

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 19-0461.01 John Ziegler x4956

SENATE BILL 19-122

SENATE SPONSORSHIP

Moreno, Zenzinger, Rankin

HOUSE SPONSORSHIP

Esgar, Hansen, Ransom, Garnett, Kennedy, Snyder

Senate Committees
Appropriations

House Committees
Appropriations

HOUSE
3rd Reading Unamended
February 15, 2019

A BILL FOR AN ACT

101 **CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT**
102 **OF REGULATORY AGENCIES.**

HOUSE
2nd Reading Unamended
February 14, 2019

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 <http://leg.colorado.gov>.)

SENATE
3rd Reading Unamended
February 7, 2019

Supplemental appropriations are made to the department of regulatory agencies.

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

SENATE
2nd Reading Unamended
February 6, 2019

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 **SECTION 1. Appropriation to the department of regulatory**
2 **agencies for the fiscal year beginning July 1, 2018.** In Session Laws
3 of Colorado 2018, section 2 of chapter 424, (HB 18-1322), **amend** Part
4 XVIII as follows:

5 Section 2. **Appropriation.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

PART XVIII

DEPARTMENT OF REGULATORY AGENCIES

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

1							
2							
3							
4							
5	Personal Services	2,490,883	19,750		55,250 ^a	2,415,883 ^b	
6						(29.5 FTE)	
7	Health, Life, and Dental	4,959,137	192,986		4,430,048 ^c	272,833 ^b	63,270(I) ^d
8	Short-term Disability	65,876	2,285		58,706 ^c	3,929 ^b	956(I) ^d
9	S.B. 04-257 Amortization						
10	Equalization Disbursement	1,957,010	67,869		1,744,009 ^c	116,736 ^b	28,396(I) ^d
11	S.B. 06-235 Supplemental						
12	Amortization Equalization						
13	Disbursement	1,957,010	67,869		1,744,009 ^c	116,736 ^b	28,396(I) ^d
14	Salary Survey	1,272,248	44,121		1,133,773 ^c	75,896 ^b	18,458(I) ^d
15	Workers' Compensation	192,397	7,461		172,670 ^c	9,914 ^b	2,352(I) ^d

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	210,344		3,689	95,427 ^c	111,228 ^b	
2	Legal Services	9,841,584	192,434		9,522,424 ^c	96,393 ^b	30,333(I) ^d
3	Administrative Law Judge						
4	Services	391,195	17,675		373,520 ^c		
5	Payment to Risk						
6	Management and Property						
7	Funds	174,448	6,742		156,619 ^c	8,960 ^b	2,127(I) ^d
8	Vehicle Lease Payments	244,643			244,643 ^c		
9	Information Technology						
10	Asset Maintenance	671,403			480,646 ^c	190,757 ^b	
11	Hardware/Software						
12	Maintenance	590,939	800		331,537 ^c	258,602 ^b	
13	Leased Space	3,138,509	95,362		2,648,218 ^c	365,649 ^b	29,280(I) ^d
14	Payments to OIT	3,462,758	129,324		3,333,434 ^c		
15	CORE Operations	271,885	10,542		244,008 ^c	14,010 ^b	3,325(I) ^d

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Consumer Outreach/ Education Program	205,000			205,000 ^f		
3	Broadband Deployment Board	202,504			202,504(I) ^g		
5		32,299,773					

7 ^a Of this amount, an estimated \$10,250 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., an estimated \$7,900 shall be from the
8 Marijuana Cash Fund created in Section 12-43.3-501 (1)(a), C.R.S., an estimated \$6,000 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., an
9 estimated \$5,750 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., an estimated \$5,500 shall be from the River Outfitters Cash Fund created in
10 Section 33-32-111, C.R.S., an estimated \$4,250 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$4,250 shall be from the Water Quality
11 Improvement Fund created in Section 25-8-608 (1.5), C.R.S., an estimated \$3,750 shall be from the Mind Land Reclamation Fund created in Section 34-32-127 (1)(a), C.R.S., an estimated
12 \$3,000 shall be from the Motorcycle Operator Safety Training Fund created in Section 43-5-504 (1), C.R.S., an estimated \$2,100 shall be from the Fire Suppression Cash Fund created
13 in Section 24-33.5-1207.6 (1), C.R.S., and an estimated \$2,500 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1),
14 C.R.S.

15 ^b 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.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1 ^c These amounts shall be from various sources of cash funds within the Department.

2 ^d 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
3 Information Counseling and Assistance Grant Program and are included for informational purposes only.

4 ^e This amount shall be from various sources of cash funds.

5 ^f 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
6 created in Section 40-10.1-509, C.R.S.

7 ^g This amount shall be from the Broadband Administrative Fund created in Section 40-15-509.5 (4)(a), C.R.S.

8

9 **(2) DIVISION OF BANKING**

10 Personal Services	3,843,113			3,843,113 ^a		
11				(40.0 FTE)		
12 Operating Expenses	490,703			490,703 ^a		
13 Board Meeting Costs	23,500			23,500 ^a		
14 Indirect Cost Assessment	356,997			356,997 ^a		
15		4,714,313				

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	^a These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.						
3							
4	(3) Civil Rights Division						
5	Personal Services	1,989,297		998,064		560,321 ^a	430,912(I) ^b
6			(20.2 FTE)			(2.0 FTE)	(5.0 FTE)
7	Operating Expenses	105,460		62,284			43,176(I) ^b
8	Hearings Pursuant To						
9	Complaints	18,000		17,000			1,000(I) ^b
10	Commission Meeting Costs	12,374		5,174			7,200(I) ^b
11	Indirect Cost Assessment	14,201					14,201(I) ^b
12		2,139,332					

14 ^a 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.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 ^b These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development and are shown for informational
2 purposes only.

3

4 **(4) OFFICE OF CONSUMER COUNSEL**

5 Personal Services	871,383				871,383 ^a		
6					(7.0 FTE)		
7 Operating Expenses	55,787				55,787 ^a		
8 Indirect Cost Assessment	62,475				62,475 ^a		
9		989,645					

10

11 ^a These amounts shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S.

12

13 **(5) DIVISION OF FINANCIAL SERVICES**

14 Personal Services	1,430,999				1,430,999 ^a		
15					(15.6 FTE)		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	145,921			145,921 ^a		
2	Indirect Cost Assessment	139,229			139,229 ^a		
3		<u>1,716,149</u>					
4							
5	^a Of these amounts, an estimated \$1,507,372 shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S., and an estimated \$208,777 shall be						
6	from the Cannabis Credit Co-op Fund created in Section 11-33-109 (1)(c)(I), C.R.S.						
7							
8							
9	(6) DIVISION OF INSURANCE						
10	Personal Services	6,402,752			6,402,752 ^a		
11					(83.2 FTE)		
12	Operating Expenses	296,894			296,894 ^a		
13	Out-of-State Travel						
14	Expenses	50,000			50,000(I) ^b		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Senior Health Counseling							
2 Program	517,794						517,794(I)
3							(2.0 FTE)
4 Transfer to CAPCO							
5 Administration	85,291				85,291 ^a		
6 Indirect Cost Assessment	771,199				742,555 ^a		28,644(I)
7		8,123,930					
8							

^a Of these amounts, an estimated \$7,503,250 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., and an estimated \$24,242 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S.

^b This amount shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S. This amount is shown for informational purposes as it is continuously appropriated to the Department of Regulatory pursuant to Section 10-1-108 (9), C.R.S. This amount is 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.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(7) PUBLIC UTILITIES COMMISSION						
2	Personal Services	9,488,333			9,488,333 ^a		
3					(91.3 FTE)		
4	Operating Expenses	594,473			594,473 ^a		
5	Expert Testimony	25,000			25,000 ^a		
6	Disabled Telephone Users						
7	Fund Payments	1,300,542			1,300,542(I) ^b		
8	Transfer to Reading Services						
9	for the Blind Cash Fund	510,000			510,000 ^a		
10	Commission for the Deaf and						
11	Hard of Hearing Cash Fund	1,992,589			1,992,589 ^a		
12	Colorado Bureau of						
13	Investigation Background						
14	Checks Pass-through	104,377			104,377 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Highway-Rail Crossing							
2 Signalization Fund	244,800				244,800 ^c		
3 Rural Broadband ¹⁰²	6,500,000				6,500,000(I) ^d		
4 Indirect Cost Assessment	814,847				814,847 ^a		
		21,574,961					

7 ^a Of these amounts, an estimated \$7,388,352 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114 (1)(b)(II), C.R.S., an estimated \$2,307,849
8 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., an estimated \$2,434,024 shall be from the Colorado Telephone Users with
9 Disabilities Fund created in Section 40-17-104 (1), C.R.S., an estimated \$1,288,467 shall be from the Telecommunications Utility Fund created in Section 40-2-114 (1)(b)(I), C.R.S.,
10 and an estimated \$110,927 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3)(a), C.R.S.

