

**NOTE: The governor signed this measure on 3/11/2016.**

# An Act

HOUSE BILL 16-1249

BY REPRESENTATIVE(S) Hamner, Young, Rankin, Fields, Rosenthal;  
also SENATOR(S) Lambert, Grantham, Steadman, Cadman.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF  
REGULATORY AGENCIES.

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

**SECTION 1. Appropriation to the department of regulatory agencies for the fiscal year beginning July 1, 2015.** In Session Laws of Colorado 2015, section 2 of chapter 364, (SB 15-234), **amend** Part XVIII as follows:

Section 2. **Appropriation.**

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>PART XVIII</b>							
<b>DEPARTMENT OF REGULATORY AGENCIES</b>							
<b>(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES</b>							
Personal Services	2,385,638		8,800		67,000 <sup>a</sup>	2,309,838 <sup>b</sup> (29.5 FTE)	
Health, Life, and Dental	4,235,452		121,741		3,826,198 <sup>c</sup>	240,598 <sup>b</sup>	46,915(I) <sup>d</sup>
Short-term Disability	81,112		2,622		72,507 <sup>c</sup>	5,031 <sup>b</sup>	952(I) <sup>d</sup>
S.B. 04-257 Amortization							
Equalization Disbursement	1,644,105		53,114		1,469,588 <sup>c</sup>	102,083 <sup>b</sup>	19,320(I) <sup>d</sup>
S.B. 06-235 Supplemental							
Amortization Equalization							
Disbursement	1,588,056		51,303		1,419,489 <sup>c</sup>	98,603 <sup>b</sup>	18,661(I) <sup>d</sup>
Salary Survey	414,720		12,882		370,833 <sup>c</sup>	25,724 <sup>b</sup>	5,281(I) <sup>d</sup>
Merit Pay	363,212		11,821		321,658 <sup>c</sup>	25,306 <sup>b</sup>	4,427(I) <sup>d</sup>
Workers' Compensation	85,123		2,878		78,038 <sup>c</sup>	2,927 <sup>b</sup>	1,280(I) <sup>d</sup>
Operating Expenses	210,344		3,689		95,427 <sup>c</sup>	111,228 <sup>b</sup>	
Legal Services for <del>109,858</del> <del>hours</del> 109,928 HOURS	<del>10,437,650</del> 10,444,301		206,764		<del>9,946,384<sup>c</sup></del> 9,953,035 <sup>c</sup>	103,547 <sup>b</sup>	180,955(I) <sup>d</sup>
Administrative Law Judge							
Services	357,148		16,152		340,996 <sup>c</sup>		
Payment to Risk							
Management and Property							
Funds	246,423		8,332		225,911 <sup>c</sup>	8,475 <sup>b</sup>	3,705(I) <sup>d</sup>
Vehicle Lease Payments	<del>219,218</del> 216,969				<del>219,218<sup>c</sup></del> 216,969 <sup>c</sup>		
Information Technology							
Asset Maintenance	671,403				480,646 <sup>c</sup>	190,757 <sup>b</sup>	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Hardware/Software							
Maintenance	729,218		800		469,816 <sup>c</sup>	258,602 <sup>b</sup>	
Leased Space	3,193,641		97,037		2,653,882 <sup>c</sup>	372,072 <sup>b</sup>	70,650(I) <sup>d</sup>
Capitol Complex Leased Space	4,147				4,147 <sup>c</sup>		
Payments to OIT	3,844,690		161,603		3,683,087 <sup>c</sup>		
CORE Operations	186,920		3,820		166,481 <sup>c</sup>	10,125 <sup>b</sup>	6,494(I) <sup>d</sup>
Consumer Outreach / Education Program	205,000				205,000 <sup>e</sup>		
BROADBAND DEPLOYMENT BOARD	200,000				200,000(I) <sup>f</sup>		
		31,103,220					
		31,307,622					

<sup>a</sup> Of this amount, it is estimated that \$11,000 shall be from the Auto Dealers License Fund created in Section 12-6-123 (1), C.R.S., \$10,000 shall be from the Department of State Cash Fund created in Section 24-21-104 (3) (b), C.R.S., \$7,500 shall be from the Collection Agency Cash Fund created in Section 12-14-136 (1) (a), C.R.S., \$7,500 shall be from the Conveyance Safety Fund created in Section 9-5.5-111 (2) (b), C.R.S., \$5,000 shall be from the Racing Cash Fund created in Section 12-60-205 (1), C.R.S., \$5,000 shall be from the Rural Alcohol and Substance Abuse Cash Fund created in Section 27-80-117 (3) (a), C.R.S., \$5,000 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., \$3,500 shall be from the Motorcycle Operator Safety Training Fund created in Section 43-5-504 (1), C.R.S., \$3,000 shall be from the Colorado Identity Theft and Financial Fraud Cash Fund created in Section 24-33.5-1707 (1), C.R.S., \$2,500 shall be from the Nursing Home Penalty Cash Fund created in Section 25.5-6-205 (3) (a), C.R.S., \$2,000 shall be from the Parks and Outdoor Recreation Cash Fund created in Section 33-10-111 (1), C.R.S., and \$5,000 shall be from various sources of cash funds.

