

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

PREAMENDED

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

LLS NO. 10-0457.01 Brita Darling

SENATE BILL 10-039

SENATE SPONSORSHIP

Carroll M., Heath, Hudak, Shaffer B., Tochtrop, Williams

HOUSE SPONSORSHIP

Gagliardi, Fischer, Kefalas

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING SCHOLARSHIPS FOR JOB TRAINING.** ==

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 1 of the bill creates the Colorado job retraining scholarship program (scholarship program), implemented and administered through collegeinvest in the department of higher education. Through the scholarship program, collegeinvest will award scholarships to persons who have been determined eligible to receive unemployment insurance benefits on or after July 1, 2008, by the department of labor and employment and who are pursuing job training or education programs that

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.*

meet the goal of the scholarship program to assist persons to achieve gainful employment, including self-employment, in a recognized occupation or a high-need employment area.

The collegeinvest board of directors (board) shall adopt policies to implement and administer the scholarship program.

A scholarship recipient may use the scholarship toward a skilled trades apprenticeship program and to attend courses and programs at institutions of higher education, including public universities, community colleges, junior colleges, public occupational education, and nonpublic institutions of higher education.

Collegeinvest shall annually award and pay \$1 million in scholarships pursuant to the 3-year scholarship program. Scholarships shall not be funded from general fund appropriations.

The board shall report to the general assembly in 2011, 2012, and 2013 concerning the scholarships awarded.

The Colorado job retraining scholarship program is repealed, effective July 1, 2013.

Section 2 of the bill amends the teach Colorado grant initiative by creating a fund for the grant initiative.

Section 3 of the bill transfers \$500,000 annually, commencing in the 2010-11 fiscal year, from the collegeinvest fund to the teach Colorado grant initiative fund for appropriation to the department of higher education for the implementation of the teach Colorado grant initiative.

Section 4 of the bill appropriates \$500,000 from the teach Colorado grant initiative fund to the department of higher education for purposes of implementing the teach Colorado grant initiative.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1. Part 2 of article 3.1 of title 23, Colorado Revised**
3 **Statutes, is amended BY THE ADDITION OF A NEW SECTION to**
4 **read:**
5 **23-3.1-206.6. Scholarships for education and job retraining -**
6 **legislative declaration - administration - repeal. (1) (a) THE GENERAL**
7 **ASSEMBLY FINDS AND DECLARES THAT:**
8 **(I) A NUMBER OF COLORADANS HAVE RECENTLY EXPERIENCED**
9 **LOSS OF EMPLOYMENT AS A RESULT OF A SIGNIFICANT DOWNTURN IN THE**
10 **ECONOMY AND A CONTRACTION IN THE JOB MARKET. AS A RESULT, MANY**

1 COLORADANS HAVE APPLIED FOR UNEMPLOYMENT INSURANCE BENEFITS
2 AND ARE LOOKING FOR WORK.

3 (II) SOME UNEMPLOYED COLORADANS WILL BE UNABLE TO FIND
4 WORK IN THEIR CURRENT FIELD OR WITH THEIR CURRENT LEVEL OF
5 EDUCATION OR TRAINING.

6 (III) THE GENERAL ASSEMBLY THEREFORE FINDS AND DECLARES
7 THAT IT IS APPROPRIATE TO USE COLORADO COLLEGE INVEST SCHOLARSHIP
8 TRUST FUND MONIES PURSUANT TO SECTION 23-3.1-206.9 (5), TO AWARD
9 SCHOLARSHIPS TO PERSONS WHO ARE RECEIVING UNEMPLOYMENT
10 INSURANCE BENEFITS FROM THE DEPARTMENT OF LABOR AND
11 EMPLOYMENT TO ASSIST THESE PERSONS IN OBTAINING THE ADDITIONAL
12 JOB RETRAINING OR EDUCATION NECESSARY TO BE REEMPLOYED.

13 (2) AS USED IN THIS SECTION, "INSTITUTION OF HIGHER
14 EDUCATION" MEANS:

15 (a) A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN
16 SECTION 23-18-102 (10);

17 (b) A JUNIOR COLLEGE THAT IS PART OF A JUNIOR COLLEGE
18 DISTRICT ORGANIZED PURSUANT TO ARTICLE 71 OF THIS TITLE; AND

19 (c) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION AS DEFINED
20 IN SECTION 23-3.7-102 (3).

21 (3) (a) THERE IS HEREBY CREATED THE COLORADO JOB
22 RETRAINING SCHOLARSHIP PROGRAM, REFERRED TO IN THIS SECTION AS
23 THE "SCHOLARSHIP PROGRAM", FOR THE PURPOSE OF PROVIDING JOB
24 TRAINING AND RETRAINING OPPORTUNITIES AND INCREASED ACCESS TO
25 HIGHER EDUCATION FOR INDIVIDUALS WHO ARE UNEMPLOYED.

