Joint Budget Committee Staff

Memorandum

To: Joint Budget Committee Members
From: Kelly Shen, JBC Staff (303-866-5434)
Date: Thursday, April 17, 2025
Subject: JBC Potential Legislation – Packet 19

This packet includes bill drafts and a memo for the Committee's consideration. Unless otherwise indicated by the JBC analyst, **these bills are seeking approval for introduction**. This includes:

- making a motion to approval the bill for introduction;
- allowing JBC staff permission to make technical changes including adding appropriation clauses; and
- assigning sponsors.

Potential Legislation

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

REDRAFT
4/16/25
Double underlining denotes changes from prior draft

DRAFT

LLS NO. 25-1054.01 Pierce Lively x2059 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Decarbonization Tax Credits Admin Cash Fund

A BILL FOR AN ACT

CONCERNING THE DECARBONIZATION TAX CREDITS ADMINISTRATION CASH FUND, AND, IN CONNECTION THEREWITH, REQUIRING THAT MONEY CREDITED TO THE FUND NOT EXCEED THE NET REVENUE FROM THE COLLECTION OF OIL AND GAS SEVERANCE TAX, TRANSFERRING TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE ENERGY AND CARBON MANAGEMENT CASH FUND TO THE FUND, AND TRANSFERRING TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE ENERGY AND CARBON MANAGEMENT CASH FUND.

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

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

applies to the reengrossed version of this bill will be available at http://leg.colorado.gov/.)

Joint Budget Committee. For state fiscal years 2023-24 through 2026-27, current law requires the state treasurer to credit to the decarbonization tax credits administration cash fund (fund) oil and gas severance tax revenue equal to the amount attributable to the decreased severance tax credit allowed for oil and gas production for tax years 2024 through 2026. **Section 2** of the bill provides that for state fiscal years 2024-25 and 2025-26, oil and gas severance tax revenue credited to the fund shall not exceed the net revenue from the oil and gas severance tax collection.

Section 3 requires the state treasurer to transfer $2,500,000 from the energy and carbon management cash fund to the fund on June 30, 2025.

Section 1 requires the state treasurer to transfer $2,500,000 from the fund to the energy and carbon management cash fund on January 1, 2026.

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

SECTION 1. In Colorado Revised Statutes, 24-38.5-210, **add** (3.5) as follows:

24-38.5-120. Decarbonization tax credits administration cash fund - definitions - repeal. (3.5) (a) ON JANUARY 1, 2026, THE STATE TREASURER SHALL TRANSFER TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE ENERGY AND CARBON MANAGEMENT CASH FUND CREATED IN SECTION 34-60-122 (5).

(b) THIS SUBSECTION (3.5) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 2. In Colorado Revised Statutes, 39-29-108, **amend** (2)(e)(I); and **add** (2)(e)(IV) as follows:

39-29-108. Allocation of severance tax revenues - definitions - repeal. (2) (e) (I) ~~Except as provided in subsection (2)(e)(II) of this section,~~ For the state fiscal years 2023-24 through 2026-27, the state treasurer shall credit the discrete increased amount of severance tax for

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Double underlining denotes changes from prior draft

oil and gas production that is attributable to the reduction of the credit against tax pursuant to section 39-29-105 (2)(b)(II) and 39-29-105 (2)(c) to the decarbonization tax credits administration cash fund created in section 24-38.5-120 (2); EXCEPT THAT, FOR STATE FISCAL YEARS 2024-25 AND 2025-26, MONEY CREDITED TO THE DECARBONIZATION TAX CREDITS ADMINISTRATION CASH FUND SHALL NOT EXCEED THE NET REVENUE FROM THE OIL AND GAS SEVERANCE TAX COLLECTION.

(IV) THIS SUBSECTION (2)(e) IS REPEALED, EFFECTIVE DECEMBER 31, 2036.

SECTION 3. In Colorado Revised Statutes, 34-60-122, **add** (5)(f) as follows:

34-60-122. Expenses - energy and carbon management cash fund created - repeal. (5) (f) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE ENERGY AND CARBON MANAGEMENT CASH FUND TO THE DECARBONIZATION TAX CREDITS ADMINISTRATION CASH FUND CREATED IN SECTION 24-38.5-120 (2).

