

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0957.01 Ed DeCecco x4216

HOUSE BILL 22-1411

HOUSE SPONSORSHIP

McCluskie and Herod, Duran, Esgar, Jodeh, Kipp, Lindsay, Michaelson Jenet, Mullica

SENATE SPONSORSHIP

Moreno,

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ENSURE THE STATE'S COMPLIANCE WITH**
102 **THE REQUIREMENTS RELATED TO THE FEDERAL CORONAVIRUS**
103 **STATE FISCAL RECOVERY FUND CREATED IN THE FEDERAL**
104 **"AMERICAN RESCUE PLAN ACT OF 2021", AND, IN CONNECTION**
105 **THEREWITH, MAKING AN APPROPRIATION.**

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>.)

In 2021, the state received \$3,828,761,790 from the federal coronavirus state fiscal recovery fund as part of the federal "American

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
3rd Reading Unamended
May 3, 2022

HOUSE
Amended 2nd Reading
May 2, 2022

Rescue Plan Act of 2021". For purposes of complying with the requirements established by the United States department of the treasury (treasury), the general assembly established administrative requirements related to the expenditure of this federal money. **Section 1** of the bill modifies these requirements by:

- Establishing deadlines for a subrecipient, which is a person that carries out a program or project on behalf of the state, to expend or obligate this money, and if not, to return this money to the state for the state to either expend or return to treasury, depending on the timing;
- Requiring the state controller to transmit to treasury any money that was obligated by December 31, 2024, but not expended by December 31, 2026;
- Requiring the department of revenue to provide the state controller with any information about any increases in the state's net tax revenue, which is necessary for calculating the state's revenue reductions for 2022 and 2023;
- Clarifying that the compliance, reporting, record-keeping, and program evaluation requirements established by the office of state planning and budgeting and the state controller apply to a person regardless of whether the person is a beneficiary or a subrecipient and regardless of whether the person receives the money directly from a department or from a subrecipient; and
- Permitting the state controller to report any expenditures to treasury as a government service to the extent of the reduction in the state's revenue due to the COVID-19 public health emergency relative to the revenues the state collected for the state fiscal year 2018-19. **Sections 3 through 6** make conforming amendments related to this change.

The bill also substitutes money from the general fund or from a cash fund that included money that originated from the general fund for money that was allocated in 2021 legislation from the federal coronavirus state fiscal recovery fund, as follows:

- \$29.5 million from the housing development grant fund (**section 7**);
- \$36.5 million from the highway users tax fund that was distributed to counties, cities, and incorporated towns, which is accomplished by replenishing and reclassifying the federal funds that were initially used (**section 8**);
- \$10 million from the Colorado startup loan program fund (**section 9**), with the freed up federal funds being transferred to the revenue loss restoration cash fund (**section 6**); and

- \$98.5 million from the affordable housing and home ownership cash fund (**section 10**).

Sections 2 and 6 include conforming amendments related to the reclassification of the money paid to the counties, cities, and incorporated towns.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-226, **amend**
3 (4)(a), (4)(d), (5)(a), (5)(f), and (6); and add (1)(a.5), (1)(f), (3)(d), and
4 (5)(g) as follows:

5 **24-75-226. "American Rescue Plan Act of 2021" cash fund -**
6 **creation - recipient funds - limitations - reporting - legislative**
7 **declaration - definitions - repeal.** (1) As used in this section, unless the
8 context otherwise requires:

9 (a.5) "CORONAVIRUS STATE FISCAL RECOVERY FUND" MEANS THE
10 FEDERAL FUND CREATED IN 42 U.S.C. SEC. 802, OR ANY SUCCESSOR FUND.

11 (f) "SUBRECIPIENT" MEANS A PERSON THAT RECEIVES MONEY
12 FROM THE FUND OR A RECIPIENT FUND TO CARRY OUT A PROGRAM OR
13 PROJECT ON BEHALF OF THE STATE BUT THAT IS NOT A BENEFICIARY OF
14 THE SERVICES OR BENEFITS PROVIDED THROUGH THE PROGRAM OR
15 PROJECT.

