NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 10-1327

BY REPRESENTATIVE(S) Pommer, Ferrandino, Lambert;
also SENATOR(S) White, Keller, Tapia.

CONCERNING THE AUGMENTATION OF THE GENERAL FUND THROUGH TRANSFERS OF CERTAIN MONEYS.

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

SECTION 1. 23-19.9-102 (2) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

23-19.9-102. Higher education federal mineral lease revenues fund - higher education maintenance and reserve fund - creation - sources of revenues - use. (2) (b) (IV) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (2) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (IV), THE STATE TREASURER SHALL DEDUCT TWO MILLION THREE HUNDRED THOUSAND DOLLARS FROM THE HIGHER EDUCATION MAINTENANCE AND RESERVE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 2. 24-30-1115, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

24-30-1115. Motor fleet management fund - creation. (4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (4), THE STATE TREASURER SHALL DEDUCT THREE HUNDRED NINETY-SEVEN THOUSAND ONE HUNDRED FORTY-THREE DOLLARS FROM THE MOTOR FLEET MANAGEMENT FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 3. 24-32-114, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-32-114. Cleanup of illegally disposed of waste tires - waste tire cleanup fund - legislative declaration - repeal. (1.7) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (1.7), THE STATE TREASURER SHALL DEDUCT ONE MILLION NINE HUNDRED THOUSAND DOLLARS FROM THE WASTE TIRE CLEANUP FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 4. 24-37.5-506, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-37.5-506. Public safety communications trust fund - creation. (3.5) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (3) OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (3.5), THE STATE TREASURER SHALL DEDUCT TWO HUNDRED THIRTY THOUSAND FIVE HUNDRED TWENTY DOLLARS FROM THE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 5. 24-75-302, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-75-302. Capital construction fund - capital assessment fees - calculation. (11) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (11), THE STATE TREASURER SHALL DEDUCT THREE HUNDRED THIRTY-FIVE THOUSAND DOLLARS FROM THE EMERGENCY CONTROLLED MAINTENANCE ACCOUNT IN THE CAPITAL CONSTRUCTION FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 6. 25-17-202.5, Colorado Revised Statutes, is amended

BY THE ADDITION OF A NEW SUBSECTION to read:

25-17-202.5. Processors and end users of waste tires cash fund created - repeal. (1.5) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (1.5), THE STATE TREASURER SHALL DEDUCT FIVE HUNDRED THOUSAND DOLLARS FROM THE PROCESSORS AND END USERS OF WASTE TIRES CASH FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 7. 34-63-102 (5.3) (a) (I) (A), Colorado Revised Statutes, is amended, and the said 34-63-102 (5.3) (a) (I) is further amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH, to read:

34-63-102. Creation of mineral leasing fund - distribution - advisory committee - definitions. (5.3) (a) Bonus payments credited to the mineral leasing fund created in subparagraph (I) of paragraph (a) of subsection (1) of this section shall be distributed on a quarterly basis for each quarter commencing on July 1, October 1, January 1, or April 1 of any state fiscal year as follows:

(I) (A) Fifty percent of the bonus payments shall be transferred to the local government permanent fund, which is hereby created in the state treasury. Interest and income derived from the deposit and investment of moneys in the local government permanent fund shall be credited to the permanent fund and shall not be transferred to the general fund or any other fund at the end of any fiscal year. Except as otherwise provided in ~~sub-subparagraphs (B) and (C)~~ SUB-SUBPARAGRAPHS (B), (C), AND (D) of this subparagraph (I), moneys in the permanent fund shall not be expended for any purpose. The state treasurer may invest moneys in the local government permanent fund in any investment in which the board of trustees of the public employees' retirement association may invest the funds of the association pursuant to section 24-51-206, C.R.S.

(D) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (5.3) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUB-SUBPARAGRAPH (D), THE STATE TREASURER SHALL DEDUCT FOURTEEN MILLION THREE HUNDRED FIVE THOUSAND SIX HUNDRED NINETY-SEVEN DOLLARS FROM THE LOCAL GOVERNMENT PERMANENT FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 8. 39-29-109 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

39-29-109. Severance tax trust fund - created - administration - distribution of moneys - repeal. (1) (a) **The perpetual base account.** (VI) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (VI), THE STATE TREASURER SHALL DEDUCT TWO MILLION DOLLARS FROM THE PERPETUAL BASE ACCOUNT OF THE FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 9. 39-29-109.3, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

39-29-109.3. Operational account of the severance tax trust fund - repeal. (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (6), THE STATE TREASURER SHALL DEDUCT ELEVEN MILLION DOLLARS FROM THE OPERATIONAL ACCOUNT AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 10. 39-29-110, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

39-29-110. Local government severance tax fund - creation - administration - definitions. (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (6), THE STATE TREASURER SHALL DEDUCT FIFTY MILLION THREE HUNDRED TWENTY-SEVEN THOUSAND SEVEN HUNDRED NINETY-SIX DOLLARS FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND AND TRANSFER SUCH SUM TO THE GENERAL FUND.

SECTION 11. 43-4-402, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

43-4-402. Source of revenues - allocation of moneys. (3) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ON JUNE 30, 2010, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE FUND TO THE GENERAL FUND.

SECTION 12. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Terrance D. Carroll SPEAKER OF THE HOUSE OF REPRESENTATIVES	Brandon C. Shaffer PRESIDENT OF THE SENATE
Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Karen Goldman SECRETARY OF THE SENATE

APPROVED_____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO