

CHAPTER 196

GOVERNMENT - STATE

HOUSE BILL 02-1444

BY REPRESENTATIVE(S) Young, Berry, Saliman, and Chavez;
also SENATOR(S) Reeves, Tate, and Owen.

AN ACT

CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH TRANSFERS OF CERTAIN MONEYS IN THE 2001-02 STATE FISCAL YEAR.

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

SECTION 1. 13-32-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

13-32-101. Docket fees in civil actions - support registry fund created. (6) ON THE EFFECTIVE DATE OF THIS SUBSECTION (6), THE STATE TREASURER SHALL TRANSFER TO THE GENERAL FUND THE BALANCE OF MONEYS REMAINING AFTER THE REPEAL OF THE SUPPORT REGISTRY FUND, FORMERLY CREATED IN PARAGRAPH (a.5) OF SUBSECTION (1) OF THIS SECTION, WHICH REPEAL WAS EFFECTIVE JANUARY 1, 2001.

SECTION 2. 24-33-111 (2), Colorado Revised Statutes, as amended by House Bill 02-1391, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-33-111. Conservation of native species - fund created. (2) **Species conservation trust fund - creation.** (d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY AND IN ADDITION TO ANY OTHER AMOUNTS TRANSFERRED PURSUANT TO THIS SUBSECTION (2), ON THE EFFECTIVE DATE OF THIS PARAGRAPH (d), THE STATE TREASURER SHALL DEDUCT THREE MILLION DOLLARS FROM THE CAPITAL ACCOUNT OF THE SPECIES CONSERVATION TRUST FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 3. 25-6.7-109 (2), Colorado Revised Statutes, is amended to read:

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

25-6.7-109. Environmental leadership pollution prevention revolving fund - program - creation. (2) (a) There is hereby established in the state treasury a fund to be known as the environmental leadership pollution prevention revolving fund that consists of moneys made available pursuant to law and gifts, donations, and grants accepted pursuant to subsection (3) of this section. Such moneys shall be dedicated and continuously appropriated to the department for the exclusive purpose of funding the environmental leadership pollution prevention revolving fund program created pursuant to this section; except that funds shall be subject to annual appropriation by the general assembly to the department for the purpose of covering the reasonable costs of administering the environmental leadership pollution prevention revolving fund program. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. At the end of any fiscal year, all unexpended or unencumbered moneys in the fund shall remain in the fund and shall not be credited or transferred to the general fund or any other fund.

(b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (b), THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE ENVIRONMENTAL LEADERSHIP POLLUTION PREVENTION REVOLVING FUND TO THE GENERAL FUND.

SECTION 4. 25-17-202 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25-17-202. Waste tire recycling development fee - cash fund created - repeal. (3) (d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (d), THE STATE TREASURER SHALL DEDUCT SIX HUNDRED THOUSAND DOLLARS FROM THE WASTE TIRE RECYCLING DEVELOPMENT CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 5. 12-6-123 (2), Colorado Revised Statutes, as enacted by House Bill 02-1391, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended to read:

12-6-123. Disposition of fees - auto dealers license fund. (2) (a) Notwithstanding any provision of subsection (1) of this section to the contrary, on the effective date of this subsection (2), the state treasurer shall deduct one million one hundred thousand dollars from the auto dealers license fund and transfer such sum to the general fund; except that, if the balance of moneys in the auto dealers license fund on the effective date of this subsection (2) is less than one million one hundred thousand dollars, the state treasurer shall transfer the balance of moneys in the fund to the general fund.

(b) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY AND IN ADDITION TO ANY AMOUNT TRANSFERRED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2):

(I) ON THE EFFECTIVE DATE OF THIS SUBSECTION (2), AS AMENDED, OR APRIL 30, 2002, WHICHEVER OCCURS LATER, THE STATE TREASURER SHALL TRANSFER AN AMOUNT EQUAL TO THE BALANCE OF THE AUTO DEALERS LICENSE FUND AS OF APRIL 30, 2002, TO THE GENERAL FUND.

(II) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBPARAGRAPH (II), FOR EACH SUCCEEDING CALENDAR MONTH OF THE 2001-02 FISCAL YEAR, THROUGH JUNE 30, 2002, THE STATE TREASURER SHALL TRANSFER THE AMOUNT OF MONEYS CREDITED TO THE AUTO DEALERS LICENSE FUND DURING SUCH CALENDAR MONTH TO THE GENERAL FUND NO LATER THAN THE LAST DAY OF THE MONTH IN WHICH SUCH MONEYS WERE CREDITED TO THE AUTO DEALERS LICENSE FUND. HOWEVER, THE AGGREGATE AMOUNT OF MONEYS TRANSFERRED FROM THE AUTO DEALERS LICENSE FUND TO THE GENERAL FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2), SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AND THIS SUBPARAGRAPH (II) SHALL NOT EXCEED ONE MILLION ONE HUNDRED THOUSAND DOLLARS.

SECTION 6. Repeal. Sections 10 and 16 of House Bill 02-1391, enacted at the Second Regular Session of the Sixty-third General Assembly, are repealed.

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

Approved: May 28, 2002