26 (b) THE AUTHORITY SHALL IMPLEMENT AND ADMINISTER THE
27 SCHOLARSHIP PROGRAM. SUBJECT TO THE APPROVAL OF THE EXECUTIVE

1 DIRECTOR, THE BOARD SHALL ADOPT ANY POLICIES NECESSARY TO
2 IMPLEMENT THE SCHOLARSHIP PROGRAM. THE BOARD SHALL ENSURE
3 THAT THE POLICIES ADOPTED BY THE BOARD DO NOT POSE SIGNIFICANT
4 BARRIERS TO PARTICIPATION FOR APPLICANTS OR ADD INEFFICIENT
5 ADMINISTRATIVE BURDENS FOR THE AUTHORITY OR PARTICIPATING
6 INSTITUTIONS OF HIGHER EDUCATION.

7 (c) THE AUTHORITY SHALL REVIEW EACH SCHOLARSHIP
8 APPLICATION WHEN RECEIVED, APPLYING THE FOLLOWING ELIGIBILITY
9 CRITERIA:

10 (I) AT ANY TIME ON OR AFTER JULY 1, 2008, THE DEPARTMENT OF
11 LABOR AND EMPLOYMENT HAS DETERMINED THE APPLICANT FOR THE
12 SCHOLARSHIP PROGRAM TO BE ELIGIBLE TO RECEIVE UNEMPLOYMENT
13 BENEFITS PURSUANT TO THE "COLORADO EMPLOYMENT SECURITY ACT",
14 ARTICLES 70 TO 82 OF TITLE 8, C.R.S.; AND

15 (II) THE APPLICANT CERTIFIES THAT THE JOB TRAINING OR
16 EDUCATION COURSES OR PROGRAM FOR WHICH THE APPLICANT SEEKS A
17 SCHOLARSHIP WILL ASSIST THE APPLICANT TO ACHIEVE GAINFUL
18 EMPLOYMENT, INCLUDING SELF-EMPLOYMENT, IN A RECOGNIZED
19 OCCUPATION OR A HIGH-NEED EMPLOYMENT AREA.

20 (4) A PERSON WHO RECEIVES A SCHOLARSHIP AWARDED PURSUANT
21 TO THIS SECTION MAY APPLY THE SCHOLARSHIP TO A SKILLED TRADES
22 APPRENTICESHIP PROGRAM, ONE OR MORE HIGHER EDUCATION COURSES,
23 OR A CERTIFICATE OR DEGREE PROGRAM AT AN INSTITUTION OF HIGHER
24 EDUCATION.

25 (5) THE AUTHORITY SHALL ANNUALLY AWARD AND PAY ONE
26 MILLION DOLLARS IN SCHOLARSHIPS PURSUANT TO THIS SECTION FROM
27 MONEYS IN THE COLORADO COLLEGE INVEST SCHOLARSHIP TRUST FUND.

1 THE AUTHORITY SHALL NOT USE GENERAL FUND APPROPRIATIONS TO PAY
2 SCHOLARSHIPS AWARDED PURSUANT TO THIS SECTION. IF ANY PORTION OF
3 THE ONE MILLION DOLLARS IN ANNUAL SCHOLARSHIP PROGRAM MONEYS
4 REMAINS UNCOMMITTED AT THE END OF A FISCAL YEAR, SAID AMOUNT
5 SHALL BE TRANSFERRED, PURSUANT TO THE PROVISIONS OF SECTION
6 23-3.1-206.9 (5), TO THE TEACH COLORADO GRANT INITIATIVE FUND
7 CREATED IN SECTION 23-3.3-901.

8 (6) ON OR BEFORE FEBRUARY 1, 2011, AND ON OR BEFORE
9 FEBRUARY 1 EACH YEAR THEREAFTER, THE AUTHORITY SHALL REPORT TO
10 THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
11 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONCERNING THE
12 STATUS OF THE SCHOLARSHIP PROGRAM. THE REPORT SHALL INCLUDE,
13 BUT NEED NOT BE LIMITED TO, THE AMOUNT OF MONEY AVAILABLE TO
14 AWARD SCHOLARSHIPS, THE AMOUNT OF MONEY ANNUALLY SPENT IN
15 ADMINISTERING THE SCHOLARSHIP PROGRAM, THE TOTAL AMOUNT
16 AWARDED IN SCHOLARSHIPS, THE AVERAGE SCHOLARSHIP AWARD
17 AMOUNT, THE NUMBER OF STUDENTS PARTICIPATING IN THE SCHOLARSHIP
18 PROGRAM, AND A GENERAL DESCRIPTION OF THE PARTICIPANTS' CAREER
19 GOALS.

20 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013.

