

CHAPTER 102

**TRANSPORTATION**

SENATE BILL 15-187

BY SENATOR(S) Grantham, Lambert, Steadman, Crowder, Heath, Jahn, Jones, Kefalas, Martinez Humenik, Merrifield, Newell, Todd;  
also REPRESENTATIVE(S) Young, Hamner, Rankin, Becker K., Mitsch Bush, Pettersen, Rosenthal, Roupe, Salazar.

**AN ACT**

**CONCERNING AUTHORIZATION FOR THE HIGH-PERFORMANCE TRANSPORTATION ENTERPRISE TO DEPOSIT MONEY RECEIVED AS A LOAN FROM THE STATE HIGHWAY FUND TO A SEPARATE ACCOUNT WITHIN THE STATEWIDE TRANSPORTATION ENTERPRISE SPECIAL REVENUE FUND.**

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

**SECTION 1.** In Colorado Revised Statutes, 43-4-806, **amend** (4) as follows:

**43-4-806. High-performance transportation enterprise - creation - board - funds - powers and duties - limitations - reporting requirements - legislative declaration.** (4) The commission may transfer moneys from the state highway fund created in section 43-1-219 to the transportation enterprise for the purpose of defraying expenses incurred by the transportation enterprise prior to the receipt of bond proceeds or revenues by the enterprise. The transportation enterprise may accept and expend any moneys so transferred, and, notwithstanding any state fiscal rule or generally accepted accounting principle that could otherwise be interpreted to require a contrary conclusion, such a transfer shall constitute a loan from the commission to the transportation enterprise and shall not be considered a grant for purposes of section 20 (2) (d) of article X of the state constitution. As the transportation enterprise receives sufficient revenues in excess of expenditures, the enterprise shall reimburse the state highway fund for the principal amount of any loan made by the commission plus interest at a rate set by the commission. Any moneys loaned to the transportation enterprise pursuant to this section shall be deposited into a fund to be known as the statewide transportation enterprise operating fund, which fund is hereby created, ~~and shall not be deposited into~~ OR AN ACCOUNT WITHIN the transportation special fund. ~~Moneys from the transportation special fund may, however, be used to reimburse the state highway fund for the amount of any loan or any interest thereon.~~ ALL LOANED MONEY DEPOSITED INTO

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

THE TRANSPORTATION SPECIAL FUND SHALL BE ACCOUNTED FOR SEPARATELY FROM OTHER TRANSPORTATION SPECIAL FUND MONEY.

**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: April 16, 2015