

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0451.02 Kip Kolkmeier x4510

HOUSE BILL 17-1278

HOUSE SPONSORSHIP

Exum and Pettersen, Kraft-Tharp, Salazar

SENATE SPONSORSHIP

Garcia and Guzman,

House Committees

Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DEPOSIT OF PROCEEDS FROM THE TAX ON INSURANCE**
102 **PREMIUMS TO THE LOCAL FIREFIGHTER SAFETY AND DISEASE**
103 **PREVENTION FUND, AND IN CONNECTION THEREWITH, MAKING**
104 **AND REDUCING 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>.)

The bill requires the state treasurer to deposit \$2.5 million of the proceeds from the tax on insurance policy premiums in the local firefighter safety and disease prevention fund for each of the 3 fiscal

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.*

years commencing on or after July 1, 2017.

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

2 **SECTION 1.** In Colorado Revised Statutes, 10-3-209, **amend**
3 (4)(a) as follows:

4 **10-3-209. Tax on premiums collected - exemptions - penalties.**

5 (4) (a) The division of insurance shall transmit all taxes, penalties, and
6 fines it collects under this section to the state treasurer for deposit in the
7 general fund; except that the state treasurer shall deposit amounts in the
8 specified cash funds as follows:

9 (I) In the division of insurance cash fund created in section
10 10-1-103 (3), an amount that is equal to the general assembly's
11 appropriation from the fund to the division for its direct and indirect
12 expenditures less the total fee revenue that is deposited in the fund;
13 except that the amount deposited in the fund under this ~~subparagraph (I)~~
14 SUBSECTION (4)(a)(I) may not exceed five percent of all taxes collected
15 under this section; ~~and~~

16 (II) In the wildfire emergency response fund created in section
17 24-33.5-1226 ~~C.R.S.~~, and the wildfire preparedness fund created in
18 section 24-33.5-1227 ~~C.R.S.~~, the amount of the taxes, penalties, and fines
19 that the general assembly appropriates to each of the cash funds; **AND**

20 (III) **NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,**
21 **IN EACH OF THE THREE FISCAL YEARS COMMENCING ON OR AFTER JULY 1,**
22 **2017, ONE MILLION DOLLARS IN THE LOCAL FIREFIGHTER SAFETY AND**
23 **DISEASE PREVENTION FUND CREATED IN SECTION 24-33.5-1231.**

24 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-1231,
25 **amend** (1) as follows:

1 **24-33.5-1231. Local firefighter safety and disease prevention**
2 **fund - creation - grants - rules - report.** (1) There is hereby created in
3 the state treasury the local firefighter safety and disease prevention fund.
4 The fund consists of all ~~moneys~~ MONEY that may be appropriated to the
5 fund by the general assembly, all private and public ~~moneys~~ MONEY
6 received through gifts, grants, or donations that ~~are~~ IS transmitted to the
7 state treasurer and credited to the fund, and all ~~moneys~~ MONEY transferred
8 to the fund pursuant to section ~~34-63-102 (5.4)(b)(H)~~, C.R.S. 10-3-209
9 (4)(a)(III). The state treasurer shall credit all interest earned from the
10 investment of ~~moneys~~ MONEY in the fund to the fund. The ~~moneys~~ MONEY
11 in the fund ~~are~~ IS hereby continuously appropriated to the division for the
12 purposes indicated in this section. Any ~~moneys~~ MONEY not expended at
13 the end of each fiscal year ~~remain~~ REMAINS in the fund and shall not be
14 transferred to or revert to the general fund. NOTWITHSTANDING SECTION
15 24-1-136 (11)(a)(I), THE DIVISION SHALL ANNUALLY REPORT ON THE USE
16 OF THE MONEY TRANSFERRED PURSUANT TO SECTION 10-3-209 (4)(a)(III)
17 TO THE DEPARTMENT OF LOCAL AFFAIRS, THE OFFICE OF STATE PLANNING
18 AND BUDGETING, AND THE GENERAL ASSEMBLY.

19 **SECTION 3.** In Colorado Revised Statutes, 24-33.5-1227,
20 **amend** (1)(a) as follows:

21 **24-33.5-1227. Wildfire preparedness fund - creation - gifts,**
22 **grants, and donations authorized - wildfire preparedness plan -**
23 **report.** (1) (a) There is hereby created in the state treasury the wildfire
24 preparedness fund. The fund consists of all ~~moneys~~ MONEY that may be
25 appropriated thereto by the general assembly, all private and public
26 ~~moneys~~ MONEY received through gifts, grants, reimbursements, or
27 donations that ~~are~~ IS transmitted to the state treasurer and credited to the

1 fund, ~~all moneys transferred to the fund pursuant to section 34-63-102~~
2 ~~(5.4)(b)(H), C.R.S.,~~ all moneys MONEY transferred to the fund from the
3 healthy forests and vibrant communities fund created in section
4 23-31-313 (10), ~~C.R.S.,~~ and moneys MONEY transferred pursuant to
5 section 39-29-109.3 (2)(n)(I)(C). ~~C.R.S.~~ All interest earned from the
6 investment of moneys MONEY in the fund shall be credited to the fund.
7 The moneys MONEY in the fund ~~are hereby~~ IS continuously appropriated
8 for the purposes indicated in this section. Any moneys MONEY not
9 expended at the end of the fiscal year shall remain in the fund and shall
10 not be transferred to or revert to the general fund.

11 **SECTION 4. Appropriation - adjustments to 2017 long bill.**

12 (1) To implement this act, appropriations made in the annual general
13 appropriation act for the 2017-18 state fiscal year to the department of
14 education for the state share of districts' total program funding are
15 adjusted as follows:

16 (a) The general fund appropriation is decreased by \$1,000,000;
17 and

18 (b) The cash funds appropriation from the state education fund
19 created in section 17 (4)(a) of article IX of the state constitution is
20 increased by \$1,000,000.

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