

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

ENGROSSED

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

LLS NO. 19-0878.01 Pierce Lively x2059

HOUSE BILL 19-1209

HOUSE SPONSORSHIP

Froelich and Valdez A.,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REPEALING AERONAUTICAL REPORTING REQUIREMENTS.**

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 removes the requirement that air carriers providing intrastate air service within Colorado file semiannual reports with the aeronautics division regarding the on-time performance and the number of passengers denied boarding on intrastate flights by the air carrier.

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

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.

HOUSE
2nd Reading Unamended
March 5, 2019

1 **SECTION 1.** In Colorado Revised Statutes, **repeal** 24-46.6-103.

2 **SECTION 2.** In Colorado Revised Statutes, 24-46.5-103, **amend**
3 (1)(b)(I) introductory portion as follows:

4 **24-46.5-103. Intergovernmental agreements.** (1) (b) (I) Any
5 entity establishing a new business facility or operation and participating
6 in ~~the provisions of this article~~ ARTICLE 46.5 shall give due consideration
7 to the provision of intrastate air service to all areas of Colorado. ~~Any such~~
8 ~~entity shall file reports as required under section 24-46.6-103.~~ The state
9 shall consider each of the following guidelines in determining whether to
10 enter into an intergovernmental agreement:

11 **SECTION 3.** In Colorado Revised Statutes, 43-10-109, **amend**
12 (1) and (3) as follows:

13 **43-10-109. Aviation fund created.** (1) There is hereby created
14 in the state treasury a fund to be known as the aviation fund, referred to
15 in this ~~article~~ ARTICLE 10 as the "fund", which ~~shall consist~~ CONSISTS of
16 all revenues credited thereto pursuant to ~~sections 24-46.6-103 (1)(b) and~~
17 ~~39-27-112 (2)(b), C.R.S.,~~ SECTION 39-27-112 (2)(b) and all revenues
18 credited thereto in accordance with subsection (2) of this section within
19 the total revenues prescribed by the general assembly pursuant to section
20 43-1-112.5. All interest derived from the deposit and investment of
21 ~~moneys~~ MONEY in the fund ~~shall~~ MUST be credited to the fund. At the end
22 of any fiscal year, all unexpended and unencumbered ~~moneys~~ MONEY in
23 the fund ~~shall~~ MUST remain therein and ~~shall~~ MUST not be credited or
24 transferred to the general fund or any other fund, except as directed by the
25 general assembly acting by bill and subject to ~~the provisions of~~ section 18
26 of article X of the Colorado constitution.

27 (3) The ~~moneys~~ MONEY in the fund ~~are~~ IS hereby continuously

1 appropriated to the division for the purposes authorized by law. In each
2 fiscal year, the transportation commission shall budget and allocate an
3 amount not to exceed five percent of the total amount of revenues
4 credited to the fund pursuant to section 39-27-112 (2)(b) ~~€R.S.~~, and
5 subsection (2) of this section during the preceding fiscal year to be used
6 to defray any administrative costs incurred by the division and the board
7 in implementing and administering ~~the provisions of this article 10.~~ The
8 board shall recommend to the commission an amount to be allocated by
9 the commission for administrative costs. ~~Any monetary penalties~~
10 ~~collected pursuant to section 24-46.6-103 (1)(b), C.R.S., are continuously~~
11 ~~appropriated to the division to defray any administrative expenses~~
12 ~~incurred by the division and the board in enforcing the provisions of~~
13 ~~section 24-46.6-103 (1), C.R.S.~~ The general assembly shall appropriate
14 from the fund an amount to the department of revenue for the reasonable
15 expenses incurred in administering section 39-26-715 (1)(a)(I) and (2)(a)
16 ~~€R.S.~~, and as provided in section 39-27-112 (2)(b). ~~€R.S.~~

17 **SECTION 4. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2020 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.