

## CHAPTER 213

---

**GOVERNMENT - STATE**

---

**HOUSE BILL 04-1098**

BY REPRESENTATIVE(S) Young, Witwer, Plant, Berry, Cadman, Cloer, Decker, Harvey, Lee, Lundberg, Marshall, McCluskey, Rose, Schultheis, Spradley, Stengel, Tochtrop, Butcher, Crane, Hefley, King, Weddig, Welker, Wiens, and Williams S.; also SENATOR(S) Owen, Teck, Reeves, and Arnold.

**AN ACT**

**CONCERNING THE DISPOSITION OF MONEYS RECEIVED BY THE STATE.**

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

**SECTION 1.** 24-75-201, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-75-201. General fund - general fund surplus - custodial moneys.**

(3) (a) CUSTODIAL MONEYS DO NOT INCLUDE MONEYS GRANTED BY THE FEDERAL GOVERNMENT TO THE STATE FOR THE SUPPORT OF GENERAL OR ESSENTIAL STATE GOVERNMENT SERVICES OF THE TYPE FOR WHICH EXPENDITURES ARE MADE IN THE MOST RECENTLY APPROVED ANNUAL GENERAL APPROPRIATION ACT, INCLUDING, BUT NOT LIMITED TO, ADDITIONAL PAYMENTS RECEIVED BY THE STATE UNDER THE FEDERAL "JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003", AS AMENDED, (P.L. No. 108-27), RECEIVED BY THE STATE ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3).

(b) NOTHING IN THIS SUBSECTION (3) SHALL CAUSE FEDERAL RELIEF PAYMENTS UNDER THE FEDERAL "JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003", AS AMENDED, (P.L. No. 108-27), RECEIVED BY THE STATE PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (3) TO BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND OF THE STATE OR TO BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY.

(c) ALL FEDERAL MONEYS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL BE CREDITED AND PAID TO THE GENERAL FUND UNLESS OTHERWISE PROVIDED BY LAW AND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY.

---

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

**SECTION 2. 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: April 30, 2004