

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Joint Budget Committee Members
FROM JBC Staff
DATE January 30, 2024
SUBJECT Potential Legislation Packet 2

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

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Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
1/24/24

DRAFT

LLS NO. 24-0986.01 Conrad Imel x2313

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: DOC Caseload Supplemental Approp Request Deadline

A BILL FOR AN ACT

101 **CONCERNING THE DEADLINE FOR THE DEPARTMENT OF CORRECTIONS**
102 **TO SUBMIT A REQUEST FOR AN APPROPRIATION RELATED TO**
103 **CHANGES IN CASELOAD.**

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 existing law, a state agency must submit a budget request amendment or supplemental appropriation request by January 2. Existing law includes exceptions to this deadline, including that the department of corrections (department) must submit a request related to changes in caseload to the joint budget committee by

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January 15. The bill repeals that exemption so that a department request for a budget request amendment or supplemental appropriation request related to changes in caseload is subject to the January 2 deadline.

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

2 **SECTION 1.** In Colorado Revised Statutes, 2-3-208, **amend**
3 (3)(b)(I) as follows:

4 **2-3-208. Budget requests - amendments - supplemental**
5 **appropriation requests - deadlines - definitions.** (3) (b) (I) The
6 department of education shall submit a request for a supplemental
7 appropriation pursuant to section 22-54-106 (4)(b) to the joint budget
8 committee by January 15. ~~The department of corrections and the division~~
9 of youth services in the department of human services shall ~~each~~ submit
10 a request for a supplemental appropriation related to changes in caseload
11 to the joint budget committee by January 15.

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
1/28/24

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LLS NO. 24-0968.01 Chelsea Princell x4335

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: State Funding for Senior Services Contingency Fund

A BILL FOR AN ACT

101 **CONCERNING THE ESTABLISHMENT OF THE STATE FUNDING FOR**
102 **SENIOR SERVICES CONTINGENCY RESERVE FUND, AND, IN**
103 **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 creates the state funding for senior services contingency reserve fund (fund) in the department of the treasury to aid the state office on aging in addressing unforeseen circumstances experienced by an area agency on aging or a provider of eligible services.

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The bill sets criteria that must be met for an area agency on aging or a provider of eligible services to receive money from the fund.

The bill requires the general assembly to annually appropriate money in the fund for the department of human services to administer the fund.

On or before January 1, 2025, and each January 1 thereafter, the bill requires the department of human services to submit a report to the office of state planning and budgeting and the joint budget committee of the general assembly detailing who received money from the fund and how it was used.

The fund is repealed, effective September 1, 2029. Prior to repeal, the fund is subject to a sunset review.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 26-11-209 as
3 follows:

4 **26-11-209. State funding for senior services contingency**
5 **reserve fund - creation - fund - reporting - appropriation - definitions**
6 **- repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "ELIGIBLE SERVICES" MEANS SERVICES THAT ARE AUTHORIZED
9 BY THE FEDERAL "OLDER AMERICANS ACT OF 1965", AS AMENDED, AND
10 THE "OLDER COLORADANS' ACT", AS SPECIFIED IN THIS ARTICLE 11.

11 (b) "FUND" MEANS THE STATE FUNDING FOR SENIOR SERVICES
12 CONTINGENCY RESERVE FUND CREATED IN SUBSECTION (2) OF THIS
13 SECTION.

14 (2) THE STATE FUNDING FOR SENIOR SERVICES CONTINGENCY
15 RESERVE FUND IS CREATED IN THE DEPARTMENT OF THE TREASURY TO
16 ASSIST THE STATE OFFICE OF AGING IN ADDRESSING UNFORESEEN
17 CIRCUMSTANCES EXPERIENCED BY AN AREA AGENCY ON AGING OR A
18 PROVIDER OF ELIGIBLE SERVICES.

19 (3) THE STATE DEPARTMENT MAY DISBURSE MONEY FROM THE

1 FUND TO AN AREA AGENCY ON AGING OR A PROVIDER OF ELIGIBLE
2 SERVICES TO COVER THE DIRECT COSTS OF CONTINUING TO PROVIDE
3 ELIGIBLE SERVICES IN THE EVENT OF ANY OF THE FOLLOWING UNFORESEEN
4 CIRCUMSTANCES:

5 (a) FINANCIAL OR OPERATIONAL EMERGENCIES CAUSED BY FORCE
6 MAJEURE;

7 (b) A CHANGE IN PROVIDER CAPACITY OR AVAILABILITY TO MEET
8 AN EXISTING NEED;

9 (c) A DELAY OR INTERRUPTION IN STATE OR FEDERAL
10 APPROPRIATION ALLOCATIONS; OR

11 (d) AN EMERGENCY DISASTER DECLARATION.

12 (4) TO RECEIVE A DISBURSEMENT FROM THE FUND, AN AREA
13 AGENCY ON AGING OR A PROVIDER OF ELIGIBLE SERVICES MUST APPLY FOR
14 A DISBURSEMENT IN THE MANNER AND FORM PRESCRIBED BY THE STATE
15 DEPARTMENT.

16 (5) THE AMOUNT DISBURSED TO AN AREA AGENCY ON AGING OR A
17 PROVIDER OF ELIGIBLE SERVICES PURSUANT TO SUBSECTION (3) OF THIS
18 SECTION MUST COVER THE COSTS OF PROVIDING ELIGIBLE SERVICES FOR NO
19 MORE THAN NINETY DAYS. IF AN AREA AGENCY ON AGING OR A PROVIDER
20 OF ELIGIBLE SERVICES NEEDS ADDITIONAL FUNDING FOLLOWING THE
21 INITIAL DISBURSEMENT PERIOD, THE AREA AGENCY ON AGING OR THE
22 PROVIDER OF ELIGIBLE SERVICES MAY REAPPLY FOR ADDITIONAL FUNDS.

23 (6) (a) THE FUND CONSISTS OF MONEY ALLOCATED TO THE FUND
24 BY THE STATE DEPARTMENT AND ANY ADDITIONAL MONEY THE GENERAL
25 ASSEMBLY APPROPRIATES TO THE FUND. THE GENERAL ASSEMBLY SHALL
26 ANNUALLY APPROPRIATE MONEY IN THE FUND TO THE DEPARTMENT OF
27 HUMAN SERVICES FOR USE IN ADMINISTERING THE FUND. ANY MONEY

1 REMAINING IN THE FUND AT THE END OF A STATE FISCAL YEAR REMAINS IN
2 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
3 GENERAL FUND OR ANY OTHER FUND.

4 (b) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER
5 DOLLARS FROM THE GENERAL FUND TO THE FUND.

6 (7) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
7 BEFORE JANUARY 1, 2025, AND ON OR BEFORE EACH JANUARY 1
8 THEREAFTER, THE STATE DEPARTMENT SHALL SUBMIT A REPORT TO THE
9 OFFICE OF STATE PLANNING AND BUDGETING AND THE JOINT BUDGET
10 COMMITTEE OF THE GENERAL ASSEMBLY SPECIFYING WHICH AREA AGENCY
11 ON AGING OR PROVIDER OF ELIGIBLE SERVICES RECEIVED MONEY FROM
12 THE FUND AND, FOR EACH AREA AGENCY ON AGING OR PROVIDER OF
13 ELIGIBLE SERVICES THAT RECEIVED MONEY FROM THE FUND, SPECIFY THE
14 AMOUNT DISBURSED AND THE PURPOSE FOR WHICH THE MONEY WAS
15 DISBURSED TO THE AREA AGENCY ON AGING OR PROVIDER OF ELIGIBLE
16 SERVICES.

17 (8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029.
18 BEFORE THE REPEAL, THE FUND IS SCHEDULED FOR REVIEW IN
19 ACCORDANCE WITH SECTION 2-3-1203.

20 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **add**
21 (20)(a)(V) as follows:

22 **2-3-1203. Sunset review of advisory committees - legislative**
23 **declaration - definition - repeal.** (20) (a) The following statutory
24 authorizations for the designated advisory committees will repeal on
25 September 1, 2029:

26 (V) THE STATE FUNDING FOR SENIOR SERVICES CONTINGENCY
27 RESERVE FUND CREATED IN SECTION 26-11-209.

1 **SECTION 3. Appropriation.** For the 2024-25 state fiscal year,
2 \$ is appropriated to the department of human services for use by the
3 office of adults, aging, and disability services. To implement this act, the
4 office of adults, aging, and disability services may use this appropriation
5 for contingency funding for senior services.

6 **SECTION 4. Safety clause.** The general assembly finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety or for appropriations for
9 the support and maintenance of the departments of the state and state
10 institutions.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
1/26/24

DRAFT

LLS NO. 24-0985.01 Caroline Martin x5902

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Transfers to the Capital Construction Fund

A BILL FOR AN ACT

101 **CONCERNING TRANSFERS TO THE CAPITAL CONSTRUCTION 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. For the 2023-24 state fiscal year, the bill transfers \$18,971,100 from the general fund to the capital construction fund and \$3,275,000 from the preschool programs cash fund to the information technology capital account of the capital construction fund.

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Dashes through the words indicate deletions from existing law.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-302, **amend**
3 (2)(rr) and (2)(ss); and **add** (2)(tt) as follows:

4 **24-75-302. Capital construction fund - capital assessment fees**
5 **- calculation - information technology capital account.** (2) The
6 controller shall transfer a sum as specified in this subsection (2) from the
7 general fund to the capital construction fund as money becomes available
8 in the general fund during the fiscal year beginning on July 1 of the fiscal
9 year in which the transfer is made or on the date otherwise specified for
10 the transfer. Transfers between funds pursuant to this subsection (2) are
11 not appropriations subject to the limitations of section 24-75-201.1. The
12 amounts transferred pursuant to this subsection (2) are as follows:

13 (rr) On April 1, 2023, five million five hundred ninety-two
14 thousand nine hundred thirty dollars; ~~and~~

15 (ss) On July 1, 2023, two hundred forty-seven million nine
16 hundred sixty-eight thousand two hundred eighty-seven dollars; AND

17 (tt) ON APRIL 1, 2024, EIGHTEEN MILLION NINE HUNDRED
18 SEVENTY-ONE THOUSAND ONE HUNDRED DOLLARS.

19 **SECTION 2.** In Colorado Revised Statutes, 26.5-4-209, **repeal**
20 (6)(b); and **add** (6)(a)(III) and (6)(c) as follows:

21 **26.5-4-209. Preschool programs cash fund - created - use -**
22 **repeal.** (6) (a) (III) THIS SUBSECTION (6)(a) IS REPEALED, EFFECTIVE JULY
23 1, 2024.

24 (b) ~~This subsection (6) is repealed, effective July 1, 2024.~~

25 (c) ON APRIL 1, 2024, THE STATE TREASURER SHALL TRANSFER
26 THREE MILLION TWO HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FROM
27 THE UNEXPENDED AND UNENCUMBERED MONEY IN THE PRESCHOOL

1 PROGRAMS CASH FUND TO THE INFORMATION TECHNOLOGY CAPITAL
2 ACCOUNT IN THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION
3 24-75-302 (3.7). THIS SUBSECTION (6)(c) IS REPEALED, EFFECTIVE
4 FEBRUARY 1, 2025.

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.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
1/28/24

DRAFT

LLS NO. 24-0991.01 Rebecca Bayetti x4348

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Gen Fund Transfer Judicial Collection Enhancement

A BILL FOR AN ACT

101 **CONCERNING A TRANSFER FROM THE GENERAL FUND TO THE JUDICIAL**
102 **COLLECTION ENHANCEMENT 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 requires the state treasurer to transfer \$2.5 million from the general fund to the judicial collection enhancement fund on April 1, 2024.

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

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Dashes through the words indicate deletions from existing law.*

1 **SECTION 1.** In Colorado Revised Statutes, 16-11-101.6, **add** (7)
2 as follows:

3 **16-11-101.6. Collection of fines and fees - methods - charges**
4 **- judicial collection enhancement fund - definition - repeal.** (7) (a) ON
5 APRIL 1, 2024, THE STATE TREASURER SHALL TRANSFER TWO MILLION FIVE
6 HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE JUDICIAL
7 COLLECTION ENHANCEMENT FUND.

8 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2024.

9 **SECTION 2. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
1/28/24

DRAFT

LLS NO. 24-0984.01 Jerry Barry x4341

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Board & Committee of 23rd Judicial District

A BILL FOR AN ACT

101 **CONCERNING ENTITIES SERVING THE NEW TWENTY-THIRD JUDICIAL**
102 **DISTRICT.**

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 new twenty-third judicial district exists beginning January 7, 2025. The bill makes changes so that the judicial district drug offender treatment board and the local juvenile services planning committee may begin work before the new judicial district exists.

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Dashes through the words indicate deletions from existing law.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-19-104, **add** (1.5)
3 as follows:

4 **18-19-104. Judicial district drug offender treatment boards -**
5 **creation.** (1.5) EFFECTIVE NOVEMBER 1, 2024, THE JUDICIAL DISTRICT
6 DRUG OFFENDER TREATMENT BOARD FOR THE TWENTY-THIRD JUDICIAL
7 DISTRICT IS CREATED. INITIAL MEMBERS OF THE BOARD ARE APPOINTED
8 PURSUANT TO THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION;
9 EXCEPT THAT THE TWENTY-THIRD JUDICIAL DISTRICT ADMINISTRATIVE
10 JUDGE SHALL APPOINT THE MEMBERS APPOINTED PURSUANT TO
11 SUBSECTIONS (1)(e) TO (1)(h) OF THIS SECTION. EFFECTIVE JANUARY 7,
12 2025, ALL MEMBERS OF THE JUDICIAL DISTRICT DRUG OFFENDER
13 TREATMENT BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT MUST BE
14 APPOINTED PURSUANT TO SUBSECTION (1) OF THIS SECTION.

15 **SECTION 2.** In Colorado Revised Statutes, 19-2.5-302, **add** (1.5)
16 as follows:

17 **19-2.5-302. Local juvenile services planning committee -**
18 **creation - duties - identification and notification of dually identified**
19 **crossover youth.** (1.5) IF ALL OF THE BOARDS OF COMMISSIONERS FOR
20 DOUGLAS, ELBERT, AND LINCOLN COUNTIES AGREE, ON AND AFTER
21 NOVEMBER 1, 2024, THERE IS CREATED IN THE TWENTY-THIRD JUDICIAL
22 DISTRICT A LOCAL JUVENILE SERVICES PLANNING COMMITTEE THAT IS
23 APPOINTED INITIALLY BY THE ADMINISTRATIVE JUDGE OF THE
24 TWENTY-THIRD JUDICIAL DISTRICT FROM PERSONS RECOMMENDED BY THE
25 BOARDS OF COMMISSIONERS OF SUCH COUNTIES. AFTER JANUARY 7, 2025,
26 THE CHIEF JUDGE OF THE TWENTY-THIRD JUDICIAL DISTRICT SHALL

1 APPOINT MEMBERS OF THE COMMITTEE. IF PRACTICABLE, THE COMMITTEE
2 MUST INCLUDE THE MEMBERS IDENTIFIED IN SUBSECTION (1) OF THIS
3 SECTION. THE COMMITTEE HAS THE DUTIES SPECIFIED IN SUBSECTION (1)
4 OF THIS SECTION.

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.