

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee
FROM Amanda Bickel, JBC Staff (303-866-4960)
DATE March 14, 2024
SUBJECT Bill Concerning Exchanging Money Received from the Federal Coronavirus State Fiscal Recovery Fund with State Money & Placeholder for Balancing

OVERVIEW OF BILL

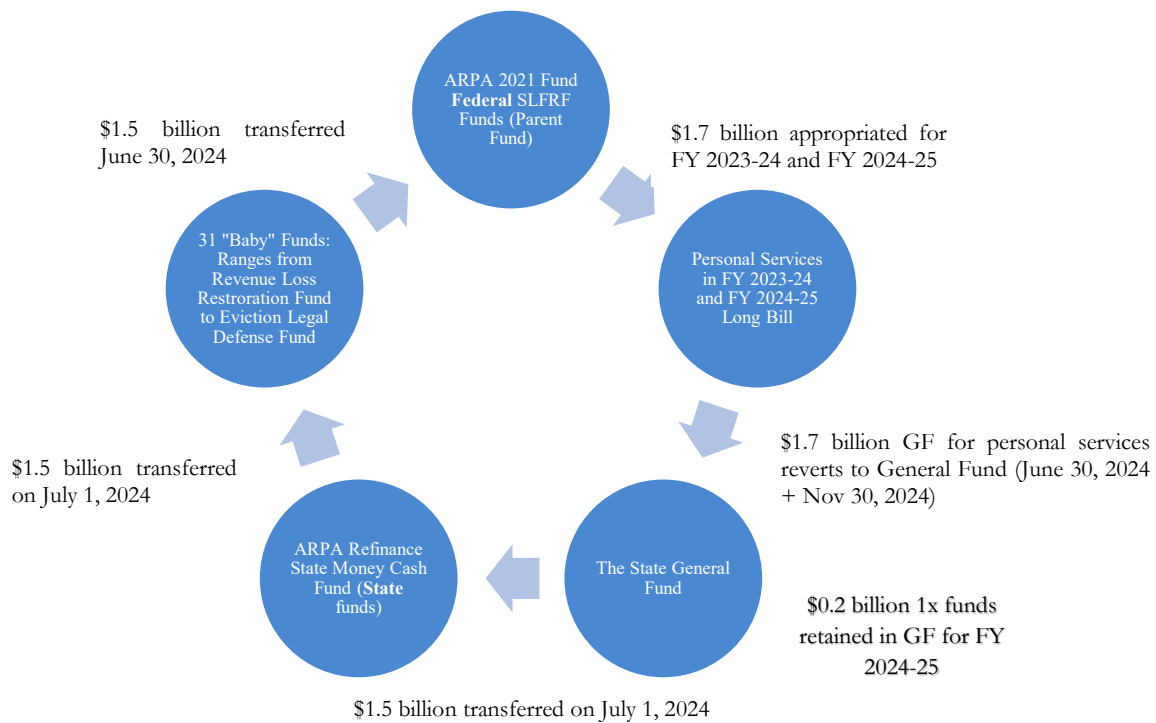
The attached bill draft for LLS 24-0966.01, concerning exchanging money received from the federal coronavirus state fiscal recovery fund with state money, **is being shared with the JBC at this time to ensure that there is a publicly available draft of this bill and the dollars that will eventually be added to it through multiple appropriation clauses and statutory changes. This is still a draft. Staff is not seeking a final vote on the bill before it is brought to the JBC in final form.** Staff currently anticipates that the final bill draft will be available in early-to-mid April.

As described in the bill concept staff brought to the JBC in mid-January, the bill “swaps” substantial portions of the \$3.8 billion in federal Coronavirus State and Local Fiscal Recovery Funds Colorado received from the American Rescue Plan Act (ARPA money) with state funds. As outlined in the legislative declaration on page 3 of the bill draft:

- (2) It is the general assembly's intent that:
 - (a) Most of the ARPA money appropriated for programs intended to be spent after December 31, 2024, be substituted with state money, changing the source of program funds while maintaining funding for the programs;
 - (b) This act does not change the requirements, timelines, or spending deadlines for any program; and
 - (c) The exchanged ARPA money be spent on personal services retroactively in fiscal year 2023-24 and in the first half of fiscal year 2024-25 so that all of the state's unobligated ARPA money will be spent by the end of 2024, ensuring compliance with federal deadlines.

The graphic below provides a high level view bill mechanics.

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BILL COMPONENTS BY SECTION

The bill includes the following provisions:

- **Section 1** (p. 3) – Provides the legislative declaration, succinctly explaining the bill’s intent.
- **Section 2** (pp. 4-14) - Amends Section 24-75-226, C.R.S., which created the “American Rescue Plan Act of 2021” cash fund (**ARPA 2021 fund**) to hold the **federal ARPA funds**. This is the *parent* fund for all the transfers and appropriations of federal ARPA funds, and thus changes to this portion statute affects the rules for money in a wide range of recipient funds that now hold ARPA money. Changes include the following:

p. 4 – Creates a new “discretionary” account within the ARPA 2021 fund to hold the balance of the \$370 million in federal ARPA funds that was allocated for flexible use of the Governor. Previously, this was the only money retained in the ARPA 2021 fund. Since this bill changes that, the money allocated for the flexible use of the Governor is segregated into the discretionary account. This discretionary account effectively becomes a new recipient fund (like the Revenue Loss Restoration Cash Fund).

p. 4 – Cross-references an existing statutory definition for “personal services” which is a term used throughout this bill.

pp. 4-7 – Adds subsection (3.5), which **requires that on June 30, 2024, specific federal ARPA fund amounts from 31 recipient funds shall be transferred to the ARPA 2021 fund. These**

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are the amounts that are being “swapped” because there is a risk that they will not be expended by December 31, 2024. [See attached spreadsheets from the Governor’s Office for specifics on these amounts, which total \$1.5 billion.]

p. 7 – Adds subsection (3.7) which includes provisions to address discrepancies between the amount of money transferred out of a recipient fund under subsection (3.5) and a department’s fiscal commitments for FY 2023-24. Specifically, if this bill transfers too much back to the ARPA 2021 fund at the end of FY 2023-24 and, due to contractual or timing issues, the Department needed to retain more of its federal funds, the Controller may authorize a department to overexpend the line item and then make related reductions to the Department’s federal funds allocation for personal services.

pp. 8-9 – Amends subsection (4)(a) to:

(I through III) Move Governor discretionary amounts into the new discretionary account; and

(IV and V) **Specify that the General Assembly shall appropriate money from the ARPA 2021 Fund to any departments for personal services that were paid from the General Fund in FY 2023-24 and FY 2024-25.**

p. 9 – Amends subsection (4)(c) related to the use of “companion funds” to clarify that the Controller may prescribe procedures for continued use of companion funds through completion of a project even when money is partially refinanced. (Companion funds were originally created to enable the Controller to segregate ARPA funds while aligning a fund to an existing state fund and its associated laws and rules.)

pp. 9-11 – Amends subsection (4)(d) to:

(I and II) Adjust provisions related to the reversion of federal ARPA funds to the federal government. This includes a change to align with updated federal law so that subrecipients are not held to the “obligation” deadline and so must simply return unspent federal funds by December 11, 2026.

(III) *Specify that the term “obligated” applies only to federal funds and that obligation criteria do not apply to money in the ARPA 2021 fund or a recipient fund that did not originate as federal ARPA funds.* This change is expected to reduce the need to strike or add provisions in multiple portions of statute to address the use of the term “obligated” when federal money in a fund is being partially swapped for state funds. With this change, the term will not apply to state funds.

pp. 11-12 – Adds subsection (4.1) to **explain how federal ARPA 2021 money appropriated for personal services pursuant to subsection (4)(a) will affect General Fund appropriations.** This will include:

- **Effective June 30, 2024, the amount of General Fund money appropriated in a line item for personal services in the FY 2023-24 Long Bill is reduced by the amount of federal funds appropriated pursuant to (4)(a)(IV) that are spent in the line item;**
- **Effective November 30, 2024, the amount of General Fund money appropriated in a line item for personal services in the FY 2024-25 Long Bill is reduced by the amount of federal funds appropriated pursuant to (4)(a)(V) that are spent in the line item;**

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- Requires that, to the extent permitted by federal law, the Governor and a Department that is appropriated federal money that originated in the ARPA 2021 fund shall spend the federal funds before other sources appropriated for the same purpose;
- Explains that, for the purpose of balancing the state budget, the General Fund amount appropriated to each department is reduced by its appropriation from the ARPA 2021 cash fund for personal services.

pp. 12-13 Adds subsection (4.2), which **establishes procedures for ensuring that all federal ARPA funds remaining in FY 2024-25 are fully expended by December 31, 2024.** These include:

- On December 1, 2024, any unspent and unobligated federal money that originated as federal ARPA funds, except money that will be expended for personal services before December 31, 2024, is appropriated to the governor for any purpose for which a general fund appropriation was made in the FY 2024-25 Long Bill. [The Governor's Office will identify the amount to be expended for personal services by November 30, 2024.]
- Effective December 30, 2024, the amount of General Fund money appropriated in a line item in the Long Bill is reduced by the amount of federal ARPA funds that were spent for the line item.

p. 13 Amends subsection (5) to specify that the Governor's Office and Controller may also establish compliance requirements for money that originates from the ARPA Refinance State Money Cash Fund. [This cash fund holds state—not federal—funds, but there may be some co-mingling of state and federal funds in administration of some programs.]

pp. 13-14 Adds subsection (6.5) which requires reports on September 15, 2024 and February 15, 2024 to the JBC and leadership in both houses addressing the expenditure of the federal funds in FY 2023-24 and the first half of FY 2024-25.

Section 3 (pp. 15-17) Creates the new **ARPA Refinance State Money Cash Fund** at 24-75-226.5. This is the fund that will hold state money that is used to replace federal funds for existing ARPA programs. Key provisions include:

- (1) Adds definitions
- (2) (a-b) Create the fund and require any interest to be deposited in the General Fund
- (c) Creates the Refinance Discretionary Account, which is the companion to the discretionary account created for the Governor's flexible funds in the ARPA 2021 Cash Fund. [It is created here to ensure that the ARPA 2021 fund holds only federal funds.]
- (3) Provides that **on July 1, 2024, the Treasury will transfer a specified amount from the General Fund to the Cash Fund. This amount will equal the total of the federal funds amounts that will be transferred to the ARPA 2021 fund on June 30, 2024 in Section 2** (pp. 4-7).
- (4) Provides that **on July 1, 2024, the Treasurer will then transfer amounts from this ARPA Refinance State Money Cash Fund to all the funds that transferred federal funds to the**

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ARPA 2021 fund in equal amounts to the federal funds transfers, i.e., the funds will be swapped.

- (5) Makes money in the fund subject to appropriation.
- (6-9) **Establishes procedures for restoring any unspent money allocated through this cash fund to the General Fund by January 2, 2027**, except for flexible funds allocated to the Governor’s discretionary account, which revert on June 1, 2027. [This is to assist with staffing for final close-out, as allowed by federal law.
- Repeals the fund July 1, 2027.

Section 4 (pp. 17-18) Modifies **provisions related to the General Fund reserve**, to specify that the reserve must be 15.0 percent of the amount appropriated for expenditure from the General Fund **plus fifteen percent of the amount appropriated from the ARPA Refinance State Money Cash Fund.**

Section 5 (p. 18) Allows the Controller to retroactively adjust encumbrances against appropriations from the ARPA 2021 Cash Fund for contracts if the contract or grant is subsequently refinanced.

Section 6-10 (pp. 18-22) Include conforming amendments.

Section 11-12 (pp. 22-24) Will include appropriations for centrally appropriated personal services for FY 2023-24 and FY 2024-25. Adds safety clause.

GOVERNOR’S OFFICE CALCULATION OF AMOUNTS TO BE SWAPPED

The highlighted column in the table below shows:

- **Federal Funds to be transferred back from 31 “Baby” Funds to the ARPA 2021 Fund**, with associated statutory and budget adjustments¹; and
- **Equal Amount to be transferred from General Fund to the ARPA Refinance State Money Cash Fund and then transferred to the 31 “Baby” Funds** to provide state-funded appropriations for the same purposes.
- Staff is sharing these figures in the expectation that Department and JBC staff will review them further, and this may result in some small additional adjustments.

¹ The swap calculation will be reduced by \$204,514 in Public Health and \$1,824,264 in Public Safety due to two projects that will be funded with General Fund in the Long Bill instead of being funded with federal amounts that must be “swapped”.

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REFINANCED PROJECTS BY AGENCY AND BILL					
AGENCY	STATE BILL	PROJECT NAME	SUM OF SLFRF AFTER REFINANCE	SUM OF GENERAL FUND AFTER REFINANCE	SUM OF AMENDED ALLOCATION
BHA	HB22-1281	Children Youth and Family Behavioral Health Services Grants	\$7,400,000	\$7,400,000	\$14,800,000
		Rollforward: Behavioral Health Continuum Gap Community Investment Grants	9,000,000	12,100,000	21,100,000
		Rollforward: Children Youth and Family Behavioral Health Services Grants	12,500,000	12,700,000	25,200,000
		Rollforward: Substance Use Workforce Stability Grant Program	4,400,000	6,100,000	10,500,000
	HB22-1283	Residential Substance Use Treatment Beds for Children and Youth	1,400,000	1,400,000	2,800,000
		Rollforward: Residential Substance Use Treatment Beds for Children and Youth	700,000	1,500,000	2,200,000
		Round 2 - Crisis System for Colorado Residents	1,750,000	750,000	2,500,000
	HB22-1326	Rollforward: Technical Assistance to Jails for Medication-Assisted Treatment	500,000	900,000	1,400,000
	SB21-137	High-Risk Families Cash Fund	2,000,000	1,000,000	3,000,000
	SB22-148	Rollforward: Colorado Land-Based Tribe Behavioral Health Services Grant Program	3,500,000	1,500,000	5,000,000
		Rollforward: Round 2: Care Coordination Infrastructure	1,700,000	10,500,000	12,200,000
	SB22-181	Behavioral Health Care Workforce: Behavioral Health Aide Program	11,721	192,149	203,870
		Behavioral Health Care Workforce: Innovative Recruitment & Retention Grants	600,000	600,000	1,200,000
		Rollforward: Behavioral Health Care Workforce: Behavioral Health Aide Program	540,000	1,256,130	1,796,130
		Rollforward: Behavioral Health Care Workforce: Innovative Recruitment & Retention Grants	2,300,000	1,000,000	3,300,000
		Rollforward: Behavioral Health Care Workforce: Learning Academy	1,000,000	3,856,674	4,856,674
		Rollforward: Behavioral Health Care Workforce: Peer Support Professionals	4,000,000	1,928,337	5,928,337
		Rollforward: Behavioral Health Care Workforce: Workforce Expansion	0	16,368,697	16,368,697
		Criminal Justice Intervention Detection & Redirection Grant Program	8,984,851	9,300,000	18,284,851
		Rollforward: Criminal Justice Intervention Detection & Redirection Grant Program	16,700,000	15,213,485	31,913,485
		Behavioral Health Admin TOTAL	78,986,572	105,565,472	184,552,044
CDA	HB22-1380	Community Food Access Program	2,909,500	5,090,500	8,000,000
		Department of Agriculture TOTAL	2,909,500	5,090,500	8,000,000

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REFINANCED PROJECTS BY AGENCY AND BILL					
AGENCY	STATE BILL	PROJECT NAME	SUM OF SLFRF AFTER REFINANCE	SUM OF GENERAL FUND AFTER REFINANCE	SUM OF AMENDED ALLOCATION
CDE	HB21-1264	Adult Education and Literacy Grant Program	2,440,990	2,559,010	5,000,000
	HB22-1243	Round 2: Behavioral Health Care Professional Matching Grant Program	756,037	1,243,963	2,000,000
	SB22-147	Round 1: Behavioral Health Care Professional Matching Grant Program	1,483,419	3,516,581	5,000,000
	Department of Education TOTAL		4,680,446	7,319,554	12,000,000
CDEC	HB22-1369	Children's Mental Health Programs	172,833	1,827,167	2,000,000
	SB22-213	Early Care Recruitment and Retention Program	752,090	14,247,910	15,000,000
		Emerging and Expanding Child Care Grant Program	12,329,906	3,670,094	16,000,000
		Employer Based Child Care	1,383,645	8,616,355	10,000,000
		Family Friends and Neighbors Support Program	279,194	7,220,806	7,500,000
		Home Instruction for Parents of Preschool Youngsters - HIPPY Program	432,359	567,641	1,000,000
	Department of Early Childhood TOTAL		15,350,027	36,149,973	51,500,000
CDHE	HB21-1264	Career and Technical Education	7,120,000	2,880,000	10,000,000
	HB21-1330	Colorado Opp. Scholarship- Finish What You Started	26,850,000	19,000,000	45,850,000
		Colorado Opp. Scholarship- Finish What You Started (Alt. Eligibility)	1,686,561	1,463,439	3,150,000
		Student Aid Application Completion	418,132	1,081,868	1,500,000
	HB22-1220	Rollforward: Removing Barriers To Educator Preparation	12,800,000	7,700,000	20,500,000
	SB21-288	Postsecondary Credential for Disproportionately Impacted Students Administration	482,000	203,270	685,270
	SB22-147	Colorado Pediatric Psychiatry Consultation and Access Program	185,931	14,069	200,000
		Rollforward: Colorado Pediatric Psychiatry Consultation and Access Program	0	4,400,000	4,400,000
	SB22-181	Rollforward: Behavioral Health Workforce Credential Pathways	1,793,722	13,206,278	15,000,000
	SB22-226	Healthcare Workforce: In-Demand Short Term Credentials	22,000,000	4,000,000	26,000,000
	Department of Higher Education TOTAL		73,336,346	53,948,924	127,285,270
	HB22-1259	Expanding Colorado Works Subsidized Training and Employment Program	3,100,000	400,000	3,500,000
	HB22-1283	Rollforward: Neuro-psych Facility at Fort Logan	0	30,697,884	30,697,884
	HB22-1303	Rollforward: Increase Residential Behavioral Health Beds - Contract Beds	5,700,000	5,485,761	11,185,761

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AGENCY	STATE BILL	PROJECT NAME	SUM OF SLFRF AFTER REFINANCE	SUM OF GENERAL FUND AFTER REFINANCE	SUM OF AMENDED ALLOCATION
		Rollforward: Increase Residential Behavioral Health Beds - State Residential Facilities	500,000	1,855,209	2,355,209
		Rollforward: Increase Residential Behavioral Health Beds- Fort Logan	0	5,221,734	5,221,734
	HB22-1380	Expanding Capacity for "Double-Up Food Bucks"	190,000	810,000	1,000,000
		Joint Agency Interoperability Program: Work Management System Project	2,600,000	400,000	3,000,000
		LEAP / CBMS Data System Interface	185,384	1,814,616	2,000,000
	HB22-1386	Adams County Facility Renovation Feasibility Study	131,600	668,400	800,000
	SB21-288	ARPA Residential Youth Beds	11,890,000	1,605	11,891,605
		Colorado Mental Health Institute Pueblo (CMHIP) Operating Funding	1,283,357	369,643	1,653,000
	SB22-183	Round 2 - Flexible Financial Assistance for Survivors of Domestic Violence	2,823,098	800,000	3,623,098
Department of Human Services TOTAL			28,403,439	48,524,852	76,928,291
CDLE	HB21-1264	Work Force Innovation Act Program	15,512,127	15,239,073	30,751,200
		Workforce Innovation Act: Business and Industry Support	3,610,000	390,000	4,000,000
	SB21-288	Finance System Integration- MYUI Reporting Functionality	1,181,820	430,768	1,612,588
		Migrant Coordination - Office of New Americans	102,804	27,196	130,000
Department of Labor and Employment TOTAL			20,406,751	16,087,037	36,493,788
CDOT	SB21-260	Front Range Passenger Rail District	2,500,000	12,000,000	14,500,000
		Multimodal Transportation and Mitigation Options (MMOF)	53,060,000	93,780,000	146,840,000
		Revitalizing Mainstreets	6,830,000	15,330,000	22,160,000
		State Highway Fund: Shovel Ready Infrastructure Projects	99,500,000	60,000,000	159,500,000
Department of Transportation TOTAL			161,890,000	181,110,000	343,000,000
CDPHE	FY 24-25 Long Bill	Round 4: CTC/EITC Outreach - Prevention Services Division*	0	204,514	204,514
	HB22-1326	Harm Reduction Grant Program	1,560,481	4,439,519	6,000,000
		Round 3: Naloxone Bulk Purchase Fund	12,241,000	7,459,000	19,700,000
	HB22-1411	Round 2: COVID-19 Public Health Response Initiatives: COVID-19 Vaccination	0	14,974,959	14,974,959
		Round 2: COVID-19 Public Health Response Initiatives: Other COVID-19 PH Expenses	0	13,823,467	13,823,467
		Round 3: COVID-19 Public Health Response Initiatives: COVID-19 Testing	0	41,201,574	41,201,574
	SB21-288	Alternative Care Staffing Surge	0	6,834,995	6,834,995

