

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 6, 2022

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB22-1409 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, line 2, strike "(7) introductory portion"
2 and substitute "(1)(c), (6)(b), and (7) introductory portion; and **add**
3 (7)(c)".

4 Page 2, strike line 4 and substitute "**reporting - definitions - compliance**
5 **with federal requirements - legislative declaration - repeal.** (1) As
6 used in this section:

7 (c) (I) PRIOR TO THE EFFECTIVE DATE OF SUBSECTION (1)(c)(II) OF
8 THIS SECTION, "eligible recipient" means an entity that is eligible to
9 receive a grant through the grant program and includes local governments
10 and for-profit and nonprofit entities and organizations.

11 (II) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
12 (1)(c)(II), "ELIGIBLE RECIPIENT" MEANS A PUBLIC ENTITY OR A NONPROFIT
13 ENTITY OR ORGANIZATION THAT IS OTHERWISE ELIGIBLE TO RECEIVE A
14 GRANT THROUGH THE GRANT PROGRAM.

15 (6) (b) Except as otherwise required by this subsection (6)(b), all
16 money not expended or encumbered, and all interest earned on the
17 investment or deposit of money in the fund, must remain in the fund and
18 shall not revert to the general fund or any other fund at the end of any
19 fiscal year. The money in the fund is continuously appropriated to the
20 division for the purposes of this section. Any money in the fund not
21 expended or encumbered by December 31, 2022, ~~must revert~~ REVERTS to
22 the general fund; EXCEPT THAT ALL MONEY IN THE FUND NOT EXPENDED
23 OR ENCUMBERED BY DECEMBER 31, 2022, THAT WAS TRANSFERRED TO
24 THE FUND FROM THE ECONOMIC RECOVERY AND RELIEF CASH FUND
25 CREATED IN SECTION 24-75-228 (2)(a), REVERTS TO THE ECONOMIC
26 RECOVERY AND RELIEF CASH FUND.

27 (7) On June 16, 2021, or as soon as".

1 Page 2, line 8, strike "GENERAL FUND" and substitute "ECONOMIC
2 RECOVERY AND RELIEF CASH FUND CREATED IN SECTION 24-75-228
3 (2)(a)".

4 Page 2, after line 9 insert:

5 "(c) (I) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE
6 GRANT PROGRAM IS AN IMPORTANT GOVERNMENT SERVICE THAT
7 EXPEDITES ECONOMIC RECOVERY AND REVITALIZES IMPORTANT ECONOMIC
8 INFRASTRUCTURE.

9 (II) THE DIVISION, WITH RESPECT TO EXPENDITURES MADE FROM
10 MONEY TRANSFERRED TO THE FUND FROM THE ECONOMIC RECOVERY AND
11 RELIEF CASH FUND CREATED IN SECTION 24-75-228 (2)(a), AND ANY
12 ELIGIBLE RECIPIENT THAT RECEIVES A GRANT THAT INCLUDES MONEY
13 TRANSFERRED TO THE FUND FROM THE ECONOMIC RECOVERY AND RELIEF
14 CASH FUND SHALL COMPLY WITH THE COMPLIANCE, REPORTING,
15 RECORD-KEEPING, AND PROGRAM EVALUATION REQUIREMENTS
16 ESTABLISHED BY THE OFFICE OF STATE PLANNING AND BUDGETING AND
17 THE STATE CONTROLLER IN ACCORDANCE WITH SECTION 24-75-226 (5).

18 (III) TO BE ELIGIBLE TO RECEIVE A GRANT THAT INCLUDES MONEY
19 TRANSFERRED TO THE FUND FROM THE ECONOMIC RECOVERY AND RELIEF
20 CASH FUND CREATED IN SECTION 24-75-228 (2)(a), AND THAT WILL BE
21 USED WHOLLY OR PARTLY TO FUND A CAPITAL PROJECT, A GRANT
22 APPLICANT MUST SUBMIT TO THE DIVISION A WRITTEN JUSTIFICATION AS
23 SET FORTH IN 31 CFR 35.6 (b)(4) FOR THE CAPITAL EXPENDITURE; EXCEPT
24 THAT THIS REQUIREMENT DOES NOT APPLY IF THE DIVISION DETERMINES
25 THAT THE WRITTEN JUSTIFICATION IS NOT REQUIRED BASED ON HOW THE
26 EXPENDITURES AUTHORIZED UNDER THIS SECTION WILL BE REPORTED TO
27 THE UNITED STATES DEPARTMENT OF THE TREASURY."

** ** ** ** **