An Act

SENATE BILL 11-228

BY SENATOR(S) Steadman, Hodge, Lambert;
also REPRESENTATIVE(S) Gerou, Becker, Ferrandino.

CONCERNING THE FORMULA BY WHICH MONEYS SHALL BE ADVANCED TO A COUNTY FROM THE COUNTY TAX BASE RELIEF FUND IN THE EVENT THAT APPROPRIATIONS ARE INSUFFICIENT TO COVER ALL ADVANCEMENTS.

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

SECTION 1. 26-1-126 (4) (a), Colorado Revised Statutes, is amended to read:

26-1-126. County contingency fund - county tax base relief fund - creation - repeal. (4) (a) (I) Except as provided in paragraph (b) of subsection (2.1) of this section, in the event appropriations are insufficient to cover advancements from one or more tiers as provided for in this section, the advancements from a tier from which appropriations are insufficient to cover all advancements from that tier shall be ~~prorated on the basis of total claims submitted in proportion to moneys available. As moneys are advanced, any adjustments shall be made from subsequent payments for this purpose~~ ADVANCED TO EACH COUNTY THAT IS ELIGIBLE TO RECEIVE AN ADVANCEMENT FROM THAT TIER IN AN EQUITABLE MANNER,

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

SUCH THAT EACH SUCH COUNTY SHALL HAVE THE SAME PROPORTION OF THE COUNTY'S OBLIGATIONS PAID THROUGH THE COMBINATION OF ITS PROPERTY TAX REVENUE AVAILABLE AND ITS ADVANCEMENT FROM THE COUNTY TAX BASE RELIEF FUND.

(II) AS USED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a):

(A) "COUNTY'S OBLIGATIONS" MEANS A COUNTY DEPARTMENT'S SHARE OF THE OVERALL COST OF PROVIDING THE ASSISTANCE PAYMENTS, FOOD STAMPS (EXCEPT THE VALUE OF FOOD STAMP COUPONS), AND SOCIAL SERVICES ACTIVITIES DELIVERED IN THE COUNTY, INCLUDING THE COSTS ALLOCATED TO THE ADMINISTRATION OF EACH, AS DESCRIBED IN SECTION 26-1-122; AND THE COUNTY SHARE OF THE ADMINISTRATIVE COSTS OF MEDICAL ASSISTANCE IN THE COUNTY, AS DESCRIBED IN SECTION 25.5-1-122, C.R.S.

(B) "PROPERTY TAX REVENUE AVAILABLE" MEANS THE AMOUNT OF MONEYS THAT WOULD BE RAISED BY A LEVY OF 3.0 MILLS ON THE PROPERTY VALUED FOR ASSESSMENT IN THE COUNTY IF MONEYS ARE INSUFFICIENT TO COVER ADVANCEMENTS FROM TIER 1, THE AMOUNT OF MONEYS THAT WOULD BE RAISED BY A LEVY OF 2.5 MILLS ON THE PROPERTY VALUED FOR ASSESSMENT IN THE COUNTY IF MONEYS ARE INSUFFICIENT TO COVER ADVANCEMENTS FROM TIER 2, OR THE AMOUNT OF MONEYS THAT WOULD BE RAISED BY A LEVY OF 2.0 MILLS ON THE PROPERTY VALUED FOR ASSESSMENT IN THE COUNTY IF MONEYS ARE INSUFFICIENT TO COVER ADVANCEMENTS FROM TIER 3.

SECTION 2. 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.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED 11:27 am 5/5/11

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO