

CHAPTER 155

GOVERNMENT - STATE

SENATE BILL 11-224

BY SENATOR(S) Hodge, Steadman, Lambert;
also REPRESENTATIVE(S) Ferrandino, Becker, Gerou.

AN ACT

CONCERNING THE SUSPENSION OF ANNUAL INCREASES IN THE PERCENTAGE OF TOBACCO LITIGATION SETTLEMENT MONEYS RECEIVED BY THE STATE THAT ARE ALLOCATED TO THE NURSE HOME VISITOR PROGRAM, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. 24-75-1104.5 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

24-75-1104.5. Use of settlement moneys - programs - repeal. (1) Except as otherwise provided in subsection (5) of this section, for the 2004-05 fiscal year and for each fiscal year thereafter, the following programs, services, or funds shall receive the following specified amounts from the settlement moneys received by the state in the preceding fiscal year; except that fifteen million four hundred thousand dollars of strategic contribution fund moneys and, for the 2010-11 fiscal year and for each fiscal year thereafter only, the lesser of sixty-five million dollars of other settlement moneys or all other settlement moneys shall be allocated in each fiscal year in which they are received by the state and except that, of the other settlement moneys received by the state in the 2009-10 fiscal year, the lesser of sixty-five million dollars or all of such moneys shall be transferred to the general fund on June 30, 2010, and shall not be allocated:

(a) The Colorado nurse home visitor program created in article 31 of title 25, C.R.S., shall receive the following amounts, not to exceed nineteen million dollars in any fiscal year, as provided in section 25-31-107, C.R.S:

(IV) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH (a), FOR THE 2011-12 AND 2012-13 FISCAL YEARS, THE GREATER OF TWELVE MILLION SEVEN HUNDRED THIRTY-SEVEN THOUSAND THREE HUNDRED

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

FIFTY DOLLARS OR FOURTEEN PERCENT OF THE TOTAL AMOUNT OF SETTLEMENT MONEYS RECEIVED BY THE STATE; FOR THE 2013-14 FISCAL YEAR, FIFTEEN PERCENT OF THE TOTAL AMOUNT OF SETTLEMENT MONEYS RECEIVED BY THE STATE; FOR THE 2014-15 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER THROUGH THE 2016-17 FISCAL YEAR, A PERCENTAGE OF THE TOTAL AMOUNT OF SETTLEMENT MONEYS RECEIVED BY THE STATE THAT REFLECTS AN INCREASE OF ONE PERCENT OVER THE PERCENTAGE RECEIVED IN THE PRECEDING FISCAL YEAR; AND, FOR THE 2017-18 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, NINETEEN PERCENT OF THE TOTAL AMOUNT OF SETTLEMENT MONEYS ANNUALLY RECEIVED BY THE STATE. AN AMOUNT OF SETTLEMENT MONEYS EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT THAT THE COLORADO NURSE HOME VISITOR PROGRAM WOULD HAVE RECEIVED PURSUANT TO SUBPARAGRAPH (II) OR SUBPARAGRAPH (III) OF THIS PARAGRAPH (a) BUT FOR THE OPERATION OF THIS SUBPARAGRAPH (IV) AND THE AMOUNT ACTUALLY RECEIVED BY THE PROGRAM PURSUANT TO THIS SUBPARAGRAPH (IV) SHALL BE TRANSFERRED TO THE GENERAL FUND.

SECTION 2. 25-31-107 (2) (d) (III) (B) and (2) (d) (III) (C), Colorado Revised Statutes, are amended, and the said 25-31-107 (2) (d) (III) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUB-SUBPARAGRAPHS, to read:

25-31-107. Selection of entities to administer the program - grants - nurse home visitor program fund - created. (2) (d) (III) (B) Beginning with the 2007-08 fiscal year and for each fiscal year thereafter through the ~~2014-15~~ 2010-11 fiscal year, the state treasurer shall increase the percentage transferred to the fund pursuant to sub-subparagraph (A.7) of this subparagraph (III) by one percent; except that the percentage transferred to the fund for the 2009-10 fiscal year shall be the same as the percentage transferred to the fund for the 2008-09 fiscal year.

(C) For the ~~2015-16~~ 2011-12 AND 2012-13 fiscal year and for each fiscal year thereafter, the state treasurer shall transfer to the fund ~~nineteen percent of the total amount of moneys received by the state~~ YEARS, THE STATE TREASURER SHALL TRANSFER TO THE FUND THE GREATER OF TWELVE MILLION SEVEN HUNDRED THIRTY-SEVEN THOUSAND THREE HUNDRED FIFTY DOLLARS OR THE SAME PERCENTAGE OF THE TOTAL AMOUNT OF MONEYS RECEIVED BY THE STATE AS WAS TRANSFERRED TO THE FUND FOR THE 2010-11 FISCAL YEAR.

(D) FOR THE 2013-14 FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER TO THE FUND FIFTEEN PERCENT OF THE TOTAL AMOUNT OF MONEYS RECEIVED BY THE STATE.

(E) FOR THE 2014-15 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER THROUGH THE 2016-17 FISCAL YEAR, THE STATE TREASURER SHALL INCREASE THE PERCENTAGE TRANSFERRED TO THE FUND BY ONE PERCENT OVER THE PERCENTAGE TRANSFERRED TO THE FUND IN THE PRECEDING FISCAL YEAR.

(F) FOR THE 2017-18 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE STATE TREASURER SHALL TRANSFER TO THE FUND NINETEEN PERCENT OF THE TOTAL AMOUNT OF MONEYS RECEIVED BY THE STATE.

SECTION 3. Appropriation - adjustment in the 2011 long bill. For the

implementation of this act, appropriations made in the annual general appropriation act, from the nurse home visitor program fund created in section 25-31-107 (2) (b), Colorado Revised Statutes, to the department of public health and environment, prevention services division, family and community health, child, adolescent, and school health, for the nurse home visitor program, for the fiscal year beginning July 1, 2011, shall be reduced by seven hundred ninety-seven thousand six hundred twenty-seven dollars (\$797,627).

SECTION 4. 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 5, 2011