

CHAPTER 197

GOVERNMENT - STATE

HOUSE BILL 02-1443

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

AN ACT

CONCERNING REDUCTIONS IN THE REVENUES AVAILABLE TO FUND CAPITAL PROJECTS FOR PURPOSES OF ADDRESSING THE ANTICIPATED REVENUE SHORTFALL FOR THE 2001-02 AND 2002-03 FISCAL YEARS.

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

SECTION 1. 24-75-302 (2) (o), Colorado Revised Statutes, as amended by House Bill 02-1391, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended, and the said 24-75-302 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

24-75-302. Capital construction fund - capital assessment fees - calculation.

(2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2005, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(o) On July 1, 2002, ~~one hundred million dollars, plus thirteen thousand nine hundred sixty-two dollars pursuant to S.B. 98-021, enacted at the second regular session of the sixty-first general assembly; plus eight million three hundred seven thousand five hundred nine dollars pursuant to H.B. 98-1156, enacted at the second regular session of the sixty-first general assembly; plus three hundred ninety-seven thousand nine hundred twenty-three dollars pursuant to H.B. 98-1160, enacted at the second regular session of the sixty-first general assembly; plus fifty thousand three hundred sixty-four dollars pursuant to H.B. 00-1107, enacted at the second regular~~

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

~~session of the sixty-second general assembly; plus one hundred twenty-one thousand five hundred sixty-seven dollars pursuant to H.B. 00-1201, enacted at the second regular session of the sixty-second general assembly; plus two hundred fifty thousand eighty-one dollars pursuant to H.B. 00-1214, enacted at the second regular session of the sixty-second general assembly; plus forty thousand five hundred twenty-two dollars pursuant to H.B. 00-1247, enacted at the second regular session of the sixty-second general assembly; plus one million seven hundred sixty-eight thousand two hundred twenty-five dollars pursuant to H.B. 01-1205, enacted at the first regular session of the sixty-third general assembly; plus one hundred thirty-eight thousand nine hundred thirty-four dollars pursuant to H.B. 01-1242, enacted at the first regular session of the sixty-third general assembly; plus thirty million nine hundred thousand dollars pursuant to H.B. 02-1391, enacted at the second regular session of the sixty-third general assembly NINE MILLION FOUR HUNDRED EIGHTY-NINE THOUSAND DOLLARS;~~

(8) ON THE EFFECTIVE DATE OF THIS SUBSECTION (8), PURSUANT TO H.B. 02-1443, ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY, THE STATE TREASURER AND THE CONTROLLER SHALL TRANSFER FIFTY-THREE MILLION FIVE HUNDRED FORTY-FIVE THOUSAND DOLLARS FROM THE CAPITAL CONSTRUCTION FUND TO THE GENERAL FUND CREATED IN SECTION 24-75-201 (1).

SECTION 2. Repeal. 17-1-122 (1) (c) (I), Colorado Revised Statutes, is repealed as follows:

17-1-122. Appropriation to comply with section 2-2-703 - HB 98-1160.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement HB 98-1160, enacted at the second regular session of the sixty-first general assembly:

~~(c) (I) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated, from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of three hundred ninety-seven thousand nine hundred twenty-three dollars (\$397,923).~~

SECTION 3. Repeal. 17-1-123 (1) (e), Colorado Revised Statutes, is repealed as follows:

17-1-123. Appropriations to comply with section 2-2-703 - HB 98-1156.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement HB 98-1156, enacted at the second regular session of the sixty-first general assembly:

~~(e) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of eight million three hundred seven thousand five hundred nine dollars (\$8,307,509).~~

SECTION 4. Repeal. 17-1-124 (1) (d) (I), Colorado Revised Statutes, is

repealed as follows:

17-1-124. Appropriation to comply with section 2-2-703 - SB 98-021.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement SB 98-021, enacted at the second regular session of the sixty-first general assembly:

~~(d) (I) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated, from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of thirteen thousand nine hundred sixty-two dollars (\$13,962).~~

SECTION 5. Repeal. 17-1-126 (1) (c) (I), Colorado Revised Statutes, is repealed as follows:

17-1-126. Appropriation to comply with section 2-2-703 - HB 00-1247.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement HB 00-1247, enacted at the second regular session of the sixty-second general assembly:

~~(c) (I) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated, from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of forty thousand five hundred twenty-two dollars (\$40,522).~~

SECTION 6. Repeal. 17-1-129 (1) (c) (I), Colorado Revised Statutes, is repealed as follows:

17-1-129. Appropriation to comply with section 2-2-703 - HB 00-1214.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement H.B. 00-1214, enacted at the second regular session of the sixty-second general assembly:

~~(c) (I) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated, from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of two hundred fifty thousand eighty-one dollars (\$250,081).~~

SECTION 7. Repeal. 17-1-130 (1) (c) (I), Colorado Revised Statutes, is repealed as follows:

17-1-130. Appropriation to comply with section 2-2-703 - HB 00-1201.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement H.B. 00-1201 enacted at the second regular session of the sixty-second general assembly:

~~(c) (I) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated from the capital construction fund created~~

~~in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of one hundred twenty-one thousand five hundred sixty-seven dollars (\$121,567).~~

SECTION 8. Repeal. 17-1-132 (1) (c) (I), Colorado Revised Statutes, is repealed as follows:

17-1-132. Appropriation to comply with section 2-2-703 - HB 00-1107.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement H.B. 00-1107, enacted at the second regular session of the sixty-second general assembly:

~~(c) (I) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated, from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of fifty thousand three hundred sixty-four dollars (\$50,364).~~

SECTION 9. Repeal. 17-1-133 (1) (a), Colorado Revised Statutes, is repealed as follows:

17-1-133. Appropriation to comply with section 2-2-703 - HB 01-1205.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement H.B. 01-1205, enacted at the first regular session of the sixty-third general assembly:

~~(a) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of one million seven hundred sixty-eight thousand two hundred twenty-five dollars (\$1,768,225).~~

SECTION 10. Repeal. 17-1-137 (1) (b) (I), Colorado Revised Statutes, is repealed as follows:

17-1-137. Appropriation to comply with section 2-2-703 - HB 01-1242.

(1) Pursuant to section 2-2-703, C.R.S., the following statutory appropriations, or so much thereof as may be necessary, are made in order to implement H.B. 01-1242, enacted at the first regular session of the sixty-third general assembly:

~~(b) (I) For the fiscal year beginning July 1, 2002, in addition to any other appropriation, there is hereby appropriated, from the capital construction fund created in section 24-75-302, C.R.S., to the corrections expansion reserve fund created in section 17-1-116, the sum of one hundred thirty-eight thousand nine hundred thirty-four dollars (\$138,934).~~

SECTION 11. Section 5 (1) of House Bill 02-1389, enacted at the Second Regular Session of the Sixty-third General Assembly, is amended to read:

Section 5. **Appropriations.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise

appropriated, to the capital construction fund created in section 24-75-302 (1), Colorado Revised Statutes, for the fiscal year beginning July 1, 2001, the sum of ~~eighty-three million one hundred eighty-seven thousand five hundred ninety-nine~~ SEVENTY-EIGHT MILLION NINE HUNDRED TEN THOUSAND ONE HUNDRED NINETY-FIVE dollars (~~\$83,187,599~~) (\$78,910,195). Said sum shall be subject to the limitation on general fund appropriations pursuant to section 24-75-201.1 (1) (a), Colorado Revised Statutes.

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: May 28, 2002