

CHAPTER 306

**GOVERNMENT - STATE**

**SENATE BILL 98-194**

BY SENATORS Rizzuto, Lacy, Blickensderfer, Hernandez, Hopper, Johnson, Martinez, Mutzebaugh, Norton, Perlmutter, Reeves, Schroeder, Tebedo, Weddig, Phillips, Wattenberg, Wells, and Wham;  
also REPRESENTATIVES Grampsas, Owen, Romero, Allen, Dean, George, Gotlieb, Hagedorn, Kaufman, Mace, Miller, Salaz, Spradley, Sullivant, Taylor, T. Williams, Young, and Zimmerman.

**AN ACT**

CONCERNING CASH FUNDS OF THE STATE, AND MAKING APPROPRIATIONS IN CONNECTION THEREWITH.

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

**SECTION 1.** Part 4 of article 75 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**24-75-402. Cash funds - limit on uncommitted reserves - reduction in amount of fees - exclusions.** (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION LIMITS STATE FISCAL YEAR SPENDING;

(b) SUBJECT TO CERTAIN EXCLUSIONS SPECIFIED IN SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, ALL STATE GENERAL FUND REVENUES AND ALL STATE CASH FUND REVENUES ARE SUBJECT TO THE LIMITATION ON STATE FISCAL YEAR SPENDING;

(c) THE LEGISLATIVE POWERS OF THE GENERAL ASSEMBLY, INCLUDING BUT NOT LIMITED TO ITS PLENARY POWER OF APPROPRIATION, AUTHORIZE AND REQUIRE THE GENERAL ASSEMBLY TO ASSURE COMPLIANCE WITH THE LIMITATION ON STATE FISCAL YEAR SPENDING AND TO MAKE FUNDAMENTAL FISCAL POLICY DECISIONS ESTABLISHING THE LEVEL OF ACTIVITY OF ALL DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT, INCLUDING THOSE FUNDED BY REVENUES GENERATED FROM FEES;

(d) CONSONANT WITH THE EXERCISE OF SUCH LEGISLATIVE POWERS, THE GENERAL ASSEMBLY MUST ESTABLISH LIMITS ON THE AMOUNT OF UNCOMMITTED RESERVES

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

THAT MAY BE MAINTAINED BY STATE AGENCIES FOR CASH FUNDS AND EXERCISE ANY OTHER NECESSARY CONTROLS ON CASH FUND REVENUES, INCLUDING BUT NOT LIMITED TO THE POWER OF APPROPRIATION;

(e) IN ORDER TO ENSURE COMPLIANCE WITH THE LIMITATIONS ON THE AMOUNT OF UNCOMMITTED RESERVES THAT MAY BE MAINTAINED FOR ANY CASH FUND, THE GENERAL ASSEMBLY MAY REQUIRE REDUCTIONS IN THE AMOUNT OF FEES COLLECTED BY STATE AGENCIES, EVEN THOUGH SUCH REDUCTIONS MAY RESULT IN SOME PERSONS PAYING MORE THAN OTHER PERSONS TO RECEIVE STATE AGENCY SERVICES.

(2) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ALTERNATIVE RESERVE BALANCE" MEANS A MINIMUM RESERVE BALANCE THAT EXCEEDS THE TARGET RESERVE, A MAXIMUM RESERVE BALANCE THAT IS LESS THAN THE TARGET RESERVE, OR A MAXIMUM RESERVE BALANCE THAT EXCEEDS THE TARGET RESERVE.

(b) "CASH FUND" MEANS ANY FUND, OTHER THAN THE STATE GENERAL FUND CREATED BY SECTION 24-75-201 AND ANY FEDERAL FUND, ESTABLISHED BY LAW FOR A SPECIFIC PROGRAM OR PURPOSE.

(c) (I) "ENTITY" MEANS ANY ORGAN OF THE LEGISLATIVE, EXECUTIVE, OR JUDICIAL BRANCH OF THE GOVERNMENT OF THE STATE OF COLORADO, INCLUDING BUT NOT LIMITED TO:

- (A) THE DEPARTMENTS OF THE EXECUTIVE BRANCH;
- (B) THE LEGISLATIVE HOUSES AND AGENCIES;
- (C) THE APPELLATE AND TRIAL COURTS AND COURT PERSONNEL; AND
- (D) STATE INSTITUTIONS OF HIGHER EDUCATION.

(II) "ENTITY" DOES NOT INCLUDE ANY ENTERPRISE, AS DEFINED IN SECTION 24-77-102 (3), OR ANY SPECIAL PURPOSE AUTHORITY.

(d) "EXCESS UNCOMMITTED RESERVES" MEANS THE AMOUNT OF UNCOMMITTED RESERVES FOR A CASH FUND THAT EXCEEDS THE TARGET RESERVE AMOUNT FOR THAT CASH FUND.

(e) "FEES" MEANS ANY MONEYS COLLECTED BY AN ENTITY; EXCEPT THAT "FEES" DOES NOT INCLUDE:

(I) ANY MONEYS COLLECTED FROM SOURCES EXCLUDED FROM STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION 24-77-102 (17);

(II) ANY MONEYS RECEIVED THROUGH THE IMPOSITION OF PENALTIES OR FINES OR SURCHARGES IMPOSED ON ANY PERSON CONVICTED OF A CRIME;

(III) ANY MONEYS APPROPRIATED FROM THE STATE GENERAL FUND;

(IV) ANY MONEYS RECEIVED THROUGH THE IMPOSITION OF TAXES;

(V) ANY MONEYS RECEIVED FROM CHARGES OR ASSESSMENTS, THE AMOUNT OF WHICH ARE NOT DETERMINED BY THE ENTITY;

(VI) ANY MONEYS RECEIVED FROM GIFTS OR DONATIONS;

(VII) ANY MONEYS RECEIVED FROM LOCAL GOVERNMENT GRANTS OR CONTRACTS;

(VIII) ANY MONEYS RECEIVED THROUGH DIRECT TRANSFERS FROM ANOTHER ENTITY, AN ENTERPRISE, OR A SPECIAL PURPOSE AUTHORITY;

(IX) ANY MONEYS RECEIVED AS INTEREST OR OTHER INVESTMENT INCOME.

(f) "NONMONETARY CURRENT ASSET" MEANS AN ASSET THAT EITHER CANNOT BE CONVERTED TO CASH OR IS HELD WITH THE INTENT OF BEING USED RATHER THAN BEING CONVERTED TO CASH.

(g) "TARGET RESERVE" MEANS SIXTEEN AND FIVE-TENTHS PERCENT OF THE AMOUNT EXPENDED FROM A CASH FUND DURING THE FISCAL YEAR.

(h) "UNCOMMITTED RESERVES" MEANS THE FUND BALANCE OF A CASH FUND AS OF JUNE 30 OF ANY FISCAL YEAR, MINUS THE FOLLOWING:

(I) ANY LONG-TERM ASSETS CREDITED TO THE CASH FUND;

(II) ANY UNENCUMBERED FUND BALANCE PREVIOUSLY APPROPRIATED FOR CAPITAL CONSTRUCTION OR OTHER MULTIYEAR PURPOSES;

(III) ANY NONMONETARY CURRENT ASSETS CREDITED TO THE CASH FUND, INCLUDING BUT NOT LIMITED TO CONSUMABLE INVENTORY AND PREPAID EXPENSES;

(IV) ANY PORTION OF THE REVENUES CREDITED TO THE CASH FUND THAT IS ESTIMATED TO BE DERIVED FROM NON-FEE SOURCES. THE ESTIMATE SHALL BE EQUAL TO THE PORTION OF TOTAL REVENUES RECEIVED FROM NON-FEE SOURCES IN THE PRIOR FISCAL YEAR.

(3) (a) AT THE END OF THE 1997-98 FISCAL YEAR, IF THE UNCOMMITTED RESERVES OF A CASH FUND EXCEED THE TARGET RESERVE, EACH ENTITY THAT COLLECTS ONE OR MORE OF THE FEES DEPOSITED IN THE CASH FUND SHALL BY RULE OR AS OTHERWISE PROVIDED BY LAW REDUCE THE AMOUNT OF SAID FEES AS FOLLOWS:

(I) IF THE UNCOMMITTED RESERVES EXCEED SIXTEEN AND FIVE-TENTHS PERCENT OF THE AMOUNT EXPENDED FROM THE CASH FUND DURING THE 1997-98 FISCAL YEAR BUT ARE LESS THAN FIFTY PERCENT OF THE AMOUNT EXPENDED FROM THE CASH FUND DURING THE 1997-98 FISCAL YEAR, THE FEES SHALL BE REDUCED BY AN AMOUNT CALCULATED TO RESULT IN AN AMOUNT OF UNCOMMITTED RESERVES BY THE END OF THE 2000-01 FISCAL YEAR THAT DOES NOT EXCEED THE TARGET RESERVE FOR THE 2000-01 FISCAL YEAR;

(II) IF THE UNCOMMITTED RESERVES EQUAL FIFTY PERCENT OR MORE OF THE

AMOUNT EXPENDED FROM THE CASH FUND DURING THE 1997-98 FISCAL YEAR, THE FEES SHALL BE REDUCED BY AN AMOUNT CALCULATED TO RESULT IN AN AMOUNT OF UNCOMMITTED RESERVES BY THE END OF THE 2002-03 FISCAL YEAR THAT DOES NOT EXCEED THE TARGET RESERVE FOR THE 2002-03 FISCAL YEAR.

(b) NOTWITHSTANDING ANY PROVISIONS OF THIS SUBSECTION (3) TO THE CONTRARY, THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL NOT APPLY TO ANY CASH FUND FOR WHICH AN ALTERNATIVE RESERVE BALANCE IS SPECIFIED IN THE CONSTITUTION OR FOR WHICH AN ALTERNATIVE RESERVE BALANCE IS OTHERWISE ESTABLISHED BY LAW. IF THE ACTUAL AMOUNT OF UNCOMMITTED RESERVES EXCEEDS THE ALTERNATIVE RESERVE BALANCE OTHERWISE SPECIFIED FOR ANY CASH FUND, EACH ENTITY THAT COLLECTS ONE OR MORE OF THE FEES DEPOSITED IN THE CASH FUND SHALL BY RULE OR AS OTHERWISE PROVIDED BY LAW REDUCE THE AMOUNT OF SAID FEES. THE AMOUNT OF FEE REDUCTION SHALL BE CALCULATED TO REDUCE THE UNCOMMITTED RESERVES TO NOT MORE THAN THE ALTERNATIVE RESERVE BALANCE OTHERWISE SPECIFIED FOR THE CASH FUND BY THE END OF THE 2000-01 FISCAL YEAR.

(c) FOR THE 2002-03 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE UNCOMMITTED RESERVES OF ANY CASH FUND AT THE CONCLUSION OF ANY GIVEN FISCAL YEAR SHALL NOT EXCEED THE TARGET RESERVE FOR THAT FISCAL YEAR; EXCEPT THAT, FOR ANY CASH FUND FOR WHICH AN ALTERNATIVE RESERVE BALANCE IS OTHERWISE SPECIFIED IN THE CONSTITUTION OR BY LAW, THE UNCOMMITTED RESERVES OF SAID CASH FUND SHALL NOT EXCEED THE ALTERNATIVE RESERVE BALANCE OTHERWISE SPECIFIED. IF THE AMOUNT OF UNCOMMITTED RESERVES OF ANY CASH FUND AT THE CONCLUSION OF ANY GIVEN FISCAL YEAR EXCEEDS THE TARGET RESERVE OR AN ALTERNATIVE RESERVE BALANCE OTHERWISE SPECIFIED FOR THE CASH FUND IN THE CONSTITUTION OR BY LAW, EACH ENTITY THAT COLLECTS ONE OR MORE OF THE FEES DEPOSITED IN THE CASH FUND SHALL BY RULE OR AS OTHERWISE PROVIDED BY LAW REDUCE THE AMOUNT OF ONE OR MORE OF SAID FEES TO AN AMOUNT CALCULATED TO RESULT IN AN AMOUNT OF UNCOMMITTED RESERVES OF THE CASH FUND FOR THE CURRENT FISCAL YEAR THAT DOES NOT EXCEED THE TARGET RESERVE OR THE ALTERNATIVE RESERVE BALANCE OTHERWISE SPECIFIED FOR THE CASH FUND IN THE CONSTITUTION OR BY LAW.

(d) IF MORE THAN ONE ENTITY COLLECTS THE FEES THAT ARE DEPOSITED IN A CASH FUND AND THE AMOUNT OF SAID FEES ARE REQUIRED TO BE REDUCED PURSUANT TO THIS SUBSECTION (3), THE REDUCTION IN FEES FOR EACH ENTITY SHALL BE PROPORTIONAL TO THE AMOUNT OF FEES CONTRIBUTED BY EACH ENTITY TO THE EXCESS UNCOMMITTED RESERVES.

(e) IN CALCULATING THE REDUCTION IN FEES UNDER THIS SUBSECTION (3), AN ENTITY MAY TAKE INTO ACCOUNT INCREASES IN EXPENDITURES FROM THE CASH FUND.

(4) (a) IF AN ENTITY REDUCES THE AMOUNT OF A FEE PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE ENTITY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY SUBSEQUENTLY RAISE THE AMOUNT OF THE FEE SO LONG AS THE PROJECTED AMOUNT OF UNCOMMITTED RESERVES OF THE CASH FUND DOES NOT EXCEED THE LIMITATIONS SPECIFIED IN SUBSECTION (3) OF THIS SECTION. ANY SUCH FEE INCREASE BY AN ENTITY IN THE EXECUTIVE BRANCH, PRIOR TO PROMULGATION OR ADOPTION, SHALL BE SUBJECT TO APPROVAL BY THE OFFICE OF STATE PLANNING AND BUDGETING. THE

ENTITY SHALL NOT INCREASE THE FEE BEYOND ANY AMOUNT SPECIFIED IN STATUTE FOR THE FEE.

(b) ANY RULE ADOPTED BY AN ENTITY IN THE EXECUTIVE BRANCH THAT REDUCES THE AMOUNT OF A FEE PURSUANT TO SUBSECTION (3) OF THIS SECTION OR INCREASES THE AMOUNT OF A FEE PURSUANT TO THIS SUBSECTION (4) SHALL BE SUBJECT TO THE REQUIREMENTS OF THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF THIS TITLE.

(5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE FOLLOWING CASH FUNDS ARE EXCLUDED FROM THE LIMITATIONS SPECIFIED IN THIS SECTION:

(a) ANY CASH FUND FOR WHICH REVENUES ARE DERIVED SOLELY FROM FEES, THE AMOUNTS OF WHICH ARE ESTABLISHED BY THE FEDERAL GOVERNMENT;

(b) ANY CASH FUND FOR WHICH REVENUES ARE DERIVED SOLELY FROM FEES SET BY THE COLORADO SUPREME COURT IN THE EXERCISE OF ITS EXCLUSIVE AUTHORITY TO REGULATE THE PRACTICE OF LAW;

(c) ANY CASH FUND FOR WHICH REVENUES ARE DERIVED SOLELY FROM FEES SET BY AN ENTERPRISE, AS DEFINED IN SECTION 24-77-102 (3), OR A SPECIAL PURPOSE AUTHORITY;

(d) ANY CASH FUND THAT IS ESTABLISHED TO FUND CAPITAL CONSTRUCTION;

(e) ANY CASH FUND FOR WHICH THE RESERVE AMOUNTS ARE BASED ON ACTUARIAL REQUIREMENTS;

(f) ANY TRUST FUND;

(g) ANY CASH FUND WITH UNCOMMITTED RESERVES OF LESS THAN FIFTY THOUSAND DOLLARS;

(h) THE HIGHWAY USERS' TAX FUND AND THE STATE HIGHWAY FUND; EXCEPT THAT THE EMERGENCY MEDICAL SERVICES ACCOUNT CREATED IN SECTION 25-3.5-603, C.R.S., THE DISTRIBUTED DATA PROCESSING SYSTEM SPECIAL PURPOSE ACCOUNT CREATED IN SECTION 42-1-211 (2), C.R.S., AND THE AIR ACCOUNT CREATED IN SECTION 42-3-134 (26), C.R.S., INCLUDED IN THE HIGHWAY USERS' TAX FUND SHALL BE SUBJECT TO THE PROVISIONS OF THIS SECTION;

(i) THE PETROLEUM STORAGE TANK FUND CREATED IN SECTION 8-20.5-103, C.R.S.;

(j) THE HAZARDOUS SUBSTANCE RESPONSE FUND CREATED IN SECTION 25-16-104.6, C.R.S.;

(k) THE LAND AND WATER MANAGEMENT FUND CREATED IN SECTION 36-1-148, C.R.S.;

(l) THE BRAND INSPECTION FUND CREATED IN SECTION 35-41-102, C.R.S.;

(m) THE COLORADO STATE FAIR AUTHORITY CASH FUND CREATED IN SECTION 35-65-107, C.R.S.

(6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE LIMITATIONS SPECIFIED IN THIS SECTION SHALL NOT APPLY TO ANY CASH FUND USED TO FUND A SINGLE PROGRAM IF THE PROGRAM HAS BEEN IN EXISTENCE LESS THAN TWO FULL FISCAL YEARS.

(7) THE OFFICE OF STATE PLANNING AND BUDGETING SHALL ANNUALLY REVIEW THE TOTAL AMOUNT OF REVENUES CREDITED TO CASH FUNDS, INCLUDING BUT NOT LIMITED TO THE AMOUNTS RECEIVED FROM FEES AND FROM OTHER SOURCES, AND THE REPORT OF UNCOMMITTED RESERVES PREPARED BY THE STATE CONTROLLER PURSUANT TO SECTION 24-30-207 (3).

(8) (a) NOTWITHSTANDING THE TARGET RESERVE LIMITATION IMPOSED PURSUANT TO PARAGRAPH (C) OF SUBSECTION (3) OF THIS SECTION, FOR FISCAL YEARS BEGINNING ON OR AFTER JULY 1, 2002, THE GENERAL ASSEMBLY MAY GRANT A WAIVER OF THE TARGET RESERVE REQUIREMENT SPECIFIED IN SUBSECTION (3) OF THIS SECTION FOR AN ENTITY THAT DEMONSTRATES A SPECIFIC PURPOSE FOR WHICH THE ENTITY NEEDS TO MAINTAIN UNCOMMITTED RESERVES IN AN AMOUNT GREATER THAN THE TARGET RESERVE FOR A SPECIFIED, LIMITED PERIOD OF TIME. A SPECIFIC PURPOSE THAT MAY WARRANT A WAIVER PURSUANT TO THIS SUBSECTION (8) INCLUDES, BUT IS NOT LIMITED TO, PURCHASE OF A PARTICULAR ITEM OF EQUIPMENT OR OPERATION OF A SHORT-TERM PROGRAM.

(b) TO REQUEST A WAIVER PURSUANT TO THIS SUBSECTION (8), AN ENTITY, DURING THE ANNUAL BUDGET-SETTING PROCESS, SHALL PRESENT A PLAN TO THE JOINT BUDGET COMMITTEE THAT AT A MINIMUM SPECIFIES THE SPECIFIC PURPOSE FOR WHICH THE ENTITY NEEDS TO MAINTAIN A GREATER AMOUNT OF UNCOMMITTED RESERVES, THE GREATER AMOUNT OF UNCOMMITTED RESERVES REQUESTED, THE TIME PERIOD FOR THE WAIVER, AND THE PLAN FOR REDUCING ANY EXCESS UNCOMMITTED RESERVES THAT MAY REMAIN ON COMPLETION OF THE WAIVER PERIOD. THE JOINT BUDGET COMMITTEE, IN DETERMINING WHETHER TO RECOMMEND A WAIVER PURSUANT TO THIS SUBSECTION (8), SHALL CONSIDER THE PURPOSE FOR WHICH THE ENTITY HAS REQUESTED THE WAIVER, THE REASONABLENESS OF THE TIME PERIOD FOR THE WAIVER, AND THE EFFECT THE WAIVER MAY HAVE ON THE STATE'S ABILITY TO COMPLY WITH THE LIMITATIONS ON STATE FISCAL YEAR SPENDING IMPOSED PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(c) THE JOINT BUDGET COMMITTEE SHALL RECOMMEND LEGISLATION TO GRANT ANY WAIVER REQUESTED PURSUANT TO THIS SUBSECTION (8) THAT THE COMMITTEE DEEMS APPROPRIATE. THE LEGISLATION, AT A MINIMUM, SHALL SPECIFY THE FUND FOR WHICH THE WAIVER IS GRANTED, THE GREATER AMOUNT OF UNCOMMITTED RESERVES AUTHORIZED, AND THE TIME PERIOD FOR THE WAIVER.

**SECTION 2.** 24-30-207, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-30-207. Reports of revenue and expenditures.** (3) FOR THE 1997-98 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE CONTROLLER SHALL PREPARE A REPORT FOR THE STATE ASCERTAINING THE AMOUNT OF UNCOMMITTED RESERVES, AS

DEFINED IN SECTION 24-75-402 (2), CREDITED TO EACH STATE CASH FUND, AS DEFINED BY SECTION 24-75-402 (2) (b). SUCH REPORT SHALL BE AUDITED BY THE STATE AUDITOR. SUCH REPORT SHALL BE DELIVERED TO THE OFFICE OF STATE PLANNING AND BUDGETING AND TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY ON OR BEFORE SEPTEMBER 20 OF EACH YEAR.

**SECTION 3.** 1-1-107 (2) (a), Colorado Revised Statutes, is amended to read:

**1-1-107. Powers and duties of secretary of state - penalty.** (2) In addition to any other powers prescribed by law, the secretary of state shall have the following powers:

(a) To promulgate, publish, and distribute, either in conjunction with copies of the election laws pursuant to section 1-1-108 or separately, such rules ~~and regulations~~ as the secretary of state finds necessary for the proper administration and enforcement of the election laws, INCLUDING BUT NOT LIMITED TO RULES ESTABLISHING THE AMOUNT OF FEES AS PROVIDED IN THIS CODE;

**SECTION 4.** 1-4-303, Colorado Revised Statutes, is amended to read:

**1-4-303. Nomination of unaffiliated candidates.** (1) Any persons who have submitted to the secretary of state, on the twenty-eighth day preceding the primary election, a notarized candidate's statement of intent together with a nonrefundable filing fee of five hundred dollars or nominated as candidates for the offices of president and vice president of the United States by a petition for nomination of an unaffiliated candidate pursuant to the provisions of section 1-4-802 shall include either on the petition or with the filing fee the names of registered electors who are thus nominated as presidential electors. The acceptance of each of the electors shall be endorsed as appended to the first or last page of the nominating petition or the filing fee.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 5.** 1-4-1203, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**1-4-1203. Names on ballots.** (1.5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION

24-75-402 (4), C.R.S.

**SECTION 6.** 1-4-1205, Colorado Revised Statutes, is amended to read:

**1-4-1205. Write-in candidate affidavit for presidential primary.** (1) No write-in vote for any candidate in the presidential primary election shall be counted unless the candidate for whom the write-in vote was cast has filed an affidavit of intent indicating that the write-in candidate desires the office and is qualified to assume the duties of the office if elected. Affidavits shall be accompanied by a nonrefundable fee of five hundred dollars and shall be filed with the secretary of state more than eight days before the day of the presidential primary.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 7.** 4-9.3-103 (3) (b), Colorado Revised Statutes, is amended to read:

**4-9.3-103. Central indexing system board.** (3) In performing its duties pursuant to this article, the board has the power to:

(b) Adopt, rescind, modify, or amend rules, orders, and resolutions for the exercise of its powers and duties, INCLUDING BUT NOT LIMITED TO RULES LOWERING OR INCREASING THE AMOUNT OF THE SURCHARGE IMPOSED PURSUANT TO SECTION 4-9.3-105 (3), subject to article 4 of title 24, C.R.S.;

**SECTION 8.** 4-9.3-105 (3), Colorado Revised Statutes, is amended to read:

**4-9.3-105. Central indexing system cash fund - creation - repeal.** (3) (a) A one-dollar surcharge shall be imposed on any and all filings and recordings made with the division of commercial recordings in the office of the secretary of state or any office of a county clerk and recorder, regardless of the statute under which the filing or recording is made; except that such surcharge shall not be imposed on filings and recordings for which there is no charge.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE SURCHARGE IN PARAGRAPH (a) OF THIS SUBSECTION (3), THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE SURCHARGE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE SURCHARGE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE SURCHARGE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 9.** 4-11-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**4-11-102. Fees for filing, indexing, and furnishing data.**

(4) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 10.** 5-6-104 (1) (e), Colorado Revised Statutes, is amended to read:

**5-6-104. Powers of administrator - harmony with federal regulations - reliance on rules - duty to report.** (1) In addition to other powers granted by this code, the administrator, within the limitations provided by law, may:

(e) With approval of the commission on consumer credit, adopt, amend, and repeal substantive rules ~~and regulations~~ to carry out the specific provisions of this code, INCLUDING BUT NOT LIMITED TO LOWERING OR INCREASING THE AMOUNT OF FILING FEES REQUIRED PURSUANT TO SECTIONS 5-6-203 AND 5-10-805, but not with respect to unconscionable agreements or fraudulent or unconscionable conduct, and adopt, amend, and repeal procedural rules to carry out the provisions of this code;

**SECTION 11.** 5-6-203, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**5-6-203. Fees.** (7) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE ADMINISTRATOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE ADMINISTRATOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 12.** 5-10-805, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**5-10-805. Fees.** (3) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE ADMINISTRATOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE ADMINISTRATOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 13.** 7-28-103 (2), Colorado Revised Statutes, is amended to read:

**7-28-103. Filing, service, and copying fees.** (2) (a) The secretary of state shall charge and collect, at the time of service of any subpoena upon him OR HER or any of ~~his~~ THE SECRETARY OF STATE'S deputies or employees, a fee of fifty dollars, an allowance of ten dollars for meals, and a charge for mileage at the rate prescribed by section 24-9-104, C.R.S., for each mile from the state capitol to the place named in the subpoena. The fee is to be paid to the secretary of state; said meal allowance and mileage charge are to be paid to the person named in the subpoena. If the person named in the subpoena is required to appear at the place named in the subpoena for more than one day, he OR SHE shall be paid in advance a per diem allowance of forty-four dollars for each day of attendance in addition to the other fees, allowances, and charges.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR ALLOWANCE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR ALLOWANCES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 14.** 7-40-101 (1), Colorado Revised Statutes, is amended to read:

**7-40-101. Who may organize - certificate - fees.** (1) (a) Any three or more persons, who may or may not be residents of the state of Colorado, may associate themselves together to establish a corporation not for profit for any lawful business or to promote any legitimate object or purpose and may make, sign, and acknowledge and file in the office of the secretary of state of the state of Colorado and record in the office of the recorder of each county in which said corporation owns real estate in the state of Colorado a certificate in writing, setting forth the name of such corporation, the business, objects, or purposes for which it is formed, and the names of the first directors, trustees, or managers. The department of revenue shall collect a fee of five dollars for filing said certificate.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 15.** 7-40-105 (1), Colorado Revised Statutes, is amended to read:

**7-40-105. Amendments - where filed - fees.** (1) (a) All amendments to the certificate of incorporation shall be filed in the office of the secretary of state of Colorado and recorded in the office of the recorder of each county in which said

corporation owns real estate in the state of Colorado. The department of revenue shall collect a fee of five dollars for the filing of each amendment.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 16.** 7-60-151 (2), Colorado Revised Statutes, is amended to read:

**7-60-151. Filing, service, and copying fees.** (2) (a) The secretary of state shall charge and collect, at the time of service of any subpoena upon the secretary of state or any deputy or employee of the secretary of state's office, a fee of fifty dollars and an allowance of ten dollars for meals and a charge for mileage at the rate prescribed by section 24-9-104, C.R.S., for each mile from the state capitol to the place named in the subpoena. The fee is to be paid to the secretary of state; the meal allowance and mileage charge are to be paid to the person named in the subpoena. If the person named in the subpoena is required to appear at the place named in the subpoena for more than one day, the person shall be paid in advance a per diem allowance of forty-four dollars for each day of attendance in addition to any other fees, allowances, and charges.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR ALLOWANCE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR ALLOWANCES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 17.** 7-62-1201 (2), Colorado Revised Statutes, is amended to read:

**7-62-1201. Fees for filing documents and certificates - other charges.** (2) (a) The secretary of state shall charge and collect, at the time of service of any subpoena upon the secretary of state or any of his OR HER deputies or employees, a fee of fifty dollars and a fee of ten dollars for meals and mileage at the rate prescribed by section 24-9-104, C.R.S., for each mile from the state capitol building to the place named in the subpoena, said meal allowance and mileage fee to be paid to the person named in the subpoena. If the person named in the subpoena is required to attend the place named in the subpoena for more than one day, he OR SHE shall be paid in advance A PER DIEM ALLOWANCE OF forty-four dollars for each day of attendance to cover his OR HER expense.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR ALLOWANCE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR ALLOWANCES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 18.** 7-64-1105 (2), Colorado Revised Statutes, is amended to read:

**7-64-1105. Filing, service, and copying fees - subpoenas.** (2) (a) The secretary of state shall charge and collect, at the time of service of any subpoena upon the secretary of state or any deputy or employee of the secretary of state's office, a fee of fifty dollars and an allowance of ten dollars for meals and a charge for mileage at the rate prescribed by section 24-9-104, C.R.S., for each mile from the state capitol building to the place named in the subpoena. The fee shall be paid to the secretary of state; the meal allowance and mileage charge shall be paid to the person named in the subpoena. If the person named in the subpoena is required to appear at the place named in the subpoena for more than one day, he or she shall be paid in advance a per diem allowance of forty-four dollars for each day of attendance in addition to any other fees, allowances, and charges.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR ALLOWANCE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR ALLOWANCES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 19.** 7-80-307 (2), Colorado Revised Statutes, is amended to read:

**7-80-307. Filing, service, and copying fees.** (2) (a) The secretary of state shall charge and collect, at the time of service of any subpoena upon the secretary of state or any deputy or employee of the secretary of state's office, a fee of fifty dollars and an allowance of ten dollars for meals and a charge for mileage at the rate prescribed by section 24-9-104, C.R.S., for each mile from the state capitol to the place named in the subpoena. The fee is to be paid to the secretary of state; the meal allowance and mileage charge are to be paid to the person named in the subpoena. If the person named in the subpoena is required to appear at the place named in the subpoena for more than one day, he OR SHE shall be paid in advance a per diem allowance of forty-four dollars for each day of attendance in addition to the other fees, allowances, and charges.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR ALLOWANCE IN

PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR ALLOWANCES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 20.** 7-90-303 (2), Colorado Revised Statutes, is amended to read:

**7-90-303. Filing, service, and copying fees - subpoenas.** (2) (a) The secretary of state shall charge and collect, at the time of service of any subpoena upon the secretary of state or any deputy or employee of the secretary of state's office, a fee of fifty dollars and an allowance of ten dollars for meals and a charge for mileage at the rate prescribed by section 24-9-104, C.R.S., for each mile from the state capitol building to the place named in the subpoena. The fee shall be paid to the secretary of state; the meal allowance and mileage charge shall be paid to the person named in the subpoena. If the person named in the subpoena is required to appear at the place named in the subpoena for more than one day, he or she shall be paid in advance a per diem allowance of forty-four dollars for each day of attendance in addition to any other fees, allowances, and charges.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR ALLOWANCE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR ALLOWANCES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 21.** 7-101-203 (2), Colorado Revised Statutes, is amended to read:

**7-101-203. Filing, service, and copying fees - subpoenas.** (2) (a) The secretary of state shall charge and collect, at the time of service of any subpoena upon the secretary of state or any deputy or employee of the secretary of state's office, a fee of fifty dollars and an allowance of ten dollars for meals and a charge for mileage at the rate prescribed by section 24-9-104, C.R.S., for each mile from the state capitol building to the place named in the subpoena. The fee shall be paid to the secretary of state; the meal allowance and mileage charge shall be paid to the person named in the subpoena. If the person named in the subpoena is required to appear at the place named in the subpoena for more than one day, he or she shall be paid in advance a per diem allowance of forty-four dollars for each day of attendance in addition to any other fees, allowances, and charges.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR ALLOWANCE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS

OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR ALLOWANCES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR ALLOWANCES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 22.** 8-20-206.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**8-20-206.5. Environmental response surcharge.** (1.5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE OR SURCHARGE IN SUBSECTION (1) OF THIS SECTION, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES OR SURCHARGES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES OR SURCHARGES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES OR SURCHARGES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 23.** 9-7-107, Colorado Revised Statutes, is amended to read:

**9-7-107. Fees.** An application for a permit under this article shall be accompanied by a fee of twenty-five dollars; EXCEPT THAT THE DIRECTOR OF THE DIVISION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE DIRECTOR OF THE DIVISION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 24.** 9-7-108, Colorado Revised Statutes, is amended to read:

**9-7-108. Issuance of permit - renewal.** Permits issued under this article shall be valid for the calendar year after the date of issue unless sooner revoked or suspended. Permits may be renewed on each anniversary date upon the payment of the required fee of twenty-five dollars; EXCEPT THAT THE DIRECTOR OF THE DIVISION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE DIRECTOR OF THE DIVISION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 25.** 10-2-503 (2), Colorado Revised Statutes, is amended to read:

**10-2-503. Commissioner as agent for service of process.** (2) (a) The commissioner shall, within ten working days after receiving three copies of the process served and a fee of ten dollars, forward a copy of such process by registered or certified mail to the person for whom the commissioner has received such process at the nonresident individual's address of record, or, if the nonresident is an insurance agency, at the agency's principal place of business. The commissioner shall keep a record of all process so served.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 26.** 10-3-207, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**10-3-207. Fees paid by insurance companies.** (5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 27.** 10-3-905 (2), Colorado Revised Statutes, is amended to read:

**10-3-905. Service of process upon unauthorized company.** (2) (a) Service of such process shall be made by delivering and leaving with the commissioner two copies thereof and the payment to the commissioner of a fee of ten dollars. The commissioner shall promptly mail by certified mail one of the copies of such process to such company at its last known principal place of business and shall keep a record of all process so served upon ~~him~~ THE COMMISSIONER. Such process is sufficient service upon such company if notice of such service and a copy of the process are, within ten days thereafter, sent by certified mail, by or on behalf of the commissioner, to such company at its last-known principal place of business, and the return receipt of the company or, in the event the company refuses to accept such certified mail, the certified mail with its refusal thereon and the affidavit of compliance herewith by or on behalf of the commissioner is filed with the clerk of the court in which such action or proceeding is pending. The date of filing of the return receipt or refusal and affidavit of compliance constitutes the effective date of service and sufficient proof thereof.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION

24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 28.** 10-3-910 (3) (a), Colorado Revised Statutes, is amended to read:

**10-3-910. Application of this part 9.** (3) This part 9 shall not apply to any life insurance company organized and operated, without profit to any private shareholder or individual, exclusively for the purpose of aiding educational or scientific institutions organized and operated without profit to any private shareholder or individual by issuing insurance and annuity contracts directly from the home office of the company and without agents or representatives in this state only to or for the benefit of such institutions and to individuals engaged in the services of such institutions, nor to any policy or contract which it issues; but this exemption is conditioned upon any such company complying with the following requirements:

(a) Payment of an annual registration fee of five thousand dollars; EXCEPT THAT THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 29.** 10-4-408 (2), Colorado Revised Statutes, is amended to read:

**10-4-408. Rating organization - study of workers' compensation rates - premium reductions - adoption of rules.** (2) If the commissioner finds that the applicant is competent, trustworthy, and otherwise qualified to act as a rating organization and that its constitution, articles of agreement or association or its certificate of incorporation, and its bylaws, rules, and regulations governing the conduct of its business conform to the requirements of law, ~~he~~ THE COMMISSIONER shall issue a license specifying the kinds of insurance or subdivisions thereof for which the applicant is authorized to act as a rating organization. Every such application shall be granted or denied in whole or in part by the commissioner within sixty days ~~of~~ AFTER the date of its filing. ~~with him.~~ Licenses issued pursuant to this section shall remain in effect for three years unless sooner suspended or revoked by the commissioner. The fee for said license shall be twenty-five dollars; EXCEPT THAT THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 30.** 10-6-107 (4), Colorado Revised Statutes, is amended to read:

**10-6-107. Formation and operation of captive insurance companies.**

(4) (a) Each captive insurance company shall pay to the division of insurance a nonrefundable application fee of five hundred dollars in addition to any reasonable expenses to be paid pursuant to section 10-6-120. Each captive insurance company shall pay an annual license fee of five hundred dollars.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (a) OF THIS SUBSECTION (4), THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 31.** 10-12-104 (2), Colorado Revised Statutes, is amended to read:

**10-12-104. Fees - annual statement - tax.** (2) (a) Each agent, solicitor, special agent, or salaried representative soliciting business in this state shall be licensed by the division of insurance upon application of the association and shall be subject to the insurance licensing laws of the state. The fee for ~~such~~ THE initial license is five dollars, and the fee for filing each annual notice of intention to keep the agent's license in force is two dollars.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 32.** 10-15-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**10-15-103. License procedure - records - examination of records.**

(6) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 33.** 10-16-110, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**10-16-110. Fees paid by health coverage entities.** (4) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 34.** 12-9-104 (2), Colorado Revised Statutes, is amended to read:

**12-9-104. Bingo-raffle license - fee.** (2) (a) The bingo-raffle licenses provided by this article shall be issued by the licensing authority to applicants qualified under this article upon payment of a fee of sixty-two dollars and fifty cents. The licenses shall expire at the end of the calendar year in which they were issued by the licensing authority and may be renewed by the licensing authority upon the filing of an application for renewal thereof provided by the licensing authority and the payment of the fee of sixty-two dollars and fifty cents for such renewal. No license granted under this article or any renewal thereof shall be transferable. The fees required to be paid for a new or renewal license shall be deposited in the department of state cash fund.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 35.** 12-46-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-46-104. Licenses - state license fees - requirements.** (1.5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE STATE LICENSING AUTHORITY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE LICENSING AUTHORITY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 36.** 12-47-302 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**12-47-302. License renewal.** (2) (c) NOTWITHSTANDING THE AMOUNT SPECIFIED

FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE STATE LICENSING AUTHORITY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE LICENSING AUTHORITY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 37.** 12-47-501, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**12-47-501. State fees.** (1.5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 38.** Article 32 of title 13, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**13-32-105.5. Docket fees - reduction by rule.** NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS ARTICLE, THE CHIEF JUSTICE OF THE SUPREME COURT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE CHIEF JUSTICE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 39.** 13-53-106, Colorado Revised Statutes, is amended to read:

**13-53-106. Fees.** (1) Any person filing a foreign judgment shall pay to the clerk of the court ninety dollars. Fees for docketing, transcription, or other enforcement proceedings shall be as provided for judgments of the courts of this state.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE CHIEF JUSTICE OF THE SUPREME COURT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE CHIEF JUSTICE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 40.** 14-10-120.5, Colorado Revised Statutes, is amended to read:

**14-10-120.5. Petition for dissolution of marriage - fee - assessment - displaced homemakers fund.** (1) There shall be assessed against a nonindigent petitioner a fee of five dollars for each filing of a petition for dissolution of marriage. All such fees collected shall be transmitted to the state treasurer for deposit in the displaced homemakers fund created pursuant to section 8-15.5-108, C.R.S.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE CHIEF JUSTICE OF THE SUPREME COURT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE CHIEF JUSTICE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 41.** 22-32-124 (2) (b), Colorado Revised Statutes, is amended to read:

**22-32-124. Building codes - zoning - planning.** (2) (b) If the division of labor conducts the necessary inspection to determine that a building or structure erected pursuant to subsection (1) of this section has been erected in conformity with the standards of the division of labor, it shall charge a fee of two hundred dollars for such inspection; EXCEPT THAT THE DIRECTOR OF THE DIVISION OF LABOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE DIRECTOR OF THE DIVISION OF LABOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S. Any fees collected by the division of labor pursuant to this paragraph (b) shall be transmitted to the state treasurer, who shall credit the same to the public safety inspection fund created pursuant to section 8-1-151, C.R.S.

**SECTION 42.** 24-21-104 (1), (3) (b), and (3) (h), Colorado Revised Statutes, are amended to read:

**24-21-104. Fees of secretary of state.** (1) (a) It is the duty of the secretary of state to charge fees, which shall be determined and collected pursuant to subsection (3) of this section, for filing each body corporate and politic document, for filing each facsimile signature, for each notary public's commission, for each foreign commission, for each official certificate, for administering each oath, for all transcripts or copies of papers and records, computer tapes, microfilm, or microfiche, and for other papers officially executed and other official work ~~which~~ THAT may be done in ~~his~~ THE SECRETARY OF STATE'S office. ~~He~~ THE SECRETARY OF STATE shall not deliver any such commission, file for record any certificate, or do any such official work until the fee or sum so fixed to be collected therefor has first been paid. ~~to him.~~ At the time of service of any subpoena upon ~~him~~ THE SECRETARY OF STATE or any of his OR HER deputies or employees a fee of fifty dollars and a fee of ten dollars for meals and mileage at the rate prescribed for state officers and employees in section 24-9-104 for each mile actually and necessarily traveled in going to and returning

from the place named in the subpoena, shall be paid to the department of state cash fund. If the person named in the subpoena is required to attend the place named in the subpoena for more than one day, there shall be paid, in advance, to the department of state cash fund, the sum of forty-four dollars for each day of attendance to cover the expenses of the person named in the subpoena.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4).

(3) (b) The department of state shall adjust its fees ~~except fees charged pursuant to section 4-11-102, C.R.S., every two years~~ so that the revenue generated from the fees approximates its direct and indirect costs; EXCEPT THAT THE DEPARTMENT MAY REDUCE ITS FEES TO GENERATE REVENUE IN AN AMOUNT LESS THAN COSTS IF NECESSARY PURSUANT TO SECTION 24-75-402 (3). Such costs shall not include the costs paid by the amounts appropriated by the general assembly from the general fund to the department of state for elections pursuant to section 24-21-104.5. Such fees shall remain in effect for the ~~two subsequent fiscal years~~ FISCAL YEAR following the adjustment. All fees collected by said department shall be transmitted to the state treasurer, except moneys collected pursuant to subparagraph (II) of paragraph (f) of this subsection (3), who shall credit the same to the department of state cash fund, which fund is hereby created. All moneys credited to the department of state cash fund shall be used as provided in this section and shall not be deposited in or transferred to the general fund of this state or any other fund. The moneys credited to the department of state cash fund shall be available for appropriation by the general assembly to the department of state in the general appropriation bill or pursuant to section 24-9-105 (2).

(h) ~~Notwithstanding any provision of law to the contrary, the department of state shall charge a uniform fee in accordance with the schedule established in section 4-11-102, C.R.S., for filings and indexing made pursuant to sections 4-9-403 to 4-9-408, C.R.S.~~

**SECTION 43.** 24-72-204 (3.5) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-72-204. Allowance or denial of inspection - grounds - procedure - appeal.**  
 (3.5) (b) (V) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBPARAGRAPH (III) OR (IV) OF THIS PARAGRAPH (b), THE SECRETARY OF STATE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES CREDITED TO THE DEPARTMENT OF STATE CASH FUND AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES CREDITED TO THE HIGHWAY USERS TAX FUND IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE

UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE SECRETARY OF STATE OR THE EXECUTIVE DIRECTOR, WHICHEVER IS APPROPRIATE, BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4).

**SECTION 44.** 25-3-103 (1) and (2), Colorado Revised Statutes, are amended to read:

**25-3-103. License denial or revocation - provisional license.**

(1) (a) Application for a new or renewal license under this part 1 may be denied to an applicant not meeting the requirements of this part 1 and the rules ~~and regulations~~ of the department of public health and environment. A license may be revoked for like reasons. The department of public health and environment may, upon such denial or revocation, grant a provisional license, valid for ninety days, upon payment of a fee of one hundred fifty dollars, to allow such applicant to comply with the requirements for a regular license. A second provisional license may be issued, for a like term and fee, if necessary in the opinion of the department of public health and environment, to effect compliance. No further provisional licenses may be issued for the then current year after the second issuance.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

(2) Upon a finding of reasonable compliance by an applicant holding a provisional license, a regular license shall be issued upon receipt of the regular ~~one hundred fifty dollar fee~~ LICENSE FEE ESTABLISHED PURSUANT TO SECTION 25-3-105.

**SECTION 45.** 25-3-105 (1), Colorado Revised Statutes, is amended to read:

**25-3-105. License - fee - penalty - study and report - repeal.** (1) (a) All licenses shall be issued annually upon the payment of a fee of one hundred fifty dollars and may be revoked at any time by said board for any of the causes set forth in section 25-3-103 or for the failure of the holders thereof to comply with any of the rules ~~and regulations~~ of said board or to make the reports as provided for in section 25-3-104; and any person, partnership, association, company, or corporation opening, conducting, or maintaining any facility for the treatment and care of the sick or injured without having a provisional or regular license therefor is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE

FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 46.** 25-4-1607, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**25-4-1607. Administrative and inspectional fees.** (3) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 47.** 25-5-1004 (2), Colorado Revised Statutes, is amended to read:

**25-5-1004. Registration required - fee - artificial tanning device education fund - creation.** (2) (a) The registration of each artificial tanning facility as required in subsection (1) of this section shall be accompanied by an annual registration fee for each artificial tanning facility in the amount of one hundred twenty dollars for each calendar year. The annual registration fee shall be prorated on a monthly basis for any initial registration received after January 1 of any year.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 48.** 25-7-114.1 (6), Colorado Revised Statutes, is amended to read:

**25-7-114.1. Air pollutant emission notices (APEN).** (6) (a) The fee for filing an air pollutant emission notice or amendment thereto under this section shall be seventy-five dollars for fiscal year 1992-93 and one hundred dollars for fiscal year 1993-94 and thereafter. The moneys collected pursuant to this section shall be transmitted to the state treasurer who shall credit the same to the stationary sources control fund.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (6), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR

AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 49.** 25-7-114.7 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**25-7-114.7. Emission fees - fund.** (2) (f) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SUBSECTION (2), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 50.** 25-7-135 (2), Colorado Revised Statutes, is amended to read:

**25-7-135. Fee for new automobiles with air conditioners established - fund created.** (2) (a) On and after January 1, 1993, there shall be assessed upon the sale of any new automobile within the state of Colorado with an air conditioner ~~which~~ THAT uses an ozone depleting compound a fee in the amount of two dollars. Said fee shall be collected by the motor vehicle dealer at the time of sale of the motor vehicle. In accordance with regulations promulgated by the air quality control commission, all proceeds from the collection of such fee shall be remitted on a quarterly basis by the motor vehicle dealer to the executive director of the department of revenue and shall be accompanied by forms provided by the department of revenue. The executive director of the department of revenue shall transmit said fees to the state treasurer, who shall credit such moneys to the ozone protection fund created in subsection (1) of this section.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN THIS SUBSECTION (2), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 51.** 25-8-502 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**25-8-502. Application - definitions - fees - water quality control fund - public participation.** (1) (d) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (b) OR PARAGRAPH (b.5) OF THIS SUBSECTION (1), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE

PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 52.** 25-8-506 (2), Colorado Revised Statutes, is amended to read:

**25-8-506. Nuclear and radioactive wastes.** (2) (a) In such case the division shall issue a permit for the proposed activity, upon the payment of a fee of one thousand dollars. The division may include in such permit issued under this subsection (2) such reasonable terms and conditions as it may from time to time require to implement this section in a manner consistent with the purposes of this article. The terms or conditions which may be imposed shall include, without limitation, those with respect to duration of use or operation; monitoring; reporting; volume of discharge or disposal; treatment of wastes; and the deposit with the state treasurer of a bond, with or without surety as the division may in its discretion require, or other security, to assure that the permitted activities will be conducted in compliance with the terms and conditions of the permit, and that upon abandonment, cessation, or interruption of the permitted activities or facilities, appropriate measures will be taken to protect the waters of the state. Other than relief from provisions of this article to the extent specified in this subsection (2), no permit issued pursuant to this subsection (2) shall relieve any person of any duty or liability to the state or to any other person existing or arising under any statute or under common law.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 53.** 25-9-108, Colorado Revised Statutes, is amended to read:

**25-9-108. Fees.** (1) Each application for certification shall be accompanied by a fee in the amount of fifteen dollars which is not refundable and which will include the expenses for the first examination taken by the applicant. Examination fees in the amount of ten dollars shall be paid for each additional examination taken in any class. Reexamination fees in the amount of ten dollars will be paid for second and succeeding examinations in any class. Renewal fees in the amount of five dollars shall be paid prior to the issuance of a renewal certificate by the board. All moneys received by the board shall be deposited with the department of the treasury pursuant to the provisions of section 24-36-103, C.R.S.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 54.** The introductory portion to 25-11-104 (8) (a) and 25-11-104 (8) (a) (III), Colorado Revised Statutes, are amended to read:

**25-11-104. Rules to be adopted - fees - fund created.** (8) (a) The state board of health shall adopt rules ~~and regulations~~ requiring that all machine sources of ionizing radiation which are used for therapeutic or diagnostic use on humans be annually inspected if owned, leased, under contract, or operated on behalf of a facility licensed or certified by section 25-1-107 (1) (I) (I) and (1) (I) (II), or a licensed osteopathic physician, a medical physician, or a chiropractic doctor, and every three years for all other machines used for human treatment or diagnosis and certified by qualified inspectors as safe for the intended uses and in compliance with the specifications of the state board of health and the equipment manufacturer. Such rules shall include the following:

(III) The establishment of procedures for the making of inspections for all types of machines ~~which~~ THAT are sources of ionizing radiation. The procedures shall require that such machines be inspected only by a qualified inspector who shall record on a form provided by the department whether or not a machine being inspected meets the specifications of the manufacturer and the state board of health, and shall indicate the type of machine, the applicable specifications, and the machine specifications. If a machine meets the required specifications, a qualified inspector shall affix on the machine an official sticker issued by the department. If the machine fails to meet the required specifications, the qualified inspector shall notify the owner or operator immediately and shall so notify the department within three days. A machine ~~which~~ THAT fails to meet the required specifications and is determined to be unsafe for human use shall not be used thereafter for human use until subsequent certification, and the qualified inspector shall affix an official noncertification sticker issued by the department indicating such machine is not authorized for human use. A certification or noncertification sticker shall be affixed on each machine in a location conspicuous to machine operators and persons on whom the machine is used. A fee of thirty dollars shall be charged for each certification or noncertification sticker issued by the department; EXCEPT THAT THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE BOARD OF HEALTH BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S. Such fee shall be credited to the radiation control fund.

**SECTION 55.** 25-27-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**25-27-107. License fee.** (3) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE STATE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN

## SECTION 24-75-402 (4), C.R.S.

**SECTION 56.** 30-26-101 (5), Colorado Revised Statutes, is amended to read:

**30-26-101. Exchange of warrants for bonds - notice.** (5) No bond shall be issued of less denomination than fifty dollars and, if issued for a greater amount, for some multiple of that sum. Such bonds shall bear interest at a rate such that the net effective interest rate of the issue of bonds does not exceed the maximum net effective interest rate authorized, the interest to be paid semiannually at the office of the county treasurer or at the city of New York, at the option of the holders thereof, upon the production of the proper coupons for the same, such bonds to be payable at the pleasure of the county after ten years from the date of their issuance, but absolutely due and payable twenty years after the date of issue. The whole amount of bonds issued under this part 1 shall not exceed the sum of the county indebtedness at the date of the first publication of the notice submitting the question of funding the county indebtedness; and the amount shall be determined by the board of county commissioners, and a certificate made of the same, and made a part of the records of the county; and any bond issued in excess of such sum shall be void. All bonds issued under the provisions of this part 1 shall be registered in the office of the state auditor, to whom a fee of ten cents shall be paid for recording each bond; EXCEPT THAT THE STATE AUDITOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE AUDITOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 57.** The introductory portion to 33-4-102 (1), 33-4-102 (1.5) and (1.6), and the introductory portion to 33-4-102 (2), Colorado Revised Statutes, are amended to read:

**33-4-102. Types of licenses and fees - repeal.** (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.6) OF THIS SECTION, the division is authorized to issue the following resident and nonresident licenses and shall collect the following fees therefor:

(1.5) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.6) OF THIS SECTION, effective January 1, 1992, the division is authorized to collect these fees for the following resident licenses: Fishing - annual \$20.00; small game hunting - \$15.00; combination fishing and hunting - \$30.00; senior annual fishing - \$10.00; fishing - 5 days - \$18.00.

(1.6) By promulgation of appropriate rule, ~~and regulation~~, the commission may from time to time authorize the issuance of any of the licenses provided for in this section for a fee less than that specified in this section when in the judgment of the commission one of the following conditions applies:

(a) When the commission determines that it would be beneficial to issue such license in conjunction with another type of license and creates a combination license;

(b) When the commission determines it is necessary to promote a larger harvest of game than would otherwise occur. Licenses so discounted in order to promote larger harvests of game may be limited to certain geographic areas, by sex, or otherwise limited in order to achieve specific wildlife management goals.

(c) When the commission determines that an activity is regulated at both the state and federal levels and that issuance of a multi-year state license or collection of a reduced state annual license fee, or both, would help to coordinate such state and federal regulation and reflect the administrative cost savings realized through such coordination;

(d) WHEN THE COMMISSION DETERMINES PURSUANT TO SECTION 24-75-402 (3), C.R.S., THAT A REDUCTION IN THE AMOUNT OF THE FEE IS NECESSARY TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE CASH FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

(2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1.6) OF THIS SECTION, the division is authorized to issue the following special licenses and shall collect the following fees therefor:

**SECTION 58.** 33-4-102.5 (3), Colorado Revised Statutes, is amended to read:

**33-4-102.5. Issuance of migratory waterfowl stamp - prohibition against hunting without stamp.** (3) (a) The fee for each stamp shall be five dollars, and the stamp shall remain valid through the last day of June following its issuance. Each stamp shall be validated by the signature of the licensee written across the face of the stamp.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (3), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 59.** 33-12-102 (1.2) (a), Colorado Revised Statutes, is amended to read:

**33-12-102. Types of passes and registrations - fees.** (1.2) (a) The fee for a transferable or nontransferable senior citizen's aspen leaf annual pass is ten dollars, effective January 1, 1992; EXCEPT THAT THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE

AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 60.** 34-22-111, Colorado Revised Statutes, is amended to read:

**34-22-111. Certification fee.** (1) Each individual taking an examination for certification as required in section 34-22-105 shall pay to the office of active and inactive mines a fee of twenty-five dollars for any initial examination or subsequent examinations required because of the failure to receive a passing grade. Renewals of certificates of competency where required shall be at no cost to the individual holding a valid certificate.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 61.** 34-32-127, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**34-32-127. Mined land reclamation fund - created - fees - fee adjustments.** (3) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (2) OF THIS SECTION, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 62.** 34-32.5-125, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**34-32.5-125. Mined land reclamation fund - fees.** (2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE BOARD BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 63.** 35-9-118 (3) (a), Colorado Revised Statutes, is amended to read:

**35-9-118. Powers and duties of the commissioner.** (3) (a) The commissioner shall promulgate rules, ~~and regulations~~, pursuant to article 4 of title 24, C.R.S., to

determine the annual registration fee for each pesticide registered. For the purpose of funding the groundwater protection fund created in section 25-8-205.5 (8), C.R.S., on and after January 1, 1991, any such fee shall include an increment of twenty dollars, which increment shall be collected by the commissioner and transmitted to the state treasurer, who shall credit the same to the groundwater protection fund; EXCEPT THAT THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE INCREMENT IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE INCREMENT IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE INCREMENT AS PROVIDED IN SECTION 24-75-402 (4), C.R.S. The remainder of the fee shall be credited to the pesticide fund as specified in this article. In the event that a pesticide product has been placed under a cease and desist order for nonregistration under the provisions of section 35-9-121, the registrant shall pay a penalty fee of one hundred dollars, in addition to any other penalty or sum assessed pursuant to this article.

**SECTION 64.** 35-12-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**35-12-104. Registration.** (1.5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 65.** 35-12-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**35-12-106. Inspection fees.** (8) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 66.** 35-27-122 (2) (a), Colorado Revised Statutes, is amended to read:

**35-27-122. Arbitration council - procedures.** (2) (a) A buyer of seed shall request arbitration by filing a verified complaint with the commissioner together with a filing fee of ten dollars; EXCEPT THAT THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED

RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSIONER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S. Such buyer shall serve a copy of the complaint upon the seller of such seed by certified mail or personal service. If the seed has been planted, the complaint shall be filed in time to allow inspection of the plants under field conditions.

**SECTION 67.** 35-53-111, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**35-53-111. Sanitary rules as to movement of livestock - quarantine - penalty.**

(3) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE STATE AGRICULTURAL COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE AGRICULTURAL COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 68.** 36-20-113, Colorado Revised Statutes, is amended to read:

**36-20-113. Permit fee.** (1) The fee for each permit or the renewal thereof under section 36-20-114 shall be at least one hundred dollars. If the operation is a commercial project, the director shall set a fee that is sufficient to pay the direct costs of review of the permit application, public hearings regarding the application, and monitoring of permit operations under the provisions of this article. Said fees are intended to provide at least a portion of the moneys necessary to administer this article.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 69.** 37-81-104 (1), Colorado Revised Statutes, is amended to read:

**37-81-104. Fee for diversion - fund created.** (1) (a) To effectuate the purposes of this article, the general assembly hereby authorizes a fee of fifty dollars per acre-foot to be assessed and collected by the state engineer on water diverted, carried, stored, or transported in this state for beneficial use outside this state measured at the point of release from storage or at the point of diversion.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY

LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 70.** 37-90-105 (2), Colorado Revised Statutes, is amended to read:

**37-90-105. Small capacity wells.** (2) (a) A fee of sixty dollars shall accompany any application for a new well permit under this section. A fee of twenty dollars shall accompany any application for a replacement well of the type described in subsection (1) of this section.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 71.** 37-90-107 (6), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**37-90-107. Application for use of ground water - publication of notice - conditional permit - hearing on objections - well permits.** (6) (g) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (d) OF THIS SUBSECTION (6), THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 72.** 37-90-108, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**37-90-108. Final permit - evidence of well construction and beneficial use - limitations.** (7) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4),

C.R.S.

**SECTION 73.** 37-90-116, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**37-90-116. Fees.** (3) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 74.** 37-90-137, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**37-90-137. Permits to construct wells outside designated basins - fees - permit no ground water right - evidence - time limitation - well permits.** (13) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 75.** 37-92-302 (3) (c), Colorado Revised Statutes, is amended to read:

**37-92-302. Applications for water rights or changes of such rights - plans for augmentation.** (3) (c) (I) Not later than the end of such month, a copy of such resume shall be mailed by the referee or the water clerk to each person who the referee has reason to believe would be affected or who has requested the same by submitting his name and address to the water clerk. The water clerk shall maintain a mailing list of such names and addresses so submitted, and persons desiring to have their names and addresses retained on such list must resubmit the same by January 5. Persons who have not so resubmitted their names and addresses shall not be retained on such list, but they may submit their names and addresses at any time thereafter for inclusion on the list subject to the foregoing. In order to obtain a copy of a resume for a particular month, a person's name and address must be received not later than the fifth day of the month of publication of the resume. A fee of twelve dollars shall be payable for inclusion on the mailing list for a calendar year prorated at one dollar per month for a lesser period. A copy of the resume shall be furnished without charge to the state engineer and the appropriate division engineer.

(II) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), THE GROUND WATER COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED

RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE GROUND WATER COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 76.** 37-92-304 (8), Colorado Revised Statutes, is amended to read:

**37-92-304. Proceedings by the water judge.** (8) A copy of such judgment and decree shall be filed with the state engineer and the division engineer, and a copy thereof shall be provided by the water clerk to any other person requesting same upon payment of a fee of seventy-five cents per page; EXCEPT THAT THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S. Promptly after receiving a judgment and decree, the division engineer and the state engineer shall enter in their records the determinations therein made as to priority, location, and use of the water rights and conditional water rights, and they shall regulate the distribution of water accordingly.

**SECTION 77.** 37-92-401, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**37-92-401. Biennial tabulations of priorities and decennial abandonment lists.** (12) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 78.** 37-92-402, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**37-92-402. Special procedures for the 1978 tabulation and abandonment list.** (15) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 79.** 37-92-602, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**37-92-602. Exemptions - presumptions - legislative declaration.**

(7) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE STATE ENGINEER BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 80.** 38-25.5-103 (3), Colorado Revised Statutes, is amended to read:

**38-25.5-103. Copies of returns and filings - summary statement - fees.**

(3) (a) A fee of ten dollars shall be collected for each specifically identified tax included in such summary statement issued by a public entity. A fee of one dollar and twenty-five cents shall be collected for each page of tax returns and filings of a taxpayer copied and delivered by a public entity.

(b) NOTWITHSTANDING THE AMOUNT OF ANY FEE SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3), IF THE PUBLIC ENTITY COLLECTING THE FEE IS A STATE AGENCY, THE EXECUTIVE DIRECTOR OF THE STATE AGENCY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE STATE AGENCY BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 81.** 39-11-114 (3), Colorado Revised Statutes, is amended to read:

**39-11-114. Record of sales of tax liens on real estate and mobile homes.**

(3) (a) Upon recordation of the tax sale, the treasurer shall also make a separate list of all mobile homes for which tax liens are sold at the sale and file such list with the motor vehicle division of the department of revenue. Such list shall include the mobile home's identification number, year and make, parcel number, and all pertinent tax sale information. For maintaining this recorded tax sale information on mobile homes, the executive director of the department of revenue may impose a fee of five dollars which shall become part of the mobile home tax sale redemption cost.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 82.** 39-22-514, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**39-22-514. Tax credit for qualified costs incurred in preservation of historic properties.** (11.5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 83.** 39-26-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**39-26-103. Licenses - fee - revocation.** (10) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 84.** 39-26-114 (7) (b) (V), Colorado Revised Statutes, is amended to read:

**39-26-114. Exemptions - disputes - credits or refunds.** (7) (b) To be eligible for the exemption provided for in this subsection (7), each vendor shall:

(V) Remit a fee of ten cents per machine with the application submitted under this paragraph (b), to defray the expenses of the department of revenue in furnishing such identification numbers; EXCEPT THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 85.** 39-27-204 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**39-27-204. Licenses - deposits - exception.** (1) (f) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SUBSECTION (1), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED.

AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 86.** 40-2-110.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**40-2-110.5. Annual fees - motor carriers.** (8) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 87.** 40-3.4-108 (2), Colorado Revised Statutes, is amended to read:

**40-3.4-108. Funding - federal requirements - program participation - low-income telephone assistance fund.** (2)(a) Upon collecting the charge imposed pursuant to subsection (1) of this section, each provider may retain, from the total charges collected, an amount sufficient to reimburse such provider for its provision of low-income telephone assistance and shall transmit the remaining portion of the total charges collected to the state treasurer, who shall credit the same to the low-income telephone assistance fund, which fund is hereby created. The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs incurred by the department of human services under this article.

(b) THE LOW-INCOME TELEPHONE ASSISTANCE FUND MAY MAINTAIN AN AMOUNT OF UNCOMMITTED RESERVES, AS DEFINED IN SECTION 24-75-402 (2) (g), C.R.S., THAT SHALL NOT EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS.

**SECTION 88.** 40-10-109, Colorado Revised Statutes, is amended to read:

**40-10-109. Filing and issuance fees for certificates.** (1) The commission shall collect from all motor vehicle carriers the following fees: Filing fee for application for certificate of public convenience and necessity to operate in intrastate commerce, thirty-five dollars; filing fee for application to register interstate operating rights as set out in section 40-10-120, fifteen dollars; filing fee for transfer or lease of a certificate of public convenience and necessity in intrastate commerce, thirty-five dollars; and filing fee for transfer of a registration of interstate operating rights, five dollars. In addition, the commission shall charge a fee of five dollars for issuing a certificate of public convenience and necessity in intrastate commerce or a registration in interstate commerce, or both. All fees collected under this section shall be transmitted to the state treasurer, who shall credit the same to the public utilities commission motor carrier fund.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1)

OF THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 89.** 40-11-108, Colorado Revised Statutes, is amended to read:

**40-11-108. Filing fees and issuance fees for permits.** (1) The commission shall collect from all contract carriers by motor vehicle the following fees: Filing fee for application for a permit in intrastate commerce, thirty-five dollars; filing fee for application to register interstate operating rights as set out in section 40-11-115, fifteen dollars; filing fee for application to transfer or lease a permit authorizing intrastate commerce, thirty-five dollars; filing fee for application to transfer a registration of interstate operating rights, five dollars. In addition, the commission shall collect a fee of five dollars for issuing a permit or a registration in interstate commerce, or both. All fees collected under this section shall be transmitted to the state treasurer, who shall credit the same to the public utilities commission motor carrier fund.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 90.** 40-13-104, Colorado Revised Statutes, is amended to read:

**40-13-104. Requirements for issuance of permit.** (1) Application for a permit under this article shall be made to the commission in such form and with such information, including rates and charges, as the commission may require, accompanied by a fee of ten dollars and by satisfactory evidence of insurance or bond as required by section 40-13-105.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 91.** 40-16-110, Colorado Revised Statutes, is amended BY THE

ADDITION OF A NEW SUBSECTION to read:

**40-16-110. Legislative declaration - federal preemption - property carriers to surrender certificates and permits - issuance by ports of entry.**

(6) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE COMMISSION BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 92.** 42-1-206, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-1-206. Records open to inspection - furnishing of copies.**

(4) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 93.** 42-2-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-2-107. Application for license or instruction permit - anatomical gifts - donations to organ and tissue donation awareness fund - legislative declaration.**

(6) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 94.** 42-2-114, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-2-114. License issued - fees.** (9) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF

THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 95.** 42-2-117, Colorado Revised Statutes, is amended to read:

**42-2-117. Duplicate permits and licenses.** (1) In the event that an instruction permit or a driver's license issued under the provisions of this article is lost, stolen, or destroyed, the person to whom the same was issued, upon request and the payment of a fee of five dollars for the first duplicate and ten dollars for any subsequent duplicate to the department, may obtain a duplicate or substitute therefor upon furnishing satisfactory proof to the department that such permit or license had been lost, stolen, or destroyed and that the applicant is qualified to have such a license.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 96.** 42-2-118, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-2-118. Renewal of license in person or by mail - donations to organ and tissue donation awareness fund.** (4) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 97.** 42-2-126.1 (2.5), Colorado Revised Statutes, is amended to read:

**42-2-126.1. Probationary licenses for persons convicted of alcohol-related driving offenses - ignition interlock devices - fees - interlock fund - violations of probationary license - repeal.** (2.5) (a) The leasing agency for any approved ignition interlock device shall remit a filing fee in the amount of thirty-three dollars for each person leasing a device to cover program start-up and operational costs incurred by the department of revenue and the department of public health and environment. The leasing agency shall remit the fees to the state treasurer, who shall credit the fees to the interlock fund, which fund is hereby created. Any federal grant moneys received for purposes of supporting this pilot program also shall be remitted to the interlock fund. The moneys in the fund shall be subject to annual appropriation

by the general assembly for the direct and indirect costs of the administration of this section. Any interest received from the deposit and investment of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund on July 1, 2000, shall be transferred to the highway users tax fund created pursuant to section 43-4-201, C.R.S.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (2.5), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 98.** 42-2-127.7 (4) (d) (II), Colorado Revised Statutes, is amended to read:

**42-2-127.7. Authority to suspend license - uninsured motorists - legislative declaration.** (4) (d) (II) (A) The person whose driver's license was taken possession of by a law enforcement officer pursuant to this section may obtain such license by the payment of a fee of five dollars to the department.

(B) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 99.** 42-2-132 (4) (a), Colorado Revised Statutes, is amended to read:

**42-2-132. Period of suspension or revocation.** (4) (a) (I) Any person whose license or other privilege to operate a motor vehicle in this state has been suspended, cancelled, or revoked, pursuant to either this article or article 4 or 7 of this title, shall pay a restoration fee of forty dollars to the executive director of the department prior to the issuance to such person of a new license or the restoration of such license or privilege.

(II) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION

24-75-402 (4), C.R.S.

**SECTION 100.** 42-2-406, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-2-406. Fees.** (7) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 101.** 42-3-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-3-107. Taxable value of classes of property - rate of tax - when and where payable - department duties - apportionment of tax collections.** (25) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEES IN PARAGRAPH (e) OF SUBSECTION (11) AND PARAGRAPH (b) OF SUBSECTION (16) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 102.** 42-3-114, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-3-114. Issuance of personalized plates authorized.** (11) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 103.** 42-3-115 (4), Colorado Revised Statutes, is amended to read:

**42-3-115. Issuance of optional plates authorized.** (4) (a) The amount of the taxes and fees for such license plates shall be the same as the amount of the taxes and fees specified for regular motor vehicle plates plus an additional annual fee of twenty-five dollars. Such additional fee shall be transmitted to the state treasurer,

who shall credit the same to the highway users tax fund.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE ADDITIONAL FEE IN PARAGRAPH (a) OF THIS SUBSECTION (4), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE ADDITIONAL FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE ADDITIONAL FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE ADDITIONAL FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 104.** 42-3-115.5 (1) (c), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**42-3-115.5. Special plates - military veterans - rules.**

(1) (c) (III) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS PARAGRAPH (c), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 105.** 42-3-117 (5), Colorado Revised Statutes, is amended to read:

**42-3-117. Special plates - active and retired members of the Colorado national guard.** (5) (a) The amount of taxes and fees for such special license plates shall be the same as the amount of taxes and fees specified for regular motor vehicle registration plus an additional one-time fee of ten dollars. Such additional fee shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE ADDITIONAL FEE IN PARAGRAPH (a) OF THIS SUBSECTION (5), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE ADDITIONAL FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE ADDITIONAL FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE ADDITIONAL FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 106.** 42-3-124, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-3-124. Expiration - temporary, new, and old plates - reflectorized plates.**

(5) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY

LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 107.** 42-3-127 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**42-3-127. Manufacturers or dealers.** (4) (c) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN THIS SUBSECTION (4), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 108.** 42-3-134, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-3-134. Registration fees - passenger and passenger-mile taxes.** (30) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 109.** 42-3-138 (4), Colorado Revised Statutes, is amended to read:

**42-3-138. Special registration of collectors' items.** (4) (a) The fee for issuing such registration and special registration plate or tab shall be five dollars for each five-year period or fractional part thereof. In addition to said five-dollar registration fee, the executive director of the department shall collect the one dollar and fifty cent annual specific ownership fee provided by law for each year of registration. This fee shall be collected for the number of years remaining at the time of registration and issuance or renewal of said registration.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (a) OF THIS SUBSECTION (4), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND

ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 110.** 42-3-144, Colorado Revised Statutes, is amended to read:

**42-3-144. Motorized bicycle registration - fee.** (1) Every motorized bicycle sold in this state shall have an identification number stamped on its frame which shall be recorded upon registration. Motorized bicycles shall be registered with the department, and such registration shall be evidenced by a decal which is securely affixed to the motorized bicycle frame in a conspicuous place. Registration shall be valid for a period of three years, and the fee for such registration shall be five dollars. Retail sellers of motorized bicycles shall retain one dollar from each such fee, and four dollars of each such fee shall be forwarded monthly to the department for deposit in the state treasury to the credit of the highway users tax fund. The general assembly shall make appropriations from the highway users tax fund for the expenses of the administration of this section. The department shall promulgate regulations providing that retail sellers of motorized bicycles may be agents of the department for such registration.

(2) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN SUBSECTION (1) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 111.** 42-4-202 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**42-4-202. Unsafe vehicles - penalty - identification plates.** (4) (g) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SUBSECTION (4), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 112.** 42-4-305 (1), Colorado Revised Statutes, is amended to read:

**42-4-305. Powers and duties of executive director - automobile inspection and readjustment program - basic emissions program - enhanced emissions program.** (1) (a) The executive director is authorized to issue, deny, cancel, suspend, or revoke licenses for, and shall furnish instructions to, inspection and readjustment stations, inspection-only facilities, fleet inspection stations, motor

vehicle dealer test facilities, and enhanced inspection centers. The executive director shall provide all necessary forms for inspection and readjustment stations, inspection-only facilities, and fleet inspection stations. Motor vehicle dealer test facilities and enhanced inspection centers shall purchase necessary inspection forms from the vendor or vendors identified by the executive director. Said inspection and readjustment stations, inspection-only facilities, fleet inspection stations, motor vehicle dealer test facilities, and enhanced inspection centers shall be responsible for the issuance of certifications of emissions control. The executive director is authorized to furnish forms and instructions and issue or deny licenses to, or cancel, suspend, or revoke licenses of, emissions inspectors and emissions mechanics. The initial biennial fee for an inspection and readjustment station license, an inspection-only facility license, a fleet inspection station license, a motor vehicle dealer test facility license, and an enhanced inspection center authorization shall be thirty-five dollars, and the biennial renewal fee shall be twenty dollars. The initial biennial fee for issuance of an emissions inspector license or an emissions mechanic license shall be fifteen dollars, and the biennial renewal fee shall be ten dollars. The fee for each transfer of an emissions inspector license or an emissions mechanic license shall be ten dollars. The moneys received from such fees shall be deposited to the credit of the AIR account in the highway users tax fund, and such moneys shall be expended by the department of revenue only for the administration of the inspection and readjustment program upon appropriation by the general assembly.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 113.** 42-4-505 (1), Colorado Revised Statutes, is amended to read:

**42-4-505. Longer vehicle combinations.** (1) (a) Notwithstanding any other provision of this article to the contrary, the department of transportation, in the exercise of its discretion, may issue permits for the use of longer vehicle combinations. An annual permit for such use may be issued to each qualified carrier company. The carrier company shall maintain a copy of such annual permit in each vehicle operating as a longer vehicle combination. The fee for the permit shall be two hundred fifty dollars per year.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 114.** 42-5-204 (1), Colorado Revised Statutes, is amended to read:

**42-5-204. Inspection fees - vehicle number inspection funds.** (1) (a) A fee of twenty dollars shall be charged for each inspection performed pursuant to this part 2. Upon payment of the fee, the owner of the vehicle or commercial vehicle inspected shall be issued a receipt as evidence of payment.

(b) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR THE FEE IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF THE FEE IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF THE FEE IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF THE FEE AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 115.** 42-6-137, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-6-137. Fees.** (7) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN THIS SECTION, THE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE DIRECTOR BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 116.** 42-12-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**42-12-102. Registration of collectors' items.** (3) NOTWITHSTANDING THE AMOUNT SPECIFIED FOR ANY FEE IN SUBSECTION (1) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY REDUCE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3), C.R.S., TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND TO WHICH ALL OR ANY PORTION OF ONE OR MORE OF THE FEES IS CREDITED. AFTER THE UNCOMMITTED RESERVES OF THE FUND ARE SUFFICIENTLY REDUCED, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE BY RULE OR AS OTHERWISE PROVIDED BY LAW MAY INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES AS PROVIDED IN SECTION 24-75-402 (4), C.R.S.

**SECTION 117.** 24-21-104 (3) (d), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-21-104. Fees of secretary of state.** (3) (d) (VII) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (3) TO THE CONTRARY, IN ADDITION TO ANY TRANSFERS AUTHORIZED IN HB98-1234, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT ONE MILLION DOLLARS FROM THE DEPARTMENT OF STATE CASH FUND AND TRANSFER SUCH SUM TO THE STATE PUBLIC SCHOOL FUND

CREATED IN SECTION 22-54-114, C.R.S.

**SECTION 118. Appropriations - adjustments in 1998 long bill.** The appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 1998, to the department of education, public school finance, total program, is increased by one million dollars (\$1,000,000). Said sum shall be cash funds exempt from the state public school fund created in section 22-54-114, Colorado Revised Statutes.

**SECTION 119. Appropriation.** In addition to any other appropriation, there is hereby appropriated from the department of state cash fund created in section 24-21-104 (3), Colorado Revised Statutes, to the department of state, for reimbursement of county clerk and recorders for 1997 election costs, for the fiscal year beginning July 1, 1997, the sum of six hundred thousand dollars (\$600,000).

**SECTION 120.** 24-75-102, Colorado Revised Statutes, is amended to read:

**24-75-102. Appropriations expended, when - balance - repeal.** (1) Except as otherwise provided by law, all moneys appropriated by the general assembly may be expended or encumbered, if authorized by the controller, only in the fiscal year for which appropriated. ~~and~~ EXCEPT AS OTHERWISE PROVIDED BY LAW, any moneys unexpended or not encumbered from the appropriation to each department for any fiscal year shall revert to the general fund or, if made from a special fund, to such special fund. Determination of such expenditures or encumbrances shall be made no later than thirty-five days after the close of the fiscal year and pursuant to the provisions of section 24-30-202 (11).

(2) ANY MONEYS APPROPRIATED TO ALL DEPARTMENTS OF STATE GOVERNMENT FOR THE 1997-98 FISCAL YEAR THAT WOULD OTHERWISE REVERT TO THE GENERAL FUND PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL BE TRANSFERRED BY THE STATE TREASURER TO THE FAMILY ISSUES CASH FUND CREATED IN SECTION 26-5.3-106, C.R.S.; EXCEPT THAT THE AMOUNT TRANSFERRED SHALL NOT EXCEED FIVE MILLION TWO HUNDRED THOUSAND DOLLARS. THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1, 1998.

**SECTION 121.** 24-90-105.5, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-90-105.5. Radio reading services.** (5) THE GENERAL ASSEMBLY HEREBY RECOGNIZES THE IMPORTANCE OF PRIVATELY OPERATED READING SERVICES TO ENABLE THOSE PERSONS WHO CANNOT EFFECTIVELY READ NEWSPAPERS OR OTHER PRINTED DOCUMENTS TO GAIN ACCESS TO SUCH OTHERWISE INACCESSIBLE PRINT MATERIALS. THE STATE LIBRARIAN SHALL HAVE THE AUTHORITY TO ADMINISTER FUNDS IN THE READING SERVICES FOR THE BLIND CASH FUND, WHICH IS HEREBY CREATED, FOR THE SUPPORT OF SAID PRIVATELY OPERATED READING SERVICES. THE FUND SHALL CONSIST OF ANY PUBLIC OR PRIVATE MONEYS TRANSFERRED, APPROPRIATED, OR OTHERWISE CREDITED THERETO. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE FUND SHALL BE A PART OF THE FUND AND SHALL NOT BE TRANSFERRED OR CREDITED TO THE GENERAL FUND OR TO ANY OTHER FUND EXCEPT AS DIRECTED BY THE GENERAL ASSEMBLY ACTING BY BILL. THE GENERAL ASSEMBLY SHALL MAKE ANNUAL

APPROPRIATIONS FROM THE READING SERVICES FOR THE BLIND CASH FUND TO THE STATE LIBRARIAN TO CARRY OUT THE PURPOSES OF THIS SUBSECTION (5).

**SECTION 122.** 40-17-104, Colorado Revised Statutes, is amended to read:

**40-17-104. Colorado disabled telephone users fund - creation - purpose.**

(1) Except as otherwise authorized to be retained by section 40-17-103 (3) (e), all moneys collected by the local exchange companies in accordance with said section shall be transmitted to the state treasurer, who shall credit the same to the "Colorado disabled telephone users fund", which fund is hereby created and is referred to in this article as the "fund". On July 1, 1992, any moneys in the "Colorado Disabled Telephone Users Fund" created by section 40-17-103, as said section existed prior to July 1, 1992, shall be credited to the fund as created by this section. The general assembly shall make annual appropriations out of such fund for the administration of the fund. The moneys in such fund not used for administration of such fund are hereby continuously appropriated to the public utilities commission for the reimbursement of providers who render telecommunications services authorized by this article.

(2) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT NINETY-THREE THOUSAND EIGHT HUNDRED DOLLARS FROM THE COLORADO DISABLED TELEPHONE USERS FUND AND TRANSFER SUCH SUM TO THE READING SERVICES FOR THE BLIND CASH FUND, CREATED IN SECTION 24-90-105.5 (5), C.R.S.

**SECTION 123. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the reading services for the blind cash fund, created in section 24-90-105.5 (5), Colorado Revised Statutes, not otherwise appropriated, to the department of education, for the fiscal year beginning July 1, 1998, the sum of ninety-three thousand eight hundred dollars (\$93,800), or so much thereof as may be necessary, for the implementation of section 122 of this act.

**SECTION 124.** 24-34-105 (2) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-34-105. Fee adjustments - division of registrations cash fund created - legal defense account.** (2) (b) (III) NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (b) TO THE CONTRARY, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT ONE MILLION DOLLARS FROM THE DIVISION OF REGISTRATIONS CASH FUND AND TRANSFER SUCH SUM TO THE COLORADO ECONOMIC DEVELOPMENT FUND CREATED IN SECTION 24-46-105.

**SECTION 125.** 24-21-104 (3) (d), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-21-104. Fees of secretary of state.** (3) (d) (VIII) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (3) TO THE CONTRARY, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT ONE MILLION SEVEN HUNDRED THOUSAND DOLLARS FROM THE DEPARTMENT OF STATE CASH FUND AND TRANSFER SUCH SUM TO THE CHILDREN'S BASIC HEALTH PLAN TRUST FUND CREATED IN SECTION 26-19-105, C.R.S.

**SECTION 126. Appropriations in long bill to be adjusted.** (1) For the implementation of H.B. 97-1304, as amended by H.B. 98-1325, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 1998, shall be adjusted as follows:

(a) The appropriation to and the amount of federal funds anticipated to be received by the department of health care policy and financing, other medical services, for H.B. 97-1304 Children's Basic Health Plan, is increased by five million fifty-six thousand five hundred fourteen dollars (\$5,056,514). Of said sum, one million seven hundred thousand dollars (\$1,700,000) shall be cash funds exempt from the children's basic health plan trust fund, created in section 26-19-105, Colorado Revised Statutes, and three million three hundred fifty-six thousand five hundred fourteen dollars (\$3,356,514) shall be federal funds.

**SECTION 127.** 22-60.5-112, Colorado Revised Statutes, is amended to read:

**22-60.5-112. Fees.** (1) The fee for the examination and review of an application for any license, endorsement, certificate, or authorization, or any renewal or reinstatement thereof, shall be established by the state board of education and shall be nonrefundable. Upon determination of eligibility, such license, endorsement, certificate, or authorization shall be issued without an additional fee. The state board of education shall adjust if necessary all such fees annually so that they generate an amount of revenue that approximates the direct and indirect costs of the state board of education and of the department of education for the administration of this article; however, the state board of education shall establish and adjust such fees for licenses issued pursuant to section 22-60.5-201 (1) (a) so that the fees generate an amount of revenue that approximates the direct and indirect costs of the state board of education and the department of education for the administration of sections 22-60.5-201 (1) (a) and 22-60.5-205. All fees collected under this section shall be transmitted to the state treasurer and credited to the educator licensure cash fund, which fund is hereby created. All moneys credited to the teacher certification cash fund, as created in section 22-60-106, as of June 30, 1999, shall be transferred to the educator licensure cash fund on July 1, 1999. The general assembly shall make annual appropriations from the educator licensure cash fund for expenditures of the state board of education and of the department of education incurred in the administration of this article. At the end of any fiscal year, all unexpended and unencumbered moneys in the educator licensure cash fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

(2) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT TWENTY-TWO THOUSAND TWO HUNDRED NINETY-THREE DOLLARS FROM THE EDUCATOR LICENSURE CASH FUND AND TRANSFER SUCH SUM TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114.

**SECTION 128. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the state public school fund created in section 22-54-114, Colorado Revised Statutes, not otherwise appropriated, to the legislative department, for the fiscal year beginning July 1, 1998, the sum of twenty-two thousand two hundred ninety-three dollars (\$22,293) and 0.3 FTE, or so much thereof as may be necessary, for the implementation of H.J.R. 98-1008. Of

said sum, five thousand nine hundred forty dollars (\$5,940) shall be allocated to the general assembly, eleven thousand seven hundred fifty-six dollars (\$11,756) and 0.2 FTE shall be allocated to the legislative council, and four thousand five hundred ninety-seven dollars (\$4,597) and 0.1 FTE shall be allocated to the office of legislative legal services.

**SECTION 129. Repeal.** 24-21-104 (3) (d) (IV), as enacted by House Bill 98-1058, enacted at the Second Regular Session of the Sixty-first General Assembly, is repealed as follows:

~~**24-21-104. Fees of secretary of state.** (3) (d) (IV) Notwithstanding any provision of paragraph (b) of this subsection (3) to the contrary, on July 1, 1998, the state treasurer shall deduct five hundred thousand dollars from the department of state cash fund and transfer such sum to the environmental leadership pollution prevention revolving fund, created in section 25-6.7-109 (2), C.R.S.~~

**SECTION 130.** 42-3-134 (26) (a), Colorado Revised Statutes, is amended to read:

**42-3-134. Registration fees - passenger and passenger-mile taxes.** (26) (a) (I) Effective July 1, 1986, in addition to any other fee imposed by this section, there shall be collected, at the time of registration, a fee of fifty cents on every item of class A, B, or C personal property required to be registered pursuant to this article. Such fee shall be transmitted to the state treasurer, who shall credit the same to a special account within the highway users tax fund, to be known as the AIR account, and such moneys shall be used, subject to appropriation by the general assembly, to cover the direct costs of the motor vehicle emissions activities of the department of public health and environment in the presently defined nonattainment area, and to pay for the costs of the commission in performing its duties under sections 25-7-106.1, 25-7-106.3, and 25-7-106.5, C.R.S. In the program areas within counties affected by this article, the county clerk and recorder shall impose and retain an additional fee of up to seventy cents on every such registration to cover reasonable costs of administration of the emissions compliance aspect of vehicle registration. The department of public health and environment is hereby authorized to accept and expend grants, gifts, and moneys from any source for the purpose of implementing its duties and functions under this section or sections 25-7-106.1, 25-7-106.3, and 25-7-106.5, C.R.S.

(II) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) TO THE CONTRARY, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT FIVE HUNDRED THOUSAND DOLLARS FROM THE AIR ACCOUNT AND TRANSFER SUCH SUM TO THE ENVIRONMENTAL LEADERSHIP POLLUTION PREVENTION REVOLVING FUND, CREATED IN SECTION 25-6.7-109 (2), C.R.S.

**SECTION 131. Repeal.** 24-21-104 (3) (d) (V), as enacted by Senate Bill 98-152, enacted at the Second Regular Session of the Sixty-first General Assembly, is repealed as follows:

~~**24-21-104. Fees of secretary of state.** (3) (d) (V) Notwithstanding any provision of paragraph (b) of this subsection (3) to the contrary, on July 1, 1998, the state~~

~~treasurer shall deduct two hundred sixty-seven thousand seven hundred fifty-six dollars from the department of state cash fund and transfer such sum to the retail electricity policy development fund created in section 40-4-114.~~

**SECTION 132.** 24-34-105 (2) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-34-105. Fee adjustments - division of registrations cash fund created - legal defense account.** (2) (b) (IV) NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH (b) TO THE CONTRARY, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT TWO HUNDRED SIXTY-SEVEN THOUSAND SEVEN HUNDRED FIFTY-SIX DOLLARS FROM THE DIVISION OF REGISTRATIONS CASH FUND AND TRANSFER SUCH SUM TO THE RETAIL ELECTRICITY POLICY DEVELOPMENT FUND CREATED IN SECTION 40-4-114, C.R.S.

**SECTION 133.** 24-21-104 (3) (d), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**24-21-104. Fees of secretary of state.** (3) (d) (IX) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (3) TO THE CONTRARY, ON JULY 1, 1998, THE STATE TREASURER SHALL DEDUCT ONE MILLION DOLLARS FROM THE DEPARTMENT OF STATE CASH FUND AND TRANSFER SUCH SUM TO THE COLORADO TOURISM PROMOTION FUND CREATED IN SECTION 24-32-1306.

**SECTION 134. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado tourism promotion fund created in section 24-32-1306, Colorado Revised Statutes, not otherwise appropriated, to the Colorado tourism board, for the fiscal year beginning July 1, 1998, the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, for the purposes specified in section 24-32-1306, Colorado Revised Statutes.

**SECTION 135. Effective date.** This act shall take effect upon passage; except that sections 127 and 128 of this act shall only take effect if H.J.R. 98-1008 is passed during the second regular session of the sixty-first general assembly; and except that sections 129 and 130 shall only take effect if H.B. 98-1058 becomes law; and except that sections 131 and 132 shall only take effect if S.B. 98-152 becomes law.

**SECTION 136. 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 1, 1998

**Editors's Note:** H.J.R. 98-1008 was not adopted, so sections 127 and 128 of this act shall not take effect. S.B. 98-152 and H.B. 98-1058 were signed by the Governor on May 26, 1998, so sections 129 through 132 are effective on June 1, 1998. (See section 135 of this act.)