

CHAPTER 92

APPROPRIATIONS

HOUSE BILL 05-1268

BY REPRESENTATIVE(S) Balmer, Berens, and Todd;
also SENATOR(S) Shaffer.

AN ACT

CONCERNING THE TRANSFER OF MONEYS IN THE DEPARTMENT OF REVENUE SUBACCOUNT IN THE AIR ACCOUNT TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SUBACCOUNT IN THE AIR ACCOUNT TO FUND ADMINISTRATION OF THE AUTOMOBILE INSPECTION AND READJUSTMENT PROGRAM BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

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

SECTION 1. 42-3-134 (26) (c), Colorado Revised Statutes, is amended to read:

42-3-134. Registration fees - passenger and passenger-mile taxes - fee schedule for years of TABOR surplus revenue - refund - clean screen fund - repeal. (26) (c) There shall be established two separate subaccounts within the AIR account, one for the revenues available for appropriation to the department of public health and environment pursuant to paragraphs (a) and (b) of this subsection (26) and one for the revenues available for appropriation to the department of revenue pursuant to paragraph (b) of this subsection (26) and section 42-4-305. ~~Any moneys remaining unexpended and unencumbered in either subaccount at the end of any fiscal year shall be appropriated by the general assembly for other purposes, subject to any limitations imposed by section 18 of article X of the state constitution.~~ AFTER THE STATE TREASURER TRANSFERS MONEYS IN THE DEPARTMENT OF REVENUE SUBACCOUNT TO THE DEPARTMENT OF REVENUE EQUAL TO THE AMOUNT APPROPRIATED TO THE DEPARTMENT OF REVENUE FROM THE AIR ACCOUNT FOR THE FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER FROM THE BALANCE IN THE DEPARTMENT OF REVENUE SUBACCOUNT TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SUBACCOUNT ANY AMOUNT NEEDED TO COVER APPROPRIATIONS MADE TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FROM THE AIR ACCOUNT FOR THAT FISCAL YEAR FOR THE ADMINISTRATION AND ENFORCEMENT OF THE AUTOMOBILE INSPECTION AND READJUSTMENT PROGRAM. TRANSFERS FROM THE DEPARTMENT OF REVENUE SUBACCOUNT TO THE DEPARTMENT OF PUBLIC HEALTH AND

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

ENVIRONMENT SUBACCOUNT SHALL BE MADE ON A MONTHLY BASIS AFTER THE TRANSFERS TO THE DEPARTMENT OF REVENUE EQUAL TO THE DEPARTMENT OF REVENUE'S APPROPRIATION FOR THAT FISCAL YEAR HAVE BEEN MADE. THE STATE TREASURER SHALL NOT TRANSFER TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AN AMOUNT THAT EXCEEDS THE AMOUNT OF THE APPROPRIATION MADE TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FROM THE AIR ACCOUNT FOR THE FISCAL YEAR. ANY TRANSFER MADE PURSUANT TO THIS PARAGRAPH (c) SHALL BE SUBJECT TO ANY LIMITS IMPOSED OR APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY FOR OTHER PURPOSES AND ANY LIMITATIONS IMPOSED BY SECTION 18 OF ARTICLE X OF THE STATE CONSTITUTION.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 10, 2005, if adjournment sine die is on May 11, 2005); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to fees collected on or after the applicable effective date of this act.

Approved: April 20, 2005