

Colorado Department of the Treasury

2025 Legislative Session



Unclaimed Property Trust Fund

As the state's custodian of unclaimed property, the Colorado Department of the Treasury holds lost assets in the Unclaimed Property Trust Fund (UPTF), **currently valued over \$2 billion**. Coloradans hold the right to reclaim these personal funds at any time through the **Great Colorado Payback**.

Since the program's founding, the Great Colorado Payback has returned more than **\$765 million** to owners and their heirs, including **\$62 million in fiscal year 23-24**. Thanks to recent efficiencies, the Division is returning claims faster than ever.

Leveraging Interest for Colorado

To fund Unclaimed Property Division administration and other priorities, the Department's Investment Division manages the **Unclaimed Property Tourism Promotion Trust Fund** as a separate account. Per statute, **annual interest** is allocated to the following funds:

- **25%** to the Colorado State Fair Authority Cash Fund
- **65%** to the Agriculture Management Fund; and
- **10%** to the Colorado Travel and Tourism Promotion Fund

Protecting the People's Money

It's important to remember **UPTF dollars are not state revenue**; they are private funds that must be protected and returned to rightful owners. Borrowing UPTF funds for non-trust activities may violate the Fifth Amendment, which prohibits the government from seizing private property without just compensation.

The legislature is already **obligated to pay back \$662 million** to UPTF from transfers beginning in 2003. Since FY 13-14, the fund is owed \$385 million. Any further diversion of these funds could jeopardize the Department's ability to meet its statutory obligations.

UPTF Transfers Since FY 13-14	Amount
Transfers to Colorado Health Benefit Exchange (HB 13-1245)	\$15 million
Transfer to Adult Dental Fund (SB 13-242)	\$269 million
Transfer to Adult Dental Fund (HB 16-1409)	\$35 million
Transfer to General Fund (HB 16-1409)	\$8 million
Transfer to General Fund (SB 19-261)	\$30 million
Transfer to General Fund (HB 20-1381)	\$43 million

Good afternoon, Madam Chair and committee members. My name is Elizabeth Haskell, representing the Colorado Municipal League (CML) and our 271 municipal members. CML is in an Amend position on HB25-1224.

First, I want to express our gratitude to the treasurer's office for engaging with us on this bill. Although we have not reached a resolution, we appreciate their willingness to listen to our concerns and work towards a common ground.

CML is advocating to retain the local government exemption from the Uniform Unclaimed Property Act (UUPA), which was negotiated when the UUPA was adopted in 2019. Section 16 of HB 1224, as amended, proposes to remove this exemption. We respectfully request that Section 16 be removed from the bill. The bill summary indicates that the exemption is being repealed because few local governments have met the specified conditions. However, while only 13 municipalities currently qualify for this exemption, CML believes it is crucial for municipalities to retain this option.

The municipalities currently exempt are:

- Centennial
- Evans -
- Federal Heights -
- Greeley -
- Greenwood Village -
- Lafayette
- Lone Tree
- Loveland -
- Westminster -
- Wray
- Lochbuie
- Parker -
- Walsh

Local control standards dictate that municipalities should have the autonomy to manage unclaimed property according to their specific needs and circumstances, rather than adhering to a state or national standard. Retaining this exemption is important because the unclaimed funds held by these local governments are reserved for local purposes.

Thank you for your time and consideration. We respectfully request that this exemption remain in the law.