

## CHAPTER 21

---

**GOVERNMENT - STATE**


---

**SENATE BILL 03-191**

BY SENATOR(S) Owen, Reeves, and Teck;  
also REPRESENTATIVE(S) Young, Plant, and Witwer.

**AN ACT**

**CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH TRANSFERS OF CERTAIN MONEYS  
IN THE 2002-03 FISCAL YEAR.**

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

**SECTION 1.** 5-6-204, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**5-6-204. Cash fund created.** (3) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE TREASURER SHALL DEDUCT ONE HUNDRED THOUSAND DOLLARS FROM THE UNIFORM CONSUMER CREDIT CODE CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 2.** 8-44-112 (7), Colorado Revised Statutes, is amended to read:

**8-44-112. Surcharge on workers' compensation insurance premiums - workers' compensation cash fund.** (7) (a) All moneys collected pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the workers' compensation cash fund, which fund is hereby created. The moneys in the workers' compensation cash fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs of the administration of the "Workers' Compensation Act of Colorado", articles 40 to 47 of this title. Any interest earned on the investment or deposit of moneys in the workers' compensation cash fund shall remain in the fund and shall not revert to the general fund of the state at the end of any fiscal year.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (7) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (b), THE STATE TREASURER SHALL DEDUCT SIX MILLION DOLLARS FROM THE WORKERS'

---

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

COMPENSATION CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 3.** 8-46-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**8-46-101. Subsequent injury fund.** (1.5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON MAY 1, 2003, THE STATE TREASURER SHALL DEDUCT TWENTY MILLION DOLLARS FROM THE SUBSEQUENT INJURY FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 4.** 8-46-202, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**8-46-202. Major medical insurance fund - tax imposed - returns.** (1.5)(a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON MAY 1, 2003, THE STATE TREASURER SHALL DEDUCT ONE HUNDRED FIFTY MILLION DOLLARS FROM THE MAJOR MEDICAL INSURANCE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

(b) ON JULY 1, 2003, THE STATE CONTROLLER SHALL TRANSFER TEN MILLION DOLLARS FROM THE GENERAL FUND TO THE MAJOR MEDICAL INSURANCE FUND.

**SECTION 5.** 8-77-109 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**8-77-109. Employment support fund - created - repeal.** (2) (a.7) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (2) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a.7), THE STATE TREASURER SHALL DEDUCT FIVE MILLION FOUR HUNDRED THOUSAND DOLLARS FROM THE EMPLOYMENT SUPPORT FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 6.** 12-14-136 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**12-14-136. Disposition of fees and fines.** (1) (c) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (1) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (c), THE STATE TREASURER SHALL DEDUCT ONE HUNDRED TWENTY THOUSAND DOLLARS FROM THE COLLECTION AGENCY CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 7.** 12-61-301 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**12-61-301. Real estate recovery fund - fees.** (4) (c) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (4) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (c), THE STATE TREASURER SHALL DEDUCT THREE MILLION TWO HUNDRED THOUSAND DOLLARS FROM THE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 8.** 19-3.5-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**19-3.5-106. Colorado children's trust fund - creation - source of funds.**

(3) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2) OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE TREASURER SHALL DEDUCT NINE HUNDRED EIGHTY THOUSAND THREE HUNDRED NINETY-SIX DOLLARS FROM THE COLORADO CHILDREN'S TRUST FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 9.** 22-7-506 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**22-7-506. Read-to-achieve grant program - board created - fund - repeal.**

(4) (e) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (4) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (e), THE STATE TREASURER SHALL DEDUCT ONE MILLION FOUR HUNDRED FORTY THOUSAND SIX HUNDRED TWENTY-ONE DOLLARS FROM THE CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 10.** 22-7-708, Colorado Revised Statutes, is amended to read:

**22-7-708. Teacher development fund - creation.** (1) There is hereby created in the state treasury the teacher development fund referred to in this section as the "fund", for payment of teacher development grants awarded pursuant to section 22-7-704. The fund shall consist of such moneys as may be appropriated thereto by the general assembly and such moneys as may be credited thereto pursuant to section 22-7-704 (4). Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes specified in this part 7. The department may expend up to three percent of the moneys annually appropriated to the fund to offset the documented costs incurred in implementing the grant program. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

(2) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (2), THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE FUND TO THE GENERAL FUND.