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REFINANCED PROJECTS BY AGENCY AND BILL					
AGENCY	STATE BILL	PROJECT NAME	SUM OF SLFRF AFTER REFINANCE	SUM OF GENERAL FUND AFTER REFINANCE	SUM OF AMENDED ALLOCATION
		COVID-19 Testing Lab Certification - Health Facilities and Emergency Medical	0	144,000	144,000
		Flu Vaccines for Low-Income Coloradans	581,870	100	581,970
		Mpox Public Health Response	2,893,147	5,453	2,898,600
		Payroll and Benefits for Public Health Response to COVID	0	1,000,000	1,000,000
		Round 1: COVID-19 Public Health Response Initiatives: COVID-19 Testing	0	63,901,017	63,901,017
		Round 1: COVID-19 Public Health Response Initiatives: COVID-19 Vaccination	0	20,616,107	20,616,107
		Round 1: COVID-19 Public Health Response Initiatives: Other PH Expenses	0	18,885,828	18,885,828
		Round 1: CTC/EITC Outreach - Prevention Services Division	997,483	165,456	1,162,939
		Round 2: COVID-19 Public Health Response Initiatives: Testing - BinaxNOW	0	4,000,000	4,000,000
		SERVE Colorado/AmeriCorps Healthcare Staffing Surge	2,040,654	3,959,346	6,000,000
	SB22-147	Round 2: School-Based Health Centers: Other	834,514	665,486	1,500,000
	SB22-181	Round 2: Mental Health Service Corps and Scholarships for Addiction Counselors	12,883,177	7,116,823	20,000,000
	SB22-226	Health Workforce School Nurse Grant Program	1,444,671	1,555,329	3,000,000
		Healthcare Workforce - Practice-Based Education Grant Program	6,535,529	13,464,471	20,000,000
		Healthcare Workforce Recruitment and Re-engagement Effort	435,000	5,685,000	6,120,000
		Healthcare Workforce Resilience and Retention	1,742,225	257,775	2,000,000
		Department of Public Health & Environment TOTAL	44,189,751	230,360,220	274,549,971
CDPS	2024 Long Bill or Supplemental	Round 3: Stockpile For Declared Disaster Emergencies*	0	1,824,964	1,824,964
	SB21-288	Migrant Assistance Contracted Services	202,140	4,027,118	4,229,258
		Migrant NGO Services	5,315,705	4,791,295	10,107,000
		Migrant Stable Housing Support	509,392	157,608	667,000
	SB22-196	Round 1: Integrated Criminal Justice Information System (CICJIS) Linking Project	64,181	3,435,819	3,500,000
	SB23-214	Rollforward: Round 2: Integrated Criminal Justice Information System (CICJIS) Linking Project	0	554,281	554,281
		Round 2: Stockpile For Declared Disaster Emergencies	0	1,881,727	1,881,727

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REFINANCED PROJECTS BY AGENCY AND BILL					
AGENCY	STATE BILL	PROJECT NAME	SUM OF SLFRF AFTER REFINANCE	SUM OF GENERAL FUND AFTER REFINANCE	SUM OF AMENDED ALLOCATION
Department of Public Safety TOTAL			6,091,418	16,672,812	22,764,230
DNR	HB22-1379	Colorado Strategic Wildfire Action Program (COSWAP)	1,800,000	200,000	2,000,000
		Healthy Forests and Vibrant Communities (HFVC) Fund	0	3,000,000	3,000,000
		Rollforward: Technical Assistance for Federal Water Project Grants	1,700,000	3,300,000	5,000,000
		Rollforward: Watershed Restoration and Flood Mitigation Grants	69,222	9,930,778	10,000,000
	SB22-028	Rollforward: Groundwater Sustainability in Rio Grande and Republican River Basins	57,000,000	3,000,000	60,000,000
Department of Natural Resources TOTAL			60,569,222	19,430,778	80,000,000
DOC	SB21-288	Correctional Staffing: Hiring and Retention Support Program	1,159,652	189,543	1,349,195
		Court Video Appearances Technology and Staffing	649,817	387,270	1,037,087
		Department of Corrections Staff Shortage + Booster Incentives	5,187,323	3,794,117	8,981,440
		Private Prison Retention Bonuses	1,049,000	286,000	1,335,000
	SB22-196	Expand Medication Assisted Treatment in Prisons	445,874	2,554,126	3,000,000
Department of Corrections TOTAL			8,491,666	7,211,056	15,702,722
DOLA	HB21-1271	Affordable Housing Development Incentives Grant Program	20,138,800	9,861,200	30,000,000
		Local Government Planning Grant Program	3,192,054	506,959	3,699,013
	HB21-1289	Broadband Investments - Middle Mile	3,866,478	1,133,522	5,000,000
	HB22-1304	Infrastructure and Strong Communities Grant Program	790,424	39,209,576	40,000,000
		State Grants for Investment in Affordable Housing	3,724,636	134,275,364	138,000,000
	HB22-1356	Small Community-Based Nonprofit Grant Program	850,186	34,149,814	35,000,000
	HB22-1377	Homelessness Response Grant Program	3,513,526	101,486,474	105,000,000
	HB22-1378	Denver-Metro Regional Navigation Campus Grant	347,064	49,652,936	50,000,000
	SB21-242	Housing Development Grants Hotels Tenancy Support Program - ARPA	74,750	31,246	105,996
	SB21-288	Administration of Nonentitlement Unit of Local Government (NEU's)	9,854	144,136	153,990
		Local Affairs Recovery/ARPA Administrative Funds	740,000	475,039	1,215,039
	SB22-211	Repurpose of the Ridge View Campus for Homelessness Response	678,000	44,322,000	45,000,000
Department of Local Affairs TOTAL			37,925,772	415,248,266	453,174,038
DPA	HB22-1329	Round 1: State Capital Facilities Project Funding	79,950,108	124,322,270	204,272,378

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AGENCY	STATE BILL	PROJECT NAME	SUM OF SLFRF AFTER REFINANCE	SUM OF GENERAL FUND AFTER REFINANCE	SUM OF AMENDED ALLOCATION
	SB21-288	Office of the State Controller ARPA - Administration Expenses	3,162,437	3,618,284	6,780,721
		Office of the State Controller ARPA - Compliance Expenses	6,242,890	4,000,000	10,242,890
		Statewide Training and Skills Based Hiring Administration	19,804	20,766	40,570
	SB23-214	Round 2: State Capital Facilities Project Funding	11,010,585	30,065,239	41,075,824
		Department of Personnel TOTAL	100,385,824	162,026,559	262,412,383
GOV	SB21-288	Recovery and Infrastructure Administrative Support - Governor's Office	1,126,584	1,570,000	2,696,584
		Recovery and Infrastructure Administrative Support - Operations	1,673,071	1,223,000	2,896,071
		Recovery and Infrastructure Administrative Support - OSPB	2,917,415	2,780,000	5,697,415
		Round 2: Recovery Officers Administrative Costs	2,604,182	4,860,000	7,464,182
		Governor TOTAL	8,321,252	10,433,000	18,754,252
HCPF	HB22-1302	Healthcare Practice Transformation & Integration	13,763,601	20,986,399	34,750,000
	SB22-200	Rural Healthcare Provider Expanded Access	7,300,000	2,300,000	9,600,000
		Department of Health Care Policy & Financing TOTAL	21,063,601	23,286,399	44,350,000
JUD	HB22-1335	Rollforward: IT Infrastructure Upgrades	1,500,000	18,500,000	20,000,000
	SB22-196	Pretrial Adult Diversion Program	1,200,000	1,000,000	2,200,000
		Judicial Department TOTAL	2,700,000	19,500,000	22,200,000
OEDIT	HB22-1350	Regional Talent Development Initiative Grant Program ("Opportunity Now")	20,393,184	68,730,000	89,123,184
	SB21-288	OEDIT Recovery Administration	505,339	450,909	956,248
		Round 1: Recovery Officers Administrative Costs	3,749,265	294,830	4,044,095
	SB21-291	Strategic Fund - Data System Modernization	929,854	146	930,000
		Strategic Fund - Technical Assistance	5,010,000	2,790,000	7,800,000
		Strategic Fund - Travel Tourism and Hospitality Industry	8,590,000	110,000	8,700,000
		Strategic Fund - Workforce Resilience Training Assistance	1,620,000	1,380,000	3,000,000
		Gov's Office of Economic Development & International Trade TOTAL	40,797,642	73,755,885	114,553,527
OIT	HB21-1289	Broadband Deployment Board-Last Mile	9,337,186	20,953,279	30,290,465
		Broadband Deployment Board-Last Mile: RDOF Overlap Projects	1,717,045	2,992,490	4,709,535
		Broadband Grants to Tribes	9,635,440	10,364,560	20,000,000

MARCH 14, 2024

REFINANCED PROJECTS BY AGENCY AND BILL					
AGENCY	STATE BILL	PROJECT NAME	SUM OF SLFRF AFTER REFINANCE	SUM OF GENERAL FUND AFTER REFINANCE	SUM OF AMENDED ALLOCATION
		Rural Health Facilities Broadband Infrastructure (Telehealth Grants)	3,208,925	3,301,075	6,510,000
		Gov's Office of Information Technology TOTAL	23,898,596	37,611,404	61,510,000
		GRAND TOTAL**	\$740,397,825	\$1,469,332,691	\$2,209,730,516

*These amounts will be funded directly with General Fund in the Long Bill, so that a "swap" will not be required.

