

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0760.01 Brita Darling x2241

SENATE BILL 17-147

SENATE SPONSORSHIP

Fenberg, Donovan, Jones, Kagan, Kerr, Moreno

HOUSE SPONSORSHIP

(None),

Senate Committees
State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING INFORMATION RELATING TO EMPLOYEE ELIGIBILITY FOR

102 STUDENT LOAN REPAYMENT PROGRAMS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the department of personnel to develop and annually distribute informational materials to state employees concerning federal student loan repayment programs and loan forgiveness programs for which state employees may be eligible. The department of personnel may use existing federal informational materials, if available. The informational materials may be distributed by e-mail or through a regular

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.

mailing or communication to state employees. The department of personnel shall update the materials at least annually and distribute any updated materials.

In addition, the department of personnel must distribute the informational materials to:

- ! The department of education, for distribution to school district, charter school, institute charter school, and boards of cooperative services employees;
- ! The department of higher education, for distribution to employees at state institutions of higher education;
- ! The secretary of state, for distribution to nonprofit public service organizations, as defined in the bill, with encouragement for these organizations to distribute the informational materials to their employees; and
- ! The division of local government in the department of local affairs, for distribution to cities, counties, cities and counties, special districts, and other local government entities, with encouragement for those entities to distribute the informational materials to their employees.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-5-102 as
3 follows:

4 **24-5-102. Employee information - student loan repayment and**
5 **forgiveness programs - definitions.** (1) (a) THE GENERAL ASSEMBLY
6 FINDS AND DECLARES THAT:

7 (I) MANY COLORADANS HAVE FEDERAL STUDENT LOANS MADE
8 THROUGH THE UNITED STATES DEPARTMENT OF EDUCATION'S DIRECT
9 LOAN PROGRAM OR THE FEDERAL FAMILY EDUCATION LOAN PROGRAM;

10 (II) LARGE AMOUNTS OF STUDENT LOAN DEBT AND INSECURITY IN
11 THE JOB MARKET HAVE RESULTED IN HIGH STUDENT LOAN DEFAULT RATES;

12 (III) HOWEVER, MANY BORROWERS QUALIFY FOR LOAN
13 REPAYMENT PROGRAMS THAT ALLOW FOR LOWER MONTHLY PAYMENTS;

14 (IV) IN ADDITION, THERE ARE FEDERAL PROGRAMS THAT ALLOW

1 BORROWERS TO HAVE THEIR LOANS FORGIVEN AFTER WORKING FOR A
2 CERTAIN PERIOD OF TIME IN THE PUBLIC SECTOR, AS A TEACHER OR FOR A
3 NONPROFIT PUBLIC SERVICE ORGANIZATION;

4 (V) THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU HAS
5 A TOOLKIT AND RESOURCES TO HELP EMPLOYERS ASSIST THEIR EMPLOYEES
6 IN ACCESSING THE FEDERAL PROGRAMS;

7 (VI) AS A PUBLIC SECTOR EMPLOYER, COLORADO CAN HELP
8 QUALIFIED EMPLOYEES ACCESS FEDERAL LOAN REPAYMENT AND LOAN
9 FORGIVENESS PROGRAMS FOR WHICH THEY MAY QUALIFY BY PROVIDING
10 INFORMATION TO ITS EMPLOYEES ABOUT THESE FEDERAL PROGRAMS; AND

11 (VII) FURTHER, SCHOOL DISTRICTS, THE STATE CHARTER SCHOOL
12 INSTITUTE, LOCAL GOVERNMENTAL ENTITIES, AND NONPROFIT PUBLIC
13 SERVICE ORGANIZATIONS CAN ASSIST THEIR EMPLOYEES BY PROVIDING
14 INFORMATION ABOUT THESE FEDERAL PROGRAMS.

15 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
16 EMPLOYEES WILL BENEFIT FROM RECEIVING INFORMATION ABOUT FEDERAL
17 STUDENT LOAN PROGRAMS THAT PROVIDE ASSISTANCE THROUGH LOAN
18 REPAYMENT OPTIONS OR LOAN FORGIVENESS.

19 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "PUBLIC SERVICE LOAN FORGIVENESS PROGRAM" MEANS THE
22 LOAN FORGIVENESS PROGRAM SET FORTH IN 34 CFR 685.219.

23 (b) "TEACHER LOAN FORGIVENESS PROGRAM" MEANS THE LOAN
24 FORGIVENESS PROGRAM SET FORTH IN TITLE 34 CFR 685.217.

25 (3) (a) ON OR BEFORE DECEMBER 31, 2017, THE DEPARTMENT OF
26 PERSONNEL SHALL DEVELOP INFORMATIONAL MATERIALS DESCRIBED IN
27 SUBSECTION (3)(e) OF THIS SECTION TO INCREASE AWARENESS OF THE

1 PUBLIC SERVICE LOAN FORGIVENESS PROGRAM, THE TEACHER LOAN
2 FORGIVENESS PROGRAM, AND FEDERAL STUDENT LOAN REPAYMENT
3 OPTIONS, INCLUDING INCOME-SENSITIVE REPAYMENT PROGRAMS. IN LIEU
4 OF DEVELOPING THE INFORMATIONAL MATERIALS, THE DEPARTMENT OF
5 PERSONNEL MAY PROVIDE MATERIALS PUBLISHED BY A FEDERAL AGENCY
6 THAT INCLUDE THE REQUIRED INFORMATION.

7 (b) ON OR BEFORE JANUARY 1, 2018, AND ON OR BEFORE JANUARY
8 1 EACH YEAR THEREAFTER, THE DEPARTMENT OF PERSONNEL SHALL
9 DISTRIBUTE THE INFORMATIONAL MATERIALS TO:

10 (I) ALL STATE EMPLOYEES;
11 (II) THE DEPARTMENT OF EDUCATION, FOR DISTRIBUTION TO EACH
12 SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, AND TO THE STATE
13 CHARTER SCHOOL INSTITUTE FOR THE BENEFIT OF TEACHERS EMPLOYED BY
14 THE SCHOOL DISTRICT, A DISTRICT CHARTER SCHOOL, A BOARD OF
15 COOPERATIVE SERVICES, OR BY AN INSTITUTE CHARTER SCHOOL;

16 (III) THE DEPARTMENT OF HIGHER EDUCATION, FOR DISTRIBUTION
17 TO THE GOVERNING BOARD FOR EACH STATE INSTITUTION OF HIGHER
18 EDUCATION FOR THE BENEFIT OF EMPLOYEES OF STATE INSTITUTIONS OF
19 HIGHER EDUCATION;

20 (IV) THE SECRETARY OF STATE, FOR DISTRIBUTION TO NONPROFIT
21 PUBLIC SERVICE ORGANIZATIONS, AS DEFINED IN 34 CFR 685.219, FOR
22 THE BENEFIT OF THE EMPLOYEES OF NONPROFIT PUBLIC SERVICE
23 ORGANIZATIONS; AND

24 (V) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF
25 LOCAL AFFAIRS, FOR DISTRIBUTION TO COLORADO CITIES AND COUNTIES
26 FOR THE BENEFIT OF CITY AND COUNTY EMPLOYEES.

27 (c) IN ADDITION TO ANNUAL DISTRIBUTION, THE DEPARTMENT OF

1 PERSONNEL SHALL DISTRIBUTE THE INFORMATIONAL MATERIALS TO
2 NEWLY HIRED STATE EMPLOYEES AS PART OF ITS EMPLOYEE ORIENTATION
3 PROCESS.

4 (d) THE DEPARTMENT OF PERSONNEL MAY DISTRIBUTE THE
5 INFORMATIONAL MATERIALS TO STATE EMPLOYEES THROUGH AN E-MAIL
6 SENT TO STATE EMPLOYEES OR AS PART OF A MAILING OR REGULAR
7 COMMUNICATION TO STATE EMPLOYEES.

8 (e) THE INFORMATION PROVIDED PURSUANT TO THIS SECTION MUST
9 INCLUDE A SUMMARY OF THE PUBLIC SERVICE LOAN FORGIVENESS
10 PROGRAM, THE TEACHER LOAN FORGIVENESS PROGRAM, AND FEDERAL
11 STUDENT LOAN REPAYMENT PROGRAMS, INCLUDING WHO MAY BE ELIGIBLE
12 FOR THE PROGRAMS, STEPS THAT AN ELIGIBLE EMPLOYEE MUST TAKE IN
13 ORDER TO PARTICIPATE IN THE PROGRAMS, AND A RECOMMENDATION
14 THAT EMPLOYEES CONTACT THEIR STUDENT LOAN SERVICER FOR
15 ADDITIONAL INFORMATION. IN ADDITION, THE INFORMATION MUST
16 INCLUDE ANSWERS TO FREQUENTLY ASKED QUESTIONS REGARDING THE
17 PROGRAMS.

