



**Report to the  
Colorado General Assembly**

**Economic Opportunity  
Poverty Reduction  
Task Force**

*Prepared by*

*The Colorado Legislative Council  
Research Publication No. 587  
December 2009*

# **Economic Opportunity Poverty Reduction Task Force**

## **Members of the Task Force**

Representative John Kefalas, Chair  
Senator Paula Sandoval, Vice-Chair

Senator Betty Boyd  
Senator Evie Hudak  
Senator Mark Scheffel  
Senator Al White

Representative Sara Gagliardi  
Representative Daniel Kagan  
Representative Ken Summers  
Representative Mark Waller

## **Legislative Council Staff**

Bo Pogue, Research Associate  
Hillary Smith, Research Assistant  
Kate Watkins, Economist  
Bill Zepernick, Fiscal Note Analyst

## **Office of Legislative Legal Services**

Jeremiah Barry, Senior Staff Attorney  
Brita Darling, Staff Attorney  
Ed DeCecco, Senior Staff Attorney  
Bob Lackner, Senior Staff Attorney  
Jane Ritter, Staff Attorney

# Table of Contents

	<b>Page</b>
<b>Executive Summary</b> .....	1
<b>Task Force Charge</b> .....	7
<b>Task Force Activities</b> .....	8
Measures of Poverty .....	8
Mitigating the Impacts of Poverty.....	9
Improved Access to Benefits and Reduced Service Silos .....	10
Additional Committee Discussion .....	11
<b>Scope of the Problem in Colorado</b> .....	11
Background .....	12
Official Poverty Measure/Federal Poverty Guidelines and Level .....	13
National Academy of Sciences Poverty Measure .....	14
The Self-Sufficiency Standard.....	16
<b>Assessment of Current Policies and Procedures that Address Poverty</b> .....	17
Programs Not Addressed .....	17
Process of Compiling the Information .....	18
Final Product .....	18
Department Testimony .....	18
<b>Task Force Advisory Group</b> .....	19
<b>Summary of Recommendations</b> .....	21
Bill A — TABOR and the Earned Income Tax Credit .....	21
Text of Bill A.....	27
Bill B — Clarifying Civil Liability for an Employer Hiring a Person with a Criminal Record .....	21
Text of Bill B.....	31
Bill C — Reduction in Barriers to Obtaining Identity-Related Documents.....	21
Text of Bill C.....	35
Bill D — Independent Evaluation of the Statewide Strategic Use Fund .....	21
Text of Bill D.....	41
Bill E — Administration of the Supplemental Nutrition Assistance Program.....	22
Text of Bill E.....	45
Bill F — Duties of the Economic Opportunity Poverty Reduction Task Force .....	22
Text of Bill F.....	51

Bill G — Authorization for Public Entities to Enter Voluntary Agreements Affecting  
Rent on Private Residential Property. . . . . 22  
Text of Bill G. . . . . 55

Bill H — Collaboration in the Provision of Multi-Agency Services. . . . . 23  
Text of Bill H. . . . . 59

**Resource Materials**. . . . . 25

*This report is also available on line at:*

***<http://www.colorado.gov/lcs/PovertyReductionTaskForce>***

## Executive Summary

### Task Force Charge

---

Pursuant to House Bill 09-1064, the Economic Opportunity Poverty Reduction Task Force is required to:

- assess current state policies and practices that promote economic opportunity and poverty reduction with regard to:
  - ▶ building family assets and financial stability;
  - ▶ increasing educational opportunities;
  - ▶ expanding the work force;
  - ▶ using targeted tax policies to make work pay; and
  - ▶ addressing work-support issues.
- study and evaluate federally supported and state-supported programs that serve persons living in poverty, with the goal of recommending improvements for the nutrition and employment programs;
- examine factors that contribute to poverty and its economic impact; and
- develop a comprehensive plan, by December 31, 2010, for reducing poverty by at least 50 percent in Colorado by 2019.

The task force must meet at least four times each year, and continues through July 1, 2014.

**Subcommittees.** As required by House Bill 09-1064, the task force appointed five subcommittees that included representatives of executive branch agencies, local governments, business and labor organizations, educational institutions, advocates, and other individuals directly impacted by the work of the task force. Each subcommittee was chaired by a member of the task force and was required to advise the task force in completing its duties. Subcommittees were appointed in the following subject areas:

- Housing and Utilities;
- Job Creation with Sustainable Income and Work Supports;
- Access to and Coordination of Benefits and Nonprofit/Faith-Based Services;
- Scope of the Problem and Metrics; and
- Poverty and Education.

Members of the subcommittees did not receive compensation for their services or reimbursement of their expenses. The subcommittees were not staffed by legislative staff.

### Task Force Activities

---

The task force met six times during the 2009 interim. Task force meetings were devoted to the discussion of poverty definitions and measurements, statewide poverty data compared to data from other states, state programs related to poverty reduction and economic development, and specific impacts of poverty. The task force heard testimony from agencies of state, regional, and local governments, as well as various entities involved in poverty reduction and economic development. In addition, each of the five subcommittees met at least four times over the interim. Updates on subcommittee activities and suggested recommendations were presented to the full task force for discussion. An opportunity for public testimony was provided at each meeting.



**Measures of poverty.** The task force was briefed by various experts on the use of different measures of poverty and on statewide poverty rates under each measurement. State departments offered additional information concerning eligibility guidelines and the evaluative methods of state programs relevant to poverty reduction. The Scope of the Problem and Metrics Subcommittee further explored the issue. The task force recommended Bill F, which specifies that the duties of the Economic Opportunity Poverty Reduction Task Force include developing a relevant, fluid model for assessing progress toward reducing poverty and increasing economic opportunity in Colorado. The bill also stipulates that the task force will recommend that the General Assembly adopt the task force's model for purposes of evaluating the effectiveness of certain public programs and policies.

**Mitigating the impacts of poverty.** The task force considered perspectives from individuals, employers, county representatives, and other organizations regarding challenges for low-income individuals and ways to mitigate the impacts of poverty by providing work supports and opportunities for economic development. The Job Creation with Sustainable Income and Work Supports Subcommittee and the Housing and Utilities Subcommittee further explored the issue. Presentations and witness testimony regarding targeted tax policy led the task force to propose Bill A, which makes an Earned Income Tax Credit a first priority Taxpayer Bill of Rights (TABOR) refund method.

Presentations from the Department of Corrections regarding pre-release and employment training programs for offenders, and input from ex-offenders, representatives of apprenticeship programs, and the Colorado Criminal Justice Reform Coalition regarding barriers to employment for ex-offenders, prompted the task force to recommend Bill B. This bill clarifies civil liability regarding negligent hiring practices for an employer that hires a person with a criminal record.

In response to presentations from organizations concerned with homelessness and task force discussions regarding the need for affordable housing, the task force recommended Bill G, which authorizes certain public entities to enter into voluntary agreements affecting rent on private residential property.

**Improved access to benefits and reduced service silos within state programs.** The task force received an overview from state departments regarding programs that reduce poverty or increase economic opportunity. Substantial task force discussion was devoted to the need for such programs. Particular focus was given to program evaluation and proposals to increase efficiency and decrease "service silos" within program administration. Service silos occur when departments with related programs and common goals fail to communicate with each other effectively. Individuals with experience accessing the state benefits system offered testimony on the issue, and the Poverty and Education Subcommittee and the Access to and Coordination of Benefits and Nonprofit/Faith-Based Services Subcommittee further explored such questions.

As a result of its discussions on the need to make poverty reduction and family self-sufficiency a focus of all programs, the task force recommended Bill H, which allows collaboratives concerned with the provision of multi-agency services to extend membership to additional entities. The task force's focus on ways to improve evaluative measures of state programs led to Bill D, which authorizes the Department of Human Services to use a portion of existing appropriations to conduct an independent evaluation of the Statewide Strategic Use Fund. In response to task force discussions regarding inefficiencies experienced by individuals accessing state benefits, particularly problems experienced by ex-offenders, the task force proposed Bill C. The bill concerns a reduction in barriers to obtaining identity-related documents. In response to presentations concerning the difficulty of navigating eligibility guidelines and the impact of the "cliff

effect," which occurs when an increase in earned income leads to a loss of benefits, the task force recommended Bill E. The bill concerns the administration of the Supplemental Nutrition Assistance Program.

***Additional committee discussion.*** The task force considered but declined to recommend legislation directing counties to pursue federal Medicaid matching funds for county mill levy dollars in order to provide services to individuals with developmental disabilities. The benefits and disadvantages of such legislation were addressed in testimony from advocates for individuals with developmental disabilities and from representatives of community centered boards. Further task force discussion was devoted to proposed cuts to the Aid for the Needy Disabled Program.

## **Scope of the Problem in Colorado**

During several meetings, both the task force and the Scope of the Problem and Metrics Subcommittee considered the issue of how to most accurately and efficiently measure poverty in Colorado. Numerous poverty metrics have been developed nationally. Legislative Council Staff provided information to the task force on three of the most widely recognized and used measures of poverty: (1) the federal poverty threshold, also known as the "official poverty measure;" (2) the National Academy of Sciences (NAS) poverty measure; and (3) the Self-Sufficiency Standard. Each of these poverty measures differ in how they define and measure poverty. As a result, the population classified as "living in poverty" differs depending on the measure employed.

## **Assessment of Current Policies and Procedures that Address Poverty**

In order to assess current policies and procedures that address poverty, the Economic Opportunity Poverty Reduction Task Force requested that Legislative Council Staff survey all executive departments regarding programs that alleviate poverty or provide economic opportunities to low-income Coloradans. The survey results were compiled into a memorandum, available on the task force's website, that provides information on programs in the areas of health, housing and utilities, food, child care, employment, education, and other services.

The memorandum and supporting documents were presented to the task force at its August 18, 2009, meeting. At this and subsequent meetings, representatives from select executive departments appeared before the task force to answer questions and to provide further detail on programs that address poverty or increase economic opportunity.

## **Task Force Advisory Group**

The implementing legislation for the Economic Opportunity Poverty Reduction Task Force, House Bill 09-1064, allows the task force to accept staff support from public and private entities, in addition to staff support from Legislative Council Staff and the Office of Legislative Legal Services. In order to assist with the work of the task force, a group of representatives from interested parties and organizations formed a task force advisory group. This informal group met several times during the months leading up to the initial convening of the task force in order to create a plan for the task force's activities. The group provided assistance in setting the task force's agenda and establishing a framework for the subcommittees. In addition, the members of



the advisory group organized and staffed subcommittee meetings and summarized subcommittee recommendations regarding the development of the task force's strategic plan to reduce poverty and increase economic opportunity. Members of the task force advisory group also outlined subcommittee input regarding the issues to be addressed by the task force in future years, and on proposed time frames to address such issues. Members of the advisory group were instrumental in drafting a report that frames the issues of poverty and economic opportunity, conveys the findings and recommendations of the five subcommittees, and identifies issues to be addressed by the task force in future years. That report can be found on the task force website at the following address:

<http://www.colorado.gov/lcs/PovertyReductionTaskForce>

## **Task Force Recommendations**

---

As a result of task force deliberations, the Economic Opportunity Poverty Reduction Task Force recommends eight bills for consideration in the 2010 legislative session.

**Bill A — TABOR and the Earned Income Tax Credit.** Bill A makes an Earned Income Tax Credit (EITC) a first priority Taxpayer Bill of Rights (TABOR) refund method. The bill increases the threshold necessary to trigger a temporary income tax rate reduction as a method to provide a TABOR refund so that the rate reduction does not occur unless there is also an earned income tax credit refund.

**Bill B — Clarifying Civil Liability for an Employer Hiring a Person with a Criminal Record.** Bill B prohibits information regarding an employee's criminal history from being introduced as evidence against an employer in a civil action regarding negligent hiring practices if:

- the nature of the criminal history does not bear a direct relationship to the facts underlying the cause of action;
- a court order has sealed any record of a criminal case or a pardon was issued before the occurrence of the civil action; or
- the record of an arrest or charge did not result in a criminal conviction.

Bill B does not eliminate the requirement for criminal history background checks in hiring for certain employment.

**Bill C — Reduction in Barriers to Obtaining Identity-Related Documents.** Bill C prohibits the state from charging a fee for a certified birth or death record if the applicant is a county department of social services or human services or the applicant has a letter of referral from such a county department. Bill C also prohibits the state from charging a fee for a Colorado identification card to an applicant referred by, or released within the prior six months from, the Department of Corrections, the Division of Youth Corrections, or a county jail. Bill C authorizes a court to grant a name change if a person has previously been convicted of a felony when specified conditions are found by the court. The bill directs the court to forward information on the name change to specified departments.

