

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0472.01 Thomas Morris x4218

HOUSE BILL 16-1158

HOUSE SPONSORSHIP

Lee,

SENATE SPONSORSHIP

Holbert,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CONTINUATION UNDER THE SUNSET LAW OF THE
102 IDENTITY THEFT AND FINANCIAL FRAUD BOARD.

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://www.leg.state.co.us/billsummaries>.)

Sunset Process - House Judiciary Committee. The bill implements the recommendations of the sunset review and report on the deterrence of identity theft and financial fraud by:

- ! Extending the automatic termination date of the identity theft and financial fraud board to September 1, 2025, pursuant to the sunset law (**sections 1 and 2** of the bill); and

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.

! Authorizing the appropriation of general fund money to the Colorado identity theft and financial fraud cash fund (section 3).

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-1708,
3 **amend** (1) as follows:

4 **24-33.5-1708. Repeal of part.** (1) This part 17 is repealed,
5 effective September 1, 2016 2025.

6 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**
7 (47.5) (c); and **add** (56) (d) as follows:

8 **24-34-104. General assembly review of regulatory agencies**
9 **and functions for termination, continuation, or reestablishment.**

10 (47.5) The following agencies, functions, or both, shall terminate on
11 September 1, 2016:

12 (c) ~~The identity theft and financial fraud board and the Colorado~~
13 ~~fraud investigators unit created in part 17 of article 33.5 of this title;~~

14 (56) The following agencies, functions, or both, terminate on
15 September 1, 2025:

16 (d) THE IDENTITY THEFT AND FINANCIAL FRAUD BOARD CREATED
17 IN PART 17 OF ARTICLE 33.5 OF THIS TITLE.

18 **SECTION 3.** In Colorado Revised Statutes, 24-33.5-1707,
19 **amend** (1) (a) as follows:

20 **24-33.5-1707. Funding - cash fund created - donations - repeal.**

21 (1) (a) The department of public safety is authorized to accept gifts,
22 grants, or donations, including in-kind donations from private or public
23 sources, for the purposes of this part 17. All private and public funds
24 received through gifts, grants, or donations by the department of public

1 safety or by the board shall be transmitted to the state treasurer, who shall
2 credit ~~the same~~ THEM to the Colorado identity theft and financial fraud
3 cash fund, which fund is hereby created and referred to in this part 17 as
4 the "cash fund". The cash fund ~~shall also include~~ INCLUDES the moneys
5 collected pursuant to subsection (2) of this section AND MONEYS
6 APPROPRIATED TO THE FUND FROM THE GENERAL FUND. Any moneys in
7 the cash fund not expended for the purpose of this part 17 shall be
8 invested by the state treasurer as provided in section 24-36-113. All
9 interest and income derived from the investment and deposit of moneys
10 in the cash fund shall be credited to the cash fund. Any unexpended and
11 unencumbered moneys remaining in the cash fund at the end of any fiscal
12 year ~~shall~~ remain in the cash fund and shall not be credited or transferred
13 to the general fund or any other fund.

14 **SECTION 4. Act subject to petition - effective date -**
15 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
16 the expiration of the ninety-day period after final adjournment of the
17 general assembly (August 10, 2016, if adjournment sine die is on May 11,
18 2016); except that, if a referendum petition is filed pursuant to section 1
19 (3) of article V of the state constitution against this act or an item, section,
20 or part of this act within such period, then the act, item, section, or part
21 will not take effect unless approved by the people at the general election
22 to be held in November 2016 and, in such case, will take effect on the
23 date of the official declaration of the vote thereon by the governor.

24 (2) This act applies to conduct occurring on or after the applicable
25 effective date of this act.