

CHAPTER 258

GOVERNMENT - STATE

HOUSE BILL 94-1367

BY REPRESENTATIVES Owen, Grampsas, and Romero;
also SENATORS Rizzuto, Traylor, and Lacy.

AN ACT

CONCERNING THE AUTHORITY TO ADMINISTER LINE-ITEM APPROPRIATIONS, AND, IN CONNECTION THEREWITH, EXTENDING FOR AN ADDITIONAL TIME PERIOD EXISTING ADMINISTRATIVE AUTHORITY FOR LIMITED TRANSFERS BETWEEN AND FOR OVEREXPENDITURES OF SUCH APPROPRIATIONS IN LIMITED CIRCUMSTANCES.

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

SECTION 1. 24-75-105, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-75-105. Transfers required to implement conditional and centralized appropriations - repeal. (1) Transfers of appropriations which are authorized in the 1990-91 and subsequent general appropriation acts and are required to implement appropriations conditioned on the distribution of the appropriation among, or the transfer of the appropriation between, departments, agencies, or programs, including centralized appropriations, are expressly authorized.

(2) This section is repealed, effective ~~September 1, 1994~~ SEPTEMBER 1, 1999.

SECTION 2. 24-75-106, Colorado Revised Statutes, 1988 Repl. Vol., as amended, as it will become effective July 1, 1994, is amended to read:

24-75-106. Transfers between departments of health care policy and financing and human services for medicaid programs - repeal.

(1) Notwithstanding the effect of the "M" provision in the 1990-91 and subsequent general appropriation acts, the governor may transfer unlimited amounts of general fund appropriations to and from the departments of health care policy and financing and human services when required by changes from the appropriated levels in the

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

amount of medicaid cash funds earned through programs or services provided under the supervision of the department of human services.

(2) This section is repealed, effective ~~September 1, 1994~~ SEPTEMBER 1, 1999.

SECTION 3. Part 1 of article 75 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

24-75-107.5. Transfers of cash-spending authority between cash fund and cash fund exempt appropriations - repeal. (1) UPON APPROVAL OF THE GOVERNOR, THE HEAD OF A PRINCIPAL DEPARTMENT MAY TRANSFER CASH-SPENDING AUTHORITY WITHIN ANY ITEM OF APPROPRIATION WHICH OPERATES TO INCREASE A CASH FUND EXEMPT APPROPRIATION BY DECREASING A CASH FUND APPROPRIATION IN A CORRESPONDING AMOUNT SO THAT SUCH TRANSFER DOES NOT INCREASE THE TOTAL CASH FUND SPENDING AUTHORITY WITHIN THE ITEM OF APPROPRIATION.

(2) TRANSFERS AUTHORIZED BY THIS SECTION SHALL APPLY TO THE 1993-94 AND SUBSEQUENT GENERAL APPROPRIATION ACTS.

(3) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 1999.

SECTION 4. 24-75-108 (8) and (11), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

24-75-108. Intradepartmental transfers between appropriations - repeal. (8) The total amount of moneys transferred between items of appropriation made to principal departments of state government and to the office of the governor pursuant to this section, OTHER THAN TRANSFERS WITHIN A PRINCIPAL DEPARTMENT FROM AN OPERATING EXPENSE ITEM TO A UTILITIES ITEM OR FROM A UTILITIES ITEM TO A UTILITIES ITEM, shall not exceed ~~one~~ TWO million dollars.

(11) This section is repealed, effective ~~September 1, 1994~~ SEPTEMBER 1, 1999.

SECTION 5. 24-37-302 (1) (k.2), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-37-302. Responsibilities of the office of state planning and budgeting - repeal. (1) The office shall assist the governor in his responsibilities pertaining to the executive budget. Specifically, it shall:

(k.2) (I) Review for the governor all transfers of appropriations pursuant to sections 24-75-105 to 24-75-108.

(II) This paragraph (k.2) is repealed, effective ~~September 1, 1994~~ SEPTEMBER 1, 1999.

SECTION 6. 24-75-109 (6), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-75-109. Controller may allow expenditures in excess of appropriations -

limitations - appropriations for subsequent fiscal year restricted - repeal.

(6) The controller may allow overexpenditures pursuant to this section only for the fiscal years beginning ~~July 1, 1990, July 1, 1991, July 1, 1992,~~ and July 1, 1993, JULY 1, 1994, JULY 1, 1995, JULY 1, 1996, JULY 1, 1997, AND JULY 1, 1998, and this section is repealed, effective ~~July 1, 1994~~ JULY 1, 1999.

SECTION 7. 24-75-107, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-75-107. Cash fund transfers pursuant to sections 24-75-105 and 24-75-106 - repeal. (1) All transfers pursuant to sections 24-75-105 and 24-75-106 which involve cash funds shall be consistent with statutes governing the use of cash funds.

(2) This section is repealed, effective ~~September 1, 1994~~ SEPTEMBER 1, 1999.

SECTION 8. 24-75-110, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-75-110. Limitation on judicial department - repeal. (1) The total amount of moneys transferred between items of appropriation made to the judicial department pursuant to section 24-75-108 and overexpenditures by the judicial department allowed pursuant to section 24-75-109 shall not exceed one million dollars in any fiscal year.

(2) This section is repealed, effective ~~July 1, 1994~~ JULY 1, 1999.

SECTION 9. 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: May 25, 1994