

An Act

HOUSE BILL 21-1007

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also SENATOR(S) Danielson and Rodriguez, Bridges, Buckner, Donovan, Fenberg, Fields, Ginal, Gonzales, Hansen, Kolker, Lee, Moreno, Pettersen, Story, Winter, Zenzinger, Garcia.

CONCERNING A STATE APPRENTICESHIP REGISTRATION PROGRAM IN THE DEPARTMENT OF LABOR AND EMPLOYMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** article 15.7 to title 8 as follows:

ARTICLE 15.7 **Apprenticeships**

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

8-15.7-101. Definitions. AS USED IN THIS ARTICLE 15.7, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "APPRENTICE" MEANS AN INDIVIDUAL WHO IS SIXTEEN YEARS OF AGE OR OLDER, EXCEPT WHEN A HIGHER MINIMUM AGE STANDARD IS OTHERWISE FIXED BY LAW, AND WHO IS EMPLOYED TO LEARN AN APPRENTICEABLE OCCUPATION UNDER THE STANDARDS OF APPRENTICESHIP ESTABLISHED BY THIS ARTICLE 15.7.

(2) "APPRENTICEABLE OCCUPATION" MEANS AN OCCUPATION SPECIFIED BY AN INDUSTRY THAT INVOLVES THE PROGRESSIVE ATTAINMENT OF SKILLS, COMPETENCIES, AND KNOWLEDGE THAT ARE:

(a) CLEARLY IDENTIFIED AND COMMONLY RECOGNIZED THROUGHOUT THE RELEVANT INDUSTRY OR OCCUPATION;

(b) CUSTOMARILY LEARNED OR ENHANCED IN A PRACTICAL WAY THROUGH A STRUCTURED, SYSTEMATIC PROGRAM OF ON-THE-JOB, SUPERVISED LEARNING AND RELATED INSTRUCTION TO SUPPLEMENT THE LEARNING; AND

(c) OFFERED THROUGH A TIME-BASED, COMPETENCY-BASED, OR HYBRID MODEL THAT THE DIRECTOR HAS DETERMINED MEETS THE REQUIREMENTS OF THIS ARTICLE 15.7 AND 29 CFR 29 AND 30.

(3) "APPRENTICESHIP AGREEMENT" MEANS A WRITTEN AGREEMENT BETWEEN AN APPRENTICE AND A SPONSOR.

(4) "APPRENTICESHIP PROGRAM" MEANS A PROGRAM THAT:

(a) IS ESTABLISHED BY A SPONSOR FOR TRAINING INDIVIDUALS FOR ONE OR MORE APPRENTICEABLE OCCUPATIONS;

(b) COMBINES ON-THE-JOB TRAINING AND RELATED INSTRUCTION ACCORDING TO THE SPECIFICATIONS ESTABLISHED BY FEDERAL LAW AND THIS ARTICLE 15.7.

(5) "CERTIFICATE OF COMPLETION" MEANS A CERTIFICATE AWARDED TO AN APPRENTICE IN RECOGNITION OF THE SUCCESSFUL COMPLETION OF AN APPRENTICESHIP PROGRAM.

(6) "CERTIFICATE OF REGISTRATION" MEANS A DOCUMENT ISSUED BY THE SAA TO A SPONSOR THAT INDICATES THAT THE SPONSOR'S APPRENTICESHIP PROGRAM IS REGISTERED PURSUANT TO THIS ARTICLE 15.7.

(7) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(8) "DIRECTOR" MEANS THE DIRECTOR OF THE SAA.

(9) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(10) "INTERAGENCY ADVISORY COMMITTEE ON APPRENTICESHIP" OR "IAC" MEANS THE INTERAGENCY ADVISORY COMMITTEE ON APPRENTICESHIP CREATED IN SECTION 8-15.7-104.

(11) "QUALIFIED INTERMEDIARY" MEANS AN ENTITY THAT DEMONSTRATES EXPERTISE IN CONNECTING EMPLOYERS OR APPRENTICESHIP PROGRAM PARTICIPANTS TO REGISTERED APPRENTICESHIP PROGRAMS OR IN CONVENING STAKEHOLDERS TO DEVELOP REGISTERED APPRENTICESHIP PROGRAMS AND SERVES EMPLOYERS AND APPRENTICESHIP PROGRAM PARTICIPANTS BY:

(a) CONNECTING EMPLOYERS TO PROGRAMS UNDER THE NATIONAL APPRENTICESHIP SYSTEM;

(b) ASSISTING IN THE DESIGN AND IMPLEMENTATION OF APPRENTICESHIP PROGRAMS, INCLUDING CURRICULUM DEVELOPMENT AND DELIVERY FOR RELATED INSTRUCTION;

(c) SUPPORTING ENTITIES, SPONSORS, OR APPRENTICESHIP PROGRAM ADMINISTRATORS IN MEETING AND REPORTING THE REQUIREMENTS OF THIS ARTICLE 15.7;

(d) PROVIDING PROFESSIONAL DEVELOPMENT ACTIVITIES, SUCH AS TRAINING TO MENTORS;

(e) SUPPORTING THE RECRUITMENT, RETENTION, AND APPRENTICESHIP PROGRAM COMPLETION OF POTENTIAL APPRENTICESHIP PROGRAM PARTICIPANTS, INCLUDING NONTRADITIONAL PARTICIPANTS AND

APPRENTICESHIP POPULATIONS AND INDIVIDUALS WITH BARRIERS TO EMPLOYMENT;

(f) DEVELOPING AND PROVIDING PERSONALIZED APPRENTICESHIP PROGRAM PARTICIPANT SUPPORTS, INCLUDING PARTNERING WITH ORGANIZATIONS TO PROVIDE ACCESS TO OR REFERRALS FOR SUPPORTIVE SERVICES AND FINANCIAL ADVISING;

(g) PROVIDING SERVICES, RESOURCES, AND SUPPORTS FOR THE DEVELOPMENT, DELIVERY, EXPANSION, OR IMPROVEMENT OF APPRENTICESHIP PROGRAMS UNDER THE NATIONAL APPRENTICESHIP SYSTEM; OR

(h) SERVING AS AN APPRENTICESHIP PROGRAM SPONSOR.

(12) "QUALITY ASSURANCE ASSESSMENT" MEANS A COMPREHENSIVE REVIEW CONDUCTED BY THE SAA REGARDING ALL ASPECTS OF AN APPRENTICESHIP PROGRAM'S PERFORMANCE, INCLUDING DETERMINING WHETHER:

(a) THE APPRENTICES ARE RECEIVING ON-THE-JOB TRAINING CONSISTENT WITH THE SCHEDULE OUTLINED IN THE REGISTERED APPRENTICESHIP PROGRAM STANDARDS;

(b) SCHEDULED WAGE INCREASES ARE CONSISTENT WITH THE REGISTERED APPRENTICESHIP PROGRAM STANDARDS;

(c) RELATED INSTRUCTION THROUGH THE APPROPRIATE CURRICULUM AND DELIVERY SYSTEMS IS COMPLIANT WITH FEDERAL AND STATE STANDARDS; AND

(d) THE SAA IS RECEIVING NOTIFICATION OF ALL NEW APPRENTICES IN A REGISTERED APPRENTICESHIP PROGRAM, APPRENTICES WHO LEAVE A REGISTERED APPRENTICESHIP PROGRAM, AND APPRENTICES WHO COMPLETE A REGISTERED APPRENTICESHIP PROGRAM.

(13) "REGISTERED APPRENTICESHIP PROGRAM" MEANS AN APPRENTICESHIP PROGRAM THAT IS REGISTERED BY THE SAA PURSUANT TO THIS ARTICLE 15.7.

(14) "REGISTRATION OF AN APPRENTICESHIP PROGRAM" OR "REGISTRATION OF APPRENTICESHIP PROGRAMS" MEANS THE REGISTRATION BY THE SAA OF AN APPRENTICE PROGRAM THAT MEETS THE BASIC STANDARDS AND REQUIREMENTS ESTABLISHED PURSUANT TO THIS ARTICLE 15.7 FOR PURPOSES OF MEETING FEDERAL REQUIREMENTS, AS EVIDENCED BY A CERTIFICATE OF REGISTRATION.

(15) "SPONSOR" MEANS AN EMPLOYER, A JOINT LABOR-MANAGEMENT ORGANIZATION, A TRADE ASSOCIATION, A PROFESSIONAL ASSOCIATION, A LABOR ORGANIZATION, AN EDUCATION AND TRAINING PROVIDER, OR A QUALIFIED INTERMEDIARY THAT IS APPLYING TO REGISTER AN APPRENTICESHIP PROGRAM.

(16) "STATE APPRENTICESHIP AGENCY" OR "SAA" MEANS THE STATE APPRENTICESHIP AGENCY CREATED IN SECTION 8-15.7-102.

(17) "STATE APPRENTICESHIP COUNCIL" OR "SAC" MEANS THE STATE APPRENTICESHIP COUNCIL CREATED IN SECTION 8-15.7-103.

8-15.7-102. State apprenticeship agency - created - director - powers and duties - rules. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE STATE APPRENTICESHIP AGENCY. THE EXECUTIVE DIRECTOR SHALL APPOINT A DIRECTOR OF THE SAA. THE SAA SHALL:

(a) SERVE AS THE PRIMARY POINT OF CONTACT WITH THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP;

(b) ACCELERATE NEW APPRENTICESHIP PROGRAM GROWTH ON A GEOGRAPHICALLY DIVERSE BASIS, ESPECIALLY IN HIGH-DEMAND OCCUPATIONS, WHILE ENSURING QUALITY STANDARDS;

(c) ENCOURAGE THE DEVELOPMENT OF AND ASSIST IN THE ESTABLISHMENT OF APPRENTICESHIP PROGRAMS AND PROMOTE ENROLLMENT IN APPRENTICESHIP PROGRAMS BY PROVIDING TECHNICAL AND COMPLIANCE ASSISTANCE TO SPONSORS, APPRENTICES, AND APPRENTICESHIP PROGRAMS AND ENSURING PROGRAM COMPLIANCE WITH APPRENTICESHIP STANDARDS;

(d) REGISTER AND OVERSEE APPRENTICESHIP PROGRAMS AND APPRENTICESHIP AGREEMENTS;

(e) ISSUE CERTIFICATES OF REGISTRATION TO EXISTING APPRENTICESHIP PROGRAMS;

(f) ISSUE CERTIFICATES OF REGISTRATION TO SPONSORS OF APPRENTICESHIP PROGRAMS;

(g) DETERMINE REQUIRED STANDARDS FOR REGISTRATION OF AN APPRENTICESHIP PROGRAM;

(h) PERFORM QUALITY ASSURANCE ASSESSMENTS;

(i) APPROVE THE APPROPRIATE IMPLEMENTATION OF AN APPRENTICESHIP PROGRAM;

(j) MAINTAIN ADEQUATE RECORDS CONCERNING REGISTRATION REQUIREMENTS, APPROVED PROGRAM STANDARDS, THE APPRENTICES IN EACH REGISTERED APPRENTICESHIP PROGRAM, DEREGISTRATION ACTIONS, COMPLIANCE REVIEWS AND INVESTIGATIONS, AND ANY OTHER MATTERS STIPULATED BY THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP THAT ARE PERTINENT TO COMPLIANCE BY APPRENTICESHIP PROGRAMS WITH THE REQUIREMENTS OF THIS ARTICLE 15.7;

(k) MONITOR AND EVALUATE APPRENTICESHIP PROGRAMS' PERFORMANCE AND COMPLIANCE WITH FEDERAL AND STATE STANDARDS AND REPORT TO THE SAC AND THE IAC ON THE OUTCOME OF QUALITY ASSURANCE ASSESSMENTS;

(l) COMPLETE DEREGISTRATION OF APPRENTICESHIP PROGRAMS THAT DO NOT MEET THE REQUIREMENTS OF THIS ARTICLE 15.7;

