

CHAPTER 178

GOVERNMENT - STATE

HOUSE BILL 20-1406

BY REPRESENTATIVE(S) Arndt, Duran, Esgar, Kennedy, McCluskie, Bird, Buentello, Exum, Kipp, Kraft-Tharp, Snyder, Woodrow;
also SENATOR(S) Moreno and Zenzinger.

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, 8-20.5-103, **add** (7.5) and (9)(e) as follows:

8-20.5-103. Petroleum storage tank fund - petroleum cleanup and redevelopment fund - creation - rules - repeal. (7.5) IN ADDITION TO THE SOURCES IDENTIFIED IN SUBSECTION (1) OF THIS SECTION, THE PETROLEUM STORAGE TANK FUND INCLUDES THE AMOUNT TRANSFERRED FROM THE PETROLEUM CLEANUP AND REDEVELOPMENT FUND IN ACCORDANCE WITH SUBSECTION (9)(e)(II) OF THIS SECTION. ON OCTOBER 15, AND THE FIFTEENTH DAY OF EACH OF THE NEXT SEVEN MONTHS, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED THOUSAND DOLLARS FROM THE PETROLEUM STORAGE TANK FUND TO THE GENERAL FUND. THESE TRANSFERS ARE REPAYMENT FOR THE TRANSFER FROM THE PETROLEUM CLEAN UP AND REDEVELOPMENT FUND, AS THE ORIGINAL AMOUNT TRANSFERRED WOULD HAVE OTHERWISE TRANSFERRED TO THE GENERAL FUND.

(9) (e) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE REDEVELOPMENT FUND TO THE GENERAL FUND.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON THE EFFECTIVE DATE OF THIS SUBSECTION (9)(e)(II), THE STATE TREASURER SHALL TRANSFER FOUR MILLION DOLLARS FROM THE REDEVELOPMENT FUND TO THE PETROLEUM STORAGE TANK FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

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.

SECTION 2. In Colorado Revised Statutes, 8-44-112, **add** (7)(e) as follows:

8-44-112. Surcharge on workers' compensation insurance premiums - workers' compensation cash fund. (7)(e) NOTWITHSTANDING SUBSECTION (7)(a) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS FROM THE WORKERS' COMPENSATION CASH FUND TO THE GENERAL FUND.

SECTION 3. In Colorado Revised Statutes, 8-77-106, **add** (7) as follows:

8-77-106. Unemployment revenue fund. (7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER TWO MILLION DOLLARS FROM THE UNEMPLOYMENT REVENUE FUND TO THE GENERAL FUND.

SECTION 4. In Colorado Revised Statutes, 9-5.5-111, **add** (3) as follows:

9-5.5-111. Registration of existing conveyances - fund. (3) NOTWITHSTANDING SUBSECTION (2)(b) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE GENERAL FUND.

SECTION 5. In Colorado Revised Statutes, 10-1-103, **add** (3.5) as follows:

10-1-103. Division of insurance - subject to repeal - repeal of functions. (3.5) NOTWITHSTANDING SUBSECTION (3) OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION TWO HUNDRED TWENTY-FOUR THOUSAND ONE HUNDRED DOLLARS FROM THE DIVISION OF INSURANCE CASH FUND TO THE GENERAL FUND.

SECTION 6. In Colorado Revised Statutes, **amend** 11-102-403 as follows:

11-102-403. Division of banking cash fund - creation. (1) All fees and assessments collected by the banking board shall be transmitted to the state treasurer, who shall credit the same to the division of banking cash fund, which fund is hereby created in the state treasury. All ~~moneys~~ MONEY in the fund shall be subject to appropriation by the general assembly for the direct and indirect costs of the activities of the banking board and the division. All interest derived from the deposit and investment of ~~moneys~~ MONEY in the fund shall be credited to the fund. Any ~~moneys~~ MONEY not appropriated shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

(2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER THREE HUNDRED SEVENTY THOUSAND SEVEN HUNDRED NINETY-FIVE DOLLARS FROM THE DIVISION OF BANKING CASH FUND TO THE GENERAL FUND.

