

CHAPTER 58

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 02-1390

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

AN ACT

CONCERNING MODIFICATIONS TO THE SOURCE OF FUNDING FOR THE OLDER COLORADANS PROGRAM FOR THE 2001-02 STATE FISCAL YEAR IN ORDER TO INCREASE THE AMOUNT OF GENERAL FUND APPROPRIATIONS MADE DURING SAID FISCAL YEAR USED TO CALCULATE THE STATUTORY LIMITATION ON GENERAL FUND APPROPRIATIONS FOR THE 2002-03 STATE FISCAL YEAR, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 26-11-205.5 (1) and (5), Colorado Revised Statutes, are amended to read:

26-11-205.5. Older Coloradans program - distribution formula. (1) There is hereby created in the state department the older Coloradans program, referred to in this section as the "program". The program shall provide moneys to area agencies on aging to provide grants to provide community-based services to persons sixty years of age or older to assist such persons to live in their own homes and communities for as long as possible. Such services shall include but are not limited to congregate nutrition, home-delivered meals, transportation services, in-home services, ombudsman services, legal services, elder abuse prevention, outreach, and information and referral services. However, the moneys transferred from sales and use taxes pursuant to the provisions of section 39-26-123 (2) (a) (I) (A.6), C.R.S., AND THE MONEYS APPROPRIATED BY THE GENERAL ASSEMBLY FROM THE STATE GENERAL FUND shall only be used for one-time purposes and shall not be used in a manner that would create a need for ongoing state funding in fiscal year 2001-02 and subsequent fiscal years.

(5) There is hereby created the older Coloradans cash fund, referred to in this subsection (5) as the "fund". The fund shall consist of moneys transferred from sales and use taxes pursuant to the provisions of section 39-26-123 (2) (a) (I) (A.6), C.R.S., AND ANY MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. In addition, the state treasurer may credit to the fund any public or private gifts, grants, or donations received by the state

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

department for implementation of the program. The fund shall be subject to annual appropriation by the general assembly to the state department. Notwithstanding the provisions of section 24-36-114, C.R.S., all interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. Any amount remaining in the fund at the end of any fiscal year shall remain in the fund and not be transferred or credited to the general fund or any other fund.

SECTION 2. 39-26-123 (2) (a) (I) (A.6), Colorado Revised Statutes, is amended to read:

39-26-123. Receipts - disposition. (2) (a) (I) (A.6) For the fiscal ~~years~~ YEAR commencing July 1, 2000, ~~and July 1, 2001~~; eighty-five percent of all receipts collected under the provisions of this article shall be credited to the old age pension fund. The remaining fifteen percent shall be allocated among and credited to the general fund, to the older Coloradans CASH fund established in section 26-11-205.5, C.R.S., as providing additional services to Coloradans sixty years of age and older, and to the highway users tax fund, as a portion of the sales and use taxes attributable to sales or use of vehicles and related items, as follows: Ten percent of the net revenue from sales and use tax to the highway users tax fund; three million dollars to the older Coloradans CASH fund; and five percent of the net revenue from sales and use tax, less three million dollars, to the general fund.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the older Coloradans cash fund created in section 26-11-205.5 (5), Colorado Revised Statutes, for the fiscal year beginning July 1, 2001, the sum of three million dollars (\$3,000,000), and such sum, or so much thereof as may be necessary, is further appropriated to the department of human services for the older Coloradans program created in section 26-11-205.5 (1), Colorado Revised Statutes. Said sum shall be subject to the limitation on general fund appropriations created in section 24-75-201.1 (1) (a), Colorado Revised Statutes.

SECTION 4. Effective date. This act shall take effect upon passage; except that this act shall only take effect if the following bills are enacted at the Second Regular Session of the Sixty-third General Assembly and become law: House Bill 02-1366; House Bill 02-1367; House Bill 02-1368; House Bill 02-1369; House Bill 02-1370; House Bill 02-1371; House Bill 02-1372; House Bill 02-1373; House Bill 02-1374; House Bill 02-1375; House Bill 02-1376; House Bill 02-1377; House Bill 02-1378; House Bill 02-1379; House Bill 02-1380; House Bill 02-1381; House Bill 02-1382; House Bill 02-1383; House Bill 02-1384; House Bill 02-1385; House Bill 02-1386; House Bill 02-1387; House Bill 02-1388; House Bill 02-1389; House Bill 02-1391; House Bill 02-1392; House Bill 02-1393; and House Bill 02-1394.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 27, 2002

Editor's note: Section 4 of this act provided that this act is effective upon passage only if House Bills 02-1366 through 02-1394 are enacted and become law. Said bills were signed March 27, 2002.