(m) REVIEW APPRENTICESHIP PROGRAMS FOR REINSTATEMENT OF REGISTRATION;

(n) SUBMIT AN EQUAL EMPLOYMENT OPPORTUNITY IN APPRENTICESHIP STATE PLAN TO THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP;

(o) CREATE A POLICY OF RECIPROCITY WITH OTHER STATES TO ENSURE THE REGISTRATION OF APPRENTICESHIP PROGRAMS;

(p) AWARD CERTIFICATES OF COMPLETION AND MONITOR APPRENTICES WITH ACTIVE STATUS, APPRENTICESHIP COMPLETIONS, AND THE ONGOING OPERATION OF REGISTERED APPRENTICESHIP PROGRAMS;

(q) PROVIDE ADMINISTRATIVE SUPPORT TO THE SAC AND THE IAC IN CARRYING OUT THEIR DUTIES; AND

(r) WORK IN PARTNERSHIP WITH RELEVANT STATE AGENCIES TO REDUCE DUPLICATION OF POST-SECONDARY PROGRAM APPROVAL.

(2) THE SAA SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT AS IF IT WERE TRANSFERRED TO THE DEPARTMENT BY A TYPE 1 TRANSFER, AS DESCRIBED IN SECTION 24-1-105.

(3) THE SAA MUST FOLLOW ALL GUIDANCE DOCUMENTS ISSUED BY THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP.

(4) THE DIRECTOR MAY PROMULGATE RULES AS NECESSARY TO IMPLEMENT THIS ARTICLE 15.7, INCLUDING RULES AFFECTING THE REGISTRATION, PERFORMANCE, AND LEGAL COMPLIANCE OF APPRENTICESHIP PROGRAMS.

8-15.7-103. State apprenticeship council - created - members - powers and duties. (1) THE DIRECTOR SHALL ESTABLISH THE STATE APPRENTICESHIP COUNCIL TO OVERSEE REGISTERED APPRENTICESHIP PROGRAMS FOR THE BUILDING AND CONSTRUCTION TRADES IN THE STATE.

(2) (a) THE SAC CONSISTS OF SIXTEEN MEMBERS APPOINTED AS FOLLOWS:

(I) THE DIRECTOR SHALL APPOINT TEN VOTING MEMBERS FAMILIAR WITH APPRENTICEABLE OCCUPATIONS AS FOLLOWS:

(A) FOUR REPRESENTATIVES FROM EMPLOYER ORGANIZATIONS, ONE OF WHOM REPRESENTS A STATEWIDE EMPLOYER ORGANIZATION, ONE OF WHOM REPRESENTS AN EMPLOYER INVOLVED WITH AN APPRENTICESHIP PROGRAM TARGETING POPULATIONS WITH BARRIERS TO EMPLOYMENT, AND ONE OF WHOM REPRESENTS A STATEWIDE ORGANIZATION OF GENERAL AND SPECIALTY COMMERCIAL CONSTRUCTION CONTRACTORS THAT IS

KNOWLEDGEABLE ABOUT REGISTERED APPRENTICESHIP PROGRAMS;

(B) FOUR REPRESENTATIVES FROM EMPLOYER ORGANIZATIONS, ONE OF WHOM REPRESENTS A STATEWIDE EMPLOYER ORGANIZATION; AND

(C) TWO REPRESENTATIVES OF THE PUBLIC; AND

(II) THE GOVERNOR SHALL APPOINT SEVEN NONVOTING, EX OFFICIO MEMBERS TO SERVE ON THE SAC AND THE IAC AS FOLLOWS:

(A) ONE REPRESENTATIVE FROM THE DEPARTMENT;

(B) ONE REPRESENTATIVE OF CAREER AND TECHNICAL EDUCATION PROGRAMS;

(C) ONE REPRESENTATIVE WITH EXPERIENCE IN ECONOMIC DEVELOPMENT;

(D) ONE REPRESENTATIVE OF TRAINING PROVIDERS;

(E) ONE REPRESENTATIVE OF THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN SECTION 24-46.3-101;

(F) ONE MEMBER WHO IS INTERESTED IN PROMOTING EQUAL OPPORTUNITY IN APPRENTICESHIP; AND

(G) ONE REPRESENTATIVE FROM THE DEPARTMENT OF HIGHER EDUCATION.

(b) (I) OF THE MEMBERS APPOINTED BY THE DIRECTOR, THE INITIAL TERM OF OFFICE OF THREE MEMBERS FROM EMPLOYER ORGANIZATIONS, TWO MEMBERS FROM EMPLOYEE ORGANIZATIONS, AND ONE REPRESENTATIVE OF THE PUBLIC IS THREE YEARS, AND THE INITIAL TERM OF OFFICE OF THE REMAINING FOUR MEMBERS IS FOUR YEARS. THEREAFTER, THE TERMS OF THE MEMBERS APPOINTED BY THE DIRECTOR ARE FOUR YEARS.

(II) OF THE MEMBERS APPOINTED BY THE GOVERNOR, THE INITIAL TERM OF OFFICE OF THE THREE MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (2)(a)(II)(A), (2)(a)(II)(B), AND (2)(a)(II)(C) OF THIS SECTION IS THREE YEARS AND THE INITIAL TERM OF OFFICE OF THE THREE MEMBERS

APPOINTED PURSUANT TO SUBSECTIONS (2)(a)(II)(D), (2)(a)(II)(E), AND (2)(a)(II)(F) OF THIS SECTION IS FOUR YEARS. THEREAFTER, THE TERMS OF THE MEMBERS APPOINTED BY THE GOVERNOR ARE FOUR YEARS.

(c) THE DIRECTOR SHALL APPOINT ONE MEMBER OF THE SAC TO SERVE AS THE CHAIR FOR A TERM OF TWO YEARS. A CHAIR MAY BE APPOINTED TO SERVE NO MORE THAN TWO FULL TERMS.

(d) IF A MEMBER FAILS TO COMPLETE THE MEMBER'S TERM, THE APPOINTING AUTHORITY SHALL APPOINT A NEW MEMBER TO COMPLETE THE REMAINDER OF THE TERM.

(e) MEMBERS SHALL SERVE WITHOUT COMPENSATION FOR THEIR SERVICE; EXCEPT THAT MEMBERS MAY RECEIVE A PER DIEM AS ESTABLISHED BY THE DIRECTOR AND REIMBURSEMENT FOR TRAVEL AND OTHER NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

(f) THE SAC:

(I) SHALL MEET AT LEAST QUARTERLY AND AT THE REQUEST OF THE DIRECTOR AS NEEDED TO ACCOMPLISH THE OBJECTIVES OF THE SAC;

(II) SHALL PROVIDE TIMELY WRITTEN NOTICE OF ALL MEETINGS TO THE DEPARTMENT;

(III) MAY DETERMINE ITS OWN PROCEDURAL RULES; AND

(IV) IS SUBJECT TO ARTICLE 6 OF TITLE 24.

(g) NO MEMBER OF THE SAC MAY RECEIVE ANY COMPENSATION FROM AN APPRENTICESHIP PROGRAM.

(3) FOR THE BUILDING AND CONSTRUCTION TRADES, THE SAC SHALL:

(a) REGISTER WITH AND MAINTAIN THE STANDARDS OF THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP AND DEVELOP MINIMUM STANDARDS FOR REGISTRATION OF APPRENTICESHIP PROGRAMS;

(b) RESOLVE CONFLICTS AND COMPLAINTS THAT ARISE BETWEEN PARTIES TO AN APPRENTICESHIP AGREEMENT WHEN A CONFLICT EXISTS, AFTER THE CONFLICT HAS BEEN ADDRESSED BY LOCAL ENTITIES CHARGED WITH THIS FUNCTION UNDER THE RELEVANT APPRENTICESHIP PROGRAM STANDARDS AND THE SAA;

(c) REVIEW PROGRAM PERFORMANCE STANDARDS AND MAKE FINDINGS OF FACT AND DECISIONS ON ENFORCEMENT ACTIONS BASED ON EACH REVIEW;

(d) RECOMMEND ADDITIONS AND CHANGES CONCERNING RULES ABOUT APPRENTICESHIP PROGRAMS TO THE DIRECTOR;

(e) PROVIDE TECHNICAL AND PROFESSIONAL GUIDANCE FOR IDENTIFYING AND PROMOTING BEST PRACTICES IN REGISTERED APPRENTICESHIP PROGRAMS;

(f) DEVELOP ADMINISTRATIVE POLICIES THAT ENSURE THE SAFETY AND QUALITY OF REGISTERED APPRENTICESHIP PROGRAMS AND ADDRESS, AS WARRANTED, THE RELATED NEEDS OF COLORADO'S BUSINESSES, THE LABOR WORKFORCE, AND COMMUNITIES;

(g) PROVIDE AN ANNUAL REPORT TO THE EXECUTIVE DIRECTOR WITH APPRENTICESHIP DATA DISAGGREGATED BY AGE OF POPULATION, RACE, GENDER, VETERAN STATUS, DISABILITY, AND INDUSTRY;

(h) ADVISE THE SAA REGARDING EFFECTIVE PERFORMANCE OF THE SAC'S ASSIGNED FUNCTIONS; AND

(i) FORMULATE POLICIES FOR THE BUILDING AND CONSTRUCTION TRADES AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS ARTICLE 15.7.

8-15.7-104. Interagency advisory committee on apprenticeship - created - members - powers and duties. (1) THE DIRECTOR SHALL ESTABLISH THE INTERAGENCY ADVISORY COMMITTEE ON APPRENTICESHIP TO OVERSEE APPRENTICESHIP PROGRAMS THAT ARE NOT WITHIN THE JURISDICTION OF THE SAC.

(2) (a) THE IAC CONSISTS OF FOURTEEN MEMBERS APPOINTED AS

FOLLOWS:

(I) THE DIRECTOR SHALL APPOINT EIGHT VOTING MEMBERS WHO REPRESENT, AND ARE REGULARLY EVALUATED TO ENSURE THAT THE REPRESENTATION ALIGNS WITH, HIGH-DEMAND JOBS, AS STATED IN THE ANNUAL COLORADO TALENT REPORT PREPARED PURSUANT TO SECTION 24-46.3-103 (3), AS FOLLOWS:

(A) THREE REPRESENTATIVES OF EMPLOYER ORGANIZATIONS THAT ARE NOT WITHIN THE BUILDING AND CONSTRUCTION TRADES; AT LEAST ONE OF WHOM REPRESENTS AN EMPLOYER INVOLVED WITH A PROGRAM EXPLICITLY TARGETING POPULATIONS WITH BARRIERS TO EMPLOYMENT, INCLUDING WOMEN, PEOPLE OF COLOR, EX-OFFENDERS, AND PERSONS WITH DISABILITIES; ONE OF WHOM REPRESENTS YOUTH WITH BARRIERS TO EMPLOYMENT; AND ONE OF WHOM REPRESENTS OUT-OF-SCHOOL YOUTH;

(B) THREE REPRESENTATIVES FROM EMPLOYEE ORGANIZATIONS THAT ARE NOT WITHIN THE BUILDING AND CONSTRUCTION TRADES;

(C) ONE REPRESENTATIVE FROM A QUALIFIED INTERMEDIARY; AND

(D) ONE MEMBER OF THE PUBLIC.

(II) THE GOVERNOR SHALL APPOINT THE SIX NONVOTING, EX OFFICIO MEMBERS, ONE OF WHOM IS A REPRESENTATIVE OF THE DEPARTMENT OF HIGHER EDUCATION, AND FIVE OF WHOM ARE APPOINTED PURSUANT TO SECTION 8-15.7-103 (2)(a)(II) TO THE IAC.

(b) (I) OF THE MEMBERS APPOINTED BY THE DIRECTOR, THE INITIAL TERM OF OFFICE OF ONE EMPLOYER MEMBER, ONE EMPLOYEE MEMBER, AND ONE REPRESENTATIVE OF THE PUBLIC IS THREE YEARS AND THE INITIAL TERM OF OFFICE OF THE REMAINING FIVE MEMBERS IS FOUR YEARS. THEREAFTER, THE TERMS OF THE MEMBERS ARE FOUR YEARS.

(II) THE TERMS OF OFFICE OF THE NONVOTING, EX OFFICIO MEMBERS APPOINTED PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION ARE THE SAME AS THE TERMS OF OFFICE OF THOSE MEMBERS AS SPECIFIED IN SECTION 8-15.7-103 (2)(b)(II).

(III) THE DIRECTOR SHALL APPOINT ONE MEMBER OF THE IAC TO

SERVE AS THE CHAIR FOR A TERM OF TWO YEARS. A CHAIR MAY BE APPOINTED TO SERVE NO MORE THAN TWO FULL TERMS.

(c) IF A MEMBER FAILS TO COMPLETE THE MEMBER'S TERM, THE APPOINTING AUTHORITY SHALL APPOINT A NEW MEMBER TO COMPLETE THE REMAINDER OF THE TERM.

(d) MEMBERS SHALL SERVE WITHOUT COMPENSATION FOR THEIR SERVICE; EXCEPT THAT MEMBERS MAY RECEIVE A PER DIEM AS ESTABLISHED BY THE DIRECTOR AND REIMBURSEMENT FOR TRAVEL AND OTHER NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

(e) THE IAC:

(I) SHALL MEET AT LEAST QUARTERLY AND AT THE REQUEST OF THE DIRECTOR AS NEEDED TO ACCOMPLISH THE OBJECTIVES OF THE IAC;

(II) SHALL PROVIDE TIMELY WRITTEN NOTICE OF ALL MEETINGS TO THE DEPARTMENT;

(III) MAY DETERMINE ITS OWN PROCEDURAL RULES; AND

(IV) IS SUBJECT TO ARTICLE 6 OF TITLE 24.

(f) NO MEMBER OF THE IAC MAY RECEIVE ANY COMPENSATION FROM AN APPRENTICESHIP PROGRAM.

(3) FOR ALL APPRENTICESHIPS THAT ARE NOT WITHIN THE BUILDING AND CONSTRUCTION TRADES AND NOT UNDER THE JURISDICTION OF THE SAC, THE IAC SHALL:

(a) REGISTER WITH AND MAINTAIN THE STANDARDS OF THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP AND DEVELOP MINIMUM STANDARDS FOR REGISTRATION OF APPRENTICESHIP PROGRAMS;

(b) RESOLVE CONFLICTS AND COMPLAINTS THAT ARISE BETWEEN PARTIES TO AN APPRENTICESHIP AGREEMENT WHEN A CONFLICT EXISTS, AFTER THE CONFLICT HAS BEEN ADDRESSED BY LOCAL ENTITIES CHARGED WITH THIS FUNCTION UNDER THE RELEVANT APPRENTICESHIP PROGRAM

STANDARDS AND THE SAA;

(c) REVIEW PROGRAM PERFORMANCE STANDARDS AND MAKE FINDINGS OF FACT AND DECISIONS ON ENFORCEMENT ACTIONS BASED ON EACH REVIEW;

(d) RECOMMEND ADDITIONS AND CHANGES CONCERNING RULES ABOUT APPRENTICESHIP PROGRAMS TO THE DIRECTOR;

(e) PROVIDE TECHNICAL AND PROFESSIONAL GUIDANCE FOR IDENTIFYING AND PROMOTING BEST PRACTICES IN REGISTERED APPRENTICESHIP PROGRAMS;

(f) DEVELOP ADMINISTRATIVE POLICIES THAT ENSURE THE SAFETY AND QUALITY OF REGISTERED APPRENTICESHIP PROGRAMS AND ADDRESS, AS WARRANTED, THE RELATED NEEDS OF COLORADO'S BUSINESSES, THE LABOR WORKFORCE, AND COMMUNITIES;

(g) PROVIDE AN ANNUAL REPORT TO THE EXECUTIVE DIRECTOR WITH APPRENTICESHIP DATA DISAGGREGATED BY AGE OF POPULATION, RACE, GENDER, VETERAN STATUS, DISABILITY, AND INDUSTRY;

(h) ADVISE THE SAA REGARDING EFFECTIVE PERFORMANCE OF THE IAC'S ASSIGNED FUNCTIONS; AND

(i) FORMULATE POLICIES FOR THE INDUSTRIES WITHIN THE IAC'S JURISDICTION AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS ARTICLE 15.7.

18-15.7-105. Joint resolution committee of the SAC and IAC-created - members powers - duties. (1) THE CHAIRS OF THE SAC AND THE IAC SHALL ESTABLISH AN AD HOC JOINT RESOLUTION COMMITTEE OF THE SAC AND IAC, REFERRED TO IN THIS SECTION AS THE "AD HOC COMMITTEE". THE AD HOC COMMITTEE CONSISTS OF TWO MEMBERS FROM BOTH THE IAC AND THE SAC APPOINTED BY THE DIRECTOR. THE AD HOC COMMITTEE SHALL RESOLVE CONFLICTS THAT ARISE BETWEEN THE SAC AND THE IAC AND SHALL DEFINE THE JURISDICTION OF THE SAC AND THE IAC.

(2) THE AD HOC COMMITTEE OF THE SAC AND THE IAC SHALL:

(a) PUBLISH A STATEMENT DEFINING THE SAC'S JURISDICTION OF THE BUILDING AND CONSTRUCTION TRADES, AND UPDATE THE STATEMENT PERIODICALLY AS NECESSARY AS DETERMINED BY THE AD HOC COMMITTEE; AND

(b) RESOLVE CONFLICTS AND COMPLAINTS THAT ARISE BETWEEN THE SAC AND THE IAC AS DETERMINED BY THE AD HOC COMMITTEE.

