Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

DRAFT
10.28.09

Bill 2

LLS NO. 10-0332.01 Esther van Mourik

INTERIM COMMITTEE BILL

Long-term Fiscal Stability Commission

SHORT TITLE: "Extend SB 09-228 Infra Funding Period"

A BILL FOR AN ACT

101 **CONCERNING THE EXTENSION OF THE PERIOD FOR TRANSFERS FOR**
102 **INFRASTRUCTURE SPENDING PURSUANT TO THE STRUCTURE**
103 **ADOPTED IN SENATE BILL 09-228.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Long-term Fiscal Stability Commission. Senate Bill 09-228 required a specified percentage of general fund revenues to be transferred to the highway users tax fund and the capital construction fund for a 5-year period beginning in the 2012-13 state fiscal year or a later state fiscal year if a specified trigger is not met. These transfers may be reduced or eliminated depending on the amount of state fiscal year

spending that is constitutionally required to be refunded for the given state fiscal year.

The bill extends the original 5-year period for the transfer of moneys from the general fund to both the highway users tax fund and the capital construction fund an additional 4 years, through the 2020-21 state fiscal year, subject to the same triggers and exceptions.

---

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

2 **SECTION 1.** 24-75-219 (2) (c), Colorado Revised Statutes, is
3 amended to read:

4 **24-75-219. Transfers - transportation - capital construction -**
5 **definitions.** (2) (c) (I) Except as otherwise set forth in paragraph (e) of
6 this subsection (2), for each state fiscal year from 2014-15 through the
7 state fiscal year 2016-17, the state treasurer shall transfer from the general
8 fund to the:

9 ~~(I)~~ (A) Highway users tax fund, an amount equal to two percent
10 of the total general fund revenues for the state fiscal year in which the
11 transfer is made; and

12 ~~(II)~~ (B) Capital construction fund, an amount equal to one percent
13 of the total general fund revenues for the state fiscal year in which the
14 transfer is made.

15 (II) EXCEPT AS OTHERWISE SET FORTH IN PARAGRAPH (e) OF THIS
16 SUBSECTION (2), FOR EACH STATE FISCAL YEAR FROM 2017-18 THROUGH
17 THE STATE FISCAL YEAR 2020-21, THE STATE TREASURER SHALL TRANSFER
18 FROM THE GENERAL FUND TO THE:

19 (A) HIGHWAY USERS TAX FUND AN AMOUNT EQUAL TO TWO
20 PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR THE STATE FISCAL
21 YEAR IN WHICH THE TRANSFER IS MADE; AND

22 (B) CAPITAL CONSTRUCTION FUND AN AMOUNT EQUAL TO ONE

1 PERCENT OF THE TOTAL GENERAL FUND REVENUES FOR THE STATE FISCAL
2 YEAR IN WHICH THE TRANSFER IS MADE.
3 **SECTION 2. Act subject to petition - effective date.** This act
4 shall take effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part shall not take effect
10 unless approved by the people at the general election to be held in
11 November 2010 and shall take effect on the date of the official
12 declaration of the vote thereon by the governor. <{***Ask the committee***}>