18 (f) THE DEPARTMENT OF PERSONNEL SHALL MAKE THE
19 INFORMATIONAL MATERIALS AVAILABLE ON THE DEPARTMENT OF
20 PERSONNEL'S WEBSITE. THE DEPARTMENT OF PERSONNEL SHALL VERIFY
21 THE INFORMATION'S ACCURACY AT LEAST ANNUALLY AND UPDATE THE
22 INFORMATIONAL MATERIALS AS NECESSARY. THE DEPARTMENT OF
23 PERSONNEL SHALL DISTRIBUTE UPDATED INFORMATIONAL MATERIALS TO
24 THE ENTITIES INCLUDED IN SUBSECTION (3)(b) OF THIS SECTION.

25 **SECTION 2.** In Colorado Revised Statutes, 22-2-112, **add** (1)(t)
26 as follows:

27 **22-2-112. Commissioner - duties.** (1) Subject to the supervision

1 of the state board, the commissioner has the following duties:

2 (t) TO ANNUALLY DISTRIBUTE TO EACH SCHOOL DISTRICT AND TO
3 THE STATE CHARTER SCHOOL INSTITUTE INFORMATIONAL MATERIALS
4 RECEIVED FROM THE DEPARTMENT OF PERSONNEL PURSUANT TO SECTION
5 24-5-102 RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS
6 AND STUDENT LOAN FORGIVENESS PROGRAMS.

7 **SECTION 3.** In Colorado Revised Statutes, 22-30.5-505, **add**
8 (20) as follows:

9 **22-30.5-505. State charter school institute - institute board -**
10 **appointment - powers and duties - rules.** (20) THE INSTITUTE SHALL
11 ANNUALLY DISTRIBUTE TO EACH INSTITUTE CHARTER SCHOOL
12 INFORMATIONAL MATERIALS RECEIVED FROM THE DEPARTMENT OF
13 EDUCATION PURSUANT TO SECTION 22-2-112(1)(t) RELATING TO FEDERAL
14 STUDENT LOAN REPAYMENT PROGRAMS AND STUDENT LOAN FORGIVENESS
15 PROGRAMS.

16 **SECTION 4.** In Colorado Revised Statutes, 22-30.5-507, **add**
17 (13) as follows:

18 **22-30.5-507. Institute charter school - requirements -**
19 **authority - rules.** (13) AN INSTITUTE CHARTER SCHOOL SHALL
20 ANNUALLY DISTRIBUTE TO EACH EMPLOYEE INFORMATIONAL MATERIALS
21 RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS AND
22 STUDENT LOAN FORGIVENESS PROGRAMS, INCLUDING UPDATED
23 MATERIALS, RECEIVED FROM THE STATE CHARTER SCHOOL INSTITUTE
24 PURSUANT TO SECTION 22-30.5-505 (20). IN ADDITION TO ANNUAL
25 DISTRIBUTION, AN INSTITUTE CHARTER SCHOOL SHALL DISTRIBUTE THE
26 INFORMATIONAL MATERIALS TO NEWLY HIRED EMPLOYEES AS PART OF ITS
27 EMPLOYEE ORIENTATION PROCESS. THE INSTITUTE CHARTER SCHOOL MAY

1 DISTRIBUTE THE INFORMATIONAL MATERIALS TO ITS EMPLOYEES THROUGH
2 AN E-MAIL TO EMPLOYEES OR AS PART OF A MAILING OR REGULAR
3 COMMUNICATION TO EMPLOYEES.

4 **SECTION 5.** In Colorado Revised Statutes, 22-32-109, **add**
5 (1)(pp) as follows:

6 **22-32-109. Board of education - specific duties.** (1) In addition
7 to any other duty required to be performed by law, each board of
8 education shall have and perform the following specific duties:

9 (pp) TO ANNUALLY DISTRIBUTE TO EACH DISTRICT CHARTER
10 SCHOOL AND TO EACH DISTRICT EMPLOYEE INFORMATIONAL MATERIALS
11 RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS AND
12 STUDENT LOAN FORGIVENESS PROGRAMS, INCLUDING UPDATED
13 MATERIALS, RECEIVED FROM THE DEPARTMENT OF EDUCATION PURSUANT
14 TO SECTION 22-2-112 (1)(t). IN ADDITION TO ANNUAL DISTRIBUTION, EACH
15 BOARD SHALL DISTRIBUTE THE INFORMATIONAL MATERIALS TO NEWLY
16 HIRED DISTRICT EMPLOYEES AS PART OF ITS EMPLOYEE ORIENTATION
17 PROCESS. THE BOARD MAY DISTRIBUTE THE INFORMATIONAL MATERIALS
18 TO DISTRICT EMPLOYEES THROUGH AN E-MAIL TO EMPLOYEES OR AS PART
19 OF A MAILING OR REGULAR COMMUNICATION TO EMPLOYEES.

20 **SECTION 6.** In Colorado Revised Statutes, 22-30.5-104, **add**
21 (12) as follows:

22 **22-30.5-104. Charter school - requirements - authority - rules.**
23 (12) EACH CHARTER SCHOOL SHALL ANNUALLY DISTRIBUTE TO EACH
24 EMPLOYEE INFORMATIONAL MATERIALS RELATING TO FEDERAL STUDENT
25 LOAN REPAYMENT PROGRAMS AND STUDENT LOAN FORGIVENESS
26 PROGRAMS, INCLUDING UPDATED MATERIALS, RECEIVED FROM ITS
27 CHARTERING SCHOOL BOARD PURSUANT TO SECTION 22-32-109 (1)(pp).

1 IN ADDITION TO ANNUAL DISTRIBUTION, A CHARTER SCHOOL SHALL
2 DISTRIBUTE THE INFORMATIONAL MATERIALS TO NEWLY HIRED
3 EMPLOYEES AS PART OF ITS EMPLOYEE ORIENTATION PROCESS. THE
4 CHARTER SCHOOL MAY DISTRIBUTE THE INFORMATIONAL MATERIALS TO
5 ITS EMPLOYEES THROUGH AN E-MAIL TO EMPLOYEES OR AS PART OF A
6 MAILING OR REGULAR COMMUNICATION TO EMPLOYEES.

7 **SECTION 7.** In Colorado Revised Statutes, **amend** 22-5-107 as
8 follows:

9 **22-5-107. Duties of board of cooperative services.** In addition
10 to any other duty required to be performed by law, the board of
11 cooperative services shall have the same duties as those for boards of
12 education as set forth in section 22-32-109 (1)(a) to (1)(m), (1)(q), **and**
13 (1)(r), **AND** (1)(pp) and section 22-9-106.

14 **SECTION 8.** In Colorado Revised Statutes, **add** 23-1-106.6 as
15 follows:

16 **23-1-106.6. Duties and powers of the department - general.**

17 (1) IN ADDITION TO ANY OTHER POWERS AND DUTIES SET FORTH IN LAW,
18 THE DEPARTMENT HAS THE FOLLOWING POWERS AND DUTIES:

19 (a) TO ANNUALLY DISTRIBUTE TO THE GOVERNING BOARD FOR
20 EACH STATE INSTITUTION OF HIGHER EDUCATION INFORMATIONAL
21 MATERIALS RECEIVED FROM THE DEPARTMENT OF PERSONNEL PURSUANT
22 TO SECTION 24-5-102 RELATING TO FEDERAL STUDENT LOAN REPAYMENT
23 PROGRAMS AND STUDENT LOAN FORGIVENESS PROGRAMS.

24 **SECTION 9.** In Colorado Revised Statutes, **add** 23-5-140.5 as
25 follows:

26 **23-5-140.5. Employee information - student loan repayment**
27 **and forgiveness programs.** EACH GOVERNING BOARD SHALL ANNUALLY

1 DISTRIBUTE TO EACH EMPLOYEE INFORMATIONAL MATERIALS RELATING
2 TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS AND STUDENT LOAN
3 FORGIVENESS PROGRAMS, INCLUDING UPDATED MATERIALS, RECEIVED
4 FROM THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO SECTION
5 23-1-106.6 (1)(a). IN ADDITION TO ANNUAL DISTRIBUTION, EACH
6 GOVERNING BOARD SHALL DISTRIBUTE THE INFORMATIONAL MATERIALS
7 TO NEWLY HIRED EMPLOYEES AS PART OF ITS EMPLOYEE ORIENTATION
8 PROCESS. THE GOVERNING BOARD MAY DISTRIBUTE THE INFORMATIONAL
9 MATERIALS TO ITS EMPLOYEES THROUGH AN E-MAIL TO EMPLOYEES OR AS
10 PART OF A MAILING OR REGULAR COMMUNICATION TO EMPLOYEES.

