

CHAPTER 258

GOVERNMENT - STATE

SENATE BILL 97-228

BY SENATORS Rizzuto, Lacy, Blickensderfer, Bishop, Matsunaka, Mutzebaugh, Norton, Powers, and Tebedo;
also REPRESENTATIVES Romero, Grampsas, Owen, Allen, Chavez, Mace, and Saliman.

AN ACT

CONCERNING MONEYS GENERATED BY THE DEPARTMENT OF STATE, AND, IN CONNECTION THEREWITH,
PROVIDING FOR THE TRANSFER OF MONEYS IN THE DEPARTMENT OF STATE CASH FUND TO THE
BUSINESS TRAINING AND PROMOTION CASH FUND, ELIMINATING THE SURCHARGE ON FEES CHARGED
BY THE SECRETARY OF STATE, AND MAKING AN APPROPRIATION.

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

SECTION 1. 24-21-104 (3) (d) and (3) (e), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

24-21-104. Fees of secretary of state. (3) (d) (I) Notwithstanding any provision of paragraph (b) of this subsection (3) to the contrary, for the fiscal year beginning July 1, 1984, the general assembly, acting by bill, may direct the state treasurer to deduct from the department of state cash fund any unappropriated moneys in said fund and to credit such moneys to the general fund.

(II) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (3) TO THE CONTRARY, ON JULY 1, 1997, THE STATE TREASURER SHALL DEDUCT FOUR MILLION DOLLARS FROM THE DEPARTMENT OF STATE CASH FUND AND TRANSFER SUCH SUM TO THE BUSINESS TRAINING AND PROMOTION CASH FUND CREATED IN SECTION 24-22-114.

(III) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (3) TO THE CONTRARY, ON JULY 1, 1997, THE STATE TREASURER SHALL DEDUCT ONE MILLION DOLLARS FROM THE DEPARTMENT OF STATE CASH FUND AND TRANSFER SUCH SUM TO THE STATE RAIL BANK FUND CREATED IN SECTION 43-1-1309, C.R.S.

(e) ~~(f) (A) Notwithstanding any provisions of law to the contrary, beginning July 1, 1992, the secretary of state shall impose and collect surcharges on the fees charged~~

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

by the secretary of state. The secretary of state shall annually set such surcharges at levels which are sufficient to generate the amount of revenues specified in sub-subparagraph (B) of this subparagraph (I) during each fiscal year. The additional moneys collected for such surcharges shall be credited to the general fund.

(B) The amount of revenues which the secretary of state shall generate pursuant to the provisions of sub-subparagraph (A) of this subparagraph (I) shall be one million dollars during fiscal year 1992-93. Beginning with fiscal year 1994-95, such amount of revenues shall be adjusted biennially in accordance with the change in the consumer price index for the Denver-Boulder metropolitan statistical area.

(H) No later than October 1 of each year, the secretary of state shall report to the joint budget committee the amount of money credited to the general fund pursuant to subparagraph (I) of this paragraph (e) for the preceding fiscal year.

SECTION 2. Article 22 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

24-22-114. Business training and promotion cash fund - repeal. (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE BUSINESS TRAINING AND PROMOTION CASH FUND. THE FUND SHALL CONSIST OF MONEYS TRANSFERRED THERETO PURSUANT TO THE PROVISIONS OF SECTION 24-21-104 (3) (d) (II). MONEYS IN THE FUND SHALL BE AVAILABLE FOR APPROPRIATION BY THE GENERAL ASSEMBLY IN THE 1997-98 FISCAL YEAR FOR BUSINESS TRAINING AND PROMOTION.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 1998.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the business training and promotion cash fund created in section 24-22-114, Colorado Revised Statutes, not otherwise appropriated, for the fiscal year beginning July 1, 1997, the sum of four million dollars (\$4,000,000). Of such sum, one million nine hundred thousand dollars (\$1,900,000) is appropriated to the department of higher education for allocation to the division of occupational education for the Colorado customized training program created in section 23-60-306, Colorado Revised Statutes, and the existing industry training program created in section 23-60-307, Colorado Revised Statutes, and two million one hundred thousand dollars (\$2,100,000) is appropriated to the department of local affairs for economic development for Colorado promotion and Colorado welcome centers. No additional FTE shall be funded out of this appropriation.

SECTION 4. Effective date. This act shall take effect July 1, 1997; except that section 24-21-104 (3) (d) (III), as enacted by section 1 of this act, shall only take effect if SB 97-37 is enacted at the First Regular Session of the Sixty-first General Assembly and becomes law.

SECTION 5. 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: June 3, 1997