

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 16-0616.01 John Ziegler

HOUSE BILL 16-1249

HOUSE SPONSORSHIP

Hamner, Young, Rankin

SENATE SPONSORSHIP

Lambert, Grantham, Steadman

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT**
102 **OF REGULATORY AGENCIES.**

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>.)

Supplemental appropriations are made to the department of regulatory agencies.

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

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.

SENATE
2nd Reading Unamended
February 18, 2016

HOUSE
3rd Reading Unamended
February 11, 2016

HOUSE
2nd Reading Unamended
February 10, 2016

1 **SECTION 1. Appropriation to the department of regulatory**
2 **agencies for the fiscal year beginning July 1, 2015.** In Session Laws
3 of Colorado 2015, section 2 of chapter 364, (SB 15-234), **amend** Part
4 XVIII as follows:

5 Section 2. **Appropriation.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

PART XVIII

DEPARTMENT OF REGULATORY AGENCIES

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

5	Personal Services	2,385,638		8,800	67,000 ^a	2,309,838 ^b	
6						(29.5 FTE)	
7	Health, Life, and Dental	4,235,452		121,741	3,826,198 ^c	240,598 ^b	46,915(I) ^d
8	Short-term Disability	81,112		2,622	72,507 ^c	5,031 ^b	952(I) ^d
9	S.B. 04-257 Amortization						
10	Equalization Disbursement	1,644,105		53,114	1,469,588 ^c	102,083 ^b	19,320(I) ^d
11	S.B. 06-235 Supplemental						
12	Amortization Equalization						
13	Disbursement	1,588,056		51,303	1,419,489 ^c	98,603 ^b	18,661(I) ^d
14	Salary Survey	414,720		12,882	370,833 ^c	25,724 ^b	5,281(I) ^d
15	Merit Pay	363,212		11,821	321,658 ^c	25,306 ^b	4,427(I) ^d

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Workers' Compensation	85,123		2,878	78,038 ^c	2,927 ^b	1,280(I) ^d
2	Operating Expenses	210,344		3,689	95,427 ^c	111,228 ^b	
3	Legal Services for 109,858						
4	hours 109,928 HOURS	10,437,650		206,764	9,946,384^c	103,547 ^b	180,955(I) ^d
5		10,444,301			9,953,035 ^c		
6	Administrative Law Judge						
7	Services	357,148		16,152	340,996 ^c		
8	Payment to Risk						
9	Management and Property						
10	Funds	246,423		8,332	225,911 ^c	8,475 ^b	3,705(I) ^d
11	Vehicle Lease Payments	219,218			219,218^c		
12		216,969			216,969 ^c		
13	Information Technology						
14	Asset Maintenance	671,403			480,646 ^c	190,757 ^b	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Hardware/Software						
2	Maintenance	729,218	800		469,816 ^c	258,602 ^b	
3	Leased Space	3,193,641	97,037		2,653,882 ^c	372,072 ^b	70,650(I) ^d
4	Capitol Complex Leased						
5	Space	4,147			4,147 ^c		
6	Payments to OIT	3,844,690	161,603		3,683,087 ^c		
7	CORE Operations	186,920	3,820		166,481 ^c	10,125 ^b	6,494(I) ^d
8	Consumer Outreach /						
9	Education Program	205,000			205,000 ^e		
10	BROADBAND DEPLOYMENT						
11	BOARD	200,000			200,000(I) ^f		
12			31,103,220				
13			31,307,622				
14							

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1 ^a Of this amount, it is estimated that \$11,000 shall be from the Auto Dealers License Fund created in Section 12-6-123 (1), C.R.S., \$10,000 shall be from the Department of State Cash
2 Fund created in Section 24-21-104 (3) (b), C.R.S., \$7,500 shall be from the Collection Agency Cash Fund created in Section 12-14-136 (1) (a), C.R.S., \$7,500 shall be from the
3 Conveyance Safety Fund created in Section 9-5.5-111 (2) (b), C.R.S., \$5,000 shall be from the Racing Cash Fund created in Section 12-60-205 (1), C.R.S., \$5,000 shall be from the Rural
4 Alcohol and Substance Abuse Cash Fund created in Section 27-80-117 (3) (a), C.R.S., \$5,000 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.,
5 \$3,500 shall be from the Motorcycle Operator Safety Training Fund created in Section 43-5-504 (1), C.R.S., \$3,000 shall be from the Colorado Identity Theft and Financial Fraud Cash
6 Fund created in Section 24-33.5-1707 (1), C.R.S., \$2,500 shall be from the Nursing Home Penalty Cash Fund created in Section 25.5-6-205 (3) (a), C.R.S., \$2,000 shall be from the Parks
7 and Outdoor Recreation Cash Fund created in Section 33-10-111 (1), C.R.S., and \$5,000 shall be from various sources of cash funds.