**Bill D — Independent Evaluation of the Statewide Strategic Use Fund.** Bill D authorizes the Department of Human Services to use a portion of existing appropriations to conduct an independent evaluation of the Statewide Strategic Use Fund (SSUF). Pursuant to the bill, the executive director of the Department of Human Services, after consultation with the Strategic





Allocation Committee, is authorized to contract with a qualified, independent entity to perform an evidence-based evaluation of the effectiveness of the SSUF in meeting the objectives of the Colorado Works Program, as well as the effectiveness of the individual initiatives and programs supported by the SSUF. Bill D allows the executive director to annually use up to 2 percent of the moneys allocated to the SSUF to contract for the evaluation. The bill requires the executive director to include a copy of the most recent evaluation in his or her annual report to the General Assembly on the SSUF.

**Bill E — Administration of the Supplemental Nutrition Assistance Program.** Bill E requires the state Department of Human Services to adopt the maximum certification period allowable pursuant to federal law for the receipt of federal food assistance benefits under the Supplemental Nutrition Assistance Program (SNAP). Additionally, Bill E requires the department to develop and implement a state outreach plan with the use of private and federal moneys to promote access to federal food benefits by eligible persons. The bill requires the department to submit the outreach plan for federal approval by September 1, 2010. The bill exempts the department from developing and implementing the outreach plan if sufficient federal or private moneys are not received. Bill E changes the name of the federal food stamps program to SNAP to reflect the federal name change. The bill also directs the department to implement a program or policy, pursuant to federal law, establishing broad-based categorical eligibility for federal food assistance benefits. At a minimum, the program or policy must remove the asset test for eligibility and increase the gross income test to 200 percent of the federal poverty level pursuant to federal law.

**Bill F — Duties of the Economic Opportunity Poverty Reduction Task Force.** Bill F specifies that the duties of the Economic Opportunity Poverty Reduction Task Force include developing a relevant, fluid model for assessing progress toward reducing poverty and increasing economic opportunity in Colorado. Once a model is developed, the task force will recommend that the General Assembly adopt the task force's model for purposes of evaluating the effectiveness of certain public programs and policies in achieving the goals of the task force.

**Bill G — Authorization for Public Entities to Enter Voluntary Agreements Affecting Rent on Private Residential Property.** The rent control statute in current law prohibits counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property. Bill G clarifies that the rent control statute applies only to private residential housing units. The bill also clarifies that nothing in the rent control statute prohibits or restricts the right of a property owner and public entity from voluntarily entering into and enforcing an agreement that controls rent on a private residential housing unit, whether the agreement is entered into before, on, or after the effective date of the bill. An agreement authorized pursuant to Bill G may specify how long a unit is subject to its terms, whether or not the subsequent property owners are subject to the agreement, and remedies for early termination agreed to by both parties. Finally, the bill specifies that the rent control statute does not preclude public entities from cooperatively entering into an agreement, nor does it preclude the assignment of rights and remedies to any party to the agreement.



**Bill H — Collaboration in the Provision of Multi-Agency Services.** Currently, county departments of social services may enter into memorandums of understanding (MOUs) with certain agencies. The MOUs are designed to promote a collaborative system of local-level interagency oversight groups and individualized services and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated multi-agency services. Currently, the following entities may be included in an MOU:

- local judicial districts;
- a county, district, or regional health department;
- a local school district or school districts;
- community mental health centers;
- behavioral health organizations;
- the division of youth corrections;
- a designated managed service organization for the provision of treatment services for alcohol and drug abuse; and
- a domestic abuse program.

Bill H includes a listing of additional agencies or entities that may also be included in an MOU. The additional agencies or entities that may be included are:

- community colleges and postsecondary career and technical education colleges or programs;
- early childhood councils;
- boards of cooperative services;
- regional service councils;
- family resource centers; and
- workforce centers.

Bill H clarifies that if any of these additional agencies or entities are included in the MOU, that agency or entity has the same rights and responsibilities as any other participant in the MOU.



## Task Force Charge

Pursuant to House Bill 09-1064, the Economic Opportunity Poverty Reduction Task Force is required to:

- assess current state policies and practices that promote economic opportunity and poverty reduction with regard to:
  - ▶ building family assets and financial stability;
  - ▶ increasing educational opportunities;
  - ▶ expanding the work force;
  - ▶ using targeted tax policies to make work pay; and
  - ▶ addressing work-support issues.
- study and evaluate federally supported and state-supported programs that serve persons living in poverty, with the goal of recommending improvements for the nutrition and employment programs;
- examine factors that contribute to poverty and its economic impact; and
- develop a comprehensive plan, by December 31, 2010, for reducing poverty by at least 50 percent in Colorado by 2019.

The task force must meet at least four times each year, and continues through July 1, 2014.

**Subcommittees.** As required by House Bill 09-1064, the task force appointed five subcommittees that included representatives of executive branch agencies, local governments, business and labor organizations, education organizations, advocates, and other individuals directly impacted by the work of the task force. Each subcommittee was chaired by a member of the task force and was required to advise the task force in completing its duties. Each subcommittee met at least four times and made recommendations to the full task force pertaining to a particular subject area. Subcommittees were appointed in the following subject areas:

- Housing and Utilities;
- Job Creation with Sustainable Income and Work Supports;
- Access to and Coordination of Benefits and Nonprofit/Faith-Based Services;
- Scope of the Problem and Metrics; and
- Poverty and Education.

Members of the subcommittees did not receive compensation for their services or reimbursement of their expenses. The subcommittees were not staffed by legislative staff. However, subcommittee meeting minutes and other materials are available on the task force's website. More detail on the discussions and recommendations of the subcommittees is available in a separate report published by the task force advisory group. That report can be found on the task force website at the following address:

<http://www.colorado.gov/lcs/PovertyReductionTaskForce>

**Report to the General Assembly.** On or before January 15, 2010, and on or before January 15 of each subsequent year until 2014, the task force is required to prepare a written report to the General Assembly that includes a summary of the work accomplished by the task force and a summary of its legislative recommendations. Additionally, the initial report submitted on or before January 15, 2010, is required to include:



- a general description of the scope of the problem in Colorado with respect to poverty;
- an initial assessment of current policies and procedures that address poverty;
- an outline of the issues being addressed by the task force; and
- the proposed time frame for addressing such issues.

This final report published by Legislative Council Staff includes a summary of the work of the task force and its legislative recommendations. Summaries of Legislative Council Staff research on the scope of the problem in Colorado and on state policies and procedures that address poverty are also incorporated or referenced in the report.

The task force did not propose recommendations concerning the outline of issues to be addressed in future meetings or the proposed time frame for addressing such issues. However, such questions were discussed at subcommittee meetings. To present the recommendations of the subcommittees, a separate report has been published with the assistance of the task force advisory group. This informal advisory group is composed of individuals and representatives from organizations interested in poverty reduction. A copy of the report is available on the task force's website at the following address:

*<http://www.colorado.gov/lcs/PovertyReductionTaskForce>*

## **Task Force Activities**

The Economic Opportunity Poverty Reduction Task Force met six times during the 2009 interim. Task force meetings were devoted to discussing poverty definitions and measurements, statewide poverty data compared to data from other states, state programs related to poverty reduction and economic development, and the specific impacts of poverty. The task force heard testimony from agencies of state, regional, and local governments, as well as various entities involved in poverty reduction and economic development, including:

- the Center for Law and Social Policy;
- the 9 to 5 National Association of Working Women;
- the Colorado Children's Campaign;
- the Colorado Community and Interagency Council on Homelessness;
- Invest in Kids and Nurse-Family Partnership;
- the Front Range Economic Strategy Center (FRESC);
- the Colorado Building and Trade Apprenticeship programs;
- county commissioners;
- county workforce centers and human services departments; and
- higher education institutions.

In addition, each of the five subcommittees met at least four times during the interim. Updates on subcommittee activities and suggested recommendations were presented to the full task force for discussion. Following is a summary of the activities of the task force.

## **Measures of Poverty**

---

The task force was briefed by various experts on the use of different measures of poverty and on statewide poverty rates under each measurement. Particular attention was paid to the differences in the use and calculation of three measures of poverty:



- the federal poverty threshold, also known as the "official poverty measure;"
- the National Academy of Sciences poverty measure; and
- the Self-Sufficiency Standard.

An analysis of these three metrics and a comparison of the poverty rate using these metrics may be found in this report under the heading "Scope of the Problem in Colorado."

A Legislative Council Staff economist and a representative from the Colorado Children's Campaign presented information on the various measures of poverty and provided data regarding the poverty rate in Colorado compared to the national poverty rate. The presentations included information concerning data obtained by the U.S. Census Bureau's American Community Survey, which indicates that the national poverty rate in 2008 was 13.2 percent, while Colorado's poverty rate was 11.4 percent. The task force also considered testimony from representatives of local governments regarding elements that affect the poverty rate in certain locations in the state, such as the eastern plains and Mesa County.

Numerous task force discussions addressed the role of poverty measurements in the eligibility guidelines and evaluative methods of state programs. In its discussions, the task force considered department surveys as well as testimony from representatives of state departments and from members of the public. The Scope of the Problem and Metrics Subcommittee further explored the issue.

***Task force recommendation.*** To address issues concerning measures of poverty, the task force recommended Bill F, which specifies that the duties of the Economic Opportunity Poverty Reduction Task Force include developing a relevant, fluid model for assessing progress toward reducing poverty and increasing economic opportunity in Colorado. The bill also stipulates that the task force will recommend that the General Assembly adopt the task force's model for purposes of evaluating the effectiveness of certain public programs and policies.

## **Mitigating the Impacts of Poverty**

The task force considered perspectives from individuals, employers, county representatives, and other organizations regarding challenges for low-income individuals and ways to mitigate the impacts of poverty by providing work supports and opportunities for economic development. The Job Creation with Sustainable Income and Work Supports Subcommittee and the Housing and Utilities Subcommittee further explored the issue.

Several presentations provided information on the impacts of poverty on individuals and on the economy. A presentation from a representative of the Center for Law and Social Policy discussed lessons learned from poverty initiatives in other states, such as the need to develop and prioritize goals to accomplish within a certain time frame. In particular, the representative noted the importance of including a range of opinions and organizations within the work of the task force. The task force also considered a presentation from Mesa County representatives regarding the "Bridges Out of Poverty" initiative, which analyzes disparities in resources available to individuals living in poverty compared to individuals not living in poverty. The initiative considers resources in a variety of categories, including mental, spiritual, financial, and social spheres, and suggests techniques to help individuals with access to such resources understand and assist individuals who may not have similar access. Briefings from representatives of local governments and other experts discussed the impact of poverty on economic development. Public testimony on the challenges and opportunities for individuals living in poverty was also taken into account.



The task force devoted considerable discussion to methods for mitigating barriers to employment for low-income individuals. A representative from the Center for Law and Social Policy suggested that the task force focus on targets with direct impacts on low-income workers, such as the regulation of payday lenders, a guarantee of paid sick leave, and targeted tax policies. Committee members were also briefed by representatives of government agencies, employers, and job-skills training programs regarding best practices for workforce development. Employers shared their experiences offering training opportunities, benefits, and flexible workplace environments to their employees. In addition, the task force heard several presentations concerning ways to lessen the difficulties experienced by ex-offenders upon their release from prison. In particular, the task force considered input from: the Department of Corrections concerning its pre-release and employment training programs for offenders; ex-offenders; representatives of apprenticeship programs; and the Colorado Criminal Justice Reform Coalition.

***Task force recommendations.*** As a result of the task force's discussions concerning the use of targeted tax policies to mitigate the impacts of poverty, the task force proposed Bill A, which makes an Earned Income Tax Credit a first priority Taxpayer Bill of Rights (TABOR) refund method. In response to testimony regarding the barriers to employment for ex-offenders, the task force recommended Bill B, which clarified civil liability regarding negligent hiring practices for an employer that hires a person with a criminal record. To address concerns about the lack of affordable housing for low-income individuals, the task force proposed Bill G, which authorizes certain public entities to enter into voluntary agreements affecting rent on private residential property.

### **Improved Access to Benefits and Reduced Service Silos within State Programs**

The task force received an overview from select state departments regarding programs that seek to reduce poverty or increase economic opportunity. In its analysis of the programs, the task force sought information on ways to improve the efficiency and effectiveness of the programs. Members of the task force considered perspectives from individuals with experience accessing the state benefits system, state departments, and representatives from local governments, among others. The Poverty and Education Subcommittee and the Access to and Coordination of Benefits and Nonprofit/Faith-Based Services Subcommittee further explored the issue.

Substantial task force discussion was devoted to the need for programs that simultaneously address poverty reduction and increase economic opportunity. In its deliberations, the task force considered the work of the "Bridges Out of Poverty" initiative in Mesa County, the Colorado Building and Trade Apprenticeship Training Program, county workforce development centers, and the Front Range Economic Strategy Center (FRESC), among other organizations. The committee also considered input from employers with experience hiring low-income individuals as well as testimony from individuals whose economic circumstances had improved in part due to their participation in state programs.

In particular, the task force's analysis of state programs focused on methods of evaluation and proposals to increase efficiency and decrease "service silos" within program administration. Service silos occur when departments with related programs and common goals fail to communicate with each other effectively. Individuals with experience accessing the state benefits system offered testimony on the issue, as did agencies that were responsible for administering various programs.

Testimony from individuals and considerations of the downturn in the economy prompted the task force to examine ways to improve the accessibility of the state benefits system. Significant discussion was devoted to the role of information technology in the delivery of benefits. The task force also discussed the possibility of simplifying the application for benefits recertification process while also minimizing fraud.

In its analysis of state programs, the task force addressed the use of various eligibility guidelines and sought methods to make the benefits system less confusing for applicants. Specifically, the task force searched for ways to make eligibility guidelines easier to understand and less likely to lead to a "cliff effect," in which an increase in income above a certain threshold leads to a loss of benefits. Particular attention was paid to the interplay between state and federal guidelines for benefits programs.

**Task force recommendations.** As a result of its discussions on the need to make poverty reduction and family self-sufficiency a focus of all programs, the task force recommended Bill H, which allows collaboratives concerned with the provision of multi-agency services to extend membership to additional entities. The task force's focus on ways to improve evaluative measures of state programs led to Bill D, which authorizes the Department of Human Services to use a portion of existing appropriations to conduct an independent evaluation of the Statewide Strategic Use Fund. In response to task force discussions regarding inefficiencies experienced by individuals accessing state benefits, particularly problems experienced by ex-offenders, the task force proposed Bill C. The bill concerns a reduction in barriers to obtaining identity-related documents. In response to presentations concerning the difficulty of navigating eligibility guidelines and the impact of the "cliff effect," which occurs when an increase in earned income leads to a loss of benefits, the task force recommended Bill E. The bill concerns the administration of the Supplemental Nutrition Assistance Program.

## **Additional Committee Discussion**

---

The task force considered but declined to recommend legislation directing counties to pursue federal Medicaid matching funds for county mill levy dollars in order to provide services to individuals with developmental disabilities. The benefits and disadvantages of such legislation were addressed in testimony from advocates for individuals with developmental disabilities and from representatives of community centered boards. Further task force discussion was devoted to proposed cuts to the Aid for the Needy Disabled Program.

## **Scope of the Problem in Colorado**

During several meetings, both the task force and the Scope of the Problem and Metrics Subcommittee considered the issue of how to most accurately and efficiently measure poverty in Colorado. Numerous poverty metrics have been developed nationally. Legislative Council Staff provided information to the task force on three of the most widely recognized and used measures of poverty: (1) the federal poverty threshold, also known as the "official poverty measure"; (2) the National Academy of Sciences (NAS) poverty measure; and (3) the Self-Sufficiency Standard. Each of these poverty measures differ in how they define and measure poverty. As a result, the population considered "living in poverty" differs depending on the measure employed.



## Background

**What do the three poverty measures measure?** The Self-Sufficiency Standard aims to measure the amount families need to make in wages to be self-sufficient or to "meet their basic necessities *without public or private assistance.*"<sup>1</sup> In contrast, both the NAS and official poverty measure aim to measure the number of persons living in poverty. Both the official and NAS measures measure poverty in terms of a poverty "threshold" or "poverty line," under which individuals are unable to meet their basic or minimum needs for survival or participation in society. It is important to note that the official poverty threshold applies to the entire nation with no geographic variation, while the NAS poverty threshold adjusts for geographic variation based on differences in rent across states. Both the NAS and official poverty measures also are used to calculate a poverty *rate*, or the percentage of individuals living in poverty relative to the general population. The poverty rate equation for the NAS and official poverty measures is as follows:

**Poverty rate = Individuals whose resources fall below the poverty line / Total population**

**Differences in definitions of basic needs and family resources.** Each of the three measures identify a threshold of basic needs. Each measure also defines the resources (money and "near-money") a family uses for obtaining basic needs. "Near-money" includes non-cash forms of public assistance such as food stamps and low-income energy assistance. Table 1 below summarizes differences in definitions of basic needs and family resources between the measures.

**Table 1**  
**Comparing Measures: Definitions of Basic Need and Family Resources**

Poverty Measure	Basic Needs Threshold	Resources for Obtaining Basic Needs
Official Poverty Measure	<i>Poverty threshold (or poverty line):</i> Cost of food in 1955 multiplied by three, adjusted by inflation each year	<i>Money income before taxes</i>
NAS Poverty Measure	<i>Poverty threshold (or poverty line):</i> Cost of food, clothing, shelter, utilities, medical care costs,* and "a little more" for miscellaneous needs	<i>Disposable income:</i> After-tax money income plus specific tax credits, plus near-cash value of assistance programs (such as food stamps), minus work-related expenses (such as child care and transportation)
Self-Sufficiency Standard	<i>Self-Sufficiency Standard:</i> Cost of food, housing, transportation, child care, health care, and miscellaneous necessities, taxes and tax credits, and adjustments in cost based on participation in assistance programs	<i>Self-Sufficiency Wage:</i> Total family wages

\*Medical costs were originally excluded when the measure was developed but have been included in the calculation of the measure in other studies.

<sup>1</sup>Pearce, Diana (2008). "The Self-Sufficiency Standard for Colorado 2008: A Family Needs Budget." Fiscal Policy Institute, February.





**Who is living in poverty?** Populations considered to be living in poverty differ based on differences in how poverty is measured. The official poverty measure, NAS measure, and Self-Sufficiency Standard each identify different thresholds for basic needs as well as family resources for obtaining those needs and as a result each also identify different numbers and demographics of people living in poverty. Table 2 summarizes the basic needs thresholds for each measure for Colorado. The NAS poverty threshold was 13.1 percent greater than the official poverty threshold in 2006, the most recent year for which data is available. While the Self-Sufficiency Standard does not have a poverty threshold, it does have a threshold distinguishing those requiring public or private assistance and those who are self-sufficient. The continuum is not calculated statewide, therefore the county ranges for the measure as well as county average is shown for the year 2008. Differences in child care, housing, and tax costs account for the majority of differences between counties.

**Table 2**  
**Colorado Basic Needs Thresholds**  
*(Family of Two Adults and Two Children)*

Official Poverty Threshold, 2006*	NAS Measure Threshold, 2006**	Self-Sufficiency Standard, 2008***
\$20,444	\$23,118	Low: \$33,689 (Costilla County ) High: \$71,427 (Pitkin County) 64 County Average: \$43,810

\* U.S. Census Bureau.

\*\* Legislative Council Staff calculations.

\*\*\*Diana Pierce (2008); Self-Sufficiency Standard for a family with two adults and two "school age" children.

### **Official Poverty Measure/Federal Poverty Guidelines and Level**

---

**Origin and use.** The federal or "official" poverty threshold was developed in the early 1960s by statistician Mollie Orshansky as an indicator of the number of people with inadequate income to cover the costs of a minimum food diet and other necessities. Official poverty thresholds are updated each year by the Census Bureau. The thresholds are used mainly for statistical purposes, such as preparing estimates of the number of Americans in poverty each year or the poverty rate.

The federal poverty *guidelines*, commonly referred to as the federal poverty level (FPL), differ slightly from the threshold and are issued each February in the Federal Register by the U.S. Department of Health and Human Services. The FPL is a simplification of the poverty threshold and is used to determine financial eligibility for certain federal programs, such as Head Start, National School Lunch Program, and the state Children's Health Insurance Program. Other programs such as the Low-Income Home Energy Assistance Program (LEAP) use the guidelines for the purpose of giving priority to lower-income persons or families in the provision of assistance or services. The guidelines for the past five years are provided in Table 3.



**Table 3  
Federal Poverty Guidelines, 2005 - 2009**

<b>Year</b>	<b>First Person</b>	<b>Each Additional Person</b>	<b>Four-Person Families</b>
2009	\$10,830	\$3,740	\$22,050
2008	\$10,400	\$3,600	\$21,200
2007	\$10,210	\$3,480	\$20,650
2006	\$9,800	\$3,400	\$20,000
2005	\$9,570	\$3,260	\$19,350

Source: U.S. Department of Health and Human Services.

**Calculating the official poverty measure.** The official thresholds are based on the share of a household's budget that is spent on food. The share was calculated using data from the 1955 Household Food Consumption Survey. Based on the survey, food spending was calculated as approximately one third of spending on necessities. Therefore, the poverty threshold was set at the cost of food multiplied by three. Each year the threshold is grown by inflation as measured by the national consumer price index for all urban areas (CPI-U). The following equations summarize the threshold for the official poverty measure:

**Original threshold = 3 × Cost of food prepared at home based on a 1955 survey**

**Official poverty threshold = Original threshold increased annually by inflation**

Original thresholds were calculated for individuals and families differently based on the number of members in a family and age of individuals. Thresholds differ for children, adults, and the elderly. All states within the contiguous United States have the same poverty threshold each year. Changes in the standard of living are not accounted for in the measure. Instead, the measure is reflective of living standards from the 1950s and 1960s. Therefore, inflation adjustments account for the change in cost of the standard of living from this time period. Government assistance programs such as food stamps and housing assistance are not included in the calculation of the official poverty measure. When a person's or family's resources as measured by their money income is less than the threshold, they are considered to be living in poverty. According to the Census Bureau, the poverty rate for individuals and families in the state of Colorado is 11.8 and 8.3 percent, respectively, compared to national rates of 13.3 and 9.8 percent.<sup>2</sup>

### **National Academy of Sciences (NAS) Poverty Measure**

**Origins and use.** At the request of Congress, the National Academy of Sciences (NAS)<sup>3</sup> created the Panel on Poverty and Family Assistance in 1992 to conduct a comprehensive examination of poverty measurement in the United States. The panel published their findings in

<sup>2</sup>U.S. Census Bureau, American Community Survey three-year estimates (2005 to 2007).

<sup>3</sup>The National Academy of Sciences (NAS) is a private, non-profit corporation composed of distinguished scholars who engage in scientific research at the request of Congress.

a 1995 report titled "Measuring Poverty: A New Approach." The report recommends the revision of the official poverty measure to reflect the circumstances (basic needs and family resources) of families over time and outlines a method for calculating the measure.

Since the report was published in 1995, the recommendations of the report have not been adopted nationwide, though legislation has been introduced to do so.<sup>4</sup> Research continues on the use of the measure, conducted primarily by the U.S. Census Bureau and Bureau of Labor Statistics. Additionally, in 2006, New York City Mayor Michael Bloomberg convened a commission to study poverty measurement in New York City. Finding inadequacies in the official poverty measure, Mayor Bloomberg created the New York City Center for Economic Opportunity which adopted and calculates a poverty measure based on the NAS methodology.

**Calculating the NAS measure.** The public and scientific community continue to shape how the NAS measure is calculated. Based on recent publications and the 1995 NAS report, the NAS threshold is first calculated for a reference family of four (two adults, two children) then later adjusted for differences in family type (number of adults and children). Basic needs for the reference family are calculated as the percentage of national median expenditures on food, clothing, shelter, utilities, and a "little more" for miscellaneous necessities. Medical costs were excluded from the original 1995 report but have since been included in the calculation in other studies.<sup>5</sup> Regional differences are adjusted for based on differences in housing rental costs. The NAS panel recommended that the measure be calculated annually to account for changes in consumer prices and living standards.

Family resources are defined as after-tax money income and near-money income from assistance programs including food stamps and housing assistance. Additionally, specific tax credits are added to income, and work-related expenses, including transportation and child care costs, are subtracted. If family resources are less than the basic needs threshold, a family is considered to be living in poverty.

While no formal NAS measure has been calculated for Colorado, Legislative Council Staff (LCS) calculated estimates of the NAS threshold for the year 2006 using the NAS methodology. These estimates are summarized in Table 4, comparing the LCS estimates for Colorado to the threshold for the United States. The Colorado threshold is 6 percent larger than the nationwide threshold, reflecting higher rental prices in Colorado than the nationwide average. Due to data limitations, an estimate of the Colorado poverty rate using the NAS measure cannot be calculated at this time.

---

<sup>4</sup>The federal Measuring American Poverty Act of 2008 and 2009 proposes a "Modern Poverty Measure" that largely follows the NAS methodology.

