

CHAPTER 448

**APPROPRIATIONS**

SENATE BILL 19-122

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

**AN ACT**

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

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

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

Section 2. **Appropriation.**

))))

*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 &<br>SUBTOTAL | TOTAL | GENERAL<br>FUND | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|--------------------|-------|-----------------|---------------------------|---------------|-------------------------|------------------|
| \$                 | \$    | \$              | \$                        | \$            | \$                      | \$               |

**PART XVIII  
DEPARTMENT OF REGULATORY AGENCIES**

**(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES**

|                           |           |         |  |                        |                                      |                        |
|---------------------------|-----------|---------|--|------------------------|--------------------------------------|------------------------|
| Personal Services         | 2,490,883 | 19,750  |  | 55,250 <sup>a</sup>    | 2,415,883 <sup>b</sup><br>(29.5 FTE) |                        |
| Health, Life, and Dental  | 4,959,137 | 192,986 |  | 4,430,048 <sup>c</sup> | 272,833 <sup>b</sup>                 | 63,270(I) <sup>d</sup> |
| Short-term Disability     | 65,876    | 2,285   |  | 58,706 <sup>c</sup>    | 3,929 <sup>b</sup>                   | 956(I) <sup>d</sup>    |
| S.B. 04-257 Amortization  |           |         |  |                        |                                      |                        |
| Equalization Disbursement | 1,957,010 | 67,869  |  | 1,744,009 <sup>c</sup> | 116,736 <sup>b</sup>                 | 28,396(I) <sup>d</sup> |
| S.B. 06-235               |           |         |  |                        |                                      |                        |
| Supplemental Amortization |           |         |  |                        |                                      |                        |
| Equalization Disbursement | 1,957,010 | 67,869  |  | 1,744,009 <sup>c</sup> | 116,736 <sup>b</sup>                 | 28,396(I) <sup>d</sup> |
| Salary Survey             | 1,272,248 | 44,121  |  | 1,133,773 <sup>c</sup> | 75,896 <sup>b</sup>                  | 18,458(I) <sup>d</sup> |
| Workers' Compensation     | 192,397   | 7,461   |  | 172,670 <sup>c</sup>   | 9,914 <sup>b</sup>                   | 2,352(I) <sup>d</sup>  |
| Operating Expenses        | 210,344   | 3,689   |  | 95,427 <sup>c</sup>    | 111,228 <sup>b</sup>                 |                        |
| Legal Services            | 9,841,584 | 192,434 |  | 9,522,424 <sup>e</sup> | 96,393 <sup>b</sup>                  | 30,333(I) <sup>d</sup> |
| Administrative Law        |           |         |  |                        |                                      |                        |
| Judge Services            | 391,195   | 17,675  |  | 373,520 <sup>c</sup>   |                                      |                        |

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Supplemental Appropriations - Regulatory Agencies

4043

|   | ITEM &<br>SUBTOTAL | TOTAL      | APPROPRIATION FROM |                           |                         |                         |                        |
|---|--------------------|------------|--------------------|---------------------------|-------------------------|-------------------------|------------------------|
|   |                    |            | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS           | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS       |
|   | \$                 | \$         | \$                 | \$                        | \$                      | \$                      |                        |
| Payment to Risk<br>Management and<br>Property Funds | 174,448            |            | 6,742              |                           | 156,619 <sup>c</sup>    | 8,960 <sup>b</sup>      | 2,127(I) <sup>d</sup>  |
| Vehicle Lease Payments                              | 244,643            |            |                    |                           | 244,643 <sup>c</sup>    |                         |                        |
| Information Technology<br>Asset Maintenance         | 671,403            |            |                    |                           | 480,646 <sup>c</sup>    | 190,757 <sup>b</sup>    |                        |
| Hardware/Software<br>Maintenance                    | 590,939            |            | 800                |                           | 331,537 <sup>c</sup>    | 258,602 <sup>b</sup>    |                        |
| Leased Space  | 3,138,509          |            | 95,362             |                           | 2,648,218 <sup>c</sup>  | 365,649 <sup>b</sup>    | 29,280(I) <sup>d</sup> |
| Payments to OIT                                     | 3,462,758          |            | 129,324            |                           | 3,333,434 <sup>c</sup>  |                         |                        |
| CORE Operations                                     | 271,885            |            | 10,542             |                           | 244,008 <sup>c</sup>    | 14,010 <sup>b</sup>     | 3,325(I) <sup>d</sup>  |
| Consumer Outreach/<br>Education Program             | 205,000            |            |                    |                           | 205,000 <sup>f</sup>    |                         |                        |
| Broadband<br>Deployment Board                       | 202,504            |            |                    |                           | 202,504(I) <sup>g</sup> |                         |                        |
|   |                    | 32,299,773 |                    |                           |                         |                         |                        |

<sup>a</sup> Of this amount, an estimated \$10,250 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., an estimated \$7,900 shall be from the Marijuana Cash Fund created in Section 12-43.3-501 (1)(a), C.R.S., an estimated \$6,000 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., an estimated \$5,750 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., an estimated \$5,500 shall be from the River Outfitters Cash Fund created in Section 33-32-111, C.R.S., an estimated \$4,250 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$4,250 shall be from the Water Quality Improvement Fund created in Section 25-8-608 (1.5), C.R.S., an estimated \$3,750 shall be from the Mind Land Reclamation Fund created in Section 34-32-127 (1)(a), C.R.S., an estimated \$3,000 shall be from the Motorcycle Operator Safety Training Fund created in Section 43-5-504 (1), C.R.S., an estimated \$2,100 shall be from the Fire Suppression Cash Fund created in Section 24-33.5-1207.6 (1), C.R.S., and an estimated \$2,500 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S.

<sup>b</sup> 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.

<sup>c</sup> These amounts shall be from various sources of cash funds within the Department.

<sup>d</sup> 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 Information Counseling and Assistance Grant Program and are included for informational purposes only.

<sup>e</sup> This amount shall be from various sources of cash funds.

<sup>f</sup> 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 Fund created in Section 40-10.1-509, C.R.S.

<sup>g</sup> This amount shall be from the Broadband Administrative Fund created in Section 40-15-509.5 (4)(a), C.R.S.

**(2) DIVISION OF BANKING**

|                          |                |                        |
|--------------------------|----------------|------------------------|
| Personal Services        | 3,843,113      | 3,843,113 <sup>a</sup> |
|                          |                | (40.0 FTE)             |
| Operating Expenses       | 490,703        | 490,703 <sup>a</sup>   |
| Board Meeting Costs      | 23,500         | 23,500 <sup>a</sup>    |
| Indirect Cost Assessment | <u>356,997</u> | 356,997 <sup>a</sup>   |
|                          | 4,714,313      |                        |

<sup>a</sup> These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.

|                                    | ITEM &<br>SUBTOTAL | TOTAL     | APPROPRIATION FROM |                           |               |                         |                         |
|------------------------------------|--------------------|-----------|--------------------|---------------------------|---------------|-------------------------|-------------------------|
|                                    |                    |           | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS        |
|                                    | \$                 | \$        | \$                 | \$                        | \$            | \$                      |                         |
| <b>(3) Civil Rights Division</b>   |                    |           |                    |                           |               |                         |                         |
| Personal Services                  | 1,989,297          |           | 998,064            |                           |               | 560,321 <sup>a</sup>    | 430,912(I) <sup>b</sup> |
|                                    |                    |           | (20.2 FTE)         |                           |               | (2.0 FTE)               | (5.0 FTE)               |
| Operating Expenses                 | 105,460            |           | 62,284             |                           |               |                         | 43,176(I) <sup>b</sup>  |
| Hearings Pursuant<br>To Complaints | 18,000             |           | 17,000             |                           |               |                         | 1,000(I) <sup>b</sup>   |
| Commission<br>Meeting Costs        | 12,374             |           | 5,174              |                           |               |                         | 7,200(I) <sup>b</sup>   |
| Indirect Cost Assessment           | <u>14,201</u>      |           |                    |                           |               |                         | 14,201(I) <sup>b</sup>  |
|                                    |                    | 2,139,332 |                    |                           |               |                         |                         |

<sup>a</sup> 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.

<sup>b</sup> 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 only.

**(4) OFFICE OF CONSUMER COUNSEL**

|                          |               |  |  |                      |  |  |
|--------------------------|---------------|--|--|----------------------|--|--|
| Personal Services        | 871,383       |  |  | 871,383 <sup>a</sup> |  |  |
|                          |               |  |  | (7.0 FTE)            |  |  |
| Operating Expenses       | 55,787        |  |  | 55,787 <sup>a</sup>  |  |  |
| Indirect Cost Assessment | <u>62,475</u> |  |  | 62,475 <sup>a</sup>  |  |  |



|                          | ITEM &<br>SUBTOTAL | TOTAL     | APPROPRIATION FROM |                           |                      |                         |                  |
|--------------------------|--------------------|-----------|--------------------|---------------------------|----------------------|-------------------------|------------------|
|                          |                    |           | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS        | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|                          | \$                 | \$        | \$                 | \$                        | \$                   | \$                      |                  |
| Indirect Cost Assessment | <u>771,199</u>     | 8,123,930 |                    |                           | 742,555 <sup>a</sup> |                         | 28,644(I)        |

<sup>a</sup> Of these amounts, an estimated \$7,503,250 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., and an estimated \$24,242 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S.

<sup>b</sup> 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 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 for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

**(7) PUBLIC UTILITIES COMMISSION**

|  |           |  |                           |  |  |  |
|--|-----------|--|---------------------------|--|--|--|
| Personal Services  | 9,488,333 |  | 9,488,333 <sup>a</sup>    |  |  |  |
|  |           |  | (91.3 FTE)                |  |  |  |
| Operating Expenses   | 594,473   |  | 594,473 <sup>a</sup>      |  |  |  |
| Expert Testimony   | 25,000    |  | 25,000 <sup>a</sup>       |  |  |  |
| Disabled Telephone<br>Users Fund Payments                  | 1,300,542 |  | 1,300,542(I) <sup>b</sup> |  |  |  |
| Transfer to Reading<br>Services for the<br>Blind Cash Fund | 510,000   |  | 510,000 <sup>a</sup>      |  |  |  |

|   |                |                           |
|---|----------------|---------------------------|
| Commission for the Deaf and Hard of Hearing Cash Fund           | 1,992,589      | 1,992,589 <sup>a</sup>    |
| Colorado Bureau of Investigation Background Checks Pass-through | 104,377        | 104,377 <sup>a</sup>      |
| Highway-Rail Crossing Signalization Fund                        | 244,800        | 244,800 <sup>c</sup>      |
| Rural Broadband <sup>102</sup>                                  | 6,500,000      | 6,500,000(1) <sup>d</sup> |
| Indirect Cost Assessment  | <u>814,847</u> | 814,847 <sup>a</sup>      |
|   | 21,574,961     |                           |

<sup>a</sup> Of these amounts, an estimated \$7,388,352 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 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., an estimated \$2,434,024 shall be from the Colorado Telephone Users with Disabilities 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), 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.

<sup>b</sup> This amount shall be from the Colorado Telephone Users with Disabilities Fund created in Section 40-17-104 (1), C.R.S., and is shown for purposes of complying with Section 20 of 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.

<sup>c</sup> This amount shall be from the Highway-Rail Crossing Signalization Fund created in Section 40-29-116 (1) C.R.S.

<sup>d</sup> 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 Section 40-15-208, C.R.S., and is shown for informational purposes only.

**(8) DIVISION OF REAL ESTATE**

|                   |                      |                                  |
|-------------------|----------------------|----------------------------------|
| Personal Services | <del>4,105,209</del> | <del>4,105,209<sup>a</sup></del> |
|                   | 3,763,680            | 3,763,680 <sup>a</sup>           |
|                   |                      | <del>(52.9 FTE)</del>            |
|                   |                      | (48.9 FTE)                       |



|  | ITEM &<br>SUBTOTAL | TOTAL     | APPROPRIATION FROM |                           |                                |                         |                  |
|--|--------------------|-----------|--------------------|---------------------------|--------------------------------|-------------------------|------------------|
|  |                    |           | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS                  | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
|  | \$                 | \$        | \$                 | \$                        | \$                             | \$                      | \$               |
| Operating Expenses                     | <del>204,557</del> |           |                    |                           | <del>204,557<sup>a</sup></del> |                         |                  |
|  | 198,479            |           |                    |                           | 198,479 <sup>a</sup>           |                         |                  |
| Commission                             |                    |           |                    |                           |                                |                         |                  |
| Meeting Costs                          | <del>38,836</del>  |           |                    |                           | <del>38,836<sup>a</sup></del>  |                         |                  |
|  | 36,332             |           |                    |                           | 36,332 <sup>a</sup>            |                         |                  |
| Hearings Pursuant<br>to Complaint      | 4,000              |           |                    |                           | 4,000 <sup>a</sup>             |                         |                  |
| Mortgage Broker<br>Consumer Protection | 223,164            |           |                    |                           | 223,164 <sup>a</sup>           |                         |                  |
| Indirect Cost Assessment               | <del>472,129</del> |           |                    |                           | <del>472,129<sup>a</sup></del> |                         |                  |
|  | <u>438,506</u>     |           |                    |                           | 438,506 <sup>a</sup>           |                         |                  |
|  |                    | 5,047,895 |                    |                           |                                |                         |                  |
|  |                    | 4,664,161 |                    |                           |                                |                         |                  |

<sup>a</sup> These amounts shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2)(b), C.R.S.

**(9) DIVISION OF PROFESSIONS AND OCCUPATIONS**

|                    |             |  |  |  |                                   |                                |
|--------------------|-------------|--|--|--|-----------------------------------|--------------------------------|
| Personal Services  | 14,759,419  |  |  |  | <del>14,165,968<sup>a</sup></del> | <del>593,451<sup>b</sup></del> |
|                    | (195.2 FTE) |  |  |  |                                   |                                |
| Operating Expenses | 1,571,455   |  |  |  | <del>1,571,455<sup>a</sup></del>  |                                |

|  |                       |                                 |                         |                      |
|--|-----------------------|---------------------------------|-------------------------|----------------------|
| Office of Expedited<br>Settlement Program Costs                  | 400,223<br>(5.0 FTE)  | <del>400,223</del> <sup>a</sup> |                         |                      |
| Hearings Pursuant<br>to Complaint                                | 307,075               | <del>307,075</del> <sup>a</sup> |                         |                      |
| Payments to Department<br>of Health Care Policy<br>and Financing | 14,652                | <del>14,652</del> <sup>a</sup>  |                         |                      |
| Indirect Cost Assessment   | <u>1,786,772</u>      | <u>1,786,772</u> <sup>a</sup>   |                         |                      |
|  | <del>18,839,596</del> |                                 | 18,246,145 <sup>a</sup> | 593,451 <sup>b</sup> |
|  | 18,839,596            |                                 |                         |                      |

<sup>a</sup> Of these amounts, an estimated \$18,041,532 shall be from the Division of Professions and Occupations Cash Fund created in Section 24-34-105 (2)(b)(I), C.R.S., and an estimated \$204,613 shall be from the Prescription Drug Monitoring Fund created in Section 12-42.5-405 (1), C.R.S.

<sup>b</sup> 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 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 from the Medicaid/Medicare Certification Program line item in the Health Facilities and Emergency Medical Services Division, Health Facilities Programs section.

**(10) DIVISION OF SECURITIES**

|                                   |           |                                      |  |  |
|-----------------------------------|-----------|--------------------------------------|--|--|
| Personal Services                 | 2,337,299 | 2,337,299 <sup>a</sup><br>(24.0 FTE) |  |  |
| Operating Expenses                | 58,999    | 58,999 <sup>a</sup>                  |  |  |
| Hearings Pursuant<br>to Complaint | 19,594    | 19,594 <sup>a</sup>                  |  |  |
| Board Meeting Costs               | 4,500     | 4,500 <sup>a</sup>                   |  |  |

APPROPRIATION FROM

| ITEM &<br>SUBTOTAL              | TOTAL          | APPROPRIATION FROM |                           |                        |                         |                  |
|---------------------------------|----------------|--------------------|---------------------------|------------------------|-------------------------|------------------|
|                                 |                | GENERAL<br>FUND    | GENERAL<br>FUND<br>EXEMPT | CASH<br>FUNDS          | REAPPROPRIATED<br>FUNDS | FEDERAL<br>FUNDS |
| \$                              | \$             | \$                 | \$                        | \$                     | \$                      | \$               |
| Securities Fraud<br>Prosecution | 1,081,951      |                    |                           | 1,081,951 <sup>a</sup> |                         |                  |
| Indirect Cost Assessment        | <u>214,198</u> |                    |                           | 214,198 <sup>a</sup>   |                         |                  |
|                                 | 3,716,541      |                    |                           |                        |                         |                  |

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

**(11) DIVISION OF CONSERVATION**

|  |         |  |  |                                   |  |  |
|--|---------|--|--|-----------------------------------|--|--|
| CONSERVATION EASEMENT<br>PROGRAM COSTS | 383,734 |  |  | 383,734 <sup>a</sup><br>(4.0 FTE) |  |  |
|--|---------|--|--|-----------------------------------|--|--|

<sup>a</sup> THIS AMOUNT SHALL BE FROM THE CONSERVATION CASH FUND CREATED IN SECTION 12-61-1107 (1), C.R.S.

**TOTALS PART XVIII**

**(REGULATORY**

|                  |                     |                    |                             |                                 |                    |                                |
|------------------|---------------------|--------------------|-----------------------------|---------------------------------|--------------------|--------------------------------|
| <b>AGENCIES)</b> | <u>\$99,162,135</u> | <u>\$1,941,431</u> | <u>                    </u> | <u>\$90,759,586<sup>a</sup></u> | <u>\$5,211,298</u> | <u>\$1,249,820<sup>b</sup></u> |
|------------------|---------------------|--------------------|-----------------------------|---------------------------------|--------------------|--------------------------------|

<sup>a</sup> Of this amount, \$8,053,046 contains an (I) notation.

<sup>b</sup>This amount contains an (I) notation.

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

102 Department of Regulatory Agencies, Public Utilities Commission, Rural Broadband -- It is the General Assembly's intent that these funds are spent in rural Colorado.

**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