<sup>b</sup> These amounts shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

<sup>c</sup> These amounts shall be from various cash sources within the Department.

<sup>d</sup> These amounts shall be from the Equal Employment Opportunity Commission, the U.S. Department of Housing and Urban Development, the U.S. Department of Justice, and the Health Information Counseling and Assistance Grant Program and are included for informational purposes only.

<sup>e</sup> Of this amount, \$200,000 shall be from the Consumer Outreach and Education Cash Fund created in Section 24-34-108 (2), C.R.S., and \$5,000 shall be from the Moving Outreach Fund created in Section 40-10.1-509, C.R.S.

<sup>f</sup> THIS AMOUNT SHALL BE FROM THE BROADBAND FUND CREATED IN SECTION 40-15-509.5 (4) (a), C.R.S. THIS AMOUNT IS INCLUDED FOR INFORMATIONAL PURPOSES ONLY AS MONEY IN THIS FUND IS STATUTORILY APPROPRIATED TO THE BROADBAND DEPLOYMENT BOARD PURSUANT TO SECTION 40-15-509.5 (4) (a), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(2) DIVISION OF BANKING</b>							
Personal Services	3,775,541				3,775,541 <sup>a</sup>		
					(40.0 FTE)		
Operating Expenses	490,703				490,703 <sup>a</sup>		
Board Meeting Costs	23,500				23,500 <sup>a</sup>		
Indirect Cost Assessment	<u>315,415</u>				315,415 <sup>a</sup>		
		4,605,159					
 <sup>a</sup> These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.							
<b>(3) CIVIL RIGHTS DIVISION</b>							
Personal Services	1,907,901		1,075,589			416,922 <sup>a</sup>	415,390(I) <sup>b</sup>
			(20.2 FTE)			(2.0 FTE)	(5.0 FTE)
Operating Expenses	105,460		62,284				43,176(I) <sup>b</sup>
Hearings Pursuant to Complaint	18,000		17,000				1,000(I) <sup>b</sup>
Commission Meeting Costs	12,374		5,174				7,200(I) <sup>b</sup>
Indirect Cost Assessment	<u>24,710</u>						24,710(I) <sup>b</sup>
		2,068,445					
 <sup>a</sup> This amount shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.							
<sup>b</sup> These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development.							
<b>(4) OFFICE OF CONSUMER COUNSEL</b>							
Personal Services	838,235				838,235 <sup>a</sup>		
					(7.0 FTE)		
Operating Expenses	55,787				55,787 <sup>a</sup>		
Indirect Cost Assessment	<u>55,197</u>				55,197 <sup>a</sup>		
		949,219					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(5) DIVISION OF FINANCIAL SERVICES</b>							
Personal Services	1,382,357				1,382,357 <sup>a</sup>		
					(15.6 FTE)		
Operating Expenses	145,921				145,921 <sup>a</sup>		
Indirect Cost Assessment	123,011				123,011 <sup>a</sup>		
		1,651,289					

<sup>a</sup> These amounts shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S.

<sup>a</sup> Of these amounts, it is estimated that \$1,456,645 shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S., and \$194,644 shall be from the Cannabis Credit Co-op Fund created in Section 11-33-109 (1) (c) (I), C.R.S.

<b>(6) DIVISION OF INSURANCE</b>							
Personal Services	6,129,123				6,129,123 <sup>a</sup>		
					(83.2 FTE)		
Operating Expenses	291,716				291,716 <sup>a</sup>		
Out-of-State Travel Expenses	100,000				100,000(I) <sup>b</sup>		
Senior Health Counseling Program	517,794						517,794(I) (2.0 FTE)
Transfer to CAPCO Administration	84,036				84,036 <sup>a</sup>		
Indirect Cost Assessment	774,163				656,063 <sup>a</sup>		118,100(I)
		7,896,832					

<sup>a</sup> Of these amounts, it is estimated that \$7,148,938 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., and \$12,000 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(7) PUBLIC UTILITIES COMMISSION</b>							
Personal Services	9,345,496				9,345,496 <sup>a</sup>		
					(97.3 FTE)		
Operating Expenses	444,473				444,473 <sup>a</sup>		
Expert Testimony	25,000				25,000 <sup>a</sup>		
Disabled Telephone Users Fund Payments	1,900,542				1,900,542(I) <sup>b</sup>		
Transfer to Reading Services for the Blind Cash Fund	360,000				360,000 <sup>a</sup>		
Commission for the Deaf and Hard of Hearing Cash Fund	1,012,818				1,012,818 <sup>a</sup>		
Colorado Bureau of Investigation Background Checks Pass-through	104,377				104,377 <sup>a</sup>		
Indirect Cost Assessment	<u>767,246</u>				767,246 <sup>a</sup>		
		13,959,952					

<sup>b</sup> This amount shall be from reimbursements from insurance companies for travel expenses and is shown for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution and is continuously appropriated pursuant to Section 10-1-108 (9), C.R.S.

<sup>a</sup> Of these amounts, it is estimated that ~~\$8,226,090~~ \$6,992,177 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$2,210,134 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., \$1,516,956 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., \$1,233,913 SHALL BE FROM THE TELECOMMUNICATIONS UTILITY FUND CREATED IN SECTION 40-2-114 (1) (a), C.R.S., and \$106,230 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3) (a), C.R.S.

<sup>b</sup> This amount shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., and is shown for purposes of complying with Section 20 of Article X of the State Constitution. These moneys are continuously appropriated pursuant to Section 40-14-104 (1), C.R.S., and are shown for informational purposes only.

**(8) DIVISION OF REAL ESTATE**

Personal Services	3,938,037				3,938,037 <sup>a</sup>		
					(55.9 FTE)		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	244,557				244,557 <sup>a</sup>		
Commission Meeting Costs	38,836				38,836 <sup>a</sup>		
Hearings Pursuant to Complaint	4,000				4,000 <sup>a</sup>		
Mortgage Broker Consumer Protection	389,265				389,265 <sup>a</sup>		
Indirect Cost Assessment	440,792				440,792 <sup>a</sup>		
		5,055,487					

<sup>a</sup> Of these amounts, it is estimated that \$3,459,498 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., \$994,509 shall be from the Mortgage Company and Loan Originator Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., \$187,920 shall be from the Community Association Manager Licensing Cash Fund created in Section 12-61-1012, C.R.S., \$186,785 shall be from the Conservation Easement Tax Credit Certificate Review Fund created in Section 12-61-727 (6), C.R.S., \$150,211 shall be from the HOA Information and Resource Center Cash Fund created in Section 12-61-406.5 (4), C.R.S., and \$76,564 shall be from the Conservation Easement Holder Certification Fund created in Section 12-61-724 (3), C.R.S.

**(9) DIVISION OF PROFESSIONS AND OCCUPATIONS**

Personal Services	<del>13,886,461</del>	
	14,003,243	
	(196.9 FTE)	
	(198.8 FTE)	
Operating Expenses	<del>1,475,649</del>	
	1,486,860	
Office of Expedited Settlement Program Costs	392,549	
	(5.0 FTE)	
Hearings Pursuant to Complaint	307,075	
Payments to Department of Health Care Policy and Financing	14,652	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	1,592,055						
		17,668,441			17,074,990*	593,451 <sup>b</sup>	
		17,796,434			17,202,983 <sup>a</sup>		

<sup>a</sup> Of this amount, it is estimated that ~~\$16,870,377~~ \$16,998,370 shall be from the Division of Professions and Occupations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S., and \$204,613 shall be from the Prescription Drug Monitoring Fund created in Section 12-42.5-405 (1), C.R.S.

<sup>b</sup> Of this amount, it is estimated that \$324,041 shall be from the Department of Health Care Policy and Financing, Executive Director's Office, Transfers to/from Other Departments, Transfer to Department of Regulatory Agencies for Nurse Aid Certification and \$269,410 shall be from the Department of Public Health and Environment.

**(10) DIVISION OF SECURITIES**

Personal Services	2,255,498				2,255,498 <sup>a</sup>		
					(24.0 FTE)		
Operating Expenses	58,999				58,999 <sup>a</sup>		
Hearings Pursuant to Complaint	19,594				19,594 <sup>a</sup>		
Board Meeting Costs	4,500				4,500 <sup>a</sup>		
Securities Fraud Prosecution	943,261				943,261 <sup>a</sup>		
Indirect Cost Assessment	189,249				189,249 <sup>a</sup>		
		3,471,101					

<sup>a</sup> These amounts shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.

**TOTALS PART XVIII  
(REGULATORY  
AGENCIES)**

	\$88,429,145	\$1,923,405	\$80,144,441*	\$4,875,289	\$1,486,010 <sup>b</sup>
	\$88,761,540		\$80,476,836 <sup>a</sup>		

<sup>a</sup> Of this amount, ~~\$2,000,542~~ \$2,200,542 contains an (I) notation.

<sup>b</sup> This amount contains an (I) notation.



**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

---

Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Bill L. Cadman  
PRESIDENT OF  
THE SENATE

---

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

---

Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

---

John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO