

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

PREAMENDED

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

LLS NO. 20-1293.01 Ed DeCecco x4216

HOUSE BILL 20-1406

HOUSE SPONSORSHIP

Arndt,

SENATE SPONSORSHIP

(None),

House Committees

Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH**
102 **TRANSFERS OF CERTAIN MONEY.**

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>.)

For the purpose of augmenting the amount of revenues in the state general fund, the bill requires the state treasurer to make the following specific transfers to the general fund. On June 30, 2020, the state treasurer is required to transfer the following amounts to the general fund:

! \$2.7 million from the petroleum cleanup and redevelopment fund (**Section 1** of the bill);

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.

- ! \$1 million from the workers' compensation cash fund (**Section 2**);
- ! \$2 million from the unemployment revenue fund (**Section 3**);
- ! \$500,000 from the conveyance safety fund (**Section 4**);
- ! \$1 million from the school safety resource center cash fund (**Section 8**);
- ! \$771,204 from the waste tire market development fund, as it existed prior to its repeal in 2018 (**Section 9**);
- ! \$5.6 million from the small communities water and wastewater grant fund (**Section 11**);
- ! \$180,000 from the vital statistics records cash fund (**Section 12**);
- ! \$433,728 from the construction sector fund (**Section 13**);
- ! \$500,000 from the public and private utilities sector fund (**Section 13**);
- ! \$483,535 from the water quality improvement fund (**Section 14**);
- ! \$422,411 from the hazardous waste service fund (**Section 15**);
- ! \$363,243 from the solid waste management fund (**Section 17**);
- ! \$5,372,415 from the waste tire administration, enforcement, market development, and cleanup fund (**Section 18**);
- ! \$1.4 million from the end users fund (**Section 19**); and
- ! \$1.6 million from the marijuana cash fund (**Section 21**).

On July 1, 2020, the state treasurer is required to transfer the following amounts to the general fund:

- ! \$1,224,100 from the division of insurance cash fund (**Section 5**);
- ! \$370,795 from the division of banking cash fund (**Section 6**);
- ! \$267,521 from the prescription drug monitoring fund (**Section 7**);
- ! \$130,000 from the state archives and records cash fund (**Section 10**);
- ! \$4,908,395 from an account with the proceeds of sales of real estate that was acquired for military purposes (**Section 16**); and
- ! \$1,007,176 from the highway-rail crossing signalization fund (**Section 20**).

1 **SECTION 1.** In Colorado Revised Statutes, 8-20.5-103, **add**
2 (9)(e) as follows:

3 **8-20.5-103. Petroleum storage tank fund - petroleum cleanup**
4 **and redevelopment fund - creation - rules - repeal.**

5 (9) (e) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO
6 THE CONTRARY, ON JUNE 30, 2020, THE STATE TREASURER SHALL
7 TRANSFER TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS FROM THE
8 REDEVELOPMENT FUND TO THE GENERAL FUND.

9 **SECTION 2.** In Colorado Revised Statutes, 8-44-112, **add** (7)(e)
10 as follows:

11 **8-44-112. Surcharge on workers' compensation insurance**
12 **premiums - workers' compensation cash fund.**

13 (7) (e) NOTWITHSTANDING SUBSECTION (7)(a) OF THIS SECTION, ON JUNE
14 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS
15 FROM THE WORKERS' COMPENSATION CASH FUND TO THE GENERAL FUND.

16 **SECTION 3.** In Colorado Revised Statutes, 8-77-106, **add** (7) as
17 follows:

18 **8-77-106. Unemployment revenue fund.** (7) NOTWITHSTANDING
19 ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE
20 TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE
21 UNEMPLOYMENT REVENUE FUND TO THE GENERAL FUND.

22 **SECTION 4.** In Colorado Revised Statutes, 9-5.5-111, **add** (3)
23 as follows:

24 **9-5.5-111. Registration of existing conveyances - fund.**

25 (3) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION, ON JUNE 30,
26 2020, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED THOUSAND
27 DOLLARS FROM THE FUND TO THE GENERAL FUND.

1 **SECTION 5.** In Colorado Revised Statutes, 10-1-103, **add** (3.5)
2 as follows:

3 **10-1-103. Division of insurance - subject to repeal - repeal of**
4 **functions.** (3.5) NOTWITHSTANDING SUBSECTION (3) OF THIS SECTION, ON
5 JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION TWO
6 HUNDRED TWENTY-FOUR THOUSAND ONE HUNDRED DOLLARS FROM THE
7 DIVISION OF INSURANCE CASH FUND TO THE GENERAL FUND.