8 ^b These amounts shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

9 ^c These amounts shall be from various cash sources within the Department.

10 ^d These amounts shall be from the Equal Employment Opportunity Commission, the U.S. Department of Housing and Urban Development, the U.S. Department of Justice, and the Health
11 Information Counseling and Assistance Grant Program and are included for informational purposes only.

12 ^e Of this amount, \$200,000 shall be from the Consumer Outreach and Education Cash Fund created in Section 24-34-108 (2), C.R.S., and \$5,000 shall be from the Moving Outreach
13 Fund created in Section 40-10.1-509, C.R.S.

14 ^f THIS AMOUNT SHALL BE FROM THE BROADBAND FUND CREATED IN SECTION 40-15-509.5 (4) (a), C.R.S. THIS AMOUNT IS INCLUDED FOR INFORMATIONAL PURPOSES ONLY AS MONEY IN
15 THIS FUND IS STATUTORILY APPROPRIATED TO THE BROADBAND DEPLOYMENT BOARD PURSUANT TO SECTION 40-15-509.5 (4) (a), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(2) DIVISION OF BANKING						
3	Personal Services	3,775,541			3,775,541 ^a		
4					(40.0 FTE)		
5	Operating Expenses	490,703			490,703 ^a		
6	Board Meeting Costs	23,500			23,500 ^a		
7	Indirect Cost Assessment	315,415			315,415 ^a		
8		<u>4,605,159</u>					
9							
10	^a These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.						
11							
12	(3) CIVIL RIGHTS DIVISION						
13	Personal Services	1,907,901	1,075,589			416,922 ^a	415,390(I) ^b
14			(20.2 FTE)			(2.0 FTE)	(5.0 FTE)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	105,460		62,284			43,176(I) ^b
2	Hearings Pursuant to						
3	Complaint	18,000		17,000			1,000(I) ^b
4	Commission Meeting Costs	12,374		5,174			7,200(I) ^b
5	Indirect Cost Assessment	24,710					24,710(I) ^b
6		<u>2,068,445</u>					

8 ^a This amount shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

9 ^b These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development.

12 **(4) OFFICE OF CONSUMER COUNSEL**

13	Personal Services	838,235			838,235 ^a		
14					(7.0 FTE)		
15	Operating Expenses	55,787			55,787 ^a		

APPROPRIATION FROM

		TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	ITEM & SUBTOTAL						
	\$	\$	\$	\$	\$	\$	\$
1	Indirect Cost Assessment	55,197			55,197 ^a		
2		<u>55,197</u>					
3		949,219					
4	^a These amounts shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S.						
5							
6	(5) DIVISION OF FINANCIAL SERVICES						
7	Personal Services	1,382,357			1,382,357 ^a		
8					(15.6 FTE)		
9	Operating Expenses	145,921			145,921 ^a		
10	Indirect Cost Assessment	123,011			123,011 ^a		
11		<u>123,011</u>					
12		1,651,289					

13 ^a Of these amounts, it is estimated that \$1,456,645 shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S., and \$194,644 shall be from
14 the Cannabis Credit Co-op Fund created in Section 11-33-109 (1) (c) (I), C.R.S.

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(6) DIVISION OF INSURANCE						
2	Personal Services	6,129,123			6,129,123 ^a		
3					(83.2 FTE)		
4	Operating Expenses	291,716			291,716 ^a		
5	Out-of-State Travel						
6	Expenses	100,000			100,000(I) ^b		
7	Senior Health Counseling						
8	Program	517,794					517,794(I)
9							(2.0 FTE)
10	Transfer to CAPCO						
11	Administration	84,036			84,036 ^a		
12	Indirect Cost Assessment	774,163			656,063 ^a		118,100(I)
13		<u>7,896,832</u>					
14							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 ^a Of these amounts, it is estimated that \$7,148,938 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., and \$12,000 shall be from the Viatical
2 Settlements Cash Fund created in Section 10-7-619, C.R.S.

3 ^b This amount shall be from reimbursements from insurance companies for travel expenses and is shown for purposes of complying with the limitation on state fiscal year spending
4 imposed by Section 20 of Article X of the State Constitution and is continuously appropriated pursuant to Section 10-1-108 (9), C.R.S.

