

CHAPTER 435

APPROPRIATIONS

SENATE BILL 13-102

BY SENATOR(S) Steadman, Hodge, Lambert;
also REPRESENTATIVE(S) Levy, Duran, Gerou, Fields, Ginal, Labuda, Salazar, Williams, Young.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. Appropriation to the department of regulatory agencies for the fiscal year beginning July 1, 2012. In Session Laws of Colorado 2012, section 2 of chapter 305, (HB 12-1335), **amend** Part XVIII as follows:

Section 2. **Appropriation.**

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

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART XVIII
DEPARTMENT OF REGULATORY AGENCIES**

(I) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

Personal Services	2,233,220	2,636		37,360 ^a	2,193,224 ^b (29.5 FTE)	
Health, Life, and Dental	3,257,548	115,010		2,930,931 ^c	161,670 ^b	49,937(I) ^d
Short-term Disability	54,636	1,917		48,891 ^c	3,432 ^b	396(I) ^d
S.B. 04-257 Amortization Equalization Disbursement	1,073,245	34,627		964,304 ^c	62,041 ^b	12,273(I) ^d
S.B. 06-235 Supplemental Amortization Equalization Disbursement	922,177	29,615		828,699 ^c	53,316 ^b	10,547(I) ^d
Workers' Compensation	70,200	2,236		64,251 ^c	2,407 ^b	1,306(I) ^d
Operating Expenses	210,344	3,689		95,427 ^c	111,228 ^b	
Legal Services for 104,340 105,170 hours	8,060,265 8,123,104	156,586		7,669,419^c 7,732,258 ^c	89,339 ^b	144,921(I) ^d
Administrative Law Judge Services	297,213	13,441		283,772 ^c		

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a Of this amount, it is estimated that \$8,840 shall be from the Pet Animal Care Facilities Cash Fund created in Section 35-80-116, C.R.S., \$6,760 shall be from the Home Care Agency Cash Fund created in Section 25-27.5-105, C.R.S., \$4,000 shall be from the Limited Gaming Fund created in Section 12-47.1-701 (1), C.R.S., \$3,800 shall be from the Stationary Sources Control Fund created in Section 25-7-114.7 (2) (b) (I), C.R.S., \$3,640 shall be from the Fire Suppression Cash Fund created in Section 24-33.5-1207.6 (1), C.R.S., \$3,120 shall be from the Physician's Accreditation Cash Fund created in Section 8-42-101 (3.6) (1), C.R.S., \$2,250 shall be from the Water Quality Control Fund created in Section 25-8-502 (1) (c), C.R.S., \$2,250 shall be from the Drinking Water Cash Fund created in Section 25-1.5-209 (2), C.R.S., \$1,500 shall be from the Coordination Council Cash Fund created in Section 24-33-303 (2), C.R.S., and \$1,200 shall be from the Licensing Services Cash Fund created in Section 42-2-114.5 (1), C.R.S.

^b Of these amounts, it is estimated that \$3,489,959 shall be from indirect cost ~~recoveries and~~ RECOVERIES, \$4,680 shall be from other departments for sunset ~~reviews-~~ REVIEWS, AND \$1,838 SHALL BE FROM VARIOUS REAPPROPRIATED FUND SOURCES WITHIN THE DEPARTMENT.

^c These amounts shall be from various cash sources within the Department.

^d These amounts shall be from the Equal Employment Opportunity Commission, the U.S. Department of Housing and Urban Development, the U.S. Department of Justice, and the Health Information Counseling and Assistance Grant Program. These amounts are included for informational purposes only.

^e This amount shall be from the Consumer Outreach and Education Cash Fund created in Section 24-34-108 (2), C.R.S.

(2) DIVISION OF BANKING

Personal Services	3,578,405	3,578,405 ^a
		(40.0 FTE)
Operating Expenses	490,703	490,703 ^a
Board Meeting Costs	23,500	23,500 ^a
Indirect Cost Assessment	<u>277,199</u>	277,199 ^a
	4,369,807	

^a These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.

(3) CIVIL RIGHTS DIVISION

Personal Services	1,593,380	1,068,671	174,930 ^a	349,779(I) ^b
		(20.0 FTE)	(2.0 FTE)	(5.0 FTE)
Operating Expenses	100,438	59,318		41,120(I) ^b
Hearings Pursuant to Complaint	18,000	17,000		1,000(I) ^b
Commission				
Meeting Costs	12,374	5,174		7,200(I) ^b
Indirect Cost Assessment	<u>55,460</u>			55,460(I) ^b
		1,779,652		

^a This amount shall be from statewide indirect cost recoveries.

^b These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, and are included for informational purposes only.

(4) OFFICE OF CONSUMER COUNSEL

Personal Services	792,953	792,953 ^a
		(7.0 FTE)
Operating Expenses	55,787	55,787 ^a
Indirect Cost Assessment	<u>48,510</u>	48,510 ^a
	897,250	

^a These amounts shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(5) DIVISION OF FINANCIAL SERVICES							
Personal Services	1,134,247				1,134,247 ^a		
					(13.0 FTE)		
Operating Expenses	161,788				161,788 ^a		
Indirect Cost Assessment	<u>90,090</u>				90,090 ^a		
		1,386,125					
^a These amount shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S.							
(6) DIVISION OF INSURANCE							
Personal Services	5,729,650				5,729,650 ^a		
					(83.0 FTE)		
Operating Expenses	291,716				291,716 ^a		
Out-of-State							
Travel Expenses	100,000				100,000(I) ^b		
Senior Health							
Counseling Program	509,000						509,000(I)
							(2.0 FTE)
Transfer to CAPCO							
Administration	78,746				78,746		
	80,281				80,281 ^a		

Indirect Cost Assessment	<u>631,572</u>		575,187 ^a	56,385(I)
		7,340,684		
		7,342,219		

^a Of these amounts, it is estimated that ~~\$6,663,299~~ \$6,664,834 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S. and \$12,000 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S.

^b This amount shall be from reimbursements from insurance companies for travel expenses and are shown for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution and are continuously appropriated pursuant to Section 10-1-108 (9), C.R.S.

(7) PUBLIC UTILITIES COMMISSION

Personal Services	8,673,610		8,673,610 ^a	
			(95.0 FTE)	
Operating Expenses	445,689		445,689 ^a	
Expert Testimony	25,000		25,000 ^a	
Disabled Telephone Users Fund Payments	2,439,591		2,439,591(I) ^b	
Transfer to Reading Services for the Blind Cash Fund	350,000		350,000 ^a	
Commission for the Deaf and Hard of Hearing Cash Fund	980,328		980,328^a	
	986,351		986,351 ^a	
Low Income Telephone Assistance	2,143,752		2,143,752 ^c	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Colorado Bureau of Investigation Background Checks Pass-through	104,377			104,377 ^a		
Indirect Cost Assessment	<u>689,128</u>			658,347 ^a		30,781(I)
	15,851,475					
	15,857,498					

^a Of these amounts, it is estimated that \$7,692,830 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$2,022,238 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., ~~\$1,439,245~~ \$1,445,268 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., and \$83,038 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S.

^b This amount shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., and shown for purposes of complying with Section 20 of Article X of the State Constitution.

^c This amount shall be from the Low-Income Telephone Assistance Fund created in Section 40-3.4-108 (2) (a), C.R.S.

(8) DIVISION OF REAL ESTATE

Personal Services	3,293,470	3,293,470 ^a
	3,384,429	3,384,429 ^a
		(46.9 FTE)
		(48.9 FTE)
Operating Expenses	<u>219,546</u>	219,546 ^a

	230,852		230,852 ^a
Commission			
Meeting Costs	38,836		38,836 ^a
Hearings Pursuant to Complaint	4,000		4,000 ^a
Mortgage Broker			
Consumer Protection	306,431		306,431 ^a
Indirect Cost Assessment	<u>325,015</u>		325,015 ^a
		4,187,298	
		4,289,563	

^a Of these amounts, it is estimated that ~~\$3,000,392~~ \$3,102,657 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., \$951,938 shall be from the Mortgage Company and Loan Originator Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., \$115,633 shall be from the HOA Information and Resource Center Cash Fund created in Section 12-61-406.5 (4), C.R.S., \$71,828 shall be from the Conservation Easement Appraisal Review Fund created in Section 12-61-719 (8), C.R.S., and \$47,507 shall be from the Conservation Easement Holder Certification Fund created in Section 12-61-720 (3), C.R.S.

(9) DIVISION OF REGISTRATIONS

Personal Services	12,350,484	
	(183.5 FTE)	
Operating Expenses	1,379,648	
Office of Expedited Settlement Program Costs	361,397	
	(5.0 FTE)	
Hearings Pursuant to Complaint	307,075	

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Payments to Department of Health Care Policy and Financing	14,652					
Indirect Cost Assessment	<u>1,306,299</u>					
	15,719,555			15,123,773 ^a	595,782 ^b	

^a Of this amount, it is estimated that \$15,009,985 shall be from the Division of Registrations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S. and \$113,788 shall be from the Prescription Drug Monitoring Fund created in Section 12-22-706 (1), C.R.S.

^b Of this amount, it is estimated that \$326,371 shall be from the Department of Health Care Policy and Financing and \$269,411 shall be from the Department of Public Health and Environment.

(10) DIVISION OF SECURITIES

Personal Services	2,136,379	2,136,379 ^a (24.0 FTE)
Operating Expenses	58,999	58,999 ^a
Hearings Pursuant to Complaint	19,594	19,594 ^a
Board Meeting Costs	4,500	4,500 ^a
Securities Fraud Prosecution	718,835	718,835 ^a
Indirect Cost Assessment	<u>166,319</u>	166,319 ^a

3,104,626

^a These amounts shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.

TOTALS PART XVIII

**(REGULATORY
AGENCIES)**

\$78,180,593	\$1,714,111		\$70,886,928^a	\$4,265,351	\$1,314,203^b
<u>\$78,506,866</u>	<u>\$1,715,818</u>	<u> </u>	<u>\$71,208,659^a</u>	<u>\$4,267,189</u>	<u>\$1,315,200^b</u>

^a Of this amount, \$2,539,591 contains an (I) notation.

^b This amount contains an (I) notation.

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: February 19, 2013