11 **SECTION 10.** In Colorado Revised Statutes, 24-32-104, **add**
12 (1)(m) as follows:

13 **24-32-104. Functions of the division - definition.** (1) The
14 division shall perform the following functions:

15 (m) (I) ANNUALLY DISTRIBUTE TO EACH LOCAL GOVERNMENTAL
16 ENTITY INFORMATIONAL MATERIALS RELATING TO FEDERAL STUDENT
17 LOAN REPAYMENT PROGRAMS AND STUDENT LOAN FORGIVENESS
18 PROGRAMS, INCLUDING UPDATED MATERIALS, RECEIVED FROM THE
19 DEPARTMENT OF PERSONNEL PURSUANT TO SECTION 24-5-102. THE
20 DIVISION MAY DISTRIBUTE THE INFORMATIONAL MATERIALS TO EACH
21 LOCAL GOVERNMENTAL ENTITY THROUGH AN E-MAIL OR AS PART OF A
22 MAILING OR REGULAR COMMUNICATION TO LOCAL GOVERNMENTAL
23 ENTITIES. THE DIVISION SHALL ENCOURAGE EACH LOCAL GOVERNMENTAL
24 ENTITY TO ANNUALLY DISTRIBUTE THE INFORMATIONAL MATERIALS,
25 INCLUDING ANY UPDATED MATERIALS, TO EACH EMPLOYEE OF THE LOCAL
26 GOVERNMENTAL ENTITY, AND TO INCLUDE THE INFORMATIONAL
27 MATERIALS AS PART OF THE LOCAL GOVERNMENTAL ENTITY'S NEW

1 EMPLOYEE ORIENTATION PROCESS.

2 (II) FOR PURPOSES OF SUBSECTION (1)(m)(I) OF THIS SECTION, A
3 "LOCAL GOVERNMENTAL ENTITY" MEANS A CITY, COUNTY, CITY AND
4 COUNTY, SPECIAL DISTRICT, OR OTHER UNIT OF LOCAL GOVERNMENT FOR
5 WHICH THE DIVISION HAS RECEIVED INFORMATION PURSUANT TO SECTION
6 24-32-116.

7 **SECTION 11.** In Colorado Revised Statutes, **add 7-90-404** as
8 follows:

9 **7-90-404. Distribution of information - student loan**
10 **repayment and loan forgiveness programs.** (1) THE SECRETARY OF
11 STATE SHALL ANNUALLY DISTRIBUTE TO EACH NONPROFIT PUBLIC SERVICE
12 ORGANIZATION, AS DEFINED IN 34 CFR 685.219, FOR WHICH THE
13 SECRETARY OF STATE HAS CONTACT INFORMATION, INFORMATIONAL
14 MATERIALS RELATING TO FEDERAL STUDENT LOAN REPAYMENT PROGRAMS
15 AND STUDENT LOAN FORGIVENESS PROGRAMS, INCLUDING UPDATED
16 MATERIALS, RECEIVED FROM THE DEPARTMENT OF PERSONNEL PURSUANT
17 TO SECTION 24-5-102. THE SECRETARY OF STATE MAY DISTRIBUTE THE
18 INFORMATIONAL MATERIALS TO EACH NONPROFIT PUBLIC SERVICE
19 ORGANIZATION THROUGH AN E-MAIL OR AS PART OF A MAILING OR
20 REGULAR COMMUNICATION TO SUCH ORGANIZATION.

21 (2) THE SECRETARY OF STATE SHALL ENCOURAGE EACH
22 NONPROFIT PUBLIC SERVICE ORGANIZATION TO ANNUALLY DISTRIBUTE THE
23 INFORMATIONAL MATERIALS, INCLUDING ANY UPDATED MATERIALS, TO
24 EACH EMPLOYEE OF THE NONPROFIT PUBLIC SERVICE ORGANIZATION, AND
25 TO INCLUDE THE INFORMATIONAL MATERIALS AS PART OF THE NONPROFIT
26 PUBLIC SERVICE ORGANIZATION'S NEW EMPLOYEE ORIENTATION PROCESS.

27 **SECTION 12. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2018 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.