

# MEMORANDUM



## JOINT BUDGET COMMITTEE

TO Joint Budget Committee Members  
FROM JBC Staff  
DATE March 18, 2021  
SUBJECT Potential Legislation

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This packet includes bill drafts and related memos for the Committee's consideration. Each individual item has page numbers but also a packet page number to help navigate the whole document. The page numbers below refer to the packet page number.

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# MEMORANDUM



## JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee  
FROM Craig Harper, JBC Staff (303-866-3481)  
DATE March 18, 2021  
SUBJECT Removing Department of Education bills from the potential legislation list

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The Department of Education's FY 2021-22 budget request included several legislative proposals in decision items as budget balancing measures. During figure setting, staff recommended that the Committee not introduce these items as JBC bills but consider them as potential options in the context of the School Finance Bill.

Based on the Committee's approval of the staff recommendations for the relevant decision items, staff requests permission to remove the following items from the list of potential legislation:

- **R5 Maintain FY 2020-21 Reductions:** Request R5 proposes statutory changes to delay implementation of: (1) the Local School Food Purchasing Program created in H.B. 19-1132 (\$675,255 General Fund and 0.4 FTE) and (2) computer science education funding under H.B. 19-1277 (\$250,000 General Fund).
- **R6 Outdated Appropriations and Additional Program Suspensions:** Request R6 includes reductions to: (1) eliminate funding for the Workforce Diploma Pilot Program created in H.B. 19-1236 (\$212,222 General Fund and 0.2 FTE); (2) suspend administration of fourth- and seventh-grade social studies assessments (\$1,014,000 cash funds from the State Education Fund); and eliminate funding for the Basic Skills Placement or Assessment Tests (\$50,000 cash funds from the State Education Fund).
- **R7 Reduce Capital Construction Assistance:** Request R7 proposes two reductions from the Public School Capital Construction Assistance Fund and associated transfers to the State Public School Fund: (1) \$3.0 million for Building Excellent Schools Today cash grants; and (2) \$1.6 million from the State Aid to Charter School Facilities line item.
- **R9 Return Unused Fund Balances:** Request R9 includes two components that would require statutory changes: (1) a transfer of \$2.0 million from the Early Literacy Fund to the State Education Fund; and (2) a proposal to revert \$750,000 in undistributed funds associated with the Comprehensive Quality Physical Education Instruction Pilot Program (created in S.B. 19-246) to the Marijuana Tax Cash Fund.

Finally, staff recommends removing the bill associated with Department of Education request R4 (**Repurpose Early Intervention Funding**) from the list of potential legislation. The Committee has moved to draft this bill in relation to the corresponding decision item in the Department of Human Services. If the Committee elects to move forward with that legislation, then staff assumes that all of the corresponding statutory changes would be in that bill.

# MEMORANDUM



## JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee  
FROM Eric Kurtz, JBC Staff (303-866-4952)  
DATE March 18, 2021  
SUBJECT Legislation ideas needing action

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Below are bill ideas not addressed in any other comeback memo that the JBC still needs to take action on.

### **CASH FUND TRANSFERS**

The Governor proposed several transfers from cash funds to the General Fund for budget balancing purposes that the JBC decided not to pursue, but the JBC has not yet acted on the following specific transfers:

- \$362,682 from the Colorado Bureau of Investigation Identification Unit Cash Fund
- \$1,500,000 from the Unemployment Revenue Fund

### **PLACEHOLDERS**

The Governor requested placeholders for two bills that would cost money from the Division of Insurance (DOI) Cash Fund. Any insurance premiums in the DOI Cash Fund that are not used are deposited in the General Fund, so an increase in expenditures from the DOI Cash Fund decreases General Fund revenue.

- \$864,026 for Colorado Option Health Insurance
- \$371,370 for Prescription Drug Affordability

### **JBC MEMBER BILLS**

- Dependent Tuition Assistance - After the budget submission deadlines the Department of Higher Education informally presented a proposal for legislation to add restrictions to the Dependent Tuition Assistance Program. Rep. Ransom requested that the bill remain on the JBC's list of potential legislation. The Department proposed: (1) amending C.R.S. Sections 23-3.3-204 and 205 to require that at the time of their initial application students must demonstrate they have an Expected Family Contribution (EFC) of no more than 250% of a Pell-eligible EFC; and (2) amending C.R.S. Section 23-3.3-205 to limit eligibility to the dependents of law enforcement officers and firefighters who served and were killed or permanently occupationally disabled while serving in Colorado. The Department estimates these two changes would reduce expenditures by \$200,000 General Fund.
- SMART Act changes – In the past, the JBC discussed some potential changes to the SMART Act and the enabling rule to better align with current practice. These changes would not impact expenditures and so the changes do not need to move with the budget package. The changes could potentially be incorporated in another bill the JBC is considering regarding evidence-based policy and the state budget process, if the JBC wants to expand the scope of that bill. Also, this is not an urgent issue and the JBC could choose to delay action to a future year.

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.8.21

DRAFT

LLS NO. 21-0826.01 Thomas Morris x4218

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC: "Auxiliary Services Rural Areas"**

**A BILL FOR AN ACT**

101 **CONCERNING THE COLORADO COMMISSION FOR THE DEAF, HARD OF**  
102 **HEARING, AND DEAFBLIND, AND, IN CONNECTION THEREWITH,**  
103 **PROVIDING AUXILIARY SERVICES IN RURAL AREAS OF THE STATE**  
104 **FOR PERSONS WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND**  
105 **AND REMOVING THE REQUIREMENT THAT A NOT-FOR-PROFIT**  
106 **ENTITY MUST BE A COMMUNITY-BASED ORGANIZATION TO BE**  
107 **ELIGIBLE TO APPLY TO THE COMMISSION FOR GRANT MONEY.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

**Joint Budget Committee. Section 1** of the bill is a nonstatutory legislative declaration stating the critical need for the provision and financing of auxiliary services throughout the rural areas of the state. Auxiliary services are aids and services that assist in effective communication with a person who is deaf, hard of hearing, or deafblind.

**Sections 2 and 3** require the Colorado commission for the deaf, hard of hearing, and deafblind (commission) to arrange for the provision of auxiliary services in rural areas of the state, including the provision of training and outreach regarding the auxiliary services. The commission is required to report annually on the program to the joint budget committee.

**Section 4** amends the definition of "entity" regarding entities eligible to apply to the commission for grant money to remove the requirement that a not-for-profit organization must be a community-based organization to be eligible to apply for grant money.

**Section 5** directs the public utilities commission to implement a cost-recovery mechanism to support the provision of auxiliary services in rural areas of the state.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4 (a) Auxiliary services are aids and services that assist in effective  
5 communication with a person who is deaf, hard of hearing, or deafblind;

6 (b) There is a severe shortage of auxiliary services available in  
7 rural parts of the state;

8 (c) While the federal "Americans with Disabilities Act of 1990",  
9 42 U.S.C. sec. 12101 et seq., requires governmental entities and private  
10 businesses to provide auxiliary services free of charge to auxiliary  
11 services users, it is difficult for local governments and businesses in rural  
12 areas to cover the extensive costs associated with providing auxiliary  
13 services, including travel, to rural areas;

14 (d) The new outbreak of coronavirus disease, identified  
15 specifically as COVID-19, makes the continued communication of

1 up-to-date, accurate information especially critical for all populations in  
2 our state, including for persons in our rural areas who are deaf, hard of  
3 hearing, or deafblind; and

4 (e) To help level the playing field for all persons who are deaf,  
5 hard of hearing, or deafblind in the state, it is imperative that the state  
6 develop a statewide program to help organize, dispatch, and finance the  
7 provision of auxiliary services throughout the rural areas of the state.

8 **SECTION 2.** In Colorado Revised Statutes, 26-21-103, **add** (8.5)  
9 as follows:

10 **26-21-103. Definitions - rules.** As used in this article 21, unless  
11 the context otherwise requires:

12 (8.5) "RURAL AREA" MEANS AN AREA OF THE STATE LOCATED  
13 OUTSIDE OF THE FRONT RANGE THAT IS UNDERSERVED WITH REGARD TO  
14 ACCESS TO AUXILIARY SERVICES PROVIDERS. THE STATE DEPARTMENT  
15 SHALL DEFINE "UNDERSERVED" BY RULE.

16 **SECTION 3.** In Colorado Revised Statutes, 26-21-106, **add** (9)  
17 as follows:

18 **26-21-106. Powers, functions, and duties of commission -**  
19 **community access program - report - definitions - rules.** (9) (a) THE  
20 COMMISSION SHALL ARRANGE FOR THE PROVISION OF AUXILIARY SERVICES  
21 IN RURAL AREAS OF THE STATE BY PERFORMING THE FOLLOWING  
22 FUNCTIONS:

23 (I) COORDINATING ON A STATEWIDE BASIS THE DAY-TO-DAY  
24 SCHEDULING FOR AUXILIARY SERVICES TO BE PROVIDED IN RURAL AREAS;

25 (II) CREATING AND MANAGING A PROCESS FOR THE INTAKE AND  
26 FULFILLMENT OF REQUESTS FOR AUXILIARY SERVICES IN RURAL AREAS,  
27 INCLUDING THE IDENTIFICATION, COORDINATION, AND APPOINTMENT OF

1 AUXILIARY SERVICES PROVIDERS TO MEET THE NEEDS OF ALL PARTIES  
2 INVOLVED IN THE PROCEEDING, EVENT, OR CIRCUMSTANCE FOR WHICH A  
3 REQUEST IS MADE;

4 (III) CREATING AND MANAGING EFFICIENT AND CONSISTENT  
5 PROCESSES THROUGH WHICH AN AUXILIARY SERVICES PROVIDER MAY  
6 SUBMIT REQUIRED DOCUMENTATION AND RECEIVE PAYMENT FOR  
7 AUXILIARY SERVICES PROVIDED;

8 (IV) TO RESOLVE ANY ISSUES THAT ARISE WITH REGARD TO  
9 AUXILIARY SERVICES, COMMUNICATING WITH AUXILIARY SERVICES USERS,  
10 AUXILIARY SERVICES PROVIDERS, AND APPOINTING AUTHORITIES, AS  
11 DEFINED IN SECTION 13-90-202 (1), IN THE RURAL AREAS IN WHICH  
12 AUXILIARY SERVICES ARE REQUESTED OR ARE BEING PROVIDED PURSUANT  
13 TO THIS SUBSECTION (9);

14 (V) PROVIDING TRAINING OPPORTUNITIES FOR POTENTIAL  
15 AUXILIARY SERVICES PROVIDERS WHO ARE WILLING TO ACCEPT  
16 ASSIGNMENTS IN RURAL AREAS;

17 (VI) AWARDING SCHOLARSHIPS FOR POTENTIAL AUXILIARY  
18 SERVICES PROVIDERS' EDUCATION, INTERNSHIP, AND CERTIFICATION  
19 TESTING FOR QUALIFIED PROGRAMS;

20 (VII) CONDUCTING OUTREACH TO RURAL USERS IN NEED OF  
21 AUXILIARY SERVICES AND AUXILIARY SERVICES PROVIDERS;

22 (VIII) ESTABLISHING, MONITORING, AND PUBLISHING ON THE  
23 COMMISSION'S PUBLIC WEBSITE A LIST OF AVAILABLE CART PROVIDERS  
24 AND QUALIFIED INTERPRETERS, AS DEFINED IN SUBSECTIONS (4)(g)(II)(A)  
25 AND (4)(g)(II)(B) OF THIS SECTION, RESPECTIVELY, WHO ARE WILLING TO  
26 WORK IN RURAL AREAS FOR PERSONS WHO ARE DEAF, HARD OF HEARING,  
27 OR DEAFBLIND;

1 (IX) CREATING AN ADVISORY COUNCIL TO MAKE  
2 RECOMMENDATIONS TO THE COMMISSION ABOUT THE PROVISION OF  
3 AUXILIARY SERVICES IN RURAL AREAS; AND

4 (X) DEVELOPING AND IMPLEMENTING OTHER STRATEGIES TO  
5 INCREASE CAPACITY FOR AUXILIARY SERVICES IN RURAL AREAS.

6 (b) THE STATE DEPARTMENT SHALL PROMULGATE RULES IN  
7 CONSULTATION WITH, OR AS PROPOSED BY, THE COMMISSION AND THE  
8 DEAF, HARD OF HEARING, AND DEAFBLIND COMMUNITY, REGARDING  
9 IMPLEMENTATION OF THIS SUBSECTION (9). THE RULE-MAKING PROCESS  
10 MUST BE OPEN AND INCLUDE OPPORTUNITIES FOR MEMBERS OF THE  
11 PUBLIC, INCLUDING AUXILIARY SERVICES USERS AND AUXILIARY SERVICES  
12 PROVIDERS, TO PROVIDE INPUT.

13 (c) (I) ON OR BEFORE NOVEMBER 1, 2022, AND ON OR BEFORE  
14 NOVEMBER 1 OF EACH YEAR THEREAFTER, THE COMMISSION SHALL  
15 SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE SUMMARIZING THE  
16 COMMISSION'S IMPLEMENTATION OF THE PROGRAM DESCRIBED IN THIS  
17 SUBSECTION (9) OVER THE PREVIOUS TWELVE MONTHS.

18 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
19 REPORTING REQUIREMENT SET FORTH IN SUBSECTION (9)(c)(I) OF THIS  
20 SECTION CONTINUES INDEFINITELY.

21 **SECTION 4.** In Colorado Revised Statutes, 26-21-107.5, **amend**  
22 (5) as follows:

23 **26-21-107.5. Colorado commission for the deaf, hard of**  
24 **hearing, and deafblind grant program - creation - standards -**  
25 **applications - definitions.** (5) ~~For purposes of~~ AS USED IN this section,  
26 "entity" means a local government, state agency, state-operated program,  
27 or private nonprofit or not-for-profit ~~community-based~~ organization.



1           **SECTION 5.** In Colorado Revised Statutes, 40-17-103, **amend**  
2 (3)(a)(III)(E) and (3)(a)(III)(F); and **add** (3)(a)(III)(G) as follows:

3           **40-17-103. Commission - powers and duties - rules.** (3) The  
4 commission shall, through the promulgation of rules, develop and  
5 implement a mechanism to recover its costs and the cost to voice service  
6 providers in implementing and administering telecommunications relay  
7 services required by this article 17. The mechanism must, at a minimum,  
8 provide for the following:

9           (a) (III) Without exceeding the maximum monthly surcharge set  
10 forth in subsection (3)(a)(I) of this section, the monthly surcharge must  
11 be an amount sufficient to:

12           (E) Reimburse the department of revenue for its administrative  
13 costs in collecting prepaid wireless TRS charges on prepaid wireless  
14 phones pursuant to section 29-11-102.7; **and**

15           (F) Provide support for library services as authorized by section  
16 24-90-105 (1)(e); **AND**

17           (G) **PROVIDE SUPPORT FOR AUXILIARY SERVICES IN RURAL AREAS**  
18 **AS AUTHORIZED BY SECTION 26-21-106 (9).**

19           **SECTION 6. Safety clause.** The general assembly hereby finds,  
20 determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, or safety.

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.16.21

DRAFT

LLS NO. 21-0867.01 Shelby Ross x4510

COMMITTEE BILL

Joint Budget Committee

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**BILL TOPIC:** "Remote Supports For Elderly, Blind, & Disab Waiver"

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**A BILL FOR AN ACT**

101 CONCERNING EXPANDING THE DEFINITION OF "ELECTRONIC  
102 MONITORING SERVICES" TO INCLUDE REMOTE SUPPORTS FOR  
103 THE HOME-AND COMMUNITY-BASED SERVICES WAIVER FOR THE  
104 ELDERLY, BLIND, AND DISABLED.

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** The bill expands the definition of "electronic monitoring services" to include other remote supports as it relates to the home- and community-based services waiver program for

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Dashes through the words indicate deletions from existing statute.*

the elderly, blind, and disabled.

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

2           **SECTION 1.** In Colorado Revised Statutes, 25.5-6-303, **amend**  
3 (9) as follows:

4           **25.5-6-303. Definitions.** As used in this part 3, unless the context  
5 otherwise requires:

6           (9) "Electronic monitoring services" means electronic equipment  
7 or adaptations OR OTHER REMOTE SUPPORTS that are related to an eligible  
8 person's ~~physical impairment~~ DISABILITY and enable the person to remain  
9 at home.

10           **SECTION 2. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, or safety.

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.9.21

DRAFT

LLS NO. 21-0822.01 Ed DeCecco x4216

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Community Corr Cash Fund For Incentive Payments"

A BILL FOR AN ACT

101 CONCERNING AUTHORIZING COMMUNITY CORRECTIONS  
102 PERFORMANCE-BASED INCENTIVE PAYMENTS.

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** The bill creates the community corrections cash fund. The reversions of unexpended amounts from general fund appropriations for community correction placements are credited to the account for the current fiscal year and each of the next 5 fiscal years thereafter. Subject to annual appropriation, the division of criminal justice in the department of public safety may expend money

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from the fund for performance-based incentive payments to community corrections providers or boards prior to the repeal of the fund on July 1, 2027.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 17-27-109 as  
3 follows:

4           **17-27-109. Community corrections cash fund - community**  
5 **correction placement reversions - performance-based incentive**  
6 **payments - repeal.** (1) THE COMMUNITY CORRECTIONS CASH FUND,  
7 REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE  
8 STATE TREASURY. THE FUND CONSISTS OF MONEY CREDITED TO THE FUND  
9 PURSUANT TO SUBSECTION (2) OF THIS SECTION AND ANY OTHER MONEY  
10 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE  
11 FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME  
12 DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
13 COMMUNITY CORRECTIONS CASH FUND TO THE FUND.

14           (2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY  
15 AMOUNT APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE  
16 DEPARTMENT OF PUBLIC SAFETY FOR COMMUNITY CORRECTION  
17 PLACEMENTS FOR THE 2020-21 FISCAL YEAR AND EACH OF THE NEXT FIVE  
18 FISCAL YEARS THEREAFTER, THAT IS UNEXPENDED OR UNENCUMBERED AS  
19 OF THE CLOSE OF THE FISCAL YEAR, SHALL NOT REVERT TO THE GENERAL  
20 FUND AND THE STATE TREASURER SHALL TRANSFER THOSE AMOUNTS TO  
21 THE FUND.

22           (3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL  
23 ASSEMBLY, THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF  
24 PUBLIC SAFETY MAY EXPEND MONEY FROM THE FUND FOR

1 PERFORMANCE-BASED INCENTIVE PAYMENTS TO COMMUNITY  
2 CORRECTIONS PROVIDERS OR BOARDS.

3 (4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED  
4 AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2027, TO THE  
5 GENERAL FUND.

6 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

7 **SECTION 2. Safety clause.** The general assembly hereby finds,  
8 determines, and declares that this act is necessary for the immediate  
9 preservation of the public peace, health, or safety.

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.15.21

DRAFT

LLS NO. 21-0844.01 Jason Gelender x4330

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC: "Colorado Avalanche Information Center Fund Approps"**

**A BILL FOR AN ACT**

101 **CONCERNING THE MANNER IN WHICH MONEY IS APPROPRIATED FROM**  
102 **THE COLORADO AVALANCHE INFORMATION CENTER FUND.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** Currently, all money in the Colorado avalanche information center fund (CAIC fund) is subject to annual appropriation by the general assembly to the department of natural resources (DNR) for the direct and indirect costs associated with the Colorado avalanche information center (CAIC). Pursuant to an intergovernmental agreement between the DNR and the Colorado

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Dashes through the words indicate deletions from existing statute.*

department of transportation (CDOT), state highway fund money that is continuously appropriated to CDOT is credited to the CAIC fund to provide funding to the CAIC for work associated with the highway avalanche safety program that reduces avalanche risk on state highways. Beginning with state fiscal year 2021-22, the bill continuously appropriates to the DNR for CAIC's costs associated with the highway avalanche safety program all money that is credited to the CAIC fund from the state highway fund and all interest or income derived from the deposit and investment of that money.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33-116, **amend**  
3 (2)(c)(I) as follows:

4 **24-33-116. Colorado avalanche information center - creation**  
5 **- duties - fund.** (2) (c) (I) (A) The department of natural resources shall  
6 transmit all ~~moneys~~ MONEY collected pursuant to this section to the state  
7 treasurer, who shall credit ~~the same~~ IT to the Colorado avalanche  
8 information center fund, which fund is hereby created and referred to in  
9 this section as the "fund". ~~The moneys~~ EXCEPT AS OTHERWISE PROVIDED  
10 IN SUBSECTION (2)(c)(I)(B) OF THIS SECTION, MONEY in the fund ~~are~~ IS  
11 subject to annual appropriation by the general assembly to the department  
12 of natural resources for the direct and indirect costs associated with the  
13 Colorado avalanche information center.

14 (B) FOR STATE FISCAL YEAR 2021-22 AND FOR EACH SUCCEEDING  
15 STATE FISCAL YEAR, ALL STATE HIGHWAY FUND MONEY THAT IS CREDITED  
16 TO THE FUND PURSUANT TO AN INTERGOVERNMENTAL AGREEMENT  
17 BETWEEN THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT  
18 OF NATURAL RESOURCES AND ALL INTEREST AND INCOME DERIVED FROM  
19 THE DEPOSIT AND INVESTMENT OF THAT MONEY IS CONTINUOUSLY  
20 APPROPRIATED TO THE DEPARTMENT OF NATURAL RESOURCES FOR THE



1 DIRECT AND INDIRECT COSTS INCURRED BY THE COLORADO AVALANCHE  
2 INFORMATION CENTER IN OPERATING THE HIGHWAY AVALANCHE SAFETY  
3 PROGRAM FOR THE PURPOSE OF REDUCING AVALANCHE RISK ON STATE  
4 HIGHWAYS.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, or safety.

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.8.21

DRAFT

LLS NO. 21-0834.01 Jason Gelender x4330

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC: "Repeal Recovery Audit Program"**

**A BILL FOR AN ACT**

101 **CONCERNING THE REPEAL OF THE STATE RECOVERY AUDIT PROGRAM,**  
102 **AND, IN CONNECTION THEREWITH, REDUCING AN**  
103 **APPROPRIATION.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** The bill repeals the state recovery audit program, effective January 1, 2022, and reduces the state fiscal year 2021-22 general fund appropriation to the department of personnel for use by financial operations and reporting for personal services by \$64,714 and the related FTE by 1.0 FTE.

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-30-203.5, **add**  
3 (10) as follows:

4           **24-30-203.5. Recovery audits - legislative declaration -**  
5 **contracting - reporting - definitions - repeal.** (10) THIS SECTION IS  
6 REPEALED, EFFECTIVE JULY 1, 2022.

7           **SECTION 2. Appropriation - adjustments to 2021 long bill.** To  
8 implement this act, the general fund appropriation made in the annual  
9 general appropriation act for the 2021-22 state fiscal year to the  
10 department of personnel for use by financial operations and reporting for  
11 personal services is decreased by \$64,714, and the related FTE is  
12 decreased by 1.0 FTE.

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

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

UNEDITED  
UNREVISED  
DRAFT  
3.16.21

DRAFT

LLS NO. 21-0859.01 Shelby Ross x4510

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC:** "Market Rate Study For Child Care Assistance Prog"

**A BILL FOR AN ACT**

101 CONCERNING ADJUSTING THE CONTRACT FOR A MARKET RATE STUDY  
102 OF PROVIDER RATES FOR THE COLORADO CHILD CARE  
103 ASSISTANCE PROGRAM FROM ANNUALLY TO EVERY THREE  
104 YEARS.

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** Current law requires the department of human services to contract annually for a market rate study of provider rates for the Colorado child care assistance program. The bill adjusts the

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Dashes through the words indicate deletions from existing statute.*

contractual and reporting requirement to every 3 years.

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

2       **SECTION 1.** In Colorado Revised Statutes, 26-2-803, **amend** (1)  
3 as follows:

4       **26-2-803. Provider rates - rules.** (1) The state department, in  
5 consultation with the counties, shall contract ~~annually~~ EVERY THREE  
6 YEARS for a market rate study of provider rates that account for quality of  
7 care, age group, and type of care for each county as recommended by the  
8 early childhood leadership commission created in section 26-6.2-103.  
9 Notwithstanding the provisions of section 24-1-136 (11)(a)(I), copies of  
10 the study must be provided to the joint budget committee on or before  
11 ~~January 2, 2019~~ JANUARY 2, 2024, and on or before ~~each~~ January 2 EVERY  
12 THREE YEARS thereafter.

13       **SECTION 2. Appropriation - adjustments to 2021 long bill.** To  
14 implement this act, the general fund appropriation made in the annual  
15 general appropriation act for the 2021-22 state fiscal year to the  
16 department of human services for use by the office of early childhood for  
17 the child care assistance program rate setting study is decreased by  
18 \$55,000.

19       **SECTION 3. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly; except  
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
23 of the state constitution against this act or an item, section, or part of this  
24 act within such period, then the act, item, section, or part will not take  
25 effect unless approved by the people at the general election to be held in

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- 1 November 2022 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.11.21

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LLS NO. 21-0845.01 Esther van Mourik x4215

COMMITTEE BILL

Joint Budget Committee

**BILL TOPIC: "Location Of DOR Administrative Hearing"**

**A BILL FOR AN ACT**

101 CONCERNING THE LOCATION OF A DEPARTMENT OF REVENUE  
102 ADMINISTRATIVE HEARING.

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** The bill allows a department of revenue administrative hearing to be held at a location designated by the executive director in either Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, or Jefferson county, or, at the election of the taxpayer, by video conference. The bill also specifies that if the taxpayer resides or has their principle place of business in Colorado and the disputed deficiency is

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

either \$200 or less, or involves sales and use taxes regardless of the amount, then the hearing may be held, at the election of the taxpayer, in the district office of the department nearest to the place where the taxpayer resides or has their principal place of business in Colorado.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-21-103, **amend**  
3 (4) as follows:

4 **39-21-103. Hearings.** (4) The executive director of the  
5 department of revenue shall notify the taxpayer in writing of the time and  
6 place for such hearing thirty days prior thereto. ~~In all cases where the~~  
7 ~~disputed deficiency involves gift taxes or exceeds two hundred dollars~~  
8 ~~and does not involve sales and use taxes, the hearing shall be held in~~  
9 ~~Denver, Colorado. If~~ THE HEARING MUST BE HELD AT A LOCATION  
10 DESIGNATED BY THE EXECUTIVE DIRECTOR IN EITHER ADAMS, ARAPAHOE,  
11 BOULDER, BROOMFIELD, DENVER, DOUGLAS, OR JEFFERSON COUNTY, OR,  
12 AT THE ELECTION OF THE TAXPAYER, BY VIDEO CONFERENCE; EXCEPT  
13 THAT, IF THE TAXPAYER RESIDES OR HAS THEIR PRINCIPLE PLACE OF  
14 BUSINESS IN COLORADO AND the disputed deficiency ~~does not involve gift~~  
15 ~~taxes~~, is EITHER two hundred dollars or less, or involves sales and use  
16 taxes regardless of the amount, THEN the hearing may be held, at the  
17 election of the taxpayer, in the district office of the department nearest to  
18 the place where the taxpayer resides or has ~~his~~ THEIR principal place of  
19 business ~~within~~ IN Colorado. ~~If the taxpayer does not reside or have a~~  
20 ~~place of business in Colorado, the hearing shall be held in the city and~~  
21 ~~county of Denver.~~

22 **SECTION 2. Applicability.** This act applies to administrative  
23 hearings for which a taxpayer is notified in writing on or after the



1 effective date of this act.

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

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

DRAFT  
3.10.21

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LLS NO. 21-0840.02 Ed DeCecco x4216

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Transfer To General Fund From Repealed Cash Funds"

A BILL FOR AN ACT

101 CONCERNING THE TRANSFER TO THE GENERAL FUND OF THE BALANCES  
102 FROM REPEALED CASH FUNDS.

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Joint Budget Committee.** The economic gardening pilot project, which was administered by the office of economic development and international trade, was created in 2013 and repealed on July 1, 2017. At the time of the repeal, there was money remaining in the related economic gardening pilot project fund. Additionally, the public school energy efficiency fund was created in 2007 and repealed on July 1, 2017. At the

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Dashes through the words indicate deletions from existing statute.*

time of the repeal, there was money remaining in the fund.

On July 1, 2021, the bill requires the state treasurer to transfer to the general fund the money from the repealed cash funds and any related interest and income.

---

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

2           **SECTION 1. Repealed cash funds - transfer.** (1) On July 1,  
3 2021, the state treasurer shall transfer to the general fund the unexpended  
4 and unencumbered money that was in the economic gardening pilot  
5 project fund at the time section 24-48.5-102.7, C.R.S., was repealed and  
6 any interest and income since earned on the money.

7           (2) On July 1, 2021, the state treasurer shall transfer to the general  
8 fund the unexpended and unencumbered money that was in the public  
9 school energy efficiency fund at the time section 39-29-109.5, C.R.S.,  
10 was repealed and any interest and income since earned on the money.

11           **SECTION 2. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, or safety.