(II) THIS SUBSECTION (5)(f) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 4. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Joint Budget Committee Staff

Memorandum

To:	Joint Budget Committee
From:	Name, JBC Staff (303-866-4952)
Date:	Wednesday, April 16, 2025
Subject:	Health and Related Social Need and Reentry Services

Overview

The JBC voted to draft legislation to implement a newly approved federal waiver that includes allowing Medicaid to pay for housing and related social needs (HRSN) and health-related reentry services for people leaving correctional facilities. All components of the waiver were previously approved in several pieces or prior legislation. However, to implement the HRSN & reentry services the Department needs some additional statutory changes.

Medicaid payments for HRSN were authorized in H.B. 24-1322. Housing programs in the Department of Local Affairs and for foster children in the Department of Human Services currently serve some Medicaid clients. Some of those services to Medicaid clients will become eligible for matching federal funds under the waiver. Specifically, Medicaid will pay for six months of housing vouchers and tenancy support services like lease management, tenancy rights, and utility management.

Medicaid payments for reentry services were authorized in H.B. 24-1045 and S.B. 22-196. The Department of Corrections and Division of Youth Services currently provide reentry services that will become eligible for matching federal funds. Specifically, Medicaid will cover services in a 90-day pre-release period for targeted case management, physical and behavioral health clinical screenings and consultation, and Medication assisted treatment, including medications and accompanying counseling.

The existing HRSN and reentry services are financed with General Fund and there will be General Fund savings when matching federal funds become available. However, the waiver requires that the state reinvest the savings to expand and enhance the same HRSN and reentry services.

The bill creates new cash funds to capture the savings and account for them to the federal government for HRSN services and reentry services respectively. The cash funds are subject to appropriation by the General Assembly for the related administrative costs and service expansions and enhancements.

The Department will submit requests in future years for the expansions and enhancements. Future phases for HRSN will include move-in goods and then nutrition assistance. A future phase for reentry services will include county jails.

The portions of existing HRSN & reentry services that are eligible for matching federal funds will vary annually based on the eligible populations and utilization of services. The departments providing HRSN and reentry services need the same total funds to maintain current levels of service, but the source of funds will change.

The appropriations clause of the draft bill reduces General Fund appropriations for services in the departments of Local Affairs, Human Services, and Corrections by the projected services eligible for Medicaid reimbursement. The General Fund appropriations are replaced with reappropriated funds from the Department of Health Care Policy and Financing.

Then, the General Fund savings are appropriated to the Department of Health Care Policy and Financing (HCPF). HCPF will use the General Fund to pay the departments providing the services. Services eligible for Medicaid reimbursement will draw a federal match, creating General Fund savings that will be deposited in the newly created HRSN or reentry services cash funds.

If the forecast of Medicaid-eligible services is too high, HCPF will transfer straight General Fund to the departments providing services. Each department will still receive the full reappropriated funds from HCPF to continue providing services to populations not eligible for Medicaid. The amount HCPF provides to each department will not exceed the reappropriated funds spending authority for each department. The General Fund savings deposited in the HRSN and reentry services cash funds will be less.

If the forecast of Medicaid-eligible services is too low, HCPF will draw more matching federal funds, generating more General Fund savings. However, the department providing the services will need a supplemental true up to decrease the General Fund and increase the reappropriated funds from HCPF in order to make sure that the correct amount of General Fund savings gets deposited in the HRSN and reentry services cash funds.

The draft bill allows appropriations from the Affordable Housing Support Fund (AHSF) to the Department of Health Care Policy and Financing for the same services that the AHSF would support in the Department of Local Affairs. The AHSF receives voter-approved money from Proposition 123. Health Care Policy and Financing will use the money to match federal funds and pay tenancy support services providers. These payments for tenancy support services will go directly from HCPF to the providers, rather than through the Department of Local Affairs.

HRSN & Reentry Services

Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Health Care Policy and Financing						
General Administration						
Personal Services	$281,772	$0	$140,886	$0	$140,886	3.0
Operating Expenses	23,850	0	11,925	0	11,925	0.0
General Professional Services & Special Projects	406,032	0	203,016	0	203,016	0.0
Medical Services Premiums						
Medical and long-term care services for Medicaid eligible individuals	8,320,786	0	2,218,592	0	6,102,194	0.0

HRSN & Reentry Services						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Transfers to Other State Departments						
Corrections						
Administration	544,584	0	272,292	0	272,292	0.0
Reentry Services	6,517,727	3,750,994	0	0	2,766,733	0.0
Human Services						
Executive Director's Office	37,980	0	18,990	0	18,990	0.0
Office of Children, Youth and Families						
Health-Related Social Needs	1,142,323	761,549	0	0	380,774	0.0
Reentry Services	84,352	56,235	0	0	28,117	0.0
Local Affairs						
Administration	225,100	0	112,550	0	112,550	0.0
Health-Related Social Needs	12,900,408	7,622,681	0	0	5,277,727	0.0
Total	$30,484,914	$12,191,459	$2,978,251	$0	$15,315,204	3.0
Corrections						
Medical Services Subprogram						
Personal Services	$183,084	-$2,005,975	$0	$2,189,059	$0	2.0
Operating Expenses	15,900	0	0	15,900	0	0.0
Purchase of Pharmaceuticals	0	-1,745,019	0	1,745,019	0	0.0
Total	$198,984	-$3,750,994	$0	$3,949,978	$0	2.0
Human Services						
Executive Director's Office						
Administration and Finance						
Personal Services	$37,980	$0	$0	$37,980	$0	0.3
Operating Expenses	0	0	0	0	0	0.0
Office of Children, Youth, and Families						
Division of Child Welfare						
Preventing Youth Homelessness	0	-761,549	0	761,549	0	0.0
Division of Youth Services						
Institutional Programs						
Medical Services	0	-9,291	0	9,291	0	0.0
Community Programs						
Program Administration	0	-46,944	0	46,944	0	0.0
Total	$37,980	-$817,784	$0	$855,764	$0	0.3
Local Affairs						
Executive Director's Office						
Administration						
Personal Services	$201,250	$0	$0	$201,250	$0	3.0
Operating Expenses	23,850	0	0	23,850	0	0.0
Division of Housing						
Community Services						
Low Income Rental Subsidies	0	-3,917,871	0	3,917,871	0	0.0
Field Services						

HRSN & Reentry Services						
Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Affordable Housing Construction Grants and Loans pursuant to Section 24-32-721, C.R.S.	0	-3,585,300	0	3,585,300	0	0.0
Housing Assistance for Persons Transitioning from the Criminal or Juvenile Justice System	0	-119,510	0	119,510	0	0.0
Proposition 123 Programs for Affordable Home Ownership and Persons Experiencing Homelessness	-2,218,592	0	-2,218,592	0	0	0.0
Total	-$1,993,492	-$7,622,681	-$2,218,592	$7,847,781	$0	3.0
Statewide Total	$28,728,386	$0	$759,659	$12,653,523	$15,315,204	8.3

Administration

A portion of the General Fund deposited in the HRSN and reentry services cash funds will be appropriated to the Department of Health Care Policy and Financing to match federal funds for administration. Some of the administrative funds will be reappropriated to the departments delivering the services.

The original request included 19 new positions (17.5 FTE in the first year), but this included double counts of 8 positions. After removing the double counts, the departments were really requesting a total of 11 new positions.

Legislative Council Staff and the Joint Budget Committee staff agree that implementing the bill would require 8.3 new positions and some contract services.

Administration					
Item	Total	HCPF	DOLA	COR	HUM
Accounting	3.3	1.0	1.0	1.0	0.3
Medical billing	1.0	0.0	1.0	contract	contract
Program planning & coordination	1.0	1.0	0.0	0.0	0.0
Workforce development	1.0	1.0	0.0	0.0	0.0
Provider credentialing/support	1.0	0.0	1.0	0.0	0.0
Pharmacy procurement	1.0	0.0	0.0	1.0	0.0
Total	8.3	3.0	3.0	2.0	0.3

Accounting

Each department will need accounting staff to:

- track the Medicaid-eligible expenditures
- provide federally-required documentation
- project and true up costs for budgeting
- transfer the correct state fund savings to the HRSN and reentry services cash funds
- reconcile state accounting system entries with the federal payment management system and state Medicaid budget expenditure system

The JBC staff and LCS project the incremental increase in accounting workload for the Department of Human Services is 0.3 FTE. The volume of services impacted is only $817,784 total funds and the department has existing experience and expertise in working with Medicaid.

For the other departments, the JBC staff and LCS project a need for 1.0 accounting staff each. The accountant at HCPF will serve as a team lead, in addition to managing the HCPF-specific transactions.

