

## CHAPTER 408

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**HEALTH AND ENVIRONMENT**

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**HOUSE BILL 08-1100**

BY REPRESENTATIVE(S) Gagliardi, Borodkin, Hodge, Jahn, Labuda, Madden, Marostica, Marshall, Merrifield, Todd, White, Frangas, Middleton, and Kerr A.;  
also SENATOR(S) Keller, Bacon, Boyd, Gibbs, Groff, Schwartz, Shaffer, Veiga, Williams, and Windels.

**AN ACT**

**CONCERNING ADJUSTING FEES CHARGED BY THE OFFICE OF THE STATE REGISTRAR TO SUPPORT THE COLORADO RESPONDS TO CHILDREN WITH SPECIAL NEEDS PROGRAM, AND MAKING AN APPROPRIATION THEREFOR.**

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

**SECTION 1.** 25-2-121 (2), Colorado Revised Statutes, is amended to read:

**25-2-121. Fee adjustments - vital statistics records cash fund created.**

(2) (a) The office of the state registrar shall propose, as part of its annual budget request, an adjustment in the amount of each fee ~~which~~ THAT the office of the state registrar is authorized by law to collect. The budget request and the adjusted fees for the office of the state registrar shall reflect ITS direct and indirect costs AND THE DIRECT AND INDIRECT COSTS NECESSARY TO MAINTAIN AND OPERATE THE COLORADO RESPONDS TO CHILDREN WITH SPECIAL NEEDS PROGRAM.

(b) (I) Based upon the appropriation made and subject to the approval of the executive director of the department of public health and environment, the office of the state registrar shall adjust its fees so that the revenue generated from said fees approximates its direct and indirect costs AND THE DIRECT AND INDIRECT COSTS NECESSARY TO MAINTAIN AND OPERATE THE COLORADO RESPONDS TO CHILDREN WITH SPECIAL NEEDS PROGRAM. Such fees shall remain in effect for the fiscal year for which the budget request applies. All fees collected by the office of the state registrar shall be transmitted to the state treasurer, who shall credit the same to the vital statistics records cash fund, which fund is hereby created. All moneys credited to the vital statistics records cash fund and all interest earned thereon shall be subject to appropriation by the general assembly to be used as provided in this section and shall not be deposited in or transferred to the general fund of this state

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

or any other fund.

(II) For those services required by this article AND THOSE SERVICES PROVIDED BY THE COLORADO RESPONDS TO CHILDREN WITH SPECIAL NEEDS PROGRAM, each office designated or established pursuant to section 25-2-103 shall charge fees as specified by the state registrar. Such an office shall retain all such fees for the purpose of paying the direct and indirect costs of compliance with the provisions of this article AND THE DIRECT AND INDIRECT COSTS NECESSARY TO MAINTAIN AND OPERATE THE COLORADO RESPONDS TO CHILDREN WITH SPECIAL NEEDS PROGRAM.

(c) Beginning July 1, 1985, and each July 1 thereafter, whenever moneys appropriated to the office of the state registrar for its activities for the prior fiscal year are unexpended, said moneys shall be made a part of the appropriation to the office of the state registrar for the next fiscal year, and such amount shall not be raised from fees collected by the office of the state registrar. If a supplemental appropriation is made to the office of the state registrar for its activities AND THE SERVICES PROVIDED BY THE COLORADO RESPONDS TO CHILDREN WITH SPECIAL NEEDS PROGRAM, the fees of the office of the state registrar, when adjusted for the fiscal year ~~next~~ following that in which the supplemental appropriation was made, shall be adjusted by an additional amount ~~which~~ THAT is sufficient to compensate for ~~such~~ THE supplemental appropriation. Moneys appropriated to the office of the state registrar in the annual general appropriation act shall be designated as cash funds and shall not exceed the amount anticipated to be raised from fees collected by the office of the state registrar.

(d) FOR PURPOSES OF THIS SECTION, "COLORADO RESPONDS TO CHILDREN WITH SPECIAL NEEDS PROGRAM" MEANS THE PROGRAM ESTABLISHED WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT UNDER THE AUTHORITY OF SECTION 25-1.5-105.

**SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the vital statistics records cash fund created in section 25-2-121 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, disease control and environmental epidemiology division, environmental epidemiology birth defects monitoring and prevention, for the fiscal year beginning July 1, 2008, the sum of one hundred forty-three thousand six hundred fifty-seven dollars (\$143,657) cash funds and 1.5 FTE, or so much thereof as may be necessary, for the Colorado responds to children with special needs program.

**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 3, 2008