

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 24-1413

BY REPRESENTATIVE(S) Bird and Taggart, Sirota, Duran, Garcia, Epps;
also SENATOR(S) Kirkmeyer and Bridges, Zenzinger, Priola.

CONCERNING TRANSFERS FROM FUNDS THAT INCLUDE SEVERANCE TAX
REVENUE, AND, IN CONNECTION THEREWITH, MAKING AN
APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 39-29-109.3, **amend** (1)(g)(III); and **add** (11) as follows:

39-29-109.3. Severance tax operational fund - core reserve - grant program reserve - definitions - repeal. (1) The executive director of the department of natural resources shall submit with the department's budget request for each fiscal year a list and description of the programs the executive director recommends to be funded from the severance tax operational fund created in section 39-29-109 (2)(b), referred to in this section as the "operational fund". Except as otherwise provided in subsection (10) of this section, the general assembly may appropriate money from the total money available in the operational fund to fund recommended programs as follows:

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

(g) If the general assembly appropriates less than one hundred percent of the money available in the operational fund for the purposes set forth in subsections (1)(a) to (1)(f) of this section, then the general assembly may additionally appropriate:

(III) THROUGH THE 2023-24 STATE FISCAL YEAR, up to four hundred fifty thousand dollars, AND FOR THE 2024-25 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER, UP TO SEVEN HUNDRED THOUSAND DOLLARS to the conservation district grant fund created in section 35-1-106.7;

(11) (a) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER EIGHTEEN MILLION TWO HUNDRED FIFTY-NINE THOUSAND EIGHT HUNDRED FIVE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(b) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE JUNE 30, 2026.

SECTION 2. In Colorado Revised Statutes, 39-29-109, **add** (2)(a)(XXIII) as follows:

39-29-109. Severance tax trust fund - created - administration - distribution of money - legislative declaration - repeal. (2) State severance tax receipts must be credited to the severance tax trust fund as provided in section 39-29-108. All income derived from the deposit and investment of the money in the fund must be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered money in the fund remains in the fund and must not be credited or transferred to the general fund or any other fund. All money in the fund is subject to appropriation by the general assembly for the following purposes:

(a) **The severance tax perpetual base fund.** (XXIII) (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (2)(a) TO THE CONTRARY, ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER TWENTY-SIX MILLION EIGHTY-SIX THOUSAND FIVE HUNDRED FIFTY-NINE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(a)(XXIII) IS REPEALED, EFFECTIVE JUNE 30, 2025.

SECTION 3. In Colorado Revised Statutes, 39-29-110, **add** (7)(e) as follows:

39-29-110. Local government severance tax fund - creation - administration - definitions - repeal. (7) Notwithstanding any provision of this section to the contrary:

(e) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER TWENTY-FIVE MILLION DOLLARS FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND TO THE GENERAL FUND.

SECTION 4. Appropriation. For the 2024-25 state fiscal year, \$250,000 is appropriated to the department of agriculture for use by the conservation board. This appropriation is from the severance tax operational fund created in section 39-29-109 (2)(b)(I), C.R.S. To implement this act, the board may use this appropriation for appropriation to the conservation district grant fund.

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO