

CHAPTER 212

PUBLIC UTILITIES

HOUSE BILL 16-1186

BY REPRESENTATIVE(S) Tyler, Arndt, Becker K., Esgar, Hamner, Kraft-Tharp, Melton, Mitsch Bush, Rosenthal, Ryden, Salazar, Vigil, Winter, Young;
also SENATOR(S) Baumgardner, Crowder, Cadman.

AN ACT

CONCERNING THE ALLOCATION OF A PORTION OF FEE REVENUES COLLECTED FROM PUBLIC UTILITIES TO MEET COLORADO'S GRANT MATCH OBLIGATIONS UNDER FEDERAL LAW GOVERNING THE FUNDING OF FIXED RAIL GUIDEWAY SAFETY OVERSIGHT PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 40-2-114, **amend** (1) as follows:

40-2-114. Disposition of fees collected - telecommunications utility fund - fixed utility fund. (1) (a) Three percent of the fees collected under section 40-2-113 by the department of revenue shall be remitted to the state treasurer and credited by the state treasurer ~~to the general fund.~~ AS FOLLOWS:

(I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PARAGRAPH (a), FOR THE 2016-17 FISCAL YEAR AND ANY FISCAL YEAR THEREAFTER IN WHICH A GRANT MATCH IS REQUIRED FOR THE RECEIPT OF FEDERAL MONEY UNDER THE FEDERAL "MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT", PUB.L. 112-141, 126 STAT. 405, FOR RAIL FIXED GUIDEWAY SYSTEM SAFETY OVERSIGHT RESPONSIBILITIES UNDER ARTICLE 18 OF THIS TITLE, THE LESSER OF ALL OF THE FEES OR UP TO ONE HUNDRED FIFTY THOUSAND DOLLARS OF THE FEES, OR AS MUCH THEREOF AS THE COMMISSION DEEMS NECESSARY, TO THE PUBLIC UTILITIES COMMISSION FIXED UTILITY FUND CREATED IN PARAGRAPH (b) OF THIS SUBSECTION (1); AND

(II) ANY REMAINING FEES TO THE GENERAL FUND.

(b) For the remaining ninety-seven percent of the fees collected, the state treasurer shall credit:

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

~~(a)~~ (I) Fees paid by public utilities that are telephone corporations to the telecommunications utility fund, which fund is hereby created; and

~~(b)~~ (II) Fees paid by other public utilities to the public utilities commission fixed utility fund, which fund is hereby created.

SECTION 2. Appropriation. For the 2016-17 state fiscal year, \$150,000 is appropriated to the department of regulatory agencies for use by the public utilities commission. This appropriation is from the public utilities commission fixed utility fund created in section 40-2-114 (1) (b), C.R.S. To implement this act, the commission may use this appropriation for operating expenses.

SECTION 3. 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.

Approved: June 6, 2016