

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 13-0162.01 Jerry Barry x4341

**HOUSE BILL 13-1004**

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**HOUSE SPONSORSHIP**

**Duran and Melton,**

**SENATE SPONSORSHIP**

**Kerr,**

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**House Committees**

Business, Labor, Economic, & Workforce Development

Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE COLORADO CAREERS ACT OF 2013.**

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**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>.)*

**Section 2.** The bill establishes the career pathways program (program) in the division of employment and training (division) in the department of labor and employment. The program provides grants to eligible entities to enable individuals to acquire skills necessary to obtain or improve their employability. The bill establishes a career pathways fund and directs the division to submit an annual report to specified committees of the general assembly. The program is repealed on January

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.

31, 2016, unless the director of the division sends notice to the revisor of statutes that the program has proven effective through significant job placement.

**Section 3.** Current law authorizes enhanced unemployment insurance benefits to a claimant who is engaged in an approved training program. The bill expands the definition of "approved training program" to include an approved workforce training program provided by a nonprofit entity.

**Section 4.** Current law requires the department of higher education (department) to produce a report on workforce needs and credential production. The bill includes local workforce investment boards in the description of entities with whom the department should consult to prepare the report.

Section 4 also requires the department to produce a report on the employment status of persons who have graduated from Colorado public institutions of higher education within each of the previous 5 years.

**Section 5.** The bill requires the office of economic development to prepare a report on workforce needs to attract, develop, and retain businesses in Colorado and to forward the report to specified departments and committees of the general assembly.

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

2 **SECTION 1. Short title.** This act is known and may be cited as  
3 the "Colorado Careers Act of 2013".

4 **SECTION 2.** In Colorado Revised Statutes, **add** 8-83-227 as  
5 follows:

6 **8-83-227. Career pathways initiative - fund - definitions - rules**  
7 **- definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
8 OTHERWISE REQUIRES:

9 (a) "BRIDGE PROGRAM" MEANS A COMBINATION OF JOB READINESS,  
10 ADULT EDUCATION AND CONTEXTUAL OCCUPATIONAL TRAINING.

11 (b) "CAREER PATHWAYS" MEANS LINKED EDUCATION, TRAINING,  
12 AND EMPLOYMENT SERVICES THAT ENABLE INDIVIDUALS, ESPECIALLY  
13 LOW-INCOME INDIVIDUALS, TO ACHIEVE HIGHER LEVELS OF EDUCATION  
14 AND CREDENTIAL ATTAINMENT.

1 (c) "CREDENTIAL" MEANS ANY RECOGNIZED:

2 (I) EDUCATIONAL DIPLOMA;

3 (II) CERTIFICATE OR DEGREE;

4 (III) OCCUPATIONAL LICENSE;

5 (IV) APPRENTICESHIP CERTIFICATE;

6 (V) INDUSTRY-RECOGNIZED CERTIFICATION; OR

7 (VI) EDUCATION OR JOB TRAINING CERTIFICATE.

8 (d) "FUND" MEANS THE CAREER PATHWAYS FUND, CREATED IN  
9 SUBSECTION (5) OF THIS SECTION.

10 (e) "INITIATIVE" MEANS THE CAREER PATHWAYS INITIATIVE,  
11 CREATED IN SUBSECTION (2) OF THIS SECTION.

12 (f) "LOW INCOME" MEANS NOT MORE THAN FOUR HUNDRED  
13 PERCENT OF THE FEDERAL POVERTY RATE AS DEFINED BY THE MOST  
14 RECENT REVISED POVERTY INCOME GUIDELINES PUBLISHED BY THE UNITED  
15 STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

16 (g) "PROGRAM" MEANS ANY PRODUCT OR SERVICES FUNDED  
17 THROUGH THE CAREER PATHWAYS INITIATIVE CREATED IN SUBSECTION (2)  
18 OF THIS SECTION.

