

## CHAPTER 215

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**PROFESSIONS AND OCCUPATIONS**

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SENATE BILL 03-274

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

**AN ACT**

**CONCERNING THE SUSPENSION OF CERTAIN TRANSFERS OF STATE LIMITED GAMING REVENUES TO FUNDS OTHER THAN THE STATE GENERAL FUND, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

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

**SECTION 1.** 12-47.1-701 (4) (a) and (4) (c), Colorado Revised Statutes, are amended to read:

**12-47.1-701. Limited gaming fund.** (4) (a) At the end of each fiscal year, the state treasurer shall distribute the balance remaining in the limited gaming fund in accordance with the provisions of section 9 (5) (b) (II) of article XVIII of the state constitution; ~~except that FOR FISCAL YEARS COMMENCING PRIOR TO JULY 1, 2003, AND FOR FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2004, forty-nine and eight-tenths percent shall be transferred to the general fund of this state and two-tenths of one percent shall be transferred to the Colorado travel and tourism promotion fund created in section 24-49.7-106, C.R.S. FOR THE 2003-04 STATE FISCAL YEAR, FIFTY PERCENT SHALL BE TRANSFERRED TO THE GENERAL FUND OF THE STATE.~~

(c) Out of the ~~forty-eight and eight-tenths percent~~ PERCENTAGE that would otherwise be transferred to the general fund pursuant to this subsection (4), an amount to be determined as provided in paragraph (c) of subsection (1) of this section shall be transferred to the state highway fund and the amount transferred to the general fund pursuant to this subsection (4) shall be reduced accordingly.

**SECTION 2.** 12-47.1-1601, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

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

**12-47.1-1601. Local government limited gaming impact fund.**

(6) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, MONEYS ACCRUING TO THE FUND ON AND AFTER JULY 1, 2002, AND ANY PREVIOUSLY TRANSFERRED UNENCUMBERED MONEYS IN THE FUND ON JULY 1, 2003, SHALL BE TRANSFERRED TO THE GENERAL FUND. TRANSFERS TO THE FUND SHALL RESUME AS OTHERWISE PROVIDED IN THIS SECTION FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2004.

(b) IF THE TOTAL AMOUNT OF REVENUES COLLECTED BY THE DEPARTMENT FOR STATE TAXES PAID PURSUANT TO THE TAX AMNESTY PROGRAM ESTABLISHED IN SECTION 39-21-201, C.R.S., EXCEEDS THE AMOUNT OF FIVE MILLION DOLLARS, THEN AN AMOUNT EQUAL TO THE AMOUNT OF ANY SUCH EXCESS SHALL BE TRANSFERRED FROM THE GENERAL FUND TO THE FUND ON OR BEFORE SEPTEMBER 1, 2003. IN NO EVENT SHALL THE AMOUNT TRANSFERRED PURSUANT TO THIS PARAGRAPH (b) EXCEED THE AMOUNT TRANSFERRED TO THE GENERAL FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (6).

**SECTION 3. Appropriation - adjustments in long bill.** For the implementation of this act, appropriations made in the annual general appropriation act to the department of local affairs, for the fiscal year beginning July 1, 2003, shall be adjusted as follows: The cash funds exempt appropriation for field services, local government limited gaming impact grants is decreased by five million seven hundred ninety thousand dollars (\$5,790,000).

**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: May 1, 2003