Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REENGROSSED
This Version Includes All Amendments
Adopted in the House of Introduction

HOUSE BILL 18-1322

HOUSE SPONSORSHIP
Hamner, Young, Rankin

SENATE SPONSORSHIP
Lambert, Lundberg, Moreno

House Committees
Senate Committees
Appropriations

A BILL FOR AN ACT

CONCERNING THE PROVISION FOR PAYMENT OF THE EXPENSES OF THE
EXECUTIVE, LEGISLATIVE, AND JUDICIAL DEPARTMENTS OF THE
STATE OF COLORADO, AND OF ITS AGENCIES AND INSTITUTIONS,
FOR AND DURING THE FISCAL YEAR BEGINNING JULY 1, 2018,
EXCEPT AS OTHERWISE NOTED.

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.)

Provides for the payment of expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and

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.
institutions, for and during the fiscal year beginning July 1, 2018, except as otherwise noted.

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

SECTION 1. Definitions - general provisions. As used in this act, the following definitions and general provisions shall apply:

(1) Section 24-75-112, Colorado Revised Statutes, provides definitions in order to specify the purpose of certain line items of appropriation.

(2) The funds designated to constitute the state emergency reserve for the 2018-19 fiscal year are:

(a) The major medical insurance fund, created in section 8-46-202 (1)(a), Colorado Revised Statutes, up to a maximum of $74,000,000;

(b) The controlled maintenance trust fund, created in section 24-75-302.5 (2)(a), Colorado Revised Statutes, up to a maximum of $93,996,000;

(c) The unclaimed property tourism promotion trust fund, created in section 38-13-116.7 (1), Colorado Revised Statutes, up to a maximum of $5,000,000;

(d) The severance tax perpetual base fund, created in section 39-29-109 (2)(a)(I.5), Colorado Revised Statutes, up to a maximum of $33,000,000;

(e) The Colorado water conservation board construction fund, created in section 37-60-121 (1)(a), Colorado Revised Statutes, up to a maximum of $33,000,000;

(f) The wildlife cash fund, created in section 33-1-112 (1)(a), Colorado Revised Statutes, up to a maximum of $34,000,000; and
(g) Up to $160,272,000 of state properties as follows:

(I) The state parking garage located at 1350 Lincoln Street, Denver, Colorado 80203, which has a value of $11,986,350;

(II) The legislative services building located at 200 E. 14th Avenue, Denver, Colorado 80203, which has a value of $17,357,350;

(III) The centennial building located at 1313 Sherman Street, Denver, Colorado, 80203, which has a value of $37,308,975;

(IV) The state services building located at 1525 Sherman Street, Denver, Colorado, 80203, which has a value of $44,879,625;

(V) The human services building located at 1575 Sherman Street, Denver, Colorado, 80203, which has a value of $32,180,900; and

(VI) The capitol annex building located at 1375 Sherman Street, Denver, Colorado, 80203, which has a value of $28,930,625.

SECTION 2. Appropriation. (1) The sums included in this section are appropriated out of any money in the general fund, the indicated cash funds, and reappropriated funds, for the payment of the ordinary operating costs of the executive, legislative, and judicial departments of the state, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2018, and:

(a) The figures in the column headed "item & subtotal" are the amounts made available by appropriation for expenditure within each line item, except for the figures that appear directly beneath a line, which figures are subtotals of the preceding line item appropriation amounts.

The figures in the "total" column are the amounts made available by appropriation for expenditure by the department, division, institution, or program to which the totals relate.
(b) The figures in the "general fund", "general fund exempt", 
"cash funds", "reappropriated funds", and "federal funds" columns 
indicate the source of funds for the amounts authorized in the expenditure 
columns or the source of funds for the figures that are included for 
informational purposes only.

(c) The figures in the "general fund" and "general fund exempt" 
columns indicate the maximum amount that may be expended from the 
general fund for the purposes shown.

(d) Where the letter "(M)" appears directly to the right of a general 
fund or general fund exempt figure, that general fund or general fund 
exempt appropriation, when combined with the related general fund or 
general fund exempt transfers from the centralized appropriations to the 
office of the executive director, is used to support a federally supported 
program and is the maximum amount of general fund or general fund 
exempt money that may be expended in that program, except where 
otherwise provided. In the event that additional federal funds are 
available for the program, the combined general fund or general fund 
exempt amount noted as "(M)" shall be reduced by the amount of federal 
funds earned or received in excess of the figure shown in the "federal 
funds" column for that program. In the event that the federal funds earned 
or received are less than the amount shown in the "federal funds" column, 
the combined general fund or general fund exempt amount noted as "(M)" 
shall be reduced proportionately. Where general fund or general fund 
exempt support is required as a condition for the acceptance of federal 
funds and the state matching requirements are reduced, the combined 
general fund or general fund exempt amount noted as "(M)" shall be 
reduced proportionately. These provisions shall apply only to the general
fund or general fund exempt amount which remains unexpended at the
time of the change in federal requirements or funding. It is intended that
the general fund or general fund exempt amount and the federal funds
amount shall be expended in equally proportioned amounts throughout
the year.

(e)(I) The figures in the "cash funds" or "reappropriated funds"
columns, including the figures in any related letter notes, indicate all
non-general fund and non-general fund exempt sources and all nondirect
federal fund sources and may be cash funds established by statute,
nonstatutory cash accounts, tuitions, overhead reimbursements, certain
fees, governmental and nongovernmental "third-party" payments,
payments for services, and interagency transfers. Such figures indicate the
maximum amount that may be expended from cash funds or the specified
cash fund sources for the purposes shown. The amount of each cash funds
or reappropriated funds appropriation is expressly declared to be
nonseverable from the agency, source, and purpose of such appropriation,
and such amount shall not be used for any other agency, source, or
purpose.

(II) The provisions of this subsection (1)(e) shall not apply where
this act specifically provides otherwise or where cash funds are marked
with an "(L)". The "(L)" designation refers to the funds of local
governments or to the funds of service organizations from which the state
purchases services, the amounts of which are not appropriated in this act
and the inclusion of which is informational only.

(III) Whenever a state agency receives cash funds or
reappropriated funds from a centralized appropriation made to the office
of the executive director of such agency's department and this act does not
set forth such funds as a duplicate appropriation to said receiving agency, the provisions of this subsection (1)(e) shall not apply to the receipt of such funds.

(IV) Whenever the controller creates an account solely for the purpose of establishing the obligation of a state agency to generate cash funds or reappropriated funds for distribution to another state agency to which such funds are appropriated by this act, the provisions of this subsection (1)(e) shall not apply to the account created or to such distribution.

(f) Where the letter "(H)" appears directly to the right of a cash funds or reappropriated funds figure, that appropriation, when combined with the related cash funds or reappropriated funds transfers from the centralized appropriations to the office of the executive director, is used to support a federally supported program and is the maximum amount of cash funds or reappropriated money that may be expended in that program, except where otherwise provided. In the event that additional federal funds are available for the program, the combined cash funds or reappropriated funds amount noted as "(H)" shall be reduced by the amount of federal funds earned or received in excess of the figure shown in the "federal funds" column for that program. In the event that the federal funds earned or received are less than the amount shown in the "federal funds" column, the combined cash funds or reappropriated funds amount noted as "(H)" shall be reduced proportionately. Where cash funds or reappropriated funds support is required as a condition for the acceptance of federal funds and the state matching requirements are reduced, the combined cash funds or reappropriated funds amount noted as "(H)" shall be reduced proportionately. These provisions shall apply
only to the cash funds or reappropriated funds amount which remains
unexpended at the time of the change in federal requirements or funding.
It is intended that the cash funds or reappropriated funds amount and the
federal funds amount shall be expended in equally proportioned amounts
throughout the year.

(g) Reappropriated funds means money appropriated again
subsequent to an initial appropriation in the same fiscal year. The
designation of money as reappropriated funds has no bearing on whether
the money constitutes a grant from the state of Colorado pursuant to
section 20 (2)(d) of article X of the state constitution.

(h)(I) The figures in the "federal funds" column earned or
received under the following federal programs which are subject to a state
match or which are subject to transfer to other block grants shall be limits
on the amount of expenditures of such funds, and such funds shall be
expended in accordance with applicable state and federal statutes,
including all provisions of this act:
Title XX Social Services Block Grant
Maternal and Child Health Block Grant

(II) The figures in the "federal funds" column earned or received
under the following federal programs shall be limits on the amount of
expenditures of such funds, and such funds shall be expended in
accordance with applicable state and federal statutes, including all
provisions of this act:
Child Care Development Funds
Temporary Assistance for Needy Families Block Grant

(III) The figures in the "federal funds" column for all other
programs are anticipated federal funds, and, although these funds are not
appropriated in this act, they are noted for the purpose of indicating the
assumption used relative to those funds in developing the basic
appropriations amounts.

(i) The general assembly accepts no obligation directly or
indirectly for support or continuation of non-state-funded programs or
grants where no direct or indirect state contribution is required.
Furthermore, the general assembly accepts no obligation for costs
incurred by or claimed against nonappropriated federally funded
programs.

(j) No money appropriated by this act shall knowingly be paid to
any organization, business firm, person, agency, or club which places
restrictions on employment or membership based on sex, sexual
orientation, race, age, marital status, creed, color, religion, national origin,
ancestry, or physical handicap.

(k) Pursuant to section 24-30-202 (2), Colorado Revised Statutes,
the controller shall examine all state contracts entered into during the
fiscal year commencing July 1, 2018, to determine whether such contracts
are authorized by an appropriation within this act, and, pursuant to section
24-30-202 (3), Colorado Revised Statutes, no agency shall incur
obligations by contract in excess of the amounts appropriated by this act.

(I) Where the letter "(I)" appears directly to the right of a figure
or in a letternote referencing a figure, that amount is not an appropriation,
nor does it limit the expenditure of such money. The figure is included for
informational purposes only. It provides a record of funds anticipated to
be expended and, in some instances, may indicate assumptions used
relative to those funds in developing appropriated amounts.

(II) The "(I)" notation applies to a general fund, general fund
exempt, or cash funds figure when the amount is continuously appropriated to, or otherwise authorized by law to be spent by, a department or agency of state government pursuant to a provision of state statute or the state constitution.

(III) The "(I)" notation applies to a reappropriated funds figure when the amount is continuously appropriated to, or otherwise authorized by law to be spent by, a department or agency of state government pursuant to a provision of state statute or the state constitution or, in some instances, when the underlying federal funds source from which the amount is reappropriated is subject to the "(I)" notation.

(IV) The "(I)" notation applies to all federal funds except when the federal funds represent a limit on expenditures as specified in subsection (1)(h) of this section, when the letter "(M)" or "(H)" appears to the right of a general fund, cash funds, or reappropriated funds figure in the same line item, or when the general assembly has the authority to appropriate the federal funds.