

CHAPTER 282

HEALTH AND ENVIRONMENT

HOUSE BILL 20-1419

BY REPRESENTATIVE(S) Esgar and Landgraf, Buentello, Duran, Gonzales-Gutierrez, Herod, Jaquez Lewis, Kipp, Lontine, McCluskie, Michaelson Jenet, Snyder, Valdez A., Valdez D., Woodrow;
also SENATOR(S) Moreno and Coram, Danielson, Tate, Winter.

AN ACT

CONCERNING THE CREATION OF A CASH FUND INTO WHICH MONEY RECEIVED FROM PHARMACEUTICAL REBATES FOR THE STATE DRUG ASSISTANCE PROGRAM ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT WILL BE CREDITED.

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

SECTION 1. In Colorado Revised Statutes, 25-4-1401, **amend** (2)(d) as follows:

25-4-1401. Drug assistance program - program fund - HIV medications rebate fund - created - legislative declaration - no entitlement created.
(2) (d) (I) THE HIV MEDICATIONS REBATE FUND, REFERRED TO IN THIS SUBSECTION (2)(d) AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF any ~~moneys~~ MONEY received BASED ON CHARGES in excess of a federal price agreement ~~are a donation~~ AND ANY ADDITIONAL MONEY THE GENERAL ASSEMBLY APPROPRIATES TO THE FUND. THE GENERAL ASSEMBLY SHALL CONTINUOUSLY APPROPRIATE MONEY IN THE FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR USE FOR THE STATE PROGRAM. ANY MONEY REMAINING IN THE FUND AT THE END OF A STATE FISCAL YEAR REMAINS IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

(II) THE FUND IS NOT SUBJECT TO THE LIMIT ON UNCOMMITTED RESERVES IN A CASH FUND ESTABLISHED IN SECTION ~~24-75-402~~ (3).

SECTION 2. 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: July 13, 2020

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.