

CHAPTER 415

GOVERNMENT - STATE

SENATE BILL 07-222

BY SENATOR(S) Windels, Bacon, Penry, Fitz-Gerald, Tupa, Morse, and Schwartz;
also REPRESENTATIVE(S) Riesberg, McFadyen, Witwer, Benefield, Fischer, and Todd.

AN ACT**CONCERNING TRANSFERS TO THE CAPITAL CONSTRUCTION FUND.**

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

SECTION 1. 24-75-302 (2) (s), Colorado Revised Statutes, is amended to read:

24-75-302. Capital construction fund - capital assessment fees - calculation.

(2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2010, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(s) On July 1, 2006, forty-six million nine hundred forty-four thousand six hundred eighty-seven dollars, plus twenty-two thousand nine hundred twenty-four dollars pursuant to section 3 of H.B. 02S-1006, enacted at the third extraordinary session of the sixty-third general assembly; plus two hundred ninety-one thousand seven hundred sixty-one dollars pursuant to H.B. 03-1004, enacted at the first regular session of the sixty-fourth general assembly; plus one hundred twenty-five thousand forty-one dollars pursuant to H.B. 03-1138, enacted at the first regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 03-1213, enacted at the first regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 03-1317, enacted at the first regular session of the sixty-fourth general assembly; plus ninety thousand three hundred seven dollars

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

pursuant to H.B. 04-1021, enacted at the second regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 04-1016, enacted at the second regular session of the sixty-fourth general assembly; plus fifteen million dollars pursuant to H.B. 06-1373, enacted at the second regular session of the sixty-fifth general assembly; plus one hundred seventy-four thousand three hundred eighty-eight dollars pursuant to S.B. 06-206, enacted at the second regular session of the sixty-fifth general assembly; plus one hundred seventy-four thousand three hundred eighty-eight dollars pursuant to S.B. 06-207, enacted at the second regular session of the sixty-fifth general assembly; plus six hundred ten thousand three hundred fifty-eight dollars pursuant to H.B. 06-1326, enacted at the second regular session of the sixty-fifth general assembly; plus eighty-seven thousand one hundred ninety-four dollars pursuant to H.B. 06-1145, enacted at the second regular session of the sixty-fifth general assembly; plus four hundred thirty-five thousand nine hundred seventy dollars pursuant to H.B. 06-1092, enacted at the second regular session of the sixty-fifth general assembly; plus eighty-seven thousand one hundred ninety-four dollars pursuant to H.B. 06-1151, enacted at the second regular session of the sixty-fifth general assembly; plus five hundred twenty-three thousand one hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the second regular session of the sixty-fifth general assembly; plus eighty-seven thousand one hundred ninety-four dollars pursuant to S.B. 06S-004, enacted at the first extraordinary session of the sixty-fifth general assembly; plus one hundred seventy-four thousand three hundred eighty-eight dollars pursuant to S.B. 06S-005, enacted at the first extraordinary session of the sixty-fifth general assembly; plus eighty-seven thousand one hundred ninety-four dollars pursuant to S.B. 06S-007, enacted at the first extraordinary session of the sixty-fifth general assembly; PLUS THIRTY MILLION DOLLARS;

SECTION 2. 24-75-201.1 (1) (d) (III), Colorado Revised Statutes, is amended, and the said 24-75-201.1 (1) (d) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

24-75-201.1. Restriction on state appropriations - legislative declaration - definitions. (1) (d) For each fiscal year, unrestricted general fund year-end balances shall be retained as a reserve in the following amounts:

(III) For the fiscal year 1988-89 and each fiscal year thereafter, except for the fiscal years 1990-91, 1991-92, 1992-93, 2001-02, 2002-03, ~~and~~ 2003-04, AND 2006-07, as provided in subparagraphs (IV), (V), (VI), (VII), ~~and~~ (VIII), AND (IX) of this paragraph (d), four percent of the amount appropriated for expenditure from the general fund for that fiscal year;

(IX) FOR THE FISCAL YEAR 2006-07, IF THE RESOURCES OF THE GENERAL FUND ARE INADEQUATE TO MEET THE RESERVE REQUIRED BY SUBPARAGRAPH (III) OF THIS PARAGRAPH (d), THE STATE CONTROLLER SHALL ACCRUE A TRANSFER FROM THE CAPITAL CONSTRUCTION FUND TO THE GENERAL FUND IN THE AMOUNT NECESSARY TO MEET THE RESERVE REQUIREMENT OF SUBPARAGRAPH (III) OF THIS PARAGRAPH (d) UP TO THIRTY MILLION DOLLARS. THE REQUIREMENTS OF THIS SUBPARAGRAPH (IX) SHALL BE APPLIED BEFORE THE REQUIREMENTS OF 39-26-123 (4) (a) (VI) (B), C.R.S.

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: June 1, 2007