

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1188.01 Jane Ritter x4342

HOUSE BILL 18-1369

HOUSE SPONSORSHIP

Hooton, Arndt, McKean, Thurlow

SENATE SPONSORSHIP

Moreno, Martinez Humenik, Zenzinger

House Committees

Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING REPEALING OBSOLETE STATUTORY REFERENCES TO THE
102 REPEALED PROPOSITION AA REFUND ACCOUNT.

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/>.)

Statutory Revision Committee. The bill removes statutory references to section 39-28.8-604, Colorado Revised Statutes, the former proposition AA refund account that was repealed on July 1, 2017.

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.

1 **SECTION 1. Legislative declaration.** The general assembly
2 declares that the purpose of this legislation, enacted in 2018, is to repeal
3 references in statute that refer to the proposition AA refund account, a
4 fund that was repealed in 2017. The general assembly further declares
5 that repealing these statutory references does not in any way alter the
6 scope or applicability of the statutory sections in which the references
7 appear.

8 **SECTION 2.** In Colorado Revised Statutes, 22-14-109, **amend**
9 (4)(a) as follows:

10 **22-14-109. Student re-engagement grant program - rules -**
11 **application - grants - fund created - report.** (4) (a) There is hereby
12 created in the state treasury the student re-engagement grant program
13 fund, referred to in this subsection (4) as the "fund", that ~~shall consist of~~
14 ~~any moneys~~ CONSISTS OF ANY MONEY credited to the fund pursuant to
15 ~~paragraph (b) of this subsection (4)~~ SUBSECTION (4)(b) OF THIS SECTION
16 and any additional ~~moneys~~ MONEY that the general assembly may
17 appropriate to the fund, including ~~moneys~~ MONEY from the marijuana tax
18 cash fund created in section 39-28.8-501. ~~C.R.S., or the proposition AA~~
19 ~~refund account created in section 39-28.8-604 (1), C.R.S.~~ The ~~moneys~~
20 THE MONEY in the fund ~~shall be~~ IS subject to annual appropriation by the
21 general assembly to the department for the direct and indirect costs
22 associated with the implementation of this section.

23 **SECTION 3.** In Colorado Revised Statutes, 22-93-105, **amend**
24 (3)(a) as follows:

25 **22-93-105. School bullying prevention and education cash**
26 **fund - created.** (3) (a) The general assembly may appropriate ~~moneys~~
27 MONEY to the bullying prevention and education cash fund from the

1 marijuana tax cash fund created in section 39-28.8-501. ~~C.R.S., or from~~
2 ~~the proposition AA refund account created in section 39-28.8-604 (1),~~
3 ~~C.R.S.~~

4 **SECTION 4.** In Colorado Revised Statutes, 24-32-117, **amend**
5 (3) as follows:

6 **24-32-117. Retail marijuana impact grants - program -**
7 **creation - definitions.** (3) The general assembly may annually
8 appropriate ~~moneys~~ MONEY from the marijuana tax cash fund created in
9 section 39-28.8-501 ~~C.R.S., or the proposition AA refund account created~~
10 ~~in section 39-28.8-604 (1), C.R.S.,~~ to the division to make the grants
11 described in subsection (2) of this section and for the division's
12 reasonable administrative expenses related to the grants. Any unexpended
13 and unencumbered ~~moneys~~ MONEY from an appropriation made pursuant
14 to this subsection (3) ~~remain~~ REMAINS available for expenditure by the
15 division in the next fiscal year without further appropriation.

16 **SECTION 5.** In Colorado Revised Statutes, 24-32-119, **amend**
17 (2) as follows:

18 **24-32-119. Gray and black market marijuana enforcement**
19 **grant program - report - definition.** (2) The general assembly may
20 annually appropriate money from the marijuana tax cash fund created in
21 section 39-28.8-501 ~~or the proposition AA refund account created in~~
22 ~~section 39-28.8-604 (1)~~ to the division to make the grants described in
23 subsection (1) of this section and for the division's reasonable
24 administrative expenses related to the grants. Any unexpended and
25 unencumbered money from an appropriation made pursuant to this
26 subsection (2) remains available for expenditure by the division in the
27 next fiscal year without further appropriation.

1 **SECTION 6.** In Colorado Revised Statutes, 25-32-105, **amend**
2 (1) introductory portion and (1)(b)(II) as follows:

3 **25-32-105. Department - poison control services - duties -**
4 **contract.** (1) The department has the following powers and duties with
5 respect to the provision of poison control services on a statewide basis
6 and for the dissemination of information as provided in this ~~article~~
7 ARTICLE 32:

8 (b) (II) On or after January 1, 2016, to contract with private,
9 nonprofit, or public entities for the continuing provision of statewide
10 poison control services and the continuing dissemination of poison
11 control information to the citizens of the state by means other than a
12 toll-free telephone network, such as text messaging, instant messaging,
13 and e-mail. The entity or entities shall coordinate these services with the
14 toll-free telephone network described in ~~subparagraph (I) of this~~
15 ~~paragraph (b)~~ SUBSECTION (1)(b)(I) OF THIS SECTION. The general
16 assembly shall appropriate at least one million dollars for the fiscal year
17 2015-16 to the department for it to contract with an entity to build the
18 infrastructure necessary for the services identified in this ~~subparagraph~~
19 ~~(H)~~ SUBSECTION (1)(b)(II), and any unexpended and unencumbered
20 ~~moneys~~ MONEY from the appropriation ~~remain~~ REMAINS available for
21 expenditure by the department in the next fiscal year without further
22 appropriation. In addition, the general assembly may annually appropriate
23 ~~moneys~~ MONEY from the marijuana tax cash fund created in section
24 39-28.8-501 C.R.S., or the ~~proposition AA refund account created in~~
25 ~~section 39-28.8-604 (1), C.R.S.~~, to the department for the services
26 identified in this ~~subparagraph (H)~~ SUBSECTION (1)(b)(II).

27 **SECTION 7.** In Colorado Revised Statutes, 26-6.8-104, **amend**

1 (6) as follows:

2 **26-6.8-104. Colorado Youth Mentoring Services Act.**

3 (6) **Youth mentoring services cash fund.** There is hereby created in the
4 state treasury the youth mentoring services cash fund, REFERRED TO IN
5 THIS SUBSECTION (6) AS THE "FUND". The ~~moneys in the youth mentoring~~
6 ~~services cash~~ MONEY IN THE fund ~~are~~ IS subject to annual appropriation
7 by the general assembly for the direct and indirect costs of implementing
8 this section. The executive director may accept on behalf of the state any
9 grants, gifts, or donations from any private or public source for the
10 purpose of this section. All private and public ~~funds~~ MONEY received
11 through grants, gifts, or donations ~~shall~~ MUST be transmitted to the state
12 treasurer, who shall credit the same to the ~~youth mentoring services cash~~
13 fund. The general assembly may appropriate ~~moneys~~ MONEY from the
14 marijuana tax cash fund created in section 39-28.8-501. ~~C.R.S., or the~~
15 ~~proposition AA refund account created in section 39-28.8-604(1), C.R.S.~~
16 All investment earnings derived from the deposit and investment of
17 ~~moneys~~ MONEY in the fund ~~shall~~ MUST remain in the fund and ~~shall~~ MUST
18 not be transferred or revert to the general fund of the state at the end of
19 any fiscal year.

20 **SECTION 8. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2018 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.