

**Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO**

**ENGROSSED**

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

LLS NO. 12-0596.01 Kate Meyer x4348

**SENATE BILL 12-005**

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**SENATE SPONSORSHIP**

**Newell,**

**HOUSE SPONSORSHIP**

**Massey,**

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**Senate Committees**  
Business, Labor and Technology  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF THE COLORADO BUSINESS RETENTION**  
102 **AND EXPANSION PROGRAM.**

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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>.)*

In order to retain and grow existing businesses in the state, the bill directs the Colorado office of economic development (office) to develop and administer the Colorado business retention and expansion program under the office's statewide economic development plan. The bill describes the office's specific duties under the program, including the

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.*

SENATE  
Amended 2nd Reading  
April 23, 2012

requirement that the office annually report on the program to the general assembly.

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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, determines, and declares that:

4 (a) A clear economic strategy is paramount to enhancing  
5 Colorado's competitiveness as measured by increased productivity and  
6 more effective utilization of talent, capital, and natural resources;

7 (b) Existing Colorado businesses, including nonprofit businesses,  
8 which provide jobs for local residents and support the tax bases of the  
9 state and local governments, are critical to building a stable and  
10 competitive state economy;

11 (c) An effective economic strategy must include a proactive and  
12 opportunity-based approach to efficaciously retain and expand existing  
13 Colorado businesses;

14 (d) Aligning public and private resources in a way that helps to  
15 retain and expand existing Colorado businesses will also enhance and  
16 create job opportunities in Colorado; and

17 (e) Developing a retention and expansion program and  
18 public-private partnerships across the state will therefore ultimately  
19 contribute to an environment that produces sustainable economic growth  
20 and job creation.

21 (2) The general assembly further finds and declares that a robust  
22 business retention and expansion program will:

23 (a) Provide an opportunity to approach and engage partners and  
24 businesses across the state in a consistent manner and thus gather  
25 meaningful information about their needs, barriers, and opportunities for

1 growth;

2 (b) Build upon "Colorado Blueprint: A bottom-up approach to  
3 economic development", the state's document outlining a series of key  
4 tactical steps designed to foster a more competitive Colorado, by helping  
5 the state achieve the following six core objectives:

6 (I) Build a business-friendly environment;

7 (II) Retain, grow, and recruit companies;

8 (III) Increase access to capital;

9 (IV) Create and market a stronger Colorado brand;

10 (V) Educate and train the workforce of the future; and

11 (VI) Cultivate innovation and technology; and

12 (c) Translate directly into tangible benefits for businesses,  
13 citizens, and educational institutions by enabling businesses to work  
14 together to reduce barriers, increase competitiveness, and expedite job  
15 growth.

16 (3) It is therefore the intent of the general assembly to \_\_\_\_\_  
17 empower the Colorado office of economic development, as a key  
18 component of the state economic development plan and pursuant to the  
19 tactics set forth in "Colorado Blueprint: A bottom-up approach to  
20 economic development", to develop and implement protocols and  
21 procedures to retain and expand existing businesses. The program will be  
22 a proactive and opportunity-based initiative forged through partnerships  
23 with local economic development organizations in order to maintain and  
24 grow businesses and jobs in Colorado.

25 **SECTION 2.** In Colorado Revised Statutes, **add** 24-48.5-114 as  
26 follows:

27 **24-48.5-114. Business retention and expansion program -**

1 **creation - duties - report - definitions.** (1) AS USED IN THIS SECTION,  
2 UNLESS THE CONTEXT OTHERWISE REQUIRES:

3 (a) "BLUEPRINT" MEANS THE "COLORADO BLUEPRINT: A  
4 BOTTOM-UP APPROACH TO ECONOMIC DEVELOPMENT", CREATED BY THE  
5 OFFICE, PURSUANT TO EXECUTIVE ORDER D 2011-003, VERSION 1.0 OF  
6 WHICH WAS ISSUED ON OCTOBER 18, 2011. THE TERM INCLUDES  
7 SUBSEQUENT VERSIONS.

8 (b) "BUSINESS" MEANS ANY CORPORATION, LIMITED LIABILITY  
9 COMPANY, PARTNERSHIP, SOLE PROPRIETORSHIP, TRUST, OR FOUNDATION,  
10 OR OTHER LEGAL ENTITY CARRYING ON A BUSINESS, WHETHER OR NOT  
11 OPERATED FOR PROFIT.

12 (c) "OFFICE" MEANS THE COLORADO OFFICE OF ECONOMIC  
13 DEVELOPMENT CREATED IN SECTION 24-48.5-101.

14 (d) "PARTNER" MEANS ALL STATE, REGIONAL, AND LOCAL  
15 ECONOMIC DEVELOPMENT PARTNERS IN COLORADO.

16 (e) "PROGRAM" MEANS THE BUSINESS RETENTION AND EXPANSION  
17 PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

18 (f) "STATE ECONOMIC DEVELOPMENT PLAN" MEANS THE PLAN  
19 DEVELOPED BY THE OFFICE PURSUANT TO, AND BASED ON THE  
20 FRAMEWORK OUTLINED IN, THE BLUEPRINT.

21 (2) AS PART OF THE STATE ECONOMIC DEVELOPMENT PLAN, AND  
22 PURSUANT TO ITS DUTIES UNDER SECTION 24-48.5-102 (1) (a), THE OFFICE  
23 MAY DEVELOP A BUSINESS RETENTION AND EXPANSION PROGRAM TO  
24 IDENTIFY AND RESPOND TO RETENTION AND EXPANSION ISSUES FACED BY  
25 BUSINESSES IN THE STATE.

