscal year, \$59,280 is appropriated to
11 the office of the governor for use by the office of information technology.
12 This appropriation is from reappropriated funds received from the
13 department of labor and employment under paragraph (e) of subsection
14 (1) of this section. To implement this act, the office may use this
15 appropriation to provide information technology services for the
16 department of labor and employment.

17 **SECTION 13. Effective date.** (1) Except as provided in
18 subsection (2) of this section, this act takes effect July 1, 2016.

19 (2) Sections 1, 12, 13, and 14 of the act and section 8-84-108,
20 Colorado Revised Statutes, as enacted in section 2 of the act, take effect
21 upon passage.

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