

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Moreno

1 Amend reengrossed bill, page 4, after line 20, insert:

2 "SECTION 4. In Colorado Revised Statutes, 24-77-108, **amend**
3 (1); and **add** (3) as follows:

4 **24-77-108. Creation of a new fee-based Enterprise.** In order to
5 provide transparency and oversight to government mandated fees the
6 People of the State of Colorado find and declare that:

7 (1) A STATE ENTERPRISE QUALIFIED OR CREATED after January 1,
8 2021, ~~any state enterprise qualified or created~~, as defined under Colo.
9 Const. Art. X, section 20(2)(d), ~~with projected or actual revenue from~~
10 ~~fees and surcharges of over~~ SHALL NOT RECEIVE MORE THAN
11 \$100,000,000 ~~total~~ IN REVENUE FROM FEES AND SURCHARGES in its first
12 five fiscal years ~~must be~~ UNLESS approved at a statewide general election.
13 IF A STATE ENTERPRISE HAS COLLECTED ONE HUNDRED MILLION DOLLARS
14 (\$100,000,000) IN FEES AND SURCHARGES WITHIN ITS FIRST FIVE FISCAL
15 YEARS PRIOR TO RECEIVING VOTER APPROVAL, THE STATE ENTERPRISE
16 SHALL STOP COLLECTING FEES AND SURCHARGES. Ballot titles for
17 enterprises shall begin, "SHALL AN ENTERPRISE BE CREATED TO
18 COLLECT REVENUE TOTALING (full dollar collection for first five
19 fiscal years) IN ITS FIRST FIVE YEARS...?"

20 (3) FOR THE PURPOSES OF APPLYING THE REQUIREMENTS OF
21 SUBSECTIONS (1) AND (2) OF THIS SECTION:

22 (a) ENTERPRISES SERVE PRIMARILY THE SAME PURPOSE WHEN
23 THEY PROVIDE THE SAME SERVICES IN THE SAME GEOGRAPHIC AREA; AND

24 (b) THE FIRST FIVE FISCAL YEARS OF A STATE ENTERPRISE FOR THE
25 PURPOSE OF CALCULATING THE ONE HUNDRED MILLION DOLLAR AMOUNT
26 SET FORTH IN SUBSECTION (1) ARE THE FIRST FIVE STATE FISCAL YEARS
27 SINCE THE CREATION OR FIRST QUALIFICATION OF THE ENTERPRISE."

28 Renumber succeeding section accordingly.

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