16 (3) (d) THE FUND ALSO INCLUDES THE AMOUNT TRANSFERRED TO
17 THE FUND IN ACCORDANCE WITH SECTION 24-75-228 (3.5)(a).

18 (4) (a) The general assembly shall not appropriate money from the
19 fund. The general assembly may transfer money in the fund to another
20 cash fund that is established for the purpose of using the money from the
21 federal coronavirus state fiscal recovery fund. Transfers from the fund to
22 the general fund are prohibited. If there is any of the money transferred
23 to the fund under subsection (3)(a) of this section remaining in the fund

1 after any transfers from the fund required by bills enacted during the 2021
2 regular legislative session, then, of the remainder in the fund, the lesser
3 of three hundred million dollars or the remainder is continuously
4 appropriated to any department designated by the governor for any
5 allowable purpose under the "American Rescue Plan Act of 2021". THE
6 MONEY SPECIFIED IN SUBSECTION (3)(d) OF THIS SECTION IS
7 CONTINUOUSLY APPROPRIATED TO ANY DEPARTMENT DESIGNATED BY THE
8 GOVERNOR FOR ANY EXPENDITURES NECESSARY TO RESPOND TO THE
9 PUBLIC HEALTH EMERGENCY WITH RESPECT TO COVID-19.

10 (4) (d) (I) Money in the fund or a recipient fund must be expended
11 or obligated by December 31, 2024. ~~Any money obligated by December~~
12 ~~31, 2024, must be expended by December 31, 2026.~~ Just prior to the close
13 of business on December 30, 2024, any unexpended appropriations from
14 a recipient fund that are not for expenditures ~~obligated~~ TO BE MADE after
15 December 31, 2024, THAT WERE OBLIGATED BEFORE THAT DATE, revert
16 to the "American Rescue Plan Act of 2021" cash fund, and the state
17 treasurer shall transfer the unexpended and unobligated balance in the
18 fund to the unemployment compensation fund created in section 8-77-101
19 (1). ANY MONEY OBLIGATED BY DECEMBER 31, 2024, MUST BE EXPENDED
20 BY DECEMBER 31, 2026. EFFECTIVE DECEMBER 31, 2026, THE STATE
21 CONTROLLER SHALL TRANSMIT ANY UNEXPENDED MONEY IN THE FUND OR
22 A RECIPIENT FUND TO THE UNITED STATES DEPARTMENT OF THE
23 TREASURY.

24 (II) A SUBRECIPIENT MUST SPEND OR OBLIGATE MONEY RECEIVED
25 FROM THE FUND OR A RECIPIENT FUND BY NOVEMBER 30, 2024, AND, BY
26 DECEMBER 13, 2024, SHALL NOTIFY THE STATE AGENCY FROM WHICH THE
27 SUBRECIPIENT RECEIVED THE MONEY OF THE STATUS OF THE MONEY THAT

1 IS OBLIGATED OR EXPENDED. THE SUBRECIPIENT SHALL RETURN TO THE
2 STATE ANY UNEXPENDED AND UNOBLIGATED MONEY UNDER TERMS
3 DICTATED BY THE STATE CONTROLLER, AND THE STATE TREASURER SHALL
4 TRANSFER THE AMOUNT RETURNED TO THE UNEMPLOYMENT
5 COMPENSATION FUND CREATED IN SECTION 8-77-101 (1). ANY MONEY
6 OBLIGATED BY NOVEMBER 30, 2024, MUST BE EXPENDED BY DECEMBER
7 11, 2026. ON OR BEFORE DECEMBER 11, 2026, THE SUBRECIPIENT SHALL
8 RETURN TO THE STATE ANY REMAINING MONEY UNDER TERMS DICTATED
9 BY THE STATE CONTROLLER AND THEREAFTER THE STATE CONTROLLER
10 SHALL TRANSMIT THE MONEY TO THE UNITED STATES DEPARTMENT OF
11 THE TREASURY IN ACCORDANCE WITH THE TREASURY'S REQUIREMENTS.

