

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**REVISED**

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

LLS NO. 20-1182.01 Esther van Mourik x4215

**HOUSE BILL 20-1398**

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**HOUSE SPONSORSHIP**

**Esgar and McCluskie,**

**SENATE SPONSORSHIP**

**Rankin, Moreno, Zenzinger**

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**House Committees**  
Appropriations

**Senate Committees**  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING MODIFICATIONS TO THE AUTOMATIC CASH FUND**  
102              **FUNDING MECHANISM FOR PAYMENT OF FUTURE COSTS**  
103              **ATTRIBUTABLE TO THE STATE'S CAPITAL ASSETS, AND, IN**  
104              **CONNECTION THEREWITH, MAKING AN 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://leg.colorado.gov/>.)*

**Joint Budget Committee.** The bill:

- ! Exempts the legislative department cash fund and the redistricting account in the legislative department cash fund

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

SENATE  
2nd Reading Unamended  
June 5, 2020

HOUSE  
3rd Reading Unamended  
June 3, 2020

HOUSE  
2nd Reading Unamended  
June 1, 2020

- from the definition of "cash fund" for purposes of the requirements under the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets;
- ! Suspends the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets for the 2020-21 state fiscal year;
- ! Clarifies that any amount of money that may currently be identified in a capital reserve of the legislative department cash fund or in a capital reserve of the redistricting account is also excluded and may be used for the purposes set forth in the statute that created the cash fund; and
- ! Makes an appropriation.

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-30-1310, **amend**  
 3 (1)(d) and (2) introductory portion as follows:

4           **24-30-1310. Funding for capital construction, controlled**  
 5 **maintenance, or capital renewal - definitions.** (1) As used in this  
 6 section, unless the context otherwise requires:

- 7           (d) "Cash fund" does not include:
- 8           (I) The lottery fund created in section 44-40-111;
- 9           (II) The limited gaming fund created in section 44-30-701 (1);
- 10           (III) Money allocated to the division of parks and wildlife from  
 11 lottery proceeds as specified in section 3 of article XXVII of the state  
 12 constitution; ~~or~~
- 13           (IV) The regional center depreciation account in the capital  
 14 construction fund, created in section 24-75-302 (3.8)(a); OR
- 15           (V) THE LEGISLATIVE DEPARTMENT CASH FUND CREATED IN  
 16 SECTION 2-2-1601 (1)(a) AND THE REDISTRICTING ACCOUNT OF THE  
 17 LEGISLATIVE DEPARTMENT CASH FUND CREATED IN SECTION 2-2-1601  
 18 (2.5).

1           (2) EXCEPT FOR THE 2020-21 ANNUAL GENERAL APPROPRIATION  
2 ACT, for every appropriation in the capital construction section of the  
3 2015-16 annual general appropriation act and every appropriation in the  
4 capital construction section of each annual general appropriation act  
5 thereafter, not including appropriations for information technology  
6 projects, additional funding must be set aside as follows:

7           **SECTION 2.** In Colorado Revised Statutes, 2-2-1601, **add** (4) as  
8 follows:

9           **2-2-1601. Legislative department cash fund - redistricting**  
10 **account - creation - definition.** (4) ANY MONEY THAT IS IDENTIFIED IN  
11 A CAPITAL RESERVE OF THE LEGISLATIVE DEPARTMENT CASH FUND  
12 CREATED IN SUBSECTION (1)(a) OF THIS SECTION OR IN A CAPITAL RESERVE  
13 OF THE REDISTRICTING ACCOUNT CREATED IN SUBSECTION (2.5) OF THIS  
14 SECTION AS REQUIRED PURSUANT TO SECTION 24-30-1310 ON OR BEFORE  
15 THE EFFECTIVE DATE OF THIS SUBSECTION (4) SHALL BE RELEASED FROM  
16 SAID RESERVE OR RESERVES AND MAY BE USED INSTEAD FOR THE  
17 PURPOSES SET FORTH IN THIS SECTION.

18           **SECTION 3. Appropriation - adjustments to 2020 long bill.** To  
19 implement this act, general fund appropriations made in the annual  
20 general appropriation act for the 2020-21 state fiscal year for annual  
21 depreciation-lease equivalent payments are decreased by \$7,561,261 as  
22 follows:

<b>Department</b>	<b>General Fund</b>
24           Corrections	(\$307,843)
25           Higher education	(\$3,461,717)
26           Human services	(\$3,103,396)
27           Military and veterans affairs	(\$87,994)

1 Personnel (\$566,806)

2 Public health and environment (\$33,505)

3 **SECTION 4. Safety clause.** The general assembly hereby finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, or safety.