

CHAPTER 212

TRANSPORTATION

SENATE BILL 03-267

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

AN ACT

CONCERNING THE METHOD BY WHICH THE MOTOR VEHICLE BUSINESS GROUP WITHIN THE DEPARTMENT OF REVENUE IS ANNUALLY FUNDED, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. 43-4-201 (3) (a) (I) (B), Colorado Revised Statutes, as amended by Senate Bill 03-228, enacted at the First Regular Session of the Sixty-fourth General Assembly, is amended to read:

43-4-201. Funds created - repeal. (3) (a) (I) The general assembly shall not make any annual appropriation (whether by regular, special, or supplementary appropriation) or any statutory distribution from the highway users tax fund for any purpose or purposes in a total amount which is:

(B) Commencing in the fiscal year 1981-82 through the fiscal year 1994-95, more than a seven percent increase over such appropriation for the prior fiscal year and commencing in the fiscal year 1995-96, more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol and to the department of revenue for the ports of entry division for the prior fiscal year; except in fiscal years 2002-03 to 2004-05, more than a six percent increase over such appropriation to the department of public safety for the Colorado state patrol, to the department of revenue for the ports of entry division, ~~and to the department of revenue for license plate funding pursuant to this sub-subparagraph~~ ~~(B)~~ SUB-SUBPARAGRAPH (L) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), AND TO THE DEPARTMENT OF REVENUE FOR ADMINISTRATION AND MOTOR VEHICLE DIVISION EXPENSES OF THE MOTOR VEHICLE BUSINESS GROUP PURSUANT TO SUB-SUBPARAGRAPH (M) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) for the prior fiscal year. COMMENCING IN THE FISCAL YEAR 2005-06, THE GENERAL ASSEMBLY SHALL NOT MAKE ANY ANNUAL APPROPRIATION (WHETHER BY REGULAR, SPECIAL, OR

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

SUPPLEMENTARY APPROPRIATION) OR ANY STATUTORY DISTRIBUTION FROM THE HIGHWAY USERSTAX FUND FOR ANY PURPOSE OR PURPOSES IN A TOTAL AMOUNT THAT IS MORE THAN A SIX PERCENT INCREASE OVER SUCH APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE COLORADO STATE PATROL AND TO THE DEPARTMENT OF REVENUE FOR THE PORTS OF ENTRY DIVISION. For fiscal years 2002-03 to 2004-05, any annual appropriation or statutory distribution from the highway users tax fund to the department of revenue for license plate funding unrelated to license plate replacement PURSUANT TO SUB-SUBPARAGRAPH (L) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) AND TO THE DEPARTMENT OF REVENUE FOR ADMINISTRATION AND MOTOR VEHICLE DIVISION EXPENSES OF THE MOTOR VEHICLE BUSINESS GROUP PURSUANT TO SUB-SUBPARAGRAPH (M) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) within the six percent overall limit on state appropriations pursuant to section 24-75-201.1 (1) (a) (II), C.R.S., shall not be based on a level of appropriation that expands the six percent overall limit.

SECTION 2. 43-4-201 (3) (a) (II), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH to read:

43-4-201. Funds created - repeal. (3) (a) (II) The general assembly shall not make any annual appropriation or statutory distribution from the highway users tax fund except as follows:

(M) TO THE DEPARTMENT OF REVENUE FOR EXPENSES INCURRED IN CONNECTION WITH THE ADMINISTRATION OF THE MOTOR VEHICLE BUSINESS GROUP AND THE MOTOR VEHICLE DIVISION OF THE MOTOR VEHICLE BUSINESS GROUP WITHIN THE DEPARTMENT WITH THE EXCEPTION OF EXPENSES INCURRED BY THE MOTOR VEHICLE DIVISION IN CONNECTION WITH LICENSE PLATE ORDERING. THIS SUB-SUBPARAGRAPH (M) IS REPEALED, EFFECTIVE JULY 1, 2005.

SECTION 3. 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes, is amended to read:

43-4-201. Funds created - repeal. (3) (a) (III) (C) The general assembly shall not make any annual appropriation or statutory distribution from the highway users tax fund for the fiscal year 1997-98 or for any succeeding fiscal year authorized by subparagraph (II) of this paragraph (a), excluding the annual appropriation or statutory distribution to the Colorado state patrol and the ports of entry section and excluding any appropriation to the department of revenue for replacement of license plates as authorized by sub-subparagraph (K) of subparagraph (II) of this paragraph (a) OR, FOR THE FISCAL YEARS 2003-04 TO 2004-05, TO THE DEPARTMENT OF REVENUE FOR EXPENSES INCURRED IN CONNECTION WITH THE ADMINISTRATION OF THE MOTOR VEHICLE BUSINESS GROUP AND THE MOTOR VEHICLE DIVISION OF THE MOTOR VEHICLE BUSINESS GROUP WITHIN THE DEPARTMENT WITH THE EXCEPTION OF EXPENSES INCURRED BY THE MOTOR VEHICLE DIVISION IN CONNECTION WITH LICENSE PLATE ORDERING AS AUTHORIZED BY SUB-SUBPARAGRAPH (M) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a).

SECTION 4. Appropriation - adjustments in long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of revenue for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The general fund appropriation for motor vehicle business group, motor vehicle division, personal services is decreased by three million two hundred sixty-three thousand four hundred eighty-one dollars (\$3,263,481).

(b) The cash funds exempt appropriation for motor vehicle business group, motor vehicle division, personal services is increased by three million two hundred sixty-three thousand four hundred eighty-one dollars (\$3,263,481). Such sum shall be from the highway users tax fund pursuant to section 43-4-201 (3) (a), Colorado Revised Statutes.

SECTION 5. Appropriation - adjustments in long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of revenue for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The general fund appropriation for motor vehicle business group, motor vehicle division, personal services is decreased by one million three hundred thirty-six thousand eight hundred twenty-three dollars (\$1,336,823).

(b) The cash funds exempt appropriation for motor vehicle business group, motor vehicle division, personal services is increased by one million three hundred thirty-six thousand eight hundred twenty-three dollars (\$1,336,823). Such sum shall be from the highway users tax fund pursuant to section 43-4-201 (3) (a), Colorado Revised Statutes.

SECTION 6. Appropriation - adjustments in long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of revenue for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The general fund appropriation for motor vehicle business group, motor vehicle division, personal services is decreased by one million one hundred eighty-eight thousand nine hundred forty-two dollars (\$1,188,942).

(b) The cash funds exempt appropriation for motor vehicle business group, motor vehicle division, personal services is increased by one million one hundred eighty-eight thousand nine hundred forty-two dollars (\$1,188,942). Such sum shall be from the highway users tax fund pursuant to section 43-4-201 (3) (a) (I) (B), Colorado Revised Statutes.

SECTION 7. Effective date. This act shall take effect July 1, 2003; except that section 4 of this act shall take effect only if Senate Bill 03-273 is enacted at the First Regular Session of the Sixty-fourth General Assembly and becomes law, section 5 of this act shall take effect only if Senate Bill 03-273 is not enacted at the First Regular Session of the Sixty-fourth General Assembly and does not become law, and section 6 of this act shall take effect only if Senate Bill 03-272 is enacted at the First Regular Session of the Sixty-fourth General Assembly and becomes law.

SECTION 8. 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 1, 2003