

## CHAPTER 394

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**GOVERNMENT - STATE**


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**HOUSE BILL 08-1415**

BY REPRESENTATIVE(S) Massey and Jahn, Looper, Todd, Kerr A., McGihon, Labuda, Frangas, Benefield, Borodkin, Buescher, Carroll T., Curry, Garza-Hicks, Kefalas, Kerr J., Liston, Madden, McFadyen, Merrifield, Middleton, Rice, Roberts, Scanlan, and Stafford;

also SENATOR(S) Gibbs and Spence, Sandoval, Schwartz, Tochtrop, and Williams.

**AN ACT**

**CONCERNING THE DESIGNATION OF A PORTION OF THE LIMITED GAMING FUND REVENUES THAT WOULD OTHERWISE BE TRANSFERRED TO THE FILM INCENTIVES CASH FUND TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT TO BE USED FOR THE OPERATIONAL EXPENSES OF THE COLORADO FILM COMMISSION, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 12-47.1-701 (4) (a) (V) (A), Colorado Revised Statutes, is amended, and the said 12-47.1-701 (4) (a) (V) is further amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH, to read:

**12-47.1-701. Limited gaming fund.** (4) (a) At the end of each fiscal year, the state treasurer shall distribute the balance remaining in the limited gaming fund in accordance with the provisions of section 9 (5) (b) (II) of article XVIII of the state constitution; except that:

(V) (A) Except as provided in sub-subparagraphs ~~(B) and (C)~~ (B), (C), AND (E) of this subparagraph (V), for the 2006-07 fiscal year and each fiscal year thereafter, of the portion of limited gaming fund moneys that would otherwise be transferred to the general fund pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution, after the transfer to the local government limited gaming impact fund required by section 12-47.1-1601, six hundred thousand dollars shall be transferred to the film incentives cash fund created in section 24-46-105.8, C.R.S. For purposes of the transfers occurring at the end of the 2006-07 fiscal year and each fiscal year thereafter, no later than June 1, 2007, and no later than June 1 of each calendar year thereafter, the executive director shall adjust the dollar amounts specified in this sub-subparagraph (A) to reflect the percentage change in the consumer price index

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

for the Denver metropolitan area. As used in this sub-subparagraph (A), "percentage change in the consumer price index for the Denver metropolitan area" means the percentage change between the two published annual estimates of the consumer price index for the Denver-Boulder-Greeley combined statistical area for all urban consumers, all goods, as defined and officially reported by the bureau of labor statistics in the United States department of labor for the two calendar years immediately preceding the calendar year in which the adjustment is made.

(E) FOR THE 2008-09 FISCAL YEAR, OF THE PORTION OF LIMITED GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE FILM INCENTIVES CASH FUND PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (V), THREE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT, CREATED IN SECTION 24-48.5-101 (1), C.R.S., TO BE USED FOR THE OPERATING COSTS OF THE COLORADO FILM COMMISSION. IN THE EVENT THAT THE AMOUNT OF MONEYS TRANSFERRED TO THE FILM INCENTIVES CASH FUND IS ADJUSTED PURSUANT TO SUB-SUBPARAGRAPH (B) OR (C) OF THIS SUBPARAGRAPH (V), THE GENERAL ASSEMBLY SHALL DETERMINE THE AMOUNT OF LIMITED GAMING FUND MONEYS, IF ANY, THAT SHALL BE TRANSFERRED TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT FOR THE OPERATING COSTS OF THE COLORADO FILM COMMISSION, AS AUTHORIZED PURSUANT TO THIS SUB-SUBPARAGRAPH (E).

**SECTION 2.** 24-46-105.8 (4) (a), Colorado Revised Statutes, is amended to read:

**24-46-105.8. Performance-based incentive for film production in Colorado - film incentives cash fund - definitions.** (4) (a) For the 2006-07 fiscal year and for each fiscal year thereafter, the general assembly shall annually appropriate the moneys transferred to the fund pursuant to ~~section 12-47.1-701 (4) (a) (IV), C.R.S.~~ SECTION 12-47.1-701 (4) (a), C.R.S., to the commission to be used for performance-based incentives for the motion picture industry pursuant to the provisions of this section.

**SECTION 3. Appropriation - adjustments to the 2008 long bill.** (1) For the implementation of this act, the appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2008, from the film incentives cash fund created in section 24-46-105.8 (6) (a), Colorado Revised Statutes, to the office of the governor, economic development programs, film incentives is reduced by three hundred thousand dollars (\$300,000).

(2) In addition to any other appropriation, there is hereby appropriated, out of the portion of limited gaming fund moneys transferred to the Colorado office of economic development pursuant to section 12-47.1-701 (4) (a) (V) (E), Colorado Revised Statutes, for distribution to the Colorado film commission, for the fiscal year beginning July 1, 2008, the sum of three hundred thousand dollars (\$300,000), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 4. 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: June 2, 2008