

CHAPTER 443

APPROPRIATIONS

SENATE BILL 19-117

BY SENATOR(S) Moreno, Zenzinger, Rankin;
also REPRESENTATIVE(S) Esgar, Hansen, Ransom.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.

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

SECTION 1. Appropriation to the department of local affairs for the fiscal year beginning July 1, 2018. In Session Laws of Colorado 2018, section 2 of chapter 424, (HB 18-1322), **amend** Part XII as follows:

Section 2. **Appropriation.**

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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.

APPROPRIATION FROM

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

**PART XII
DEPARTMENT OF LOCAL AFFAIRS**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	1,432,014				1,432,014 ^a	
					(14.2 FTE)	
Health, Life, and Dental	1,670,124	427,645		271,536 ^b	582,241 ^a	388,702(I) ^c
Short-term Disability	20,857	6,052		2,523 ^b	7,569 ^a	4,713(I) ^c
S.B. 04-257 Amortization						
Equalization Disbursement	629,996	177,233		76,217 ^b	234,192 ^a	142,354(I) ^c
S.B. 06-235						
Supplemental Amortization						
Equalization Disbursement	629,996	177,233		76,217 ^b	234,192 ^a	142,354(I) ^c
Salary Survey	409,559	81,338		49,551 ^b	186,126 ^a	92,544(I) ^c
Workers' Compensation	152,057	35,184		36,233 ^b	80,640 ^a	
Operating Expenses	132,888				132,888 ^a	
Legal Services	154,385	132,313		15,321 ^b	1,888 ^a	4,863(I) ^c

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Supplemental Appropriations - Local Affairs

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payment to Risk Management and Property Funds	63,127		14,609		15,041 ^b	33,477 ^a	
Vehicle Lease Payments	104,298		93,703			10,595 ^a	
Information Technology Asset Maintenance	74,950		28,713		11,530 ^b	34,707 ^a	
Leased Space	65,000		22,376			42,624 ^a	
Capitol Complex Leased Space	728,559		129,621		133,486 ^b	297,086 ^a	168,366(I) ^c
Payments to OIT	1,936,820		279,708		653,032 ^b	655,306 ^a	348,774(I) ^c
CORE Operations	458,931		81,654		84,074 ^b	187,151 ^a	106,052(I) ^c
Moffat Tunnel Improvement District ⁷²	<u>100,000</u>				100,000 ^d		
		8,763,561					

^a Of these amounts, \$2,086,363 shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item appropriation in the Division of Local Government in this department, \$1,612,586 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 \$453,747 shall be from statewide indirect cost recoveries. Of the amount from the Local Government Mineral and Energy Impact Grants and Disbursements line item, an estimated \$1,084,909 shall be from the Local Government Severance Tax Fund created in Section 39-29-110 (1)(a)(I), C.R.S., and an estimated \$1,001,454 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102 (5)(a)(I), C.R.S.

^b Of these amounts, \$306,033 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and \$1,118,728 shall be from various sources of cash funds.

^c Although these figures are included for informational purposes only, these amounts were assumed in developing the appropriated fund source amounts in these line items.

^d This amount shall be from the Moffat Tunnel Cash Fund created in Section 32-8-126 (1), C.R.S.

(2) PROPERTY TAXATION

Division of				
Property Taxation	2,905,849	1,753,939	942,096 ^a	209,814 ^b
	(37.2 FTE)			
State Board of Equalization	12,856	12,856		
Board of				
Assessment Appeals	632,274	515,869	116,405 ^c	
	(13.2 FTE)			
Indirect Cost Assessment	<u>217,143</u>		187,317 ^d	29,826 ^b
	3,768,122			

^a This amount shall be from the Property Tax Exemption Fund created in Section 39-2-117 (8), C.R.S.

^b These amounts shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item appropriation in the Division of Local Government in this department. Of the total, an estimated \$124,613 shall be from the Local Government Severance Tax Fund created in Section 39-29-110 (1)(a)(I), C.R.S., and an estimated \$115,027 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102 (5)(a)(I), C.R.S.

^c This amount shall be from the Board of Assessment Appeals Cash Fund created in Section 39-2-125 (1)(h), C.R.S.

^d Of this amount, an estimated \$174,718 shall be from the Property Tax Exemption Fund created in Section 39-2-117 (8), C.R.S., and an estimated \$12,599 shall be from the Board of Assessment Appeals Cash Fund created in Section 39-2-125 (1)(h), C.R.S.

(3) DIVISION OF HOUSING⁷³

(A) Community and Non-Profit Services

(1) Administration

Personal Services	2,320,717	463,327	17,362 ^a	1,840,028(I)
	(25.6 FTE)			

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
Operating Expenses	378,873		36,278		2,500 ^b	340,095(I)
(2) Community Services						
Low Income						
Rental Subsidies ⁷⁴	53,136,975		2,660,938			50,476,037(I)
	54,851,332		3,375,295			51,476,037(I)
Homeless						
Prevention Programs	1,984,430				170,000 ^b	1,814,430(I)
(3) Fort Lyon Supportive						
Housing Program	4,991,672		4,991,672			
			(1.0 FTE)			
	<u>62,812,667</u>					
	64,527,024					

^a Of this amount, \$12,500 shall be from the Homeless Prevention Activities Program Fund created in Section 39-22-1302 (1), C.R.S., and \$4,862 shall be from the Private Activity Bond Allocations Fund created in Section 24-32-1709.5 (2)(a), C.R.S.

^b These amounts shall be from the Homeless Prevention Activities Program Fund created in Section 39-22-1302 (1), C.R.S.

(B) Field Services

Affordable Housing						
Program Costs ⁷⁵	1,794,615		152,885		76,132 ^a	1,005,800 ^b
	(21.9 FTE)					559,798(I)

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	107,373,118					
	109,087,475					

^a Of this amount, an estimated \$159,448 shall be from the Building Regulation Fund created in Section 24-32-3309 (1)(a), C.R.S., an estimated \$69,390 from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and an estimated \$19,675 shall be from the Private Activity Bond Allocations Fund created in Section 24-32-1709.5 (2)(a), C.R.S.

^b This amount shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item appropriation in the Division of Local Government in this department. Of the total, an estimated \$24,229 shall be from the Local Government Severance Tax Fund created in Section 39-29-110 (1)(a)(I), C.R.S., and an estimated \$22,366 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102 (5)(a)(I), C.R.S.

^c Although this figure is included for informational purposes only, this amount was assumed in developing the appropriated fund source amounts in this line item.

(4) DIVISION OF LOCAL GOVERNMENT

(A) Local Government and Community Services

(1) Administration

Personal Services	1,587,435	810,285 (8.5 FTE)	624,693 ^a (8.1 FTE)	152,457(I) (2.6 FTE)
Operating Expenses	136,496	47,323	25,146 ^a	64,027(I)
STRATEGIC PLANNING GROUP ON COLORADANS AGE 50 AND OVER	<u>55,000</u>	55,000		

~~1,723,931~~
1,778,931

^a These amounts shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item appropriation within this division. Of the total, an estimated \$337,916 shall be from the Local Government Severance Tax Fund created in Section 39-29-110 (1)(a)(I), C.R.S., and an estimated \$311,923 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102 (5)(a)(I), C.R.S.

(2) Local Government Services

Conservation Trust Fund Disbursements	50,000,000		50,000,000(I) ^a (2.0 FTE)	
Volunteer Firefighter Retirement Plans	4,270,000		4,270,000(I) ^b	
Volunteer Firefighter Death and Disability Insurance	30,000		30,000(I) ^b	
Firefighter Heart and Circulatory Malfunction Benefits	1,704,432	865,379 (0.5 FTE)		839,053 ^c
Local Utility Management Assistance	174,858		174,858 ^d (2.0 FTE)	
Environmental Protection Agency Water/Sewer File Project	64,118			64,118(I) (0.5 FTE)

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Cybersecurity Training for Local Governments	250,000	250,000				
	56,493,408					

^a This amount is from the Conservation Trust Fund created in Section 29-21-101 (2)(a)(I), C.R.S., pursuant to Section 3 (1)(b)(I) of Article XXVII of the State Constitution. These funds are from net lottery proceeds and are included for informational purposes, as net lottery proceeds are continuously appropriated to the Department. Further, pursuant to Section 24-77-102 (17)(b)(IX), C.R.S., net lottery proceeds are not subject to the limitation on state fiscal year spending set forth in Article X, Section 20, of the State Constitution.

^b These amounts shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. These amounts are transferred from the proceeds of insurance premium taxes pursuant to Sections 31-30-1112 (2)(g) and (h), C.R.S., and shall be deemed not to be an appropriation subject to the limitation on General Fund appropriations set forth in Section 24-75-201.1, C.R.S. Pursuant to Section 31-30-1112 (2)(i), C.R.S., these amounts are included for informational purposes to comply with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution and Section 24-77-103, C.R.S.

^c This amount shall be from the Firefighter Benefits Cash Fund created in Section 29-5-302 (11)(a), C.R.S. This fund consists of General Fund that is appropriated in this line item to the Fund for the purpose of reimbursing employers for the direct costs of maintaining authorized benefits.

^d This amount shall be from the Colorado Water Resources and Power Development Authority from money in the Water Pollution Control Revolving Fund created in Section 37-95-107.6 (1), C.R.S., and the Drinking Water Revolving Fund created in Section 37-95-107.8 (1), C.R.S.

(3) Community Services

Community Services		
Block Grant	6,000,000	6,000,000(I)

(B) Field Services

Program Costs	3,142,855	235,186 (2.6 FTE)	110,581 ^a (1.0 FTE)	2,458,324 ^b (22.3 FTE)	338,764(I) (4.3 FTE)
Community Development Block Grant	5,200,000				5,200,000(I)
Local Government Mineral and Energy Impact Grants and Disbursements	100,000,000		100,000,000(I) ^c		
Local Government Limited Gaming Impact Grants	4,900,000		4,900,000(I) ^d		
Local Government Geothermal Energy Impact Grants	50,000		50,000 ^e		
Rural Economic Development Initiative Grants ⁷⁶	750,000	750,000			
Search and Rescue Program	620,433		620,433 ^f (1.3 FTE)		
Gray and Black Market Marijuana Enforcement Grant Program	5,940,151		5,940,151 ^g (2.5 FTE)		
H.B. 17-1326 Crime Prevention Initiative Grants	3,000,000	3,000,000			

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
H.B. 17-1326							
Crime Prevention Initiative							
Small Business Lending	1,000,000		1,000,000				
Appropriation to the							
Peace Officers Mental							
Health Support Fund	2,000,000		2,000,000				
Peace Officers Mental							
Health Support							
Grant Program	2,000,000				2,000,000 ^h		
Strategic Planning							
Group on Coloradans							
Age 50 and Over	<u>55,000</u>		<u>55,000</u>				
	<u>128,658,439</u>						
	128,603,439						

^a This amount shall be from the Limited Gaming Impact Account within the Local Government Limited Gaming Impact Fund created in Section 12-47.1-1601 (1)(a), C.R.S.

^b This amount shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item appropriation within this division. Of the total, an estimated \$1,278,328 shall be from the Local Government Severance Tax Fund created in Section 39-29-110 (1)(a)(I), C.R.S., and an estimated \$1,179,996 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102 (5)(a)(I), C.R.S.

^c Of this amount, an estimated \$52,000,000 shall be from the Local Government Severance Tax Fund created in Section 39-29-110 (1)(a)(I), C.R.S., and an estimated \$48,000,000 shall be from federal mineral leasing revenues transferred to the Local Government Mineral Impact Fund created in Section 34-63-102 (5)(a)(I), C.R.S., pursuant to Section 34-63-102 (5), C.R.S. These amounts are included for informational purposes as the Department is statutorily authorized to distribute money from these funds. As the Local Government Mineral Impact Fund consists solely of federal mineral leasing revenues, money in this fund is not subject to the limitation on state fiscal year spending set forth in Section 20 of Article X of the State Constitution.

^d This amount shall be from the fund balance in the Local Government Limited Gaming Impact Fund created in Section 12-47.1-1601 (1)(a), C.R.S. This amount consists of funds transferred from the Limited Gaming Fund in the Department of Revenue during the prior fiscal year pursuant to Section 12-47.1-701, C.R.S., and is included for informational purposes as the Department is statutorily authorized to distribute money from this fund.

^e This amount shall be from the Geothermal Resource Leasing Fund created in Section 34-63-105 (1), C.R.S.

^f This amount shall be from the Search and Rescue Fund created in Section 33-1-112.5 (1), C.R.S.

^g This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

^h This amount shall be from the Peace Officers Mental Health Support Fund created in Section 24-32-3501 (10)(a), C.R.S.

(C) Indirect Cost

Assessments	955,060	161,248 ^a	694,513 ^b	99,299(I) ^c
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^a Of this amount, \$47,532 shall be from the Colorado Water Resources and Power Development Authority from money in the Water Pollution Control Revolving Fund created in Section 37-95-107.6 (1), C.R.S., and the Drinking Water Revolving Fund created in Section 37-95-107.8 (1), C.R.S., \$46,049 shall be from the Conservation Trust Fund created in Section 29-21-101 (2)(a)(I), C.R.S., \$26,500 shall be from the Local Government Limited Gaming Impact Fund created in Section 12-47.1-1601 (1)(a), C.R.S., \$21,343 shall be from the Search and Rescue Fund created in Section 33-1-112.5 (1), C.R.S., and \$19,824 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

^b This amount shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item appropriation within this division. Of this amount, an estimated \$361,147 shall be from the Local Government Severance Tax Fund created in Section 39-29-110 (1)(a)(I), C.R.S., and an estimated \$333,366 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102 (5)(a)(I), C.R.S.

^c Although this figure is included for informational purposes only, this amount was assumed in developing the appropriated fund source amounts in this line item.

193,830,838

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
TOTALS PART XII						
(LOCAL AFFAIRS)	\$313,735,639	\$30,488,319	\$4,300,000 ^a	\$186,047,459 ^b	\$12,086,460	\$80,813,401 ^c
	<u>\$315,449,996</u>	<u>\$31,202,676</u>				<u>\$81,813,401^c</u>

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S., and contains an (I) notation. This amount is included for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision, it is not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

^b Of this amount, \$154,900,000 contains an (I) notation.

^c This amount contains an (I) notation.

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

72 Department of Local Affairs, Executive Director's Office, Moffat Tunnel Improvement District -- It is the General Assembly's intent that the Department continue its current practice of retaining lease payment revenues in the Moffat Tunnel Cash Fund and suspending distribution payments to Improvement District counties because this practice ensures that funds remain available to cover any potential Improvement District liabilities related to the Tunnel and any costs related to studies or other actions that need to occur prior to the expiration of the lease with Union Pacific Railroad in 2025 in order to protect the interests of the Improvement District and the State.

73 Department of Local Affairs, Division of Housing -- It is the General Assembly's intent that the Department target state General Fund appropriations for affordable housing to projects and clients that can be reasonably expected to reduce other State costs.

- 74 Department of Local Affairs, Division of Housing, Community and Non-Profit Services, Community Services, Low Income Rental Subsidies; and Field Services, Affordable Housing Construction Grants and Loans pursuant to Section 24-32-721, C.R.S. -- It is the General Assembly's intent that the Department record expenditures for rental vouchers issued by the Division of Housing within the Low Income Rental Subsidies line item. The General Assembly assumes, based on the department's assumptions, that the Department will transfer \$4,000,000 cash funds from the Marijuana Tax Cash Fund for this purpose in FY 2018-19.
- 75 Department of Local Affairs, Division of Housing, Field Services, Affordable Housing Program Costs; and Affordable Housing Construction Grants and Loans pursuant to Section 24-32-721, C.R.S. -- It is the General Assembly's intent that appropriations for State administration of affordable housing construction grants and loans, including administration funding authorized pursuant to Section 24-32-721(3)(b), C.R.S., be expended in the Affordable Housing Program Costs line item.
- 75a Department of Local Affairs, Division of Housing, Field Services, Housing Assistance for Persons Transitioning from the Criminal or Juvenile Justice System -- It is the General Assembly's intent that this appropriation be used to provide housing assistance for individuals with a mental health disorder or co-occurring behavioral health disorder who are transitioning from the Department of Corrections, the Division of Youth Services in the Department of Human Services, or a county jail in the community, consistent with Section 24-32-721 (4)(b), C.R.S. This appropriation remains available until June 30, 2020.
- 76 Department of Local Affairs, Division of Local Government, Field Services, Rural Economic Development Initiative Grants -- This appropriation remains available until June 30, 2020.

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

Approved: February 28, 2019