21 **SECTION 2.** 23-3.1-206.9 (4), Colorado Revised Statutes, is
22 amended, and the said 23-3.1-206.9 is further amended BY THE
23 ADDITION OF A NEW SUBSECTION, to read:

24 **23-3.1-206.9. Colorado collegeinvest scholarship program -**
25 **administration - fund - policies - repeal.** (4) On or before February 1
26 of each year, the board AUTHORITY shall report to the education
27 committees of the senate and the house of representatives, or any

1 successor committees, on the status of the Colorado collegeinvest
2 scholarship program. The report shall include, but need not be limited to,
3 the financial status of the Colorado collegeinvest scholarship trust fund,
4 the amount of money annually spent on administration, the average
5 scholarship award amount, and the number of students participating in the
6 Colorado collegeinvest scholarship program.

7 (5) (a) NOTWITHSTANDING ANY PROVISIONS OF SUBSECTION (2) OF
8 THIS SECTION TO THE CONTRARY, BEGINNING IN THE 2010-11 FISCAL YEAR
9 AND CONTINUING THROUGH THE 2012-13 FISCAL YEAR, THE AUTHORITY
10 SHALL ANNUALLY USE ONE MILLION DOLLARS OF THE MONEYS IN THE
11 COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND CREATED IN
12 SUBSECTION (2) OF THIS SECTION, OTHER THAN MONEYS APPROPRIATED
13 FROM THE GENERAL FUND, TO ADMINISTER THE COLORADO JOB
14 RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6
15 AND TO AWARD SCHOLARSHIPS PURSUANT TO THAT PROGRAM.

16 (b) ANY PORTION OF THE ONE MILLION DOLLARS IN ANNUAL
17 COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM MONEYS THAT
18 REMAINS UNCOMMITTED AT THE END OF EACH FISCAL YEAR SHALL BE
19 TRANSFERRED TO THE TEACH COLORADO GRANT INITIATIVE FUND
20 CREATED IN SECTION 23-3.3-901 TO IMPLEMENT THE TEACH COLORADO
21 GRANT INITIATIVE.

22 (c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2013.

23 **SECTION 3.** 23-3.1-206 (1) (x) and (1) (y), Colorado Revised
24 Statutes, are amended, and the said 23-3.1-206 (1) is further amended BY
25 THE ADDITION OF A NEW PARAGRAPH, to read:

26 **23-3.1-206. General powers and duties of the authority -**
27 **repeal.** (1) In addition to any other powers and duties specifically

1 granted to the authority in this part 2, the authority has the following
2 powers:

3 (x) To organize entities pursuant to title 7, C.R.S., and transfer
4 funds to the entities for the purpose of investing the moneys in the
5 Colorado collegeinvest scholarship trust fund and any other trusts and
6 funds under the authority's control; and

7 (y) To develop and administer loan forgiveness programs,
8 including those established under article 3.6 of this title; AND

9 (z) (I) TO IMPLEMENT AND ADMINISTER THE COLORADO JOB
10 RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6.

11 (II) THIS PARAGRAPH (Z) IS REPEALED, EFFECTIVE JULY 1, 2013.

12 **SECTION 4.** 23-3.3-901 (7), Colorado Revised Statutes, is
13 amended to read:

14 **23-3.3-901. Teach Colorado grant initiative created - award**
15 **of grants - legislative declaration - fund.** (7) (a) ~~In addition to any~~
16 ~~general funds appropriated by the general assembly to the department for~~
17 ~~the implementation of the teach Colorado grant initiative, The department~~
18 ~~is authorized to seek and accept gifts, grants, and donations from private~~
19 ~~and public sources for the implementation of the teach Colorado grant~~
20 ~~initiative; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT,~~
21 ~~GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE~~
22 ~~INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE~~
23 ~~DEPARTMENT SHALL TRANSFER ALL MONEYS RECEIVED THROUGH GIFTS,~~
24 ~~GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT~~
25 ~~THE SAME TO THE TEACH COLORADO GRANT INITIATIVE FUND CREATED IN~~
26 ~~PARAGRAPH (b) OF THIS SUBSECTION (7).~~

27 (b) (I) THERE IS HEREBY CREATED IN THE STATE TREASURY THE

1 TEACH COLORADO GRANT INITIATIVE FUND, REFERRED TO IN THIS
2 SUBSECTION (7) AS THE "FUND". THE FUND SHALL CONSIST OF MONEYS
3 CREDITED TO THE FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION
4 (7), MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION
5 23-3.1-206.9 (5), AND SUCH ADDITIONAL MONEYS AS THE GENERAL
6 ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND
7 SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
8 ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS
9 ASSOCIATED WITH IMPLEMENTING THIS SECTION; EXCEPT THAT ANY
10 MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 23-3.1-206.9
11 (5) ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE
12 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS
13 SECTION.

14 (II) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE
15 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS
16 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
17 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
18 TO THE FUND.

19 (III) ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING
20 IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND
21 AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
22 ANOTHER FUND.

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