

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-0414.01 John Ziegler

**SENATE BILL 17-165**

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**SENATE SPONSORSHIP**

**Lambert,** Lundberg, Moreno

**HOUSE SPONSORSHIP**

**Hamner,** Young, Rankin

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**Senate Committees**  
Appropriations

**House Committees**  
Appropriations

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**A BILL FOR AN ACT**

101     **CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT**  
102     **OF LAW.**

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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>.)*

Supplemental appropriations are made to the department of law.

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

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.*

**HOUSE**  
2nd Reading Unamended  
February 15, 2017

**SENATE**  
3rd Reading Unamended  
February 10, 2017

**SENATE**  
2nd Reading Unamended  
February 9, 2017

1           **SECTION 1. Appropriation to the department of law for the**  
2           **fiscal year beginning July 1, 2016.** In Session Laws of Colorado 2016,  
3           section 2 of chapter 385, (HB 16-1405), **amend** Part X as follows:  
4           Section 2. **Appropriation.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	<b>PART X</b>						
2	<b>DEPARTMENT OF LAW</b>						
3							
4	<b>(1) ADMINISTRATION</b>						
5	Personal Services	3,805,907				3,805,907 <sup>a</sup>	
6						(46.2 FTE)	
7	Office of Community						
8	Engagement	657,116	642,116		15,000 <sup>b</sup>		
9			(6.0 FTE)				
10	Health, Life, and Dental	3,789,903	1,014,768		450,192 <sup>c</sup>	2,234,782 <sup>d</sup>	90,161(I) <sup>e</sup>
11	Short-term Disability	75,164	20,214		8,464 <sup>c</sup>	44,602 <sup>d</sup>	1,884(I) <sup>e</sup>
12	S.B. 04-257 Amortization						
13	Equalization Disbursement	1,898,869	510,666		213,828 <sup>c</sup>	1,126,779 <sup>d</sup>	47,596(I) <sup>e</sup>

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	S.B. 06-235 Supplemental						
2	Amortization Equalization						
3	1,879,090		505,347		211,601 <sup>c</sup>	1,115,042 <sup>d</sup>	47,100(I) <sup>e</sup>
4	Salary Survey for Classified						
5	8,276		1,861		857 <sup>c</sup>	5,558 <sup>d</sup>	
6	101,393		28,528		11,694 <sup>c</sup>	58,446 <sup>d</sup>	2,725(I) <sup>e</sup>
7	Attorney Registration and						
8	135,280		32,680		4,275 <sup>c</sup>	96,900 <sup>d</sup>	1,425(I) <sup>e</sup>
9	202,850					202,850 <sup>a</sup>	
10	39,066		19,010		20,056 <sup>f</sup>		
11	Administrative Law Judge						
12	1,602				1,602 <sup>c</sup>		
13	Payment to Risk Management						
14	253,820		71,416		29,271 <sup>c</sup>	146,310 <sup>d</sup>	6,823(I) <sup>e</sup>

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Vehicle Lease Payments	<del>45,411</del>	21,213		5,957 <sup>e</sup>	17,566 <sup>d</sup>	675(I) <sup>e</sup>
2		45,344	26,369		5,313 <sup>c</sup>	13,353 <sup>d</sup>	309(I) <sup>e</sup>
3	Information Technology Asset						
4	Maintenance	<del>645,206</del>	174,663		75,291 <sup>e</sup>	377,036 <sup>d</sup>	18,216(I) <sup>e</sup>
5		789,982	226,235		92,583 <sup>c</sup>	450,345 <sup>d</sup>	20,819(I) <sup>e</sup>
6	Ralph L. Carr Colorado						
7	Judicial Center Leased Space	3,202,517	890,498		359,473 <sup>c</sup>	1,865,577 <sup>d</sup>	86,969(I) <sup>e</sup>
8	Payments to OIT	239,473	66,554		26,914 <sup>c</sup>	139,502 <sup>d</sup>	6,503(I) <sup>e</sup>
9	CORE Operations	62,453	17,572		7,202 <sup>c</sup>	36,001 <sup>d</sup>	1,678(I) <sup>e</sup>
10	Attorney General						
11	Discretionary Fund	5,000	5,000				
12			<del>17,048,396</del>				
13			17,193,105				
14							

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1     <sup>a</sup> Of these amounts, \$3,893,198 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$115,559  
 2 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

3     <sup>b</sup> This amount shall be from the Safe2Tell Cash Fund created in Section 24-31-610 (1), C.R.S.

