

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

ENGROSSED

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

LLS NO. 23-0906.01 Alison Killen x4350

SENATE BILL 23-234

SENATE SPONSORSHIP

Bridges and Kirkmeyer,

HOUSE SPONSORSHIP

Bird and Sirota,

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CESSATION OF ADVANCE PAYMENT OF PREMIUMS**
102 **FOR STATE EMPLOYEE FAMILY AND MEDICAL LEAVE INSURANCE**
103 **COVERAGE, AND, IN CONNECTION THEREWITH, TRANSFERRING**
104 **MONEY FROM THE FAMILY AND MEDICAL LEAVE INSURANCE**
105 **FUND BACK TO THE REVENUE LOSS RESTORATION CASH FUND.**

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. Currently, premiums for state employee coverage that the state is required to pay under the family and medical

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 29, 2023

leave insurance program are paid by credit calculated by the division of family and medical leave insurance (division) based on the state's advance payment of \$57 million to the family and medical leave insurance fund from the revenue loss restoration cash fund in May 2022. The bill terminates such payment by credit at the end of fiscal year 2023-24 and requires the state treasurer to transfer \$35 million - the estimated unexpended amount of the \$57 million - back to the revenue loss restoration fund on or as soon as possible after the date on which the balance of the family and medical leave insurance fund reaches \$100 million. Once the state controller has published the comprehensive annual financial report of the state for fiscal year 2023-24, the bill requires the state treasurer to transfer any actual additional unexpended amount of the \$57 million to the revenue loss restoration fund. The bill also makes a conforming amendment to the statute in which the revenue loss restoration fund is created.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-13.3-518, **add**
3 (4)(d) as follows:

4 **8-13.3-518. Family and medical leave insurance fund -**
5 **establishment and investment - repeal.** (4) (d) (I) NOTWITHSTANDING
6 ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE DIVISION SHALL
7 CEASE TO CREDIT THE MONEY TRANSFERRED TO THE FUND FROM THE
8 REVENUE LOSS RESTORATION CASH FUND PURSUANT TO SUBSECTION (4)(a)
9 OF THIS SECTION AS AN ADVANCE PAYMENT OF PREMIUMS FOR STATE
10 EMPLOYEE COVERAGE THAT THE STATE IS REQUIRED TO PAY UNDER THE
11 FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM AT THE END OF FISCAL
12 YEAR 2023-24.

13 (II) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
14 CONTRARY, ON THE DATE ON WHICH THE FUND BALANCE MEETS OR
15 EXCEEDS ONE HUNDRED MILLION DOLLARS, OR AS SOON AS POSSIBLE
16 THEREAFTER, THE STATE TREASURER SHALL TRANSFER THIRTY-FIVE
17 MILLION DOLLARS FROM THE FUND BACK TO THE REVENUE LOSS

1 RESTORATION FUND CREATED IN SECTION 24-75-227 (2)(a) AS REPAYMENT
2 OF THE UNEXPENDED AMOUNT OF THE ADVANCE PAYMENT OF PREMIUMS
3 FOR STATE EMPLOYEE COVERAGE MADE BY THE STATE PURSUANT TO
4 SUBSECTION (4)(a) OF THIS SECTION.

5 (III) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
6 CONTRARY, ON OR AS SOON AS POSSIBLE AFTER THE DATE THE STATE
7 CONTROLLER PUBLISHES THE COMPREHENSIVE ANNUAL FINANCIAL REPORT
8 OF THE STATE FOR STATE FISCAL YEAR 2023-24 , THE STATE TREASURER
9 SHALL TRANSFER ANY REMAINING AMOUNT OF THE FIFTY-SEVEN MILLION
10 DOLLARS TRANSFERRED TO THE FUND FROM THE REVENUE LOSS
11 RESTORATION CASH FUND PURSUANT TO SUBSECTION (4)(a) OF THIS
12 SECTION, IN ADDITION TO THE THIRTY-FIVE MILLION DOLLARS TO BE
13 TRANSFERRED PURSUANT TO SUBSECTION (4)(d)(II) OF THIS SECTION,
14 BACK TO THE REVENUE LOSS RESTORATION CASH FUND AS REPAYMENT OF
15 THE UNEXPENDED AMOUNT OF THE ADVANCE PAYMENT OF PREMIUMS FOR
16 STATE EMPLOYEE COVERAGE MADE BY THE STATE PURSUANT TO
17 SUBSECTION (4)(a) OF THIS SECTION.

18 **SECTION 2.** In Colorado Revised Statutes, 24-75-227, **amend**
19 (2)(b)(III)(A) and (2)(b)(III)(B); and **add** (2)(b)(III)(C) as follows:

20 **24-75-227. Revenue loss restoration cash fund - creation -**
21 **allowable uses - definitions - repeal.** (2) (b) (III) The fund also
22 includes:

23 (A) Five million five hundred sixty-three thousand nine hundred
24 eighty-eight dollars from the money the state received from the federal
25 coronavirus state fiscal recovery fund under section 9901 of title IX,
26 subtitle M of the "American Rescue Plan Act of 2021", which the state
27 treasurer shall transfer to the fund; ~~and~~

1 (B) The amounts transferred to the fund in accordance with
2 section 24-75-228 (3.5)(b) and (3.7); AND

3 (C) THE AMOUNT TRANSFERRED TO THE FUND IN ACCORDANCE
4 WITH SECTION 8-13.3-518 (4)(d)(II).

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