

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0906.01 Jessica Herrera x4218

HOUSE BILL 22-1336

HOUSE SPONSORSHIP

McCluskie and Ransom, Herod

SENATE SPONSORSHIP

Hansen and Zenzinger, Rankin

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE STREAMLINING OF THE PROCESSING OF CERTAIN
102 MONEY COLLECTED BY THE JUDICIAL DEPARTMENT.

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/>.)

Joint Budget Committee. Current law allows the clerk of the court to retain 5 percent of the drug offender surcharge and the rural alcohol and substance abuse surcharge for the administration of the disbursement of the surcharges. The retained 5 percent of both surcharges are kept on a balance sheet account and expenses are identified to offset this revenue. To simplify the process by which this 5 percent of surcharge

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.

revenue is retained, **section 2** of the bill requires that the revenue be deposited directly into the judicial stabilization cash fund instead.

Under current law, the courts' collections investigator program is funded by the fines collection cash fund and the judicial collection enhancement fund. To eliminate the inefficiency of administering 2 cash funds, **section 1** eliminates the fines collection cash fund and requires all fines previously required to be deposited in that fund to instead be deposited in the judicial collection enhancement cash fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-401, **amend**
3 (1)(a)(III)(D) as follows:

4 **18-1.3-401. Felonies classified - presumptive penalties.**

5 (1) (a) (III) (D) All fines collected pursuant to this subparagraph ~~(HH)~~
6 SUBSECTION (1)(a)(III) shall be deposited in the ~~fines collection cash~~
7 ~~fund, which fund is hereby created. The general assembly shall make~~
8 ~~annual appropriations out of such fund for administrative and personnel~~
9 ~~costs incurred in the collection and administration of said fines. All~~
10 ~~unexpended balances shall revert to the general fund at the end of each~~
11 ~~fiscal year.~~ JUDICIAL COLLECTION ENHANCEMENT CASH FUND CREATED IN
12 SECTION 16-11-101.6 (2).

13 **SECTION 2.** In Colorado Revised Statutes, 18-19-103, **amend**
14 (3)(a) as follows:

15 **18-19-103. Source of revenues - allocation of money.** (3) The
16 clerk of the court shall disburse the surcharge required by subsection (1)
17 of this section as follows:

18 (a) Five percent shall be ~~retained~~ DEPOSITED by the clerk IN THE
19 JUDICIAL STABILIZATION CASH FUND CREATED IN SECTION 13-32-101 (6)
20 for purposes of administering the disbursement of the surcharge pursuant to
21 this subsection (3).

1 **SECTION 3.** In Colorado Revised Statutes, 18-19-103.5, **amend**
2 (2)(a) as follows:

3 **18-19-103.5. Rural alcohol and substance abuse surcharge -**
4 **repeal.** (2) The clerk of the court shall disburse the surcharge required
5 by subsection (1) of this section as follows:

6 (a) Five percent shall be ~~retained~~ DEPOSITED by the clerk IN THE
7 JUDICIAL STABILIZATION CASH FUND CREATED IN SECTION 13-32-101 (6)
8 for purposes of administering the disbursement of the surcharge pursuant to
9 this subsection (2);

10 **SECTION 4. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety.