

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
4.27.20

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LLS NO. 20-1182.01 Esther van Mourik x4215

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Modify Automatic Funding Mechanism For Cap Constr"

A BILL FOR AN ACT

101 CONCERNING MODIFICATIONS TO THE AUTOMATIC CASH FUND
102 FUNDING MECHANISM FOR PAYMENT OF FUTURE COSTS
103 ATTRIBUTABLE TO THE STATE'S CAPITAL ASSETS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Joint Budget Committee. The bill:

- Exempts the legislative department cash fund and the redistricting account in the legislative department cash fund from the definition of "cash fund" for purposes of the requirements under the automatic cash fund funding

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

mechanism for payment of future costs attributable to certain of the state's capital assets;

- Suspends the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets for the 2020-21 state fiscal year; and
- Clarifies that any amount of money that may currently be identified in a capital reserve of the legislative department cash fund or in a capital reserve of the redistricting account is also excluded and may be used for the purposes set forth in the statute that created the cash fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1310, **amend**
3 (1)(d) and (2) introductory portion as follows:

4 **24-30-1310. Funding for capital construction, controlled**
5 **maintenance, or capital renewal - definitions.** (1) As used in this
6 section, unless the context otherwise requires:

7 (d) "Cash fund" does not include:

8 (I) The lottery fund created in section 44-40-111;

9 (II) The limited gaming fund created in section 44-30-701 (1);

10 (III) Money allocated to the division of parks and wildlife from
11 lottery proceeds as specified in section 3 of article XXVII of the state
12 constitution; ~~or~~

13 (IV) The regional center depreciation account in the capital
14 construction fund, created in section 24-75-302 (3.8)(a); OR

15 (V) THE LEGISLATIVE DEPARTMENT CASH FUND CREATED IN
16 SECTION 2-2-1601 (1)(a) AND THE REDISTRICTING ACCOUNT OF THE
17 LEGISLATIVE DEPARTMENT CASH FUND CREATED IN SECTION 2-2-1601
18 (2.5).

19 (2) EXCEPT FOR THE 2020-21 ANNUAL GENERAL APPROPRIATION
20 ACT, for every appropriation in the capital construction section of the

1 2015-16 annual general appropriation act and every appropriation in the
2 capital construction section of each annual general appropriation act
3 thereafter, not including appropriations for information technology
4 projects, additional funding must be set aside as follows:

5 **SECTION 2.** In Colorado Revised Statutes, 2-2-1601, **add** (4) as
6 follows:

7 **2-2-1601. Legislative department cash fund - redistricting**
8 **account - creation - definition.** (4) ANY MONEY THAT IS IDENTIFIED IN
9 A CAPITAL RESERVE OF THE LEGISLATIVE DEPARTMENT CASH FUND
10 CREATED IN SUBSECTION (1)(a) OF THIS SECTION OR IN A CAPITAL RESERVE
11 OF THE REDISTRICTING ACCOUNT CREATED IN SUBSECTION (2.5) OF THIS
12 SECTION AS REQUIRED PURSUANT TO SECTION 24-30-1310 ON OR BEFORE
13 THE EFFECTIVE DATE OF THIS SUBSECTION (4) SHALL BE RELEASED FROM
14 SAID RESERVE OR RESERVES AND MAY BE USED INSTEAD FOR THE
15 PURPOSES SET FORTH IN THIS SECTION.

16 **SECTION 3. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.