Medical billing

In addition to the accounting staff, the departments delivering services will need resources for medical billing. The resources will:

- Verify Medicaid eligibility of members receiving services
- Verify the appropriateness and accuracy of services
- Submit invoices to HCPF using the appropriate medical billing codes
- Track invoices submitted and reconcile them with paid and denied claims

Program planning and coordination

Health Care Policy and Financing needs a program and planning coordinator to manage the waiver services across the four agencies on an ongoing basis. In addition, the position will be responsible for convening the agencies and stakeholders and planning for the reinvestment of the savings to expand and enhance services, including the expenditure projections and implementation logistics.

Workforce development

Health Care Policy and Financing proposes a workforce development coordinator for peer support services. Peer support services are a mental health model where individuals with lived experience support others facing similar challenges in their recovery from mental illness or substance abuse. The federal waiver requires the Department to utilize peer support services as a cost-effective and evidence-based delivery method. These are non-credentialed providers. The Department believes that a staff position devoted to recruitment, training, and retention of peer support providers will improve the delivery system. This bill draft includes an instruction to the Department to develop the workforce, but the JBC could decide to omit that instruction and this FTE.

Provider credentialing/support

Local Affairs will need one position to credential housing providers and to support providers of tenancy support services. Local Affairs already uses a "Provider Type 89" credential, but few providers seek the credential. All providers receiving Medicaid reimbursement will need this credential under the federal waiver requirements, so Local Affairs expects a large increase in the credentialing workload. In addition, Local Affairs will provide technical guidance and assistance to providers of tenancy support services who will be billing Medicaid directly. Currently, these tenancy support services get provided through block grants from Local Affairs. The program requirements and billing procedures for tenancy support services will change significantly.

Pharmacy procurement

The Department of Corrections needs one position to deal with procuring medications in a manner eligible for Medicaid reimbursement. The Medicaid rules, procedures, and pricing for pharmaceuticals differ significantly from current DOC practice. Also, DOC expects an increase in utilization with the new payer for medication-assisted treatment and the waiver requirement to provide a 30-day supply of medications at release. Finally, this position will work on specific challenges around managing medications in a locked facility with a high potential for abuse.

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4/16/25

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT

LLS NO. 25-0974.01 Conrad Imel x2313 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Medicaid Services Related to Fed Authorizations

A BILL FOR AN ACT

CONCERNING MEASURES RELATED TO CERTAIN STATE MEDICAL ASSISTANCE PROGRAM FEDERAL AUTHORIZATIONS, AND, IN CONNECTION THEREWITH, FUNDING SERVICES FROM SAVINGS REALIZED FROM STATE MEDICAL ASSISTANCE PROGRAM FEDERAL AUTHORIZATIONS AND MAKING AND REDUCING APPROPRIATIONS.

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 department of health care policy

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

and financing (state department) received federal authorization to provide coverage for health-related social needs and to provide reentry services to justice-involved individuals through the medicaid program. The federal authorization requires the savings of state money realized from the federal authorizations to be spent on similar services.

The bill creates 2 cash funds, one for health-related social needs and one for reentry services for justice-involved individuals. The bill requires the state treasurer to transfer the savings of state money realized from each federal authorization to the respective cash fund. Subject to annual appropriation by the general assembly, the state department may expend money from the funds to provide health-related social needs or reentry services to justice-involved individuals.

The bill requires the state department to develop a workforce to provide peer support services in order to comply with the terms of the federal authorization for health-related social needs.

The bill authorizes the state department, subject to annual appropriation by the general assembly, to spend money from the affordable housing support fund for services authorized by the federal authorization to provide coverage for health-related social needs.

The bill makes and reduces appropriations to the state department.

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

SECTION 1. In Colorado Revised Statutes, **add** 25.5-5-340 as follows:

25.5-5-340. Health-related social needs reinvestment cash fund - creation - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "FEDERAL AUTHORIZATION" MEANS THE AUTHORIZATION THE STATE DEPARTMENT RECEIVED FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PROVIDE COVERAGE FOR HEALTH-RELATED SOCIAL NEEDS THROUGH THE STATE MEDICAL ASSISTANCE PROGRAM.

(b) "FUND" MEANS THE HEALTH-RELATED SOCIAL NEEDS REINVESTMENT CASH FUND CREATED IN THIS SECTION.

(2) (a) THE HEALTH-RELATED SOCIAL NEEDS REINVESTMENT CASH

FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (3) OF THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(b) IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(3) BEGINNING JUNE 30, 2026, AND ON JUNE 30 OF EACH YEAR THEREAFTER, THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND AN AMOUNT OF MONEY EQUAL TO THE AMOUNT OF UNSPENT MONEY THAT REVERTED TO THE GENERAL FUND IN THAT YEAR FROM THE APPROPRIATION FROM THE GENERAL FUND TO THE STATE DEPARTMENT FOR HEALTH-RELATED SOCIAL NEEDS.

(4) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE STATE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR SERVICES THAT SUPPORT HEALTH-RELATED SOCIAL NEEDS AND RELATED ADMINISTRATIVE SERVICES, AS AUTHORIZED BY THE FEDERAL AUTHORIZATION.

(5) ON OR AFTER NOVEMBER 1, 2025, AND ON OR AFTER NOVEMBER 1 EACH YEAR THEREAFTER, THE STATE DEPARTMENT SHALL PRESENT TO THE JOINT BUDGET COMMITTEE A RECOMMENDATION FOR SPENDING MONEY IN THE FUND TO EXPAND AND ENHANCE SERVICES AUTHORIZED BY THE FEDERAL AUTHORIZATION. WHEN DEVELOPING THE RECOMMENDATION, THE STATE DEPARTMENT SHALL CONSULT WITH STATE AGENCIES PARTICIPATING IN SERVICES PROVIDED THROUGH, AND STAKEHOLDERS WHO REPRESENT THE MEMBERS RECEIVING SERVICES INCLUDED IN, THE FEDERAL AUTHORIZATION.

SECTION 2. In Colorado Revised Statutes, 25.5-5-339, **add** (11) as follows:

25.5-5-339. Coverage for services addressing health-related social needs feasibility study - federal authorization - report - rules. (11) TO PROVIDE PEER SUPPORT SERVICES IN COMPLIANCE WITH THE TERMS OF THE FEDERAL AUTHORIZATION, THE STATE DEPARTMENT SHALL DEVELOP A WORKFORCE TO PROVIDE PEER SUPPORT SERVICES. <{***This is optional, but is requested by HCPF. If this is removed, the appropriation for administration can be decreased by 1.0 FTE.***}>

SECTION 3. In Colorado Revised Statutes, **add** 25.5-4-505.7 as follows:

25.5-4-505.7. Reentry services for justice-involved individuals reinvestment cash fund - creation - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "FEDERAL AUTHORIZATION" MEANS THE AUTHORIZATION THE STATE DEPARTMENT RECEIVED FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PROVIDE REENTRY SERVICES TO JUSTICE-INVOLVED INDIVIDUALS THROUGH THE STATE MEDICAL ASSISTANCE PROGRAM.

(b) "FUND" MEANS THE REENTRY SERVICES FOR JUSTICE-INVOLVED INDIVIDUALS REINVESTMENT CASH FUND CREATED IN THIS SECTION.

(2) THE REENTRY SERVICES FOR JUSTICE-INVOLVED INDIVIDUALS REINVESTMENT CASH FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED PURSUANT TO SUBSECTION (3) OF THIS SECTION AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL

INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(3) BEGINNING JUNE 30, 2026, AND ON JUNE 30 OF EACH YEAR THEREAFTER, THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND AN AMOUNT OF MONEY EQUAL TO THE AMOUNT OF UNSPENT MONEY THAT REVERTED TO THE GENERAL FUND IN THAT YEAR FROM THE APPROPRIATION FROM THE GENERAL FUND TO THE STATE DEPARTMENT FOR REENTRY SERVICES FOR JUSTICE-INVOLVED INDIVIDUALS.

(4) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE STATE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR MEDICAID SERVICES FOR INDIVIDUALS WHO ARE INCARCERATED IN, ARE AT RISK OF BEING INCARCERATED IN, OR ARE BEING RELEASED FROM A CARCERAL FACILITY, AND FOR RELATED ADMINISTRATIVE SERVICES, AS AUTHORIZED THROUGH THE FEDERAL AUTHORIZATION.

(5) ON OR AFTER NOVEMBER 1, 2025, AND ON OR AFTER NOVEMBER 1 EACH YEAR THEREAFTER, THE STATE DEPARTMENT SHALL PRESENT TO THE JOINT BUDGET COMMITTEE A RECOMMENDATION FOR SPENDING MONEY IN THE FUND TO EXPAND AND ENHANCE SERVICES AUTHORIZED BY THE FEDERAL AUTHORIZATION WHEN DEVELOPING THE RECOMMENDATION, THE STATE DEPARTMENT SHALL CONSULT WITH STATE AGENCIES PARTICIPATING IN SERVICES PROVIDED THROUGH, AND STAKEHOLDERS WHO REPRESENT THE MEMBERS RECEIVING SERVICES INCLUDED IN, THE FEDERAL AUTHORIZATION.

SECTION 4. In Colorado Revised Statutes, 24-75-402, **amend** (5)(jjj); and **add** (5)(lll) and (5)(mmm) as follows:

24-75-402. Cash funds - limit on uncommitted reserves -

reduction in the amount of fees - exclusions - definitions. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(jjj) The employee ownership cash fund created in section 39-22-542.5 (8); ~~and~~

(lll) THE REENTRY SERVICES FOR JUSTICE-INVOLVED INDIVIDUALS REINVESTMENT CASH FUND CREATED IN SECTION 25.5-4-505.7; AND

(mmm) THE HEALTH-RELATED SOCIAL NEEDS REINVESTMENT CASH FUND CREATED IN SECTION 25.5-5-340.

SECTION 5. In Colorado Revised Statutes, 29-32-103, **amend** (1) as follows:

29-32-103. Transfers of money - permitted uses of the fund - continuous appropriation. (1) (a) The affordable housing support fund is hereby created in the state treasury. The support fund ~~shall consist~~ CONSISTS of money deposited into it under ~~subsection~~ SUBSECTIONS (1)(b)(II) AND (3) of this section. The division of housing shall administer the support fund and expend the money in the support fund only for the purposes set forth in ~~sections~~ SECTION 29-32-104 (3)(a) and (3)(b). The division of local government in the department of local affairs created in section 24-32-103 shall expend the money in the support fund only for the purposes set forth in section 29-32-104 (3)(c). EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, all money not expended or encumbered, and all interest earned on the investment or deposit of money in the support fund, ~~shall remain~~ REMAINS in the support fund and ~~shall~~ DOES not revert to the general fund or any other fund at the end of any fiscal year. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b)

OF THIS SECTION, all money transferred to the support fund pursuant to subsection (3) of this section is continuously appropriated to the division of housing for the purposes set forth in ~~sections~~ SECTION 29-32-104 (3)(a) and (3)(b) and, to the extent allocated by the division of housing, to the division of local government for the purposes set forth in section 29-32-104 (3)(c).

(b) (I) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING MAY SPEND MONEY FROM THE AFFORDABLE HOUSING SUPPORT FUND FOR SERVICES THAT ARE:

(A) FOR HEALTH-RELATED SOCIAL NEEDS, AS DESCRIBED IN THE FEDERAL AUTHORIZATION THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING RECEIVED FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PROVIDE COVERAGE FOR HEALTH-RELATED SOCIAL NEEDS THROUGH THE STATE MEDICAL ASSISTANCE PROGRAM; AND

(B) AN ALLOWABLE USE OF MONEY IN THE FUND AS DESCRIBED IN SECTION 29-32-104 (3)(b).

(II) THE MONEY APPROPRIATED TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING PURSUANT TO THIS SUBSECTION (1)(b) IS AN ALLOCATION FROM THE FUND FOR THE PURPOSES OF DETERMINING THE AMOUNT OF MONEY ALLOWED FOR ADMINISTRATIVE COSTS PURSUANT TO SECTION 29-32-104 (3)(b).

SECTION 6. Appropriation. (1) For the 2025-26 state fiscal year, $15,169,710 is appropriated to the department of health care policy and financing. This appropriation consists of $12,191,459 from the general fund and $2,978,251 from cash funds. To implement this act, the department may use this appropriation as follows:

(a) $140,886 cash funds, which consists of $26,150 from the reentry services for justice-involved individuals reinvestment cash fund created in section 25.5-4-505.7 (2), C.R.S., and $114,736 from the health-related social needs reinvestment cash fund created in section 25.5-5-340 (2)(a), C.R.S., for personal services related to general administration and is based on an assumption that the department will require an additional 3.0 FTE;

