

CHAPTER 141

GOVERNMENT - STATE

HOUSE BILL 22-1340

BY REPRESENTATIVE(S) Herod and McCluskie, Esgar, Exum, Ricks, Garnett, Daugherty, Gonzales-Gutierrez, Gray, Valdez A., Woodrow;
also SENATOR(S) Hansen and Zenzinger.

AN ACT

CONCERNING CAPITAL-RELATED TRANSFERS OF MONEY.

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

SECTION 1. In Colorado Revised Statutes, 24-75-227, **amend** (2)(a) and (3)(b) as follows:

24-75-227. Revenue loss restoration cash fund - creation - allowable uses - definitions - repeal. (2) (a) The revenue loss restoration cash fund is created in the state treasury. The fund consists of money credited to the fund in accordance with subsection (2)(b) of this section AND SECTION 24-75-229 (4)(b). Subject to the limitations set forth in subsection (3) of this section, the general assembly may appropriate money from the fund to a department for the provision of government services, including kindergarten through twelfth grade public education, housing, state employees, asset maintenance, seniors, criminal justice, state parks, agriculture, and transportation infrastructure. The general assembly may transfer money from the fund to another cash fund to be used for the provision of such government services.

(3) (b) (I) If the amount appropriated, expended, or transferred in a fiscal year from the fund is less than the limit specified in subsection (3)(a) of this section, then the general assembly may appropriate or transfer the remainder for any later fiscal year.

(II) THE LIMIT SPECIFIED IN THIS SUBSECTION (3) DOES NOT APPLY TO ANY AMOUNT APPROPRIATED FROM THE FUND FOR THE 2022-23 FISCAL YEAR FOR CAPITAL CONSTRUCTION, CAPITAL RENEWAL, OR CONTROLLED MAINTENANCE, AS EACH TERM IS DEFINED IN SECTION 24-30-1301.

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, 24-75-229, **amend** (4); and **add** (3)(d) as follows:

24-75-229. Affordable housing and home ownership cash fund - creation - allowable uses - task force - legislative declaration - definitions - repeal.

(3) (d) ON JULY 1, 2022, THE STATE TREASURER SHALL TRANSFER THREE HUNDRED FIFTY MILLION THREE HUNDRED NINETY-FOUR THOUSAND FOUR DOLLARS FROM THE GENERAL FUND TO THE FUND.

(4) (a) Three days after June 25, 2021, the state treasurer shall transfer one million five hundred thousand dollars from the fund to the eviction legal defense fund created in section 13-40-127 (2).

(b) ON JULY 1, 2022, THE STATE TREASURER SHALL TRANSFER THREE HUNDRED FIFTY MILLION THREE HUNDRED NINETY-FOUR THOUSAND FOUR DOLLARS FROM THE FUND TO THE REVENUE LOSS RESTORATION CASH FUND CREATED IN SECTION 24-75-227.

SECTION 3. In Colorado Revised Statutes, 24-75-302, **amend** (2) introductory portion, (2.5)(o) and (2.5)(p); **amend as amended by House Bill 22-1195** (2)(oo) and (2.3)(j); **amend as added by House Bill 22-1195** (2)(pp) and (2.3)(k); and **add** (2)(qq), (2.3)(m), and (2.5)(q) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account - repeal. (2) The controller shall transfer a sum as specified in this subsection (2) from the general fund to the capital construction fund as money becomes available in the general fund during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made OR ON THE DATE OTHERWISE SPECIFIED FOR THE TRANSFER. Transfers between funds pursuant to this subsection (2) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2) are as follows:

(oo) For the 2021-22 fiscal year, one hundred nine thousand four hundred sixty two dollars pursuant to S.B. 21-064, enacted in 2021; ~~and~~

(pp) On April 1, 2022, four million one hundred thirteen thousand two hundred sixteen dollars; AND

(qq) ON JULY 1, 2022, FOUR MILLION SIX HUNDRED THIRTY-NINE THOUSAND FOUR HUNDRED FORTY-THREE DOLLARS.

(2.3) In addition to the sums transferred pursuant to subsections (2) and (2.5) of this section, the state treasurer and the controller shall transfer a sum as specified in this subsection (2.3) from the general fund to the information technology capital account created in subsection (3.7) of this section as money becomes available in the general fund during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made or on April 1 of the fiscal year if otherwise specified. Transfers between funds pursuant to this subsection (2.3) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2.3) are as follows:

(j) On July 1, 2021, twenty-seven million forty thousand three hundred two dollars; ~~and~~

(k) On April 1, 2022, nine hundred fifty thousand six hundred ninety dollars; AND

(m) ON JULY 1, 2022, ONE HUNDRED SIX MILLION SIX HUNDRED SIXTY-ONE THOUSAND EIGHT HUNDRED SEVENTY-SEVEN DOLLARS.

(2.5) In addition to the sums transferred pursuant to subsections (2) and (2.3) of this section, the state treasurer and the controller shall transfer a sum as specified in this subsection (2.5) from the general fund exempt account of the general fund created pursuant to section 24-77-103.6 to the capital construction fund as money becomes available in the general fund exempt account during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made. Transfers between funds pursuant to this subsection (2.5) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2.5) are as follows:

(o) On July 1, 2020, five hundred thousand dollars; ~~and~~

(p) On July 1, 2021, five hundred thousand dollars; AND

(q) ON JULY 1, 2022, FIVE HUNDRED THOUSAND DOLLARS.

SECTION 4. In Colorado Revised Statutes, 24-75-302.5, **amend** (10) as follows:

24-75-302.5. Controlled maintenance - trust fund - legislative declaration.

(10) Notwithstanding any provision of this section to the contrary, on July 1, 2021, the state treasurer and the controller shall transfer one hundred ten million dollars from the general fund to the controlled maintenance trust fund ~~to be appropriated in the 2022-23 state fiscal year~~ for controlled maintenance budget requests prioritized by the office of the state architect as level one and level two priority projects under section 24-30-1303 (1)(t)(II).

SECTION 5. 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: April 25, 2022