<sup>5</sup>Garner and Short (2008). "Creating a Consistent Poverty Measure over Time Using NAS Procedures: 1996-2005." U.S. Bureau of Labor Statistics Working Paper No. 417, April.



**Table 4**  
**NAS Poverty Measure Threshold for Colorado and the United States, 2006**  
*(Family of Two Adults and Two Children)*

	<b>Colorado</b>	<b>United States</b>
Shelter and Utilities	\$10,900	\$9,600
Non-Shelter Necessities	\$12,218	\$12,218
Poverty Threshold	\$23,118	\$21,818

Source: U.S. Census Bureau and Legislative Council Staff calculations.

### **The Self-Sufficiency Standard**

**Origins and use.** The Self-Sufficiency Standard defines the income families require to meet their basic necessities without public or private assistance. The standard was first developed by Dr. Diana Pearce for Wider Opportunities for Women (WOW) in response to the perceived inadequacies of the official poverty level in 1996. Dr. Pearce continues to calculate the standard for numerous states each year. The standard was calculated for Colorado for the Fiscal Policy Institute in 2001, 2004, and 2008.

**Calculating the Self-sufficiency Standard.** The standard is calculated for 70 different family types in each of Colorado's 64 counties. Family types differ based on the number of adults, number of children, and age of children in a family. Based on the family type, monthly costs of basic necessities are calculated by category (e.g., food, housing, transportation) based on available data and are adjusted based on regional costs and benefits from assistance programs such as food stamps and federally assisted housing. Taxes and specific tax credits are also included in the standard. The total of all costs for each category is equal to the "Self-Sufficiency Wage," and represents the total household wage necessary for a family to be self-sufficient. Table 5 below provides the 2008 Self-Sufficiency Standard for two family types in Larimer County.

**Table 5**  
**2008 Self-Sufficiency Standard for Selected Family Types: Larimer County**

<b>Monthly Costs</b>	<b>One Adult, One Preschooler</b>		<b>Two Adults, One Preschooler, One School-aged Child</b>	
	<b>Costs</b>	<b>% of Total Costs</b>	<b>Costs</b>	<b>% of Total Costs</b>
Housing	\$807	26%	\$807	19%
Child Care	\$727	23%	\$1,114	26%
Food	\$341	11%	\$703	16%
Transportation	\$249	8%	\$478	11%
Health Care	\$324	10%	\$408	9%
Miscellaneous	\$245	8%	\$351	8%
Taxes	\$593	19%	\$752	17%

**Table 5**  
**2008 Self-Sufficiency Standard for Selected Family Types: Larimer County (Cont.)**

Monthly Costs	One Adult, One Preschooler		Two Adults, One Preschooler, One School-aged Child	
	Costs	% of Total Costs	Costs	% of Total Costs
Earned Income Tax Credit	\$0	0%	\$0	0%
Child Care Tax Credit	(\$58)	-2%	(\$100)	-2%
Child Tax Credit	(\$83)	-3%	(\$167)	-4%
Self-Sufficiency Wage				
Hourly	\$17.87		\$12.35 (per adult)*	
Monthly	\$3,146		\$4,347	
Annual	\$37,752		\$52,161	

\*Hourly wages for families with multiple adults represent the hourly wage that each adult would need to earn, while the monthly and annual wages represent all adults' wages combined.

Source: Pearce (2008).

### **Assessment of Current Policies and Procedures that Address Poverty**

In order to assess current policies and procedures that address poverty, the Economic Opportunity Poverty Reduction Task Force requested that Legislative Council Staff survey all executive departments to assess programs that alleviate poverty or provide economic opportunities to low-income Coloradans. The survey results were compiled into a memorandum that provides information on programs in the areas of health, housing and utilities, food assistance, child care, employment, education, and other services. The memorandum is available on the task force's website at the following address:

<http://www.colorado.gov/lcs/PovertyReductionTaskForce>

### **Programs Not Addressed**

It is important to note that the memorandum focuses primarily on programs that are funded and administered by the state, or funded by the federal government and administered by the state. The memorandum does not address services that are entirely administered by the federal government, such as Medicare, Supplemental Security Income (SSI), or Social Security Disability Insurance (SSDI). The memorandum also does not address services that are provided primarily by local governments or entities, such as specific requirements for housing assistance provided by local housing authorities. Finally, the memorandum does not address the services that are available through nonprofit organizations, charities, religious organizations, or other private entities, unless such services are funded through the state's budget.

## **Process of Compiling the Information**

---

To compile the information in the memorandum, Legislative Council Staff contacted each executive department to assess whether it administers programs that seek to alleviate poverty or create economic opportunities for low-income Coloradans. For each identified program, the agency was asked to fill out a survey detailing the program's function, eligibility criteria, budget, client population, and other pertinent information. For situations in which a program that appeared to be relevant was not reported by an agency, Legislative Council Staff compiled information on these programs for inclusion in the memorandum. A compilation of survey responses, organized by state agency, can be found on the task force website at the following address:

*<http://www.colorado.gov/lcs/PovertyReductionTaskForce>*

## **Final Product**

---

For each program, the memorandum provides information on the program's enrollment and budget, when that information is available. In all cases, attempts were made to provide the most recent data, although available data varies by program. The memorandum contains a narrative explanation of each program and two tables that summarize the information contained in the narrative portion of the document.

- Table 1 shows the various programs available by population served.
- Table 2 provides a summary of the available programs, including the population served, eligibility level, department or agency that administers the program, enrollment, and appropriated budget for FY 2009-10.

The memorandum and supporting documents were presented to the task force at its August 18, 2009, meeting.

## **Department Testimony**

---

Following the presentation of the memorandum, representatives from select executive departments attended task force meetings to answer questions and to provide further detail on programs that address poverty or increase economic opportunity.



## **Task Force Advisory Group**

The implementing legislation for the Economic Opportunity Poverty Reduction Task Force, House Bill 09-1064, allows the task force to accept staff support from public and private entities, in addition to staff support from Legislative Council Staff and the Office of Legislative Legal Services. In order to assist with the work of the task force, a group of representatives from interested parties and organizations formed a task force advisory group. This informal group met several times during the months leading up to the initial convening of the task force in order to create a plan for the task force's activities. The group provided assistance in setting the task force's agenda and establishing a framework for the subcommittees. In addition, the members of the advisory group organized and staffed subcommittee meetings and summarized subcommittee recommendations regarding the development of the task force's strategic plan to reduce poverty and increase economic opportunity. Members of the task force advisory group also outlined subcommittee input regarding the issues to be addressed by the task force in future years, and on proposed time frames to address such issues. Members of the advisory group were instrumental in drafting a report that frames the issues of poverty and economic opportunity, conveys the findings and recommendations of the five subcommittees, and identifies issues to be addressed by the task force in future years. That report can be found on the task force website at the following address:

***<http://www.colorado.gov/lcs/PovertyReductionTaskForce>***

Among other activities, the task force advisory group:

- assisted with the development of the executive department survey regarding programs that address poverty reduction and economic opportunity;
- surveyed Colorado counties to compile best practices concerning poverty reduction;
- raised money to support the activities of the task force;
- assisted with the compilation of information regarding potential American Recovery and Reinvestment Act (ARRA) funding for programs that reduce poverty or increase economic opportunity;
- assisted with setting task force meeting agendas;
- assisted with the coordination of presenters before the task force;
- solicited public input for task force meetings;
- completed a review of available information concerning Colorado nonprofits and faith-based services; and
- participated in outreach efforts related to subcommittee activities.







## Summary of Recommendations

As a result of task force deliberations, Economic Opportunity Poverty Reduction Task Force recommends eight bills for consideration during the 2010 legislative session.

### **Bill A — TABOR and the Earned Income Tax Credit**

---

Bill A makes an Earned Income Tax Credit (EITC) a first priority TABOR refund method. The bill increases the threshold necessary to trigger a temporary income tax rate reduction as a method to provide a TABOR refund so that the rate reduction does not occur unless there is also an EITC refund.

### **Bill B — Clarifying Civil Liability for an Employer Hiring a Person with a Criminal Record**

---

Bill B prohibits information regarding an employee's criminal history from being introduced as evidence against an employer in a civil action regarding negligent hiring practices if:

- the nature of the criminal history does not bear a direct relationship to the facts underlying the cause of action;
- a court order sealed any record of a criminal case or a pardon was issued before the occurrence of the civil action; or
- the record of an arrest or charge did not result in a criminal conviction.

Bill B does not eliminate the requirement for criminal history background checks in hiring for certain employment.

### **Bill C — Reduction in Barriers to Obtaining Identity-Related Documents**

---

Bill C prohibits the state from charging a fee for a certified birth or death record if the applicant is a county department of social services or human services or the applicant has a letter of referral from such a county department. Bill C also prohibits the state from charging a fee for a Colorado identification card to an applicant referred by, or released within the prior six months from, the Department of Corrections, the Division of Youth Corrections, or a county jail. Bill C authorizes a court to grant a name change if a person has previously been convicted of a felony when specified conditions are found by the court. The bill directs the court to forward information on the name change to specified departments.

### **Bill D — Independent Evaluation of the Statewide Strategic Use Fund**

---

Bill D authorizes the Department of Human Services to use a portion of existing appropriations to conduct an independent evaluation of the Statewide Strategic Use Fund (SSUF). Money accrues to the SSUF from federal block grants and state appropriations and allocations are made from the fund to state departments, local governments, and nonprofit organizations to support programs seeking to mitigate the effects of poverty. Pursuant to the bill, the executive director of the Department of Human Services, after consultation with the Strategic Allocation



Committee, is authorized to contract with a qualified, independent entity to perform an evidence-based evaluation of the effectiveness of the SSUF in meeting the objectives of the Colorado Works Program, as well as the effectiveness of the individual initiatives and programs supported by the SSUF. Bill D allows the executive director to annually use up to 2 percent of the moneys allocated to the SSUF to contract for the evaluation. The bill requires the executive director to include a copy of the most recent evaluation in his or her annual report to the General Assembly on the SSUF.

---

### **Bill E — Administration of the Supplemental Nutrition Assistance Program**

---

Bill E requires the state Department of Human Services to adopt the maximum certification period allowable pursuant to federal law for the receipt of federal food assistance benefits under the Supplemental Nutrition Assistance Program (SNAP). Additionally, Bill E requires the department to develop and implement a state outreach plan with the use of private and federal moneys to promote access to federal food benefits by eligible persons. The bill requires the department to submit the outreach plan for federal approval by September 1, 2010. The bill exempts the department from developing and implementing the outreach plan if sufficient federal or private moneys are not received. Bill E changes the name of the federal food stamps program to SNAP to reflect the federal name change. The bill also directs the department to implement a program or policy, pursuant to federal law, establishing broad-based categorical eligibility for federal food assistance benefits. At a minimum, the program or policy must remove the asset test for eligibility and increase the gross income test to 200 percent of the federal poverty level pursuant to federal law.

---

### **Bill F — Duties of the Economic Opportunity Poverty Reduction Task Force**

---

Bill F specifies that the duties of the Economic Opportunity Poverty Reduction Task Force include developing a relevant, fluid model for assessing progress toward reducing poverty and increasing economic opportunity in Colorado. Once a model is developed, the task force will recommend that the General Assembly adopt the task force's model for purposes of evaluating the effectiveness of certain public programs and policies in achieving the goals of the task force.

---

### **Bill G — Authorization for Public Entities to Enter Voluntary Agreements Affecting Rent**

---

The rent control statute in current law prohibits counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property. Bill G clarifies that the rent control statute applies only to private residential housing units. The bill also clarifies that nothing in the rent control statute prohibits or restricts the right of a property owner and public entity from voluntarily entering into and enforcing an agreement that controls rent on a private residential housing unit, whether the agreement is entered into before, on, or after the effective date of the bill. An agreement authorized pursuant to Bill G may specify how long a unit is subject to its terms, whether or not the subsequent property owners are subject to the agreement, and remedies for early termination agreed to by both parties. Finally, the bill specifies that the rent control statute does not preclude public entities from cooperatively entering into an agreement, nor does it preclude the assignment of rights and remedies to any party to the agreement.

## **Bill H — Collaboration in the Provision of Multi-Agency Services**

---

Currently, county departments of social services may enter into memorandums of understanding (MOUs) with certain agencies. The MOUs are designed to promote a collaborative system of local-level interagency oversight groups and individualized services and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated multi-agency services. Currently, the following entities may be included in an MOU:

- local judicial districts;
- a county, district, or regional health department;
- a local school district or school districts;
- community mental health centers;
- behavioral health organizations;
- the division of youth corrections;
- a designated managed service organization for the provision of treatment services for alcohol and drug abuse; and
- a domestic abuse program.

