

CHAPTER 107

**HUMAN SERVICES - SOCIAL SERVICES**

**HOUSE BILL 03-1050**

BY REPRESENTATIVE(S) Coleman, Boyd, Frangas, Miller, Ragsdale, and Weddig;  
also SENATOR(S) Kester and Groff.

**AN ACT**

**CONCERNING THE CREATION OF THE BUSINESS ENTERPRISE PROGRAM CASH FUND FOR THE STATE'S  
VENDING FACILITY PROGRAM.**

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

**SECTION 1.** Article 8.5 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**26-8.5-100.1. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "BUSINESS ENTERPRISE PROGRAM ACT".

**26-8.5-107. Business enterprise program cash fund - creation.** THERE IS HEREBY CREATED IN THE STATE TREASURY THE BUSINESS ENTERPRISE PROGRAM CASH FUND, REFERRED TO IN THIS ARTICLE AS THE "FUND", THAT SHALL CONSIST OF MONEYS ACCRUING TO THE STATE DEPARTMENT FROM ASSESSMENTS AGAINST THE NET PROCEEDS OF EACH VENDING FACILITY OPERATOR CONSISTENT WITH THE PROVISIONS OF THIS ARTICLE, ANY INCOME FROM VENDING MACHINES ON FEDERAL OR STATE PROPERTY THAT ACCRUES TO THE STATE DEPARTMENT, AND ANY FEDERAL MONEYS THAT MAY BECOME AVAILABLE. ANY MONEYS CURRENTLY ATTRIBUTED TO THE BUSINESS ENTERPRISE PROGRAM AND ANY RESERVES SHALL BE TRANSFERRED TO THIS FUND FOR FUTURE USE CONSISTENT WITH THIS ARTICLE. THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS ARTICLE. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSES OF THIS ARTICLE MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED IN SECTIONS 24-36-109, 24-36-112, AND 24-36-113, C.R.S. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

**SECTION 2. Effective date.** This act shall take effect July 1, 2003.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 7, 2003