

CHAPTER 257

PUBLIC UTILITIES

SENATE BILL 06-218

BY SENATOR(S) Keller, Bacon, Boyd, Groff, Grossman, Isgar, Kester, Shaffer, Tochtrop, Tupa, Veiga, Williams, and Windels;
also REPRESENTATIVE(S) Coleman, Larson, Berens, Carroll M., Frangas, Gallegos, Jahn, Kerr J., Marshall, McFadyen,
Merrifield, Stafford, and Todd.

AN ACT

**CONCERNING FINANCIAL SUPPORT FOR PROGRAMS BENEFITTING DISABLED TELEPHONE USERS, AND
MAKING AN APPROPRIATION THEREFOR.**

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

SECTION 1. 40-17-104 (4) (a), (5), and (6), Colorado Revised Statutes, are amended to read:

40-17-104. Colorado disabled telephone users fund - creation - purpose.
(4) (a) Notwithstanding any provision of subsection (1) of this section to the contrary, ~~the state treasurer shall transfer twenty-five thousand dollars each calendar year~~ GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS from the Colorado disabled telephone users fund to the Colorado commission for the deaf and hard of hearing cash fund, created in section 26-21-107, C.R.S.

(5) ~~Notwithstanding any provision of subsection (1) of this section to the contrary, on March 27, 2002, the state treasurer shall transfer five hundred thousand dollars from the Colorado disabled telephone users fund to the general fund.~~

(6) ~~Notwithstanding any provision of subsection (1) of this section to the contrary, on March 5, 2003, the state treasurer shall deduct one million one hundred thirty-two thousand four hundred sixteen dollars from the fund and transfer such sum to the general fund.~~

SECTION 2. 24-75-402 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in

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

amount of fees - exclusions - repeal. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(s) THE COLORADO DISABLED TELEPHONE USERS FUND CREATED IN SECTION 40-17-104, C.R.S.

SECTION 3. Appropriation - Adjustment to the 2006 Long Bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the disabled telephone users cash fund created in section 40-17-104 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of human services, to the Colorado commission for the deaf and hard of hearing cash fund created in section 26-21-107, Colorado Revised Statutes, for the fiscal year beginning July 1, 2006, the sum of twenty-five thousand dollars (\$25,000) cash funds.

(2) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2006, to the department of regulatory agencies, public utilities commission, transfer to commission for the deaf and hard of hearing cash fund, is decreased by twenty-five thousand dollars (\$25,000) cash funds from the Colorado disabled telephone users fund created in section 40-17-104 (1), C.R.S.

SECTION 4. Appropriation - Amendment to Long Bill Letter note. Part XVIII (7), Letternote a, as enacted by House Bill 06-1385, enacted at the Second Regular Session of the Sixty-fifth General Assembly, is amended to read:

Section 2. **Appropriation.** ^a Of this amount, it is estimated that \$7,102,442 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., ~~\$2,352,123~~ \$2,327,123 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., \$1,575,190 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., and \$107,046 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S. Of this amount, \$2,670,283 is shown for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by Section 40-17-104 (1), C.R.S.

SECTION 5. 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 25, 2006