

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

**REVISED**

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

LLS NO. 23-0631.01 Jery Payne x2157

**HOUSE BILL 23-1179**

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**A BILL FOR AN ACT**

101      **CONCERNING THE MAXIMUM UNCOMMITTED RESERVE THAT MAY BE**  
102              **RETAINED IN THE AGRICULTURAL PRODUCTS INSPECTION CASH**  
103              **FUND.**

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**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>.)*

Current law limits the amount of uncommitted money that may remain in a cash fund at the end of a state fiscal year to 16.5% of the amount spent during the fiscal year. The bill exempts the agricultural products inspection cash fund from the 16.5% uncommitted balance limit and instead imposes a limit of 50% of the amount spent from the fund

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

SENATE  
2nd Reading Unamended  
March 21, 2023

HOUSE  
3rd Reading Unamended  
March 9, 2023

HOUSE  
Amended 2nd Reading  
March 8, 2023

during the fiscal year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-402, **amend**  
3 (5)(yy) and (5)(zz); and **add** (5)(aaa) as follows:

4 **24-75-402. Cash funds - limit on uncommitted reserves -**  
5 **reduction in the amount of fees - exclusions - definitions.**

6 (5) Notwithstanding any provision of this section to the contrary, the  
7 following cash funds are excluded from the limitations specified in this  
8 section:

9 (yy) The disability support fund created in section 24-30-2205.5  
10 (1); and

11 (zz) The responsible gaming grant program cash fund created in  
12 section 44-30-1702 (8); AND

13 (aaa) THE AGRICULTURAL PRODUCTS INSPECTION CASH FUND  
14 CREATED IN SECTION 35-23-114 (3).

15 **SECTION 2.** In Colorado Revised Statutes, 35-23-114, **repeal**  
16 (4); and **add** (3)(c) as follows:

17 **35-23-114. Inspection fees - agricultural products inspection**  
18 **cash fund.** (3) (c) THE UNCOMMITTED AND UNENCUMBERED BALANCE IN  
19 THE AGRICULTURAL PRODUCTS INSPECTION CASH FUND ON JUNE 30, 2024,  
20 AND ON JUNE 30 OF EACH YEAR THEREAFTER, MUST NOT EXCEED FIFTY  
21 PERCENT OF THE AMOUNT EXPENDED FROM THE FUND DURING THE SAME  
22 STATE FISCAL YEAR.

23 (4) ~~Within sixty days after July 1, 2009, the unexpended and~~  
24 ~~unencumbered balance of the mandatory fruit and vegetable inspection~~  
25 ~~fund, as that fund existed prior to July 1, 2009, shall be transferred to the~~

1 ~~agricultural products inspection cash fund.~~

2           **SECTION 3. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly; except  
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
6 of the state constitution against this act or an item, section, or part of this  
7 act within such period, then the act, item, section, or part will not take  
8 effect unless approved by the people at the general election to be held in  
9 November 2024 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.