8 **SECTION 6.** In Colorado Revised Statutes, **amend** 11-102-403
9 as follows:

10 **11-102-403. Division of banking cash fund - creation.** (1) All
11 fees and assessments collected by the banking board shall be transmitted
12 to the state treasurer, who shall credit the same to the division of banking
13 cash fund, which fund is hereby created in the state treasury. All ~~moneys~~
14 MONEY in the fund shall be subject to appropriation by the general
15 assembly for the direct and indirect costs of the activities of the banking
16 board and the division. All interest derived from the deposit and
17 investment of ~~moneys~~ MONEY in the fund shall be credited to the fund.
18 Any ~~moneys~~ MONEY not appropriated shall remain in the fund and shall
19 not be transferred or revert to the general fund of the state at the end of
20 any fiscal year.

21 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JULY
22 1, 2020, THE STATE TREASURER SHALL TRANSFER THREE HUNDRED
23 SEVENTY THOUSAND SEVEN HUNDRED NINETY-FIVE DOLLARS FROM THE
24 DIVISION OF BANKING CASH FUND TO THE GENERAL FUND.

25 **SECTION 7.** In Colorado Revised Statutes, 12-280-405, **add** (4)
26 as follows:

27 **12-280-405. Prescription drug monitoring fund - creation -**

1 **gifts, grants, and donations - report - fee.** (4) NOTWITHSTANDING
2 SUBSECTION (1) OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER
3 SHALL TRANSFER TWO HUNDRED SIXTY-SEVEN THOUSAND FIVE HUNDRED
4 TWENTY-ONE DOLLARS FROM THE PRESCRIPTION DRUG MONITORING FUND
5 CREATED IN SUBSECTION (1) OF THIS SECTION TO THE GENERAL FUND.

6 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-1807, **add**
7 (5.5) as follows:

8 **24-33.5-1807. School safety resource center cash fund - repeal.**
9 (5.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON
10 JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION
11 DOLLARS FROM THE FUND TO THE GENERAL FUND.

12 **SECTION 9.** In Colorado Revised Statutes, **add** 24-75-224 as
13 follows:

14 **24-75-224. Transfer from repealed cash fund - repeal.** (1) ON
15 JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER SEVEN HUNDRED
16 SEVENTY-ONE THOUSAND TWO HUNDRED FOUR DOLLARS FROM THE WASTE
17 TIRE MARKET DEVELOPMENT FUND CREATED IN SECTION 30-20-1406, AS
18 IT EXISTED PRIOR TO ITS REPEAL IN 2018, TO THE GENERAL FUND.

19 (2) THIS SECTION IS REPEALED EFFECTIVE JULY 1, 2020.

20 **SECTION 10.** In Colorado Revised Statutes, 24-80-102, **add**
21 (10)(c) as follows:

22 **24-80-102. State archives and records - personnel - duties -**
23 **cash fund - rules - definition.** (10) (c) NOTWITHSTANDING SUBSECTION
24 (10)(a) OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL
25 TRANSFER ONE HUNDRED THIRTY THOUSAND DOLLARS FROM THE STATE
26 ARCHIVES AND RECORDS CASH FUND TO THE GENERAL FUND.

27 **SECTION 11.** In Colorado Revised Statutes, 25-1.5-208, **add**

1 (4)(c) as follows:

2 **25-1.5-208. Grant program for public water systems and**
3 **domestic wastewater treatment works - small communities water and**
4 **wastewater grant fund - rules.** (4) (c) NOTWITHSTANDING SUBSECTION
5 (4)(a) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL
6 TRANSFER FIVE MILLION SIX HUNDRED THOUSAND DOLLARS FROM THE
7 SMALL COMMUNITIES WATER AND WASTEWATER GRANT FUND TO THE
8 GENERAL FUND.

9 **SECTION 12.** In Colorado Revised Statutes, 25-2-121, **add** (4)
10 as follows:

11 **25-2-121. Fee adjustments - vital statistics records cash fund**
12 **created.** (4) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, ON
13 JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED
14 EIGHTY THOUSAND DOLLARS FROM THE VITAL STATISTICS RECORDS CASH
15 FUND TO THE GENERAL FUND.

16 **SECTION 13.** In Colorado Revised Statutes, 25-8-502, **add**
17 (1.5)(e) as follows:

18 **25-8-502. Application - definitions - fees - funds created -**
19 **public participation - repeal.** (1.5) (e) (I) NOTWITHSTANDING ANY
20 OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE
21 TREASURER SHALL TRANSFER FOUR HUNDRED THIRTY-THREE THOUSAND
22 SEVEN HUNDRED TWENTY-EIGHT DOLLARS FROM THE CONSTRUCTION
23 SECTOR FUND TO THE GENERAL FUND.

