

## CHAPTER 171

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**GOVERNMENT - STATE**

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**HOUSE BILL 20-1381**

BY REPRESENTATIVE(S) Esgar, McCluskie, Woodrow, Snyder;  
also SENATOR(S) Zenzinger and Rankin, Moreno.

**AN ACT**

**CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH TRANSFERS OF CERTAIN MONEY.**

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

**SECTION 1.** In Colorado Revised Statutes, 8-2-122, **add** (6) as follows:

**8-2-122. Employment verification requirements - audits - fine for fraudulent documents - cash fund created - definitions - repeal.** (6) (a) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER THREE THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS FROM THE EMPLOYMENT VERIFICATION FUND, AS IT EXISTED PRIOR TO ITS REPEAL IN 2016, TO THE GENERAL FUND.

(b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2020.

**SECTION 2.** In Colorado Revised Statutes, 24-50-104, **add** (1)(j)(III)(E) as follows:

**24-50-104. Job evaluation and compensation - state employee reserve fund - created - definitions - repeal.** (1) **Total compensation philosophy.** (j) (III) (E) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER THE UNEXPENDED AND UNENCUMBERED BALANCE FROM THE FUND TO THE GENERAL FUND.

**SECTION 3.** In Colorado Revised Statutes, 24-75-302, **amend** (3.3) as follows:

**24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account.** (3.3) (a) There is hereby created a special account within the capital construction fund established pursuant to

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*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.*

subsection (1) of this section to be known as the Fort Logan land sale account. The account consists of any money credited to the account by the state treasurer from the proceeds of the sale of fifty-one acres of vacant land around the Colorado mental health institute at Fort Logan to the United States department of veterans affairs for the purpose of expanding the Fort Logan national cemetery, authorized in House Bill 17-1346, enacted in 2017. The money in the account may be used for future capital construction, capital renewal, or controlled maintenance expenses of the department of human services, contingent upon approval by both the office of state planning and budgeting and the capital development committee; except that all or a portion of the money must be expended for veterans-related and behavioral health-related projects. The money in the account is subject to annual appropriation and all money that is unexpended or unencumbered in any fiscal year must remain in the account.

(b) NOTWITHSTANDING SUBSECTION (3.3)(a) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER SEVEN MILLION NINE HUNDRED THOUSAND DOLLARS FROM THE FORT LOGAN LAND SALE ACCOUNT TO THE GENERAL FUND.

**SECTION 4.** In Colorado Revised Statutes, 24-75-1401, **add** (3.5) as follows:

**24-75-1401. Indirect costs excess recovery fund - creation - departmental accounts - use of fund - definitions.** (3.5) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER EIGHT MILLION THREE HUNDRED EIGHTY-ONE THOUSAND SEVEN HUNDRED FIFTY-THREE DOLLARS FROM THE INDIRECT COST EXCESS RECOVERY FUND TO THE GENERAL FUND.

**SECTION 5.** In Colorado Revised Statutes, 26-2-210, **add** (3) as follows:

**26-2-210. State supplemental security income stabilization fund - creation.** (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION EIGHT HUNDRED EIGHTY-SEVEN THOUSAND ONE HUNDRED SIXTEEN DOLLARS FROM THE STABILIZATION FUND TO THE GENERAL FUND.

**SECTION 6.** In Colorado Revised Statutes, 28-5-712, **add** (3)(e) as follows:

**28-5-712. Veterans assistance grant program - created - rules - fund - repeal.** (3) (e) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND.

**SECTION 7.** In Colorado Revised Statutes, 32-8-126, **add** (3) as follows:

**32-8-126. Moffat tunnel cash fund - created.** (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED SIXTY-SEVEN THOUSAND FOUR HUNDRED SIXTY-THREE DOLLARS FROM THE MOFFAT TUNNEL CASH FUND TO THE GENERAL FUND.

**SECTION 8.** In Colorado Revised Statutes, 39-29-109, **add** (2)(a)(XXII) as follows:

**39-29-109. Severance tax trust fund - created - administration - distribution of money - legislative declaration - repeal.** (2) State severance tax receipts shall be credited to the severance tax trust fund as provided in section 39-29-108. All income derived from the deposit and investment of the money in the fund shall be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered money in the fund remains in the fund and shall not be credited or transferred to the general fund or any other fund. All money in the fund is subject to appropriation by the general assembly for the following purposes:

(a) **The severance tax perpetual base fund.** (XXII) (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (2)(a) TO THE CONTRARY, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FORTY-FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE TRANSFER SPECIFIED IN SUBSECTION (2)(a)(XXII)(A) OF THIS SECTION IS NECESSARY AS A RESULT OF THE PRECIPITOUS DECREASE IN GENERAL FUND REVENUES AND THAT IT IS THE INTENT OF THE GENERAL ASSEMBLY TO TRANSFER AN EQUAL AMOUNT BACK TO THE FUND AS SOON AS POSSIBLE.

**SECTION 9.** In Colorado Revised Statutes, 38-13-801, **as it will become effective July 1, 2020, amend** (2)(d)(II) and (2)(d)(III); and **add** (2)(d)(IV) and (5) as follows:

**38-13-801. Unclaimed property trust fund - creation - payments - interest - appropriations - records - rules.** (2) (d) The following amounts constitute fiscal year spending for purposes of section 20 of article X of the state constitution:

(II) Any money that is credited to the adult dental fund created in section 25.5-5-207 (4) as required by subsection (3) of this section; **and**

(III) Any money that is credited to the housing development grant fund created in section 24-32-721 (1) as required by subsection (3.5) of this section; **AND**

(IV) ANY MONEY THAT IS TRANSFERRED TO THE GENERAL FUND AS REQUIRED BY SUBSECTION (5) OF THIS SECTION.

(5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FORTY-THREE MILLION DOLLARS FROM THE UNCLAIMED PROPERTY TRUST FUND TO THE GENERAL FUND.

**SECTION 10.** In Colorado Revised Statutes, 43-4-1103, **amend** (2)(a)(I) introductory portion; and **add** (2)(a)(III) as follows:

**43-4-1103. Multimodal transportation options fund - creation - revenue sources for fund - use of fund.** (2) (a) (I) Except as otherwise provided in ~~subsection (2)(a)(II)~~ SUBSECTIONS (2)(a)(II) AND (2)(a)(III) of this section, subject to annual appropriation by the general assembly, money must be expended from the fund as follows:

(III) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER TEN MILLION

DOLLARS FROM THE FUND TO THE GENERAL FUND.

**SECTION 11. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 29, 2020