

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 20-1228.01 Jane Ritter x4342

HOUSE BILL 20-1388

HOUSE SPONSORSHIP

Ransom, Esgar, McCluskie

SENATE SPONSORSHIP

Zenzinger, Moreno, Rankin

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING STATUTORY PROVISIONS ON MONEY FROM THE GENERAL**
102 **FUND FOR PROGRAMS OPERATED BY THE DEPARTMENT OF**
103 **HUMAN SERVICES, AND, IN CONNECTION THEREWITH, REDUCING**
104 **AN APPROPRIATION.**

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/>.)

Joint Budget Committee. The bill repeals several statutory provisions that allow for unexpended money in programs operated by the department of human services (department) to remain in the program fund

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
June 4, 2020

HOUSE
3rd Reading Unamended
June 3, 2020

HOUSE
2nd Reading Unamended
June 1, 2020

rather than reverting to the general fund. The bill repeals other statutory provisions that require the general assembly to appropriate money to a department program. The affected programs and funds include the:

- ! Aid to the needy disabled program;
- ! Child support collection fund;
- ! Child care services and substance use disorder treatment pilot program; and
- ! High-risk families cash fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-119.7, **amend**
3 (6)(b); and **repeal** (7)(b) as follows:

4 **26-2-119.7. Federal disability benefits - application assistance**
5 **- fund - rules - report - legislative declaration.** (6) (b) Any money
6 appropriated from the general fund to the state department ~~for the~~
7 ~~2020-21 fiscal year, and for each fiscal year thereafter,~~ for grants for the
8 aid to the needy disabled program that is unexpended and unencumbered
9 as of the close of the applicable fiscal year ~~does not revert~~ REVERTS to the
10 general fund. ~~and shall be transferred by the state treasurer and controller~~
11 ~~to the fund created in subsection (6)(a) of this section.~~

12 (7) (b) ~~For any fiscal year in which the money in the fund is~~
13 ~~insufficient, the general assembly shall appropriate money from the~~
14 ~~general fund to the state department for the purposes described in this~~
15 ~~section.~~

16 **SECTION 2.** In Colorado Revised Statutes, 26-2-108, **repeal as**
17 **added by House Bill 20-1100** (3) as follows:

18 **26-2-108. Granting of assistance payments and social services**
19 **- rules.** (3) ~~The child support collection fund, referred to in this section~~
20 ~~as the "fund", is hereby created in the state treasury. The state treasurer~~
21 ~~shall transfer any unexpended and unencumbered money appropriated to~~

1 the state department for the implementation of this section at the end of
2 each fiscal year to the fund. The state treasurer shall credit all interest and
3 income derived from the deposit and investment of money in the fund to
4 the fund. Subject to annual appropriation by the general assembly, the
5 state department may expend money from the fund for the
6 implementation of this section.

7 **SECTION 3.** In Colorado Revised Statutes, 26-6.9-102, **amend**
8 (4)(b); and **repeal** (4)(a) as follows:

9 **26-6.9-102. Child care services and substance use disorder**
10 **treatment pilot program - created - purposes - eligibility - evaluation**
11 **- funding - rules.** (4) (a) For each of the 2019-20, 2020-21, and 2021-22
12 fiscal years, the general assembly shall appropriate five hundred thousand
13 dollars from the general fund to the state department to implement the
14 pilot program described in this article 6.9. Any money appropriated for
15 the pilot program in the 2019-20 or 2020-21 fiscal year that remains
16 unexpended and unencumbered at the end of either fiscal year is further
17 appropriated to the state department for the following fiscal year for
18 purposes of the pilot program. The state treasurer shall transfer any
19 money that is unexpended and unencumbered at the end of the 2021-22
20 fiscal year to the high-risk families cash fund, created in section
21 27-80-119. Such money does not revert to the general fund.

22 (b) The state department may use a portion of the ANY money
23 annually appropriated for the pilot program to pay the direct and indirect
24 costs incurred to administer the pilot program, not to exceed ten percent
25 of the annual appropriation.

26 **SECTION 4.** In Colorado Revised Statutes, 27-80-123, **repeal** (3)
27 as follows:

1 **27-80-123. High-risk families cash fund - creation - services**

2 **provided - definition - report.** (3) ~~(a) The state treasurer shall transfer~~
3 ~~to the fund any money appropriated by the general assembly for the~~
4 ~~"Children and Youth Mental Health Treatment Act", pursuant to article~~
5 ~~67 of this title 27, and for the treatment of pregnant women pursuant to~~
6 ~~section 25.5-5-309, that remains unencumbered and unexpended at the~~
7 ~~end of each fiscal year. Such money does not revert to the general fund.~~

8 ~~(b) The state treasurer shall transfer to the fund any money~~
9 ~~appropriated by the general assembly for the "Increasing Access to~~
10 ~~Effective Substance Use Disorder Services Act", pursuant to section~~
11 ~~27-80-107.5, that remains unencumbered and unexpended at the end of~~
12 ~~the second year of the two-fiscal-year spending authority. Such money~~
13 ~~does not revert to the general fund.~~

14 **SECTION 5. Appropriation - adjustments to 2020 long bill.**

15 (1) To implement this act, appropriations made in the annual general
16 appropriation act for the 2020-21 state fiscal year to the department of
17 human services for use by adult assistance programs are adjusted as
18 follows:

19 (a) The general fund appropriation for administration is decreased
20 by \$165,149, and the related FTE is decreased by 0.1 FTE; and

21 (b) The general fund appropriation for the disability benefits
22 application assistance program is decreased by \$3,589,850.

23 (2) To implement this act, the general fund appropriation made in
24 the annual general appropriation act for the 2020-21 state fiscal year to
25 the department of human services for use by the office of early childhood
26 for the child care services and substance use disorder treatment pilot
27 program is decreased by \$500,000 and the related FTE is decreased by 0.6

1 FTE.

2 **SECTION 6. Effective date.** This act takes effect upon passage;
3 except that section 2 of this act takes effect on the effective date of this
4 act or House Bill 20-1100, whichever is later.

5 **SECTION 7. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety.