

CHAPTER 326

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 00-1025

BY REPRESENTATIVES Clarke, Leyba, Taylor, Young, Bacon, Chavez, Coleman, Gagliardi, George, Gordon, Hagedorn, Mace, Plant, Tapia, Tochtrop, Tupa, Vigil, S.Williams, Windels, and Zimmerman;
also SENATORS Linkhart, Anderson, Lamborn, Reeves, Hernandez, Pascoe, and Rupert.

AN ACT

CONCERNING THE COLORADO CHILDREN'S TRUST FUND, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 24-1-119, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-1-119. Department of public health and environment - creation. (9) THE POWERS, DUTIES, AND FUNCTIONS OF THE COLORADO CHILDREN'S TRUST FUND BOARD, CREATED IN SECTION 19-3.5-104, C.R.S., ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

SECTION 2. 24-1-114 (4) (g), Colorado Revised Statutes, is repealed as follows:

24-1-114. Department of higher education - creation. (4) For the purposes of section 22 of article IV of the state constitution, the following are allocated to the department of higher education but shall otherwise continue to be administered as provided by law:

(g) ~~The Colorado children's trust fund board, created by article 3.5 of title 19, C.R.S.~~

SECTION 3. 19-3.5-104 (1), Colorado Revised Statutes, is amended to read:

19-3.5-104. Colorado children's trust fund board - creation - members.
(1) There is hereby created, in the department of ~~higher education~~, PUBLIC HEALTH AND ENVIRONMENT, the Colorado children's trust fund board. The board shall

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

exercise its powers and duties as if ~~the same were~~ transferred by a **type 2** transfer. ~~The board may contract with the department of social work of Colorado state university for administrative and technical support for the board in carrying out its duties and functions.~~

SECTION 4. Repeal. 19-3.5-105 (1) (j), Colorado Revised Statutes, is repealed as follows:

19-3.5-105. Powers and duties of the board. (1) The board shall have the following powers and duties:

(j) ~~To establish a classification system for potential recipients based upon need; and the board shall award grants to those classified most needy.~~

SECTION 5. 19-3.5-106 (1) (a), Colorado Revised Statutes, is amended to read:

19-3.5-106. Colorado children's trust fund - creation - source of funds.

(1) There is hereby created in the state treasury the Colorado children's trust fund, which shall be administered by the board and which shall consist of:

(a) All moneys which shall be transferred thereto in accordance with section ~~14-2-106 (1) (a)~~; 13-32-101 (1) (a), C.R.S.; and

SECTION 6. 19-3.5-107 (2), Colorado Revised Statutes, is amended to read:

19-3.5-107. Disbursement of grants from the trust fund. (2) The board shall have discretion in determining the amount of money to be awarded under each grant; except that:

(a) Until the total amount of assets in the trust fund exceeds five million dollars, not more than ~~one-half~~ SEVENTY-FIVE PERCENT of the moneys credited to the trust fund each year pursuant to section ~~14-2-106 (1) (a)~~; 13-32-101 (1) (a), C.R.S., plus any interest credited thereon to the trust fund during the previous year shall be available for disbursement or expenditure by the board; however, any other moneys deposited or maintained in the fund may be disbursed by the board pursuant to the provisions of this article in accordance with an appropriation from the fund made by the general assembly;

(b) After such time that the state treasurer certifies that the assets in the trust fund exceed five million dollars, no further moneys shall be collected for the trust fund pursuant to section ~~14-2-106 (1) (a)~~; 13-32-101 (1) (a), C.R.S.; however, nothing in this paragraph (b) shall be construed to prohibit the continued collection of moneys for the trust fund pursuant to section 19-3.5-105 (1) (e);

(c) After such time that the state treasurer certifies that the assets in the trust fund exceed five million dollars, only the interest credited to the trust fund, together with any moneys collected for such fund pursuant to section 19-3.5-105 (1) (e), shall be available for disbursement or expenditure by the board.

SECTION 7. Article 3.5 of title 19, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

19-3.5-109. Report - repeal of article. (1) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL CONTRACT FOR AN INDEPENDENT EVALUATION OF THE TRUST FUND INCLUDING ADMINISTRATIVE COSTS OF OPERATING THE TRUST FUND AND THE COST- EFFECTIVENESS AND THE IMPACT OF THE GRANTS ON REDUCING AND PREVENTING CHILD ABUSE. A REPORT OF SUCH EVALUATION SHALL BE PROVIDED TO THE HOUSE AND SENATE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES BY NOVEMBER 1, 2001.

(2) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2002.

SECTION 8. The introductory portion to 14-2-106 (1) (a) and 14-2-106 (1) (c), Colorado Revised Statutes, are amended to read:

14-2-106. License to marry. (1) (a) When a marriage application has been completed and signed by both parties to a prospective marriage and at least one party has appeared before the county clerk and recorder and has paid the marriage license fee of seven dollars, ~~plus an additional fee of ten dollars, except as provided in paragraph (c) of this subsection (1), such additional fee to be credited to the Colorado children's trust fund pursuant to section 19-3.5-106, C.R.S.,~~ and an additional amount established pursuant to section 25-2-121, C.R.S., such amount to be credited to the vital statistics records cash fund pursuant to section 25-2-121, C.R.S., the county clerk shall issue a license to marry and a marriage certificate form upon being furnished:

~~(c) The additional ten-dollar fee authorized in paragraph (a) of this subsection (1) to be credited to the Colorado children's trust fund shall not be assessed after the balance in such fund exceeds five million dollars.~~

SECTION 9. 13-32-101 (1) (a), Colorado Revised Statutes, is amended to read:

13-32-101. Docket fees in civil actions - support registry fund created - repeal. (1) At the time of first appearance in all civil actions and special proceedings in all courts of record, except in the supreme court and the court of appeals, and except in the probate proceedings in the district court or probate court of the city and county of Denver, and except as provided in subsection (2) of this section and in sections 13-32-103 and 13-32-104, there shall be paid in advance the total docket fees, as follows:

(a) By the petitioner in a proceeding for dissolution of marriage, legal separation, or declaration of invalidity of marriage and by the petitioner in an action for a declaratory judgment concerning the status of marriage, a fee of ninety dollars; FIFTEEN DOLLARS OF SUCH FEE SHALL BE TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE COLORADO CHILDREN'S TRUST FUND, CREATED IN SECTION 19-3.5-106, C.R.S.;

SECTION 10. Transfer of appropriation - appropriation. (1) Any appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2000, to the department of higher education, Colorado commission on higher education, special purpose, Colorado children's trust fund, and any corresponding FTE, are hereby transferred to the department of public health and environment, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the department of public health and environment, for the fiscal year beginning July 1, 2000, from reserves in the Colorado children's trust fund, the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, for the implementation of section 19-3.5-109, Colorado Revised Statutes.

SECTION 11. Effective date - applicability. This act shall take effect July 1, 2000, and shall apply to moneys deposited in the Colorado children's trust fund created in section 19-3.5-106, Colorado Revised Statutes, on or after said date.

SECTION 12. 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, 2000