

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 16-0934.01 Duane Gall x4335

**HOUSE BILL 16-1186**

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**HOUSE SPONSORSHIP**

**Tyler,**

**SENATE SPONSORSHIP**

**Baumgardner,**

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**House Committees**

Transportation & Energy  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ALLOCATION OF A PORTION OF FEE REVENUES**  
102           **COLLECTED FROM PUBLIC UTILITIES TO MEET COLORADO'S**  
103           **GRANT MATCH OBLIGATIONS UNDER FEDERAL LAW GOVERNING**  
104           **THE FUNDING OF FIXED RAIL GUIDEWAY SAFETY OVERSIGHT**  
105           **PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN**  
106           **APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

In any year in which the state is required to contribute a 20% grant

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
Amended 2nd Reading  
April 15, 2016

match for federal grants under the federal "Moving Ahead for Progress in the 21st Century Act" for rail fixed guideway system safety oversight, the bill directs the state treasurer to transfer the first \$150,000 collected from public utilities as annual fees into the Colorado public utilities commission's fixed utility fund to meet Colorado's grant match obligation.

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

2           **SECTION 1.** In Colorado Revised Statutes, 40-2-114, **amend** (1)  
3 as follows:

4           **40-2-114. Disposition of fees collected - telecommunications**  
5 **utility fund - fixed utility fund.** (1) (a) Three percent of the fees  
6 collected under section 40-2-113 by the department of revenue shall be  
7 remitted to the state treasurer and credited by the state treasurer ~~to the~~  
8 ~~general fund.~~ AS FOLLOWS:

9           (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PARAGRAPH  
10 (a), FOR THE 2016-17 FISCAL YEAR AND ANY FISCAL YEAR THEREAFTER IN  
11 WHICH A GRANT MATCH IS REQUIRED FOR THE RECEIPT OF FEDERAL MONEY  
12 UNDER THE FEDERAL "MOVING AHEAD FOR PROGRESS IN THE 21ST  
13 CENTURY ACT", PUB.L. 112-141, 126 STAT. 405, FOR RAIL FIXED  
14 GUIDEWAY SYSTEM SAFETY OVERSIGHT RESPONSIBILITIES UNDER ARTICLE  
15 18 OF THIS TITLE, THE LESSER OF ALL OF THE FEES OR UP TO ONE HUNDRED  
16 FIFTY THOUSAND DOLLARS OF THE FEES, OR AS MUCH THEREOF AS THE  
17 COMMISSION DEEMS NECESSARY, TO THE PUBLIC UTILITIES COMMISSION  
18 FIXED UTILITY FUND CREATED IN PARAGRAPH (b) OF THIS SUBSECTION (1);  
19 AND

20           (II) ANY REMAINING FEES TO THE GENERAL FUND.

21           (b) For the remaining ninety-seven percent of the fees collected,  
22 the state treasurer shall credit:

23           ~~(a)~~ (I) Fees paid by public utilities that are telephone corporations

1 to the telecommunications utility fund, which fund is hereby created; and  
2 ~~(b)~~ (II) Fees paid by other public utilities to the public utilities  
3 commission fixed utility fund, which fund is hereby created.

4 **SECTION 2. Appropriation.** For the 2016-17 state fiscal year,  
5 \$150,000 is appropriated to the department of regulatory agencies for use  
6 by the public utilities commission. This appropriation is from the public  
7 utilities commission fixed utility fund created in section 40-2-114 (1) (b),  
8 C.R.S. To implement this act, the commission may use this appropriation  
9 for operating expenses.

10 **SECTION 3. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.