

CHAPTER 462

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**APPROPRIATIONS**

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SENATE BILL 09-203

BY SENATOR(S) Keller, Tapia, White;  
also REPRESENTATIVE(S) Pommer, Ferrandino, Marostica.

**AN ACT**

**CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF THE TREASURY.**

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

**SECTION 1.** Part XXII of section 2 of chapter 474, Session Laws of Colorado 2008, is amended to read:

Section 2. **Appropriation.**

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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.*

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART XXII  
DEPARTMENT OF THE TREASURY**

**(1) ADMINISTRATION**

Personal Services	1,236,712
(16.0 FTE)	
Health, Life, and Dental	141,369
Short-term Disability	2,119
S.B. 04-257 Amortization	
Equalization	
Disbursement	27,290
S.B. 06-235	
Supplemental	
Amortization	
Equalization	
Disbursement	12,262
Salary Survey and Senior	
Executive Service	71,339
Performance-based Pay	
Awards	25,162

Workers' Compensation and Payment to Risk Management and Property Funds	2,377			
Operating Expenses	<del>266,586</del>			
	240,794			
Information Technology Asset Maintenance	12,568			
Legal Services for 575 hours	43,182			
Purchase of Services from Computer Center	21,767			
Capitol Complex Leased Space	54,919			
Charter School Facilities Financing Services	5,000			
Discretionary Fund	<u>5,000</u>			
		<del>1,927,652</del>	<del>1,031,672</del>	<del>895,980*</del>
		1,901,860	766,576	1,135,284*

\* Of this amount, ~~\$757,489~~ \$934,123 shall be from cash management transaction fees in accordance with Section 24-36-120, C.R.S., ~~\$133,491~~ \$196,161 shall be from the principal balance of the Unclaimed Property Trust Fund pursuant to Section 38-13-116.5 (2), C.R.S., and \$5,000 shall be from the Charter School Financing Administrative Cash Fund in accordance with Section 22-30.5-406 (1) (c), C.R.S. Moneys from the Charter School Financing Administrative Cash Fund are continuously appropriated and are included as information for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

**(2) UNCLAIMED PROPERTY PROGRAM**

Personal Services ~~738,000~~

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
713,086 (13.5 FTE)						
Operating Expenses 120,611						
Promotion and Correspondence 150,296						
Leased Space 48,524						
Contract Auditor Services <u>800,000</u>						
	<del>1,857,431</del>			<del>1,857,431</del>		
	1,832,517			1,832,517 <sup>a</sup>		

<sup>a</sup> Of this amount, ~~\$1,057,431~~ \$1,032,517 shall be from the principal balance of the Unclaimed Property Trust Fund pursuant to Section 38-13-116.5 (2), C.R.S., and \$800,000 shall be from revenues collected by contract auditors.

**(3) SPECIAL PURPOSE**

Senior Citizen and Disabled Veteran					
Property Tax Exemption 86,200,000		86,200,000 <sup>a</sup>			
CoverColorado 48,772,043				48,772,043 <sup>b</sup>	
Fire and Police Pension Association - Old Hire Plans 34,777,172			34,777,172 <sup>c</sup>		
	25,321,079		25,321,079 <sup>c</sup>		

Highway Users Tax Fund		
- County Payments	157,500,000	157,500,000 <sup>d</sup>
Highway Users Tax Fund		
- Municipality Payments	<u>104,392,700</u>	104,392,700 <sup>d</sup>
	431,641,915	
	422,185,822	

<sup>a</sup> Pursuant to Article X, Section 3.5 (3), of the State Constitution, this amount is not subject to the limitation on General Fund appropriations set forth in Section 24-75-201.1, C.R.S., because enactment of this constitutional provision by the people of Colorado constitutes voter approval of a weakening of such limitation.

<sup>b</sup> This amount represents estimated transmittals from the Unclaimed Property Trust Fund to CoverColorado pursuant to Section 38-13-116.5 (2.7), C.R.S. Pursuant to Section 38-13-116.5 (1) (b), C.R.S., moneys comprising the principal of the Unclaimed Property Trust Fund do not constitute fiscal year spending of the State for purposes of Section 20 of Article X of the State Constitution. In addition, pursuant to Section 24-77-102 (15) (b) (XII) and (16) (b) (II), C.R.S., CoverColorado is defined as a "special purpose authority" and thus is not considered part of the State for purposes of Section 20 of Article X of the State Constitution.

<sup>c</sup> This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. This amount represents transfers to the Fire and Police Pension Association for old hire pension plans, including the State's annual contribution of \$25,321,079 PLANS, as required by Section 31-30.5-307 (2), C.R.S., plus \$9,456,093 to pay a portion of the unfunded liability accrued as a result of the suspension of the state contribution for old hire pension plans pursuant to Section 31-30.5-307 (5) (b), C.R.S. This amount is included as information for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution. This amount, transferred pursuant to Section 31-30.5-307 (2), C.R.S., shall be deemed not to be an appropriation subject to the limitations of Section 24-75-201.1, C.R.S.

<sup>d</sup> These amounts represent estimated allocations of Highway Users Tax Fund revenues to counties and municipalities pursuant to Sections 43-4-205, 207, and 208, C.R.S. These estimates are included for informational purposes for the purpose of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution.

**TOTALS PART XXII**

<b>(TREASURY)</b>	\$435,426,998	\$87,231,672 <sup>c</sup>	\$34,777,172 <sup>c</sup>	\$313,418,154 <sup>c</sup>	
	<u>\$425,920,199</u>	<u>\$86,966,576<sup>c</sup></u>	<u>\$25,321,079<sup>b</sup></u>	<u>\$313,632,544<sup>c</sup></u>	

<sup>a</sup> Of this amount, \$86,200,000 is not subject to the limitation on General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

<sup>b</sup> This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. This amount is not subject to the limitation on General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

<sup>c</sup> Of this amount, \$261,892,700 represents allocations of Highway Users Tax Fund revenues to counties and municipalities pursuant to Sections 43-4-205, 207, and 208, C.R.S.

**SECTION 2. 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: March 12, 2009