12 (III) THE STATE CONTROLLER SHALL DETERMINE WHETHER MONEY
13 IS OBLIGATED FOR PURPOSES OF DETERMINING THE DEADLINE FOR
14 EXPENDITURES AND THE REVERSION OR REPAYMENT OF MONEY IN
15 ACCORDANCE WITH THIS SUBSECTION (4)(d).

16 (5) (a) (I) The state controller shall provide periodic reports to the
17 secretary as required by the secretary under the "American Rescue Plan
18 Act of 2021". The department of revenue shall provide the state controller
19 with any information required by the secretary about any reductions OR
20 INCREASES in net tax revenue.

21 (II) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

22 (A) UNDER 42 U.S.C. SEC. 802 (c)(1)(C), THE STATE IS PERMITTED
23 TO USE MONEY RECEIVED FROM THE CORONAVIRUS STATE FISCAL
24 RECOVERY FUND FOR THE PROVISION OF GOVERNMENT SERVICES TO THE
25 EXTENT OF THE REDUCTION IN THE STATE'S REVENUE DUE TO THE
26 COVID-19 PUBLIC HEALTH EMERGENCY RELATIVE TO THE REVENUES THE
27 STATE COLLECTED FOR THE STATE FISCAL YEAR 2018-19;

1 (B) THE UNITED STATES DEPARTMENT OF THE TREASURY HAS
2 PROMULGATED A RULE TO ESTABLISH THE METHODOLOGY FOR THE STATE
3 TO CALCULATE A RECIPIENT GOVERNMENT'S ANNUAL REDUCTION IN
4 REVENUE FOR THE FOUR CALENDAR YEARS BEGINNING IN 2020;

5 (C) AS OF THE EFFECTIVE DATE OF THIS SUBSECTION (5)(a)(II), THE
6 STATE REPORTED A REDUCTION FOR THE 2020 AND 2021 CALENDAR YEARS
7 THAT TOTALS THREE BILLION SIX HUNDRED NINETY-FOUR MILLION SIX
8 HUNDRED FIFTY-THREE THOUSAND TWO HUNDRED FORTY-NINE DOLLARS;

9 (D) THIS AMOUNT EXCEEDS THE TOTAL OF ALL THE FUNDS THAT
10 HAVE YET TO BE REPORTED TO THE UNITED STATES DEPARTMENT OF THE
11 TREASURY; AND

12 (E) THEREFORE, ANY MONEY IN THE FUND OR TRANSFERRED FROM
13 THE FUND TO A RECIPIENT FUND IS AVAILABLE TO BE REPORTED AS BEING
14 AN EXPENDITURE FOR THE PROVISION OF GOVERNMENT SERVICES.

15 (III) THE STATE CONTROLLER MAY REPORT THE EXPENDITURE OF
16 ANY MONEY IN OR TRANSFERRED FROM THE "AMERICAN RESCUE PLAN
17 ACT OF 2021" THAT ORIGINATED FROM THE CORONAVIRUS STATE FISCAL
18 RECOVERY FUND AS A GOVERNMENT SERVICE TO THE EXTENT OF THE
19 REDUCTION IN THE STATE'S REVENUE DUE TO THE COVID-19 PUBLIC
20 HEALTH EMERGENCY RELATIVE TO THE REVENUES THE STATE COLLECTED
21 FOR THE STATE FISCAL YEAR 2018-19, IF THE DESCRIPTION IS APPLICABLE,
22 REGARDLESS OF WHETHER THE PURPOSE OF THE EXPENDITURE IS ALSO
23 DESCRIBED AS BEING TO RESPOND TO THE PUBLIC HEALTH EMERGENCY
24 WITH RESPECT TO COVID-19 OR ITS NEGATIVE ECONOMIC IMPACTS.

25 (f) The general assembly may appropriate money from a recipient
26 ~~fund that includes money that may be used for government services~~ THE
27 REVENUE LOSS RESTORATION CASH FUND CREATED IN SECTION 24-75-227

1 to the department of personnel for use by the state controller and to the
2 office for any direct or indirect expenses related to the administration of
3 this subsection (5).

