

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

REREVISED

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

LLS NO. 19-0119.01 Kristen Forrestal x4217

SENATE BILL 19-082

SENATE SPONSORSHIP

Moreno, Tate, Zenzinger, Crowder, Gardner, Marble, Priola, Rankin, Smallwood, Todd

HOUSE SPONSORSHIP

McKean, Arndt, Hooton

Senate Committees
Health & Human Services

House Committees
Energy & Environment

A BILL FOR AN ACT

101 **CONCERNING CLARIFICATION THAT THE STATE BOARD OF HEALTH HAS**
102 **NO AUTHORITY OVER MONEY ALLOCATED TO THE DEPARTMENT**
103 **OF PUBLIC HEALTH AND ENVIRONMENT.**

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 repeals the state board of health's authority to accept, use, disburse, and administer money allotted to the department of public health and environment for state and local public works or public health functions.

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.

HOUSE
3rd Reading Unamended
February 26, 2019

HOUSE
2nd Reading Unamended
February 25, 2019

SENATE
3rd Reading Unamended
January 29, 2019

SENATE
2nd Reading Unamended
January 28, 2019

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 declares that the purpose of this act is to repeal obsolete statutory
4 provisions relating to the Colorado department of public health and
5 environment. The general assembly further declares that repealing these
6 statutory provisions does not alter the scope or applicability of the
7 remaining statutes.

8 **SECTION 2.** In Colorado Revised Statutes, 25-1-108, **amend** (1)
9 introductory portion; and **repeal** (1)(f) as follows:

10 **25-1-108. Powers and duties of state board of health.** (1) In
11 addition to all other powers and duties conferred and imposed upon the
12 state board of health by ~~the provisions of this part 1~~, the board has the
13 following specific powers and duties:

14 (f) ~~To accept and, through the division of administration, use,~~
15 ~~disburse, and administer all federal aid or other property, services, and~~
16 ~~moneys allotted to the department for state and local public works or~~
17 ~~public health functions, or allotted without designation of a specific~~
18 ~~agency for purposes which are within the functions of the department;~~
19 ~~and to prescribe, by rule or regulation not inconsistent with the laws of~~
20 ~~this state, the conditions under which such property, services, or moneys~~
21 ~~shall be accepted and administered. On behalf of the state, the board is~~
22 ~~empowered to make such agreements, with the approval of the attorney~~
23 ~~general, not inconsistent with the laws of this state, as may be required as~~
24 ~~a condition precedent to receiving such funds or other assistance.~~

25 **SECTION 3.** In Colorado Revised Statutes, 25-1-111, **repeal** (2)
26 as follows:

1 **25-1-111. Revenues of department.** (2) ~~The department of the~~
2 ~~treasury of this state is designated as custodian of all funds allotted to the~~
3 ~~state for the purpose outlined by section 25-1-108 (1)(f). Such funds and~~
4 ~~all other funds of the department shall be payable only on voucher signed~~
5 ~~by the executive director of the department and by the president of the~~
6 ~~board and shall be paid by warrant of the controller.~~

7 **SECTION 4. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2020 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.