19 (2) (a) THERE IS HEREBY CREATED IN THE STATE COUNCIL A  
20 CAREER PATHWAYS INITIATIVE TO PROVIDE GRANTS FOR CAREER  
21 PATHWAYS TO ELIGIBLE ENTITIES FOR THE PURPOSE OF ALLOWING  
22 INDIVIDUALS TO PARTICIPATE IN EFFECTIVE ACADEMIC AND EMPLOYMENT  
23 TRAINING TO OBTAIN INDUSTRY-RECOGNIZED CREDENTIALS FOR  
24 SUSTAINING GAINFUL AND QUALITY EMPLOYMENT IN THE STATE.

25 (b) THE PRIORITIES OF THE INITIATIVE INCLUDE:

26 (I) CREATING INNOVATIVE BRIDGE PROGRAMS AT PUBLIC  
27 INSTITUTIONS OF HIGHER EDUCATION;

1           (II)     ESTABLISHING A SIMPLIFIED, STREAMLINED, AND  
2     COMPREHENSIVE PROCESS, INCLUDING CUSTOMIZED SUPPORT SERVICES,  
3     THAT ENABLES LOW-INCOME INDIVIDUALS TO ACQUIRE EFFECTIVE  
4     ACADEMIC AND EMPLOYMENT TRAINING;

5           (III) PROVIDING TRAINING IN AREAS IDENTIFIED BY THE OFFICE OF  
6     ECONOMIC DEVELOPMENT AS WORK FORCE NEEDS IN THE REPORT  
7     PREPARED PURSUANT TO SECTION 24-48.5-101 (8), C.R.S.; AND

8           (IV) FOCUSING ON TRAINING FOR THE FOLLOWING KEY INDUSTRIES  
9     IN COLORADO:

10           (A) ADVANCED MANUFACTURING;

11           (B) AEROSPACE;

12           (C) BIOSCIENCE;

13           (D) CONSTRUCTION;

14           (E) CREATIVE INDUSTRIES;

15           (F) DEFENSE AND HOMELAND SECURITY;

16           (G) ELECTRONICS;

17           (H) ENERGY AND NATURAL RESOURCES;

18           (I) FINANCIAL SERVICES;

19           (J) FOOD AND AGRICULTURE;

20           (K) HEALTH AND WELLNESS;

21           (L) INFORMATION TECHNOLOGY;

22           (M) INFRASTRUCTURE ENGINEERING;

23           (N) TOURISM AND OUTDOOR RECREATION;

24           (O) TRANSPORTATION AND LOGISTICS.

25           (c) THE STATE COUNCIL SHALL:

26           (I) MAKE GRANTS TO ELIGIBLE ENTITIES FOR PROJECTS IN  
27     FURTHERANCE OF THE PROGRAM'S PURPOSES AND PRIORITIES;

1 (II) ADOPT RULES TO CARRY OUT THE PROGRAM; AND  
2 (III) EVALUATE THE PERFORMANCES OF GRANTEEES IN CARRYING  
3 OUT THE PURPOSES OF THE INITIATIVE.

4 (d) ENTITIES ELIGIBLE FOR GRANTS FROM THE FUND SHALL INCLUDE  
5 THE FOLLOWING:

- 6 (I) A PUBLIC INSTITUTION OF HIGHER EDUCATION;  
7 (II) THE LOCAL WORKFORCE INVESTMENT BOARD;  
8 (III) APPRENTICESHIP PROGRAMS; AND  
9 (IV) OTHER ENTITIES APPROVED BY THE STATE COUNCIL,  
10 INCLUDING EMPLOYERS OR COMMUNITY-BASED ORGANIZATIONS.

11 (e) PROJECTS ELIGIBLE FOR GRANT FUNDING UNDER THIS SECTION  
12 MUST ENABLE PROGRAM RECIPIENTS TO ACHIEVE TWO OR MORE OF THE  
13 FOLLOWING OUTCOMES:

- 14 (I) ACQUIRE AND DEMONSTRATE COMPETENCY IN BASIC SKILLS,  
15 INCLUDING ENGLISH AND MATH;  
16 (II) ACQUIRE AND DEMONSTRATE COMPETENCY IN A SPECIFIED  
17 TECHNICAL FIELD;  
18 (III) COMPLETE A SPECIFIED LEVEL OF POSTSECONDARY  
19 EDUCATION;  
20 (IV) OBTAIN EMPLOYER-RECOGNIZED CREDENTIALS;  
21 (V) SECURE GAINFUL EMPLOYMENT IN HIGH-QUALITY JOBS IN THE  
22 STATE; OR  
23 (VI) ANY OTHER GOALS IDENTIFIED BY THE STATE COUNCIL.

24 (3) TO RECEIVE GRANT FUNDING UNDER THE INITIATIVE, PROJECTS  
25 ARE ENCOURAGED TO INCLUDE:

- 26 (a) INTEGRATION OF BASIC SKILLS AND WORK-READINESS TRAINING  
27 WITH OCCUPATIONAL SKILLS TRAINING;

1 (b) THE COMBINATION OF CUSTOMIZED SUPPORTIVE AND CASE  
2 MANAGEMENT SERVICES WITH TRAINING SERVICES TO HELP PROGRAM  
3 PARTICIPANTS OVERCOME BARRIERS TO EMPLOYMENT;

4 (c) TRAINING SERVICES AT TIMES AND LOCATIONS AND THROUGH  
5 MULTIPLE AND FLEXIBLE MODALITIES THAT ARE READILY ACCEPTABLE TO  
6 THE PROGRAM RECIPIENTS; AND

7 (d) JOB PLACEMENT AND JOB RETENTION SUPPORT SERVICES; AND

8 (4) BEFORE RECEIVING THE GRANT, EACH ENTITY THAT RECEIVES  
9 A GRANT UNDER THIS SECTION SHALL ESTABLISH A CAREER PATHWAYS OR  
10 BRIDGE DEVELOPMENT PROGRAM TO BETTER SERVE THE ACADEMIC AND  
11 VOCATIONAL NEEDS OF THE PROGRAM RECIPIENTS. EACH PROGRAM MUST  
12 INCLUDE:

13 (a) THE DEVELOPMENT OF PROGRAMS THAT TAKE INTO  
14 CONSIDERATION LABOR MARKET DEMAND AND CAREER ADVANCEMENT  
15 OPPORTUNITIES;

16 (b) THE DEVELOPMENT OF PROGRAMS THAT TAKE INTO  
17 CONSIDERATION ATTRACTING, DEVELOPING, AND RETAINING BUSINESSES  
18 IN COLORADO; AND

19 (c) ANY OTHER COMPONENT DEEMED APPROPRIATE BY THE STATE  
20 COUNCIL.

21 (5) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE  
22 CAREER PATHWAYS FUND, CONSISTING OF ANY MONEYS THAT MAY BE  
23 APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. THE MONEYS IN  
24 THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
25 ASSEMBLY TO THE STATE COUNCIL FOR THE DIRECT AND INDIRECT COSTS  
26 ASSOCIATED WITH IMPLEMENTING THIS SECTION. THE STATE TREASURER  
27 MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE

1 OF THIS SECTION AS PROVIDED BY LAW. THE STATE TREASURER SHALL  
2 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND  
3 DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND  
4 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL  
5 YEAR REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED  
6 TO THE GENERAL FUND OR ANOTHER FUND.

7 (b) MONEYS IN THE FUND MAY BE USED ONLY:

8 (I) FOR GRANTS TO ELIGIBLE ENTITIES UNDER THE REQUIREMENTS  
9 OF THIS SECTION; AND

10 (II) TO FURTHER THE ABILITY OF INDIVIDUALS TO SECURE  
11 OCCUPATIONAL AND EDUCATIONAL CREDENTIALS THAT LEAD TO GAINFUL  
12 AND QUALITY EMPLOYMENT.

