

CHAPTER 432

PUBLIC UTILITIES

HOUSE BILL 19-1332

BY REPRESENTATIVE(S) Hansen, Esgar, Ransom, Arndt, Baisley, Bird, Buckner, Buentello, Caraveo, Carver, Coleman, Cutter, Duran, Exum, Galindo, Geitner, Gonzales-Gutierrez, Gray, Herod, Hooton, Kipp, Kraft-Tharp, Landgraf, Lontine, McCluskie, McKean, Melton, Michaelson Jenet, Pelton, Roberts, Sandridge, Snyder, Soper, Titone, Valdez A., Valdez D., Van Winkle, Wilson;
also SENATOR(S) Zenzinger, Moreno, Rankin, Smallwood, Todd.

AN ACT

CONCERNING THE USE OF MONEY IN THE COLORADO TELEPHONE USERS WITH DISABILITIES FUND TO PROVIDE TALKING BOOK LIBRARY SERVICES FOR CERTAIN PERSONS WITH DISABILITIES, 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, 40-17-103, **amend** (3)(a)(III)(D) and (3)(a)(III)(E); and **add** (3)(a)(III)(F) as follows:

40-17-103. Commission - powers and duties - rules. (3) The commission shall, through the promulgation of rules, develop and implement a mechanism to recover its costs and the cost to voice service providers in implementing and administering telecommunications relay services required by this article 17. The mechanism must, at a minimum, provide for the following:

(a) (III) Without exceeding the maximum monthly surcharge set forth in subsection (3)(a)(I) of this section, the monthly surcharge must be an amount sufficient to:

(D) Pursuant to section 40-17-104, cover annual appropriations to the reading services for the blind cash fund and the Colorado commission for the deaf, hard of hearing, and deafblind cash fund; ~~and~~

(E) Reimburse the department of revenue for its administrative costs in collecting prepaid wireless TRS charges on prepaid wireless phones pursuant to section 29-11-102.7; ~~C.R.S.~~ AND

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(F) PROVIDE SUPPORT FOR LIBRARY SERVICES AS AUTHORIZED BY SECTION 24-90-105 (1)(e).

SECTION 2. In Colorado Revised Statutes, 40-17-104, **amend** (1) as follows:

40-17-104. Colorado telephone users with disabilities fund - creation - purpose. (1) (a) Except as otherwise authorized to be retained by section 40-17-103 (3)(e), all money collected by the voice service providers in accordance with section 40-17-103 shall be transmitted to the state treasurer, who shall credit the money to the Colorado telephone users with disabilities fund, which fund is hereby created and is referred to in this article 17 as the "fund".

(b) The general assembly:

(I) Shall make annual appropriations out of the fund:

(A) For the administration of the fund; and ~~shall make annual appropriations~~

(B) To the reading services for the blind cash fund, created in section 24-90-105.5 (5), for use by the state librarian in support of privately operated reading services for people who are blind; AND

(II) ~~MAY MAKE ANNUAL APPROPRIATIONS OUT OF THE FUND TO PROVIDE SUPPORT FOR LIBRARY SERVICES AS AUTHORIZED BY SECTION 24-90-105 (1)(e).~~

(c) The money in the fund not used for administration of the fund, ~~not used for the reading services for the blind cash fund, and not used for the Colorado commission for the deaf, hard of hearing, and deafblind cash fund created in section 26-21-107, AND LIBRARY SERVICES AS AUTHORIZED BY SECTION 24-90-105 (1)(e)~~ is hereby continuously appropriated to the public utilities commission for the reimbursement of providers who render telecommunications services authorized by this article 17.

SECTION 3. Appropriation. (1) For the 2019-20 state fiscal year, \$250,000 is appropriated to the department of regulatory agencies for use by the public utilities commission. This appropriation is from the Colorado telephone users with disabilities fund created in section 40-17-104 (1)(a), C.R.S. To implement this act, the commission may use this appropriation for the Colorado talking book library.

(2) For the 2019-20 state fiscal year, \$250,000 is appropriated to the department of education. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1) of this section. To implement this act, the department may use this appropriation for the Colorado talking book library.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of

this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 3, 2019