Bill H includes a listing of additional agencies or entities that may also be included in an MOU. The additional agencies or entities that may be included are:

- community colleges and postsecondary career and technical education colleges or programs;
- early childhood councils;
- boards of cooperative services;
- regional service councils;
- family resource centers; and
- workforce centers.

Bill H clarifies that if any of these additional agencies or entities are included in the MOU, that agency or entity has the same rights and responsibilities as any other participant in the MOU.





## Resource Materials

Meeting summaries are prepared for each meeting of the commission and contain all handouts provided to the commission. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-4900). The listing below contains the dates of task force meetings and the subject matter considered at those meetings. Meeting summaries are also available on our website at:

<http://www.colorado.gov/lcs/PovertyReductionTaskForce>

### Meeting Date and Subject Matter Considered

---

July 27, 2009

- ◆ Overview of the duties and responsibilities of the task force
- ◆ Lessons from poverty initiatives in other states
- ◆ "Paycheck Away Project" video presentation
- ◆ Understanding poverty
- ◆ Poverty in Colorado: definitions, metrics, and data
- ◆ Poverty and economic development
- ◆ Impact of poverty in Colorado
- ◆ Presentation of task force subcommittee topics, directives, and chairs

August 18, 2009

- ◆ Legislative Council Staff overview of department survey results
- ◆ Department of Human Services
- ◆ Department of Health Care Policy and Financing
- ◆ Department of Public Health and Environment
- ◆ Department of Higher Education
- ◆ Department of Education, K-12 education
- ◆ Department of Labor and Employment
- ◆ Public testimony: personal stories

September 8, 2009

- ◆ Subcommittee updates
- ◆ Realities of low-income working families
- ◆ Public testimony: personal stories
- ◆ Discussion concerning the role of county commissioners
- ◆ Workforce development and employer best practices



September 22, 2009

- ◆ Office of Economic Development and International Trade
- ◆ Department of Corrections
- ◆ Colorado Community and Interagency Council on Homelessness
- ◆ Department of Local Affairs
- ◆ Department of Revenue
- ◆ Discussion concerning the legislative proposals of the task force

October 13, 2009

- ◆ American Community Survey poverty data
- ◆ Invest in Kids and the Nurse Home Visitor Programs
- ◆ Discussion of bill drafts and proposed amendments

October 20, 2009

- ◆ Final action on task force bills and amendments
- ◆ Subcommittee presentations on preliminary findings and conclusions



Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**BILL A**

LLS NO. 10-0233.01 Ed DeCecco

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Kefalas**, Gagliardi, Kagan

**SENATE SPONSORSHIP**

**Sandoval**, Boyd, Hudak

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING AN INCREASE IN THE THRESHOLD NECESSARY TO**  
102 **TRIGGER A TEMPORARY INCOME TAX RATE REDUCTION AS A**  
103 **METHOD TO REFUND EXCESS STATE REVENUES BY AN AMOUNT**  
104 **EQUAL TO THE THRESHOLD NECESSARY TO TRIGGER THE**  
105 **EARNED INCOME TAX CREDIT REFUND.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.** The bill increases the threshold necessary to trigger a temporary income tax rate reduction as a method to provide a constitutionally required refund

**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.*

of excess state revenues so that the rate reduction does not occur unless there is also an earned income tax credit refund.

---

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

2 **SECTION 1.** 39-22-627 (1) (b), (3), and (6), Colorado Revised  
3 Statutes, are amended to read:

4 **39-22-627. Temporary adjustment of rate of income tax -**  
5 **refund of excess state revenues - authority of executive director.**

6 (1) (b) In order for the provisions of paragraph (a) of this subsection (1)  
7 to take effect, the amount of state revenues required to be refunded for the  
8 specified state fiscal year shall exceed the TOTAL OF THE ADJUSTED  
9 AMOUNT SET FORTH IN SECTION 39-22-123 (4) (c), PLUS THE estimated  
10 amount by which state revenues would be decreased as the result of a  
11 reduction in the state income tax rate from four and sixty-three  
12 one-hundredths percent to four and one-half percent of federal taxable  
13 income, as determined pursuant to this section.

14 (3) If one or more ballot questions are submitted to the voters at  
15 a statewide election to be held in November of any given calendar year  
16 that seek authorization for the state to retain and spend all or any portion  
17 of the amount of excess state revenues for the state fiscal year ending  
18 during said calendar year, the executive director shall not reduce the state  
19 income tax rate until the results of said election are known so that the  
20 state income tax rate may be reduced only if, after the results of said  
21 election, the amount of excess state revenues required to be refunded for  
22 the state fiscal year exceeds the TOTAL OF THE ADJUSTED AMOUNT SET  
23 FORTH IN SECTION 39-22-123 (4) (c), PLUS THE estimated amount by which  
24 state revenues would be decreased as a result of a reduction in the state  
25 income tax rate from four and sixty-three one-hundredths percent to four



1 and one-half percent of federal taxable income pursuant to this section.

2 (6) If, based on the financial report prepared by the controller in  
3 accordance with section 24-77-106.5, C.R.S., the controller certifies that  
4 the amount of the state revenues for any state fiscal year commencing on  
5 or after July 1, 2010, exceeds the limitation on state fiscal year spending  
6 imposed by section 20 (7) (a) of article X of the state constitution for that  
7 state fiscal year and exceeds the amount of excess state revenues that the  
8 voters statewide have authorized the state to retain and spend for that  
9 state fiscal year by less than the TOTAL OF THE ADJUSTED AMOUNT SET  
10 FORTH IN SECTION 39-22-123 (4) (c), PLUS THE estimated amount by which  
11 state revenues would be decreased as the result of a reduction in the state  
12 income tax rate from four and sixty-three one-hundredths percent to four  
13 and one-half percent of federal taxable income as calculated by the  
14 executive director pursuant to subsection (2) of this section, then the  
15 reduction in the state income tax rate allowed pursuant to subsection (1)  
16 of this section shall not be allowed for the income tax year commencing  
17 during the calendar year in which the state fiscal year ended.

18 **SECTION 2. Act subject to petition - effective date.** This act  
19 shall take effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly (August  
21 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
22 referendum petition is filed pursuant to section 1 (3) of article V of the  
23 state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part shall not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2010 and shall take effect on the date of the official  
27 declaration of the vote thereon by the governor.

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

**BILL B**

LLS NO. 10-0238.02 Jane Ritter

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Waller,** Gagliardi, Kagan, Kefalas, Summers

**SENATE SPONSORSHIP**

**Hudak,** Boyd, Sandoval, Scheffel, White

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101     **CONCERNING CLARIFYING CIVIL LIABILITY REGARDING NEGLIGENT**  
102             **HIRING PRACTICES FOR AN EMPLOYER THAT HIRES A PERSON**  
103             **WITH A CRIMINAL RECORD.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.** The bill prohibits information regarding an employee's criminal history from being introduced as evidence in a civil action against an employer if:

- The nature of the criminal history does not bear a direct relationship to the facts underlying the cause of action;
- A court order sealed any record of a criminal case or a

**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.*

pardon was issued before the occurrence of the civil action;  
or

- The record of an arrest or charge did not result in a criminal conviction.

The bill does not eliminate the requirement for criminal history background checks in hiring for certain employment.

---

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

2 **SECTION 1. Legislative declaration.** (1) The General  
3 Assembly hereby finds that:

4 (a) Employers may be reluctant, in part, to hire employees with a  
5 criminal record due to a lack of clarity regarding the employer's risk of  
6 liability for such hire;

7 (b) Since there is a direct correlation between employment and  
8 reduced recidivism, it is in the public interest to clarify employer liability  
9 for employers who hire persons with a criminal conviction.

10 (2) Therefore, it is necessary and appropriate for the General  
11 Assembly to reduce unnecessary barriers to employment for persons with  
12 a criminal conviction and thereby promote economic opportunity, poverty  
13 reduction, and public safety in the state of Colorado.

14 **SECTION 2.** 8-2-201, Colorado Revised Statutes, is amended to  
15 read:

16 **8-2-201. Damages - fellow servant rule and abolition thereof**  
17 **- limitation on admission of criminal history.** (1) Every corporation  
18 or individual who employs agents, servants, or employees, such agents,  
19 servants, or employees being in the exercise of due care, shall be liable to  
20 respond in damages for injuries or death sustained by any such agent,  
21 servant, or employee resulting from the carelessness, omission of duty, or  
22 negligence of such employer, or which may have resulted from the

1 carelessness, omission of duty, or negligence of any other agent, servant,  
2 or employee of the employer, in the same manner and to the same extent  
3 as if the carelessness, omission of duty, or negligence causing the injury  
4 or death was that of the employer.

5 (2) (a) INFORMATION REGARDING THE CRIMINAL HISTORY OF AN  
6 EMPLOYEE OR FORMER EMPLOYEE MAY NOT BE INTRODUCED AS EVIDENCE  
7 IN A CIVIL ACTION AGAINST AN EMPLOYER OR ITS EMPLOYEES OR AGENTS  
8 THAT IS BASED ON THE CONDUCT OF THE EMPLOYEE OR FORMER EMPLOYEE  
9 IF:

10 (I) THE NATURE OF THE CRIMINAL HISTORY DOES NOT BEAR A  
11 DIRECT RELATIONSHIP TO THE FACTS UNDERLYING THE CAUSE OF ACTION;  
12 OR

13 (II) BEFORE THE OCCURRENCE OF THE ACT GIVING RISE TO THE  
14 CIVIL ACTION, A COURT ORDER SEALED ANY RECORD OF THE CRIMINAL  
15 CASE OR THE EMPLOYEE OR FORMER EMPLOYEE RECEIVED A PARDON; OR

16 (III) THE RECORD IS OF AN ARREST OR CHARGE THAT DID NOT  
17 RESULT IN A CRIMINAL CONVICTION.

18 (b) THIS SUBSECTION (2) DOES NOT SUPERSEDE ANY STATUTORY  
19 REQUIREMENT TO CONDUCT A CRIMINAL HISTORY BACKGROUND  
20 INVESTIGATION OR CONSIDER CRIMINAL HISTORY RECORDS IN HIRING FOR  
21 PARTICULAR TYPES OF EMPLOYMENT.

22 **SECTION 3. Act subject to petition - effective date.** This act  
23 shall take effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part shall not take effect  
2 unless approved by the people at the general election to be held in  
3 November 2010 and shall take effect on the date of the official  
4 declaration of the vote thereon by the governor.

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

**BILL C**

LLS NO. 10-0239.01 Jerry Barry

**SENATE BILL**

---

**SENATE SPONSORSHIP**

**Boyd,** Hudak, Sandoval, White

**HOUSE SPONSORSHIP**

**Summers,** Gagliardi, Kefalas, Waller

---

**Senate Committees**

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING REDUCTIONS IN BARRIERS TO OBTAINING**  
102 **IDENTITY-RELATED DOCUMENTS.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.**

**Section 1.** This bill contains a legislative declaration.

**Section 2.** Prohibits the state from charging a fee for a certified birth or death record if the applicant is a county department of social services or human services or the applicant has a letter of referral from such a county department.

**Section 3.** Prohibits the state from charging a fee for a Colorado

**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.*

identification card to an applicant referred by, or released within the prior 6 months from, the department of corrections, the division of youth corrections, or a county jail.

**Section 4.** Authorizes a court to grant a name change if a person has previously been convicted of a felony if specified conditions are found by the court. Directs the court to forward information on the name change to specified departments.

---

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

**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds that:

(a) It is in the public interest to eliminate or reduce barriers to individuals who need primary identification documents in order to achieve self-sufficiency and financial security;

(b) In many instances, citizens and legal residents need both a certified birth certificate and a valid state identification card to access public benefits, secure affordable housing, obtain employment, register for school, and receive health care;

(c) The cost of obtaining these documents may present a substantial barrier to indigent and low-income persons and their children;

(d) Because the lack of valid identification is an impediment to successful re-entry and employment, which, as research shows, is linked to lower recidivism, the fee to obtain such identification should be waived for adult and juvenile offenders who cannot afford these documents upon release from custody; and

(e) Individuals with a criminal conviction face barriers because:

(I) Eligibility for a state identification card requires an exact match between the name on the birth certificate and other documents;

(II) While other individuals may petition the court for a name change to resolve any discrepancy, persons convicted of a felony and

1 certain juvenile offenders are currently barred from legally changing their  
2 names.

