

CHAPTER 12

COURTS

SENATE BILL 03-172

BY SENATOR(S) Reeves, Owen, and Teck;
also REPRESENTATIVE(S) Young, Plant, and Witwer.

AN ACT**CONCERNING DOCKET FEES TRANSFERRED TO THE FAMILY STABILIZATION SERVICES FUND.**

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

SECTION 1. 19-1-125 (2), Colorado Revised Statutes, is amended to read:

19-1-125. Family stabilization services. (2) (a) ON AND AFTER JULY 1, 2004, the moneys identified in section 13-32-101 (1) (a), C.R.S., shall be transmitted to the state treasurer, who shall credit the same to the family stabilization services fund, which fund is hereby created. The moneys in the fund shall be subject to annual appropriation by the general assembly to the department of human services for allocation to the county departments specified in section 26-5-104 (4) (b) (II), C.R.S., for the purposes described in subsection (3) of this section and for allocation to any county or group of counties specified in section 26-5-104 (4) (b) (I), C.R.S., for the purposes described in section 26-5-105.5 (3.2), C.R.S. 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 and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

(b) On and after July 1, ~~2002~~ 2004, seventy-five percent of the moneys credited by the state treasurer to the family stabilization services fund pursuant to paragraph (a) of this subsection (2) shall be transmitted to the state treasurer for deposit in the performance incentive cash fund created in section 26-5-105.5 (3.2), C.R.S.

(c) ALL UNEXPENDED AND UNENCUMBERED MONEYS CREDITED TO THE FAMILY STABILIZATION FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2) OR TO THE PERFORMANCE INCENTIVE CASH FUND PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2) PRIOR TO JULY 1, 2004, SHALL REVERT TO THE GENERAL FUND.

SECTION 2. 13-32-101 (1) (a), 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.

13-32-101. Docket fees in civil actions - support registry fund created. (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, prior to July 1, 2003, a fee of ninety dollars, and, on or after July 1, 2003, a fee of one hundred thirty 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., and, FOR FISCAL YEARS 2002-03 AND 2003-04, THE REMAINDER SHALL BE TRANSMITTED TO THE STATE GENERAL FUND. On and after July 1, ~~2002~~ 2004, the ~~remainder~~ REMAINING ONE HUNDRED FIFTEEN DOLLARS OF THE FEE shall be transmitted to the state treasurer for deposit in the family stabilization services fund, created in section 19-1-125, C.R.S.

SECTION 3. 26-5-105.5 (3.2), Colorado Revised Statutes, is amended to read:

26-5-105.5. State department integrated care management program - county performance agreements - authorized - performance incentive cash fund created. (3.2) (a) There is hereby created in the state treasury the performance incentive cash fund. The moneys in the performance incentive cash fund shall be subject to annual appropriation by the general assembly to the state department for state fiscal year ~~2003-04~~ 2005-06 and each fiscal year thereafter. The executive director of the state department shall allocate said moneys to provide incentives to any county or group of counties participating in the integrated care management program that has met or exceeded the performance measures specified by the state department. The incentive moneys allocated by the executive director of the state department to any county or group of counties shall be used for family stabilization services as described in section 19-1-125 (3), C.R.S., and as further defined by rule of the state board. The executive director of the state department is authorized to accept and expend on behalf of the state any grants, gifts, or donations from any private or public source for the purposes of this section. All private and public funds received through grants, gifts, or donations shall be transmitted to the state treasurer, who shall credit the same to the performance incentive cash fund in addition to moneys credited pursuant to paragraph (b) of this subsection (3.2) and any moneys that may be appropriated to the cash fund directly by the general assembly. All investment earnings derived from the deposit and investment of moneys in the fund shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year, EXCEPT AS PROVIDED FOR IN SECTION 19-1-125 (2) (c), C.R.S.

(b) On and after July 1, ~~2002~~ 2004, the moneys specified in section 19-1-125 (2) (b), C.R.S., shall be transmitted to the state treasurer, who shall credit the same to the performance incentive cash fund, created in paragraph (a) of this subsection (3.2).

SECTION 4. 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 5, 2003