

## CHAPTER 123

---

**GOVERNMENT - STATE**

---

## HOUSE BILL 13-1179

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

## AN ACT

CONCERNING DEADLINES FOR STATE AGENCIES TO SUBMIT DOCUMENTS RELATED TO  
APPROPRIATIONS TO THE JOINT BUDGET COMMITTEE.

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

**SECTION 1.** In Colorado Revised Statutes, **add** 2-3-208 as follows:

**2-3-208. Budget requests - amendments - supplemental appropriation requests - deadlines.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "BUDGET REQUEST AMENDMENT" MEANS ANY CHANGE TO A BUDGET REQUEST FOR THE UPCOMING STATE FISCAL YEAR THAT A STATE AGENCY SUBMITS TO THE JOINT BUDGET COMMITTEE.

(b) "STATE AGENCY" MEANS ANY DEPARTMENT, COMMISSION, COUNCIL, BOARD, BUREAU, COMMITTEE, INSTITUTION OF HIGHER EDUCATION, AGENCY, OR OTHER GOVERNMENTAL UNIT OF THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF STATE GOVERNMENT THAT RECEIVES AN APPROPRIATION OR IS OTHERWISE INCLUDED IN THE ANNUAL GENERAL APPROPRIATION ACT.

(2)(a) A STATE AGENCY SHALL SUBMIT ITS BUDGET REQUEST FOR THE UPCOMING STATE FISCAL YEAR TO THE JOINT BUDGET COMMITTEE BY NOVEMBER 1. EXCEPT AS SET FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (2), THE STATE AGENCY SHALL SUBMIT ANY BUDGET REQUEST AMENDMENTS TO THE JOINT BUDGET COMMITTEE BY JANUARY 15.

(b)(I) A STATE AGENCY SHALL SUBMIT A BUDGET REQUEST AMENDMENT THAT IS RELATED TO A REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO THE JOINT BUDGET

---

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

COMMITTEE BY JANUARY 2; EXCEPT THAT THE JANUARY 2 DEADLINE DOES NOT APPLY TO A BUDGET REQUEST AMENDMENT THAT IS RELATED TO A REQUEST FOR A SUPPLEMENTAL APPROPRIATION IDENTIFIED IN SUBPARAGRAPH (1) OF PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION.

(II) A STATE AGENCY MAY SUBMIT A BUDGET REQUEST AMENDMENT TO THE JOINT BUDGET COMMITTEE AFTER ITS APPLICABLE DEADLINE IF THE BUDGET REQUEST AMENDMENT IS BASED UPON CIRCUMSTANCES UNKNOWN TO, AND NOT REASONABLY FORESEEABLE BY, THE STATE AGENCY PRIOR TO THE DEADLINE.

(c) ANY DEADLINE IN THIS SUBSECTION (2) IS THE DATE IMMEDIATELY PRECEDING THE STATE FISCAL YEAR THAT IS THE SUBJECT OF THE BUDGET REQUEST OR BUDGET REQUEST AMENDMENT.

(3)(a) EXCEPT AS SET FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (3), A STATE AGENCY SHALL SUBMIT A REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR THE CURRENT STATE FISCAL YEAR TO THE JOINT BUDGET COMMITTEE BY JANUARY 2.

(b) (I) THE DEPARTMENT OF EDUCATION SHALL SUBMIT A REQUEST FOR A SUPPLEMENTAL APPROPRIATION PURSUANT TO SECTION 22-54-106 (4) (b), C.R.S., TO THE JOINT BUDGET COMMITTEE BY JANUARY 15. THE DEPARTMENT OF CORRECTIONS AND THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES SHALL EACH SUBMIT A REQUEST FOR A SUPPLEMENTAL APPROPRIATION RELATED TO CHANGES IN CASELOAD TO THE JOINT BUDGET COMMITTEE BY JANUARY 15.

(II) A STATE AGENCY MAY SUBMIT A REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO THE JOINT BUDGET COMMITTEE AFTER ITS APPLICABLE DEADLINE IF THE SUPPLEMENTAL APPROPRIATION IS BASED UPON CIRCUMSTANCES UNKNOWN TO, AND NOT REASONABLY FORESEEABLE BY, THE STATE AGENCY PRIOR TO THE DEADLINE.

(c) ANY DEADLINE IN THIS SUBSECTION (3) IS THE DATE DURING THE STATE FISCAL YEAR THAT THE REQUEST FOR A SUPPLEMENTAL APPROPRIATION IS MADE.

(4) THE OFFICE OF STATE PLANNING AND BUDGETING MAY SUBMIT A REQUEST IDENTIFIED IN THIS SECTION TO THE JOINT BUDGET COMMITTEE ON BEHALF OF A STATE AGENCY, AND IN SUCH CASE, THE CORRESPONDING DEADLINE FOR THE REQUEST APPLIES TO THE OFFICE.

**SECTION 2.** In Colorado Revised Statutes, 24-37-304, **amend** (1) (b) and (1) (b.5); and **repeal** (1) (c) as follows:

**24-37-304. Additional budgeting responsibilities.** (1) In addition to the responsibilities enumerated in section 24-37-302, the office of state planning and budgeting shall:

(b) Ensure submission to the joint budget committee of the general assembly by ~~November 1 of each year~~ THE DEADLINES SET FORTH IN SECTION 2-3-208, C.R.S., of all agency requests for the upcoming year; ~~except that the office of state planning and budgeting shall ensure submission of all agency requests for the 2006-07 fiscal~~

~~year by November 15, 2005;~~

(b.5) Ensure submission to the joint budget committee of the general assembly by ~~January 1 of each year~~ THE DEADLINES SET FORTH IN SECTION 2-3-208, C.R.S., of all agency requests for supplemental appropriations for the current fiscal year; however, nothing contained in this paragraph (b.5) shall be construed to prohibit an agency from later submitting a request for a supplemental appropriation based upon ~~circumstances unknown to, and not reasonably foreseeable by,~~ the requesting agency at the time of submission of the agency's original request for supplemental appropriations;

(c) ~~Submit preliminary or final executive budget recommendations on all agency requests to the joint budget committee by January 1 of each year;~~

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 18, 2013