

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Joint Budget Committee Members
FROM JBC Staff
DATE January 30, 2017
SUBJECT JBC Bill Drafts

This memo includes the following bill drafts for the Committees consideration.

- LLS 17-811 “Concerning the Transfer of Money Between State Self-insurance Funds at the Request of the Executive Director of the Department of Personnel.”(Alfredo Kemm)
- LLS 17-872 “Concerning the Allocation of Money by the Colorado Commission on Higher Education for Tuition Assistance for Members of the National Guard.” (Tom Dermody)
- LLS 17-874 “Concerning Authorization to use Money in the Colorado State Titling and Registration Account to Issue Devices that Confirm that a Person has Registered a Motor Vehicle.” (Scott Thompson)

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
1.26.17

DRAFT

LLS NO. 17-0811.01 Ed DeCecco x4216

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Transfers Between State Self-insurance Funds"

A BILL FOR AN ACT

101 CONCERNING THE TRANSFER OF MONEY BETWEEN STATE
102 SELF-INSURANCE FUNDS AT THE REQUEST OF THE EXECUTIVE
103 DIRECTOR OF THE DEPARTMENT OF PERSONNEL.

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. If there is an insufficient cash balance in the risk management fund, the self-insured property fund, or the state employee workers' compensation account in the risk management fund (state self-insurance funds) to pay continuously appropriated premiums and claims-related expenses, the bill authorizes the executive director of

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the department of personnel to request the state treasurer to transfer money from another state self-insurance fund's reserve balance to the fund with the deficiency. The state treasurer is required to make the requested transfer and then, in the next annual general appropriations act, the general assembly is required to appropriate an identical amount to the fund from which the transfer was made. The department is prohibited from using the transferred amounts for the cost of operating the risk management system.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-30-1511.5 as
3 follows:

4 **24-30-1511.5. State self-insurance funds - transfers -**
5 **definition.** (1) AS USED IN THIS SECTION, "STATE SELF-INSURANCE FUND"
6 MEANS THE RISK MANAGEMENT FUND CREATED IN SECTION 24-30-1510(1)
7 EXCLUDING THE STATE EMPLOYEE WORKERS' COMPENSATION ACCOUNT;
8 THE SELF-INSURED PROPERTY FUND CREATED IN SECTION 24-30-1510.5; OR
9 THE STATE EMPLOYEE WORKERS' COMPENSATION ACCOUNT IN THE RISK
10 MANAGEMENT FUND CREATED IN SECTION 24-30-1510.7.

11 (2) IF THERE IS AN INSUFFICIENT CASH BALANCE IN A STATE
12 SELF-INSURANCE FUND FOR ANY ALLOWABLE EXPENDITURE OTHER THAN
13 THE DIRECT AND INDIRECT ADMINISTRATIVE COSTS OF OPERATING THE
14 RISK MANAGEMENT SYSTEM, THEN THE EXECUTIVE DIRECTOR MAY
15 REQUEST THE STATE TREASURER TO TRANSFER MONEY FROM ANOTHER
16 STATE SELF-INSURANCE FUND'S RESERVE BALANCE TO THE FUND WITH THE
17 DEFICIENCY. THE AMOUNT OF THE REQUESTED TRANSFER SHALL NOT
18 EXCEED THE AMOUNT OF THE DEFICIENCY. THE STATE TREASURER SHALL
19 TRANSFER THE MONEY BETWEEN THE STATE SELF-INSURANCE FUNDS AS
20 REQUESTED. IN THE NEXT ANNUAL GENERAL APPROPRIATIONS ACT THAT
21 IS ENACTED AFTER THE TRANSFER IS MADE, THE GENERAL ASSEMBLY

1 SHALL APPROPRIATE AN AMOUNT EQUAL TO THE TRANSFER TO THE STATE
2 SELF-INSURANCE FUND FROM WHICH THE MONEY WAS DEDUCTED, IN
3 ADDITION TO ANY OTHER AMOUNTS APPROPRIATED TO THE FUND.

4 (3) THE DEPARTMENT OF PERSONNEL MAY EXPEND THE MONEY
5 TRANSFERRED IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION FOR
6 ANY PURPOSE FOR WHICH MONEY IN THE STATE SELF-INSURANCE FUND IS
7 CONTINUOUSLY APPROPRIATED BUT SHALL NOT EXPEND ANY OF THE
8 MONEY FOR THE DIRECT AND INDIRECT ADMINISTRATIVE COSTS OF
9 OPERATING THE RISK MANAGEMENT SYSTEM.

10 **SECTION 2. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2018 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

DRAFT
1.25.17

DRAFT

LLS NO. 17-0872.01 Brita Darling x2241

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Allocation Of Money For National Guard Tuition"

A BILL FOR AN ACT

101 **CONCERNING THE ALLOCATION OF MONEY BY THE COLORADO**
102 **COMMISSION ON HIGHER EDUCATION FOR TUITION ASSISTANCE**
103 **FOR MEMBERS OF THE NATIONAL GUARD.**

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. Under current law, the Colorado commission on higher education (commission) is prohibited from allocating more than \$800,000 annually for purposes of providing tuition assistance to members of the National Guard. The bill removes statutory provisions relating to the limit on appropriations and the commission's

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allocation of money for the tuition assistance program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 23-3.3-202
3 as follows:

4 **23-3.3-202. Program funding.** ~~(1)~~ Out of any moneys provided
5 for the financial assistance program authorized by section 23-3.3-102, the
6 commission shall first provide tuition assistance to individuals who
7 qualify under the provisions of this part 2. ~~or section 23-5-111.4,~~
8 ~~consistent with the provisions of subsection (2) of this section.~~

9 ~~(2) The commission shall not allocate more than eight hundred~~
10 ~~thousand dollars under subsection (1) of this section for purposes of~~
11 ~~providing tuition assistance to members of the National Guard pursuant~~
12 ~~to section 23-5-111.4.~~

13 **SECTION 2.** In Colorado Revised Statutes, 23-5-111.4, **amend**
14 (3)(a) and (9)(a) as follows:

15 **23-5-111.4. Tuition for members of the National Guard -**
16 **definitions.** (3) (a) For the purposes of this section, "designated
17 institution of higher education" means the Colorado state university -
18 Pueblo, Adams state university, Colorado Mesa university, Metropolitan
19 state university of Denver, Fort Lewis college, Western state Colorado
20 university, all independent area technical colleges, all local district
21 colleges, the university of northern Colorado, the university of Colorado
22 at Boulder, the university of Colorado at Denver, the university of
23 Colorado at Colorado Springs, Colorado state university, the Colorado
24 school of mines, the university of Colorado health sciences center, all
25 community colleges governed by the state board for community colleges

1 and occupational education, and any private institution of higher
2 education in Colorado that qualifies for the college opportunity fund
3 pursuant to article 18 of this ~~title~~ TITLE 23 and that offers an accredited
4 certificate or degree program in homeland security. For a member of the
5 Colorado National Guard enrolled in a private institution of higher
6 education, tuition assistance is limited to the completion of the accredited
7 certificate or degree program in homeland security and is provided at the
8 discretion of the adjutant general of the department of military and
9 veterans affairs. ~~The tuition benefit to members of the Colorado National~~
10 ~~Guard under this subsection (3) for an accredited certificate or degree~~
11 ~~program in homeland security shall not exceed the moneys appropriated~~
12 ~~annually to the Colorado National Guard pursuant to section 23-3.3-202.~~

13 (9) (a) There is ~~hereby~~ created in the state treasury the Colorado
14 National Guard tuition fund which ~~shall be~~ IS administered by the
15 department of military and veterans affairs and which ~~shall consist~~
16 CONSISTS of all ~~moneys which~~ MONEY THAT may be appropriated thereto
17 by the general assembly or ~~which may be~~ THAT IS otherwise made
18 available to it by the general assembly. ~~Moneys~~ MONEY "otherwise made
19 available" ~~shall include~~ INCLUDES any repayment of tuition assistance
20 made pursuant to subsection (6) of this section. ~~and any moneys~~
21 ~~appropriated by the general assembly for purposes of this section in~~
22 ~~accordance with section 23-3.3-202.~~ The ~~moneys~~ MONEY in the fund are
23 ~~hereby~~ IS continuously appropriated for the payment of tuition assistance
24 as provided in this section. Any ~~moneys~~ MONEY not expended at the end
25 of the fiscal year ~~shall remain~~ REMAINS in the fund and shall not be
26 transferred to or revert to the general fund of the state.

27 **SECTION 3. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2018 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-first General Assembly
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DRAFT
1.27.17

DRAFT

LLS NO. 17-0874.01 Jery Payne x2157

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Motor Vehicle License Plate Appropriation"

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION TO USE MONEY IN THE COLORADO**
102 **STATE TITLING AND REGISTRATION ACCOUNT TO ISSUE DEVICES**
103 **THAT CONFIRM THAT A PERSON HAS REGISTERED A MOTOR**
104 **VEHICLE.**

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 authorizes the use of money in the Colorado state titling and registration account to be appropriated to purchase and issue license plates, decals, and validating tabs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-1-211, **amend** (2)
3 as follows:

4 **42-1-211. Colorado state titling and registration system.**

5 (2) There is hereby created the Colorado state titling and registration
6 account in the highway users tax fund for the purpose of providing funds:
7 For the development and operation of the Colorado state titling and
8 registration system, including operations performed under article 6 of this
9 ~~title, and~~ TITLE 42; to cover the costs of administration and enforcement
10 of the motorist insurance identification database program created in
11 section 42-7-604; ~~Moneys~~ AND TO PURCHASE AND ISSUE LICENSE PLATES,
12 DECALS, AND VALIDATING TABS IN ACCORDANCE WITH ARTICLE 3 OF THIS
13 TITLE 42. MONEY received from the fees imposed by ~~section~~ SECTIONS
14 38-29-138 (1), (2), (4), and (5), ~~C.R.S., and sections~~ 42-1-206 (2)(a),
15 42-3-107 (22), 42-3-213 (1)(b)(IV), 42-6-137 (1), (2), (4), (5), and (6),
16 and 42-3-304 (18)(d), as well as any ~~moneys~~ MONEY received through
17 gifts, grants, and donations to the account from private or public sources
18 for the purposes of this section, shall be credited by the state treasurer to
19 the ~~Colorado state titling and registration~~ account. The general assembly
20 shall appropriate annually the ~~moneys~~ MONEY in the ~~Colorado state titling~~
21 ~~and registration~~ account for the purposes of this subsection (2). If any
22 unexpended and unencumbered ~~moneys remain~~ MONEY REMAINS in the
23 account at the end of a fiscal year, the balance remains in the fund and is
24 not transferred to the general fund or any other fund.

25 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.