4 (g) THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND
5 PROGRAM EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF
6 STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER APPLY TO
7 A PERSON REGARDLESS OF WHETHER THE PERSON IS A BENEFICIARY OR A
8 SUBRECIPIENT AND REGARDLESS OF WHETHER THE PERSON RECEIVES THE
9 MONEY DIRECTLY FROM A DEPARTMENT OR FROM A SUBRECIPIENT.

10 (6) Money transferred to the state highway fund AND the
11 multimodal transportation and mitigation options fund and the highway
12 users tax fund in accordance with section 24-75-219 (7), TO THE
13 WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND IN
14 ACCORDANCE WITH SECTION 24-75-231 (2)(b)(III), AND TO THE REVENUE
15 LOSS RESTORATION CASH FUND IN ACCORDANCE IN SECTION 24-75-227
16 (2)(b)(III)(A) are subject to the requirements of this section as if they
17 were recipient funds.

18 **SECTION 2.** In Colorado Revised Statutes, 24-75-227, **add**
19 (2)(b)(III) as follows:

20 **24-75-227. Revenue loss restoration cash fund - creation -**
21 **allowable uses - definitions - repeal.** (2) (b) (III) THE FUND ALSO
22 INCLUDES:

23 (A) FIVE MILLION FIVE HUNDRED SIXTY-THREE THOUSAND NINE
24 HUNDRED EIGHTY-EIGHT DOLLARS FROM THE MONEY THE STATE RECEIVED
25 FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND UNDER
26 SECTION 9901 OF TITLE IX, SUBTITLE M OF THE "AMERICAN RESCUE PLAN
27 ACT OF 2021", WHICH THE STATE TREASURER SHALL TRANSFER TO THE

1 FUND; AND

2 (B) THE AMOUNTS TRANSFERRED TO THE FUND IN ACCORDANCE
3 WITH SECTION 24-75-228 (3.5)(b) AND (3.7).

4 **SECTION 3.** In Colorado Revised Statutes, 24-75-228, **amend**
5 (2)(a) introductory portion; and **add (3.5) and (3.7)** as follows:

6 **24-75-228. Economic recovery and relief cash fund - creation**
7 **- allowable uses - interim task force - report - legislative declaration**
8 **- definitions - repeal.** (2) (a) The economic recovery and relief cash fund
9 is hereby created in the state treasury. The fund consists of money
10 credited to the fund in accordance with subsection (3) of this section and
11 any other money that the general assembly may appropriate or transfer to
12 the fund. To respond to the public health emergency with respect to
13 COVID-19 or its negative economic impacts OR FOR THE PROVISION OF
14 GOVERNMENT SERVICES, the general assembly may appropriate or transfer
15 money from the fund to a department for the following uses:

16 (3.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
17 WITHIN THREE BUSINESS DAYS OF THE EFFECTIVE DATE OF THIS
18 SUBSECTION (3.5), THE STATE TREASURER SHALL TRANSFER FROM THE
19 FUND THE FOLLOWING AMOUNTS THAT ORIGINATE FROM MONEY THE
20 STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL
21 RECOVERY FUND:

22 (a) SEVENTY MILLION DOLLARS TO THE "AMERICAN RESCUE PLAN
23 ACT OF 2021" CASH FUND CREATED IN SECTION 24-75-226 (2);

24 (b) TEN MILLION DOLLARS TO THE REVENUE LOSS RESTORATION
25 CASH FUND CREATED IN SECTION 24-75-227 (2)(a);

26 (c) FIFTEEN MILLION DOLLARS TO THE AFFORDABLE HOUSING AND
27 HOME OWNERSHIP CASH FUND CREATED IN SECTION 24-75-229 (3)(a); AND

1 (d) ONE MILLION FOUR HUNDRED THIRTY-SEVEN THOUSAND ONE
2 HUNDRED SEVENTY-TWO DOLLARS TO THE WORKERS, EMPLOYERS, AND
3 WORKFORCE CENTERS CASH FUND CREATED IN SECTION 24-75-231 (2)(a).

4 (3.7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
5 WITHIN THREE BUSINESS DAYS OF THE EFFECTIVE DATE OF THIS
6 SUBSECTION (3.7), THE STATE TREASURER SHALL TRANSFER TEN MILLION
7 DOLLARS FROM THE FUND THAT ORIGINATES FROM THE GENERAL FUND TO
8 THE REVENUE LOSS RESTORATION CASH FUND CREATED IN SECTION
9 24-75-227 (2)(a).

10 **SECTION 4.** In Colorado Revised Statutes, 24-75-229, **amend**
11 **(3)(a) and (3)(b)** as follows:

12 **24-75-229. Affordable housing and home ownership cash fund**
13 **- creation - allowable uses - task force - legislative declaration -**
14 **definitions - repeal.** (3) (a) The affordable housing and home ownership
15 cash fund is hereby created in the state treasury. The fund consists of
16 money deposited in the fund in accordance with subsection (3)(b) of this
17 section and any other money that the general assembly may appropriate
18 or transfer to the fund. To respond to the public health emergency with
19 respect to COVID-19 or its negative economic impacts OR FOR THE
20 PROVISION OF GOVERNMENT SERVICES, the general assembly may
21 appropriate or transfer money from the fund to a department or cash fund
22 for programs or services that benefit populations, households, or
23 geographic areas disproportionately affected by the COVID-19 public
24 health emergency to obtain affordable housing, focusing on programs or
25 services that address housing insecurity, lack of affordable and workforce
26 housing, or homelessness. Money from the fund may be expended to
27 support the task force created in subsection (5)(a) of this section.

1 Permissible uses of such money include costs associated with the creation
2 and administration of the task force and related expenses for research and
3 evaluation undertaken by the task force.

4 (b) (I) Three days after June 25, 2021, the state treasurer shall
5 transfer five hundred fifty million dollars from the "American Rescue
6 Plan Act of 2021" cash fund created in section 24-75-226 to the fund; and

7 (II) The state treasurer shall credit all interest and income derived
8 from the deposit and investment of money in the fund to the fund; AND

9 (III) THE FUND ALSO INCLUDES THE AMOUNT TRANSFERRED TO THE
10 FUND IN ACCORDANCE WITH SECTION 24-75-228 (3.5)(c).

11 **SECTION 5.** In Colorado Revised Statutes, 24-75-230, **amend**
12 (2)(a) as follows:

13 **24-75-230. Behavioral and mental health cash fund - creation**
14 **- allowable uses - task force - definitions - repeal.** (2) (a) The
15 behavioral and mental health cash fund is created in the state treasury.
16 The fund consists of money credited to the fund in accordance with
17 subsection (2)(b) of this section and any other money that the general
18 assembly may appropriate or transfer to the fund. To respond to the public
19 health emergency with respect to COVID-19 or its negative economic
20 impacts OR FOR THE PROVISION OF GOVERNMENT SERVICES, the general
21 assembly may appropriate money from the fund to a department for
22 ~~mental health treatment, substance misuse treatment, and other behavioral~~
23 ~~health services~~ BEHAVIORAL HEALTH CARE.

24 **SECTION 6.** In Colorado Revised Statutes, 24-75-231, **amend**
25 (2)(a) introductory portion; and **add** (2)(b)(III) as follows:


26 **24-75-231. Workers, employers, and workforce centers cash**
27 **fund - creation - allowable uses - definitions - repeal.** (2) (a) The

1 workers, employers, and workforce centers cash fund is hereby created
2 in the state treasury. The fund consists of money credited to the fund in
3 accordance with subsection (2)(b) of this section and any other money
4 that the general assembly may appropriate or transfer to the fund. ~~To~~
5 ~~respond to the public health emergency or its negative economic impacts,~~
6 The general assembly may appropriate money from the fund to respond
7 to the negative economic impacts of the COVID-19 public health
8 emergency OR FOR THE PROVISION OF GOVERNMENT SERVICES, including
9 for the following purposes:

10 (b) (III) THE FUND ALSO INCLUDES:

11 (A) THIRTY MILLION NINE HUNDRED THIRTY-SIX THOUSAND
12 TWELVE DOLLARS FROM THE MONEY THE STATE RECEIVED FROM THE
13 FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND UNDER SECTION
14 9901 OF TITLE IX, SUBTITLE M OF THE "AMERICAN RESCUE PLAN ACT OF
15 2021", WHICH THE STATE TREASURER SHALL TRANSFER TO THE FUND; AND

16 (B) THE AMOUNT TRANSFERRED TO THE FUND IN ACCORDANCE
17 WITH SECTION 24-75-228 (3.5)(d).

