

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 15-0760.01 Kristen Forrestal x4217

HOUSE BILL 15-1231

HOUSE SPONSORSHIP

Esgar and Kraft-Tharp,

SENATE SPONSORSHIP

Merrifield,

House Committees

Business Affairs and Labor
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ENHANCED UNEMPLOYMENT COMPENSATION BENEFITS,**
102 **AND, IN 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>.)

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

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.*

HOUSE
3rd Reading Unamended
April 16, 2015

HOUSE
Amended 2nd Reading
April 15, 2015

occupation, a more stable occupation, or a long-term occupation. An approved training program includes vocational training, a registered apprenticeship, or an entrepreneurial training program. The availability of the enhanced unemployment insurance compensation benefits will expire in accordance with a self-repealer clause on July 1, 2018.

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

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

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

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

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

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

1 BENEFIT AMOUNT ON THE REGULAR CLAIM, WHICHEVER IS LESS.

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

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

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

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

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

27 (6) BY DECEMBER 31, 2016, AND BY EACH DECEMBER 31

1 THEREAFTER UNTIL DECEMBER 31, 2017, THE DIVISION SHALL SUBMIT A
2 REPORT TO THE JOINT BUDGET COMMITTEE, THE BUSINESS AFFAIRS AND
3 LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND THE
4 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR
5 THEIR SUCCESSOR COMMITTEES, REGARDING THE STATUS OF THE
6 ENHANCED UNEMPLOYMENT INSURANCE COMPENSATION BENEFITS
7 PROGRAM AND THE RESULTING OUTCOMES. THE REPORT MUST INCLUDE AT
8 LEAST THE FOLLOWING:

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

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

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

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

1 (7) THE DIVISION SHALL PAY THE ENHANCED UNEMPLOYMENT
2 INSURANCE COMPENSATION BENEFITS AWARDED PURSUANT TO THIS
3 SECTION FROM MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY TO
4 THE DIVISION FROM THE GENERAL FUND.

5 (8) AS USED IN THIS SECTION:

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

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

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

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

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

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

27 (d) "ENHANCED UNEMPLOYMENT INSURANCE COMPENSATION

1 BENEFITS" MEANS ADDITIONAL BENEFITS PAID TO AN ELIGIBLE
2 UNEMPLOYMENT INSURANCE CLAIMANT IN ACCORDANCE WITH THIS
3 SECTION.

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

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

13 **SECTION 2. Appropriation.** For the 2015-16 state fiscal year,
14 \$3,234,294 is appropriated to the department of labor and employment for
15 use by the division of unemployment insurance. This appropriation is
16 from the general fund and is based on an assumption that the division will
17 require an additional 1.2 FTE. To implement this act, the division may
18 use this appropriation for the enhanced unemployment insurance
19 compensation benefits program.

20 **SECTION 3. Effective date.** This act takes effect July 1, 2015.

21 **SECTION 4. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.