5

6 **(7) PUBLIC UTILITIES COMMISSION**

7 Personal Services	9,345,496				9,345,496 ^a		
8					(97.3 FTE)		
9 Operating Expenses	444,473				444,473 ^a		
10 Expert Testimony	25,000				25,000 ^a		
11 Disabled Telephone Users							
12 Fund Payments	1,900,542				1,900,542(I) ^b		
13 Transfer to Reading Services							
14 for the Blind Cash Fund	360,000				360,000 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Commission for the Deaf and						
2	Hard of Hearing Cash Fund	1,012,818			1,012,818 ^a		
3	Colorado Bureau of						
4	Investigation Background						
5	Checks Pass-through	104,377			104,377 ^a		
6	Indirect Cost Assessment	767,246			767,246 ^a		
7		<u>13,959,952</u>					

^a Of these amounts, it is estimated that ~~\$8,226,090~~ \$6,992,177 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$2,210,134 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., \$1,516,956 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., \$1,233,913 SHALL BE FROM THE TELECOMMUNICATIONS UTILITY FUND CREATED IN SECTION 40-2-114 (1) (a), C.R.S., and \$106,230 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3) (a), C.R.S.

^b This amount shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., and is shown for purposes of complying with Section 20 of Article X of the State Constitution. These moneys are continuously appropriated pursuant to Section 40-14-104 (1), C.R.S., and are shown for informational purposes only.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(8) DIVISION OF REAL ESTATE						
2	Personal Services	3,938,037			3,938,037 ^a		
3					(55.9 FTE)		
4	Operating Expenses	244,557			244,557 ^a		
5	Commission Meeting Costs	38,836			38,836 ^a		
6	Hearings Pursuant to						
7	Complaint	4,000			4,000 ^a		
8	Mortgage Broker Consumer						
9	Protection	389,265			389,265 ^a		
10	Indirect Cost Assessment	440,792			440,792 ^a		
11		5,055,487					
12							

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1 ^a Of these amounts, it is estimated that \$3,459,498 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., \$994,509 shall be from the Mortgage
2 Company and Loan Originator Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., \$187,920 shall be from the Community Association Manager Licensing Cash Fund created
3 in Section 12-61-1012, C.R.S., \$186,785 shall be from the Conservation Easement Tax Credit Certificate Review Fund created in Section 12-61-727 (6), C.R.S., \$150,211 shall be from
4 the HOA Information and Resource Center Cash Fund created in Section 12-61-406.5 (4), C.R.S., and \$76,564 shall be from the Conservation Easement Holder Certification Fund created
5 in Section 12-61-724 (3), C.R.S.

6
7

(9) DIVISION OF PROFESSIONS AND OCCUPATIONS

9 Personal Services	13,886,461
	14,003,243
	(196.9 FTE)
	(198.8 FTE)
13 Operating Expenses	1,475,649
14	1,486,860

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Office of Expedited						
2	392,549						
3	(5.0 FTE)						
4	Hearings Pursuant to						
5	307,075						
6	Payments to Department of						
7	Health Care Policy and						
8	14,652						
9	1,592,055						
10		17,668,441			17,074,990*	593,451 ^b	
11		17,796,434			17,202,983 ^a		
12							

13 ^a Of this amount, it is estimated that ~~\$16,870,377~~ \$16,998,370 shall be from the Division of Professions and Occupations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S., and
14 \$204,613 shall be from the Prescription Drug Monitoring Fund created in Section 12-42.5-405 (1), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 ^b Of this amount, it is estimated that \$324,041 shall be from the Department of Health Care Policy and Financing, Executive Director's Office, Transfers to/from Other Departments,
 2 Transfer to Department of Regulatory Agencies for Nurse Aid Certification and \$269,410 shall be from the Department of Public Health and Environment.

3

4 **(10) DIVISION OF SECURITIES**

5 Personal Services	2,255,498				2,255,498 ^a		
6					(24.0 FTE)		
7 Operating Expenses	58,999				58,999 ^a		
8 Hearings Pursuant to							
9 Complaint	19,594				19,594 ^a		
10 Board Meeting Costs	4,500				4,500 ^a		
11 Securities Fraud Prosecution	943,261				943,261 ^a		
12 Indirect Cost Assessment	189,249				189,249 ^a		
13		3,471,101					

14

15 ^a These amounts shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	TOTALS PART XVIII						
2	(REGULATORY						
3		\$88,429,145	\$1,923,405		\$80,144,441 ^a	\$4,875,289	\$1,486,010 ^b
4		<u>\$88,761,540</u>			<u>\$80,476,836^a</u>		

6 ^a Of this amount, ~~\$2,000,542~~ \$2,200,542 contains an (I) notation.

7 ^b This amount contains an (I) notation.

8

1 **SECTION 2. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.