

CHAPTER 253

GENERAL ASSEMBLY

HOUSE BILL 18-1369

BY REPRESENTATIVE(S) Hooton, Arndt, McKean, Thurlow, Gray, Kraft-Tharp, Lontine, Pettersen, Valdez;
also SENATOR(S) Moreno, Martinez Humenik, Zenzinger, Garcia, Lambert, Priola, Smallwood, Tate.

AN ACT**CONCERNING REPEALING OBSOLETE STATUTORY REFERENCES TO THE REPEALED PROPOSITION AA REFUND ACCOUNT.**

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

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enacted in 2018, is to repeal references in statute that refer to the proposition AA refund account, a fund that was repealed in 2017.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

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

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

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

22-93-105. School bullying prevention and education cash fund - created.

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(3) (a) The general assembly may appropriate ~~moneys~~ MONEY to the bullying prevention and education cash fund from the marijuana tax cash fund created in section 39-28.8-501, C.R.S., or from the ~~proposition AA refund account created in section 39-28.8-604 (1), C.R.S.~~

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

24-32-117. Retail marijuana impact grants - program - creation - definitions.

(3) The general assembly may annually appropriate ~~moneys~~ MONEY from the marijuana tax cash fund created in section 39-28.8-501 ~~C.R.S., or the proposition AA refund account created in section 39-28.8-604 (1), C.R.S.~~, to the division to make the grants described in subsection (2) of this section and for the division's reasonable administrative expenses related to the grants. Any unexpended and unencumbered ~~moneys~~ MONEY from an appropriation made pursuant to this subsection (3) ~~remain~~ REMAINS available for expenditure by the division in the next fiscal year without further appropriation.

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

24-32-119. Gray and black market marijuana enforcement grant program - report - definition.

(2) The general assembly may annually appropriate money from the marijuana tax cash fund created in section 39-28.8-501 ~~or the proposition AA refund account created in section 39-28.8-604 (1)~~ to the division to make the grants described in subsection (1) of this section and for the division's reasonable administrative expenses related to the grants. Any unexpended and unencumbered money from an appropriation made pursuant to this subsection (2) remains available for expenditure by the division in the next fiscal year without further appropriation.

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

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

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

department for the services identified in this ~~subparagraph (H)~~ SUBSECTION (1)(b)(II).

SECTION 7. In Colorado Revised Statutes, 26-6.8-104, **amend** (6) as follows:

26-6.8-104. Colorado Youth Mentoring Services Act. (6) Youth mentoring services cash fund. There is hereby created in the state treasury the youth mentoring services cash fund, REFERRED TO IN THIS SUBSECTION (6) AS THE "FUND". ~~The moneys in the youth mentoring services cash~~ MONEY IN THE fund ~~are~~ IS subject to annual appropriation by the general assembly for the direct and indirect costs of implementing this section. The executive director may accept on behalf of the state any grants, gifts, or donations from any private or public source for the purpose of this section. All private and public ~~funds~~ MONEY received through grants, gifts, or donations ~~shall~~ MUST be transmitted to the state treasurer, who shall credit the same to the youth mentoring services cash fund. The general assembly may appropriate ~~moneys~~ MONEY from the marijuana tax cash fund created in section 39-28.8-501, C.R.S., or the proposition AA refund account created in section 39-28.8-604 (1), C.R.S. All investment earnings derived from the deposit and investment of ~~moneys~~ MONEY in the fund ~~shall~~ MUST remain in the fund and ~~shall~~ MUST not be transferred or revert to the general fund of the state at the end of any fiscal year.

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

Approved: May 24, 2018