11 ^b This amount shall be from the Colorado Telephone Users with Disabilities Fund created in Section 40-17-104 (1), C.R.S., and is shown for purposes of complying with Section 20 of
12 Article X of the State Constitution. This money is continuously appropriated pursuant to Section 40-17-104 (1), C.R.S., and is shown for informational purposes only.

13 ^c This amount shall be from the Highway-Rail Crossing Signalization Fund created in Section 40-29-116 (1) C.R.S.

14 ^d This amount shall be from money collected for the High Cost Support Mechanism created in Section 40-15-208, C.R.S. This money is continuously appropriated pursuant to
15 Section 40-15-208, C.R.S., and is shown for informational purposes only.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2							
3	(8) DIVISION OF REAL ESTATE						
4	Personal Services	4,105,209			4,105,209*		
5		3,763,680			3,763,680 ^a		
6					(52.9 FTE)		
7					(48.9 FTE)		
8	Operating Expenses	204,557			204,557*		
9		198,479			198,479 ^a		
10	Commission Meeting Costs	38,836			38,836*		
11		36,332			36,332 ^a		
12	Hearings Pursuant to						
13	Complaint	4,000			4,000 ^a		
14	Mortgage Broker Consumer						
15	Protection	223,164			223,164 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Indirect Cost Assessment	472,129			472,129*		
2		438,506			438,506 ^a		
3		<u>5,047,895</u>					
4		4,664,161					
5							
6	^a These amounts shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2)(b), C.R.S.						
7							
8	(9) DIVISION OF PROFESSIONS AND OCCUPATIONS						
9	Personal Services	14,759,419			14,165,968*	593,451 ^b	
10		(195.2 FTE)					
11	Operating Expenses	1,571,455			-1,571,455*		
12	Office of Expedited						
13	Settlement Program Costs	400,223			-400,223*		
14		(5.0 FTE)					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Hearings Pursuant to						
2	Complaint	307,075			307,075*		
3	Payments to Department of						
4	Health Care Policy and						
5	Financing	14,652			-14,652*		
6	Indirect Cost Assessment	1,786,772			1,786,772*		
7		<u>18,839,596</u>					
8		18,839,596			18,246,145 ^a	593,451 ^b	
9							

10 ^a Of these amounts, an estimated \$18,041,532 shall be from the Division of Professions and Occupations Cash Fund created in Section 24-34-105 (2)(b)(I), C.R.S., and an estimated
11 \$204,613 shall be from the Prescription Drug Monitoring Fund created in Section 12-42.5-405 (1), C.R.S.

12 ^b Of this amount, \$324,041 shall be transferred from the Department of Health Care Policy and Financing from the Transfers to/from Other Departments, Transfer to Department of
13 Regulatory Agencies for Nurse Aid Certification line item in the Executive Director's Office, and \$269,410 shall be transferred from the Department of Public Health and Environment
14 from the Medicaid/Medicare Certification Program line item in the Health Facilities and Emergency Medical Services Division, Health Facilities Programs section.

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(10) DIVISION OF SECURITIES						
2	Personal Services	2,337,299			2,337,299 ^a		
3					(24.0 FTE)		
4	Operating Expenses	58,999			58,999 ^a		
5	Hearings Pursuant to						
6	Complaint	19,594			19,594 ^a		
7	Board Meeting Costs	4,500			4,500 ^a		
8	Securities Fraud Prosecution	1,081,951			1,081,951 ^a		
9	Indirect Cost Assessment	214,198			214,198 ^a		
10		3,716,541					

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

13
14
15

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(11) DIVISION OF CONSERVATION						
2	CONSERVATION EASEMENT						
3	PROGRAM COSTS	383,734			383,734 ^a		
4					(4.0 FTE)		
5							
6	^a THIS AMOUNT SHALL BE FROM THE CONSERVATION CASH FUND CREATED IN SECTION 12-61-1107 (1), C.R.S.						
7							
8	TOTALS PART XVIII						
9	(REGULATORY						
10	AGENCIES)	\$99,162,135	\$1,941,431		\$90,759,586 ^a	\$5,211,298	\$1,249,820 ^b
11							
12	^a Of this amount, \$8,053,046 contains an (I) notation.						
13	^b This amount contains an (I) notation.						
14							
15							

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

102 Department of Regulatory Agencies, Public Utilities Commission, Rural Broadband -- It is the General Assembly's intent that these funds are spent in rural Colorado.

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