SECTION 7. In Colorado Revised Statutes, 12-280-405, **add** (4) as follows:

12-280-405. Prescription drug monitoring fund - creation - gifts, grants, and

donations - report - fee. (4) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED SIXTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-ONE DOLLARS FROM THE PRESCRIPTION DRUG MONITORING FUND CREATED IN SUBSECTION (1) OF THIS SECTION TO THE GENERAL FUND.

SECTION 8. In Colorado Revised Statutes, 24-33.5-1807, **add** (5.5) as follows:

24-33.5-1807. School safety resource center cash fund - repeal. (5.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS FROM THE FUND TO THE GENERAL FUND.

SECTION 9. In Colorado Revised Statutes, **add** 24-75-224 as follows:

24-75-224. Transfer from repealed cash fund - repeal. (1) ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER SEVEN HUNDRED SEVENTY-ONE THOUSAND TWO HUNDRED FOUR DOLLARS FROM THE WASTE TIRE MARKET DEVELOPMENT FUND CREATED IN SECTION 30-20-1406, AS IT EXISTED PRIOR TO ITS REPEAL IN 2018, TO THE GENERAL FUND.

(2) THIS SECTION IS REPEALED EFFECTIVE JULY 1, 2020.

SECTION 10. In Colorado Revised Statutes, 24-80-102, **add** (10)(c) as follows:

24-80-102. State archives and records - personnel - duties - cash fund - rules - definition. (10) (c) NOTWITHSTANDING SUBSECTION (10)(a) OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED THIRTY THOUSAND DOLLARS FROM THE STATE ARCHIVES AND RECORDS CASH FUND TO THE GENERAL FUND.

SECTION 11. In Colorado Revised Statutes, 25-1.5-208, **add** (4)(c) as follows:

25-1.5-208. Grant program for public water systems and domestic wastewater treatment works - small communities water and wastewater grant fund - rules. (4) (c) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FIVE MILLION SIX HUNDRED THOUSAND DOLLARS FROM THE SMALL COMMUNITIES WATER AND WASTEWATER GRANT FUND TO THE GENERAL FUND.

SECTION 12. In Colorado Revised Statutes, 25-2-121, **add** (4) as follows:

25-2-121. Fee adjustments - vital statistics records cash fund created. (4) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED EIGHTY THOUSAND DOLLARS FROM THE VITAL STATISTICS RECORDS CASH FUND TO THE GENERAL FUND.

SECTION 13. In Colorado Revised Statutes, 25-8-502, **add** (1.5)(e) as follows:

25-8-502. Application - definitions - fees - funds created - public participation - repeal. (1.5) (e) (I) NOTWITHSTANDING ANY OTHER PROVISION OF

THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED THIRTY-THREE THOUSAND SEVEN HUNDRED TWENTY-EIGHT DOLLARS FROM THE CONSTRUCTION SECTOR FUND TO THE GENERAL FUND.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED THOUSAND DOLLARS FROM THE PUBLIC AND PRIVATE UTILITIES SECTOR FUND TO THE GENERAL FUND.

SECTION 14. In Colorado Revised Statutes, 25-8-608, **add** (5) as follows:

25-8-608. Civil penalties - rules - fund created - temporary moratorium on penalties for minor violations - definitions - repeal. (5) NOTWITHSTANDING SUBSECTIONS (1.5) AND (1.7) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED EIGHTY-THREE THOUSAND FIVE HUNDRED THIRTY-FIVE DOLLARS FROM THE WATER QUALITY IMPROVEMENT FUND TO THE GENERAL FUND.

SECTION 15. In Colorado Revised Statutes, **amend** 25-15-304 as follows:

25-15-304. Hazardous waste service fund created. (1) There is created in the state treasury a hazardous waste service fund, which shall consist of fees collected pursuant to section 25-15-302 (3.5) to reimburse the state for its annual program expenses incurred in the maintenance, monitoring, and other supervision of the lands and facilities used for the storage, treatment, and disposal of hazardous waste. Such ~~moneys~~ MONEY shall be appropriated annually to the department by the general assembly which shall review such expenditures to assure that they are used to accomplish the purposes of this section. All unappropriated balances in the hazardous waste service fund shall remain therein and shall not revert to the general fund.