4     <sup>c</sup> These amounts shall be from various sources of cash funds. Of these amounts, ~~\$108,352(I)~~ \$112,437(I) shall be from custodial money. Pursuant to Section 24-31-108 (3), C.R.S.,  
 5 custodial money received by the Attorney General are not subject to annual appropriation but the expenditure of such money may be indicated in the annual general appropriation act.  
 6 Expenditures from custodial money do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

7     <sup>d</sup> These amounts shall be from various sources of reappropriated funds.

8     <sup>e</sup> These amounts shall be from the federal Medicaid Fraud Control Program administered by the U.S. Department of Health and Human Services and are shown for informational purposes  
 9 only.

10    <sup>f</sup> This amount shall be from the P.O.S.T. Board Cash Fund created in Section 24-31-303 (2) (b), C.R.S.

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13    **(2) LEGAL SERVICES TO STATE AGENCIES<sup>66</sup>**

14    Personal Services                    ~~26,813,879~~

15    26,967,860

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(260.8 FTE)						
2	(261.8 FTE)						
3	Operating and Litigation	<del>1,942,517</del>					
4		1,959,626					
5	Indirect Cost Assessment	<u>3,455,011</u>					
6		32,211,407			1,054,580 <sup>a</sup>	31,156,827 <sup>a</sup>	
7		32,382,497				31,327,917 <sup>a</sup>	
8							

<sup>a</sup> These amounts shall be from funds that are received for the provision of legal services and that are credited to the Legal Services Cash Fund created in Section 24-31-108 (2.5), C.R.S. The cash funds appropriation reflects funds received from state entities for which there is not a corresponding appropriation made in this act for the purchase of legal services. The reappropriated funds appropriation reflects funds received from state agencies for which there is a corresponding appropriation made in this act for the purchase of legal services. The Attorney General is authorized to transfer spending authority between cash and reappropriated fund sources appropriated within this section (2), but the Attorney General shall not increase total spending authority for the line item appropriations within this section (2).

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	<b>(3) CRIMINAL JUSTICE AND APPELLATE</b>						
2	Special Prosecutions Unit	4,308,283	2,066,874		1,528,836 <sup>a</sup>	712,573 <sup>b</sup>	
3			(17.8 FTE)		(14.7 FTE)	(6.2 FTE)	
4	Auto Theft Prevention Grant	296,548				296,548(I) <sup>e</sup>	
5						(2.0 FTE)	
6	Appellate Unit	3,854,792	3,280,780			574,012 <sup>d</sup>	
7			(37.0 FTE)			(1.0 FTE)	
8	Medicaid Fraud Control Unit	1,737,371	434,338(M)				1,303,033(I) <sup>e</sup>
9			(4.3 FTE)				(12.7 FTE)
10	Peace Officers Standards and						
11	Training Board Support	5,536,725			5,536,725 <sup>f</sup>		
12					(9.0 FTE)		
13	Indirect Cost Assessment	537,858			287,476 <sup>g</sup>	82,136 <sup>b</sup>	168,246(I) <sup>e</sup>
14		<u>16,271,577</u>					
15							



APPROPRIATION FROM

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1     <sup>a</sup> Of this amount, \$1,242,070 shall be from the Insurance Fraud Cash Fund created in Section 24-31-104.5 (2), C.R.S., and \$286,766 shall be from the Marijuana Tax Cash Fund created  
2 in Section 39-28.8-501 (1), C.R.S.

3     <sup>b</sup> These amounts shall be transferred from the Department of Regulatory Agencies from the Securities Fraud Prosecution line item in the Division of Securities section. These amounts  
4 originate as cash funds from the Division of Securities Cash Fund pursuant to Section 11-51-603.5 (2), C.R.S.

5     <sup>c</sup> This amount shall be transferred from the Department of Public Safety from the Automobile Theft Prevention Authority line item in the Colorado State Patrol section, from a grant  
6 awarded pursuant to Section 42-5-112 (3), C.R.S. This amount is shown for informational purposes only because grant funds are continuously appropriated to the Department pursuant  
7 to Section 24-31-108 (1) (b) (I), C.R.S.

8     <sup>d</sup> Of this amount, \$494,150 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$79,862 shall  
9 be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item in the Division of Criminal Justice, Victims Assistance  
10 section, pursuant to Section 24-33.5-506 (1) (c), C.R.S.

11     <sup>e</sup> These amounts shall be from the federal Medicaid Fraud Control Program administered by the U.S. Department of Health and Human Services and are shown for informational purposes  
12 only.

13     <sup>f</sup> Of this amount, \$4,786,725 shall be from the P.O.S.T. Board Cash Fund created in Section 24-31-303 (2) (b), C.R.S., and \$750,000 shall be from the Marijuana Tax Cash Fund created  
14 in Section 39-28.8-501 (1), C.R.S.

APPROPRIATION FROM

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
1	<sup>§</sup> Of this amount, \$168,246 shall be from the Insurance Fraud Cash Fund created in Section 24-31-104.5 (2), C.R.S., and \$119,230 shall be from the P.O.S.T. Board Cash Fund created					
2	in Section 24-31-303 (2) (b), C.R.S.					
3						
4	<b>(4) WATER AND NATURAL RESOURCES</b>					
5	Federal and Interstate Water					
6	Unit	596,349		596,349		
7				(5.5 FTE)		
8	Defense of the Colorado River					
9	Basin Compact	428,639			428,639 <sup>a</sup>	
10					(3.5 FTE)	
11	Defense of the Republican					
12	River Compact	110,000			110,000 <sup>a</sup>	
13	Consultant Expenses	400,000			400,000 <sup>b</sup>	

APPROPRIATION FROM

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Comprehensive						
2	Environmental Response,						
3	Compensation and Liability						
4	Act	495,577				495,577 <sup>c</sup>	
5						(3.5 FTE)	
6	Comprehensive						
7	Environmental Response,						
8	Compensation and Liability						
9	Act Contracts	100,000				100,000 <sup>c</sup>	
10	Indirect Cost Assessment	46,367				46,367 <sup>c</sup>	
11		2,176,932					

13 <sup>a</sup> These amounts shall be from the Colorado Water Conservation Board's Litigation Fund created in Section 37-60-121 (2.5) (a), C.R.S.

14 <sup>b</sup> Of this amount, \$350,000 shall be from the Colorado Water Conservation Board's Litigation Fund created in Section 37-60-121 (2.5) (a), C.R.S., and \$50,000 shall be from the Attorney  
 15 Fees and Costs Account created pursuant to Section 24-31-108 (2), C.R.S.

APPROPRIATION FROM

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	<p>° These amounts shall be transferred from the Department of Public Health and Environment from the Transfer to the Department of Law for CERCLA-Related Costs line item in the</p>						
2	<p>Hazardous Materials and Waste Management Division, Contaminated Site Cleanups and Remediation Programs section. These amounts originate as cash funds from the Hazardous</p>						
3	<p>Substance Response Fund and are transferred pursuant to Section 25-16-104.5 (1.7) (a) (III), C.R.S.</p>						
4							
5	<b>(5) CONSUMER PROTECTION</b>						
6	Consumer Protection and						
7	Antitrust	2,901,046	1,368,420		1,235,354 <sup>a</sup>	297,272 <sup>b</sup>	
8			(11.2 FTE)		(15.0 FTE)	(3.0 FTE)	
9	Consumer Credit Unit	1,714,816			1,714,816 <sup>c</sup>		
10					(20.0 FTE)		
11	Indirect Cost Assessment	463,671			423,928 <sup>d</sup>	39,743 <sup>b</sup>	
12		<u>5,079,533</u>					

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1     <sup>a</sup> Of this amount, \$1,002,944(I) shall be from custodial money, \$230,410 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created  
2     in Section 24-22-115 (2) (a), C.R.S., and \$2,000 shall be from Colorado No-call List annual registration fees collected pursuant to Section 6-1-905 (3) (b) (II), C.R.S. Pursuant to Section  
3     24-31-108 (3), C.R.S., custodial money received by the Attorney General are not subject to annual appropriation but the expenditure of such money may be indicated in the annual general  
4     appropriation act. Expenditures from custodial money do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

5     <sup>b</sup> These amounts shall be transferred from the Department of Regulatory Agencies from the Mortgage Broker Consumer Protection line item in the Division of Real Estate section. These  
6     amounts originate as cash funds from the Mortgage Company and Loan Originator Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., and are transferred pursuant to Section  
7     12-61-909, C.R.S.

8     <sup>c</sup> This amount shall be from the Collection Agency Cash Fund created in Section 12-14-136 (1) (a), C.R.S., or from the Uniform Consumer Credit Code Cash Fund created in Section  
9     5-6-204 (1), C.R.S.

10    <sup>d</sup> Of this amount, \$264,955 shall be from the Uniform Consumer Credit Code Cash Fund created in Section 5-6-204 (1), C.R.S., or the Collection Agency Cash Fund created in Section  
11    12-14-136 (1) (a), C.R.S., and \$158,973(I) shall be from custodial money. Pursuant to Section 24-31-108 (3), C.R.S., custodial money received by the Attorney General are not subject  
12    to annual appropriation but the expenditure of such money may be indicated in the annual general appropriation act. Expenditures from custodial money do not constitute fiscal year  
13    spending for the purposes of Section 20 of Article X of the State Constitution.

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	<b>(6) SPECIAL PURPOSE</b>						
2	District Attorneys' Salaries	2,738,841		2,738,841			
3	Deputy District Attorney						
4	Training	405,000		405,000			
5	Litigation Management <sup>67</sup>	200,000			200,000 <sup>a</sup>		
6	Tobacco Litigation	1,250,000			1,250,000 <sup>b</sup>		
7	CORA and OML Attorney	90,297		90,297			
8				(1.0 FTE)			
9		4,684,138					

11 <sup>a</sup> This amount shall be from either excess earnings credited to the Legal Services Cash Fund created in Section 24-31-108 (2.5), C.R.S., in FY 2015-16, or from the Attorney Fees and  
 12 Costs Account created pursuant to Section 24-31-108 (2), C.R.S.

13 <sup>b</sup> This amount shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (2) (a), C.R.S. Expenditures from  
 14 the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State  
 15 Constitution.

		APPROPRIATION FROM					
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	
\$	\$	\$	\$	\$	\$	\$	
1							
2							
3	<b>TOTALS PART X</b>						
4	<b>(LAW)</b>	\$77,471,983	\$15,003,005		\$15,612,031 <sup>a</sup>	\$45,073,913 <sup>b</sup>	\$1,783,034 <sup>c</sup>
5		\$77,787,782	\$15,059,733		\$15,628,679 <sup>a</sup>	\$45,314,099 <sup>b</sup>	\$1,785,271 <sup>c</sup>
6							

7 <sup>a</sup> Of this amount, ~~\$1,270,269~~ \$1,274,354 contains an (I) notation.

8 <sup>b</sup> Of this amount, \$296,548 contains an (I) notation.

9 <sup>c</sup> This amount contains an (I) notation.

11 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

13 66 Department of Law, Legal Services to State Agencies -- In making this appropriation, it is the intent of the General Assembly that hourly billing rates charged  
 14 by the Department for legal services to state agencies not exceed \$98.26 per hour for attorneys and not exceed \$77.06 per hour for legal assistants, which  
 15 equates to a blended legal rate of \$95.05 per hour.





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