**Includes only refinanced projects and not other uses of federal ARPA funds that have been or will be expended. Note that S.B. 21-288 amounts, though reflected by department above, were appropriated in a single amount to the Governor for allocation to departments.

The table below shows the amounts proposed to be "swapped" for personal services in the Long Bill.

- In each of the years shown (FY 2023-24 and FY 2024-25), the amount shown would be **appropriated using federal money in the APRA 2021 Fund to a centrally appropriated "pot" for the Department.**
- The Department would then **spend these amounts in lieu of General Fund that is appropriated in the Long Bill. The unspent General Fund amounts would revert to the General Fund.**
- **As shown, the proposed personal services "swap" is overall \$1.7 billion, which compares to the \$1.5 billion in programmatic swaps. This difference represents amounts that potentially *could be swapped*, recognizing that (a) some federal ARPA funds have not yet been allocated (these were originally expected to be allocated in FY 2024-25; (b) some federal ARPA funds have already reverted; and (c) some federal ARPA funds probably will revert in FY 2023-24 and FY 2024-25, even with the multiple adjustments that have already been put in place.**

TOTAL BY CABINET FOR APPROPRIATIONS CLAUSES			
CABINET NAME	FY23-24 11 MONTH DEPARTMENT MAXIMUM GF TO REFINANCE	FY 24-25 5 MONTH DEPARTMENT MAXIMUM GF TO REFINANCE	TOTAL
Department of Agriculture	\$8,000,000	\$0	\$8,000,000
Department of Corrections	495,000,000	220,000,000	715,000,000
Department of Early Childhood	2,000,000	0	2,000,000
Department of Education	23,000,000	0	23,000,000
Department of Health Care Policy and Financing	0	0	0
Department of Higher Education	5,000,000	0	5,000,000
Department of Human Services	214,700,000	74,000,000	288,700,000
Department of Labor and Employment	9,000,000	0	9,000,000
Department of Law	0	0	0
Department of Local Affairs	6,000,000	0	6,000,000

MARCH 14, 2024

TOTAL BY CABINET FOR APPROPRIATIONS CLAUSES			
CABINET NAME	FY23-24 11 MONTH DEPARTMENT MAXIMUM GF TO REFINANCE	FY 24-25 5 MONTH DEPARTMENT MAXIMUM GF TO REFINANCE	TOTAL
Department of Military Affairs	0	0	0
Department of Personnel and Administration	19,000,000	0	19,000,000
Department of Public Health and Environment	36,000,000	0	36,000,000
Department of Public Safety	67,500,000	0	67,500,000
Department of Revenue	54,000,000	0	54,000,000
Department of State	0	0	0
Department of Treasury	3,500,000	0	3,500,000
Dept of Natural Resources	25,000,000	0	25,000,000
Dept of Regulatory Agencies	0	0	0
Judicial	309,000,000	137,000,000	446,000,000
Legislature	\$0	0	0
Office of the Governor	18,700,000	0	18,700,000
Grand Total	\$1,295,400,000	\$431,000,000	\$1,726,400,000
Estimated Identified ARPA -> GF Swap Need			\$1,726,275,237

CURRENT CALCULATION OF ONE-TIME GENERAL FUND AMOUNTS AVAILABLE FOR BALANCING FROM ARPA SWAP

The following are technical changes requested to assist in reconciliation with OSPB on the use of ARPA funds.

- **Staff requests permission to replace with General Fund any item that was recommended for the FY 2024-25 Long Bill using federal ARPA funds (Revenue Loss Restoration Cash Fund or Mental and Behavioral Health Cash Fund).** This will simplify record-keeping in the already-complex “swap” environment. The net General Fund impact will be \$0, but this way all ARPA funds used in FY 2024-25 will be appropriated as centrally appropriated personal services in the ARPA swap bill. This increases the amount of federal ARPA funds to be appropriated for personal services by approximately \$2.0 million.
- **Staff recommends a reduction of \$3,809,582 in the Department of Human Services from HB 22-1303 related to the operating expenses for state residential facilities** that have not yet been constructed. The Committee previously approved the requested reduction of \$3,809,489. Because the appropriation crosses multiple line items, staff did not realize that the reduction request eliminated all but \$93 of the original appropriation. Staff and the Executive Branch agree that the Committee should approve a technical adjustment to reduce the total operating appropriation from the bill.
- **Staff recommends modifying the reduction for the IMatters program to \$454,630 (from the current \$480,000) based on additional information from OSPB.**

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The staff recommendation is for the **JBC to create a placeholder in its balancing process for the additional one-time General Fund that results from the difference between the approximately \$1.5 million General Fund required to refinance existing ARPA programs and the approximately \$1.7 million in ARPA funds that will be appropriated in centrally-appropriated personal services amounts.**

Staff anticipates that the final difference between the General Fund required to support existing ARPA programs (via swaps) and the General Fund savings resulting from use of ARPA funds for personal services in FY 2023-24 and FY 2024-25 will \$197,840,484. The calculation below does not tie exactly to the amounts in the tables above due to late adjustments, and further small refinements are possible before the bill is finalized, but **staff recommends using this \$197,840,484 figure as a placeholder for one-time General Fund that will be generated by the Refinance Federal Coronavirus Recovery Funds bill.**

PLACEHOLDER: REFINANCE FEDERAL CORONAVIRUS RECOVERY FUNDS BILL - RESULTING ONE-TIME GENERAL FUND INCREASE	
	AMOUNT
Total unallocated end of 2023 session	\$144,819,658
HB 23B-1001 Emergency Rental Assist	(14,900,000)
Public Safety Supplemental (Migrant Support)	(4,926,100)
Balance of unallocated ARPA Funds	124,993,558
ARPA Funds Reverted at EOY FY 23	12,402,163
Committee Approved "Recaptures"	60,444,763
Increase in Available One-time General Fund FY 2024-25	\$197,840,484

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

DRAFT
3/12/24

DRAFT

LLS NO. 24-0966.01 Conrad Imel x2313

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: Refinance Federal Coronavirus Recovery Funds

A BILL FOR AN ACT

101 **CONCERNING EXCHANGING MONEY RECEIVED FROM THE FEDERAL**
102 **CORONAVIRUS STATE FISCAL RECOVERY FUND WITH STATE**
103 **MONEY, AND, IN CONNECTION THEREWITH, ENSURING THAT**
104 **MONEY RECEIVED FROM THE FEDERAL CORONAVIRUS STATE**
105 **FISCAL RECOVERY FUND IS SPENT IN ACCORDANCE WITH**
106 **DEADLINES ESTABLISHED IN FEDERAL LAW, MAINTAINING**
107 **FUNDING FOR PROGRAMS FUNDED WITH FEDERAL MONEY, AND**
108 **MAKING AND REDUCING APPROPRIATIONS.**

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

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

[http://leg.colorado.gov/.](http://leg.colorado.gov/))

Joint Budget Committee. The state received money from the federal coronavirus state fiscal recovery fund pursuant to the "American Rescue Plan Act of 2021" (ARPA money). ARPA money was deposited into the "American Rescue Plan Act of 2021" cash fund and then transferred to various cash funds (recipient funds) and appropriated for various programs.

The bill requires the state treasurer to transfer specified amounts of ARPA money from specified recipient funds at the close of the 2023-24 state fiscal year to the "American Rescue Plan Act of 2021" cash fund. The bill requires the state treasurer to transfer money from the general fund to a new ARPA refinance state money cash fund in an amount equal to the amount of ARPA money transferred to the "American Rescue Plan Act of 2021" cash fund pursuant to the bill's provisions. Money in the new ARPA refinance state money cash fund is transferred to a recipient fund in the same amount as was transferred out of the recipient fund to the "American Rescue Plan Act of 2021" cash fund pursuant to the bill's provisions.

The bill requires the general assembly to appropriate ARPA money from the "American Rescue Plan Act of 2021" cash fund to state departments for personal services in fiscal year 2023-24. For fiscal year 2024-25, the general assembly shall appropriate the balance of the cash fund for personal services or for other purposes permitted under the "American Rescue Plan Act of 2021", and the money so appropriated must be expended on or before November 30, 2024.

On December 1, 2024, any unspent and unobligated money in a recipient fund, other than money designated for personal services that will be spent by December 31, 2024, reverts to the "American Rescue Plan Act of 2021" cash fund. The reverted money is continuously appropriated to any department designated by the governor for any purpose that was funded with general fund money in the general appropriations act for fiscal year 2024-25.

The amount of general fund money appropriated in a line item in a general appropriations act is reduced by the amount of ARPA money appropriated pursuant to the bill's provisions that is spent for the line item.

The bill repeals the requirement for a subrecipient to obligate ARPA money by November 30, 2024.

The bill authorizes the state controller to take certain measures to implement the bill and ensure that ARPA money is expended within the time allowed by federal law. The governor and the state controller shall jointly submit a report to the joint budget committee, the speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, and the minority leader of the

senate about the transfers in the bill and about spending ARPA money.

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

SECTION 1. Legislative declaration - legislative intent.

(1) The general assembly finds and declares that:

(a) The state received money from the federal government pursuant to the federal "American Rescue Plan Act of 2021" (ARPA money), and federal law requires that money to be obligated by December 31, 2024, and spent by December 31, 2026;

(b) ARPA money not obligated by December 31, 2024, must be returned to the federal government;

(c) The state appropriated ARPA money for a number of programs and purposes, but appropriating money is not an obligation for the purposes of federal law; and

(d) To preserve the greatest flexibility for the state after December 31, 2024, and to ensure the uninterrupted implementation of programs, it is in the best interest of the state to spend ARPA money before December 31, 2024, on eligible ARPA uses and substitute state funds for programs that extend beyond December 31, 2024.

(2) It is the general assembly's intent that:

(a) Most of the ARPA money appropriated for programs intended to be spent after December 31, 2024, be substituted with state money, changing the source of program funds while maintaining funding for the programs;

(b) This act does not change the requirements, timelines, or spending deadlines for any program; and

(c) The exchanged ARPA money be spent on personal services

1 retroactively in fiscal year 2023-24 and in the first half of fiscal year
2 2024-25 so that all of the state's unobligated ARPA money will be spent
3 by the end of 2024, ensuring compliance with federal deadlines.

