



Legislative Council Staff

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Memorandum

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Report on Referendum C Revenue and Spending FY 2005-06 through FY 2022-23

This report contains the final audited figures for state revenue retained under Referendum C in the 2005-06 through 2020-21 state fiscal years and preliminary numbers for the 2021-22 and 2022-23 state fiscal years.¹ It also reflects the actions of the General Assembly and Governor in spending the retained money. This report is prepared in accordance with the requirements of Referendum C,² which was approved by voters in 2005.

Revenue and spending. Table 1 shows the amount of revenue that the state retained under Referendum C through FY 2020-21, and how such revenue was spent.

Preliminary figures from the Office of the State Controller indicate that the state retained \$3.08 billion in FY 2021-22, and the September 2022 Legislative Council Staff forecast projects that the state will retain \$3.21 billion in FY 2022-23.

Table 1 shows the distribution of the retained money for FY 2005-06 through FY 2022-23. By law, the first \$55 million in FY 2005-06, \$95 million in FY 2006-07, and \$125 million each year thereafter may be spent for expenses in any of the following areas: kindergarten through twelfth grade (K-12) education, higher education, health care, firefighter and police officer retirement plans, and transportation. The remaining amount must be split into equal thirds and used to fund health care, K-12 education, and higher education.³

FY 2021-22. The first \$125 million was spent on transportation projects (\$0.5 million); volunteer firefighter retirement plans (\$4.5 million); K-12 schools (\$60.0 million); and health care (\$60.0 million). A total of \$2,957.6 million (\$3,082.6 million minus \$125.0 million) was allocated one-third each (\$985.9 million) to K-12 education, health care, and higher education. Existing appropriations from the General Fund Exempt Account are based on previous estimates; these amounts will be finalized with audited actual figures during the 2023 legislative session.

¹Each state fiscal year begins on July 1.

²Section 24-77-103.6, C.R.S.

³Section 24-77-104.5 (1), C.R.S.

FY 2022-23. The first \$125 million is expected to be spent on transportation projects (\$0.5 million); volunteer firefighter retirement plans (\$4.7 million); K-12 schools (\$59.9 million); and health care (\$59.9 million). A total of \$3,087.1 million (\$3,212.1 million minus \$125.0 million) is expected to be allocated one-third each (\$1,029 million) to K-12 education, health care, and higher education. These amounts are estimates provided through the September 2022 Legislative Council Staff forecast. Existing appropriations from the General Fund Exempt Account are based on previous estimates; the amounts will be updated with new estimates during the 2023 legislative session and finalized with audited actual figures during the 2024 legislative session.

Issue for consideration. The state would have faced a significant budget shortfall in FY 2005-06 and subsequent years had Referendum C not been approved. Therefore, a significant portion of the money retained and spent under Referendum C did not increase funding to programs, but rather maintained prior funding levels and prevented these programs from undergoing budget cuts. It is impossible to identify the amount of additional funding made available by Referendum C to individual programs because doing so would require knowledge of the budgetary actions that the state would have taken had Referendum C not passed.

Table 1
Referendum C Spending by Program
Millions of Dollars

Fiscal Year	K-12 Education	Health Care	Higher Education	Volunteer Firefighter Retirement Plans	Fire and Police Pensions	Transportation Projects	Total
FY 2005-06	\$361.7	\$361.6	\$353.7	\$3.8	\$25.3	\$10.0	\$1,116.1
FY 2006-07	\$425.1	\$425.1	\$404.3	\$3.8	\$34.8	\$15.0	\$1,308.1
FY 2007-08	\$381.3	\$381.3	\$348.1	\$3.8	\$34.8	\$20.0	\$1,169.3
FY 2008-09	-	-	-	-	-	-	-
FY 2009-10	-	-	-	-	-	-	-
FY 2010-11	\$275.4	\$275.4	\$215.2	\$4.1	-	\$0.5	\$770.6
FY 2011-12	\$506.9	\$506.9	\$449.5	\$4.3	\$5.3	\$0.5	\$1,473.4
FY 2012-13	\$633.4	\$633.4	\$578.3	\$4.3	\$10.0	\$0.5	\$1,859.9
FY 2013-14	\$726.9	\$726.9	\$666.7	\$4.3	-	\$0.5	\$2,125.3
FY 2014-15	\$813.1	\$813.1	\$753.0	\$4.3	-	\$0.5	\$2,384.1
FY 2015-16	\$817.7	\$817.7	\$757.3	\$3.7	-	\$0.5	\$2,396.8
FY 2016-17	\$728.5	\$728.5	\$668.3	\$4.2	-	\$0.5	\$2,130.0
FY 2017-18	\$845.6	\$845.6	\$785.5	\$4.4	-	\$0.5	\$2,481.6
FY 2018-19	\$885.4	\$885.4	\$825.2	\$4.2	-	\$0.5	\$2,600.7
FY 2019-20	\$893.4	\$893.4	\$833.3	\$4.3	-	\$0.5	\$2,624.8
FY 2020-21	\$1,218.2	\$1,218.2	\$575.0	\$4.3	-	\$0.5	\$3,016.3
FY 2021-22*	\$1,045.9	\$1,045.9	\$985.9	\$4.5	-	\$0.5	\$3,082.6
FY 2022-23*	\$1,088.9	\$1,088.9	\$1,029.0	\$4.7	-	\$0.5	\$3,212.1
Total**	\$11,647.3	\$11,647.3	\$10,228.5	\$66.9	\$110.2	\$51.5	\$33,751.7

Source: Joint Budget Committee and September 2022 Legislative Council Staff Forecast.

Totals may not sum due to rounding.

*Preliminary estimates. Actual amounts are budgeted during the supplemental appropriations process and audited in the following fiscal year.

**Total includes preliminary estimates for FY 2021-22 and FY 2022-23.