(3) IF THERE IS A TIE AMONG THE AD HOC COMMITTEE MEMBERS IN DETERMINING A RESOLUTION TO A CONFLICT, THE DIRECTOR SHALL BREAK THE TIE. A DECISION OF THE AD HOC COMMITTEE IS FINAL.

(4) THE SAC HAS JURISDICTION OVER APPRENTICESHIP PROGRAMS FOR OCCUPATIONS IN THE BUILDING AND CONSTRUCTION TRADES. FOR PURPOSES OF THIS SECTION, OCCUPATIONS ARE IN THE BUILDING AND CONSTRUCTION TRADES IF EITHER:

(a) WORKERS IN THE OCCUPATION PERFORM CONSTRUCTION, RECONSTRUCTION, RENOVATION, ALTERATION, DEMOLITION, PAINTING, REPAIR, OR MAINTENANCE WORK FOR ROADS, HIGHWAYS, BUILDINGS, STRUCTURES, INDUSTRIAL FACILITIES, OR IMPROVEMENTS OF ANY TYPE; OR

(b) APPRENTICES IN THE APPRENTICESHIP PROGRAM WILL BE EMPLOYED BY LICENSED CONTRACTORS.

8-15.7-106. Application for registration of apprenticeship programs - diversity initiatives - deregistration - rules. (1) ON AND AFTER JULY 1, 2023, THE SAA SHALL ACCEPT APPLICATIONS FOR THE REGISTRATION OF APPRENTICESHIP PROGRAMS PURSUANT TO 29 CFR 29 AND 30.

(2) EACH APPRENTICESHIP PROGRAM THAT REGISTERS WITH THE SAA SHALL ADOPT A WRITTEN DIVERSITY RECRUITMENT PLAN THAT ENSURES EQUAL OPPORTUNITY IN THE RECRUITMENT, SELECTION, EMPLOYMENT, AND TRAINING OF APPRENTICES. THE RECRUITMENT PLAN MUST INCLUDE THE ADOPTION OF FEDERAL REGULATIONS CONCERNING EQUAL EMPLOYMENT UNDER 29 CFR 29 AND 30. THE SAA SHALL ENSURE COMPLIANCE WITH THE FEDERAL REGULATIONS BY FILING THE EQUAL EMPLOYMENT OPPORTUNITY IN APPRENTICESHIP STATE PLAN PURSUANT TO SECTION 8-15.7-102 (1)(n).

(3)(a) THE SAA MAY DEREGISTER AN APPRENTICESHIP PROGRAM AT THE REQUEST OF THE SPONSOR OR, AFTER A HEARING PURSUANT TO SECTION 8-15.7-107, FOR NONCOMPLIANCE WITH THIS ARTICLE 15.7 PURSUANT TO CONDITIONS AND RULES ESTABLISHED BY THE SAA.

(b) ANY APPRENTICESHIP PROGRAM DEREGISTERED FOR NONCOMPLIANCE WITH THIS ARTICLE 15.7 OR ANY RULES PROMULGATED PURSUANT TO THIS ARTICLE 15.7 MAY PRESENT EVIDENCE TO THE SAA THAT THE PROGRAM IS COMPLIANT. THE APPRENTICESHIP PROGRAM'S REGISTRATION MAY BE REINSTATED:

(I) NO EARLIER THAN ONE YEAR AFTER ISSUANCE OF THE DEREGISTRATION ORDER;

(II) IF THE SAA DETERMINES THAT THE APPRENTICESHIP PROGRAM HAS AN ACCEPTABLE SET OF STANDARDS AND IS IN COMPLIANCE WITH ALL REQUIREMENTS FOR REGISTERED APPRENTICESHIP PROGRAMS UNDER THIS ARTICLE 15.7; AND

(III) IF THE APPRENTICESHIP PROGRAM IS PREPARED TO IMMEDIATELY ENROLL ONE OR MORE APPRENTICES.

(4) UPON REQUEST TO THE SAA, A SPONSOR MAY REVERSE A VOLUNTARY DEREGISTRATION WITHIN SIX MONTHS AFTER ITS EFFECTIVE DATE IF ON THAT DATE THE SAA HAD NO CURRENT GROUNDS TO INITIATE INVOLUNTARY DEREGISTRATION PROCEEDINGS.

8-15.7-107. Hearings. (1) UPON REQUEST OF A HEARING BY THE SAC OR THE IAC, THE SAA SHALL CONDUCT HEARINGS FOR THE PURPOSE OF RESOLVING COMPLIANCE ISSUES OR DEREGISTRATION ISSUES WITH A REGISTERED APPRENTICESHIP PROGRAM. WITHIN TEN DAYS AFTER RECEIVING A REQUEST FOR A HEARING, THE SAA SHALL DESIGNATE A HEARING OFFICER TO CONDUCT THE HEARING. THE HEARING OFFICER SHALL GIVE REASONABLE NOTICE OF THE HEARING BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE SPONSOR OF THE REGISTERED APPRENTICESHIP PROGRAM THAT IS THE SUBJECT OF THE HEARING. THE NOTICE SHALL INCLUDE THE FOLLOWING:

(a) A TIME AND PLACE OF THE HEARING;

(b) A STATEMENT OF THE PROVISIONS WITH WHICH THE REGISTERED APPRENTICESHIP PROGRAM IS ALLEGED NOT TO COMPLY; AND

(c) A CONCISE STATEMENT OF ALLEGED INSTANCES OF NONCOMPLIANCE BASED ON WHICH THE HEARING WAS REQUESTED.