26 (3) IF THE OFFICE DEVELOPS A BUSINESS RETENTION AND  
27 EXPANSION PROGRAM PURSUANT TO THIS SECTION, THE OFFICE MAY:

1 (a) DEVELOP STRONGER RELATIONSHIPS BETWEEN PARTNERS IN  
2 ORDER TO:

3 (I) PROVIDE A TRANSPARENT UNDERSTANDING OF THE STATE  
4 ECONOMIC DEVELOPMENT PLAN SO THAT PARTNERS CAN IDENTIFY THEIR  
5 ROLES WITHIN THAT PLAN;

6 (II) CREATE A COLLABORATIVE, COORDINATED, AND CONSISTENT  
7 APPROACH TO:

8 (A) ENGAGING AND SUPPORTING EXISTING BUSINESSES IN EACH  
9 PARTNER'S REGION; AND

10 (B) GATHERING MEANINGFUL INFORMATION ABOUT THE NEEDS,  
11 BARRIERS TO, AND OPPORTUNITIES FOR GROWTH FOR EXISTING  
12 BUSINESSES;

13 (III) ENHANCE PARTNERS' UNDERSTANDING AND AWARENESS,  
14 THROUGH WEBINARS, SEMINARS, AND OTHER METHODS OF TRAINING, OF:

15 (A) THE RESOURCES, GRANTS, POLICY INITIATIVES, AND OTHER  
16 PROGRAMS AVAILABLE FROM LOCAL, STATE, AND FEDERAL ENTITIES; AND

17 (B) THE STRUCTURE AND ORGANIZATION OF, AND CHANGES TO,  
18 THE OFFICE;

19 (IV) PROVIDE THE PARTNERS WITH ACCESS TO THE CRITICAL DATA  
20 THEY NEED TO MAKE STRATEGIC AND PROACTIVE DECISIONS REGARDING  
21 BUSINESSES WITHIN THEIR REGION;

22 (V) COLLABORATE WITH PARTNERS TO DEVELOP AN EARLY  
23 DETECTION-AND-RESPONSE SYSTEM TO:

24 (A) ANTICIPATE AND IDENTIFY BUSINESSES' NEEDS AND  
25 CHALLENGES; AND

26 (B) FOSTER AN EXPEDITIOUS PROCESS TO FIND AND IMPLEMENT  
27 NECESSARY SOLUTIONS;

1 (b) SERVE AS A CLEARINGHOUSE OF PROGRAMS, RESOURCES,  
2 POLICY INITIATIVES, GRANTS AND OTHER FUNDING, AND OTHER MEANS OF  
3 ASSISTANCE WITH RETENTION AND EXPANSION OF BUSINESSES;

4 (c) SUPPORT AND FACILITATE COMMUNICATION AND BUILD  
5 STRONGER RELATIONSHIPS BETWEEN LOCAL GOVERNMENTS, PARTNERS,  
6 AND THEIR LOCAL BUSINESS COMMUNITY;     

7 (d) DEVELOP PROTOCOLS AND PROCEDURES TO IDENTIFY  
8 OPPORTUNITIES TO RETAIN AND EXPAND EXISTING BUSINESSES THROUGH  
9 SWIFT AND EFFECTIVE RESPONSES TO CONCERNS AND PROBLEMS ON A  
10 STATEWIDE OR REGIONAL LEVEL; AND

11 (e) TO IDENTIFY OBSTACLES AND IMPEDIMENTS TO BUSINESS  
12 RETENTION AND EXPANSION WITHIN THE RULES CURRENTLY  
13 ADMINISTERED BY STATE AGENCIES AND TO COORDINATE EFFORTS TO  
14 REMOVE OR MODIFY THOSE OBSTACLES AND IMPEDIMENTS IN ORDER TO  
15 IMPROVE COLORADO'S BUSINESS CLIMATE.

16 (4) IF THE OFFICE DEVELOPS A BUSINESS RETENTION AND  
17 EXPANSION PROGRAM PURSUANT TO THIS SECTION, THE OFFICE SHALL  
18 ALIGN THE PROGRAM'S RESOURCES WITH OTHER STATE, REGIONAL, AND  
19 LOCAL PROGRAMS THROUGH FOCUSED, DIRECT PARTICIPATION OF THE  
20 OFFICE, ENSURING THAT SUCH RESOURCES ARE UTILIZED IN AN EFFICIENT  
21 AND EFFECTIVE MANNER FOR STABILIZING AND GROWING COLORADO'S  
22 EXISTING BUSINESSES AND FOR PROVIDING A STRONG BASE FROM WHICH  
23 TO RETAIN AND EXPAND COLORADO BUSINESSES.

24 (5) THE OFFICE SHALL INCLUDE A REPORT ON A BUSINESS  
25 RETENTION AND EXPANSION PROGRAM CREATED PURSUANT TO THIS  
26 SECTION, IF ANY, IN THE OFFICE'S ANNUAL REPORT TO THE GENERAL  
27 ASSEMBLY.

1            **SECTION 3. No appropriation.** The general assembly intends  
2            and determines that this act can be implemented within existing  
3            appropriations, and therefore no separate appropriation of state moneys  
4            is necessary to carry out this act.

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