**SECTION 11.** 22-60.5-112, Colorado Revised Statutes, is amended to read:

**22-60.5-112. Fees - fund.** (1) The fee for the examination and review of an application for any license, endorsement, or authorization, or any renewal or reinstatement thereof, shall be established by the state board of education and shall be nonrefundable. Upon determination of eligibility, such license, endorsement, or authorization shall be issued without an additional fee. The state board of education shall adjust if necessary all such fees annually so that they generate an amount of revenue that approximates the direct and indirect costs of the state board of education and of the department of education for the administration of this article; however, the state board of education shall establish and adjust such fees for licenses issued pursuant to section 22-60.5-201 (1) (a) so that the fees generate an amount of revenue that approximates the direct and indirect costs of the state board of education and the department of education for the administration of sections 22-60.5-201 (1) (a) and

22-60.5-205. All fees collected under this section shall be transmitted to the state treasurer and credited to the educator licensure cash fund, which fund is hereby created. The general assembly shall make annual appropriations from the educator licensure cash fund for expenditures of the state board of education and of the department of education incurred in the administration of this article. At the end of any fiscal year, all unexpended and unencumbered moneys in the educator licensure cash fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

(2) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (2), THE STATE TREASURER SHALL DEDUCT ONE HUNDRED FORTY-THREE THOUSAND FIVE HUNDRED THIRTY-FIVE DOLLARS FROM THE EDUCATOR LICENSURE CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 12.** 23-1-106.5 (9), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**23-1-106.5. Duties and powers of the commission with regard to advanced technology - fund created.** (9) (e) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (9) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (e), THE STATE TREASURER SHALL DEDUCT EIGHT HUNDRED EIGHTY-SIX THOUSAND ONE HUNDRED EIGHTY-NINE DOLLARS AND FIFTY-ONE CENTS FROM THE ADVANCED TECHNOLOGY FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 13.** 24-21-104 (3) (d), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-21-104. Fees of secretary of state - repeal.** (3) (d) (XI) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (3) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (XI), THE STATE TREASURER SHALL DEDUCT FIVE HUNDRED THOUSAND DOLLARS FROM THE DEPARTMENT OF STATE CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 14.** 24-32-114, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-32-114. Cleanup of illegally disposed of waste tires - waste tire cleanup fund - assistance to counties - legislative declaration - repeal.** (1.4) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2003, THE STATE TREASURER SHALL DEDUCT ONE MILLION FOUR HUNDRED SIXTY-EIGHT THOUSAND ONE HUNDRED FIFTY-TWO DOLLARS FROM THE WASTE TIRE CLEANUP FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 15.** 24-33-111 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**24-33-111. Conservation of native species - fund created.** (2) **Species conservation trust fund - creation.** (e) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (e), THE STATE TREASURER SHALL DEDUCT ONE MILLION DOLLARS FROM THE CAPITAL

ACCOUNT OF THE SPECIES CONSERVATION TRUST FUND AND SHALL TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 16.** 24-90-407, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-90-407. State grants to publicly-supported libraries fund - creation - source of funds - administrative costs.** (3) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE STATE GRANTS TO PUBLICLY-SUPPORTED LIBRARIES FUND TO THE GENERAL FUND.

**SECTION 17.** 24-102-202.5 (2), Colorado Revised Statutes, is amended to read:

**24-102-202.5. Supplier database - cash fund.** (2) (a) Each business that wishes to be included in the database created pursuant to subsection (1) of this section shall pay a registration fee as determined by the executive director. The executive director shall set and collect such fees as are necessary to cover the direct and indirect costs ~~which~~ THAT are incurred in implementing the provisions of this section. The revenue from such fees shall be transmitted to the state treasurer, who shall credit the same to the supplier database cash fund, which fund is hereby created. The general assembly shall make appropriations from such fund as necessary to implement the provisions of this section. In accordance with section 24-36-114, all interest derived from the deposit and investment of this fund shall be credited to the general fund.