3 (2) Therefore, the general assembly finds that it is necessary and  
4 appropriate to:

5 (a) Eliminate or reduce barriers to obtaining identity-related  
6 documents to promote economic opportunity and reduce poverty in the  
7 state; and

8 (b) Give a court discretion to authorize a change of name for  
9 persons convicted or adjudicated of certain crimes if the court is satisfied  
10 that the change of name is appropriate.

11 **SECTION 2.** 25-2-117 (2) (a), Colorado Revised Statutes, is  
12 amended to read:

13 **25-2-117. Certified copies furnished - fee.** (2) An applicant  
14 shall pay fees established pursuant to section 25-2-121 for each of the  
15 following services:

16 (a) The reproduction and certification of birth or death records;  
17 ~~however,~~ EXCEPT THAT an applicant shall NOT pay ~~no~~ A fee:

18 (I) For the provision of a certified copy of such a record to:

19 (A) Another state agency;

20 (B) A COUNTY DEPARTMENT OF SOCIAL SERVICES OR HUMAN  
21 SERVICES; OR

22 (C) AN INDIVIDUAL PRESENTING A LETTER OF REFERRAL FROM A  
23 COUNTY DEPARTMENT OF SOCIAL SERVICES; OR

24 (II) ~~and shall pay no fee~~ If the applicant is a delegate child support  
25 enforcement unit acting pursuant to article 13 of title 26, C.R.S.;

26 **SECTION 3.** 42-2-306 (1) (a) (II), Colorado Revised Statutes, is  
27 amended, and the said 42-2-306 (1) (a) is further amended BY THE



1 ADDITION OF A NEW SUBPARAGRAPH, to read:

2 **42-2-306. Fees - disposition - repeal.** (1) The department shall  
3 charge and collect the following fees:

4 (a) (II) Except as provided in ~~subparagraph~~ SUBPARAGRAPHS (III)  
5 AND (III.5) of this paragraph (a), a fee of nine dollars and ninety cents at  
6 the time of application for an identification card or renewal of an  
7 identification card. ~~except that, for applicants sixty years of age or older~~  
8 ~~and applicants referred by any county department of social services~~  
9 ~~pursuant to section 26-2-106 (3) or 25.5-4-205 (3), C.R.S., there shall be~~  
10 ~~no fee.~~

11 (III.5) THE DEPARTMENT SHALL NOT CHARGE A FEE TO AN  
12 APPLICANT WHO IS:

13 (A) SIXTY YEARS OF AGE OR OLDER;

14 (B) REFERRED BY A COUNTY DEPARTMENT OF SOCIAL SERVICES  
15 PURSUANT TO SECTION 25.5-4-205 (3) OR 26-2-106 (3), C.R.S.; OR

16 (C) REFERRED BY OR RELEASED WITHIN THE PRIOR SIX MONTHS  
17 FROM THE DEPARTMENT OF CORRECTIONS, THE DIVISION OF YOUTH  
18 CORRECTIONS, OR A COUNTY JAIL.

19 **SECTION 4.** 13-15-101 (2) (b), Colorado Revised Statutes, is  
20 amended to read:

21 **13-15-101. Petition - proceedings.** (2) (b) (I) ~~The court shall not~~  
22 ~~grant a petition for a name change~~ If the court finds the petitioner was  
23 previously convicted of a felony IN THIS STATE OR ANY OTHER STATE or  
24 adjudicated a juvenile delinquent for an offense that would constitute a  
25 felony if committed by an adult in this state or any other state or under  
26 federal law, THE COURT MAY ONLY GRANT THE PETITION FOR A NAME  
27 CHANGE IF:

1 (A) THE COURT FINDS THE NAME CHANGE IS NOT FOR THE PURPOSE  
2 OF FRAUD, TO AVOID THE CONSEQUENCES OF A CRIMINAL CONVICTION, OR  
3 TO FACILITATE CRIMINAL ACTIVITY; AND

4 (B) THE COURT IS SATISFIED THAT THE DESIRED NAME CHANGE  
5 WOULD BE PROPER AND NOT DETRIMENTAL TO THE INTERESTS OF ANY  
6 OTHER PERSON.

7 (II) IF THE COURT GRANTS A PETITION FOR A NAME CHANGE  
8 PURSUANT TO THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH  
9 (b):

10 (A) THE COURT SHALL TRANSMIT THE NAME CHANGE  
11 INFORMATION, INCLUDING THE FORMER NAME, THE NEW LEGAL NAME, AND  
12 ALL KNOWN ALIASES, TO THE COLORADO BUREAU OF INVESTIGATION, THE  
13 FEDERAL BUREAU OF INVESTIGATION, AND THE DIVISION OF CRIMINAL  
14 JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY; AND

15 (B) IF THE DIVISION OF CRIMINAL JUSTICE HAS A RECORD OF ANY  
16 VICTIM OF THE PETITIONER'S CRIME, THE DIVISION SHALL SEND NOTICE OF  
17 THE NAME CHANGE TO THE VICTIM.

18 (III) If the certified, fingerprint-based criminal history check filed  
19 with the petition reflects a criminal charge for which there is no  
20 disposition shown, the court may grant the name change after affirmation  
21 in open court by the petitioner, or submission of a signed affidavit by the  
22 petitioner, stating he or she has not been convicted of a felony in this state  
23 or any other state or under federal law.

24 **SECTION 5. 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.

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**BILL D**

LLS NO. 10-0234.01 Brita Darling

**SENATE BILL**

---

**SENATE SPONSORSHIP**

**Boyd, Sandoval**

**HOUSE SPONSORSHIP**

**Kefalas,**

---

**Senate Committees**

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO**  
102 **USE A PORTION OF EXISTING APPROPRIATIONS TO CONDUCT AN**  
103 **INDEPENDENT EVALUATION OF THE STATEWIDE STRATEGIC USE**  
104 **FUND.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.** This bill authorizes the executive director of the department of human services, after consultation with the strategic allocation committee, to contract with a qualified, independent entity to perform an evidence-based evaluation

**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.*

of the effectiveness of the statewide strategic use fund (SSUF) in meeting the objectives of the Colorado works program, as well as the effectiveness of the individual initiatives and programs supported by the SSUF. The executive director may annually use up to 2% of the moneys annually allocated to the SSUF to contract for the evaluation.

The executive director shall include a copy of the most recent evaluation in his or her annual report to the general assembly on the SSUF.

---

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

2 **SECTION 1.** 26-2-721.7 (1), Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **26-2-721.7. Colorado works statewide strategic use fund -**  
5 **created - allocations - rules - evaluation - report.** (1) (c) THE  
6 EXECUTIVE DIRECTOR MAY ANNUALLY USE UP TO TWO PERCENT OF THE  
7 MONEYS ANNUALLY APPROPRIATED FROM THE STATEWIDE STRATEGIC USE  
8 FUND TO CONTRACT, PURSUANT TO SUBSECTION (6.5) OF THIS SECTION,  
9 WITH A QUALIFIED, INDEPENDENT ENTITY FOR AN EVALUATION OF THE  
10 STATEWIDE STRATEGIC USE FUND.

11 **SECTION 2.** 26-2-721.7 (7), Colorado Revised Statutes, is  
12 amended, and the said 26-2-721.7 is further amended BY THE  
13 ADDITION OF A NEW SUBSECTION, to read:

14 **26-2-721.7. Colorado works statewide strategic use fund -**  
15 **created - allocations - rules - evaluation - report.** (6.5) THE  
16 EXECUTIVE DIRECTOR MAY CONTRACT WITH A QUALIFIED, INDEPENDENT  
17 ENTITY FOR AN EVALUATION OF THE EFFECTIVENESS OF THE STATEWIDE  
18 STRATEGIC USE FUND IN MEETING THE OBJECTIVES OF THE COLORADO  
19 WORKS PROGRAM AND THE EFFECTIVENESS OF INDIVIDUAL INITIATIVES  
20 AND PROGRAMS SUPPORTED BY THE STATEWIDE STRATEGIC USE FUND IN  
21 ATTAINING THE GOALS SET FORTH IN SUBSECTION (2) OF THIS SECTION AS

1 WELL AS ANY OUTCOMES DEFINED BY THE STRATEGIC ALLOCATION  
2 COMMITTEE. THE EXECUTIVE DIRECTOR SHALL CONSULT WITH THE  
3 STRATEGIC ALLOCATION COMMITTEE BEFORE AWARDING THE EVALUATION  
4 CONTRACT. THE EXECUTIVE DIRECTOR SHALL SELECT AN ENTITY THAT IS  
5 QUALIFIED TO PERFORM AN EVIDENCE-BASED EVALUATION OF A SOCIAL  
6 PROGRAM, AND THE ENTITY AWARDED THE EVALUATION CONTRACT SHALL  
7 NOT HAVE A CONFLICT OF INTEREST WITH RESPECT TO THE ENTITIES OR  
8 ORGANIZATIONS THAT HAVE BENEFITTED FROM, OR MAY BENEFIT FROM,  
9 ALLOCATIONS FROM THE STATEWIDE STRATEGIC USE FUND.

10 (7) On or before February 15, 2009, and on or before February 15  
11 each year thereafter, the executive director shall submit to the joint budget  
12 committee and to the health and human services committees of the senate  
13 and the house of representatives, or any successor committees, a report  
14 concerning the programs and initiatives that received allocations from the  
15 statewide strategic use fund in the preceding fiscal year, AND A COPY OF  
16 THE MOST RECENT EVALUATION COMPLETED PURSUANT TO SUBSECTION  
17 (6.5) OF THIS SECTION.

18 **SECTION 3. Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, and safety.

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

**BILL E**

LLS NO. 10-0235.01 Brita Darling

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Summers and Gagliardi**, Kagan, Kefalas

**SENATE SPONSORSHIP**

**Boyd**, Hudak

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING THE ADMINISTRATION OF THE SUPPLEMENTAL**  
102 **NUTRITION ASSISTANCE PROGRAM.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.**

**Section 1:** This bill requires the state department of human services (department) to adopt the maximum certification period allowable pursuant to federal law for the receipt of federal food assistance benefits under the supplemental nutrition assistance program.

Additionally, this bill requires the department to develop and implement a state outreach plan with the use of private and federal

**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.*

moneys to promote access to federal food benefits by eligible persons. The department may partner or contract with one or more nonprofit organizations to develop and implement the outreach plan and is authorized to seek and accept gifts, grants, and donations for the purposes of developing and implementing the state outreach plan. The bill requires the department to submit the outreach plan for federal approval by September 1, 2010, and to request any matching federal moneys that may be available upon approval of the outreach plan. In the event that the department will not be receiving sufficient federal or private moneys to develop and implement the outreach plan, the department is exempted from developing and implementing an outreach plan.

The bill also includes amendments changing the name of the federal food stamps program to the supplemental nutrition assistance program to reflect the federal name change.

**Section 2:** This bill directs the department to implement a program or policy, pursuant to federal law, establishing broad-based categorical eligibility for federal food assistance benefits. At a minimum, the program or policy shall remove the asset test for eligibility and increase the gross income test to 200% of federal poverty level pursuant to federal law.

---

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

2 **SECTION 1.** 26-2-301, Colorado Revised Statutes, is amended  
3 to read:

4 **26-2-301. Supplemental nutrition assistance program -**  
5 **administration.** (1) The state department is hereby designated as the  
6 single state agency to administer or supervise the administration of the  
7 ~~food stamp~~ SUPPLEMENTAL NUTRITION ASSISTANCE program in this state  
8 in cooperation with the federal government pursuant to the federal "Food  
9 ~~Stamp~~ AND NUTRITION Act OF 2008", as amended, and this part 3.

10 (2) The state department, with the approval of the state board, may  
11 enter into an agreement with the secretary of the United States department  
12 of agriculture to accept federal food ~~coupons~~ ASSISTANCE BENEFITS for  
13 disbursement to qualified households in accordance with federal law.  
14 Under state department supervision, the responsibility for disbursement

1 may be delegated, under agreement, to county departments, United States  
2 postal service facilities, or other commercial facilities such as but not  
3 limited to banks.

4 (3) The ~~food stamp~~ SUPPLEMENTAL NUTRITION ASSISTANCE  
5 program shall be implemented and administered in every county in the  
6 state by the respective county departments or by the state department  
7 pursuant to an agreement with one or more counties. If a county can  
8 demonstrate to the satisfaction of the state department that it is impossible  
9 or impractical for the county department to administer the program, the  
10 state department shall ensure that the program is implemented and  
11 administered within such county, and the county shall continue to meet  
12 the requirements of section 26-1-122.

13 (4) IN IMPLEMENTING THE SUPPLEMENTAL NUTRITION ASSISTANCE  
14 PROGRAM, THE STATE DEPARTMENT SHALL ADOPT A CERTIFICATION  
15 PERIOD THAT IS CONSISTENT WITH THE MAXIMUM CERTIFICATION PERIOD  
16 ALLOWABLE UNDER FEDERAL LAW.

17 (5) (a) THE STATE DEPARTMENT SHALL DEVELOP A STATE  
18 OUTREACH PLAN, REFERRED TO IN THIS SECTION AS THE "OUTREACH  
19 PLAN", TO PROMOTE ACCESS BY ELIGIBLE PERSONS TO BENEFITS THROUGH  
20 THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. THE OUTREACH  
21 PLAN SHALL MEET THE CRITERIA ESTABLISHED BY THE FOOD AND  
22 NUTRITION SERVICES AGENCY OF THE UNITED STATES DEPARTMENT OF  
23 AGRICULTURE FOR APPROVAL OF STATE OUTREACH PLANS. THE STATE  
24 DEPARTMENT IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, AND  
25 DONATIONS TO DEVELOP AND IMPLEMENT THE OUTREACH PLAN.

26 (b) FOR PURPOSES OF DEVELOPING AND IMPLEMENTING AN  
27 OUTREACH PLAN, THE STATE DEPARTMENT MAY PARTNER WITH ONE OR



1 MORE NONPROFIT ORGANIZATIONS OR MAY CONTRACT WITH ONE OR MORE  
2 NONPROFIT ORGANIZATIONS FOR THE DEVELOPMENT AND  
3 IMPLEMENTATION OF THE OUTREACH PLAN. IF THE STATE DEPARTMENT  
4 CONTRACTS WITH ONE OR MORE ORGANIZATIONS TO DEVELOP AND  
5 IMPLEMENT THE OUTREACH PLAN, THE CONTRACT MAY SPECIFY THAT THE  
6 ORGANIZATION IS RESPONSIBLE FOR SEEKING SUFFICIENT GIFTS, GRANTS,  
7 OR DONATIONS NECESSARY FOR THE DEVELOPMENT AND IMPLEMENTATION  
8 OF THE OUTREACH PLAN, AND MAY ADDITIONALLY SPECIFY THAT ANY  
9 COSTS TO THE STATE ASSOCIATED WITH THE AWARD AND MANAGEMENT  
10 OF THE CONTRACT OR THE IMPLEMENTATION OR ADMINISTRATION OF THE  
11 OUTREACH PLAN SHALL BE PAID OUT OF ANY PRIVATE OR FEDERAL  
12 MONEYS RAISED FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE  
13 OUTREACH PLAN. THE STATE DEPARTMENT SHALL SUBMIT THE OUTREACH  
14 PLAN TO THE FOOD AND NUTRITION SERVICES AGENCY FOR APPROVAL BY  
15 SEPTEMBER 1, 2010, AND SHALL REQUEST ANY FEDERAL MATCHING  
16 MONEYS THAT MAY BE AVAILABLE UPON APPROVAL OF THE OUTREACH  
17 PLAN.

18 (c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPHS (a) OR  
19 (b) OF THIS SUBSECTION (5), THE STATE DEPARTMENT SHALL BE EXEMPT  
20 FROM DEVELOPING, IMPLEMENTING, OR ADMINISTERING AN OUTREACH  
21 PLAN IF THE STATE DEPARTMENT WILL NOT BE RECEIVING PRIVATE OR  
22 FEDERAL MONEYS SUFFICIENT TO COVER THE STATE'S COSTS ASSOCIATED  
23 WITH THE DEVELOPMENT, IMPLEMENTATION, OR ADMINISTRATION OF THE  
24 OUTREACH PLAN.

25 ~~(4)~~ (6) The provisions of article 1 of this title and, where not  
26 inconsistent with this part 3, the provisions of part 1 of this article shall  
27 apply to FEDERAL food ~~stamps~~ ASSISTANCE BENEFITS under this part 3.

1           **SECTION 2.** Part 3 of article 2 of title 26, Colorado Revised  
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
3 read:

4           **26-2-305.5. Categorical eligibility.** (1) AS USED IN THIS  
5 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "FEDERAL LAW"  
6 MEANS THE FEDERAL "FOOD AND NUTRITION ACT OF 2008", AND ANY  
7 AMENDMENTS TO THE ACT AND ANY FEDERAL REGULATIONS ADOPTED FOR  
8 THE IMPLEMENTATION OF THE ACT.

9           (2) (a) NO LATER THAN JULY 1, 2010, THE STATE DEPARTMENT  
10 SHALL CREATE A PROGRAM OR POLICY THAT, IN COMPLIANCE WITH  
11 FEDERAL LAW, ESTABLISHES BROAD-BASED CATEGORICAL ELIGIBILITY FOR  
12 FEDERAL FOOD ASSISTANCE BENEFITS PURSUANT TO THE SUPPLEMENTAL  
13 NUTRITION ASSISTANCE PROGRAM.

14           (b) AT A MINIMUM, THE PROGRAM OR POLICY SHALL, TO THE  
15 EXTENT AUTHORIZED PURSUANT TO FEDERAL LAW:

16           (I) ELIMINATE THE ASSET TEST FOR ELIGIBILITY FOR FEDERAL FOOD  
17 ASSISTANCE BENEFITS; AND

18           (II) INCREASE THE GROSS INCOME TEST TO TWO HUNDRED PERCENT  
19 OF FEDERAL POVERTY LEVEL, OR GREATER AS PROVIDED PURSUANT TO  
20 FEDERAL LAW, FOR ELIGIBILITY FOR FEDERAL FOOD ASSISTANCE BENEFITS.

21           **SECTION 3. 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.

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**BILL F**

LLS NO. 10-0236.01 Brita Darling

**SENATE BILL**

---

**SENATE SPONSORSHIP**

**Sandoval**, Boyd, Hudak

**HOUSE SPONSORSHIP**

**Gagliardi**, Kefalas

---

**Senate Committees**

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING THE DUTIES OF THE ECONOMIC OPPORTUNITY POVERTY**  
102 **REDUCTION TASK FORCE.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.** This bill specifies that the duties of the economic opportunity poverty reduction task force (task force) include developing a relevant, fluid model for assessing progress toward reducing poverty and increasing economic opportunity in Colorado. Once a model is developed, the task force will recommend that the general assembly adopt the task force's model for purposes of evaluating the effectiveness of certain public

**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.*

programs and policies in achieving the goals of the task force.

---

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

2           **SECTION 1.** 2-2-1405 (2), Colorado Revised Statutes, is  
3 amended to read:

4           **2-2-1405. Economic opportunity poverty reduction task force**

5 - **duties.** (2) To carry out its duties pursuant to this section, the task  
6 force, at a minimum, shall:

7           (a) Study and evaluate best policies and practices that:

8           (I) Build family assets and financial stability;

9           (II) Increase preschool through postsecondary educational  
10 opportunities;

11           (III) Expand the work force with quality jobs that meet private  
12 sector needs;

13           (IV) Make work pay through the use of fair and sustainable  
14 targeted tax policies; and

15           (V) Address work-support issues;

16           (b) Study and evaluate:

17           (I) Federally supported and state-supported programs that serve  
18 persons living in poverty;

19           (II) The economic impact of poverty;

20           (III) Current policies and services that affect persons living below  
21 the self-sufficiency standard;

22           (IV) How various issues interact to impact poverty, such as a lack  
23 of education, health care, housing, income, child care, and food security;

24           (V) The Colorado works program, with the goal of recommending  
25 changes to increase pathways to self-sufficiency; and

1 (VI) The supplemental nutrition assistance program, with the goal  
2 of recommending changes to increase participation and secure additional  
3 federal dollars for assistance with education and training; ~~and~~

4 (c) DEVELOP A RELEVANT, FLUID MODEL FOR ONGOING  
5 ASSESSMENT OF PROGRESS TOWARD REDUCING POVERTY AND INCREASING  
6 ECONOMIC OPPORTUNITY IN COLORADO AND RECOMMEND THAT THE  
7 GENERAL ASSEMBLY ADOPT THE TASK FORCE'S MODEL FOR PURPOSES OF  
8 EVALUATING THE EFFECTIVENESS OF CERTAIN PUBLIC PROGRAMS AND  
9 POLICIES AND THE ADMINISTRATION OF THE PUBLIC PROGRAMS IN  
10 ACHIEVING THE GOALS OF THE TASK FORCE; AND

11 ~~(c)~~ (d) Review findings and make legislative recommendations,  
12 each year, if appropriate, to the legislative council in conformance with  
13 rule 24 of the joint rules of the senate and the house of representatives.  
14 Legislation recommended by the task force shall be treated as legislation  
15 recommended by an interim legislative committee for purposes of any  
16 introduction deadlines or bill limitations imposed by the joint rules of the  
17 general assembly.

18 **SECTION 2. Act subject to petition - effective date.** This act  
19 shall take effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly (August  
21 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
22 referendum petition is filed pursuant to section 1 (3) of article V of the  
23 state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part shall not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2010 and shall take effect on the date of the official  
27 declaration of the vote thereon by the governor.

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

**BILL G**

LLS NO. 10-0232.01 Bob Lackner

**HOUSE BILL**

---

**HOUSE SPONSORSHIP**

**Kagan, Gagliardi**

**SENATE SPONSORSHIP**

**Boyd,**

---

**House Committees**

**Senate Committees**

---

**A BILL FOR AN ACT**

101     **CONCERNING AUTHORIZATION FOR CERTAIN PUBLIC ENTITIES TO**  
102             **ENTER INTO VOLUNTARY AGREEMENTS AFFECTING RENT ON**  
103             **PRIVATE RESIDENTIAL PROPERTY.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.**

Current law prohibits counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property (rent control statute). The bill clarifies that the rent control statute applies only to private residential housing units.

The bill also clarifies that nothing in the rent control statute shall

**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.*

prohibit or restrict the right of a property owner and a state agency, county, municipality, or housing authority (public entity) from voluntarily entering into and enforcing an agreement that controls rent on a private residential housing unit, whether the agreement is entered into before, on, or after the effective date of the bill. An agreement authorized pursuant to the act may specify how long a unit is subject to its terms, whether or not subsequent property owners are subject to the agreement, and remedies for early termination agreed to by both the property owner and the public entity. Finally, the rent control statute shall not preclude public entities from cooperatively entering into an agreement, nor shall it preclude the assignment of rights and remedies to any party to the agreement.

---

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

2           **SECTION 1.** 38-12-301, Colorado Revised Statutes, is amended  
3 to read:

4           **38-12-301. Control of rents by counties and municipalities**  
5 **prohibited.** (1) The general assembly finds and declares that the  
6 imposition of rent control on private residential housing units is a matter  
7 of statewide concern; therefore, no county or municipality may enact any  
8 ordinance or resolution ~~which~~ THAT would control ~~rents~~ RENT on A  
9 private residential ~~property~~ HOUSING UNIT.

10           (2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT  
11 OR RESTRICT THE RIGHT OF A PROPERTY OWNER AND A STATE AGENCY,  
12 COUNTY, MUNICIPALITY, OR HOUSING AUTHORITY TO VOLUNTARILY ENTER  
13 INTO AND ENFORCE AN AGREEMENT THAT CONTROLS RENT ON A PRIVATE  
14 RESIDENTIAL HOUSING UNIT, WHETHER THE AGREEMENT IS ENTERED INTO  
15 BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF THIS SECTION, AS  
16 AMENDED.

17           (3) AN AGREEMENT AUTHORIZED PURSUANT TO SUBSECTION (2) OF  
18 THIS SECTION MAY SPECIFY HOW LONG A PRIVATE RESIDENTIAL HOUSING  
19 UNIT IS SUBJECT TO ITS TERMS, WHETHER OR NOT SUBSEQUENT PROPERTY

1 OWNERS ARE SUBJECT TO THE AGREEMENT, AND REMEDIES FOR EARLY  
2 TERMINATION AGREED TO BY BOTH THE PROPERTY OWNER AND THE STATE  
3 AGENCY, COUNTY, MUNICIPALITY, OR HOUSING AUTHORITY.

4 (4) THIS SECTION SHALL NOT PRECLUDE STATE AGENCIES,  
5 COUNTIES, MUNICIPALITIES, OR HOUSING AUTHORITIES FROM  
6 COOPERATIVELY ENTERING INTO AGREEMENTS PURSUANT TO THIS  
7 SECTION, NOR SHALL IT PRECLUDE THE ASSIGNMENT OF RIGHTS AND  
8 REMEDIES TO ANY PARTY TO THE AGREEMENT.

9 (5) This section is not intended to impair the right of any state  
10 agency, county, or municipality to manage and control any property in  
11 which it has an interest through a housing authority or similar agency.

