

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

REVISED

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

LLS NO. 20-1179.01 Ed DeCecco x4216

HOUSE BILL 20-1381

HOUSE SPONSORSHIP

Esgar, McCluskie, Woodrow

SENATE SPONSORSHIP

Zenzinger and Rankin, Moreno

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH**
102 **TRANSFERS OF CERTAIN MONEY.**

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/>.)

Joint Budget Committee. For the purpose of augmenting the amount of revenues in the state general fund, the bill requires the state treasurer to make the following specific transfers to the general fund. On June 30, 2020, the state treasurer is required to transfer the following amounts to the general fund:

! \$3,176 from the employment verification fund, as it existed

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.

SENATE
Amended 2nd Reading
June 5, 2020

HOUSE
3rd Reading Unamended
June 3, 2020

HOUSE
2nd Reading Unamended
June 1, 2020

- ! prior to its repeal in 2016 (**Section 1** of the bill);
 - ! \$7.9 million from the Fort Logan land sale account in the capital construction fund (**Section 2**);
 - ! \$8,381,753 from the indirect costs excess recovery fund (**Section 3**);
 - ! \$1,887,116 from the state supplemental security income stabilization fund (**Section 4**);
 - ! \$1 million from the veterans assistance grant program cash fund (**Section 5**);
 - ! \$167,463 from the Moffat tunnel cash fund (**Section 6**); and
 - ! \$10 million from the multimodal transportation options fund (**Section 9**).
- On July 1, 2020, the state treasurer is required to transfer:
- ! \$45.5 million from the severance tax perpetual base fund to the general fund (**Section 7**); and
 - ! \$43 million from the unclaimed property trust fund (**Section 8**).

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-2-122, **add** (6) as
 3 follows:

4 **8-2-122. Employment verification requirements - audits - fine**
 5 **for fraudulent documents - cash fund created - definitions - repeal.**

6 (6) (a) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER THREE
 7 THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS FROM THE EMPLOYMENT
 8 VERIFICATION FUND, AS IT EXISTED PRIOR TO ITS REPEAL IN 2016, TO THE
 9 GENERAL FUND.

10 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2020.

11 **SECTION 2.** In Colorado Revised Statutes, 24-50-104, **add**
 12 **(1)(j)(III)(D)** as follows:

13 **24-50-104. Job evaluation and compensation - state employee**
 14 **reserve fund - created - definitions - repeal. (1) Total compensation**
 15 **philosophy. (j) (III) (D) ON JUNE 30, 2020, THE STATE TREASURER SHALL**

1 TRANSFER THE UNEXPENDED AND UNENCUMBERED BALANCE FROM THE
2 FUND TO THE GENERAL FUND.

3 **SECTION 3.** In Colorado Revised Statutes, 24-75-302, **amend**
4 (3.3) as follows:

5 **24-75-302. Capital construction fund - capital assessment fees**
6 **- calculation - information technology capital account.** (3.3) (a) There
7 is hereby created a special account within the capital construction fund
8 established pursuant to subsection (1) of this section to be known as the
9 Fort Logan land sale account. The account consists of any money credited
10 to the account by the state treasurer from the proceeds of the sale of
11 fifty-one acres of vacant land around the Colorado mental health institute
12 at Fort Logan to the United States department of veterans affairs for the
13 purpose of expanding the Fort Logan national cemetery, authorized in
14 House Bill 17-1346, enacted in 2017. The money in the account may be
15 used for future capital construction, capital renewal, or controlled
16 maintenance expenses of the department of human services, contingent
17 upon approval by both the office of state planning and budgeting and the
18 capital development committee; except that all or a portion of the money
19 must be expended for veterans-related and behavioral health-related
20 projects. The money in the account is subject to annual appropriation and
21 all money that is unexpended or unencumbered in any fiscal year must
22 remain in the account.

23 (b) NOTWITHSTANDING SUBSECTION (3.3)(a) OF THIS SECTION, ON
24 JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER SEVEN MILLION
25 NINE HUNDRED THOUSAND DOLLARS FROM THE FORT LOGAN LAND SALE
26 ACCOUNT TO THE GENERAL FUND.

27 **SECTION 4.** In Colorado Revised Statutes, 24-75-1401, **add**

1 (3.5) as follows:

2 **24-75-1401. Indirect costs excess recovery fund - creation -**
3 **departmental accounts - use of fund - definitions.** (3.5) ON JUNE 30,
4 2020, THE STATE TREASURER SHALL TRANSFER EIGHT MILLION THREE
5 HUNDRED EIGHTY-ONE THOUSAND SEVEN HUNDRED FIFTY-THREE DOLLARS
6 FROM THE INDIRECT COST EXCESS RECOVERY FUND TO THE GENERAL FUND.

7 **SECTION 5.** In Colorado Revised Statutes, 26-2-210, **add** (3) as
8 follows:

9 **26-2-210. State supplemental security income stabilization**
10 **fund - creation.** (3) NOTWITHSTANDING SUBSECTION (1) OF THIS
11 SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE
12 MILLION EIGHT HUNDRED EIGHTY-SEVEN THOUSAND ONE HUNDRED
13 SIXTEEN DOLLARS FROM THE STABILIZATION FUND TO THE GENERAL FUND.

14 **SECTION 6.** In Colorado Revised Statutes, 28-5-712, **add** (3)(e)
15 as follows:

16 **28-5-712. Veterans assistance grant program - created - rules**
17 **- fund - repeal.** (3) (e) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS
18 SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE
19 MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND.

20 **SECTION 7.** In Colorado Revised Statutes, 32-8-126, **add** (3) as
21 follows:

22 **32-8-126. Moffat tunnel cash fund - created.**
23 (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30,
24 2020, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED
25 SIXTY-SEVEN THOUSAND FOUR HUNDRED SIXTY-THREE DOLLARS FROM
26 THE MOFFAT TUNNEL CASH FUND TO THE GENERAL FUND.

27 **SECTION 8.** In Colorado Revised Statutes, 39-29-109, **add**

1 (2)(a)(XXII) as follows:

2 **39-29-109. Severance tax trust fund - created - administration**
3 **- distribution of money - legislative declaration - repeal.** (2) State
4 severance tax receipts shall be credited to the severance tax trust fund as
5 provided in section 39-29-108. All income derived from the deposit and
6 investment of the money in the fund shall be credited to the fund. At the
7 end of any fiscal year, all unexpended and unencumbered money in the
8 fund remains in the fund and shall not be credited or transferred to the
9 general fund or any other fund. All money in the fund is subject to
10 appropriation by the general assembly for the following purposes:

11 (a) **The severance tax perpetual base fund.**
12 (XXII) (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
13 SUBSECTION (2)(a) TO THE CONTRARY, ON JULY 1, 2020, THE STATE
14 TREASURER SHALL TRANSFER FORTY-FIVE MILLION FIVE HUNDRED
15 THOUSAND DOLLARS FROM THE FUND TO THE GENERAL FUND.

16 (B) THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE
17 TRANSFER SPECIFIED IN SUBSECTION (2)(a)(XXII)(A) OF THIS SECTION IS
18 NECESSARY AS A RESULT OF THE PRECIPITOUS DECREASE IN GENERAL FUND
19 REVENUES AND THAT IT IS THE INTENT OF THE GENERAL ASSEMBLY TO
20 TRANSFER AN EQUAL AMOUNT BACK TO THE FUND AS SOON AS POSSIBLE.

21 **SECTION 9.** In Colorado Revised Statutes, 38-13-801, **amend**
22 (2)(d)(II) and (2)(d)(III); and **add** (2)(d)(IV) and (5) as follows:

23 **38-13-801. Unclaimed property trust fund - creation -**
24 **payments - interest - appropriations - records - rules.** (2) (d) The
25 following amounts constitute fiscal year spending for purposes of section
26 20 of article X of the state constitution:

27 (II) Any money that is credited to the adult dental fund created in

1 section 25.5-5-207 (4) as required by subsection (3) of this section; ~~and~~

2 (III) Any money that is credited to the housing development grant
3 fund created in section 24-32-721 (1) as required by subsection (3.5) of
4 this section; AND

5 (IV) ANY MONEY THAT IS TRANSFERRED TO THE GENERAL FUND AS
6 REQUIRED BY SUBSECTION (5) OF THIS SECTION.

7 (5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
8 ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FORTY-THREE
9 MILLION DOLLARS FROM THE UNCLAIMED PROPERTY TRUST FUND TO THE
10 GENERAL FUND.

11 **SECTION 10.** In Colorado Revised Statutes, 43-4-1103, **amend**
12 (2)(a)(I) introductory portion; and **add** (2)(a)(III) as follows:

13 **43-4-1103. Multimodal transportation options fund - creation**
14 **- revenue sources for fund - use of fund.** (2) (a) (I) Except as otherwise
15 provided in ~~subsection (2)(a)(II)~~ SUBSECTIONS (2)(a)(II) AND (2)(a)(III)
16 of this section, subject to annual appropriation by the general assembly,
17 money must be expended from the fund as follows:

18 (III) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER
19 TEN MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND.

20 **SECTION 11. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.