

CHAPTER 93

GOVERNMENT - STATE

SENATE BILL 14-104

BY SENATOR(S) Lambert, Hodge, Steadman, Tochtrop;
 also REPRESENTATIVE(S) Duran, May, Gerou, Conti, Fields, Melton, Rosenthal, Schafer, Young.

AN ACT

**CONCERNING THE DISPOSITION OF DISPUTED PAYMENTS OF TOBACCO LITIGATION SETTLEMENT
 MONEYS RECEIVED BY THE STATE.**

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

SECTION 1. In Colorado Revised Statutes, 24-75-1104.5, **amend** (1.3) (a) (II), (1.3) (a) (III), and (5) (a) (I) as follows:

24-75-1104.5. Use of settlement moneys - programs - repeal. (1.3) (a) For the 2012-13 fiscal year, and for each fiscal year thereafter, the lesser of all settlement moneys received or the following amounts of settlement moneys shall be allocated in each fiscal year in which the state receives the moneys in the percentages or amounts specified and for the programs, services, and funds specified in subsections (1) and (1.5) of this section:

(II) For the 2013-14, 2014-15, 2015-16, and 2016-17 fiscal years, and for the 2018-19 fiscal year and for each fiscal year thereafter, the amount allocated pursuant to this subsection (1.3) for the prior fiscal year less THE AMOUNT OF ANY DISPUTED PAYMENTS IN THE TOBACCO LITIGATION SETTLEMENT CASH FUND THAT WERE CREDITED TO THE FUND PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION AND LESS the amount of unexpended and unencumbered moneys remaining in the tobacco litigation settlement cash fund at the end of the prior fiscal year; and

(III) For the 2017-18 fiscal year, the amount allocated pursuant to this subsection (1.3) for the 2016-17 fiscal year less fifteen million dollars, LESS THE AMOUNT OF ANY DISPUTED PAYMENTS IN THE TOBACCO LITIGATION SETTLEMENT CASH FUND THAT WERE CREDITED TO THE FUND PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION, and less the amount of

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

unexpended and unencumbered moneys remaining in the tobacco litigation settlement cash fund at the end of the 2016-17 fiscal year.

~~(5) (a) (I) The state treasurer shall credit all disputed payments upon receipt or if received prior to June 1, 2009, on June 1, 2009, to the TOBACCO LITIGATION SETTLEMENT CASH FUND; EXCEPT THAT THE STATE TREASURER SHALL CREDIT ANY DISPUTED PAYMENTS RECEIVED DURING ANY FISCAL YEAR THAT ARE NOT ALLOCATED UNDER SUBPARAGRAPH (II) OR (III) OF PARAGRAPH (a) OF SUBSECTION (1.3) OF THIS SECTION TO THE general fund. On June 1, 2009, the state treasurer shall transfer the following amounts from the general fund:~~

~~(A) One million dollars to the children's basic health plan trust created in section 25.5-8-105 (1), C.R.S.; and~~

~~(B) Four hundred seventy-eight thousand dollars to the nurse home visitor program fund created in section 26-6.4-107 (2) (b), C.R.S.~~

SECTION 2. In Colorado Revised Statutes, 26-6.4-107, **repeal** (2) (d) (III) as follows:

26-6.4-107. Selection of entities to administer the program - grants - nurse home visitor program fund - created. ~~(2) (d) (III) In addition to all other moneys transferred to the fund pursuant to this paragraph (d), the state treasurer shall transfer moneys from the general fund to the fund as specified in section 24-75-1104.5 (5) (a) (I) (B), C.R.S.~~

SECTION 3. Applicability. This act applies to disputed payments received on or after the effective date of this act.

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 27, 2014