

Second 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. 18-0588.01 John Ziegler x4956

HOUSE BILL 18-1166

HOUSE SPONSORSHIP

Hamner, Young, Rankin

SENATE SPONSORSHIP

Lambert, Lundberg, Moreno

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

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

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 regulatory agencies.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
February 15, 2018

HOUSE
3rd Reading Unamended
February 8, 2018

HOUSE
2nd Reading Unamended
February 7, 2018

1 **SECTION 1. Appropriation to the department of regulatory**
2 **agencies for the fiscal year beginning July 1, 2017.** In Session Laws
3 of Colorado 2017, section 2 of chapter 421, (SB 17-254), **amend** Part
4 XVIII as follows:

5 Section 2. **Appropriation.**

APPROPRIATION FROM

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

PART XVIII

DEPARTMENT OF REGULATORY AGENCIES

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

5	Personal Services	2,430,854		46,890	52,180 ^a	2,331,784 ^b	
6						(29.5 FTE)	
7	Health, Life, and Dental	4,591,610		205,432	4,135,242 ^c	238,099 ^b	12,837(I) ^d
8	Short-term Disability	70,408		2,576	63,352 ^c	4,168 ^b	312(I) ^d
9	S.B. 04-257 Amortization						
10	Equalization Disbursement	1,859,709		68,060	1,673,296 ^c	110,144 ^b	8,209(I) ^d
11	S.B. 06-235 Supplemental						
12	Amortization Equalization						
13	Disbursement	1,859,709		68,060	1,673,296 ^c	110,144 ^b	8,209(I) ^d
14	Salary Survey	708,752		25,931	637,718 ^c	41,960 ^b	3,143(I) ^d
15	Merit Pay	299,867		11,268	269,082 ^c	18,848 ^b	669(I)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Workers' Compensation	131,874	4,977		118,714 ^c	6,614 ^b	1,569(I) ^d
2	Operating Expenses	210,344	3,689		95,427 ^c	111,228 ^b	
3	Legal Services	10,102,847	192,434		9,645,645^e	96,393 ^b	168,375(I)^d
4					9,807,147 ^g		6,873(I) ^d
5	Administrative Law Judge						
6	Services	242,917	11,141		231,776 ^c		
7	Payment to Risk						
8	Management and Property						
9	Funds	198,282	7,484		178,494 ^c	9,944 ^b	2,360(I) ^d
10	Vehicle Lease Payments	173,575			173,575^c		
11		196,895			196,895 ^c		
12	Information Technology						
13	Asset Maintenance	671,403			480,646 ^c	190,757 ^b	
14	Hardware/Software						
15	Maintenance	729,218	800		469,816 ^c	258,602 ^b	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Leased Space	2,775,917			2,368,767 ^c	376,964 ^b	30,186(I) ^d
2	Payments to OIT	3,255,999	134,043		3,121,956 ^c		
3	CORE Operations	193,497	7,303		174,187 ^c	9,704 ^b	2,303(I) ^d
4	Consumer Outreach/ Education Program	205,000			205,000 ^e		
6	Broadband Deployment						
7	Board	202,504			202,504 ^f		
8		<u>30,914,286</u>					
9		30,937,606					
10							

APPROPRIATION FROM

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

1 ^a Of this amount, an estimated \$10,240 shall be from the River Outfitters Cash Fund created in Section 33-32-111, C.R.S., an estimated \$9,600 shall be from the Marijuana Cash Fund
2 created in Section 12-43.3-501 (1)(a), C.R.S., an estimated \$6,400 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$6,250 shall be from
3 the Colorado Auto Theft Prevention Cash Fund created in Section 42-5-112 (4)(a), C.R.S., an estimated \$6,080 shall be from the Pet Animal Care and Facility Fund created in Section
4 35-80-116, C.R.S., an estimated \$4,160 shall be from the Fire Suppression Cash Fund created in Section 24-33.5-1207.6 (1), C.R.S., an estimated \$3,750 shall be from the Department
5 of State Cash Fund created in Section 24-21-104 (3)(b), C.R.S., an estimated \$3,200 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in
6 Section 35-1-106.3 (1), C.R.S., and an estimated \$2,500 shall be from the Colorado Water Conservation Board Construction Fund created in Section 37-60-121 (1)(a), C.R.S.

7 ^b These amounts shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

8 ^c These amounts shall be from various sources of cash funds within the Department.

9 ^d These amounts shall be from the Equal Employment Opportunity Commission, the U.S. Department of Housing and Urban Development, the U.S. Department of Justice, and the Health
10 Information Counseling and Assistance Grant Program and are included for informational purposes only.

11 ^e Of this amount, \$200,000 shall be from the Consumer Outreach and Education Cash Fund created in Section 24-34-108 (2), C.R.S., and \$5,000 shall be from the Moving Outreach
12 Fund created in Section 40-10.1-509, C.R.S.

13 ^f This amount shall be from the Broadband Fund created in Section 40-15-509.5 (4)(a), C.R.S.

14 ^g Of this amount, up to \$200,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and ~~\$9,445,645~~ \$9,607,147 shall be from various sources
15 of cash funds.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(2) DIVISION OF BANKING						
3	Personal Services	3,766,881			3,766,881 ^a		
4					(40.0 FTE)		
5	Operating Expenses	490,703			490,703 ^a		
6	Board Meeting Costs	23,500			23,500 ^a		
7	Indirect Cost Assessment	340,984			340,984 ^a		
8		4,622,068					
9							
10	^a These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.						
11							
12	(3) CIVIL RIGHTS DIVISION						
13	Personal Services	1,948,806	970,081			551,579 ^a	427,146(I) ^b
14			(20.2 FTE)			(2.0 FTE)	(5.0 FTE)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	105,460		62,284			43,176(I) ^b
2	Hearings Pursuant to						
3	Complaint	18,000		17,000			1,000(I) ^b
4	Commission Meeting Costs	12,374		5,174			7,200(I) ^b
5	Indirect Cost Assessment	14,159					14,159(I) ^b
6		<u>2,098,799</u>					

8 ^a This amount shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

9 ^b These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development and are shown for informational purposes
10 only.

12 **(4) OFFICE OF CONSUMER COUNSEL**

13	Personal Services	853,040			853,040 ^a		
14					(7.0 FTE)		
15	Operating Expenses	55,787			55,787 ^a		

APPROPRIATION FROM

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

1	Indirect Cost Assessment	59,672			59,672 ^a		
2							968,499

^a These amounts shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S.

(5) DIVISION OF FINANCIAL SERVICES

7	Personal Services	1,402,636			1,402,636 ^a		
8					(15.6 FTE)		
9	Operating Expenses	145,921			145,921 ^a		
10	Indirect Cost Assessment	132,984			132,984 ^a		
11							1,681,541

^a Of these amounts, an estimated \$1,484,917 shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S., and an estimated \$196,624 shall be from the Cannabis Credit Co-op Fund created in Section 11-33-109 (1)(c)(I), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(6) DIVISION OF INSURANCE						
2	Personal Services	6,272,154			6,272,154 ^a		
3					(83.2 FTE)		
4	Operating Expenses	291,716			291,716 ^a		
5	Out-of-State Travel						
6	Expenses	50,000			50,000(I) ^b		
7	Senior Health Counseling						
8	Program	517,794					517,794(I)
9							(2.0 FTE)
10	Transfer to CAPCO						
11	Administration	85,291			85,291 ^a		
12	Indirect Cost Assessment	729,245			709,247 ^a		19,998(I)
13		<u>7,946,200</u>					
14							

APPROPRIATION FROM

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

1 ^a Of these amounts, an estimated \$7,346,287 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., and an estimated \$12,121 shall be from the Viatical
2 Settlements Cash Fund created in Section 10-7-619, C.R.S.

3 ^b This amount shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S. This amount is shown for informational purposes as it is continuously
4 appropriated to the Department of Regulatory pursuant to Section 10-1-108 (9), C.R.S. This amount is from reimbursements from insurance companies for travel expenses and is shown
5 for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

6
7

8 **(7) PUBLIC UTILITIES COMMISSION**

9 Personal Services	9,497,177				9,497,177 ^a		
10					(91.3 FTE)		
11 Operating Expenses	594,473				594,473 ^a		
12 Expert Testimony	25,000				25,000 ^a		
13 Disabled Telephone Users							
14 Fund Payments	1,300,542				1,300,542(I) ^b		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Transfer to Reading Services						
2	for the Blind Cash Fund	360,000			360,000*		
3		710,000			710,000 ^a		
4	Commission for the Deaf and						
5	Hard of Hearing Cash Fund	1,292,589			1,292,589 ^a		
6	Colorado Bureau of						
7	Investigation Background						
8	Checks Pass-through	104,377			104,377 ^a		
9	Highway-Rail Crossing						
10	Signalization Fund	244,800			244,800 ^c		
11	Rural Broadband ^{84a}	9,450,000			9,450,000(I) ^d		
12	Indirect Cost Assessment	829,444			829,444 ^a		
13		<u>23,698,402</u>					
14		24,048,402					
15							

APPROPRIATION FROM

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

1 ^a Of these amounts, an estimated \$7,411,793 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S., an estimated \$2,307,849
2 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., an estimated ~~\$1,584,024~~ \$1,934,024 shall be from the Colorado Telephone
3 Users with Disability Fund created in Section 40-17-104 (1), C.R.S., an estimated \$1,288,467 shall be from the Telecommunications Utility Fund created in Section 40-2-114 (1)(b)(I),
4 C.R.S., and an estimated \$110,927 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3)(a), C.R.S.

5 ^b This amount shall be from the Colorado Telephone Users with Disability Fund created in Section 40-17-104 (1), C.R.S., and is shown for purposes of complying with Section 20 of
6 Article X of the State Constitution. This money is continuously appropriated pursuant to Section 40-17-104 (1), C.R.S., and is shown for informational purposes only.

7 ^c This amount shall be from the Highway-Rail Signalization Fund created in Section 40-29-116 (1) C.R.S.

8 ^d This amount shall be from money collected for the High Cost Support Mechanism created in Section 40-15-208, C.R.S. This money is continuously appropriated pursuant to
9 Section 40-15-208, C.R.S., and is shown for informational purposes only.

11 **(8) DIVISION OF REAL ESTATE**

12 Personal Services	4,014,154		4,014,154 ^a
13			(52.9 FTE)
14 Operating Expenses	204,557		204,557 ^a
15 Commission Meeting Costs	38,836		38,836 ^a

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Hearings Pursuant to						
2	Complaint	4,000			4,000 ^a		
3	Mortgage Broker Consumer						
4	Protection	208,811			208,811 ^a		
5	Indirect Cost Assessment	450,951			450,951 ^a		
6							4,921,309

^a Of these amounts, an estimated \$3,521,669 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2)(b), C.R.S., an estimated \$1,000,799 shall be from the Mortgage Company and Loan Originator Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., an estimated \$218,986 shall be from the Conservation Easement Tax Credit Certificate Review Fund created in Section 12-61-727 (6), C.R.S., an estimated \$127,919 shall be from the Conservation Easement Holder Certification Fund created in Section 12-61-724 (3), C.R.S., and an estimated \$51,936 shall be from the HOA Information and Resource Center Cash Fund created in Section 12-61-406.5 (4), C.R.S.

(9) DIVISION OF PROFESSIONS AND OCCUPATIONS

14	Personal Services	14,697,086					
15		(194.8 FTE)					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	1,550,075					
2	Office of Expedited						
3	Settlement Program Costs	400,223					
4	(5.0 FTE)						
5	Hearings Pursuant to						
6	Complaint	307,075					
7	Payments to Department of						
8	Health Care Policy and						
9	Financing	14,652					
10	Indirect Cost Assessment	1,703,215					
11		18,672,326			18,078,875 ^a	593,451 ^b	

13 ^a Of this amount, an estimated \$17,770,037 shall be from the Division of Professions and Occupations Cash Fund created in Section 24-34-105 (2)(b)(I), C.R.S., an estimated \$204,613
14 shall be from the Prescription Drug Monitoring Fund created in Section 12-42.5-405 (1), C.R.S., and \$104,225 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501
15 (1) C.R.S.

APPROPRIATION FROM

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

1 ^b Of this amount, \$324,041 shall be transferred from the Department of Health Care Policy and Financing from the Transfers to/from Other Departments, Transfer to Department of
2 Regulatory Agencies for Nurse Aid Certification line item in the Executive Director's Office and \$269,410 shall be transferred from the Department of Public Health and Environment
3 from the Medicaid/Medicare Certification Program line item in the Health Facilities and Emergency Medical Services Division, Health Facilities Programs section.

4

5 **(10) DIVISION OF SECURITIES**

6 Personal Services	2,288,451			2,288,451 ^a		
7				(24.0 FTE)		
8 Operating Expenses	58,999			58,999 ^a		
9 Hearings Pursuant to						
10 Complaint	19,594			19,594 ^a		
11 Board Meeting Costs	4,500			4,500 ^a		
12 Securities Fraud Prosecution	1,004,776			1,004,776 ^a		
13 Indirect Cost Assessment	204,590			204,590 ^a		
14	3,580,910					

15

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
TOTALS PART XVIII						
(REGULATORY						
AGENCIES)	\$99,104,340	\$1,844,627		\$90,930,685 ^a	\$5,060,383	\$1,268,645 ^b
	\$99,477,660	_____	_____	\$91,465,507 ^a	_____	\$1,107,143 ^b

1 ^a These amounts shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.

2

3

4 **TOTALS PART XVIII**

5 **(REGULATORY**

6 **AGENCIES)**

7

8

9 ^a Of this amount, \$10,934,542 contains an (I) notation.

10 ^b This amount contains an (I) notation.

11

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

13

14 84a It is the General Assembly's intent that these funds are spent in rural Colorado.

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.