13 (6) ON OR BEFORE JUNE 30, 2014, AND ON OR BEFORE JUNE 30 OF  
14 EACH YEAR THEREAFTER, THE STATE COUNCIL SHALL SUBMIT TO THE  
15 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE AND THE  
16 BUSINESS, LABOR, AND ECONOMIC AND WORKFORCE DEVELOPMENT  
17 COMMITTEE OF THE HOUSE, OR ANY SUCCESSOR COMMITTEES, A REPORT ON  
18 THE CAREER PATHWAYS INITIATIVE. THE REPORT MUST INCLUDE BUT IS  
19 NOT LIMITED TO:

20 (a) THE NAMES, LOCATIONS, AND A BRIEF DESCRIPTION OF EACH  
21 GRANTEE AND THE AMOUNT GIVEN TO EACH GRANTEE;

22 (b) OUTCOMES OR MEASURES SPECIFIED UNDER SUBSECTION (3) OF  
23 THIS SECTION; AND

24 (c) GOALS FOR THE INITIATIVE IN THE UPCOMING REPORTING YEAR.

25 (7) (a) THIS SECTION IS REPEALED EFFECTIVE JANUARY 31, 2016.

26 (b) AFTER JULY 1, 2015, THE STATE COUNCIL SHALL DETERMINE  
27 WHETHER THE INITIATIVE HAS BEEN SUCCESSFUL AS SHOWN BY PROVEN

1 JOB PLACEMENT OF PROGRAM RECIPIENTS. IF THE STATE COUNCIL  
2 DETERMINES THAT THE INITIATIVE HAS BEEN SUCCESSFUL, ON OR BEFORE  
3 SEPTEMBER 1, 2015, THE DIRECTOR OF THE STATE COUNCIL SHALL PROVIDE  
4 A WRITTEN NOTICE TO THE REVISOR OF STATUTES. IF THE REVISOR OF  
5 STATUTES RECEIVES THE NOTICE FROM THE DIRECTOR OF THE STATE  
6 COUNCIL, THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JANUARY 1, 2016.

7 **SECTION 3.** In Colorado Revised Statutes, 8-73-114, **amend** (8)  
8 (a) (I) introductory portion and (8) (c); and **add** (8) (a) (IV) as follows:

9 **8-73-114. Enhanced unemployment insurance compensation**  
10 **benefits - eligibility - approved training programs - amount of benefits**  
11 **- outreach - notice of funding through gifts, grants, and donations -**  
12 **repeal.** (8) As used in this section:

13 (a) (I) "Approved training program" means a vocational training,  
14 registered apprenticeship, employer-based, or entrepreneurial training  
15 program, OR WORKFORCE TRAINING PROGRAM PROVIDED BY A NONPROFIT  
16 ENTITY AND approved by the director that:

17 (II.5) "APPROVED TRAINING PROGRAM" INCLUDES A WORKFORCE  
18 TRAINING PROGRAM PROVIDED BY A NONPROFIT ENTITY THAT HAS SHOWN,  
19 IN THE DISCRETION OF THE DEPARTMENT, A PROVEN ABILITY TO PROVIDE  
20 TRAINING THAT LEADS TO A CLAIMANT RECEIVING EMPLOYMENT.

21 (c) "Eligible unemployment insurance claimant" means:

22 (I) An unemployment insurance claimant on a regular or extended  
23 benefits state unemployment claim or a military or federal claim who is  
24 receiving benefits and is eligible for enhanced unemployment insurance  
25 compensation benefits pursuant to this section; AND

26 (II) AN INDIVIDUAL WHO HAS EXHAUSTED ALL OF HIS OR HER  
27 EXTENDED UNEMPLOYMENT BENEFITS AND IS STILL UNEMPLOYED.



1           **SECTION 4.** In Colorado Revised Statutes, 23-1-130, **amend** (2)  
2   introductory portion and (3); and **add** (2.5) as follows:

3           **23-1-130. Department reports - workforce needs and**  
4   **credential production - graduate employment status - repeal.** (2) To  
5   the extent practicable within available resources and subject to the  
6   availability of data currently collected by and accessible to state agencies,  
7   the department, in consultation with the department of labor, the  
8   department of regulatory agencies, LOCAL WORKFORCE INVESTMENT  
9   BOARDS, and any other entity the department deems appropriate, shall  
10   produce an annual report regarding state workforce need projections and  
11   credential production. The report shall:

12           (2.5) (a) TO THE EXTENT PRACTICABLE WITHIN AVAILABLE  
13   RESOURCES AND SUBJECT TO THE AVAILABILITY OF DATA CURRENTLY  
14   COLLECTED BY AND ACCESSIBLE TO THE DEPARTMENT OF HIGHER  
15   EDUCATION AND GOVERNING BOARDS OF PUBLIC INSTITUTIONS OF HIGHER  
16   EDUCATION, THE DEPARTMENT SHALL PRODUCE AN ANNUAL REPORT ON  
17   THE EMPLOYMENT STATUS OF PERSONS WHO HAVE GRADUATED FROM  
18   COLORADO PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN EACH OF THE  
19   PREVIOUS FIVE YEARS. THE REPORT MUST NOT CONTAIN ANY PERSONAL  
20   IDENTIFYING INFORMATION AND MUST INCLUDE, BUT IS NOT LIMITED TO:

21           (I) EMPLOYMENT STATUS;

22           (II) WHETHER THE DEGREE OBTAINED WAS CONSISTENT WITH THAT  
23   EMPLOYMENT STATUS;

24           (III) SALARY INFORMATION; AND

25           (IV) EMPLOYMENT BENEFIT INFORMATION INCLUDING RETIREMENT  
26   AND HEALTH CARE BENEFITS.

27           (b) EXCEPT FOR THE FINAL REPORT, ANY INFORMATION COLLECTED

1 PURSUANT TO THIS SUBSECTION (2.5) IS CONFIDENTIAL AND NOT SUBJECT  
2 TO DISCLOSURE UNDER THE "COLORADO OPEN RECORDS ACT", PART 2 OF  
3 ARTICLE 72 OF TITLE 24, C.R.S.

4 (3) The department shall send the ~~report~~ REPORTS PRODUCED  
5 PURSUANT TO THIS SECTION to every public postsecondary governing  
6 board in the state and shall work with the department of education to  
7 provide the report to the state's public school districts, the Colorado  
8 charter school institute, and Colorado private elementary, middle, and  
9 high schools.

10 **SECTION 5.** In Colorado Revised Statutes, 24-48.5-101, **add** (8)  
11 as follows:

12 **24-48.5-101. Colorado office of economic development -**  
13 **creation - duties - report.** (8) ON OR BEFORE NOVEMBER 1, 2013, AND  
14 ON OR BEFORE NOVEMBER 1 EACH YEAR THEREAFTER, THE OFFICE OF  
15 ECONOMIC DEVELOPMENT SHALL PREPARE A REPORT ON ANY WORK FORCE  
16 NEEDS, INCLUDING ANY AREAS OF SPECIALIZATION WITHIN A VOCATION,  
17 IDENTIFIED BY THE OFFICE NECESSARY TO ATTRACT, DEVELOP, AND RETAIN  
18 BUSINESSES IN COLORADO. THE OFFICE SHALL SEND COPIES OF THE REPORT  
19 TO THE DEPARTMENT OF LABOR AND EMPLOYMENT; THE DEPARTMENT OF  
20 HIGHER EDUCATION; THE BUSINESS AFFAIRS, LABOR, AND TECHNOLOGY  
21 COMMITTEE OF THE SENATE; THE BUSINESS, LABOR, AND ECONOMIC AND  
22 WORKFORCE DEVELOPMENT COMMITTEE OF THE HOUSE OF  
23 REPRESENTATIVES; OR ANY SUCCESSOR COMMITTEES.

24 **SECTION 6. Safety clause.** The general assembly hereby finds,  
25 determines, and declares that this act is necessary for the immediate  
26 preservation of the public peace, health, and safety.