

## CHAPTER 72

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**GOVERNMENT - STATE**

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**HOUSE BILL 12-1249**

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

**AN ACT**

**CONCERNING THE MANNER IN WHICH TOBACCO LITIGATION SETTLEMENT MONEYS ARE ALLOCATED TO THE STATE AUDITOR'S OFFICE FOR THE COSTS OF CONDUCTING PROGRAM REVIEWS AND EVALUATIONS OF THE PERFORMANCE OF TOBACCO SETTLEMENT PROGRAMS.**

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

**SECTION 1.** In Colorado Revised Statutes, 2-3-113, **amend** (7) (a) introductory portion and (7) (b); and **add** (7) (a.5) as follows:

**2-3-113. Programs that receive tobacco settlement moneys - program review - repeal.** (7) (a) Beginning with the 2006-07 fiscal year and for each fiscal year thereafter THROUGH THE 2011-12 FISCAL YEAR, the general assembly shall appropriate to the state auditor's office one-tenth of one percent of the total amount of moneys received by the state pursuant to the master settlement agreement in the most recently completed calendar year for the costs incurred by the state auditor's office in implementing the requirements of this section. The amount appropriated to the state auditor's office pursuant to this subsection (7) shall come from a proportionate reduction in the amounts annually received by each tobacco settlement program from the tobacco litigation settlement cash fund:

(a.5) BEGINNING WITH THE 2012-13 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE STATE AUDITOR'S OFFICE SHALL RECEIVE SETTLEMENT MONEYS AS SPECIFIED IN SECTION 24-75-1104.5 (1.5) (a) (XII), C.R.S., FOR THE COSTS INCURRED BY THE STATE AUDITOR'S OFFICE IN IMPLEMENTING THE REQUIREMENTS OF THIS SECTION.

(b) Any unencumbered moneys appropriated from moneys received pursuant to the master settlement agreement remaining with the state auditor's office at the end of any fiscal year ENDING BEFORE JULY 1, 2012, shall be transferred to the tobacco

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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.*

litigation settlement trust fund created in section 24-22-115.5, C.R.S.

**SECTION 2.** In Colorado Revised Statutes, 24-75-1104.5, **amend** (1.5) (a) (IX); and **add** (1.5) (a) (XII) as follows:

**24-75-1104.5. Use of settlement moneys - programs - repeal.** (1.5) (a) Except as otherwise provided in subsections (5) and (6) of this section, for the 2007-08 fiscal year and for each fiscal year thereafter, the following programs, services, and funds shall receive the following specified amounts from the portion of any settlement moneys received and allocated by the state in the current fiscal year that remains after the programs, services, and funds receiving such moneys pursuant to subsection (1) of this section have been fully funded, and the portion of all other settlement moneys received by the state in the preceding fiscal year that remains after the programs, services, and funds receiving such other settlement moneys pursuant to subsection (1) of this section have been fully funded and all overexpenditures and supplemental appropriations allowed for the 2006-07, 2007-08, 2008-09, or 2009-10 fiscal years pursuant to section 24-22-115 (4) have been made:

(IX) The short-term innovative health program grant fund created in section 25-36-101 (2), C.R.S., shall receive six percent of the settlement moneys, which the state treasurer shall transfer thereto, plus, for fiscal years prior to the 2011-12 fiscal year only, additional moneys as specified in section 24-22-115 (1) (b) and paragraph (b) of this subsection (1.5); except that, for the 2011-12 fiscal year, ~~and for each fiscal year thereafter~~, the amount allocated to the short-term innovative health program grant fund pursuant to this subparagraph (IX) is reduced by two hundred fifty thousand dollars AND FOR THE 2012-13 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, THE AMOUNT ALLOCATED TO THE SHORT-TERM INNOVATIVE HEALTH PROGRAM GRANT FUND PURSUANT TO THIS SUBPARAGRAPH (IX) IS REDUCED BY THREE HUNDRED THIRTY-NINE THOUSAND DOLLARS.

(XII) FOR THE 2012-13 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE STATE AUDITOR'S OFFICE SHALL RECEIVE EIGHTY-NINE THOUSAND DOLLARS FOR THE COSTS OF IMPLEMENTING THE REQUIREMENTS OF SECTION 2-3-113, C.R.S.

**SECTION 3. Effective date.** This act takes effect upon passage; except that section 24-75-1104.5 (1.5) (a) (IX), as amended by section 2 of this act, takes effect only if House Bill 12-1247 does not become law.

**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: March 24, 2012