4 **SECTION 2.** In Colorado Revised Statutes, 24-75-226, **amend**
5 (2), (4)(a), (4)(c), (4)(d), (5)(b), (5)(f), and (6); and **add** (1)(a.7), (1)(c.5),
6 (3.5), (3.7), (4.1), (4.2), and (6.5) as follows:

7 **24-75-226. "American Rescue Plan Act of 2021" cash fund -**
8 **creation - recipient funds - limitations - reporting - appropriations -**
9 **reduction in general fund appropriations - report - legislative**
10 **declaration - definitions - repeal.** (1) As used in this section, unless the
11 context otherwise requires:

12 (a.7) "DISCRETIONARY ACCOUNT" MEANS THE DISCRETIONARY
13 ACCOUNT CREATED IN THE FUND IN SUBSECTION (4)(a)(II) OF THIS
14 SECTION.

15 (c.5) "PERSONAL SERVICES" HAS THE SAME MEANING SET FORTH
16 IN SECTION 24-75-112 (1)(m).

17 (2) The "American Rescue Plan Act of 2021" cash fund is hereby
18 created in the state treasury. The fund consists of money credited to the
19 fund pursuant to subsection (3) AND SUBSECTION (3.5) of this section.

20 (3.5) ON JUNE 30, 2024, THE STATE TREASURER SHALL TRANSFER
21 TO THE FUND THE FOLLOWING AMOUNTS FROM MONEY THAT ORIGINATED
22 FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE
23 FISCAL RECOVERY FUND FROM THE FOLLOWING RECIPIENT FUNDS,
24 INCLUDING A COMPANION FUND OR ANY ACCOUNT IN THE FUND, AT THE
25 END OF THE 2023-24 STATE FISCAL YEAR:

26 (a) ##### DOLLARS FROM THE DISCRETIONARY ACCOUNT, CREATED
27 IN SUBSECTION (4)(a)(II) OF THIS SECTION;

- 1 (b) ##### DOLLARS FROM THE AFFORDABLE HOUSING AND HOME
2 OWNERSHIP CASH FUND, CREATED IN SECTION 24-75-229;
- 3 (c) ##### DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH
4 CASH FUND, CREATED IN SECTION 24-75-230;
- 5 (d) ##### DOLLARS FROM THE ECONOMIC RECOVERY AND RELIEF
6 CASH FUND, CREATED IN SECTION 24-75-228;
- 7 (e) ##### DOLLARS FROM THE REVENUE LOSS RESTORATION CASH
8 FUND, CREATED IN SECTION 24-75-227;
- 9 (f) ##### DOLLARS FROM THE WORKERS, EMPLOYERS, AND
10 WORKFORCE CENTERS CASH FUND, CREATED IN SECTION 24-75-231;
- 11 (g) ##### DOLLARS FROM THE BROADBAND ADMINISTRATIVE FUND,
12 CREATED IN SECTION 24-37.5-119;
- 13 (h) ##### DOLLARS FROM THE COLORADO CRIME VICTIM SERVICES
14 FUND, CREATED IN SECTION 24-33.5-505.5;
- 15 (i) ##### DOLLARS FROM THE COLORADO ECONOMIC DEVELOPMENT
16 FUND, CREATED IN SECTION 24-46-105;
- 17 (j) ##### DOLLARS FROM THE COLORADO LONG-TERM WORKS
18 RESERVE, CREATED IN SECTION 26-2-721;
- 19 (k) ##### DOLLARS FROM THE COLORADO OPPORTUNITY
20 SCHOLARSHIP INITIATIVE FUND, CREATED IN SECTION 23-3.3-1005;
- 21 (l) ##### DOLLARS FROM THE COLORADO WATER CONSERVATION
22 BOARD CONSTRUCTION FUND, CREATED IN SECTION 37-60-121;
- 23 (m) ##### DOLLARS FROM THE CONNECTING COLORADANS
24 EXPERIENCING HOMELESSNESS WITH SERVICES, RECOVERY CARE, AND
25 HOUSING SUPPORTS FUND, CREATED IN SECTION 24-32-732;
- 26 (n) ##### DOLLARS FROM THE DIGITAL INCLUSION GRANT PROGRAM
27 FUND, CREATED IN SECTION 24-37.5-904;

1 (o) ##### DOLLARS FROM THE EVICTION LEGAL DEFENSE FUND,
2 CREATED IN SECTION 13-40-127;

3 (p) ##### DOLLARS FROM THE FAMILY AND MEDICAL LEAVE
4 INSURANCE FUND, CREATED IN SECTION 8-13.3-518;

5 (q) ##### DOLLARS FROM THE HEALTHY FORESTS AND VIBRANT
6 COMMUNITIES FUND, CREATED IN SECTION 23-31-313;

7 (r) ##### DOLLARS FROM THE HIGH-RISK FAMILIES CASH FUND,
8 CREATED IN SECTION 27-80-123;

9 (s) ##### DOLLARS FROM THE HOUSING DEVELOPMENT GRANT
10 FUND, CREATED IN SECTION 24-32-721;

11 (t) ##### DOLLARS FROM THE INFRASTRUCTURE AND STRONG
12 COMMUNITIES GRANT PROGRAM FUND, CREATED IN SECTION 24-32-133;

13 (u) ##### DOLLARS FROM THE INTERCONNECTIVITY GRANT
14 PROGRAM FUND, CREATED IN SECTION 24-32-104;

15 (v) ##### DOLLARS FROM THE JUDICIAL DEPARTMENT INFORMATION
16 TECHNOLOGY CASH FUND, CREATED IN SECTION 13-32-114;

17 (w) ##### DOLLARS FROM THE LOCAL INVESTMENTS IN
18 TRANSFORMATIONAL AFFORDABLE HOUSING FUND, CREATED IN SECTION
19 24-32-729;

20 (x) ##### DOLLARS FROM THE MULTIMODAL TRANSPORTATION AND
21 MITIGATION OPTIONS FUND, CREATED IN SECTION 43-4-1103;

22 (y) ##### DOLLARS FROM THE REGIONAL NAVIGATION CAMPUS
23 CASH FUND, CREATED IN SECTION 24-32-727;

24 (z) ##### DOLLARS FROM THE REGIONAL TALENT DEVELOPMENT
25 INITIATIVE GRANT PROGRAM FUND, CREATED IN SECTION 24-48.5-406;

26 (aa) ##### DOLLARS FROM THE RURAL PROVIDER ACCESS AND
27 AFFORDABILITY FUND, CREATED IN SECTION 25.5-1-207;

1 (bb) ##### DOLLARS FROM THE STATE DOMESTIC VIOLENCE AND
2 SEXUAL ASSAULT SERVICES FUND, CREATED IN SECTION 26-7.5-105;

3 (cc) ##### DOLLARS FROM THE STATE HIGHWAY FUND, CREATED IN
4 SECTION 43-1-219;

5 (dd) ##### DOLLARS FROM THE VICTIMS AND WITNESSES
6 ASSISTANCE AND LAW ENFORCEMENT FUND, CREATED IN SECTION
7 24-4.2-103; AND

8 (ee) ##### DOLLARS FROM THE WILDFIRE MITIGATION CAPACITY
9 DEVELOPMENT FUND, CREATED IN SECTION 24-33-117.

10 (3.7) (a) THE CONTROLLER MAY ALLOW A DEPARTMENT TO MAKE
11 AN EXPENDITURE OF MONEY THAT ORIGINATED FROM THE CORONAVIRUS
12 STATE FISCAL RECOVERY FUND IN EXCESS OF THE AMOUNT AUTHORIZED
13 BY AN ITEM OF APPROPRIATION OR THE AMOUNT IN A RECIPIENT FUND OR
14 THE DISCRETIONARY ACCOUNT IN STATE FISCAL YEAR 2023-24 IF THE
15 MONEY THAT FUNDED THE APPROPRIATION IS TRANSFERRED FROM THE
16 RECIPIENT FUND TO THE "AMERICAN RESCUE PLAN ACT OF 2021" CASH
17 FUND PURSUANT TO SUBSECTION (3.5) OF THIS SECTION.

18 (b) NOTWITHSTANDING SECTION 24-75-109 (3), FOR AN
19 OVEREXPENDITURE OF MONEY THAT ORIGINATED FROM THE CORONAVIRUS
20 STATE FISCAL RECOVERY FUND BY A DEPARTMENT ALLOWED BY THE
21 CONTROLLER IN ACCORDANCE WITH THIS SUBSECTION (3.7), THE
22 CONTROLLER SHALL RESTRICT THE DEPARTMENT'S APPROPRIATION FOR
23 PERSONAL SERVICES MADE PURSUANT TO SUBSECTION (4)(a)(IV) OF THIS
24 SECTION IN AN AMOUNT EQUAL TO THE OVEREXPENDITURE.

25 (c) THE CONTROLLER SHALL ALLOW THE DEPARTMENT TO MAKE
26 AN EXPENDITURE FROM THE GENERAL FUND IN EXCESS OF THE AMOUNT OF
27 MONEY APPROPRIATED FROM THE GENERAL FUND FOR PERSONAL SERVICES

1 FOR STATE FISCAL YEAR 2023-24 IN THE SAME AMOUNT AS THE
2 REDUCTION DESCRIBED IN SUBSECTION (3.7)(b) OF THIS SECTION.

3 (4) (a) (I) The general assembly shall not appropriate money from
4 the fund EXCEPT AS DESCRIBED IN THIS SUBSECTION (4)(a) AND
5 SUBSECTION (5)(f) OF THIS SECTION. The general assembly may transfer
6 money in the fund to another cash fund that is established for the purpose
7 of using the money from the federal coronavirus state fiscal recovery
8 fund. Transfers from the fund to the general fund are prohibited. A
9 DEPARTMENT SHALL NOT USE MONEY APPROPRIATED PURSUANT TO THIS
10 SUBSECTION (4) FOR ANY PURPOSE PROHIBITED BY THE "AMERICAN
11 RESCUE PLAN ACT OF 2021". A DEPARTMENT SHALL COMPLY WITH ALL
12 REQUIREMENTS SET FORTH IN THIS SECTION.

13 (II) If there is any of the money transferred to the fund under
14 subsection (3)(a) of this section remaining in the fund after any transfers
15 from the fund required by bills enacted during the 2021 regular legislative
16 session, then, of the remainder in the fund, the lesser of three hundred
17 million dollars or the remainder IS PLACED IN THE DISCRETIONARY
18 ACCOUNT, WHICH IS CREATED IN THE FUND, AND is continuously
19 appropriated to any department designated by the governor for any
20 allowable purpose under the "American Rescue Plan Act of 2021".

21 (III) The money specified in subsection (3)(d) of this section IS
22 PLACED IN THE DISCRETIONARY ACCOUNT AND is continuously
23 appropriated to any department designated by the governor for any
24 expenditures necessary to respond to the public health emergency with
25 respect to COVID-19.

26 (IV) FOR THE 2023-24 STATE FISCAL YEAR, THE GENERAL
27 ASSEMBLY SHALL APPROPRIATE MONEY FROM THE FUND TO ANY

1 DEPARTMENTS FOR PERSONAL SERVICES THAT WERE PAID FROM THE
2 GENERAL FUND IN STATE FISCAL YEAR 2023-24.

3 (V) FOR THE 2024-25 STATE FISCAL YEAR, THE GENERAL
4 ASSEMBLY SHALL APPROPRIATE THE BALANCE OF THE FUND, EXCLUDING
5 MONEY REMAINING IN THE DISCRETIONARY ACCOUNT. THE GENERAL
6 ASSEMBLY MAY MAKE THE REQUIRED APPROPRIATIONS TO ANY
7 DEPARTMENT FOR PERSONAL SERVICES AND FOR OTHER PURPOSES
8 PERMITTED UNDER THE "AMERICAN RESCUE PLAN ACT OF 2021". ANY
9 MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (4)(a)(V) MUST BE
10 EXPENDED ON OR BEFORE NOVEMBER 30, 2024.

11 (c) (I) Notwithstanding any provision of law to the contrary, in
12 order to ensure proper accounting for and compliance with the "American
13 Rescue Plan Act of 2021", whenever money is transferred or appropriated
14 to a recipient fund that also has money from other sources, the state
15 controller or department controller shall create a companion cash fund
16 that includes only the money the state received from the federal
17 coronavirus state fiscal recovery fund under section 9901 of title IX,
18 subtitle M of the "American Rescue Plan Act of 2021", but that is
19 otherwise legally identical to the recipient fund, except as otherwise
20 provided in subsection (4)(c)(II) of this section. THE STATE CONTROLLER
21 MAY PRESCRIBE PROCEDURES TO PERMIT CONTINUED USE OF COMPANION
22 FUNDS, WITH PROPER SEGREGATION OF FUND SOURCES THROUGH
23 COMPLETION OF A PROJECT, FOR ANY MONEY APPROPRIATED FOR A USE
24 PERMITTED PURSUANT TO THE "AMERICAN RESCUE PLAN ACT OF 2021"
25 THAT IS PARTIALLY REFINANCED.

26 (d) (I) Money in the fund or a recipient fund THAT ORIGINATED
27 FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND must be

1 expended or obligated by December 31, 2024. Just prior to the close of
2 business on December 30, 2024, any unexpended appropriations from a
3 recipient fund THAT IS OF MONEY THAT ORIGINATED FROM THE
4 CORONAVIRUS STATE FISCAL RECOVERY FUND AND THAT REMAINED IN THE
5 RECIPIENT FUND AFTER THE REVERSION DESCRIBED IN SUBSECTION (4.2)
6 OF THIS SECTION that are not for expenditures to be made after December
7 31, 2024, that were obligated before that date, revert to the "American
8 Rescue Plan Act of 2021" cash fund, and the state treasurer shall transfer
9 the unexpended and unobligated balance in the fund to the unemployment
10 compensation fund created in section 8-77-101 (1). Any money obligated
11 by December 31, 2024, must be expended by December 31, 2026.
12 Effective December 31, 2026, the state controller shall transmit any
13 unexpended money in the fund or a recipient fund to the United States
14 department of the treasury.

15 (II) A subrecipient must spend ~~or obligate~~ money received from
16 the fund or a recipient fund by ~~November 30, 2024, and, by December 13,~~
17 ~~2024, shall notify the state agency from which the subrecipient received~~
18 ~~the money of the status of the money that is obligated or expended. The~~
19 ~~subrecipient shall return to the state any unexpended and unobligated~~
20 ~~money under terms dictated by the state controller, and the state treasurer~~
21 ~~shall transfer the amount returned to the unemployment compensation~~
22 ~~fund created in section 8-77-101 (1). Any money obligated by November~~
23 ~~30, 2024, must be expended by~~ December 11, 2026. On or before
24 December 11, 2026, the subrecipient shall return to the state any
25 remaining money under terms dictated by the state controller and
26 thereafter the state controller shall transmit the money to the United States
27 department of the treasury in accordance with the treasury's requirements.

1 (III) MONEY IN THE FUND OR IN A RECIPIENT FUND THAT
2 ORIGINATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS
3 OBLIGATED WHEN IT IS OBLIGATED IN ACCORDANCE WITH THE "AMERICAN
4 RESCUE PLAN ACT OF 2021" AND ANY FEDERAL RULES PROMULGATED
5 THEREUNDER. THE OBLIGATION CRITERIA IN THE "AMERICAN RESCUE
6 PLAN ACT OF 2021" AND FEDERAL RULES DO NOT APPLY TO MONEY IN THE
7 FUND OR IN A RECIPIENT FUND THAT DID NOT ORIGINATE FROM THE
8 CORONAVIRUS STATE FISCAL RECOVERY FUND. MONEY THAT DID NOT
9 ORIGINATE FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND THAT
10 IS NOT OBLIGATED BY AN APPLICABLE DEADLINE IN STATE LAW DOES NOT
11 REVERT AND REMAINS AVAILABLE FOR EXPENDITURE IN ACCORDANCE
12 WITH ANY APPLICABLE APPROPRIATION. The state controller shall
13 determine whether money is obligated for purposes of determining the
14 deadline for expenditures and the reversion or repayment of money in
15 accordance with this subsection (4)(d).

16 (4.1) (a) (I) EFFECTIVE JUNE 30, 2024, THE AMOUNT OF GENERAL
17 FUND MONEY APPROPRIATED IN A LINE ITEM FOR PERSONAL SERVICES
18 EXPENSES IN THE GENERAL APPROPRIATION ACT FOR STATE FISCAL YEAR
19 2023-24, SENATE BILL 23-214, IS REDUCED BY THE AMOUNT OF FEDERAL
20 FUNDS APPROPRIATED PURSUANT TO SUBSECTION (4)(a)(IV) OF THIS
21 SECTION THAT WERE SPENT FOR PERSONAL SERVICES IN THE LINE ITEM.

22 (II) EFFECTIVE NOVEMBER 30, 2024, THE AMOUNT OF GENERAL
23 FUND MONEY APPROPRIATED IN A LINE ITEM FOR PERSONAL SERVICES
24 EXPENSES IN THE GENERAL APPROPRIATION ACT FOR STATE FISCAL YEAR
25 2024-25, HOUSE BILL 24-####, IS REDUCED BY THE AMOUNT OF FEDERAL
26 FUNDS APPROPRIATED PURSUANT TO SUBSECTION (4)(a)(V) OF THIS
27 SECTION THAT WERE SPENT FOR PERSONAL SERVICES IN THE LINE ITEM.

1 (b) TO THE EXTENT PERMITTED BY FEDERAL LAW, THE GOVERNOR
2 AND A DEPARTMENT THAT IS APPROPRIATED MONEY THAT ORIGINATED
3 FROM THE FUND SHALL SPEND THE MONEY FOR THE PURPOSE FOR WHICH
4 IT IS APPROPRIATED BEFORE SPENDING MONEY FROM ANY OTHER SOURCE
5 FOR THE SAME PURPOSE.

6 (c) FOR THE PURPOSE OF BALANCING THE STATE BUDGET AS
7 REQUIRED BY ARTICLE X OF THE STATE CONSTITUTION DURING THE 2024
8 REGULAR LEGISLATIVE SESSION, THE AMOUNTS APPROPRIATED IN THE
9 GENERAL APPROPRIATION ACTS FOR STATE FISCAL YEAR 2023-24, SENATE
10 BILL 23-214, AND STATE FISCAL YEAR 2024-25, HOUSE BILL 24-####, TO
11 EACH DEPARTMENT FOR PERSONAL SERVICES IS REDUCED BY THE AMOUNT
12 APPROPRIATED FROM THE CASH FUND FOR THE DEPARTMENT'S PERSONAL
13 SERVICES FOR THE APPLICABLE STATE FISCAL YEAR.

14 (4.2) (a) (I) ON DECEMBER 1, 2024, ANY UNSPENT AND
15 UNOBLIGATED MONEY THAT ORIGINATED FROM THE CORONAVIRUS STATE
16 FISCAL RECOVERY FUND, OTHER THAN MONEY DESIGNATED FOR PERSONAL
17 SERVICES AS DESCRIBED IN SUBSECTION (4.2)(a)(II) OF THIS SECTION,
18 THAT IS IN A RECIPIENT FUND OR IN THE DISCRETIONARY ACCOUNT
19 REVERTS TO THE FUND. MONEY THAT REVERTS TO THE FUND PURSUANT TO
20 THIS SUBSECTION (4.2) IS CONTINUOUSLY APPROPRIATED TO ANY
21 DEPARTMENT DESIGNATED BY THE GOVERNOR FOR ANY PURPOSE FOR
22 WHICH A GENERAL FUND APPROPRIATION WAS MADE IN THE GENERAL
23 APPROPRIATION ACT FOR STATE FISCAL YEAR 2024-25, HOUSE BILL
24 24-####.

25 (II) ON OR BEFORE NOVEMBER 30, 2024, THE OFFICE SHALL
26 DETERMINE THE AMOUNT OF MONEY IN A RECIPIENT FUND OR IN THE
27 DISCRETIONARY ACCOUNT THAT ORIGINATED FROM THE CORONAVIRUS

1 STATE FISCAL RECOVERY FUND THAT WILL BE SPENT BY A DEPARTMENT
2 FOR PERSONAL SERVICES ON OR BEFORE DECEMBER 31, 2024, AND SHALL
3 REPORT THAT AMOUNT TO THE STATE CONTROLLER. PURSUANT TO
4 SUBSECTION (4.2)(a)(I) OF THIS SECTION, MONEY DESIGNATED FOR
5 PERSONAL SERVICES REPORTED TO THE STATE CONTROLLER DOES NOT
6 REVERT TO THE FUND ON DECEMBER 1, 2024.

7 (b) EFFECTIVE DECEMBER 30, 2024, THE AMOUNT OF GENERAL
8 FUND MONEY APPROPRIATED IN A LINE ITEM IN THE GENERAL
9 APPROPRIATION ACT FOR STATE FISCAL YEAR 2024-25, HOUSE BILL
10 24-####, IS REDUCED BY THE AMOUNT OF FEDERAL MONEY THAT
11 ORIGINATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND
12 APPROPRIATED PURSUANT TO SUBSECTION (4.2)(a) OF THIS SECTION AND
13 THAT WERE SPENT FOR THE LINE ITEM.

14 (5) (b) The office and the state controller shall establish
15 compliance requirements CONCERNING THE USE OF MONEY THAT
16 ORIGINATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND for
17 any department that receives an appropriation from the fund or a recipient
18 fund or any person that receives money from a department. THE OFFICE
19 AND THE STATE CONTROLLER MAY ESTABLISH COMPLIANCE
20 REQUIREMENTS FOR MONEY THAT ORIGINATES FROM THE ARPA
21 REFINANCE STATE MONEY CASH FUND CREATED IN SECTION 24-75-226.5.
22 If a department or person fails to comply with these requirements, then:

23 (f) The general assembly may appropriate money from the FUND
24 OR THE revenue loss restoration cash fund created in section 24-75-227
25 to the department of personnel for use by the state controller and to the
26 office for any direct or indirect expenses related to the administration of
27 this subsection (5).

1 (6.5) (a) THE GOVERNOR AND THE STATE CONTROLLER SHALL
2 JOINTLY SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE, THE
3 SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE MINORITY LEADER OF
4 THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND
5 THE MINORITY LEADER OF THE SENATE, AS DESCRIBED IN THIS SUBSECTION
6 (6.5).

7 (b) ON OR BEFORE SEPTEMBER 15, 2024, THE GOVERNOR AND
8 STATE CONTROLLER SHALL SUBMIT A REPORT THAT INCLUDES:

9 (I) THE TOTAL EXPENDITURE BY THE STATE OF MONEY THAT
10 ORIGINATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND
11 RELATED ADJUSTMENTS TO THE GENERAL FUND, AS DESCRIBED IN
12 SUBSECTION (4.1) OF THIS SECTION, INCLUDING THE AMOUNT EXPENDED
13 FROM THE FUND BY EACH DEPARTMENT FOR PERSONAL SERVICES FOR THE
14 2023-24 STATE FISCAL YEAR FROM THE MONEY APPROPRIATED PURSUANT
15 TO SUBSECTION (4)(a)(IV) OF THIS SECTION; AND

16 (II) AN EXPLANATION OF ANY FURTHER ACTIONS THAT THE
17 GOVERNOR AND ANY STATE DEPARTMENT WILL TAKE TO ENSURE THAT
18 MONEY THAT ORIGINATED FROM THE CORONAVIRUS STATE FISCAL
19 RECOVERY FUND IS FULLY EXPENDED IN COMPLIANCE WITH THE
20 "AMERICAN RESCUE PLAN ACT OF 2021".

21 (c) ON OR BEFORE FEBRUARY 15, 2025, THE GOVERNOR AND THE
22 STATE CONTROLLER SHALL SUBMIT A REPORT THAT INCLUDES UPDATED
23 INFORMATION ABOUT EACH OF THE SUBJECTS REQUIRED IN THE REPORT
24 DESCRIBED IN SUBSECTION (6.5)(b)(I) OF THIS SECTION AND ANY
25 EXPENDITURE FROM THE FUND PURSUANT TO SUBSECTION (4.2) OF THIS
26 SECTION, INCLUDING THE AMOUNT EXPENDED FROM THE FUND BY EACH
27 DEPARTMENT AS OF DECEMBER 31, 2024.

1 **SECTION 3.** In Colorado Revised Statutes, **add 24-75-226.5** as
2 follows:

3 **24-75-226.5. ARPA refinance state money cash fund - creation**
4 **- reduction in general fund appropriations - legislative intent -**
5 **definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES:

7 (a) "AMERICAN RESCUE PLAN ACT OF 2021" MEANS THE FEDERAL
8 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS THE ACT MAY
9 BE SUBSEQUENTLY AMENDED.

10 (b) "CASH FUND" MEANS THE ARPA REFINANCE STATE MONEY
11 CASH FUND CREATED IN THIS SECTION.

12 (c) "COMPANION FUND" MEANS A COMPANION CASH FUND
13 CREATED BY THE STATE CONTROLLER PURSUANT TO SECTION 24-75-226
14 (4)(c) THAT IS ASSOCIATED WITH A CASH FUND AND THAT INCLUDES ONLY
15 THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL
16 RECOVERY FUND.

17 (d) "CORONAVIRUS STATE FISCAL RECOVERY FUND" HAS THE SAME
18 MEANING AS SET FORTH IN SECTION 24-75-226 (1)(a.5).

19 (e) "REFINANCE DISCRETIONARY ACCOUNT" MEANS THE
20 REFINANCE DISCRETIONARY ACCOUNT CREATED IN THE CASH FUND
21 PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION.

22 (2) (a) THE ARPA REFINANCE STATE MONEY CASH FUND IS
23 CREATED IN THE STATE TREASURY. THE CASH FUND CONSISTS OF MONEY
24 TRANSFERRED TO THE CASH FUND PURSUANT TO SUBSECTION (3) OF THIS
25 SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY
26 APPROPRIATE OR TRANSFER TO THE CASH FUND.

27 (b) IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE

1 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE
2 DEPOSIT AND INVESTMENT OF MONEY IN THE CASH FUND TO THE GENERAL
3 FUND.

4 (c) THERE IS CREATED IN THE CASH FUND THE REFINANCE
5 DISCRETIONARY ACCOUNT. THE REFINANCE DISCRETIONARY ACCOUNT
6 CONSISTS OF MONEY CREDITED TO THE ACCOUNT PURSUANT TO
7 SUBSECTION (4)(b) OF THIS SECTION. THE ACCOUNT IS CONTINUOUSLY
8 APPROPRIATED TO ANY DEPARTMENT DESIGNATED BY THE GOVERNOR FOR
9 ANY ALLOWABLE PURPOSE UNDER THE "AMERICAN RESCUE PLAN ACT OF
10 2021", INCLUDING EXPENDITURES NECESSARY TO RESPOND TO THE PUBLIC
11 HEALTH EMERGENCY WITH RESPECT TO COVID-19.

12 (3) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER
13 #### DOLLARS FROM THE GENERAL FUND TO THE CASH FUND.

14 (4) (a) ON JULY 1, 2024, THE STATE TREASURER SHALL TRANSFER
15 FROM THE CASH FUND TO EACH RECIPIENT FUND LISTED IN SECTION
16 24-75-226 (3.5) AN AMOUNT EQUAL TO THE AMOUNT TRANSFERRED FROM
17 THE RECIPIENT FUND PURSUANT TO SECTION 24-75-226 (3.5).

18 (b) ON JULY 1, 2024, THE STATE TREASURER SHALL CREDIT TO THE
19 REFINANCE DISCRETIONARY ACCOUNT CREATED IN THE CASH FUND
20 PURSUANT TO SUBSECTION (1)(c) OF THIS SECTION MONEY FROM THE CASH
21 FUND IN AN AMOUNT EQUAL TO THE AMOUNT CREDITED TO THE
22 "AMERICAN RESCUE PLAN ACT OF 2021" CASH FUND FROM THE
23 DISCRETIONARY ACCOUNT CREATED IN SECTION 24-75-226 (4)(a)(II)
24 PURSUANT TO SECTION 24-75-226 (3.5).

25 (5) (a) THE MONEY IN THE CASH FUND IS SUBJECT TO ANNUAL
26 APPROPRIATION BY THE GENERAL ASSEMBLY.

27 (b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT MONEY BE

1 APPROPRIATED FROM THE CASH FUND AS NECESSARY TO MAINTAIN THE
2 FUNDING FOR PROGRAMS INITIALLY FUNDED BY MONEY THAT ORIGINATED
3 FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND.

4 (6) EFFECTIVE DECEMBER 31, 2026, THE STATE CONTROLLER
5 SHALL TRANSMIT ANY UNEXPENDED AND UNENCUMBERED MONEY
6 TRANSFERRED TO A FUND, OTHER THAN THE REFINANCE DISCRETIONARY
7 ACCOUNT, PURSUANT TO SUBSECTION (4) OF THIS SECTION THAT REMAINS
8 IN THAT FUND TO THE CASH FUND.

9 (7) ON JANUARY 2, 2027, THE STATE TREASURER SHALL TRANSFER
10 ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE CASH FUND, OTHER
11 THAN THE MONEY IN THE REFINANCE DISCRETIONARY ACCOUNT, TO THE
12 GENERAL FUND.

13 (8) ON JUNE 1, 2027, THE STATE TREASURER SHALL TRANSFER ALL
14 UNEXPENDED MONEY IN THE REFINANCE DISCRETIONARY ACCOUNT TO THE
15 GENERAL FUND.

16 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

17 **SECTION 4.** In Colorado Revised Statutes, 24-75-201.1, **amend**
18 (1)(d)(XXIII) as follows:

19 **24-75-201.1. Restriction on state appropriations - legislative**
20 **declaration - definitions.** (1) (d) For each fiscal year, unrestricted
21 general fund year-end balances must be retained as a reserve in the
22 following amounts:

23 (XXIII) For the fiscal year 2022-23 and each fiscal year thereafter,
24 fifteen percent of the amount appropriated for expenditure from the
25 general fund for that fiscal year; EXCEPT THAT FOR THE 2023-24 AND
26 2024-25 FISCAL YEARS, THE AMOUNT RETAINED AS A RESERVE MUST BE
27 FIFTEEN PERCENT OF THE AMOUNT APPROPRIATED FOR EXPENDITURE FROM

1 THE GENERAL FUND FOR THAT FISCAL YEAR PLUS FIFTEEN PERCENT OF THE
2 AMOUNT APPROPRIATED FROM THE ARPA REFINANCE STATE MONEY CASH
3 FUND CREATED IN SECTION 24-75-226.5 FOR THAT FISCAL YEAR.

4 **SECTION 5.** In Colorado Revised Statutes, 24-30-202, **add** (4.3)
5 as follows:

6 **24-30-202. Procedures - vouchers, warrants, and checks -**
7 **rules - penalties - definitions - repeal.** (4.3) (a) THE CONTROLLER MAY
8 RETROACTIVELY ADJUST ENCUMBRANCES AGAINST APPROPRIATIONS FOR
9 CONTRACTS AND GRANTS AUTHORIZED PURSUANT TO THE AUTHORITY TO
10 SPEND MONEY FROM THE "AMERICAN RESCUE PLAN ACT OF 2021" CASH
11 FUND, CREATED IN SECTION 24-75-226 (4)(a)(II), IF THE FUNDING SOURCE
12 FOR THE CONTRACT OR GRANT IS SUBSEQUENTLY REFINANCED. ANY
13 RETROACTIVE CONTRACT OR GRANT ENCUMBRANCE ADJUSTMENTS
14 BETWEEN FUNDING SOURCES AUTHORIZED IN THIS SECTION ARE NOT
15 PERMITTED TO INCREASE THE TOTAL ENCUMBRANCE.

16 (b) THIS SUBSECTION (4.3) IS REPEALED, EFFECTIVE JULY 1, 2027.

17 **SECTION 6.** In Colorado Revised Statutes, 24-75-227, **amend**
18 (2)(a) and (3)(a); and **add** (3.9) as follows:

19 **24-75-227. Revenue loss restoration cash fund - creation -**
20 **allowable uses - definitions - repeal.** (2) (a) The revenue loss
21 restoration cash fund is created in the state treasury. The fund consists of
22 money credited to the fund in accordance with subsection (2)(b) of this
23 section and section 24-75-229 (4)(b) AND ANY OTHER MONEY THAT THE
24 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.
25 Subject to the limitations set forth in subsection (3) of this section, the
26 general assembly may appropriate money from the fund to a department
27 for the provision of government services, including kindergarten through

1 twelfth grade public education, housing, state employees, asset
2 maintenance, seniors, criminal justice, state parks, agriculture, and
3 transportation infrastructure. The general assembly may transfer money
4 from the fund to another cash fund to be used for the provision of such
5 government services.

6 (3) (a) The total amount that the general assembly appropriates or
7 transfers from the fund shall not exceed:

8 (I) Three hundred fifty-seven million dollars for the fiscal year
9 2021-22; AND

10 (II) Three hundred thirty-three million dollars for the fiscal year
11 2022-23; and

12 (III) ~~Three hundred ten million dollars for the fiscal year 2023-24.~~

13 (3.9) PURSUANT TO SECTION ~~24-75-226.5~~ (6), ON DECEMBER 31,
14 2026, THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED AND
15 UNENCUMBERED MONEY IN THE FUND THAT ORIGINATES FROM THE ARPA
16 REFINANCE STATE MONEY CASH FUND TO THE ARPA REFINANCE STATE
17 MONEY CASH FUND.

18 **SECTION 7.** In Colorado Revised Statutes, 24-75-228, **amend**
19 (4); and **add** (5.8) as follows:

20 **24-75-228. Economic recovery and relief cash fund - creation**
21 **- allowable uses - interim task force - report - legislative declaration**
22 **- definitions - repeal.** (4) A department may expend money THAT
23 ORIGINATES FROM MONEY THE STATE RECEIVED FROM THE FEDERAL
24 CORONAVIRUS STATE FISCAL RECOVERY FUND THAT IS appropriated or
25 transferred from the fund for purposes permitted under the "American
26 Rescue Plan Act of 2021" and shall not use the money for any purpose
27 prohibited by the act. A department or any person who receives money

1 from the fund shall comply with any requirements set forth in section
2 24-75-226.

3 (5.8) PURSUANT TO SECTION 24-75-226.5 (6), ON DECEMBER 31,
4 2026, THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED AND
5 UNENCUMBERED MONEY IN THE FUND THAT ORIGINATES FROM THE ARPA
6 REFINANCE STATE MONEY CASH FUND TO THE ARPA REFINANCE STATE
7 MONEY CASH FUND.

8 **SECTION 8.** In Colorado Revised Statutes, 24-75-229, **amend**
9 (5); and **add** (6.8) as follows:

10 **24-75-229. Affordable housing and home ownership cash fund**
11 **- creation - allowable uses - task force - legislative declaration -**
12 **definitions - repeal.** (5) A department may expend money THAT
13 ORIGINATES FROM MONEY THE STATE RECEIVED FROM THE FEDERAL
14 CORONAVIRUS STATE FISCAL RECOVERY FUND THAT IS appropriated from
15 the fund for purposes permitted under the "American Rescue Plan Act of
16 2021" and shall not use the money for any purpose prohibited by the act.
17 A department, nonprofit organization, or local government, including a
18 county, municipality, special district, or school district, or any other
19 person who receives money from the fund shall comply with any
20 requirements set forth in section 24-75-226.

21 (6.8) PURSUANT TO SECTION 24-75-226.5 (6), ON DECEMBER 31,
22 2026, THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED AND
23 UNENCUMBERED MONEY IN THE FUND THAT ORIGINATES FROM THE ARPA
24 REFINANCE STATE MONEY CASH FUND TO THE ARPA REFINANCE STATE
25 MONEY CASH FUND.

26 **SECTION 9.** In Colorado Revised Statutes, 24-75-230, **amend**
27 (3); and **add** (4.8) as follows:

1 **24-75-230. Behavioral and mental health cash fund - creation**
2 **- allowable uses - task force - definitions - repeal.** (3) A department
3 may expend money THAT ORIGINATES FROM MONEY THE STATE RECEIVED
4 FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND THAT
5 IS appropriated from the fund for purposes permitted under the "American
6 Rescue Plan Act of 2021" Pub.L. 117-2, as the act may be subsequently
7 amended, and shall not use the money for any purpose prohibited by the
8 act. A department or any person who receives money from the fund shall
9 comply with any requirements set forth in section 24-75-226.

10 (4.8) PURSUANT TO SECTION 24-75-226.5 (6), ON DECEMBER 31,
11 2026, THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED AND
12 UNENCUMBERED MONEY IN THE FUND THAT ORIGINATES FROM THE ARPA
13 REFINANCE STATE MONEY CASH FUND TO THE ARPA REFINANCE STATE
14 MONEY CASH FUND.

15 **SECTION 10.** In Colorado Revised Statutes, 24-75-231, **amend**
16 (3); and **add** (3.8) as follows:

17 **24-75-231. Workers, employers, and workforce centers cash**
18 **fund - creation - allowable uses - definitions - repeal.** (3) A
19 department may expend money THAT ORIGINATES FROM MONEY THE
20 STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL
21 RECOVERY FUND THAT IS appropriated from the fund for purposes
22 permitted under the "American Rescue Plan Act of 2021" and shall not
23 use the money for any purpose prohibited by that act. A department or any
24 person who receives money from the fund shall comply with any
25 requirements set forth in section 24-75-226.

26 (3.8) PURSUANT TO SECTION 24-75-226.5 (6), ON DECEMBER 31,
27 2026, THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED AND

1 UNENCUMBERED MONEY IN THE FUND THAT ORIGINATES FROM THE ARPA
2 REFINANCE STATE MONEY CASH FUND TO THE ARPA REFINANCE STATE
3 MONEY CASH FUND.

4 <{Subsequent drafts will include any necessary amendments to
5 program statutes}>

6 **SECTION 11. Appropriations.** (1) For the 2023-24 state fiscal
7 year, the following amounts are appropriated from the "American Rescue
8 Plan Act of 2021" cash fund created in section 24-75-226, C.R.S., to the
9 following departments for centrally appropriated personal services:

- 10 (a) \$____ to the department of agriculture;
- 11 (b) \$____ to the department of corrections;
- 12 (c) \$____ to the department of early childhood;
- 13 (d) \$____ to the department of education;
- 14 (e) \$____ to the department of health care policy and financing;
- 15 (f) \$____ to the department of higher education;
- 16 (g) \$____ to the department of human services;
- 17 (h) \$____ to the department of labor and employment;
- 18 (i) \$____ to the department of law;
- 19 (j) \$____ to the department of local affairs;
- 20 (k) \$____ to the department of military and veterans affairs;
- 21 (l) \$____ to the department of personnel and administration;
- 22 (m) \$____ to the department of public health and environment;
- 23 (n) \$____ to the department of public safety;
- 24 (o) \$____ to the department of revenue;
- 25 (p) \$____ to the department of state;
- 26 (q) \$____ to the department of treasury;
- 27 (r) \$____ to the department of natural resources;

1 (s) \$____ to the department of regulatory agencies;

2 (t) \$____ to the judicial department; and

3 (u) \$____ to the office of the governor.

4 (2) For the 2024-25 state fiscal year, the following amounts are
5 appropriated from the "American Rescue Plan Act of 2021" cash fund
6 created in section 24-75-226, C.R.S., to the following departments for
7 centrally appropriated personal services:

8 (a) \$____ to the department of agriculture;

9 (b) \$____ to the department of corrections;

10 (c) \$____ to the department of early childhood;

11 (d) \$____ to the department of education;

12 (e) \$____ to the department of health care policy and financing;

13 (f) \$____ to the department of higher education;

14 (g) \$____ to the department of human services;

15 (h) \$____ to the department of labor and employment;

16 (i) \$____ to the department of law;

17 (j) \$____ to the department of local affairs;

18 (k) \$____ to the department of military and veterans affairs;

19 (l) \$____ to the department of personnel and administration;

20 (m) \$____ to the department of public health and environment;

21 (n) \$____ to the department of public safety;

22 (o) \$____ to the department of revenue;

23 (p) \$____ to the department of state;

24 (q) \$____ to the department of treasury;

25 (r) \$____ to the department of natural resources;

26 (s) \$____ to the department of regulatory agencies;

27 (t) \$____ to the judicial department; and

1 (u) \$_____ to the office of the governor.

2 <{*Subsequent drafts will include amendments to programmatic*
3 *appropriations here*>

4 **SECTION 12. Safety clause.** The general assembly finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, or safety or for appropriations for
7 the support and maintenance of the departments of the state and state
8 institutions.