

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 9, 2022

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB22-1411 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 3, line 2, after "**amend**" insert "(4)(a)".
- 2 Page 3, line 3, strike "(5)(a), and (5)(f);" and substitute "(5)(a), (5)(f), and
- 3 (6);" and after "(1)(f)," insert "(3)(d)".
- 4 Page 3, after line 14 insert:
 - 5 "(3) (d) THE FUND ALSO INCLUDES THE AMOUNT TRANSFERRED TO
 - 6 THE FUND IN ACCORDANCE WITH SECTION 24-75-228 (3.5)(a).
 - 7 (4) (a) The general assembly shall not appropriate money from the
 - 8 fund. The general assembly may transfer money in the fund to another
 - 9 cash fund that is established for the purpose of using the money from the
 - 10 federal coronavirus state fiscal recovery fund. Transfers from the fund to
 - 11 the general fund are prohibited. If there is any of the money transferred
 - 12 to the fund under subsection (3)(a) of this section remaining in the fund
 - 13 after any transfers from the fund required by bills enacted during the 2021
 - 14 regular legislative session, then, of the remainder in the fund, the lesser
 - 15 of three hundred million dollars or the remainder is continuously
 - 16 appropriated to any department designated by the governor for any
 - 17 allowable purpose under the "American Rescue Plan Act of 2021". THE
 - 18 MONEY SPECIFIED IN SUBSECTION (3)(d) OF THIS SECTION IS
 - 19 CONTINUOUSLY APPROPRIATED TO ANY DEPARTMENT DESIGNATED BY THE
 - 20 GOVERNOR FOR ANY EXPENDITURES NECESSARY TO RESPOND TO THE
 - 21 PUBLIC HEALTH EMERGENCY WITH RESPECT TO COVID-19."
- 22 Page 6, after line 18 insert:
 - 23 "(6) Money transferred to the state highway fund AND the

1 multimodal transportation and mitigation options fund ~~and the highway~~
2 ~~users tax fund~~ in accordance with section 24-75-219 (7), TO THE
3 WORKERS, EMPLOYERS, AND WORKFORCE CENTERS CASH FUND IN
4 ACCORDANCE WITH SECTION 24-75-231 (2)(b)(III), AND TO THE REVENUE
5 LOSS RESTORATION CASH FUND IN ACCORDANCE IN SECTION 24-75-227
6 (2)(b)(III)(A) are subject to the requirements of this section as if they
7 were recipient funds."

8 Page 6, strike lines 23 and 24 and substitute "INCLUDES:

9 (A) FIVE MILLION FIVE HUNDRED SIXTY-THREE THOUSAND NINE
10 HUNDRED EIGHTY-EIGHT DOLLARS FROM THE MONEY THE STATE RECEIVED
11 FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND UNDER
12 SECTION 9901 OF TITLE IX, SUBTITLE M OF THE "AMERICAN RESCUE PLAN
13 ACT OF 2021", WHICH THE STATE TREASURER SHALL TRANSFER TO THE
14 FUND; AND

15 (B) THE AMOUNTS TRANSFERRED TO THE FUND IN ACCORDANCE
16 WITH SECTION 24-75-228 (3.5)(b) AND (3.7)."

17 Page 6, line 26, after "(3.5)" insert "and (3.7)".

18 Page 7, strike lines 12 through 16 and substitute "SUBSECTION (3.5), THE
19 STATE TREASURER SHALL TRANSFER FROM THE FUND THE FOLLOWING
20 AMOUNTS THAT ORIGINATE FROM MONEY THE STATE RECEIVED FROM THE
21 FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND:

22 (a) SEVENTY MILLION DOLLARS TO THE "AMERICAN RESCUE PLAN
23 ACT OF 2021" CASH FUND CREATED IN SECTION 24-75-226 (2);

24 (b) TEN MILLION DOLLARS TO THE REVENUE LOSS RESTORATION
25 CASH FUND CREATED IN SECTION 24-75-227 (2)(a);

26 (c) FIFTEEN MILLION DOLLARS TO THE AFFORDABLE HOUSING AND
27 HOME OWNERSHIP CASH FUND CREATED IN SECTION 24-75-229 (3)(a); AND

28 (d) ONE MILLION FOUR HUNDRED THIRTY-SEVEN THOUSAND ONE
29 HUNDRED SEVENTY-TWO DOLLARS TO THE WORKERS, EMPLOYERS, AND
30 WORKFORCE CENTERS CASH FUND CREATED IN SECTION 24-75-231 (2)(a).

31 (3.7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
32 WITHIN THREE BUSINESS DAYS OF THE EFFECTIVE DATE OF THIS
33 SUBSECTION (3.7), THE STATE TREASURER SHALL TRANSFER TEN MILLION
34 DOLLARS FROM THE FUND THAT ORIGINATES FROM THE GENERAL FUND TO
35 THE REVENUE LOSS RESTORATION CASH FUND CREATED IN SECTION
36 24-75-227 (2)(a)."

