

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
5.22.20

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LLS NO. 20-1179.01 Ed DeCecco x4216

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Cash Fund Transfers General Fund"

A BILL FOR AN ACT

101 **CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH**
102 **TRANSFERS OF CERTAIN 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/>.)

Joint Budget Committee. For the purpose of augmenting the amount of revenues in the state general fund, the bill requires the state treasurer to make the following specific transfers to the general fund. On June 30, 2020, the state treasurer is required to transfer the following amounts to the general fund:

- \$3,176 from the employment verification fund, as it existed

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

- prior to its repeal in 2016 (**Section 1** of the bill);
- \$7.9 million from the Fort Logan land sale account in the capital construction fund (**Section 2**);
- \$8,381,753 from the indirect costs excess recovery fund (**Section 3**);
- \$1,887,116 from the state supplemental security income stabilization fund (**Section 4**);
- \$1 million from the veterans assistance grant program cash fund (**Section 5**);
- \$167,463 from the Moffat tunnel cash fund (**Section 6**);
- \$10 million from the multimodal transportation options fund (**Section 9**).

On July 1, 2020, the state treasurer is required to transfer:

- \$45.5 million from the severance tax perpetual base fund to the general fund (**Section 7**); and
- \$43 million from the unclaimed property trust fund (**Section 8**).

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-2-122, **add** (6) as
3 follows:

4 **8-2-122. Employment verification requirements - audits - fine**
5 **for fraudulent documents - cash fund created - definitions - repeal.**

6 (6) (a) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER THREE
7 THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS FROM THE EMPLOYMENT
8 VERIFICATION FUND, AS IT EXISTED PRIOR TO ITS REPEAL IN 2016, TO THE
9 GENERAL FUND.

10 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2020.

11 **SECTION 2.** In Colorado Revised Statutes, 24-75-302, **amend**
12 (3.3) as follows:

13 **24-75-302. Capital construction fund - capital assessment fees**
14 **- calculation - information technology capital account.** (3.3) (a) There
15 is hereby created a special account within the capital construction fund
16 established pursuant to subsection (1) of this section to be known as the

1 Fort Logan land sale account. The account consists of any money credited
2 to the account by the state treasurer from the proceeds of the sale of
3 fifty-one acres of vacant land around the Colorado mental health institute
4 at Fort Logan to the United States department of veterans affairs for the
5 purpose of expanding the Fort Logan national cemetery, authorized in
6 House Bill 17-1346, enacted in 2017. The money in the account may be
7 used for future capital construction, capital renewal, or controlled
8 maintenance expenses of the department of human services, contingent
9 upon approval by both the office of state planning and budgeting and the
10 capital development committee; except that all or a portion of the money
11 must be expended for veterans-related and behavioral health-related
12 projects. The money in the account is subject to annual appropriation and
13 all money that is unexpended or unencumbered in any fiscal year must
14 remain in the account.

15 (b) NOTWITHSTANDING SUBSECTION (3.3)(a) OF THIS SECTION, ON
16 JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER SEVEN MILLION
17 NINE HUNDRED THOUSAND DOLLARS FROM THE FORT LOGAN LAND SALE
18 ACCOUNT TO THE GENERAL FUND.

19 **SECTION 3.** In Colorado Revised Statutes, 24-75-1401, **add**
20 (3.5) as follows:

21 **24-75-1401. Indirect costs excess recovery fund - creation -**
22 **departmental accounts - use of fund - definitions.** (3.5) ON JUNE 30,
23 2020, THE STATE TREASURER SHALL TRANSFER EIGHT MILLION THREE
24 HUNDRED THOUSAND EIGHTY-ONE SEVEN HUNDRED FIFTY-THREE DOLLARS
25 FROM THE INDIRECT COST EXCESS RECOVERY FUND TO THE GENERAL FUND.

26 **SECTION 4.** In Colorado Revised Statutes, 26-2-210, **add** (3) as
27 follows:

1 **26-2-210. State supplemental security income stabilization**
2 **fund - creation.** (3) NOTWITHSTANDING SUBSECTION (1) OF THIS
3 SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE
4 MILLION EIGHT HUNDRED EIGHTY-SEVEN THOUSAND ONE HUNDRED
5 SIXTEEN DOLLARS FROM THE STABILIZATION FUND TO THE GENERAL FUND.

6 **SECTION 5.** In Colorado Revised Statutes, 28-5-712, **add** (3)(e)
7 as follows:

8 **28-5-712. Veterans assistance grant program - created - rules**
9 **- fund - repeal.** (3) (e) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS
10 SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE
11 MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND.

12 **SECTION 6.** In Colorado Revised Statutes, 32-8-126, **add** (3) as
13 follows:

14 **32-8-126. Moffat tunnel cash fund - created.**
15 (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30,
16 2020, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED
17 SIXTY-SEVEN THOUSAND FOUR HUNDRED SIXTY-THREE DOLLARS FROM
18 THE MOFFAT TUNNEL CASH FUND TO THE GENERAL FUND.

19 **SECTION 7.** In Colorado Revised Statutes, 39-29-109, **add**
20 (2)(a)(XXII) as follows:

21 **39-29-109. Severance tax trust fund - created - administration**
22 **- distribution of money - legislative declaration - repeal.** (2) State
23 severance tax receipts shall be credited to the severance tax trust fund as
24 provided in section 39-29-108. All income derived from the deposit and
25 investment of the money in the fund shall be credited to the fund. At the
26 end of any fiscal year, all unexpended and unencumbered money in the
27 fund remains in the fund and shall not be credited or transferred to the

1 general fund or any other fund. All money in the fund is subject to
2 appropriation by the general assembly for the following purposes:

3 (a) **The severance tax perpetual base fund.**

4 (XXII) (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
5 SUBSECTION (2)(a) TO THE CONTRARY, ON JULY 1, 2020, THE STATE
6 TREASURER SHALL TRANSFER FORTY-FIVE MILLION FIVE HUNDRED
7 THOUSAND DOLLARS FROM THE FUND TO THE GENERAL FUND.

8 (B) THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE
9 TRANSFER SPECIFIED IN SUBSECTION (2)(a)(XXII)(A) OF THIS SECTION IS
10 NECESSARY AS A RESULT OF THE PRECIPITOUS DECREASE IN GENERAL FUND
11 REVENUES AS A RESULT OF THE PUBLIC HEALTH EMERGENCY RELATED TO
12 COVID-19 AND THAT IT IS THE INTENT OF THE GENERAL ASSEMBLY TO
13 TRANSFER AN EQUAL AMOUNT BACK TO THE FUND AS SOON AS POSSIBLE.

14 **SECTION 8.** In Colorado Revised Statutes, 38-13-801, **amend**
15 (2)(d)(II) and (2)(d)(III); and **add** (2)(d)(IV) and (5) as follows:

16 **38-13-801. Unclaimed property trust fund - creation -**
17 **payments - interest - appropriations - records - rules.** (2) (d) The
18 following amounts constitute fiscal year spending for purposes of section
19 20 of article X of the state constitution:

20 (II) Any money that is credited to the adult dental fund created in
21 section 25.5-5-207 (4) as required by subsection (3) of this section; ~~and~~

22 (III) Any money that is credited to the housing development grant
23 fund created in section 24-32-721 (1) as required by subsection (3.5) of
24 this section; AND

25 (IV) ANY MONEY THAT IS TRANSFERRED TO THE GENERAL FUND AS
26 REQUIRED BY SUBSECTION (5) OF THIS SECTION.

27 (5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,

1 ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FORTY-THREE
2 MILLION DOLLARS FROM THE UNCLAIMED PROPERTY TRUST FUND TO THE
3 GENERAL FUND.

4 **SECTION 9.** In Colorado Revised Statutes, 43-4-1103, **amend**
5 (2)(a)(I) introductory portion; and **add** (2)(a)(III) as follows:

6 **43-4-1103. Multimodal transportation options fund - creation**
7 **- revenue sources for fund - use of fund.** (2) (a) (I) Except as otherwise
8 provided in ~~subsection (2)(a)(II)~~ SUBSECTIONS (2)(a)(II) AND (2)(a)(III)
9 of this section, subject to annual appropriation by the general assembly,
10 money must be expended from the fund as follows:

11 (III) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER
12 TEN MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND.

13 **SECTION 10. 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.