

CHAPTER 70

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 09-1215

BY REPRESENTATIVE(S) Ferrandino, Pommer, Marostica, Fischer, Gerou, Labuda, McGihon;
also SENATOR(S) Tapia, Keller, White, Newell.

AN ACT

CONCERNING THE CREATION OF A STABILIZATION FUND TO ASSIST WITH THE STATE'S EFFORTS TO MEET THE FEDERAL MAINTENANCE OF EFFORT REQUIREMENTS FOR THE STATE SUPPLEMENTAL SECURITY INCOME PROGRAM.

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

SECTION 1. Part 2 of article 2 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-2-210. State supplemental security income stabilization fund - creation.

(1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE STATE SUPPLEMENTAL SECURITY INCOME STABILIZATION FUND, REFERRED TO IN THIS SECTION AS THE "STABILIZATION FUND", FOR THE PURPOSE OF STABILIZING THE SOURCE OF FUNDING REQUIRED TO MEET THE FEDERAL REQUIREMENTS FOR MAINTENANCE OF EFFORT FOR THE STATE-FUNDED SUPPLEMENT TO PERSONS RECEIVING SSI BENEFITS. THE STABILIZATION FUND SHALL CONSIST OF ANY EXCESS MONEYS RECOVERED DUE TO OVERPAYMENT OF RECIPIENTS, INCLUDING REGULAR, FRAUD, AND INTERIM ASSISTANCE REIMBURSEMENT RECOVERIES, AND ANY APPROPRIATIONS MADE TO THE STABILIZATION FUND BY THE GENERAL ASSEMBLY. THE MONEYS IN THE STABILIZATION FUND ARE HEREBY CONTINUOUSLY APPROPRIATED TO THE STATE DEPARTMENT TO BE EXPENDED ON PROGRAMS THAT COUNT TOWARD THE MAINTENANCE OF EFFORT FOR THE STATE SUPPLEMENTAL SECURITY INCOME AS SPECIFIED IN THE STATE PLAN WHEN THE STATE DEPARTMENT DETERMINES THAT THE STATE IS AT RISK OF NOT MEETING THE FEDERAL MAINTENANCE OF EFFORT FOR THAT CALENDAR YEAR. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE STABILIZATION FUND SHALL BE CREDITED TO THE STABILIZATION FUND. AT THE END OF ANY FISCAL YEAR, AN AMOUNT NOT EXCEEDING ONE MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL REMAIN IN THE STABILIZATION FUND AS A CONTINUOUS APPROPRIATION TO BE USED TO MEET THE

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

STATE'S MAINTENANCE OF EFFORT REQUIREMENTS UNDER THIS PART 2, AND ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE STABILIZATION FUND AT THE END OF ANY FISCAL YEAR IN EXCESS OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL REVERT TO THE GENERAL FUND.

(2) THE STATE DEPARTMENT SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE BY FEBRUARY 15 OF EACH YEAR. THE REPORT SHALL INDICATE WHETHER EXPENDITURES WERE MADE FROM THE STABILIZATION FUND, THE AGGREGATE MONTHLY AMOUNT OF ANY EXPENDITURES, AND THE PARTICULAR PROGRAMS FOR WHICH THE EXPENDITURES WERE MADE.

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 25, 2009