18 
19 **SECTION 7.** In Colorado Revised Statutes, 24-32-721, **amend**
20 (2)(g)(I) and (2)(g)(II) as follows:

21 **24-32-721. Colorado affordable housing construction grants**
22 **and loans - housing development grant fund - creation - housing**
23 **assistance for persons with behavioral, mental health, or substance**
24 **use disorders - cash fund - appropriation - report to general assembly**
25 **- rules - definitions - repeal.** (2) (g) (I) Within three business days of
26 June 26, 2021, the state treasurer shall transfer thirty million dollars from
27 the affordable housing and home ownership cash fund created in section

1 24-75-229, that originates from money the state received from the federal
2 coronavirus state fiscal recovery fund, to the housing development grant
3 fund and transfer fifteen million dollars from the general fund to the
4 affordable housing and home ownership cash fund created in section
5 24-75-229. WITHIN THREE BUSINESS DAYS OF THE EFFECTIVE DATE OF
6 HOUSE BILL 22-1411, THE STATE TREASURER SHALL TRANSFER:

7 (A) ONE MILLION EIGHT HUNDRED NINETY-FOUR THOUSAND FOUR
8 DOLLARS TO THE HOUSING DEVELOPMENT GRANT FUND FROM THE
9 AFFORDABLE HOUSING AND HOME OWNERSHIP CASH FUND CREATED IN
10 SECTION 24-75-229 THAT ORIGINATES FROM THE GENERAL FUND;

11 (B) TWENTY-EIGHT MILLION DOLLARS TO THE HOUSING
12 DEVELOPMENT GRANT FUND FROM THE GENERAL FUND; AND

13 (C) TWENTY-NINE MILLION EIGHT HUNDRED NINETY-FOUR
14 THOUSAND FOUR DOLLARS FROM THE HOUSING DEVELOPMENT GRANT
15 FUND TO THE AFFORDABLE HOUSING AND HOME OWNERSHIP CASH FUND
16 CREATED IN SECTION 24-75-229. THE TRANSFER REQUIRED BY THIS
17 SUBSECTION (2)(g)(I)(C) IS FROM MONEY THAT WAS TRANSFERRED ON
18 JUNE 26, 2021, TO THE HOUSING DEVELOPMENT GRANT FUND FROM THE
19 AFFORDABLE HOUSING AND HOME OWNERSHIP CASH FUND THAT
20 ORIGINATED FROM MONEY THE STATE RECEIVED FROM THE FEDERAL
21 CORONAVIRUS STATE FISCAL RECOVERY FUND.

22 (II) The division shall use money transferred from the affordable
23 housing and home ownership cash fund created in section 24-75-229, that
24 originates from money the state received from the ~~federal coronavirus~~
25 ~~state fiscal recovery~~ GENERAL fund, pursuant to subsection (2)(g)(I) of
26 this section for the purposes allowed under subsection (2)(d)(VI)(A.5) of
27 this section that are related to subsection (2)(d)(VII) of this section and

1 for the purposes allowed by subsection (2)(d)(VII) of this section.