(2) THE HEARING OFFICER SHALL CONDUCT THE HEARING IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24. EACH PARTY HAS THE RIGHT TO COUNSEL AND A FAIR OPPORTUNITY TO PRESENT THE CASE, INCLUDING CROSS-EXAMINATION AS MAY BE APPROPRIATE IN THE CIRCUMSTANCES. THE HEARING OFFICER SHALL:

(a) DEVELOP FINDINGS AND A RECOMMENDED DECISION ON THE BASIS OF THE RECORD OF THE HEARING AND ANY RECORDS AVAILABLE TO THE PARTIES AT THE TIME OF THE HEARING; AND

(b) PRESENT THE FINDINGS AND RECOMMENDED DECISION TO THE PARTIES AND TO THE SAA WITHIN THIRTY CALENDAR DAYS AFTER THE CONCLUSION OF THE HEARING. THE SAA SHALL MAKE A DETERMINATION BASED ON THE FINDINGS OF THE HEARING OFFICER WHETHER TO CONTINUE THE REGISTRATION OF THE APPRENTICESHIP PROGRAM, TO DEREGISTER THE APPRENTICESHIP PROGRAM, OR TO IMPOSE CONDITIONS ON THE APPRENTICESHIP PROGRAM IN ORDER TO CONTINUE REGISTRATION OF THE PROGRAM. THE DETERMINATION OF THE SAA IS A FINAL AGENCY ACTION THAT IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO SECTION 24-4-106.

8-15.7-108. Rules. (1) THE DIRECTOR MAY PROMULGATE RULES TO IMPLEMENT THIS ARTICLE 15.7, INCLUDING RULES THAT ADDRESS:

(a) THE ELIGIBILITY REQUIREMENTS FOR APPRENTICESHIP PROGRAMS TO BE REGISTERED BY THE SAA;

(b) THE REQUIREMENTS FOR A PERSON OR ENTITY TO BE A SPONSOR;

(c) THE CONDITIONS AND PROCEEDINGS FOR CURING NONCOMPLIANCE WITH THIS ARTICLE 15.7 AND FOR THE DEREGISTRATION OF A REGISTERED APPRENTICESHIP PROGRAM; AND

(d) GRIEVANCE PROCEDURES FOR COMPLAINTS NOT UNDER THE

JURISDICTION OF THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, INCLUDING COMPLAINTS CONCERNING APPRENTICES NOT MOVING THROUGH AN APPRENTICESHIP PROGRAM IN A TIMELY MANNER AND INSUFFICIENT ON-THE-JOB TRAINING OR CLASSROOM TIME.

SECTION 2. In Colorado Revised Statutes, 24-1-121, **add** (3)(1) as follows:

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

(3) The department of labor and employment consists of the following divisions and programs:

(1) THE STATE APPRENTICESHIP AGENCY CREATED IN SECTION 8-15.7-102, WHICH SHALL EXERCISE ITS POWERS AND PERFORM THE DUTIES AND FUNCTIONS SPECIFIED BY ARTICLE 15.7 OF TITLE 8 UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AS IF THE SAME WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 1** TRANSFER.

SECTION 3. In Colorado Revised Statutes, 8-14.3-202, **amend** (2) as follows:

8-14.3-202. Definitions. As used in this part 2, unless the context otherwise requires:

(2) "Apprenticeship" means an apprenticeship training program registered with the United States department of ~~labor~~, LABOR'S office of apprenticeship OR A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT LABOR.

SECTION 4. In Colorado Revised Statutes, 8-83-303, **amend** (2) as follows:

8-83-303. Definitions. As used in this part 3, unless the context otherwise requires:

(2) "Apprenticeship program" means a Colorado-based apprenticeship training program that is registered with the United States department of labor's office of apprenticeship OR A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR.

SECTION 5. In Colorado Revised Statutes, 8-83-308, **amend (3)(a)** as follows:

8-83-308. Colorado state apprenticeship resource directory - collection of apprenticeship program information - promotion of public awareness - definitions. (3) As used in this section, unless the context otherwise requires:

(a) "Apprenticeship program" means a Colorado-based apprenticeship training program that is registered with the United States department of labor's office of apprenticeship OR AN APPRENTICESHIP PROGRAM AS DEFINED IN SECTION 8-15.7-101 (4).

SECTION 6. In Colorado Revised Statutes, 22-35-103, **amend (1)** as follows:

22-35-103. Definitions. As used in this article 35, unless the context otherwise requires:

(1) "Apprenticeship program" means a Colorado-based apprenticeship program that is registered with the United States department of ~~labor~~, LABOR'S office of apprenticeship OR A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR.

SECTION 7. In Colorado Revised Statutes, 22-54-138, **amend (1)(b) and (1)(c)(II)** as follows:

22-54-138. Career development success program - created - funding - report - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(b) "Construction industry apprenticeship program" means an apprenticeship program registered with the office of apprenticeship in the United States department of labor OR A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR that trains individuals for careers in the construction industry.

(c) "Construction industry pre-apprenticeship program" means a program or set of strategies that:

(II) Has a documented relationship with at least one apprenticeship program registered with the office of apprenticeship in the United States department of labor OR A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR; and

SECTION 8. In Colorado Revised Statutes, 24-46.3-104, **amend** (2)(a) as follows:

24-46.3-104. Career pathways - design - definitions - legislative declaration. (2) As used in this section, unless the context otherwise requires:

(a) "Apprenticeship" means a registered apprenticeship program with a written plan that is designed to move an apprentice from a low- or no-skill entry-level position to full occupational proficiency. The program must comply with the parameters established under the "National Apprenticeship Act", 29 U.S.C. sec. 50, as amended, and its promulgating regulations, and administered by the United State's department of labor's office of apprenticeship OR MUST BE A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR. An individual business, an employer association, or a labor organization sponsors a registered apprenticeship. Upon finishing a training program, the apprentice earns a "completion of registered apprenticeship" certificate, which is an industry-issued and nationally recognized credential that validates proficiency in an apprenticeable occupation, OR IS AWARDED A CERTIFICATE OF COMPLETION PURSUANT TO ARTICLE 15.7 OF TITLE 8.

SECTION 9. In Colorado Revised Statutes, 24-92-115, **amend** (1)(c) as follows:

24-92-115. Apprenticeship utilization requirements - mechanical, electrical, and plumbing contracts - public projects - definition. (1) (c) For the purposes of subsection (1)(a)(II) of this section, "graduating" means the completion of a multi-year program, including the requisite classroom course work and on-the-job training requirements and a certificate of completion issued by the United States department of labor's office of apprenticeship OR AWARDED PURSUANT TO ARTICLE 15.7 OF TITLE 8.

SECTION 10. In Colorado Revised Statutes, 24-46.3-301, **amend**

(1) as follows:

24-46.3-301. Definitions. As used in this part 3, unless the context otherwise requires:

(1) "Apprenticeship program" means a Colorado-based apprenticeship training program that is registered with the office of apprenticeship in the United States department of labor OR A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR.

SECTION 11. In Colorado Revised Statutes, 24-92-208, **amend** (2)(b) as follows:

24-92-208. Apprenticeship contribution rate. (2) The amount of the apprenticeship contribution will be set in accordance with the apprenticeship contribution of the collective bargaining agreement of the applicable trade in the geographic locality of the public project. Contractors shall achieve compliance with this requirement by one of the following options:

(b) Contractors that are not signatory to a collective bargaining agreement but that are members of a multi-employer trade association that sponsors an apprenticeship program registered with the United States department of labor's employment and training administration OR RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR or directly sponsor such a program for their own employees, shall pay the determined apprenticeship contribution to that program or to a state apprenticeship council registered with the United States department of labor; or

SECTION 12. In Colorado Revised Statutes, 24-93-105, **amend** (3) introductory portion as follows:

24-93-105. Integrated project delivery contracting process - prequalification of participating entities - apprentice training. (3) Where an apprentice training program AS DEFINED IN SECTION 8-15.7-101 (4) OR certified by the office of apprenticeship ~~located~~ in the employment and training administration in the United States department of labor exists in the state, or a comparable program for the training of apprentices is available in the state:

SECTION 13. In Colorado Revised Statutes, 30-20-1105, **amend** (3) as follows:

30-20-1105. Integrated project delivery contracting process - prequalification of participating entities - apprentice training.

(3) Where an apprentice training program certified by the office of apprenticeship ~~located~~ in the employment and training administration in the United States department of labor OR A STATE APPRENTICESHIP PROGRAM RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR exists in the county, or a comparable program for the training of apprentices is available in the county:

(a) Each participating entity shall demonstrate to the agency that it has access to ~~either~~ the certified OR RECOGNIZED program or a comparable alternative; and

(b) Each participating entity shall demonstrate that each of its subcontractors, at any tier, selected to perform work under a contract with a value of two hundred fifty thousand dollars or more has access to ~~either~~ the certified OR RECOGNIZED program or a comparable alternative.

SECTION 14. In Colorado Revised Statutes, 31-25-1305, **amend** (3) introductory portion as follows:

31-25-1305. Integrated project delivery contracting process - prequalification of participating entities - apprentice training.

(3) Where an apprentice ~~training~~ program AS DEFINED IN SECTION 8-15.7-101 (4) OR certified by the office of apprenticeship ~~located~~ in the employment and training administration in the United States department of labor exists in a county in which all or any portion of the municipality is located, or a comparable program for the training of apprentices is available in such county:

SECTION 15. In Colorado Revised Statutes, 32-1-1805, **amend** (3) introductory portion as follows:

32-1-1805. Integrated project delivery contracting process - prequalification of participating entities - apprentice training.

(3) Where an apprentice ~~training~~ program AS DEFINED IN SECTION 8-15.7-101 (4) OR certified by the office of apprenticeship ~~located~~ in the

employment and training administration in the United States department of labor exists in a county in which all or any portion of the special district is located, or a comparable program for the training of apprentices is available in such county:

SECTION 16. Appropriation. (1) For the 2021-22 state fiscal year, \$485,249 is appropriated to the department of labor and employment. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$321,579 for use by the state apprenticeship agency for program costs, which amount is based on an assumption that the agency will require an additional 3.1 FTE;

(b) \$85,072 for the purchase of legal services; and

(c) \$78,598 for the purchase of information technology services.

(2) For the 2021-22 state fiscal year, \$85,072 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of labor and employment under subsection (1)(b) of this section and is based on an assumption that the department of law will require an additional 0.4 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of labor and employment.

(3) For the 2021-22 state fiscal year, \$78,598 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of labor and employment under subsection (1)(c) of this section and is based on an assumption that the office will require an additional 0.1 FTE. To implement this act, the office may use this appropriation to provide information technology services for the department of labor and employment.

SECTION 17. Effective date. This act takes effect July 1, 2021.

SECTION 18. Safety clause. The general assembly hereby finds,

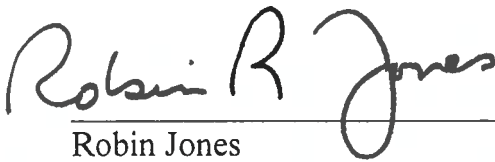
determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.



Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Leroy M. Garcia
PRESIDENT OF
THE SENATE

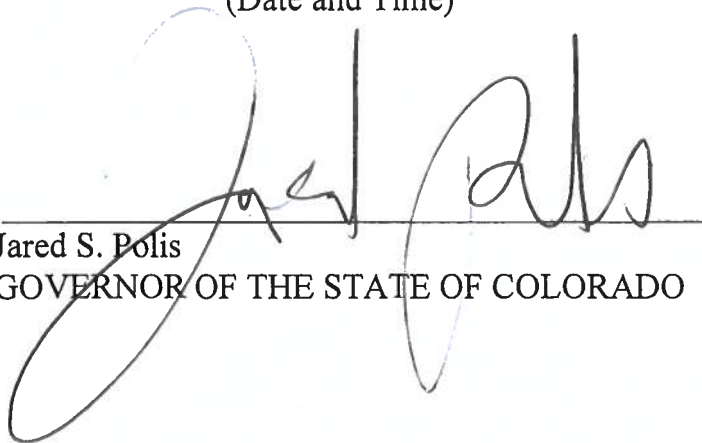


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED June 23, 2021 at 4:00 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO