

CHAPTER 299

GOVERNMENT - STATE

HOUSE BILL 14-1339

BY REPRESENTATIVE(S) Gerou, Duran, May, Court, Exum, Fischer, Ginal, Hullinghorst, Labuda, Lebsock, Melton, Mitsch Bush, Moreno, Pettersen, Rosenthal, Salazar, Schafer, Vigil, Williams, Becker, Wright;
also SENATOR(S) Hodge, Steadman, Lambert, Crowder, Heath, Kefalas, King, Newell, Nicholson, Rivera, Roberts, Ulibarri.

AN ACT**CONCERNING THE CREATION OF THE HAZARDOUS SUBSTANCE SITE RESPONSE FUND.**

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

SECTION 1. In Colorado Revised Statutes, **add** 25-16-104.9 as follows:

25-16-104.9. Hazardous substance site response fund - creation - transfer - use - definition. (1) AS USED IN THIS SECTION, "FUND" MEANS THE HAZARDOUS SUBSTANCE SITE RESPONSE FUND CREATED IN SUBSECTION (2) OF THIS SECTION.

(2) THE HAZARDOUS SUBSTANCE SITE RESPONSE FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF ANY MONEYS TRANSFERRED PURSUANT TO SECTION 24-75-220 (4) (a) (III.5), C.R.S. THE GENERAL ASSEMBLY MAY APPROPRIATE MONEYS IN THE FUND TO THE DEPARTMENT FOR THE PURPOSES SPECIFIED IN SECTION 25-16-104.

(3) ANY MONEYS IN THE FUND NOT EXPENDED MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND ARE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAIN IN THE FUND AND MAY NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

SECTION 2. In Colorado Revised Statutes, 25-16-104.6, **amend** (4) as follows:

25-16-104.6. Fund established - administration - revenue sources - use. (4) It is the intent of the general assembly that state matching moneys be appropriated ~~solely~~ ONLY from the hazardous substance response fund OR THE HAZARDOUS

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

SUBSTANCE SITE RESPONSE FUND.

SECTION 3. In Colorado Revised Statutes, 24-75-220 (4), as amended by House Bill 14-1342, add (4) (a) (III.5) as follows:

24-75-220. State education fund - transfers - surplus - legislative declaration.

(4) (a) Notwithstanding any provision of law to the contrary, following the release of the preliminary certification by the state controller for the fiscal year 2013-14 as specified in section 24-77-106.5 (1) (b), the director of research of the legislative council shall work with the state controller to determine a preliminary figure representing the estimated general fund surplus designated in accordance with section 24-75-201 (1) for the fiscal year 2013-14. The state controller shall provide such preliminary figure to the state treasurer, the director of the office of state planning and budgeting, and the director of the joint budget committee before September 15, 2014. On September 15, 2014, an amount equal to ninety percent of that preliminary figure is allocated in the following order of priority:

(III.5) THE STATE TREASURER SHALL TRANSFER TEN MILLION DOLLARS FROM THE GENERAL FUND TO THE HAZARDOUS SUBSTANCE SITE RESPONSE FUND CREATED IN SECTION 25-16-104.9, C.R.S.

SECTION 4. Effective date. This act takes effect upon passage only if House Bill 14-1342 becomes law and takes effect either upon the effective date of this act or House Bill 14-1342, whichever is later.

SECTION 5. 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 31, 2014