

CHAPTER 103

AGRICULTURE

HOUSE BILL 23-1179

BY REPRESENTATIVE(S) Mauro and Winter T., Amabile, Duran, Lindsay, Lukens, Marshall, Martinez, McCormick, Ricks, Snyder, Taggart, Titone, Velasco, Weinberg, McCluskie;
also SENATOR(S) Hinrichsen and Simpson, Bridges, Exum, Marchman, Pelton B., Pelton R., Roberts, Will.

AN ACT

CONCERNING THE MAXIMUM UNCOMMITTED RESERVE THAT MAY BE RETAINED IN THE AGRICULTURAL PRODUCTS INSPECTION CASH FUND.

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

SECTION 1. In Colorado Revised Statutes, 24-75-402, **amend** (5)(yy) and (5)(zz); and **add** (5)(aaa) as follows:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in the amount of fees - exclusions - definitions. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(yy) The disability support fund created in section 24-30-2205.5 (1); ~~and~~

(zz) The responsible gaming grant program cash fund created in section 44-30-1702 (8); AND

(aaa) THE AGRICULTURAL PRODUCTS INSPECTION CASH FUND CREATED IN SECTION 35-23-114 (3).

SECTION 2. In Colorado Revised Statutes, 35-23-114, **repeal** (4); and **add** (3)(c) as follows:

35-23-114. Inspection fees - agricultural products inspection cash fund. (3) (c) THE UNCOMMITTED AND UNENCUMBERED BALANCE IN THE AGRICULTURAL PRODUCTS INSPECTION CASH FUND ON JUNE 30, 2024, AND ON JUNE 30 OF EACH

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.

YEAR THEREAFTER, MUST NOT EXCEED FIFTY PERCENT OF THE AMOUNT EXPENDED FROM THE FUND DURING THE SAME STATE FISCAL YEAR.

~~(4) Within sixty days after July 1, 2009, the unexpended and unencumbered balance of the mandatory fruit and vegetable inspection fund, as that fund existed prior to July 1, 2009, shall be transferred to the agricultural products inspection cash fund.~~

SECTION 3. 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; 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 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 20, 2023