2 SECTION 8. In Colorado Revised Statutes, 24-75-219,
3 amend (7)(a) as follows:

4 24-75-219. Transfers - transportation - capital construction -
5 definitions - repeal. (7) In addition to any other transfers required by
6 this section:

7 (a) On June 30, 2021, from the money that the state received from
8 EITHER the federal coronavirus state fiscal recovery fund under section
9 9901 of title IX, subtitle M of the federal "American Rescue Plan Act of
10 2021", Pub.L. 117-2, which is eligible to be used as specified in section
11 602 (c)(I)(C) of said section 9901, OR FROM THE GENERAL FUND, AS
12 SPECIFIED, the state treasurer shall transfer:

13 (I) One hundred eighty-two million one hundred sixty thousand
14 dollars FROM MONEY THE STATE RECEIVED FROM THE FEDERAL
15 CORONAVIRUS STATE FISCAL RECOVERY FUND to the state highway fund.
16 Of this amount, twenty-two million one hundred sixty thousand dollars
17 is for the purpose of providing additional funding for the revitalizing
18 main streets program and five hundred thousand dollars is for the purpose
19 of acquiring, planning the development of, or developing the Burnham
20 Yard rail property in Denver.

21 (II) One hundred sixty-one million three hundred forty thousand
22 dollars FROM MONEY THE STATE RECEIVED FROM THE FEDERAL
23 CORONAVIRUS STATE FISCAL RECOVERY FUND to the multimodal
24 transportation and mitigation options fund; and

25 (III) Thirty-six million five hundred thousand dollars FROM THE
26 GENERAL FUND to the highway users tax fund.

27 **SECTION 9.** In Session Laws of Colorado 2021, **amend** section

1 2 of chapter 487 (HB21-1288) as follows:

2 Section 2. **Appropriation.** For the 2021-22 state fiscal year,
3 \$10,000,000 is appropriated to the Colorado startup loan program fund
4 created in section 24-48.5-131 (9)(a), C.R.S. This appropriation is from
5 the ~~economic recovery and relief cash fund created in section 24-75-228~~
6 ~~(2)(a), C.R.S., and of money the state received from the federal~~
7 ~~coronavirus state fiscal recovery~~ GENERAL fund. The office of the
8 governor is responsible for the accounting related to this appropriation.

9 **SECTION 10.** In Session Laws of Colorado 2021, section 4 of
10 chapter 347 (HB21-1329), **amend** (1) as follows:

11 Section 4. **Appropriation.** (1) For the 2021-22 state fiscal year,
12 \$98,500,000 is appropriated to the department of local affairs for use by
13 the division of housing. This appropriation is from the affordable housing
14 and home ownership cash fund created in section 24-75-229 (3)(a),
15 C.R.S., and IS of money ~~the state received from the federal coronavirus~~
16 ~~state fiscal recovery~~ THAT ORIGINATES FROM THE GENERAL fund. To
17 implement this act, the division may use the appropriation for purposes
18 authorized in section 24-75-229 (3), C.R.S. Any money appropriated in
19 this subsection that is not expended or encumbered at the end of the
20 2021-22 state fiscal year remains available for expenditure in subsequent
21 fiscal years without further appropriation. ~~subject to the requirements for~~
22 ~~obligating and expending money received under the federal "American~~
23 ~~Rescue Plan Act of 2021", Pub. L. 117-2, as the act may be subsequently~~
24 ~~amended as specified in section 24-75-226 (4)(d), C.R.S.~~

25 **SECTION 11.** Amend section 3 of House Bill 22-1379 as
26 follows:

27 **SECTION 3. Appropriation.** For the 2022-23 state fiscal year,

1 \$15,000,000 is appropriated to the department of natural resources for use
2 by the Colorado water conservation board. This appropriation is from the
3 Colorado water conservation board construction fund created in section
4 37-60-121 (1)(a), C.R.S. To implement this act, the board may use this
5 appropriation for watershed restoration and flood mitigation project
6 grants FOR THE PURPOSES SET FORTH IN SECTION 37-60-121 (12), (13), AND
7 (14), C.R.S. Any money appropriated in this section not expended prior
8 to July 1, 2023, is further appropriated to the board from July 1, 2023,
9 through December 30, 2024, for the same purpose.

10 **SECTION 12. Effective date.** (1) This act takes effect upon
11 passage; except that:

12 (a) Section 11 takes effect only if House Bill 22-1379 becomes
13 law, in which case section 11 takes effect upon the effective date of this
14 act or House Bill 22-1379, whichever is later.

15 **SECTION 13. Safety clause.** The general assembly hereby
16 finds, determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety.