

CHAPTER 419

APPROPRIATIONS

HOUSE BILL 18-1166

BY REPRESENTATIVE(S) Hamner, Young, Rankin, Esgar, Hansen, Humphrey, Rosenthal;
also SENATOR(S) Lambert, Lundberg, Moreno.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. Appropriation to the department of regulatory agencies for the fiscal year beginning July 1, 2017. In Session Laws of Colorado 2017, section 2 of chapter 421, (SB 17-254), **amend** Part XVIII as follows:

Section 2. **Appropriation.**

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		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

Personal Services	2,430,854	46,890		52,180 ^a	2,331,784 ^b (29.5 FTE)	
Health, Life, and Dental	4,591,610	205,432		4,135,242 ^c	238,099 ^b	12,837(I) ^d
Short-term Disability	70,408	2,576		63,352 ^c	4,168 ^b	312(I) ^d
S.B. 04-257 Amortization						
Equalization Disbursement	1,859,709	68,060		1,673,296 ^c	110,144 ^b	8,209(I) ^d
S.B. 06-235						
Supplemental Amortization						
Equalization Disbursement	1,859,709	68,060		1,673,296 ^c	110,144 ^b	8,209(I) ^d
Salary Survey	708,752	25,931		637,718 ^c	41,960 ^b	3,143(I) ^d
Merit Pay	299,867	11,268		269,082 ^c	18,848 ^b	669(I)
Workers' Compensation	131,874	4,977		118,714 ^c	6,614 ^b	1,569(I) ^d
Operating Expenses	210,344	3,689		95,427 ^c	111,228 ^b	
Legal Services	10,102,847	192,434		9,645,645^e 9,807,147 ^e	96,393 ^b	168,375(I)^d 6,873(I) ^d
Administrative Law						
Judge Services	242,917	11,141		231,776 ^c		

Payment to Risk Management and Property Funds	198,282	7,484	178,494 ^c	9,944 ^b	2,360(I) ^d
Vehicle Lease Payments	173,575 196,895		173,575^c 196,895 ^c		
Information Technology Asset Maintenance	671,403		480,646 ^c	190,757 ^b	
Hardware/Software Maintenance	729,218	800	469,816 ^c	258,602 ^b	
Leased Space	2,775,917		2,368,767 ^c	376,964 ^b	30,186(I) ^d
Payments to OIT	3,255,999	134,043	3,121,956 ^c		
CORE Operations	193,497	7,303	174,187 ^c	9,704 ^b	2,303(I) ^d
Consumer Outreach/ Education Program	205,000		205,000 ^c		
Broadband Deployment Board	<u>202,504</u>		202,504 ^f		
	30,914,286				
	30,937,606				

^a Of this amount, an estimated \$10,240 shall be from the River Outfitters Cash Fund created in Section 33-32-111, C.R.S., an estimated \$9,600 shall be from the Marijuana Cash Fund created in Section 12-43.3-501 (1)(a), C.R.S., an estimated \$6,400 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$6,250 shall be from the Colorado Auto Theft Prevention Cash Fund created in Section 42-5-112 (4)(a), C.R.S., an estimated \$6,080 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., an estimated \$4,160 shall be from the Fire Suppression Cash Fund created in Section 24-33.5-1207.6 (1), C.R.S., an estimated \$3,750 shall be from the Department of State Cash Fund created in Section 24-21-104 (3)(b), C.R.S., an estimated \$3,200 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., and an estimated \$2,500 shall be from the Colorado Water Conservation Board Construction Fund created in Section 37-60-121 (1)(a), C.R.S.

^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.

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

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

^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 Information Counseling and Assistance Grant Program and are included for informational purposes only.

^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 Fund created in Section 40-10.1-509, C.R.S.

^f This amount shall be from the Broadband Fund created in Section 40-15-509.5 (4)(a), C.R.S.

^g Of this amount, up to \$200,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and ~~\$9,445,645~~ \$9,607,147 shall be from various sources of cash funds.

(2) DIVISION OF BANKING

Personal Services	3,766,881			3,766,881 ^a		
				(40.0 FTE)		
Operating Expenses	490,703			490,703 ^a		
Board Meeting Costs	23,500			23,500 ^a		
Indirect Cost Assessment	<u>340,984</u>			340,984 ^a		
	4,622,068					

^a These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.

(3) CIVIL RIGHTS DIVISION

Personal Services	1,948,806	970,081		551,579 ^a	427,146(I) ^b
		(20.2 FTE)		(2.0 FTE)	(5.0 FTE)

Operating Expenses	105,460	62,284	43,176(I) ^b
Hearings Pursuant to Complaint	18,000	17,000	1,000(I) ^b
Commission Meeting Costs	12,374	5,174	7,200(I) ^b
Indirect Cost Assessment	<u>14,159</u>		14,159(I) ^b
	2,098,799		

^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.

^b These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development and are shown for informational purposes only.

(4) OFFICE OF CONSUMER COUNSEL

Personal Services	853,040	853,040 ^a
		(7.0 FTE)
Operating Expenses	55,787	55,787 ^a
Indirect Cost Assessment	<u>59,672</u>	59,672 ^a
	968,499	

^a These amounts shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S.

(5) DIVISION OF FINANCIAL SERVICES

Personal Services	1,402,636	1,402,636 ^a
		(15.6 FTE)
Operating Expenses	145,921	145,921 ^a
Indirect Cost Assessment	<u>132,984</u>	132,984 ^a
	1,681,541	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(6) DIVISION OF INSURANCE						
Personal Services	6,272,154			6,272,154 ^a (83.2 FTE)		
Operating Expenses	291,716			291,716 ^a		
Out-of-State Travel Expenses	50,000			50,000(I) ^b		
Senior Health Counseling Program	517,794					517,794(I) (2.0 FTE)
Transfer to CAPCO Administration	85,291			85,291 ^a		
Indirect Cost Assessment	<u>729,245</u>			709,247 ^a		19,998(I)
	7,946,200					

^a Of these amounts, an estimated \$1,484,917 shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S., and an estimated \$196,624 shall be from the Cannabis Credit Co-op Fund created in Section 11-33-109 (1)(c)(I), C.R.S.

^a Of these amounts, an estimated \$7,346,287 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., and an estimated \$12,121 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S.

^b This amount shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S. This amount is shown for informational purposes as it is continuously appropriated to the Department of Regulatory pursuant to Section 10-1-108 (9), C.R.S. This amount is from reimbursements from insurance companies for travel expenses and is shown for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

(7) PUBLIC UTILITIES COMMISSION

Personal Services	9,497,177	9,497,177 ^a
		(91.3 FTE)
Operating Expenses	594,473	594,473 ^a
Expert Testimony	25,000	25,000 ^a
Disabled Telephone Users Fund Payments	1,300,542	1,300,542(I) ^b
Transfer to Reading Services for the Blind Cash Fund	360,000 710,000	360,000 710,000 ^a
Commission for the Deaf and Hard of Hearing Cash Fund	1,292,589	1,292,589 ^a
Colorado Bureau of Investigation Background Checks Pass-through	104,377	104,377 ^a
Highway-Rail Crossing Signalization Fund	244,800	244,800 ^c
Rural Broadband ^{84a}	9,450,000	9,450,000(I) ^d
Indirect Cost Assessment	829,444	829,444 ^a
	<u>23,698,402</u>	
	24,048,402	

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a Of these amounts, an estimated \$7,411,793 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S., an estimated \$2,307,849 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., an estimated ~~\$1,584,024~~ \$1,934,024 shall be from the Colorado Telephone Users with Disability Fund created in Section 40-17-104 (1), C.R.S., an estimated \$1,288,467 shall be from the Telecommunications Utility Fund created in Section 40-2-114 (1)(b)(I), C.R.S., and an estimated \$110,927 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 Telephone Users with Disability 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. This money is continuously appropriated pursuant to Section 40-17-104 (1), C.R.S., and is shown for informational purposes only.

^c This amount shall be from the Highway-Rail Signalization Fund created in Section 40-29-116 (1) C.R.S.

^d This amount shall be from money collected for the High Cost Support Mechanism created in Section 40-15-208, C.R.S. This money is continuously appropriated pursuant to Section 40-15-208, C.R.S., and is shown for informational purposes only.

(8) DIVISION OF REAL ESTATE

Personal Services	4,014,154	4,014,154 ^a (52.9 FTE)
Operating Expenses	204,557	204,557 ^a
Commission		
Meeting Costs	38,836	38,836 ^a
Hearings Pursuant to Complaint	4,000	4,000 ^a

Mortgage Broker			
Consumer Protection	208,811		208,811 ^a
Indirect Cost Assessment	<u>450,951</u>		450,951 ^a
		4,921,309	

^a Of these amounts, an estimated \$3,521,669 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2)(b), C.R.S., an estimated \$1,000,799 shall be from the Mortgage Company and Loan Originator Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., an estimated \$218,986 shall be from the Conservation Easement Tax Credit Certificate Review Fund created in Section 12-61-727 (6), C.R.S., an estimated \$127,919 shall be from the Conservation Easement Holder Certification Fund created in Section 12-61-724 (3), C.R.S., and an estimated \$51,936 shall be from the HOA Information and Resource Center Cash Fund created in Section 12-61-406.5 (4), C.R.S.

(9) DIVISION OF PROFESSIONS AND OCCUPATIONS

Personal Services	14,697,086		
	(194.8 FTE)		
Operating Expenses	1,550,075		
Office of Expedited Settlement Program Costs	400,223		
	(5.0 FTE)		
Hearings Pursuant to Complaint	307,075		
Payments to Department of Health Care Policy and Financing	14,652		
Indirect Cost Assessment	<u>1,703,215</u>		
		18,672,326	18,078,875 ^a
			593,451 ^b

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^a Of this amount, an estimated \$17,770,037 shall be from the Division of Professions and Occupations Cash Fund created in Section 24-34-105 (2)(b)(I), C.R.S., an estimated \$204,613 shall be from the Prescription Drug Monitoring Fund created in Section 12-42.5-405 (1), C.R.S., and \$104,225 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1) C.R.S.

^b Of this amount, \$324,041 shall be transferred from the Department of Health Care Policy and Financing from the Transfers to/from Other Departments, Transfer to Department of Regulatory Agencies for Nurse Aid Certification line item in the Executive Director's Office and \$269,410 shall be transferred from the Department of Public Health and Environment from the Medicaid/Medicare Certification Program line item in the Health Facilities and Emergency Medical Services Division, Health Facilities Programs section.

(10) DIVISION OF SECURITIES

Personal Services	2,288,451			2,288,451 ^a	
				(24.0 FTE)	
Operating Expenses	58,999			58,999 ^a	
Hearings Pursuant to Complaint	19,594			19,594 ^a	
Board Meeting Costs	4,500			4,500 ^a	
Securities Fraud Prosecution	1,004,776			1,004,776 ^a	
Indirect Cost Assessment	<u>204,590</u>			204,590 ^a	
	3,580,910				

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

TOTALS PART XVIII

**(REGULATORY
AGENCIES)**

\$99,104,340	\$1,844,627		\$90,930,685 ^a	\$5,060,383	\$1,268,645 ^b
<u>\$99,477,660</u>	<u> </u>	<u> </u>	<u>\$91,465,507^a</u>	<u> </u>	<u>\$1,107,143^b</u>

^a Of this amount, \$10,934,542 contains an (I) notation.

^b This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

84a It is the General Assembly's intent that these funds are spent in rural Colorado.

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

Approved: March 1, 2018