

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 6, 2022

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB22-1259 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 7, line 27, strike "THE" and substitute "NO
- 2 LATER THAN JULY 1, 2023, THE".

- 3 Page 8, line 17, strike "THE" and substitute "NO LATER THAN JULY 1,
- 4 2023, THE".

- 5 Page 9, line 9, strike "(1.3)" and substitute "(1.3); and **add** (1)(f)".

- 6 Page 9, line 21, strike "Establish" and substitute "NO LATER THAN JULY
- 7 1, 2023, establish".

- 8 Page 10, line 24, strike "2023," and substitute "2024,".

- 9 Page 11, line 5, strike "EIGHTEEN MILLION" and substitute "TWENTY-ONE
- 10 MILLION FIVE HUNDRED THOUSAND".

- 11 Page 11, strike lines 15 through 27.

- 12 Page 12, strike line 1 and substitute:

- 13 "(III) (A) BEGINNING STATE FISCAL YEAR 2023-24, AND EACH
- 14 STATE FISCAL YEAR THEREAFTER, TO COVER ANY INCREASE IN BASIC CASH
- 15 ASSISTANCE PURSUANT TO THIS SECTION ABOVE THE TOTAL SPENDING OF
- 16 BASIC CASH ASSISTANCE IN STATE FISCAL YEAR 2021-22, THE STATE
- 17 DEPARTMENT SHALL FIRST EXPEND ANY MONEY REMAINING THAT IS
- 18 TRANSFERRED TO THE COLORADO LONG-TERM WORKS RESERVE PURSUANT
- 19 TO SUBSECTION (1)(b)(II) OF THIS SECTION. THE STATE DEPARTMENT
- 20 SHALL THEN EXPEND MONEY IN AN AMOUNT EQUAL TO ONE-THIRD OF THE

1 AMOUNT NECESSARY TO COVER ANY SUCH INCREASE IN BASIC CASH
2 ASSISTANCE FROM AVAILABLE TANF FUNDS, WHICH MUST INCLUDE FUNDS
3 IN THE COLORADO LONG-TERM WORKS RESERVE AND THE TOTAL
4 STATEWIDE COUNTY TANF RESERVE, AND AN AMOUNT EQUAL TO
5 TWO-THIRDS OF THE AMOUNT NECESSARY TO COVER ANY SUCH INCREASE
6 IN BASIC CASH ASSISTANCE THAT THE GENERAL ASSEMBLY APPROPRIATES
7 TO THE STATE DEPARTMENT FROM THE STATE GENERAL FUND OR ANY
8 OTHER AVAILABLE FUND, INCLUDING THE COLORADO LONG-TERM WORKS
9 RESERVE, IN ACCORDANCE WITH SECTION 26-2-721 (5). THE STATE
10 DEPARTMENT AND COUNTIES SHALL IDENTIFY AN EQUITABLE PORTION OF
11 THE COLORADO LONG-TERM WORKS RESERVE AND TOTAL STATEWIDE
12 COUNTY TANF RESERVE FOR THE IMPLEMENTATION OF THIS SUBSECTION
13 (1)(b)(III)(A). THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO
14 THE STATE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SUBSECTION
15 (1)(b)(III)(A).".

16 Page 17, after line 17, insert:

17 **"SECTION 10.** In Colorado Revised Statutes, 26-2-721, **amend**
18 (1) and (3); and **add** (5) as follows:

19 **26-2-721. Colorado long-term works reserve - creation - use.**
20 (1) There is hereby created the Colorado long-term works reserve,
21 referred to in this section as the "reserve", that ~~shall consist~~ CONSISTS of
22 unappropriated TANF block grant ~~moneys~~ MONEY, state general fund
23 ~~moneys~~ MONEY appropriated thereto by the general assembly, INCLUDING
24 AMOUNTS APPROPRIATED PURSUANT TO SUBSECTION (5) OF THIS SECTION,
25 and ~~moneys~~ MONEY transferred thereto pursuant to sections 26-2-714
26 (5)(a), 26-2-716 (4)(b), 26-2-720.5 (1), and 26-2-721.3 (1). A county's
27 excess unspent TANF reserves that are transferred to another county
28 pursuant to section 26-2-714 (5)(a)(I)(B) or (5)(a)(I)(C) shall not be
29 considered unappropriated TANF block grant moneys for purposes of this
30 section. Any excess unspent TANF reserves for state fiscal year 2009-10
31 ~~shall be~~ IS excluded from the Colorado long-term works reserve and ~~shall~~
32 ~~be~~ IS available for transfer to a county pursuant to section 26-2-714
33 (5)(a)(I)(B).

34 (3) Prior to requesting any appropriations from the reserve
35 PURSUANT TO SUBSECTION (2) OF THIS SECTION for the purpose of making
36 transfers, the state department shall consult with counties and provide
37 information to the joint budget committee for the purposes of ensuring
38 that all transfers of TANF funds do not exceed the federal limits for
39 transfers and ensuring that the needs of counties to make transfers
40 authorized pursuant to section 26-2-714 (7) and (9) are considered.

41 (5)(a) NOTWITHSTANDING ANY PROVISION OF SECTION 38-13-801,

1 BEGINNING STATE FISCAL YEAR 2023-24, THE GENERAL ASSEMBLY MAY
2 APPROPRIATE MONEY FROM THE UNCLAIMED PROPERTY TRUST FUND,
3 CREATED IN SECTION 38-13-801, TO THE RESERVE IF, BASED ON THE MOST
4 RECENT FORECAST, THE STATE IS NOT PROJECTED TO EXCEED THE STATE
5 FISCAL YEAR SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF
6 THE STATE CONSTITUTION FOR THE STATE FISCAL YEAR. THE AMOUNT
7 APPROPRIATED FOR A STATE FISCAL YEAR SHALL NOT EXCEED THE
8 AMOUNT NECESSARY TO COVER TWO-THIRDS OF THE AMOUNT NECESSARY
9 TO COVER THE INCREASE IN BASIC CASH ASSISTANCE SPECIFIED IN SECTION
10 26-2-709 (1)(b)(III)(A). THE MONEY APPROPRIATED TO THE RESERVE
11 UNDER THIS SUBSECTION (5)(a) SHALL NOT BE APPROPRIATED FOR THE
12 PURPOSES SET FORTH IN SUBSECTION (2) OF THIS SECTION.

13 (b) NOTWITHSTANDING SUBSECTION (2) OF THE SECTION, THE
14 GENERAL ASSEMBLY MAY APPROPRIATE MONEY FROM THE RESERVE THAT
15 WAS APPROPRIATED THERETO UNDER SUBSECTION (5)(a) OF THIS SECTION
16 TO THE STATE DEPARTMENT FOR THE PURPOSE OF COVERING TWO-THIRDS
17 OF THE AMOUNT OF THE INCREASE IN BASIC CASH ASSISTANCE SPECIFIED
18 IN SECTION 26-2-709 (1)(b)(III)(A).

19 (c) ON MARCH 1, 2024, AND MARCH 1 OF EACH YEAR
20 THEREAFTER, THE STATE TREASURER SHALL NOTIFY THE JOINT BUDGET
21 COMMITTEE OF THE AMOUNT AVAILABLE IN THE UNCLAIMED PROPERTY
22 TRUST FUND THAT IS PROJECTED TO BE AVAILABLE IN THE NEXT STATE
23 FISCAL YEAR.

24 (d) AS USED IN SUBSECTION (5)(a) OF THIS SECTION, "MOST
25 RECENT FORECAST" MEANS THE MOST RECENT ECONOMIC AND REVENUE
26 FORECAST PREPARED BY LEGISLATIVE COUNCIL STAFF AS OF THE DATE OF
27 THE INTRODUCTION OF A BILL THAT APPROPRIATES MONEY TO THE
28 DEPARTMENT OF HUMAN SERVICES PURSUANT TO THIS SECTION FROM THE
29 UNCLAIMED PROPERTY TRUST FUND CREATED IN SECTION 38-13-801 .".

30 Renumber succeeding sections accordingly.

31 Page 20, after line 27 insert:

32 "SECTION 12. In Colorado Revised Statutes, 38-13-801, **amend**
33 (2)(d)(III) and (2)(d)(IV); and **add** (2)(d)(V) as follows:

34 **38-13-801. Unclaimed property trust fund - creation -**
35 **payments - interest - appropriations - records - rules.** (2) (d) The
36 following amounts constitute fiscal year spending for purposes of section
37 20 of article X of the state constitution:

38 (III) Any money that is credited to the housing development grant
39 fund created in section 24-32-721 (1) as required by subsection (3.5) of
40 this section; **and**

1 (IV) Any money that is transferred to the general fund as required
2 by subsection (5) of this section; AND

3 (V) ANY MONEY APPROPRIATED TO THE COLORADO LONG-TERM
4 WORKS RESERVE CREATED IN SECTION 26-2-721 IN ACCORDANCE WITH
5 SUBSECTION (5) OF THE SECTION."

6
7 Renumber succeeding sections accordingly.

8 Page 21, line 2, strike "\$7,000,000" and substitute "\$3,500,000".

9 Page 21, line 12, strike "\$12,824,070" and substitute "9,849,303".

10 Page 21, line 20, strike "\$11,374,767" and substitute "\$8,400,000".

** ** ** ** **