

CHAPTER 130

HEALTH CARE POLICY AND FINANCING

SENATE BILL 05-211

BY SENATOR(S) Tapia, Keller, and Owen;
also REPRESENTATIVE(S) Plant, Buescher, Hall, Benefield, Borodkin, and Todd.

AN ACT

CONCERNING THE TRANSFER OF MONEYS FROM THE CHILDREN'S BASIC HEALTH PLAN TRUST TO THE STATE GENERAL FUND.

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

SECTION 1. 26-19-105 (1) and (2), Colorado Revised Statutes, are amended, and the said 26-19-105 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

26-19-105. Trust - created. (1) A fund to be known as the children's basic health plan trust is hereby created and established in the state treasury. EXCEPT AS PROVIDED FOR IN SUBSECTION (2.7) OF THIS SECTION, all moneys deposited in the trust and all interest earned on moneys in the trust shall remain in the trust for the purposes set forth in this article, and no part thereof shall be expended or appropriated for any other purpose.

(2) EXCEPT AS PROVIDED FOR IN SUBSECTION (2.7) OF THIS SECTION, all or a portion of the moneys in the trust shall be annually appropriated by the general assembly for the purposes of this article and shall not be transferred to or revert to the general fund of the state at the end of any fiscal year.

(2.7) ON JUNE 30, 2006, THE STATE TREASURER AND THE CONTROLLER SHALL TRANSFER EIGHT MILLION ONE HUNDRED THOUSAND DOLLARS FROM THE TRUST TO THE STATE GENERAL FUND.

SECTION 2. Effective date. This act shall take effect July 1, 2005, only if House Bill 05-1262 is enacted at the First Regular Session of the Sixty-fifth General Assembly and becomes law.

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 3. 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 29, 2005