(2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED TWENTY-TWO THOUSAND FOUR HUNDRED ELEVEN DOLLARS FROM THE HAZARDOUS WASTE SERVICE FUND TO THE GENERAL FUND.

SECTION 16. In Colorado Revised Statutes, 28-3-106, **add** (1)(s)(III) as follows:

28-3-106. Powers and duties of adjutant general. (1) The adjutant general has the following powers and duties:

(s) (III) NOTWITHSTANDING SUBSECTION (1)(s)(I) OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER FOUR MILLION NINE HUNDRED EIGHT THOUSAND THREE HUNDRED NINETY-FIVE DOLLARS FROM THE ACCOUNT SPECIFIED IN SUBSECTION (1)(s)(I) OF THIS SECTION TO THE GENERAL FUND.

SECTION 17. In Colorado Revised Statutes, 30-20-118, **add** (3) as follows:

30-20-118. Solid waste management fund - created. (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER THREE HUNDRED SIXTY-THREE THOUSAND TWO HUNDRED FORTY-THREE

DOLLARS FROM THE SOLID WASTE MANAGEMENT FUND TO THE GENERAL FUND.

SECTION 18. In Colorado Revised Statutes, 30-20-1404, **add** (8) as follows:

30-20-1404. Waste tire administration, enforcement, market development, and cleanup fund - creation - rules. (8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FIVE MILLION THREE HUNDRED SEVENTY-TWO THOUSAND FOUR HUNDRED FIFTEEN DOLLARS FROM THE FUND TO THE GENERAL FUND.

SECTION 19. In Colorado Revised Statutes, 30-20-1405, **add** (1.5) as follows:

30-20-1405. End users fund - creation - quarterly rebates - rules - repeal. (1.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION FOUR HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE GENERAL FUND.

SECTION 20. In Colorado Revised Statutes, 33-14.5-106, **add** (4) as follows:

33-14.5-106. Off-highway vehicle recreation fund - creation - use of money. (4) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER FIVE MILLION DOLLARS FROM THE OFF-HIGHWAY VEHICLE RECREATION FUND TO THE GENERAL FUND.

SECTION 21. In Colorado Revised Statutes, 34-63-102, **amend** (5.3)(a) introductory portion; and **add** (5.3)(a)(I)(F) as follows:

34-63-102. Creation of mineral leasing fund - distribution - advisory committee - local government permanent fund created - definitions - transfer of money. (5.3) (a) Bonus payments credited to the mineral leasing fund created in ~~subparagraph (H) of paragraph (a) of subsection (1)~~ SUBSECTION (1)(a)(II) of this section shall be distributed on a quarterly basis for each quarter commencing on July 1, October 1, January 1, or April 1 of any state fiscal year as follows:

(I) (F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER TWO MILLION THREE HUNDRED THOUSAND DOLLARS FROM THE LOCAL GOVERNMENT PERMANENT FUND TO THE GENERAL FUND.

SECTION 22. In Colorado Revised Statutes, 40-29-116, **add** (3) as follows:

40-29-116. Highway-rail crossing signalization fund created - annual appropriation. (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JULY 1, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION SEVEN THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS FROM THE HIGHWAY-RAIL CROSSING SIGNALIZATION FUND TO THE GENERAL FUND.

SECTION 23. In Colorado Revised Statutes, 44-11-501, **add** (1)(d)(IV) as follows:

44-11-501. Marijuana cash fund. (1) (d) (IV) NOTWITHSTANDING ANY OTHER

PROVISION OF LAW, ON JUNE 30, 2020, THE STATE TREASURER SHALL TRANSFER ONE MILLION SIX HUNDRED THOUSAND DOLLARS FROM THE MARIJUANA CASH FUND TO THE GENERAL FUND.

SECTION 24. 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