HOUSE BILL 16-1408

A BILL FOR AN ACT

CONCERNING THE ALLOCATION OF CASH FUND REVENUES TO

HEALTH-RELATED PROGRAMS, AND, IN CONNECTION

THEREWITH, MODIFYING AND STREAMLINING THE ALLOCATION

OF TOBACCO LITIGATION SETTLEMENT MONEYS BY REPLACING

THE CURRENT TWO-TIER ALLOCATION SYSTEM THAT INCLUDES

BOTH PERCENTAGE-BASED AND FIXED AMOUNT ALLOCATIONS OF

SETTLEMENT MONEYS WITH A SINGLE SET OF EXCLUSIVELY

PERCENTAGE-BASED ALLOCATIONS AND REPLACING

SETTLEMENT MONEYS FUNDING FOR SPECIFIED PROGRAMS WITH

MARIJUANA TAX CASH FUND FUNDING; ALLOCATING

ADDITIONAL SETTLEMENT MONEYS TO THE UNIVERSITY OF

COLORADO HEALTH SCIENCES CENTER FOR CANCER RESEARCH

ONLY; TRANSFERRING A SPECIFIED AMOUNT FROM THE

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.
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://www.leg.state.co.us/billsummaries.)

Joint Budget Committee. The bill modifies the allocation of cash fund revenues to various health-related programs as follows:

! The allocation of revenues annually received by the state pursuant to the tobacco litigation settlement (settlement moneys) is modified and streamlined by replacing the current 2-tier allocation system that includes both percentage-based and fixed amount allocations of settlement moneys with a single set of exclusively percentage-based allocations and replacing settlement moneys funding for specified programs with marijuana tax cash fund funding;

! An additional allocation of settlement moneys is made to the university of Colorado health sciences center for the sole purpose of funding cancer research; and

! On July 1, 2016, $20 million is transferred from the children's basic health plan trust to a newly created accountable care collaborative fund on July 1, 2016, for the purpose of funding department of health care policy and financing (HCPF) rate incentives for primary care medical providers, other than providers who are reimbursed on a cost-basis, in the accountable care collaborative established by HCPF.

The bill also makes and reduces various appropriations in order to accomplish its purposes and repeals various obsolete statutory provisions relating to the past allocation of settlement moneys and past transfers to and from cash funds.

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

SECTION 1. In Colorado Revised Statutes, 24-75-1104.5,
amend (1.3), (2), and (3); and add (1.7) as follows:

24-75-1104.5. Use of settlement moneys - programs - repeal.

(1.3) (a) For the 2012-13 fiscal year, and for each fiscal year thereafter through the 2015-16 fiscal year, the lesser of all settlement moneys received or the following amounts of settlement moneys shall be allocated in each fiscal year in which the state receives the moneys in the percentages or amounts specified and for the programs, services, and funds specified in subsections (1) and (1.5) of this section, as said subsections existed before July 1, 2016:

(I) For the 2012-13 fiscal year, eighty million four hundred thousand dollars less the amount of unexpended and unencumbered moneys remaining in the tobacco litigation settlement cash fund, created in section 24-22-115 (1) (a), at the end of the 2011-12 fiscal year;

(II) For the 2013-14, 2014-15, and 2016-17 and 2015-16 fiscal years, and for the 2018-19 fiscal year and for each fiscal year thereafter, the amount allocated pursuant to this subsection (1.3) for the prior fiscal year less the amount of any disputed payments in the tobacco litigation settlement cash fund that were credited to the fund pursuant to subparagraph (I) of paragraph (a) of subsection (5) of this section and less the amount of unexpended and unencumbered moneys remaining in the tobacco litigation settlement cash fund at the end of the prior fiscal year.

and

(III) For the 2017-18 fiscal year, the amount allocated pursuant to this subsection (1.3) for the 2016-17 fiscal year less fifteen million dollars, less the amount of any disputed payments in the tobacco litigation settlement cash fund that were credited to the fund pursuant to subparagraph (I) of paragraph (a) of subsection (5) of this section, and
less the amount of unexpended and unencumbered moneys remaining in
the tobacco litigation settlement cash fund at the end of the 2016-17 fiscal
year:

(a.5) For the 2016-17 fiscal year, and for each fiscal year
thereafter, the lesser of all settlement moneys received or the
following amounts of settlement moneys shall be allocated in
each fiscal year in which the state receives the moneys in the
percentages specified and for the programs, services, and funds
specified in subsection (1.7) of this section:

(I) For the 2016-17 fiscal year, and for the 2018-19 fiscal
year and for each fiscal year thereafter, the amount allocated
pursuant to this subsection (1.3) for the prior fiscal year less
the amount of any disputed payments in the tobacco litigation
settlement cash fund that were credited to the fund pursuant
to subparagraph (I) of paragraph (a) of subsection (5) of this
section and less the amount of unexpended and unencumbered
moneys remaining in the tobacco litigation settlement cash fund
at the end of the prior fiscal year; and

(II) For the 2017-18 fiscal year, the amount allocated
pursuant to subparagraph (I) of this paragraph (a.5) for the
2016-17 fiscal year less fifteen million dollars, less the amount
of any disputed payments in the tobacco litigation settlement
cash fund that were credited to the fund pursuant to
subparagraph (I) of paragraph (a) of subsection (5) of this
section, and less the amount of unexpended and unencumbered
moneys remaining in the tobacco litigation settlement cash fund
at the end of the 2016-17 fiscal year.
(b) (I) For the 2012-13 fiscal year, and for each fiscal year thereafter, in addition to the amounts allocated pursuant to paragraph (a) of this subsection (1.3), the amount of unexpended and unencumbered moneys remaining in the tobacco litigation settlement cash fund, created in section 24-22-115 (1) (a), at the end of the prior fiscal year shall be allocated to the programs that receive settlement moneys pursuant to subsections (1) and (1.5) of this section in proportion to their shares of the settlement moneys.

(II) For the 2013-14 fiscal year, and for each fiscal year thereafter, in addition to the amounts allocated pursuant to paragraph (a) of this subsection (1.3), disputed payments received are allocated in the year received up to the amounts necessary to meet the requirements of subsections (1) and (1.5) of this section in the percentages and amounts specified and for the programs, services, and funds specified in subsections (1) and (1.5).

(c) Notwithstanding the provisions of section 24-1-136, no later than October 1, 2013, and no later than October 1 of each year thereafter, the state treasurer shall submit a written report to the joint budget committee that sets forth the total amount allocated pursuant to this subsection (1.3) during the prior fiscal year and the total amount anticipated to be allocated pursuant to this subsection (1.3) during the current fiscal year.

(1.7) Except as otherwise provided in subsections (1.3) and (5) of this section, and except that disputed payments received by the state in the 2015-16 fiscal year or in any year thereafter are excluded from the calculation of allocations under this section.
SUBSECTION (1.7), FOR THE 2016-17 FISCAL YEAR AND FOR EACH FISCAL
YEAR THEREAFTER, THE FOLLOWING PROGRAMS, SERVICES, AND FUNDS
SHALL RECEIVE THE FOLLOWING SPECIFIED PERCENTAGES OF THE TOTAL
AMOUNT OF SETTLEMENT MONEYS RECEIVED BY THE STATE IN THE
PRECEDING FISCAL YEAR:

(a) The Colorado Nurse Home Visitor Program created in
article 6.4 of title 26, C.R.S., shall receive twenty-six and
seven-tenths percent of the settlement moneys;

(b) The children's basic health plan trust created in
section 25.5-8-105, C.R.S., shall receive eighteen percent of the
settlement moneys;

(c) The university of Colorado health sciences center
shall receive a base amount of fifteen and one-half percent of
the settlement moneys and an additional amount of two percent
of the settlement moneys, and the state treasurer shall credit
both amounts to the tobacco litigation settlement moneys
health education fund, which is hereby created in the state
treasury. The state treasurer shall credit all interest and
income derived from the deposit and investment of money in the
fund to the fund. All money in the fund is subject to annual
appropriation by the general assembly to the health sciences
center, but the health sciences center shall use the additional
amount of settlement moneys credited to the fund only for
tobacco-related in-state cancer research as authorized in
section 24-75-1103 (7).

(d) The Fitzsimons trust fund created in section 23-20-136
(3), C.R.S., shall receive eight percent of the settlement moneys.
SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE SETTLEMENT MONEYS SHALL BE USED AS SPECIFIED IN SECTION 23-20-136 (5), C.R.S.

(e) The Tony Grampsas Youth Services Program created in Article 6.8 of Title 26, C.R.S., shall receive seven and one-half percent of the total amount of settlement moneys, which the state treasurer shall transfer to the Youth Services Program fund created in Section 26-6.8-102 (2) (d), C.R.S.;

(f) The drug assistance program created in Section 25-4-1411, C.R.S., shall receive five percent of the settlement moneys;

(g) The AIDS and HIV Prevention Fund created in Section 25-4-1415, C.R.S., shall receive three and one-half percent of the settlement moneys;

(h) The supplemental tobacco litigation settlement moneys account of the Colorado Immunization Fund created in Section 25-4-2301, C.R.S., shall receive two and one-half percent of the settlement moneys;

(i) The tobacco settlement defense account of the tobacco litigation settlement cash fund created in Section 24-22-115 (2) (a) shall receive two and one-half percent of the settlement moneys;

(j) The supplemental state contribution fund created in Section 24-50-609 (5) shall receive two and three-tenths percent of the settlement moneys, which, subject to annual appropriation by the General Assembly, shall be used to pay the costs of increased nonsupplemental state contributions and to
Provide supplements to the state contribution for state employee group benefit plans for each eligible state employee as required by section 24-50-609.5;

(k) The Colorado Autism Treatment Fund created pursuant to section 25.5-6-805, C.R.S., shall receive two percent of the settlement moneys to pay a portion of the state's share of the annual funding required by the "Home- and Community-Based Services for Children with Autism Act", part 8 of article 6 of title 25.5, C.R.S.;

(l) The Colorado State Veterans Trust Fund created in section 28-5-709, C.R.S., shall receive one percent of the settlement moneys;

(m) The State Dental Loan Repayment Program created in article 23 of title 25, C.R.S., shall receive one percent of the settlement moneys; and

(n) The Colorado Health Service Corps Fund created in section 25-1.5-506, C.R.S., shall receive one percent of the settlement moneys.

(2) The general assembly shall appropriate or the state treasurer shall transfer, as provided by law, the amounts specified in subsections (1) and (1.5) subsection (1.7) of this section from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115. Except for moneys credited to the health care supplemental appropriations and overexpenditures account of the cash fund pursuant to section 24-22-115 (4) (a); All settlement moneys other than settlement moneys received and allocated by the state during the same fiscal year pursuant to subsections (1) and (1.5) subsection (1.7) of this section shall be
credited to the specified funds or accounts on July 1 of the fiscal year for
which they are transferred, and all settlement moneys received and
allocated by the state during the same fiscal year pursuant to said
subsections (1) and (1.5) SUBSECTION (1.7) shall be credited to the
specified funds or accounts upon receipt by the state.

(3) Notwithstanding the provisions of subsections (1) and (1.5)
SUBSECTION (1.7) of this section, for purposes of sections 22-7-1210 (3),
23-20-136 (3.5) (a), 25-4-1411 (6) (a), 25-4-1415 (2), 25-23-104 (2),
25.5-6-805 (2), 25.5-8-105 (3), 26-6.4-107 (2) (d) (I), 26-6.8-102 (2) (d),
27-67-106 (2) (b), and 28-5-709 (2) (a), C.R.S., settlement moneys
received and allocated by the state pursuant to said subsections (1) and
(1.5) SUBSECTION (1.7) during the same fiscal year shall be deemed
to be moneys received for or during the preceding fiscal year.

SECTION 2. In Colorado Revised Statutes, 2-3-113, amend (2)
as follows:

2-3-113. Programs that receive tobacco settlement moneys -
program review. (2) Beginning January 1, 2002, it is the duty of the
state auditor to conduct or cause to be conducted program reviews and
evaluations of the performance of each tobacco settlement program to
determine whether the program is effectively and efficiently meeting its
stated goals. The entity conducting the reviews, in measuring the
effectiveness of a program, shall apply, at a minimum, the evaluative
research data received pursuant to the tobacco-related and
tobacco-focused research grant program created pursuant to part 2 of
article 20 of title 23, C.R.S. The program reviews and evaluations shall
subject all tobacco settlement programs to audit, whether operated
directly by a state agency or by a private entity or by a local government
agencies.

SECTION 3. In Colorado Revised Statutes, 23-18-304, add (1) as follows:

23-18-304. Funding for specialty education programs - area vocational schools - local district junior colleges. (1) (c) Specialty education services provided by the Health Sciences Center campus at the University of Colorado as authorized by paragraph (a) of this subsection (1) includes care provided by the faculty of the Health Sciences Center campus at the University of Colorado that are eligible for payment pursuant to section 25.5-4-401, C.R.S.

SECTION 4. In Colorado Revised Statutes, 23-20-136, amend (3.5) (a) as follows:

23-20-136. Fitzsimons trust fund - creation - legislative declaration - repeal. (3.5) (a) For the 2006-07 the 2016-17 fiscal year and for each fiscal year thereafter in which the state receives moneys pursuant to the master settlement agreement, and in which money is due to a lessor under a lease-purchase agreement authorized pursuant to section 3 of House Bill 03-1256, as enacted at the first regular session of the sixty-fourth general assembly, in 2003, the state treasurer shall transfer to the capital construction fund and the state controller shall transfer from the capital construction fund to the Fitzsimons trust fund, the lesser of the amount due to any lessor during the fiscal year or, except as otherwise provided in section 24-75-1104.5 (5), C.R.S., eight percent of the total amount received by the state pursuant to the master settlement agreement, other than attorney fees and costs, during the preceding fiscal year. except that the amount transferred pursuant to this subsection (3.5)

-10-
in any fiscal year shall not exceed eight million dollars.

SECTION 5. In Colorado Revised Statutes, 24-22-115, amend (1) and (2) (a) as follows:

24-22-115. Tobacco litigation settlement cash fund - health care supplemental appropriations and overexpenditures account - creation. (1) (a) There is hereby created in the state treasury the tobacco litigation settlement cash fund. The cash fund shall consist of all moneys transmitted to the state treasurer in accordance with the terms of the master settlement agreement, the smokeless tobacco master settlement agreement, and the consent decree approved and entered by the court in the case denominated State of Colorado, ex rel. Gale A. Norton, Attorney General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.; Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T. Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and Tobacco Institute, Inc., Case No. 97 CV 3432, in the district court for the city and county of Denver. Other than moneys credited to the tobacco litigation settlement trust fund pursuant to section 24-22-115.5, Except as provided in subsection (2) of this section, all interest derived from the deposit and investment of moneys in the cash fund shall be credited to the cash fund; except that, beginning with the fiscal year 2001-02, and each fiscal year thereafter, all interest derived from the deposit and investment of moneys in the cash fund shall be credited to the breast and cervical cancer prevention and treatment fund created pursuant to section 25.5-5-308, C.R.S. Except as provided in subsection (2) of this section, all moneys in the cash fund shall be subject to appropriation by the general assembly for such purposes as may
be authorized by law in accordance with the terms of the settlement agreements and the consent decree. Except as provided in subsection (2) of this section, at the end of the 2004-05 and 2005-06 fiscal years, but prior to the making of any transfer of moneys from the cash fund to the general fund at the end of the fiscal year as required by this paragraph (a); an amount needed, up to one million dollars, to pay the state's share of the annual funding required by the "Home-and Community-based Services for Children with Autism Act", part 8 of article 6 of title 25.5, C.R.S., shall be transferred from the cash fund to the Colorado autism treatment fund created pursuant to section 25.5-6-805, C.R.S. Except as provided in subsection (2) of this section, at the end of any fiscal year commencing on or after July 1, 2004, but before July 1, 2006, all unexpended and unencumbered moneys in the cash fund, all moneys in the cash fund not appropriated for the following fiscal year, and all moneys in the cash fund not required for transfers pursuant to section 24-75-1104.5 (1) in the following fiscal year shall be transferred to the general fund:

(b) Except as provided in subsection (2) of this section, for the 2006-07 fiscal year and the 2007-08 fiscal year, an amount needed, up to one million dollars, to pay the state's share of the annual funding required by the "Home-and Community-based Services for Children with Autism Act", part 8 of article 6 of title 25.5, C.R.S., shall be transferred from the tobacco litigation settlement cash fund to the Colorado autism treatment fund created pursuant to section 25.5-6-805, C.R.S. The amount to be transferred shall be taken into account when determining the amount of cash fund moneys available for allocation to tobacco settlement programs pursuant to section 24-75-1104.5 (1.5) and shall be transferred at the end of the 2006-07 fiscal year and at the end of the 2007-08 fiscal year. On
and after July 1, 2011, all unexpended and unencumbered moneys in the cash fund shall remain in the fund until expended in order to reduce the share of allocations made from current-year receipts of settlement moneys as required by section 24-75-1104.5 (1.3).

(2) (a) There is hereby created in the state treasury, as an account within the tobacco litigation settlement cash fund established pursuant to subsection (1) of this section, the tobacco settlement defense account, which shall be used by the department of law: To defend the state in lawsuits arising out of challenges to or arising under the provisions of the master settlement agreement, the smokeless tobacco master settlement agreement, and the consent decree approved and entered by the court in the case denominated State of Colorado, ex rel. Gale A. Norton, Attorney General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.; Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T. Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and Tobacco Institute, Inc., Case No. 97 CV 3432, in the district court for the city and county of Denver, or duly enacted Colorado laws related to the tobacco litigation settlement, including, but without limitation, this section, sections 24-22-115.5 and 24-22-116, and parts 2 and 3 of article 28 of title 39, C.R.S.; to defend the state against claims of entitlement to tobacco litigation settlement moneys by any person, as defined in section 2-4-401 (8), C.R.S.; to enforce and defend all rights and obligations of the state under said settlement agreements, decree, or laws; and to resolve any dispute with any participating manufacturer, as defined in section 39-28-302 (6), C.R.S., or nonparticipating manufacturer, as defined in section 39-28-302 (5), C.R.S., that arises
under the provisions of said settlement agreements, decree, or laws. The
tobacco settlement defense account may also be used by the department
of revenue to help administer, coordinate, and support the activities of the
department of revenue and the department of law, including the
investigation of and response to settlement agreement manufacture and
distribution reporting irregularities identified by the department of law.
Notwithstanding the provisions of subsection (1) of this section, and
section 24-22-115.5, the tobacco settlement defense account consists of
all tobacco litigation settlement moneys received by the attorney general
and transmitted to the state treasurer to compensate the state for attorney
fees, court costs, or other expenses incurred by the state in obtaining the
tobacco litigation settlement, all tobacco litigation settlement moneys
transferred to the account as required by section 24-75-1104.5 (1) (a) and
(1) (n); section 24-75-1104.5 (1.7) (i), and all interest derived from the
deposit and investment of moneys in the tobacco settlement defense
account. Any moneys received by the state treasurer to compensate the
state for attorney fees, court costs, or other expenses, including all interest
derived from the deposit and investment of such moneys after receipt by
the state treasurer, shall be transferred to the tobacco settlement defense
account for use in accordance with the provisions of this subsection (2).

SECTION 6. In Colorado Revised Statutes, 24-22-115.6, amend
(1) as follows:

24-22-115.6. Miscellaneous tobacco litigation settlement
moneys. (1) Notwithstanding the provisions of sections 24-22-115 and
24-22-115.5 section 24-22-115, any tobacco litigation settlement moneys
received by the state shall be subject to appropriation by the general
assembly if the purpose for which such THE moneys may be expended is
not specified or approved by a court or other non-Colorado authority.

SECTION 7. In Colorado Revised Statutes, 24-22-116, amend
(1) (i), (2) (a) (I), and (2) (b) as follows:

24-22-116. Legislative declaration - exclusion of revenue in
tobacco litigation settlement funds from fiscal year spending. (1) The
general assembly hereby finds and declares that:

(i) All of the moneys received by the state in accordance with the
terms of the master settlement agreement, the smokeless tobacco master
settlement agreement, and the consent decree entered by the court in the
case denominated State of Colorado, ex rel. Gale A. Norton, Attorney
General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.;
Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard
Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T.
Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and
Tobacco Institute, Inc., Case No. 97 CV 3432, in the district court for the
city and county of Denver, and credited to the tobacco litigation
settlement cash fund created in section 24-22-115 (1), including moneys
transferred to the tobacco settlement defense account created in said cash
fund pursuant to section 24-22-115 (2), or the tobacco litigation
settlement trust fund created in section 24-22-115.5 are in settlement of
the state of Colorado's antitrust, consumer protection, public nuisance,
racketeering, and other statutory claims for relief against defendants in
said action;

(2) (a) (I) For purposes of section 20 of article X of the state
constitution and article 77 of this title, any moneys credited to the tobacco
litigation settlement cash fund in accordance with section 24-22-115 (1),
including moneys transferred to the tobacco settlement defense account
created in said cash fund pursuant to section 24-22-115 (2), or the tobacco litigation settlement trust fund in accordance with section 24-22-115.5 are damage awards, as defined in section 24-77-102 (2), or interest accruing on such damage awards. Any moneys credited to or expended from the tobacco litigation settlement cash fund, including the tobacco settlement defense account, or the tobacco litigation settlement trust fund, are not included in state fiscal year spending, as defined in section 24-77-102 (17), for any state fiscal year.

(b) For purposes of section 20 of article X of the state constitution and article 77 of this title, any moneys expended from the tobacco litigation settlement cash fund created in section 24-22-115 (1), including the tobacco settlement defense account created in said cash fund pursuant to section 24-22-115 (2), or the tobacco litigation settlement trust fund created in section 24-22-115.5 and received by any local government are damage awards or interest accruing on such damage awards and are not included in the fiscal year spending of the receiving local government for any budget year.

SECTION 8. In Colorado Revised Statutes, 24-31-108, amend (4) (b) introductory portion and (4) (b) (I); and repeal (4) (b) (II) as follows:

24-31-108. Receipt of moneys - subject to appropriation - exception for custodial moneys - legal services cash fund - creation - definition. (4) (b) Notwithstanding the provisions of paragraph (a) of this subsection (4), custodial moneys shall do not include the following:

(I) Moneys in the tobacco litigation settlement cash fund created in section 24-22-115; OR

(II) Moneys in the tobacco litigation settlement trust fund created
in section 24-22-115.5; and

SECTION 9. In Colorado Revised Statutes, 24-50-609, amend (5) as follows:

24-50-609. State contributions - supplemental state contribution fund - creation. (5) The supplemental state contribution fund is hereby created in the state treasury. The principal of the fund shall consist of tobacco litigation settlement moneys transferred by the state treasurer to the fund pursuant to section 24-75-1104.5 (1.5) (a) (VI) section 24-75-1104.5 (1.7) (j). The principal of the fund is hereby continuously appropriated to the department of personnel and shall be expended in its entirety in each fiscal year by the department to pay the costs of increased nonsupplemental state contributions, as defined in section 24-50-609.5 (3) (c) (II), and supplement the state contribution, as defined in section 24-50-609.5 (2) (d), for each eligible state employee, as defined in section 24-50-609.5 (2) (a), enrolled in a qualifying group benefit plan, as defined in section 24-50-609.5 (2) (c), as required by section 24-50-609.5; except that the department shall expend no more than the amount needed to pay the costs of increased nonsupplemental state contributions and reduce the employee contribution, as defined in section 24-50-609.5 (2) (b), of each eligible state employee for all qualifying group benefit plans to zero. The principal of the fund shall remain in the fund until expended and shall not be transferred to the general fund or any other fund. Interest and income earned on the deposit and investment of moneys in the fund shall be credited to the fund, shall not be transferred to the general fund or to any other fund, and shall be used by the department, subject to annual appropriation, solely to pay the costs of the department related to the supplementation of the
state contribution for each eligible state employee required by section 24-50-609.5.

SECTION 10. In Colorado Revised Statutes, 24-75-111, amend (1) (b) as follows:

24-75-111. Additional authority for controller to allow expenditures in excess of appropriations - limitations - appropriations for subsequent fiscal year restricted. (1) For fiscal years commencing on or after July 1, 1997, in addition to any overexpenditure allowed pursuant to section 24-75-109, the controller may allow any department, institution, or agency of the state, including any institution of higher education, to make an expenditure in excess of the amount authorized by an item of appropriation for such fiscal year if:

(b) (I) The overexpenditure is necessary due to unforeseen circumstances arising while the general assembly is not meeting in regular or special session during which such overexpenditure can be legislatively addressed; or AND

(II) The overexpenditure is made from the health care supplemental appropriations and overexpenditures account as authorized in section 24-22-115 (4); and

SECTION 11. In Colorado Revised Statutes, 24-75-201.5, amend (1) (a) as follows:

24-75-201.5. Revenue shortfalls - required actions by the governor with respect to the reserve. (1) (a) Except as provided in paragraphs (c) and (d) of this subsection (1), Whenever the revenue estimate for the current fiscal year, prepared in accordance with section 24-75-201.3 (2), indicates that general fund expenditures for such fiscal year based on appropriations then in effect will result in the use of
one-half or more of the reserve required by section 24-75-201.1 (1) (d), the governor shall formulate a plan for reducing such general fund expenditures so that said reserve, as of the close of the fiscal year, will be at least one-half of the amount required by said section 24-75-201.1 (1) (d). The governor shall promptly notify the general assembly of such plan. Such plan shall be promptly implemented by the governor, using the procedures set forth in section 24-2-102 (4) or 24-50-109.5 or any other lawful means.

**SECTION 12.** In Colorado Revised Statutes, 24-75-402, add (5) (jj) as follows:

**24-75-402. Cash funds - limit on uncommitted reserves - reduction in amount of fees - exclusions - repeal.** (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(jj) The PRIMARY CARE ACCESS FUND CREATED IN SECTION 25.5-5-418, C.R.S.

**SECTION 13.** In Colorado Revised Statutes, 25-1-512, amend (2) as follows:

**25-1-512. Allocation of moneys - public health services support fund - created - repeal.** (2) (a) The public health services support fund is hereby created in the state treasury and shall be known in this section as the "fund". The principal of the fund consists of tobacco litigation settlement moneys transferred by the state treasurer to the fund pursuant to section 24-75-1104.5 (1.5) (a) (IV), C.R.S., and shall, subject to annual appropriation by the general assembly to the state department, be allocated by the state department to all agencies authorized pursuant to this part 5 as specified in subsection (1) of this section. The lesser of All
unexpended and unencumbered moneys in the fund at the end of any THE 2015-16 fiscal year or an amount of such moneys equal to five percent of the amount appropriated from the fund for the fiscal year remain in the fund and shall not be transferred to the general fund or any other fund. Any additional unexpended and unencumbered moneys in the fund at the end of any fiscal year shall be transferred to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

(b) This subsection (2) is repealed, effective July 1, 2016.

SECTION 14. In Colorado Revised Statutes, 25-1.5-506, amend (1) (c) as follows:

25-1.5-506. Colorado health service corps fund - created - acceptance of grants and donations. (1) The Colorado health service corps fund is hereby created in the state treasury, which fund consists of:

(c) For the 2011-12 2016-17 fiscal year and each fiscal year thereafter, two hundred fifty thousand dollars TOBACCO LITIGATION SETTLEMENT MONEYS transferred to the fund by the state treasurer pursuant to section 24-75-1104.5 (1.5) (a) (XI) SECTION 24-75-1104.5 (1.7) (n), C.R.S.

SECTION 15. In Colorado Revised Statutes, 25-4-1411, amend (6) (a) as follows:

25-4-1411. Drug assistance program - program fund - created - legislative declaration - no entitlement created. (6) (a) The drug assistance program fund is created in the state treasury. The principal of the fund consists of tobacco litigation settlement moneys transferred by the state treasurer to the fund pursuant to section 24-75-1104.5 (1.7) (f), C.R.S. Subject to annual appropriation by the general assembly, the department of public health and environment
may expend moneys from the fund for the state program. Any unexpended or unencumbered money remaining in the fund at the end of any fiscal year commencing on or after July 1, 2014, remains in the fund and shall not be credited or transferred to the general fund or any other fund.

SECTION 16. In Colorado Revised Statutes, 25-4-1415, amend (2) as follows:

25-4-1415. Cash fund - administration - limitation.
(2) Pursuant to section 24-75-1104.5(1)(m) SECTION 24-75-1104.5 (1.7) (g), C.R.S., and except as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning in the 2006-07 fiscal year and in each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall annually transfer to the fund two and one-half percent not to exceed two million dollars in any fiscal year, of the total amount of the moneys received by the state pursuant to the master settlement agreement, not including attorney fees and costs, during the preceding fiscal year. The state treasurer shall transfer the amount specified in this subsection (2) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 17. In Colorado Revised Statutes, amend 25-4-2301 as follows:

25-4-2301. Colorado immunization fund - supplemental tobacco litigation settlement moneys account - creation. There are hereby created in the state treasury the Colorado immunization fund and an account within the fund to be known as the supplemental tobacco litigation settlement moneys account. The principal of the portion of the
fund that is not the account consists of general fund appropriations made
by the general assembly to the fund and gifts, grants, or awards received
by the department of public health and environment from the federal
government or private sources for the fund. The principal of the account
consists of tobacco litigation settlement moneys transferred by the state
treasurer to the account in accordance with section 24-75-1104.5 (1.5) (a)
(V) SECTION 24-75-1104.5 (1.7) (h), C.R.S. All interest and income
earned on the deposit and investment of moneys in the portion of the fund
that is not the account shall be credited to that portion of the fund. All
interest and income earned on the deposit and investment of moneys in
the account shall be credited to and remain in the account until transferred
as required by this section. Except as otherwise provided in this section,
and subject to annual appropriation by the general assembly to the
department, the department shall expend the principal of the fund and the
account only for the purpose of immunization and immunization
strategies; except that, at the end of the 2007-08 fiscal year and at the end
of any fiscal year thereafter, any unexpended and unencumbered moneys
in the portion of the fund that is not the account shall remain in that
portion of the fund and may be used by the department through the state
immunization program to support infant, child, and adolescent
vaccination. and, at the end of the 2011-12 fiscal year only, any
unexpended and unencumbered moneys in the account shall be
transferred to the general fund, in accordance with section 24-75-1104.5
(1.5) (b), C.R.S. The lesser of all unexpended and unencumbered moneys
in the account at the end of any fiscal year other than the 2011-12 fiscal
year or an amount of such moneys equal to five percent of the amount
appropriated from the account for the fiscal year remain in the account.
and shall not be transferred to the general fund or any other fund. Any additional unexpended and unencumbered moneys in the account at the end of any fiscal year shall be transferred to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 18. In Colorado Revised Statutes, 25-23-104, amend (2) as follows:

25-23-104. Dental loan repayment fund - acceptance of grants and donations. (2) Pursuant to section 24-75-1104.5 (1) (d) C.R.S., beginning in fiscal year 2006-07 section 24-75-1104.5 (1.7) (m), C.R.S., for Fiscal Year 2016-17 and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall transfer to the state dental loan repayment fund two hundred thousand dollars from one percent of the moneys received by the state pursuant to the master settlement agreement for the preceding fiscal year. The state treasurer shall transfer the amount specified in this subsection (2) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S. Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes of this article. The amount appropriated pursuant to this subsection (2) shall be in addition to and not in replacement of any general fund moneys appropriated to the state dental loan repayment fund.

SECTION 19. In Colorado Revised Statutes, add 25.5-5-418 as follows:

25.5-5-418. Primary care access fund - creation - use of fund.

The primary care access fund is hereby created in the state treasury. The fund consists of money transferred to the fund from the children's basic health plan trust created in section
25.5-8-105 (1) PURSUANT TO SECTION 25.5-8-105 (8) (b) AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND. SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE STATE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSE OF INCREASING ACCESS TO PRIMARY CARE THROUGH RATE ENHANCEMENTS FOR PRIMARY CARE OFFICE VISITS, IMMUNIZATION ADMINISTRATION, HEALTH SCREENING SERVICES, AND NEWBORN CARE, INCLUDING NEONATAL CRITICAL CARE.

SECTION 20. In Colorado Revised Statutes, amend 25.5-6-805 as follows:

25.5-6-805. Colorado autism treatment fund. (1) The Colorado autism treatment fund is hereby created and established in the state treasury for the purpose of paying for services provided to eligible children, and for EARLY AND PERIODIC SCREENING DIAGNOSIS AND TREATMENT SERVICES REQUIRED BY SECTION 25.5-5-102 (1) (g), AND participant and program evaluations pursuant to this part 8. Such THE fund shall be comprised of tobacco settlement moneys allocated to such THE fund. Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes of this part 8. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund REMAIN IN THE FUND. Any moneys in the fund not expended for the purpose of this part 8 may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the
fund.

(2) Pursuant to section 24-75-1104.5 (1)(l), C.R.S., beginning in the 2008-09 fiscal year and in each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall annually transfer to the fund the amount of moneys to be received by the fund pursuant to section 24-75-1104.5 (1)(l), C.R.S.: TWO PERCENT OF THE MONEYS RECEIVED BY THE STATE PURSUANT TO THE MASTER SETTLEMENT AGREEMENT FOR THE PRECEDING FISCAL YEAR. The state treasurer shall transfer the amount specified in this subsection (2) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 21. In Colorado Revised Statutes, 25.5-8-105, amend (3) (a) and (8) as follows:

25.5-8-105. Trust - created. (3) (a) Pursuant to section 24-75-1104.5 (1)(c) section 24-75-1104.5 (1.7) (b), C.R.S., and except as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning in the 2006-07 fiscal year and in each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall transfer to the trust twenty-four EIGHTEEN percent of the total amount of the moneys annually received by the state pursuant to the master settlement agreement, not including attorney fees and costs, during the preceding fiscal year. except that the amount so transferred to the trust shall not exceed thirty million dollars in any fiscal year. Except as otherwise provided in sections 24-22-115.5 (2) (a.7) and 24-75-1104.5 (1) (c), C.R.S., The state treasurer shall transfer the amount specified in this subsection (3) from moneys credited
to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S. The amount transferred pursuant to this subsection (3) shall be in addition to and not in replacement of any general fund moneys appropriated to the trust.

(8) (a) Beginning in the 2011-2012 fiscal year and for each fiscal year thereafter, moneys in the trust may be used for costs associated with children enrolled in the medical assistance program, articles 4, 5, and 6 of this title, whose family income is more than one hundred percent but does not exceed one hundred thirty-three percent of the federal poverty line and who would have been eligible for enrollment in the children's basic health plan prior to September 1, 2011.

(b) On July 1, 2016, the state treasurer shall transfer twenty million dollars from the children's basic health plan trust to the primary care access fund created in section 25.5-5-418.

SECTION 22. In Colorado Revised Statutes, 26-6.4-107, amend (2) (d) (I) as follows:

26-6.4-107. Selection of entities to administer the program - grants - nurse home visitor program fund - created.

(2) (d) (I) Pursuant to section 24-75-1104.5 (1) (a), C.R.S., and except as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning with the 2006-07 for the 2016-17 fiscal year and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall transfer to the fund the amounts specified in subparagraph (II) of this paragraph (d) from twenty-six and seven-tenths of the master settlement agreement moneys received by the state, other than attorney
fees and costs, during the preceding fiscal year. not to exceed nineteen million dollars in any fiscal year. The transfer shall be from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 23. In Colorado Revised Statutes, 26-6.8-102, amend (2) (d) (I) as follows:

26-6.8-102. Tony Grampsas youth services program - creation - standards - applications. (2) (d) (I) The youth services program fund is created in the state treasury. The principal of the fund consists of tobacco litigation settlement moneys transferred by the state treasurer to the fund pursuant to section 24-75-1104.5 (1) (i) SECTION 24-75-1104.5 (1.7) (e), C.R.S. Subject to annual appropriation by the general assembly, the state department may expend moneys from the fund for the Tony Grampsas youth services program, including the compensation of youth members of the Tony Grampsas youth services board, as described in section 26-6.8-103 (1) (e) (II). The lesser of All unexpended and unencumbered moneys in the fund at the end of any fiscal year or an amount of such moneys equal to five percent of the amount appropriated from the fund for the fiscal year remain in the fund. and shall not be transferred to the general fund or any other fund. Any additional unexpended and unencumbered moneys in the fund at the end of any fiscal year shall be transferred to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 24. In Colorado Revised Statutes, 27-66-104, amend (4) (a) as follows:

27-66-104. Types of services purchased - limitation on payments - offender mental health services fund. (4) (a) The offender
mental health services fund, referred to in this subsection (4) as the "fund", is hereby created in the state treasury. On and after July 1, 2016, the principal of the fund consists of tobacco litigation settlement moneys transferred by the state treasurer to the fund in accordance with section 24-75-1104.5 (1.5) (a) (H), C.R.S.; any money that the general assembly may appropriate to the fund for the purchase of mental health services for juvenile and adult offenders who have mental health problems and are involved in the criminal justice system. The unit, subject to annual appropriation by the general assembly, shall distribute the principal of the fund to the community mental health centers. The lesser of all any unexpended and unencumbered moneys in the fund at the end of any 2015-16 fiscal year or an amount of such moneys equal to five percent of the amount appropriated from the fund for the fiscal year remain in the fund and shall not be transferred to the general fund or any other fund. Any additional unexpended and unencumbered moneys in the fund at the end of any fiscal year shall be transferred to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 25. In Colorado Revised Statutes, 27-67-106, amend (2) (a) as follows:

27-67-106. Funding - rules. (2) (a) If neither the family's private insurance nor federal medicaid funding cover all of the costs associated with the services provided to a child at risk of out-of-home placement pursuant to this article, then the family shall be responsible for paying that portion that is not covered by private insurance or federal medicaid funding on a sliding scale basis as set forth in subsection (3) of this section. Any remaining portion of the services not covered by private
insurance, federal medicaid funding, or the family's share, shall be paid
for from ANY moneys appropriated BY THE GENERAL ASSEMBLY for such
THAT purpose. pursuant to paragraph (b) of this subsection (2) or from
general fund moneys, subject to available appropriations.

SECTION 26. In Colorado Revised Statutes, 28-5-709, amend
(1) (a), (1) (c), and (2) (a) as follows:

(1) (a) There is hereby created in the state treasury the Colorado state
veterans trust fund, that shall consist WHICH CONSISTS of the moneys
transferred thereto pursuant to subsection (2) of this section. In addition,
the state treasurer may credit to the trust fund any public or private gifts,
grants, or donations received prior to July 1, 2002, by the department of
human services or, on or after July 1, 2002, by the department of military
and veterans affairs for implementation of the purposes specified in this
subsection (1).

(c) The division may retain up to five percent of the amount
annually appropriated from the trust fund for the actual costs incurred by
the division and the board in implementing the provisions of this article.

Notwithstanding the provisions of section 24-36-114, C.R.S., all interest
derived from the deposit and investment of moneys in the trust fund shall
be credited to the trust fund. All unexpended and unencumbered moneys
remaining in the trust fund at the end of any fiscal year shall remain in the
trust fund and shall neither revert to the general fund nor be transferred
to the tobacco litigation settlement trust fund created in section
24-22-115.5, C.R.S., nor be transferred or credited to any other fund:

(2) (a) Pursuant to section 24-75-1104.5 (1) (g) SECTION
24-75-1104.5 (1.7) (l), C.R.S., and except as otherwise provided in
section 24-75-1104.5 (5), C.R.S., beginning in the 2006-07 fiscal year, and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall annually transfer to the trust fund one percent of the total amount received by the state pursuant to the provisions of the master settlement agreement, other than attorney fees and costs, during the preceding fiscal year. except that the amount so transferred to the trust fund in any fiscal year shall not exceed one million dollars. The state treasurer shall transfer the amount specified in this subsection (2) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

SECTION 27. In Colorado Revised Statutes, repeal 2-3-113 (7), 8-20.5-103 (2) (b), 22-7-1210 (1) (b) and (3), 23-20-136 (3) (b), part 2 of article 20 of title 23, 24-22-115 (2) (c), (2) (d), (2) (e), (2) (f), and (4), 24-22-115.5, 24-36-113 (7), 24-75-201.1 (1) (d) (VII) and (1) (d) (VIII), 24-75-201.5 (1) (c), (1) (d), (1) (e), (1) (f), and (1) (g), 24-75-217, 24-75-1103 (4), 24-75-1104.5 (1), (1.5), (4), (5) (a) (II) (E), and (5) (b), 25-4-2504 (3) (b), 25-16-104.6 (1) (b), 25.5-8-105 (3) (b), 26-6.4-107 (2) (d) (II), 27-66-104 (4) (b), 27-67-106 (2) (b), and 28-5-709 (3.5).


(1) To implement this act, the cash funds appropriation from the early literacy fund created in section 22-7-1210 (1), C.R.S., made in the annual general appropriation act for the 2016-17 state fiscal year to the department of education for the early literacy competitive grant program is decreased by $4,378,678.

(2) For the 2016-17 state fiscal year, $4,378,678 is appropriated to the department of education. This appropriation is from the marijuana
tax cash fund created in section 39-28.8-501 (1), C.R.S. To implement this act, the department may use this appropriation for the early literacy competitive grant program.

**SECTION 29. Appropriation - adjustments to 2016 long bill.**

(1) To implement this act, appropriations made in the annual general appropriation act for the 2016-17 state fiscal year to the department of human services are adjusted as follows:

(a) The cash funds appropriation from the offender mental health services fund created in section 27-66-104 (4) (a), C.R.S., for mental health services for juvenile and adult offenders is decreased by $3,025,192.

(b) The cash funds appropriation from the tobacco litigation settlement cash fund created in section 24-22-115 (1) (a), C.R.S., for mental health treatment services for youth (H.B. 99-1116) is decreased by $300,000.

(c) The cash funds appropriation from the alcohol and drug abuse community prevention and treatment fund created in section 24-75-1104.5 (1.5) (a) (VIII) (A), C.R.S., for community prevention and treatment related to substance use treatment and prevention is decreased by $756,298.

(2) For the 2016-17 state fiscal year, $4,081,490 is appropriated to the department of human services. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $3,025,192 for mental health services for juvenile and adult offenders;

(b) $300,000 for mental health treatment services for youth (H.B.
99-1116); and

(c) $756,298 for community prevention and treatment related to
the substance use treatment and prevention.

SECTION 30. Appropriation - adjustments to 2016 long bill.
(1) To implement this act, the cash funds appropriation from the public
health services support fund created in section 25-1-512 (2), C.R.S., made
in the annual general appropriation act for the 2016-17 state fiscal year to
the department of public health and environment for distributions to local
public health agencies is decreased by $1,767,584.

(2) For the 2016-17 state fiscal year, $1,767,584 is appropriated
to the department of public health and environment. This appropriation
is from the marijuana tax cash fund created in section 39-28.8-501 (1),
C.R.S. To implement this act, the department may use this appropriation
for distributions to local public health agencies.

(1) To implement this act, the cash funds appropriation from the
marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., made
in the annual general appropriation act for the 2016-17 state fiscal year to
the department of human services for the Tony Grampsas youth services
program is decreased by $2,626,328.

(2) For the 2016-17 state fiscal year, $2,626,328 is appropriated
to the department of human services for use by the division of child
welfare. This appropriation is from the youth services program fund
created in section 26-6.8-102 (2) (d), C.R.S. To implement this act, the
division may use this appropriation for the Tony Grampsas youth services
program.

SECTION 32. Appropriation - adjustments to 2016 long bill.
(1) To implement this act, the general fund appropriation made in the annual general appropriation act for the 2016-17 state fiscal year to the department of health care policy and financing for medical services premiums is decreased by $6,451,471.

(2) For the 2016-17 state fiscal year, $6,451,471 is appropriated to the department of health care policy and financing. This appropriation is from the Colorado autism treatment fund created in section 25.5-6-805 (1), C.R.S. To implement this act, the department may use this appropriation for medical services premiums.

SECTION 33. Appropriation. (1) For the 2016-17 state fiscal year, $2,972,504 is appropriated to the department of higher education for use by the regents of the university of Colorado. This appropriation is from the tobacco litigation settlement moneys health education fund created in section 24-75-1104.5 (1.5) (a) (I), C.R.S. To implement this act, the regents may use this appropriation as follows:

(a) $1,751,471 for a cancer program at the health sciences center; and

(b) $1,221,033 for other health sciences center programs.

SECTION 34. Appropriation. For the 2016-17 state fiscal year, $6,743,164 is appropriated to the department of human services for use by the office of early childhood. This appropriation is from the nurse home visitor program fund created in section 26-6.4-107 (2) (b), C.R.S. To implement this act, the office may use this appropriation for the nurse home visitor program.

SECTION 35. Appropriation. For the 2016-17 state fiscal year, $879,745 is appropriated to the department of personnel for use by the division of human resources. This appropriation is from the supplemental...
state contribution fund created in section 24-50-609 (5), C.R.S. To implement this act, the division may use this appropriation for the H.B. 07-1335 supplemental state contribution fund.

SECTION 36. Appropriation. For the 2016-17 state fiscal year, $1,313,603 is appropriated to the department of public health and environment for use by the disease control and environmental epidemiology division. This appropriation is from the drug assistance program fund created in section 25-4-1411 (6) (a), C.R.S. To implement this act, the division may use this appropriation for Ryan White act operating expenses.

SECTION 37. Appropriation. For the 2016-17 state fiscal year, $1,313,604 is appropriated to the department of public health and environment for use by the disease control and environmental epidemiology division. This appropriation is from the AIDS and HIV prevention fund created in section 25-4-1415 (1), C.R.S. To implement this act, the division may use this appropriation for sexually transmitted infections, HIV, and AIDS operating expenses.

SECTION 38. Appropriation. For the 2016-17 state fiscal year, $1,180,942 is appropriated to the department of public health and environment for use by the disease control and environmental epidemiology division. This appropriation is from the supplemental tobacco litigation settlement moneys account of the Colorado immunization fund created in section 25-4-2301, C.R.S. To implement this act, the division may use this appropriation for immunization operating expenses.

SECTION 39. Appropriation. For the 2016-17 state fiscal year, $675,736 is appropriated to the department of public health and
environment for use by the prevention services division. This appropriation is from the state dental loan repayment fund created in section 25-23-104 (1), C.R.S. To implement this act, the division may use this appropriation for oral health programs.

SECTION 40. Appropriation. For the 2016-17 state fiscal year, $625,736 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from the Colorado health services corps fund created in section 25-1.5-506 (1), C.R.S. To implement this act, the division may use this appropriation for the primary care office.

SECTION 41. Appropriation. (1) For the 2016-17 state fiscal year, $20,642,163 is appropriated to the department of health care policy and financing. This appropriation consists of $20,000,000 from the primary care access fund created in section 25.5-5-418, C.R.S., and $642,163 from the hospital provider fee cash fund created in section 25.5-4-402.3 (4) (a), C.R.S. To implement this act, the department may use this appropriation for medical services premiums.

(2) For the 2016-17 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $44,563,019 in federal funds for medical services premiums. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds.

SECTION 42. Effective date. This act takes effect July 1, 2016; except that section 25-1-512 (2), Colorado Revised Statutes, as amended in section 13 of this act, and section 27-66-104 (4) (a), Colorado Revised Statutes, as amended in section 24 of this act, take effect upon passage of this act.
SECTION 43. 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.