24 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
25 ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED
26 THOUSAND DOLLARS FROM THE PUBLIC AND PRIVATE UTILITIES SECTOR
27 FUND TO THE GENERAL FUND.

1 **SECTION 14.** In Colorado Revised Statutes, 25-8-608, **add** (5)
2 as follows:

3 **25-8-608. Civil penalties - rules - fund created - temporary**
4 **moratorium on penalties for minor violations - definitions - repeal.**

5 (5) NOTWITHSTANDING SUBSECTIONS (1.5) AND (1.7) OF THIS SECTION, ON
6 JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED
7 EIGHTY-THREE THOUSAND FIVE HUNDRED THIRTY-FIVE DOLLARS FROM
8 THE WATER QUALITY IMPROVEMENT FUND TO THE GENERAL FUND.

9 **SECTION 15.** In Colorado Revised Statutes, **amend** 25-15-304
10 as follows:

11 **25-15-304. Hazardous waste service fund created.** (1) There
12 is created in the state treasury a hazardous waste service fund, which shall
13 consist of fees collected pursuant to section 25-15-302 (3.5) to reimburse
14 the state for its annual program expenses incurred in the maintenance,
15 monitoring, and other supervision of the lands and facilities used for the
16 storage, treatment, and disposal of hazardous waste. Such ~~moneys~~ MONEY
17 shall be appropriated annually to the department by the general assembly
18 which shall review such expenditures to assure that they are used to
19 accomplish the purposes of this section. All unappropriated balances in
20 the hazardous waste service fund shall remain therein and shall not revert
21 to the general fund.

22 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE
23 30, 2020, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED
24 TWENTY-TWO THOUSAND FOUR HUNDRED ELEVEN DOLLARS FROM THE
25 HAZARDOUS WASTE SERVICE FUND TO THE GENERAL FUND.

26 **SECTION 16.** In Colorado Revised Statutes, 28-3-106, **add**
27 (1)(s)(III) as follows:

1 **28-3-106. Powers and duties of adjutant general.** (1) The
2 adjutant general has the following powers and duties:

3 (s) (III) NOTWITHSTANDING SUBSECTION (1)(s)(I) OF THIS
4 SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FOUR
5 MILLION NINE HUNDRED EIGHT THOUSAND THREE HUNDRED NINETY-FIVE
6 DOLLARS FROM THE ACCOUNT SPECIFIED IN SUBSECTION (1)(s)(I) OF THIS
7 SECTION TO THE GENERAL FUND.

8 **SECTION 17.** In Colorado Revised Statutes, 30-20-118, **add** (3)
9 as follows:

10 **30-20-118. Solid waste management fund - created.**

11 (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30,
12 2020, THE STATE TREASURER SHALL TRANSFER THREE HUNDRED
13 SIXTY-THREE THOUSAND TWO HUNDRED FORTY-THREE DOLLARS FROM THE
14 SOLID WASTE MANAGEMENT FUND TO THE GENERAL FUND.

15 **SECTION 18.** In Colorado Revised Statutes, 30-20-1404, **add** (8)
16 as follows:

17 **30-20-1404. Waste tire administration, enforcement, market**
18 **development, and cleanup fund - creation - rules.**

19 (8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE
20 30, 2020, THE STATE TREASURER SHALL TRANSFER FIVE MILLION THREE
21 HUNDRED SEVENTY-TWO THOUSAND FOUR HUNDRED FIFTEEN DOLLARS
22 FROM THE FUND TO THE GENERAL FUND.

23 **SECTION 19.** In Colorado Revised Statutes, 30-20-1405, **add**
24 (1.5) as follows:

25 **30-20-1405. End users fund - creation - quarterly rebates -**
26 **rules - repeal.** (1.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
27 SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE

1 MILLION FOUR HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE
2 GENERAL FUND.

3 **SECTION 20.** In Colorado Revised Statutes, 40-29-116, **add** (3)
4 as follows:

5 **40-29-116. Highway-rail crossing signalization fund created**
6 **- annual appropriation.** (3) NOTWITHSTANDING ANY OTHER PROVISION
7 OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL
8 TRANSFER ONE MILLION SEVEN THOUSAND ONE HUNDRED SEVENTY-SIX
9 DOLLARS FROM THE HIGHWAY-RAIL CROSSING SIGNALIZATION FUND TO
10 THE GENERAL FUND.

11 **SECTION 21.** In Colorado Revised Statutes, 44-11-501, **add**
12 (1)(d)(IV) as follows:

13 **44 - 11 - 501 . Marijuana cash fund .**
14 (1) (d) (IV) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON JUNE
15 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION SIX
16 HUNDRED THOUSAND DOLLARS FROM THE MARIJUANA CASH FUND TO THE
17 GENERAL FUND.

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