

MEMORANDUM



TO Joint Budget Committee Members
FROM JBC Staff
DATE March 19, 2024
SUBJECT Potential Legislation Packet 14

This packet includes bill drafts and related memos for the Committee’s consideration. Each individual item has page numbers but also a packet page number to help navigate the whole document. The page numbers below refer to the packet page number.

POTENTIAL LEGISLATION

Evaluation of CDHE Information Technology LLS 24-1098 (Lowe)	1
Hazardous Substance Site Respond Transfer LLS 24-1107 (McLeer)	4
Autism Treatment Coverate LLS 24-1094 (Kurtz)	7

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
3/15/24

DRAFT

LLS NO. 24-1098.01 Rebecca Bayetti x4348

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Evaluation of CDHE Information Technology

A BILL FOR AN ACT

101 **CONCERNING AN EVALUATION OF THE DEPARTMENT OF HIGHER**
102 **EDUCATION'S INFORMATION TECHNOLOGY FUNCTIONS AND**
103 **SERVICES BY THE OFFICE OF INFORMATION TECHNOLOGY, AND,**
104 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 requires the office of information technology (office) to evaluate, or to contract with a third party to evaluate, the information technology functions and services of the

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

department of higher education for the purpose of assessing possibilities for a consolidation of existing information technology functions and services with those information technology functions and services managed by the office. The office is required to complete this evaluation by November 1, 2024. If the evaluation shows that consolidation would be beneficial, the office shall create a proposed plan and accompanying budget for consolidating the information technology functions and services of the department of higher education with those information technology functions and services managed by the office. For the 2024-25 state fiscal year, \$280,000 is appropriated from the general fund to the office to implement the act.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-37.5-124 as follows:

24-37.5-124. Evaluation of department of higher education information technology services - repeal. (1) BY NOVEMBER 1, 2024, THE OFFICE SHALL EVALUATE THE INFORMATION TECHNOLOGY FUNCTIONS AND SERVICES OF THE DEPARTMENT OF HIGHER EDUCATION FOR THE PURPOSE OF ASSESSING POSSIBILITIES FOR A CONSOLIDATION OF EXISTING INFORMATION TECHNOLOGY FUNCTIONS AND SERVICES WITH THOSE INFORMATION TECHNOLOGY FUNCTIONS AND SERVICES MANAGED BY THE OFFICE. AT A MINIMUM, THIS EVALUATION MUST ASSESS THE BUSINESS FUNCTION, CRITICALITY, CAPACITIES, COMPLEXITY, TECHNICAL DEBT STATUS, RISK, AND INTEGRATION CAPABILITY IN RELATION TO THE FOLLOWING FUNCTIONS AND SERVICES:

- (a) ASSET MANAGEMENT;
- (b) DATA;
- (c) DATABASE SERVICES;
- (d) END-USER SUPPORT SERVICES;
- (e) IDENTITY AND ACCESS;

- 1 (f) NETWORK INFRASTRUCTURE AND COMMUNICATIONS;
2 (g) SERVER AND STORAGE INFRASTRUCTURE;
3 (h) APPLICATIONS AND PLATFORMS;
4 (i) SECURITY SERVICES;
5 (j) DISASTER RECOVERY; AND
6 (k) SUPPORTED SITES.

7 (2) THE CHIEF INFORMATION OFFICER MAY CONTRACT WITH ONE
8 OR MORE THIRD PARTIES TO CONDUCT ALL OR PART OF THE EVALUATION
9 REQUIRED BY SUBSECTION (1) OF THIS SECTION.

10 (3) IF THE EVALUATION REQUIRED BY SUBSECTION (1) OF THIS
11 SECTION SHOWS THAT CONSOLIDATION WOULD BE BENEFICIAL, THE OFFICE
12 SHALL CREATE A PROPOSED PLAN AND ACCOMPANYING BUDGET FOR
13 CONSOLIDATING THE INFORMATION TECHNOLOGY FUNCTIONS AND
14 SERVICES OF THE DEPARTMENT OF HIGHER EDUCATION WITH THOSE
15 INFORMATION TECHNOLOGY FUNCTIONS AND SERVICES MANAGED BY THE
16 OFFICE.

17 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

18 **SECTION 2. Appropriation.** For the 2024-25 state fiscal year,
19 \$280,000 is appropriated to the office of the Governor for the office of
20 information technology. This appropriation is from the general fund. To
21 implement this act, the office may use this appropriation for enterprise
22 solutions.

23 **SECTION 3. Safety clause.** The general assembly finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety or for appropriations for
26 the support and maintenance of the departments of the state and state
27 institutions.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REDRAFT

3/15/24

Double underlining
denotes changes from
prior draft

DRAFT

LLS NO. 24-1107.01 Pierce Lively x2059

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Hazardous Substance Site Response Fund Transfer

A BILL FOR AN ACT

101 CONCERNING THE TRANSFER OF MONEY FROM THE HAZARDOUS
102 SUBSTANCE SITE RESPONSE FUND TO THE HAZARDOUS
103 SUBSTANCE RESPONSE FUND.

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 directs the state treasurer to transfer to the hazardous substance response fund the money in the hazardous substance site response fund through 2 transfers. The bill requires the state treasurer to:

! Transfer \$4 million to the hazardous substance response

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

fund from the hazardous substance site response fund on
May 1, 2024; and

! Transfer to the hazardous substance response fund the
unexpended and unencumbered money in the hazardous
substance site response fund on May 1, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-16-104.6, **amend**

3 (1)(a) as follows:

4 **25-16-104.6. Fund established - administration - revenue**

5 **sources - use.** (1) (a) There is hereby established in the state treasury the

6 hazardous substance response fund. The fund is composed of money that

7 the general assembly may choose to appropriate from the general fund,

8 money derived from the fee imposed pursuant to section 25-16-104.5, and

9 any interest derived therefrom; money recovered from responsible parties

10 pursuant to the federal act or the OPA that is not generated by the state

11 litigating as trustee for natural resources pursuant to section 25-16-104.7;

12 money recovered through litigation by the state pursuant to the federal act

13 or the OPA that is designated for future response cost; any money

14 transferred to the fund pursuant to ~~section 25-16-104.9 (2)(b)~~ SECTION

15 25-16-104.9; and any other money derived from public or private sources

16 that may be credited to the fund. Money in the fund shall be annually

17 appropriated by the general assembly, subject to section 25-16-104,

18 remains available for the purposes of this ~~article~~ ARTICLE 16, and does not

19 revert to the general fund of the state at the end of any fiscal year. If the

20 fund balance exceeds ten million dollars in any state fiscal year and the

21 fund balance is not projected to fall below ten million dollars within

22 twenty-four months, the department shall evaluate the need to reduce fees

23 to bring the balance of the fund below ten million dollars, and shall

1 present the evaluation to the commission.

2 **SECTION 2.** In Colorado Revised Statutes, 25-16-104.9, **add** (4)
3 as follows:

4 **25-16-104.9. Hazardous substance site response fund -**
5 **creation - transfer - use - definition - repeal.** (4) (a) (I) ON MAY 1,
6 2024, THE STATE TREASURER SHALL TRANSFER TO THE HAZARDOUS
7 SUBSTANCE RESPONSE FUND CREATED IN SECTION 25-16-104.6 FOUR
8 MILLION DOLLARS FROM THE HAZARDOUS SUBSTANCE SITE RESPONSE
9 FUND.

10 (II) THIS SUBSECTION (4)(a) IS REPEALED, EFFECTIVE JULY 1, 2025.

11 (b) (I) ON MAY 1, 2025, THE STATE TREASURER SHALL TRANSFER
12 TO THE HAZARDOUS SUBSTANCE RESPONSE FUND CREATED IN SECTION
13 25-16-104.6 THE UNEXPENDED AND UNENCUMBERED MONEY IN THE
14 HAZARDOUS SUBSTANCE SITE RESPONSE FUND.

15 (II) THIS SUBSECTION (4)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

16 **SECTION 3. Safety clause.** The general assembly finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety or for appropriations for
19 the support and maintenance of the departments of the state and state
20 institutions.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
3/15/24

DRAFT

LLS NO. 24-1094.01 Chelsea Princell x4335

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Autism Treatment Coverage

A BILL FOR AN ACT

101 **CONCERNING PROVIDING COVERAGE FOR SERVICES RELATED TO**
102 **AUTISM SPECTRUM DISORDERS UNDER THE CHILDREN'S BASIC**
103 **HEALTH PLAN, AND, IN CONNECTION THEREWITH, MAKING AN**
104 **APPROPRIATION.**

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. Under current law, the department of health care policy and financing (department) is prohibited from providing coverage for the assessment, diagnosis, and treatment of autism

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

spectrum disorders. The bill eliminates this prohibition.

The bill appropriates \$6,520,092 to the department for the assessment, diagnosis, and treatment of autism spectrum disorders under the children's basic health plan.

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

SECTION 1. In Colorado Revised Statutes, 25.5-8-107, **repeal** (1)(a)(IV) as follows:

25.5-8-107. Duties of the department - schedule of services - premiums - copayments - subsidies - purchase of childhood immunizations. (1) In addition to any other duties pursuant to this article 8, the department has the following duties:

(a) (IV) ~~The schedule of health-care services included in the plan shall not include coverage pursuant to the mandatory coverage provisions of section 10-16-104 (1.4), C.R.S.~~

SECTION 2. Appropriation. (1) For the 2024-25 state fiscal year, \$6,520,092 is appropriated to the department of health care policy and financing. The appropriation consists of \$3,925,923 from the general fund and \$2,594,169 from the healthcare affordability and sustainability fee cash fund created in section 25.5-4-402.4 (5)(a), C.R.S., which is subject to the "(H)" notation as defined in the annual general appropriation act for the same fiscal year. To implement this act, the department may use this appropriation for the children's basic health plan for the assessment, diagnosis, and treatment of autism spectrum disorders pursuant to section 10-16-104 (1.4)(b), C.R.S.

(2) For the 2024-25 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive \$12,108,742 in federal funds for the children's basic health plan

1 for the assessment, diagnosis, and treatment of autism spectrum disorders
2 to implement this act. The appropriation in subsection (1) of this section
3 is based on the assumption that the department will receive this amount
4 of federal funds.

5 **SECTION 3. Safety clause.** The general assembly finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety or for appropriations for
8 the support and maintenance of the departments of the state and state
9 institutions.