12 **SECTION 2. Act subject to petition - specified effective date**  
13 **- applicability.** (1) This act shall take effect September 1, 2010; except  
14 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
15 of the state constitution against this act or an item, section, or part of this  
16 act within the ninety-day period after final adjournment of the general  
17 assembly, then the act, item, section, or part shall not take effect unless  
18 approved by the people at the general election to be held in November  
19 2010 and shall take effect on January 1, 2011, or on the date of the  
20 official declaration of the vote thereon by the governor, whichever is  
21 later.

22 (2) The provisions of this act shall apply to agreements entered  
23 into before, on, or after the applicable effective date of this act.



Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

**BILL H**

LLS NO. 10-0288.01 Brita Darling

**SENATE BILL**

---

**SENATE SPONSORSHIP**

**Hudak,**

**HOUSE SPONSORSHIP**

**Gagliardi,**

---

**Senate Committees**

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING COLLABORATION IN THE PROVISION OF MULTI-AGENCY**  
102 **SERVICES.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.**

Currently, county departments of social services may enter with certain agencies into memorandums of understanding (MOU's) that are designed to promote a collaborative system of local-level interagency oversight groups and individualized service and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated multi-agency services. This bill includes a listing

**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.*

of additional agencies or entities that may also be included in an MOU. The agencies or entities that may be included are: Community colleges and postsecondary career and technical education colleges or programs, early childhood councils, boards of cooperative services, regional service councils, family resource centers, and workforce centers.

The bill includes amendments that clarify that if any of these additional agencies or entities are included in the MOU, that agency or entity shall have the same rights and responsibilities as any other participant in the MOU.

---

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 and declares that:

4 (a) Achieving the goals of improving economic opportunity and  
5 decreasing poverty in Colorado will require a coordinated effort on the  
6 part of state policymakers and program administrators;

7 (b) Programs and policies that assist families in need of immediate  
8 assistance, short-term assistance, and long-term support need to be crafted  
9 and administered with the overriding goals of poverty reduction and  
10 family self-sufficiency in mind;

11 (c) No person or family is the same, and public programs for  
12 struggling families cannot be crafted or carried out in a vacuum;

13 (d) By supporting a wide range of approaches, including applying  
14 prevention strategies, creating partnerships with the private sector,  
15 identifying and encouraging community-based efforts, and exploring  
16 tax-based strategies, state leaders can improve the lives of children and  
17 families while at the same time strengthening local economies.

18 (2) The general assembly therefore finds that it is appropriate to  
19 encourage collaboration and alliances among existing entities with the  
20 goal of reducing poverty in Colorado through the provision of

1 comprehensive and coordinated support services and education to  
2 children and families.

3 **SECTION 2.** 24-1.9-102 (1), (2) (b), (2) (d), (2) (g), (2) (h) (I),  
4 (2) (i), and (4), Colorado Revised Statutes, are amended to read:

5 **24-1.9-102. Memorandum of understanding - local-level**  
6 **interagency oversight groups - individualized service and support**  
7 **teams - coordination of services for children and families -**  
8 **requirements - waiver.** (1) (a) Local representatives of each of the  
9 agencies specified in this paragraph (a) and county departments of social  
10 services may enter into memorandums of understanding that are designed  
11 to promote a collaborative system of local-level interagency oversight  
12 groups and individualized service and support teams to coordinate and  
13 manage the provision of services to children and families who would  
14 benefit from integrated multi-agency services. The memorandums of  
15 understanding entered into pursuant to this subsection (1) shall be  
16 between interested county departments of social services and local  
17 representatives of each of the following agencies or entities:

- 18 (I) The local judicial districts, including probation services;
- 19 (II) The health department, whether a county, district, or regional  
20 health department;
- 21 (III) The local school district or school districts;
- 22 (IV) Each community mental health center;
- 23 (V) Each behavioral health organization;
- 24 (VI) The division of youth corrections;
- 25 (VII) A designated managed service organization for the provision  
26 of treatment services for alcohol and drug abuse pursuant to section  
27 25-1-206.5, C.R.S.; and

1 (VIII) A domestic abuse program as defined in section  
2 26-7.5-102, C.R.S., if representation from such a program is available.

3 (a.5) IN ADDITION TO THE PARTIES SPECIFIED IN PARAGRAPH (a) OF  
4 THIS SUBSECTION (1), THE MEMORANDUMS OF UNDERSTANDING ENTERED  
5 INTO PURSUANT TO THIS SUBSECTION (1) MAY INCLUDE LOCAL  
6 REPRESENTATIVES OF THE FOLLOWING AGENCIES OR ENTITIES:

7 (I) COMMUNITY COLLEGES AND POSTSECONDARY CAREER AND  
8 TECHNICAL EDUCATION COLLEGES AND PROGRAMS;

9 (II) EARLY CHILDHOOD COUNCILS CREATED PURSUANT TO PART 1  
10 OF ARTICLE 6.5 OF TITLE 26, C.R.S.;

11 (III) BOARDS OF COOPERATIVE SERVICES CREATED PURSUANT TO  
12 ARTICLE 5 OF TITLE 22, C.R.S.;

13 (IV) REGIONAL SERVICE COUNCILS CREATED PURSUANT TO  
14 ARTICLE 5.5 OF TITLE 22, C.R.S.;

15 (V) FAMILY RESOURCE CENTERS CREATED PURSUANT TO ARTICLE  
16 18 OF TITLE 26, C.R.S.; AND

17 (VI) WORKFORCE CENTERS EXISTING PURSUANT TO THE  
18 COLORADO WORKS PROGRAM AS DESCRIBED IN PART 7 OF ARTICLE 2 OF  
19 TITLE 26, C.R.S.

20 (b) The general assembly strongly encourages the agencies  
21 specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of this subsection (1)  
22 to enter into memorandums of understanding that are regional.

23 (c) Notwithstanding the provisions of paragraph (b) of this  
24 subsection (1), the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND  
25 (a.5) of this subsection (1) may enter into memorandums of understanding  
26 involving only one or more county departments of social services, not  
27 necessarily by region, as may be appropriate to ensure the effectiveness

1 of local-level interagency oversight groups and individualized service and  
2 support teams in the county or counties.

3 (d) In developing the memorandums of understanding, the general  
4 assembly strongly encourages the parties to the memorandums of  
5 understanding ~~specified in paragraph (a) of this subsection (1)~~ to seek  
6 input, support, and collaboration from key stakeholders in the private and  
7 non-profit sector, as well as parent advocacy or family advocacy  
8 organizations that represent family members or caregivers of children  
9 who would benefit from multi-agency services.

10 (e) Nothing shall preclude the agencies specified in ~~paragraph~~  
11 PARAGRAPHS (a) AND (a.5) of this subsection (1) from including parties  
12 in addition to the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND  
13 (a.5) of this subsection (1) in the memorandums of understanding  
14 developed for purposes of this section.

15 (2) (b) **Identification of services and funding sources.** The  
16 memorandum of understanding shall specify the legal responsibilities and  
17 funding sources of each party to the memorandum of understanding  
18 ~~specified in paragraph (a) of subsection (1) of this section~~ as those  
19 responsibilities and funding sources relate to children and families who  
20 would benefit from integrated multi-agency services, including the  
21 identification of the specific services that may be provided. Specific  
22 services that may be provided may include, but are not limited to:  
23 Prevention, intervention, and treatment services; family preservation  
24 services; family stabilization services; out-of-home placement services;  
25 services for children at imminent risk of out-of-home placement;  
26 probation services; services for children with mental illness; public  
27 assistance services; medical assistance services; child welfare services;

1 and any additional services which the parties deem necessary to identify.

2 (d) **Creation of an oversight group.** The memorandum of  
3 understanding shall create a local-level interagency oversight group and  
4 identify the oversight group's membership requirements, procedures for  
5 selection of officers, procedures for resolving disputes by a majority vote  
6 of those members authorized to vote, and procedures for establishing any  
7 necessary subcommittees of the interagency oversight group. Each  
8 interagency oversight group shall include a local representative of each  
9 party to the memorandum of understanding specified in ~~paragraph~~  
10 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, each of whom  
11 shall be a voting member of the interagency oversight group. In addition,  
12 the interagency oversight group may include, but is not limited to, the  
13 following advisory nonvoting members:

14 (I) Representatives of interested local private sector entities; and

15 (II) Family members or caregivers of children who would benefit  
16 from integrated multi-agency services or current or previous consumers  
17 of integrated multi-agency services.

18 (g) **Authorization to contribute resources and funding.** The  
19 memorandum of understanding shall specify that each party to the  
20 memorandum of understanding ~~specified in paragraph (a) of subsection~~  
21 ~~(1) of this section~~ has the authority to contribute time, resources, and  
22 funding to solve problems identified by the local-level interagency  
23 oversight group in order to create a seamless, collaborative system of  
24 delivering multi-agency services to children and families, upon approval  
25 by the head or director of each agency or department specified in  
26 ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section.

27 (h) **Reinvestment of moneys saved to serve additional children**

1 **and families.** (1) The memorandum of understanding shall require the  
2 interagency oversight group to create a procedure, subject to approval by  
3 the head or director of each agency or department specified in ~~paragraph~~  
4 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, to allow any  
5 moneys resulting from waivers granted by the federal government and  
6 any state general fund savings realized as a result of the implementation  
7 of the collaborative system of management of multi-agency services  
8 provided to children and families related to the funding sources specified  
9 by the parties to the memorandum of understanding pursuant to paragraph  
10 (b) of this subsection (2) to be reinvested by the parties to the  
11 memorandum of understanding to provide appropriate services to children  
12 and families who would benefit from integrated multi-agency services, as  
13 the population is defined by the memorandum of understanding pursuant  
14 to paragraph (c) of this subsection (2). The general fund savings realized,  
15 as referenced in this section, shall be determined in accordance with rules  
16 established by the state board of human services.

17 (i) **Performance-based measures.** The memorandum of  
18 understanding shall include a provision stating whether the parties to the  
19 memorandum of understanding will attempt to meet performance  
20 measures specified by the department of human services and elements of  
21 collaborative management, as defined by rule of the state board of human  
22 services. If the parties to the memorandum of understanding agree to  
23 attempt to meet the performance measures and elements of collaborative  
24 management, the memorandum of understanding shall require the  
25 interagency oversight group to create a procedure, subject to the approval  
26 of the head or director of each agency or department specified in  
27 ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, to

1 allow any incentive moneys received by the department of human  
2 services and allocated pursuant to section 24-1.9-104 to be reinvested by  
3 the parties to the memorandum of understanding to provide appropriate  
4 services to children and families who would benefit from integrated  
5 multi-agency services, as such population is defined by the memorandum  
6 of understanding pursuant to paragraph (c) of this subsection (2).

7 (4) The departments and agencies that provide oversight to the  
8 parties to the memorandum of understanding specified in ~~paragraph~~  
9 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section are authorized  
10 to issue waivers of any rules to which the departments and agencies are  
11 subject and that would prevent the departments from effective  
12 implementation of the memorandums of understanding, however, the  
13 departments and agencies are prohibited from waiving a rule in violation  
14 of federal law or that would compromise the safety of a child.

15 **SECTION 3.** 24-1.9-102.5, Colorado Revised Statutes, is  
16 amended to read:

17 **24-1.9-102.5. Evaluation.** The department of human services is  
18 authorized to utilize moneys in the performance-based collaborative  
19 management incentive cash fund created in section 24-1.9-104 for  
20 ongoing external evaluations of the counties participating in  
21 memorandums of understanding pursuant to section 24-1.9-102, also  
22 known as the collaborative management program, as well as those  
23 counties that opted to not participate in the collaborative management  
24 program. The external evaluation shall include an evaluation that may be  
25 required in connection with a waiver authorized pursuant to section  
26 24-1.9-102 (4). The department of human services, with input from the  
27 counties, agencies as listed in section 24-1.9-102 (1) (a) AND (1) (a.5), the



1 division of youth corrections in the department of human services,  
2 participating stakeholders in the private and nonprofit sector, and  
3 participating parent or family advocacy organizations that represent  
4 family members or caregivers of children who would benefit from  
5 multi-agency services participating in the collaborative management  
6 program, shall develop the criteria and components of the external  
7 evaluation. Each county participating in the collaborative management  
8 program shall participate fully in the annual external evaluation. The  
9 department of human services is authorized to perform an evaluation  
10 pursuant to this section on an ongoing basis as needed, as determined by  
11 the department of human services and subject to available appropriations.

12           **SECTION 4. Act subject to petition - effective date.** This act  
13 shall take effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part shall not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2010 and shall take effect on the date of the official  
21 declaration of the vote thereon by the governor.