

CHAPTER 33

GOVERNMENT - STATE

SENATE BILL 11-164

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

AN ACT

CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH TRANSFERS OF CERTAIN MONEYS.

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

SECTION 1. 8-46-202, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

8-46-202. Major medical insurance fund - tax imposed - returns.
(1.8) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT TEN MILLION DOLLARS FROM THE MAJOR MEDICAL INSURANCE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 2. 18-19-103 (5.5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18-19-103. Source of revenues - allocation of moneys.
(5.5) (c) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS SUBSECTION (5.5) TO THE CONTRARY, ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT SIX HUNDRED SEVENTY-TWO THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS FROM THE DRUG OFFENDER TREATMENT FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 3. 22-54-117 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-54-117. Contingency reserve - capital construction expenditures reserve - fund - lottery proceeds contingency reserve. (1) (h) NOTWITHSTANDING ANY

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

PROVISION OF PARAGRAPH (e) OF THIS SUBSECTION (1) TO THE CONTRARY, ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT TWO MILLION EIGHT HUNDRED FIFTY-THREE THOUSAND THREE HUNDRED EIGHTY-THREE DOLLARS FROM THE CONTINGENCY RESERVE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 4. 24-49.7-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-49.7-106. Colorado travel and tourism promotion fund - Colorado travel and tourism additional source fund - creation - nature of funds.

(6) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE COLORADO TRAVEL AND TOURISM PROMOTION FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 5. 25.5-2-101 (3) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

25.5-2-101. Old age pension health and medical care fund - supplemental old age pension health and medical care fund - cash system of accounting - legislative declaration - rules - repeal.

(3) (b) (VI) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (3), ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE SUPPLEMENTAL OLD AGE PENSION HEALTH AND MEDICAL CARE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 6. 34-63-102 (5.3) (a) (I), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH to read:

34-63-102. Creation of mineral leasing fund - distribution - advisory committee - local government permanent fund created - definitions.

(5.3) (a) Bonus payments credited to the mineral leasing fund created in subparagraph (I) of paragraph (a) of subsection (1) of this section shall be distributed on a quarterly basis for each quarter commencing on July 1, October 1, January 1, or April 1 of any state fiscal year as follows:

(I) (E) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (5.3) TO THE CONTRARY, ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT FOUR MILLION EIGHT HUNDRED THOUSAND DOLLARS FROM THE LOCAL GOVERNMENT PERMANENT FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 7. 34-63-102 (5.4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

34-63-102. Creation of mineral leasing fund - distribution - advisory committee - local government permanent fund created - definitions.

(5.4) (b.7) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF THIS SUBSECTION (5.4) TO THE CONTRARY, ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT FIFTEEN MILLION DOLLARS FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 8. 39-22-802, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

39-22-802. Contributions credited to Colorado domestic abuse program fund - creation - appropriation. (4) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2011, THE STATE TREASURER SHALL DEDUCT TWO HUNDRED THOUSAND DOLLARS FROM THE COLORADO DOMESTIC ABUSE PROGRAM FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND. THE TRANSFER REQUIRED BY THIS SUBSECTION (4) SHALL BE FROM MONEYS DEPOSITED IN THE COLORADO DOMESTIC ABUSE PROGRAM FUND THAT WERE GENERATED FROM FEES COLLECTED PURSUANT TO SECTIONS 13-32-101 (1) (a) AND (1) (b) AND 14-2-106 (1) (a), C.R.S., AND SUCH TRANSFER SHALL NOT INCLUDE ANY MONEYS THAT WERE VOLUNTARY CONTRIBUTIONS RECEIVED PURSUANT TO SECTION 39-22-801.

SECTION 9. 39-29-109 (2) (a) (VII), Colorado Revised Statutes, is amended to read:

39-29-109. Severance tax trust fund - created - administration - distribution of moneys - repeal. (2) State severance tax receipts shall be credited to the severance tax trust fund as provided in section 39-29-108. Except as otherwise set forth in section 39-29-109.5, all income derived from the deposit and investment of the moneys in the fund shall be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. All moneys in the fund shall be subject to appropriation by the general assembly for the following purposes:

(a) **The perpetual base account.** (VII) Notwithstanding any provision of this paragraph (a) to the contrary, on June 30, 2011, the state treasurer shall deduct ~~eleven~~ SIXTEEN million dollars from the perpetual base account of the fund and transfer such sum to the general fund.

SECTION 10. 39-29-110 (7) (a), Colorado Revised Statutes, is amended to read:

39-29-110. Local government severance tax fund - creation - administration - definitions. (7) Notwithstanding any provision of this section to the contrary:

(a) On June 30, 2011, the state treasurer shall deduct ~~ten~~ SEVENTY million dollars from the local government severance tax fund and transfer such sum to the general fund.

SECTION 11. 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 18, 2011