37 Page 7, line 18, after "(3)(a)" insert "and (3)(b)".

38 Page 8, after line 10 insert:

1 (b) (I) Three days after June 25, 2021, the state treasurer shall
2 transfer five hundred fifty million dollars from the "American Rescue
3 Plan Act of 2021" cash fund created in section 24-75-226 to the fund; ~~and~~
4 (II) The state treasurer shall credit all interest and income derived
5 from the deposit and investment of money in the fund to the fund; AND
6 (III) THE FUND ALSO INCLUDES THE AMOUNT TRANSFERRED TO THE
7 FUND IN ACCORDANCE WITH SECTION 24-75-228 (3.5)(c)."

8 Page 9, strike lines 10 and 11 and substitute:

9 (b) (III) THE FUND ALSO INCLUDES:

10 (A) THIRTY MILLION NINE HUNDRED THIRTY-SIX THOUSAND
11 TWELVE DOLLARS FROM THE MONEY THE STATE RECEIVED FROM THE
12 FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND UNDER SECTION
13 9901 OF TITLE IX, SUBTITLE M OF THE "AMERICAN RESCUE PLAN ACT OF
14 2021", WHICH THE STATE TREASURER SHALL TRANSFER TO THE FUND; AND

15 (B) THE AMOUNT TRANSFERRED TO THE FUND IN ACCORDANCE
16 WITH SECTION 24-75-228 (3.5)(d)."

17 Page 10, line 1, strike "FIVE HUNDRED THOUSAND" and substitute "EIGHT
18 HUNDRED NINETY-FOUR THOUSAND FOUR".

19 Page 10, line 7, strike "FIVE HUNDRED THOUSAND" and substitute "EIGHT
20 HUNDRED NINETY-FOUR THOUSAND FOUR".

21 Page 10 strike lines 23 through 27.

22 Strike page 11.

23 Page 12, strike lines 1 through 3 and substitute:

24 **"SECTION 8.** In Colorado Revised Statutes, 24-75-219, **amend**
25 (7)(a) as follows:

26 **24-75-219. Transfers - transportation - capital construction -**
27 **definitions - repeal.** (7) In addition to any other transfers required by
28 this section:

29 (a) On June 30, 2021, from the money that the state received from
30 EITHER the federal coronavirus state fiscal recovery fund under section
31 9901 of title IX, subtitle M of the federal "American Rescue Plan Act of
32 2021", Pub.L. 117-2, which is eligible to be used as specified in section
33 602 (c)(I)(C) of said section 9901, OR FROM THE GENERAL FUND, AS
34 SPECIFIED, the state treasurer shall transfer:

35 (I) One hundred eighty-two million one hundred sixty thousand
36 dollars FROM MONEY THE STATE RECEIVED FROM THE FEDERAL
37 CORONAVIRUS STATE FISCAL RECOVERY FUND to the state highway fund.

1 Of this amount, twenty-two million one hundred sixty thousand dollars
2 is for the purpose of providing additional funding for the revitalizing
3 main streets program and five hundred thousand dollars is for the purpose
4 of acquiring, planning the development of, or developing the Burnham
5 Yard rail property in Denver.

6 (II) One hundred sixty-one million three hundred forty thousand
7 dollars FROM MONEY THE STATE RECEIVED FROM THE FEDERAL
8 CORONAVIRUS STATE FISCAL RECOVERY FUND to the multimodal
9 transportation and mitigation options fund; and

10 (III) Thirty-six million five hundred thousand dollars FROM THE
11 GENERAL FUND to the highway users tax fund."

12 Page 13, after line 1 insert:

13 "SECTION 11. Amend section 3 of House Bill 22-1379 as
14 follows:

15 SECTION 3. **Appropriation.** For the 2022-23 state fiscal year,
16 \$15,000,000 is appropriated to the department of natural resources for use
17 by the Colorado water conservation board. This appropriation is from the
18 Colorado water conservation board construction fund created in section
19 37-60-121 (1)(a), C.R.S. To implement this act, the board may use this
20 appropriation for ~~watershed restoration and flood mitigation project~~
21 ~~grants~~ FOR THE PURPOSES SET FORTH IN SECTION 37-60-121 (12), (13), AND
22 (14), C.R.S. Any money appropriated in this section not expended prior
23 to July 1, 2023, is further appropriated to the board from July 1, 2023,
24 through December 30, 2024, for the same purpose.

25 SECTION 12. **Effective date.** (1) This act takes effect upon
26 passage; except that:

27 (a) Section 11 takes effect only if House Bill 22-1379 becomes
28 law, in which case section 11 takes effect upon the effective date of this
29 act or House Bill 22-1379, whichever is later."

30 Renumber succeeding section accordingly.

31 Page 1, line 104, strike "2021"." and substitute "2021", AND, IN
32 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

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