

CHAPTER 2

STATUTES

SENATE BILL 15-098

BY SENATOR(S) Steadman, Grantham, Lambert;
also REPRESENTATIVE(S) Young, Hamner, Rankin, Kraft-Tharp, Lontine, Rosenthal, Tyler.

AN ACT**CONCERNING THE CODIFICATION OF CERTAIN PHRASES PREVIOUSLY INCLUDED IN APPROPRIATION CLAUSES.**

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

SECTION 1. In Colorado Revised Statutes, **add** 24-75-112.5 as follows:

24-75-112.5. Appropriation clauses - general provisions - legislative declaration - definition. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) THE MECHANISM THROUGH WHICH THE GENERAL ASSEMBLY COMMONLY AUTHORIZES STATE AGENCIES TO SPEND MONEYS, THE APPROPRIATION CLAUSE, HAS REMAINED ESSENTIALLY UNCHANGED FOR OVER A CENTURY;

(b) THE TYPICAL APPROPRIATION CLAUSE EMPLOYED PRIOR TO THE 2015 REGULAR LEGISLATIVE SESSION FEATURES CERTAIN STOCK PHRASES THAT MAKE ASCERTAINING ESSENTIAL INFORMATION MORE DIFFICULT;

(c) LEGISLATION SHOULD, WHENEVER POSSIBLE, BE WRITTEN CLEARLY AND CONCISELY; AND

(d) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY, IN ENACTING THIS SECTION:

(1) TO ENHANCE COMPREHENSIBILITY OF APPROPRIATION CLAUSES BY OMITTING THE IDENTIFIED PHRASES FORMERLY USED IN STANDARD APPROPRIATION CLAUSES; AND

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

(II) TO CONTINUE UNDISTURBED THE OPERATION AND LEGAL EFFECT OF THESE PHRASES BY CODIFYING VERSIONS OF THEM IN A STATUTE OF GENERAL APPLICABILITY.

(2) (a) UNLESS THE CONTEXT OTHERWISE REQUIRES, AND REGARDLESS OF WHETHER THE LAW IS STATUTORY OR NONCODIFIED, THE FOLLOWING PROVISIONS APPLY TO AN APPROPRIATION MADE IN A DULY ENACTED LAW OF THE STATE:

(I) THE APPROPRIATION IS MADE IN ADDITION TO ANY OTHER APPROPRIATION;

(II) THE APPROPRIATION IS MADE FROM MONEYS THAT ARE NOT OTHERWISE APPROPRIATED; AND

(III) A STATE AGENCY IS ONLY REQUIRED TO SPEND SO MUCH OF THE APPROPRIATION AS MAY BE NECESSARY.

(b) AS USED IN ANY APPROPRIATION CLAUSE, "C.R.S." MEANS THE COLORADO REVISED STATUTES.

(3) THIS SECTION APPLIES TO LEGISLATION ENACTED ON OR AFTER JANUARY 1, 2015.

SECTION 2. 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: February 25, 2015