(b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (b), THE STATE TREASURER SHALL DEDUCT THREE HUNDRED THOUSAND DOLLARS FROM THE SUPPLIER DATABASE CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 18.** 25-2-121, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**25-2-121. Fee adjustments - vital statistics records cash fund created.** (3) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2) OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (3), THE STATE TREASURER SHALL DEDUCT SEVEN HUNDRED SIXTY-THREE THOUSAND SIX HUNDRED EIGHTY DOLLARS FROM THE VITAL STATISTICS RECORDS CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 19.** 39-29-109 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**39-29-109. Severance tax trust fund - created - administration - use of moneys.** (1) (g) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2003, THE STATE TREASURER SHALL DEDUCT SEVEN MILLION ONE HUNDRED THOUSAND DOLLARS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND CREATED IN SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (1) AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 20.** 40-2-110.5, Colorado Revised Statutes, is amended BY THE

ADDITION OF A NEW SUBSECTION to read:

**40-2-110.5. Annual fees - motor carriers.** (6.5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (6.5), THE STATE TREASURER SHALL DEDUCT ONE MILLION THREE HUNDRED THOUSAND DOLLARS FROM THE PUBLIC UTILITIES COMMISSION MOTOR CARRIER FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 21.** 40-17-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**40-17-104. Colorado disabled telephone users fund - creation - purpose - repeal.** (6) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (6), THE STATE TREASURER SHALL DEDUCT ONE MILLION ONE HUNDRED THIRTY-TWO THOUSAND FOUR HUNDRED SIXTEEN DOLLARS FROM THE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 22.** 42-4-1301.3 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**42-4-1301.3. Alcohol and drug driving safety program.** (4) (d) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (d), THE STATE TREASURER SHALL DEDUCT ONE MILLION DOLLARS FROM THE ALCOHOL AND DRUG DRIVING SAFETY PROGRAM FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 23.** 43-4-402 (2), Colorado Revised Statutes, is amended to read:

**43-4-402. Source of revenues - allocation of moneys.** (2) (a) The general assembly shall make an annual appropriation out of the moneys in the fund to the department of public health and environment in an amount sufficient to pay for the costs of laboratory services and implied consent specialists, which costs were previously paid out of the highway users tax fund. Of the moneys remaining in the fund, eighty percent shall be deposited in a special drunken driving account within the fund, which account is hereby created, and shall be available immediately, without further appropriation, for allocation by the transportation commission to the office of transportation safety, which shall allocate such moneys in accordance with the provisions of section 43-4-404 (1) and (2). The remaining twenty percent shall be appropriated by the general assembly to the division of alcohol and drug abuse in the department of human services, which shall use such moneys for the purposes stated in section 43-4-404 (3). The office of transportation safety and the division of alcohol and drug abuse may use such amounts from the moneys allocated or appropriated to them by this subsection (2) as may be necessary for the purpose of paying the costs incurred by the office and the division in administering the programs established pursuant to this part 4; except that neither the office of transportation safety nor the division of alcohol and drug abuse may use for such purpose an amount which exceeds eight percent of the moneys allocated or appropriated.

(b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (2) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (b), THE STATE

TREASURER SHALL DEDUCT THREE HUNDRED FIFTY-SEVEN THOUSAND DOLLARS FROM THE PORTION OF THE FUND THAT WOULD OTHERWISE BE ALLOCATED TO THE DIVISION OF ALCOHOL AND DRUG ABUSE IN THE DEPARTMENT OF HUMAN SERVICES AND TRANSFER SUCH SUM TO THE GENERAL FUND.

**SECTION 24. 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: March 5, 2003