

**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. 23-0388.01 Carolyn Kampman x4959

SENATE BILL 23-130

SENATE SPONSORSHIP

Zenzinger, Bridges, Kirkmeyer, Fenberg, Ginal, Gonzales, Marchman, Sullivan

HOUSE SPONSORSHIP

Bird, Sirota, Bockenfeld

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

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

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>.)

Supplemental appropriations are made to the department of regulatory agencies.

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

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.

HOUSE
2nd Reading Unamended
February 15, 2023

SENATE
3rd Reading Unamended
February 9, 2023

SENATE
2nd Reading Unamended
February 8, 2023

1 **SECTION 1. Appropriation to the department of regulatory**
2 **agencies for the fiscal year beginning July 1, 2022.** In Session Laws
3 of Colorado 2022, section 2 of chapter 507, (HB 22-1329), **amend** Part
4 XIX and the affected totals, as Part XIX (1) and the affected totals are
5 amended by section 19 of chapter 170, (HB 22-1133), as follows:

6 Section 2. **Appropriation.**

APPROPRIATION FROM

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

PART XIX

DEPARTMENT OF REGULATORY AGENCIES

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

1	Personal Services	3,042,329	17,000		51,000 ^a	2,974,329 ^b	
2						(34.5 FTE)	
3							
4							
5	Health, Life, and Dental	7,165,894	241,045		6,482,690 ^c	395,186 ^b	46,973(I) ^d
6	Short-term Disability	75,519	2,247		68,282 ^c	4,409 ^b	581(I) ^d
7	S.B. 04-257 Amortization						
8	Equalization Disbursement	2,363,055	70,325		2,136,603 ^c	137,955 ^b	18,172(I) ^d
9	S.B. 06-235 Supplemental						
10	Amortization Equalization						
11	Disbursement	2,363,055	70,325		2,136,603 ^c	137,955 ^b	18,172(I) ^d
12	Salary Survey	1,553,423	46,237		1,404,553 ^c	90,682 ^b	11,951(I) ^d
13	PERA Direct Distribution	1,034,475			964,031 ^c	62,245 ^b	8,199(I) ^d
14							
15							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Temporary Employees						
2	Related to Authorized Leave	36,163		1,217	32,163 ^a	2,783 ^b	
3	Workers' Compensation	217,012		7,127	199,486 ^c	7,556 ^b	2,843(I) ^d
4	Operating Expenses	250,129		3,689	95,427 ^c	151,013 ^b	
5	Legal Services	11,079,395		171,693	10,744,080^e	93,625 ^b	69,997(I) ^d
6		11,867,312			11,531,997 ^e		
7	Administrative Law Judge						
8	Services	531,448		24,012	507,436 ^c		
9	Payment to Risk						
10	Management and Property						
11	Funds	380,297		12,800	348,738 ^c	13,061 ^b	5,698(I) ^d
12	Vehicle Lease Payments	276,795			276,795^e		
13		312,244			312,244 ^c		
14	Information Technology						
15	Asset Maintenance	1,678,403			1,487,646 ^c	190,757 ^b	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Hardware/Software						
2	Maintenance	590,939		800	331,537 ^c	258,602 ^b	
3	Leased Space	4,533,645	167,080		3,766,427 ^c	433,158 ^b	166,980(I) ^d
4	Payments to OIT	5,033,577	176,741		4,856,836^e		
5		4,530,079			4,353,338 ^c		
6	CORE Operations	365,367	14,158		327,931 ^c	18,814 ^b	4,464(I) ^d
7	Consumer Outreach/ Education Program	205,000			205,000 ^f		
9							42,775,920
10							43,095,788
11							

APPROPRIATION FROM

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

^a Of this amount, an estimated \$6,500 shall be from the Department of State Cash Fund created in Section 24-21-104 (3)(b), an estimated \$4,000 shall be from the Colorado Commission for the Deaf, Hard of Hearing, and Deafblind Cash Fund created in Section 26-21-107 (1), C.R.S., an estimated \$4,000 shall be from the Uniform Consumer Credit Code Cash Fund created in Section 5-6-204 (1), C.R.S., an estimated \$4,000 shall be from the Private Occupational Schools Fund created in Section 23-64-122 (1), C.R.S., an estimated \$3,500 shall be from the Racing Cash Fund created in Section 44-32-205 (1), C.R.S., an estimated \$3,500 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., an estimated \$3,000 shall be from the Broadband Administrative Fund created in Section 24-37.5-119 (4)(a), C.R.S., an estimated \$2,500 shall be from the Limited Gaming Fund created in Section 44-30-701 (1), C.R.S., an estimated \$2,000 shall be from the Veterans Assistance Grant Program Cash Fund created in Section 28-5-712 (3), C.R.S., an estimated \$2,000 shall be from the Community Crime Victims Grant Program Cash Fund created in Section 25-20.5-801 (9)(a), C.R.S., an estimated \$2,000 shall be from the Evidential Breath-Testing Cash Fund created in Section 42-4-1301.1 (9)(a), C.R.S., an estimated \$2,000 shall be from the Underfunded Courthouse Facility Cash Fund created in Section 13-1-303 (1), C.R.S., an estimated \$2,000 shall be from the Harm Reduction Grant Program Cash Fund created in Section 25-20.5-1102 (1), C.R.S., an estimated \$2,000 shall be from the Justice Reinvestment Crime Prevention Cash Fund created in Section 24-32-120 (1)(c), C.R.S., an estimated \$2,000 shall be from the Conveyance Safety Fund created in Section 9-5.5-111 (2)(b), C.R.S., an estimated \$2,000 shall be from the Stationary Sources Control Fund created in Section 25-7-114.7 (2)(b)(I), C.R.S., an estimated \$2,000 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7)(a), C.R.S., and an estimated \$34,163 shall be from various cash funds.

^b 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.

^c These amounts shall be from various sources of cash funds.

^d 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.

APPROPRIATION FROM

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

1 ^e This amount shall be from various sources of cash funds.

2 ^fOf 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
3 created in Section 40-10.1-509, C.R.S.

4

5 **(2) DIVISION OF BANKING**

6 Personal Services	4,153,242			4,153,242 ^a		
				(40.0 FTE)		
8 Operating Expenses	490,733			490,733 ^a		
9 Board Meeting Costs	23,500			23,500 ^a		
10 Indirect Cost Assessment	357,951			357,951 ^a		
		5,025,426				

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12

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

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(3) CIVIL RIGHTS DIVISION						
2	Personal Services	2,943,205		1,791,155		678,990 ^a	473,060(I) ^b
3		(35.3 FTE)					
4	Operating Expenses	105,556		62,380			43,176(I) ^b
5	Hearings Pursuant To						
6	Complaints	18,000		17,000			1,000(I) ^b
7	Commission Meeting Costs	12,374		5,174			7,200(I) ^b
8	Indirect Cost Assessment	92,231					92,231(I) ^b
9		<u>3,171,366</u>					

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^a 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.

^b 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.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(4) OFFICE OF THE UTILITY CONSUMER ADVOCATE						
3	Personal Services	1,292,188			1,292,188 ^a		
4					(11.0 FTE)		
5	Operating Expenses	61,214			61,214 ^a		
6	Indirect Cost Assessment	98,436			98,436 ^a		
7		1,451,838					
8							
9	^a These amounts shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S.						
10							
11	(5) DIVISION OF FINANCIAL SERVICES						
12	Personal Services	1,529,184			1,529,184 ^a		
13					(15.6 FTE)		
14	Operating Expenses	145,961			145,961 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Indirect Cost Assessment	139,601			139,601 ^a		
2							
3		1,814,746					
4	^a These amounts shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S.						
5							
6	(6) DIVISION OF INSURANCE						
7	Personal Services	9,275,893			9,257,041 ^a		18,852
8					(96.3 FTE)		
9	Operating Expenses	236,470			236,470 ^a		
10	Out-of-State Travel						
11	Expenses	50,000			50,000(I) ^b		
12	Senior Health Counseling						
13	Program	533,253					533,253(I) ^c
14							(2.0 FTE)

		APPROPRIATION FROM						
		ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
		\$	\$	\$	\$	\$	\$	\$
1	Transfer to CAPCO							
2	Administration	85,291				85,291 ^a		
3	Colorado Reinsurance							
4	Program	1,015,122				1,015,122 ^d		
5						(4.0 FTE)		
6	Indirect Cost Assessment	947,381				915,458 ^a		31,923(I) ^c
7			12,143,410					

^a Of these amounts, an estimated \$10,470,018 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.

^b 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.

^c These amounts shall be from the U.S. Department of Health and Human Services and are shown for informational purposes only.

^d This amount shall be from the Reinsurance Program Cash Fund created in Section 10-16-1107 (1)(a), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(7) PUBLIC UTILITIES COMMISSION						
3	Personal Services	12,902,263			12,902,263 ^a		
4					(120.7 FTE)		
5	Operating Expenses	693,235			693,235 ^a		
6	Expert Testimony	250,000			250,000 ^a		
7	Disabled Telephone Users						
8	Fund Payments	777,809			777,809(I) ^b		
9	Transfer to Reading Services						
10	for the Blind Cash Fund	610,000			610,000 ^a		
11	Colorado Commission for						
12	the Deaf, Hard of Hearing,						
13	and Deafblind Cash Fund	1,992,589			1,992,589 ^a		
14	Talking Book Library	250,000			250,000 ^a		

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Colorado Bureau of						
2	Investigation Background						
3	Checks Pass-through	104,377			104,377 ^a		
4	Highway-Rail Crossing						
5	Signalization Fund	244,800			244,800 ^c		
6	Colorado Electric						
7	Transmission Authority	500,000			500,000 ^a		
8	Indirect Cost Assessment	1,120,925			1,080,116 ^a		40,809(I) ^d
9		19,445,998					
10							

APPROPRIATION FROM

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

1 ^a Of these amounts, an estimated \$11,285,453 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S., an estimated \$3,152,913
2 shall be from the Colorado Telephone Users with Disabilities Fund created in Section 40-17-104 (1), C.R.S., an estimated \$2,204,477 shall be from the Public Utilities Commission Motor
3 Carrier Fund created in Section 40-2-110.5 (6), C.R.S., an estimated \$1,019,227 shall be from the Telecommunications Utility Fund created in Section 40-2-114 (1)(b)(I), C.R.S., an
4 estimated \$412,603 shall be from the Transportation Network Company Fund created in Section 40-10.1-607, C.R.S., an estimated \$223,831 shall be from the Colorado High Cost
5 Administration Fund created in Section 40-15-208 (3)(a), C.R.S., and an estimated \$84,076 shall be from the 911 Surcharge Trust Cash Fund created in Section 29-11-102.3 (3)(c)(I),
6 C.R.S.

7 ^b 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
8 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.

9 ^c This amount shall be from the Highway-Rail Crossing Signalization Fund created in Section 40-29-116 (1), C.R.S.

10 ^d This amount shall be from the U.S. Department of Transportation Federal Transit Administration and is shown for informational purposes only.

11

12 **(8) DIVISION OF REAL ESTATE**

13 Personal Services	4,109,738		4,109,738 ^a
14			(48.9 FTE)
15 Operating Expenses	198,627		198,627 ^a

APPROPRIATION FROM

		TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	ITEM & SUBTOTAL						
	\$	\$	\$	\$	\$	\$	\$
1	Commission Meeting Costs	36,332			36,332 ^a		
2	Hearings Pursuant to						
3	Complaint	4,000			4,000 ^a		
4	Mortgage Broker Consumer						
5	Protection	234,873			234,873 ^a		
6	Indirect Cost Assessment	437,595			437,595 ^a		
7		5,021,165					

^a These amounts shall be from the Division of Real Estate Cash Fund created in Section 12-10-215 (2)(b), C.R.S.

(9) DIVISION OF PROFESSIONS AND OCCUPATIONS

12	Personal Services	16,822,737					
13		(208.6 FTE)					
14	Operating Expenses	1,669,125					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Office of Expedited						
2	Settlement Program Costs	470,876					
3	(5.0 FTE)						
4	Hearings Pursuant to						
5	Complaint	307,075					
6	Payments to Department of						
7	Health Care Policy and						
8	Financing	14,652					
9	APPROPRIATION TO THE						
10	REGULATED NATURAL						
11	MEDICINE ACCESS PROGRAM						
12	FUND	700,000					
13	Indirect Cost Assessment	1,911,456					
14		21,195,921			20,602,470 ^a	593,451 ^b	
15		21,895,921	700,000				

APPROPRIATION FROM

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

1

2 ^a Of this amount, an estimated \$20,003,247 shall be from the Division of Professions and Occupations Cash Fund created in Section 12-20-105 (3), C.R.S., and an estimated \$478,416
3 shall be from the Prescription Drug Monitoring Fund created in Section 12-280-405 (1), C.R.S., and an estimated \$120,807 shall be from the Marijuana Tax Cash Fund created in Section
4 39-28.8-501 (1), C.R.S.

5 ^b 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
6 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
7 from the Medicaid/Medicare Certification Program line item in the Health Facilities and Emergency Medical Services Division, Health Facilities Programs section.

8

9 **(10) DIVISION OF SECURITIES**

10 Personal Services	2,488,252				2,488,252 ^a		
					(24.0 FTE)		
12 Operating Expenses	99,064				99,064 ^a		
13 Hearings Pursuant to							
14 Complaint	19,594				19,594 ^a		
15 Board Meeting Costs	4,500				4,500 ^a		

APPROPRIATION FROM

		TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	ITEM & SUBTOTAL						
	\$	\$	\$	\$	\$	\$	\$
1	Securities Fraud Prosecution	1,273,384			1,273,384 ^a		
2	Indirect Cost Assessment	214,770			214,770 ^a		
		<hr style="width: 100%;"/>					
3		4,099,564					
4							

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

7 **(11) DIVISION OF CONSERVATION**

8	Conservation Easement						
9	Program Costs	611,676			611,676 ^a		
10					(5.8 FTE)		
11	Indirect Cost Assessment	51,903			51,903 ^a		
		<hr style="width: 100%;"/>					
12		663,579					
13							

14 ^a These amounts shall be from the Conservation Cash Fund created in Section 12-15-107, C.R.S.

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	TOTALS PART XIX						
3	(REGULATORY						
4	AGENCIES)	\$116,808,933	\$2,902,205		\$106,066,623*	\$6,244,571	\$1,595,534 ^b
5		<u>\$117,828,801</u>	<u>\$3,602,205</u>		<u>\$106,386,491^a</u>		
6							

7 ^a Of this amount, \$827,809 contains an (I) notation.

8 ^b This amount contains an (I) notation.

9

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