(b) $11,925 from cash funds, which consists of $2,213 from the reentry services for justice-involved individuals reinvestment cash fund created in section 25.5-4-505.7 (2), C.R.S., and $9,712 from the health-related social needs reinvestment cash fund created in section 25.5-5-340 (2)(a), C.R.S., for operating expenses related to general administration;

(c) $203,016 from the reentry services for justice-involved individuals reinvestment cash fund created in section 25.5-4-505.7 (2), C.R.S., for general professional services and special projects;

(d) $2,218,592 from the affordable housing support fund created in section 29-32-103 (1)(a), C.R.S., for medical and long-term care services for medicaid-eligible individuals; and

(e) For use by transfers to other state department medicaid-funded programs:

(I) $272,292 from the reentry services for justice-involved individuals reinvestment cash fund created in section 25.5-4-505.7 (2), C.R.S., which is subject to the "(H)" notation as defined in the annual general appropriation act for the same fiscal year, for administration related to corrections;

(II) $3,750,994 from the general fund, which is subject to the

"(M)" notation as defined in the annual general appropriation act for the same fiscal year, for reentry services related to corrections;

(III) $18,990 from cash funds, which is subject to the "(H)" notation as defined in the annual general appropriation act for the same fiscal year and consists of $6,163 from the reentry services for justice-involved individuals reinvestment cash fund created in section 25.5-4-505.7 (2), C.R.S., and $12,827 from the health-related social needs reinvestment cash fund created in section 25.5-5-340 (2)(a), C.R.S., for the executive director's office related to human services;

(IV) $761,549 from the general fund, which is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year, for health-related social needs related to the office of children, youth, and families;

(V) $56,235 from the general fund, which is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year, for reentry services related to the office of children, youth, and families;

(VI) $112,550 from cash funds from the health-related social needs reinvestment cash fund created in section 25.5-5-340 (2)(a), C.R.S., which is subject to the "(H)" notation as defined in the annual general appropriation act for the same fiscal year, for administration related to local affairs; and

(VII) $7,622,681 from the general fund, which is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year, for health-related social needs related to local affairs.

(2) For the 2025-26 state fiscal year, the general assembly anticipates that the department of health care policy and financing will

receive $15,315,204 in federal funds. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds as follows:

Executive director's office, general administration

Personal services	$140,886(I)
Operating expenses	$11,925(I)
General professional services and special projects	$203,016(I)

Medical services premiums

Medical and long-term care services for medicaid-eligible individuals	$6,102,194

Transfers to other state department medicaid-funded programs

Corrections

Administration	$272,292
Reentry services	$2,766,733

Human services

Executive director's office	$18,990
Office of children, youth, and families; health-related social needs	$380,774
Office of children, youth, and families; reentry services	$28,117

Local affairs

Administration	$112,550
Health-related social needs	$5,277,727

SECTION 7. Appropriation - adjustments to 2025 long bill. (1) To implement this act, appropriations made in the annual general appropriation act for the 2025-26 state fiscal year to the department of corrections for use by the medical services subprogram are adjusted as

follows:

(a) For personal services:

(I) The general fund appropriation is decreased by $2,005,975; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $2,189,059, and the related FTE is increased by 2.0 FTE; and

(b) For operating expenses, the reappropriated funds from money transferred from the department of health care policy and financing is increased by $15,900; and

(c) For purchase of pharmaceuticals:

(I) The general fund appropriation is decreased by $1,745,019; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $1,745,019.

(2) To implement this act, appropriations made in the annual general appropriation act for the 2025-26 state fiscal year to the department of human services are adjusted as follows:

(a) For use by administration and finance for personal services, the reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $37,980, and the associated FTE is increased by 0.3 FTE;

(b) For use by the division of child welfare for preventing youth homelessness:

(I) The general fund appropriation is reduced by $761,549; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $761,549;

(c) For use by the division of youth services for medical services:

(I) The general fund appropriation is reduced by $9,291; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $9,291;

(d) For use by the division of youth services for program administration related to community programs:

(I) The general fund appropriation is reduced by $46,944; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $46,944.

(3) To implement this act, appropriations made in the annual general appropriation act for the 2025-26 state fiscal year to the department of local affairs are adjusted as follows:

(a) For use by the executive director's office:

(I) For personal services related to administration, the reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $201,250, and the associated FTE is increased by 3.0 FTE; and

(II) For operating expenses related to administration, the reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $23,850;

(b) For use by the division of housing for low income rental subsidies:

(I) The general fund appropriation is reduced by $3,917,871; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $3,917,871;

(c) For use by the division of housing for affordable housing construction grants and loans pursuant to section 24-32-721, C.R.S.:

(I) The general fund appropriation is reduced by $3,585,300; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $3,585,300;

(d) For use by the division of housing for housing assistance for persons transitioning from the criminal or juvenile justice system:

(I) The general fund appropriation is reduced by $119,510; and

(II) The reappropriated funds appropriation from money transferred from the department of health care policy and financing is increased by $119,510; and

(e) For use by the division of housing for Proposition 123 programs for affordable home ownership and persons experiencing homelessness, the cash funds appropriation from the affordable housing support fund created in section 29-32-103 (1)(a), C.R.S., is decreased by $2,218,592.

SECTION 8. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

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First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

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LLS NO. 25-0717.01 Chelsea Princell x4335 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Recovery Audit Contractor Program

A BILL FOR AN ACT

CONCERNING CHANGES TO THE RECOVERY AUDIT CONTRACTOR PROGRAM.

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 allows the department of health care policy and financing (state department) to contract with a recovery audit contractor (RAC) vendor to conduct RAC audits of medicaid providers on behalf of the state department.

RAC audits may only review claims that are no more than 3 years past the date of the expiration of the timely filing period. The bill allows

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

the state department to review claims that fall outside of this 3-year time frame only if required by a federal audit.

If the state department identifies preliminary findings during the RAC audit, the state department must send the provider a report detailing the preliminary findings, the rationale for the preliminary findings, and the methodology for how any overpayments were calculated and determined.

The bill allows a provider that received preliminary findings following a complex audit to request an exit conference to discuss the preliminary findings with the state department in an effort to resolve the concerns detailed in the preliminary findings prior to undergoing an informal reconsideration of the preliminary findings.

The bill requires a provider to participate in an informal reconsideration before filing a formal appeal regarding the state department's findings during an RAC audit.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) An audit of the medicaid program undertaken by the Colorado office of the state auditor in 2024 identified audit volume concerns and issues with a recovery audit contractor (RAC) vendor applying "inconsistent, unclear, or outdated policies which resulted in some inaccurate findings";

(b) The audit also identified issues with misapplication of the rule setting the coverage standard for inpatient level of care in Colorado during the COVID-19 public health emergency. At that time, hospitals were forced to either reimburse the department of health care policy and financing for 100% of the care that was provided or dedicate significant time and resources to appealing the identified overpayments. Failure to appeal resulted in the department recovering 100% of the reimbursement even for services furnished in accordance with the coverage rule for inpatient hospital care. Additionally, mistakes made by the RAC vendor included:

(I) Improper identification of overpayments equal to 100% of medicaid reimbursement for hospital services furnished to inpatients, resulting in zero payment to hospitals; and

(II) Misapplication of state department rules for hospital inpatients;

(c) In 42 CFR 433.320(c), state departments that administer medicaid programs are authorized to correct mistakenly identified overpayments, including errors in audits that led to improper recoveries and to recover previously returned federal funds; and

(d) Given the significant challenges in the recovery audit contractor program's administration of inpatient level-of-care determinations, hospitals should have the opportunity to collaborate with the department of health care policy and financing to:

(I) Ensure that inpatient care payments recovered following mistaken application of department rules by the audit contractor vendor during the public health emergency are restored; and

(II) Receive adequate reimbursement for inpatient hospital services furnished.

SECTION 2. In Colorado Revised Statutes, 25.5-4-301, **amend** (3.5)(c); **repeal** (3)(a)(IX); and **add** (3.3) as follows:

25.5-4-301. Recoveries - overpayments - penalties - interest - adjustments - liens - review or audit procedures - rules - definitions - repeal. (3) (a) A review or audit of a provider is subject to the following procedures:

(IX) ~~For audits conducted pursuant to 42 CFR 455.506, at least quarterly, the state department shall publish on its website an audit~~

~~activity report detailing current and recently completed audits and reviews and summaries of the findings of such audits and reviews, including the number and amounts of overpayments and underpayments found, the number and results of appeals, the amounts collected, and the error rates identified. At least quarterly, the state department shall conduct trainings for providers and hold stakeholder meetings regarding audits and reviews. In addition, when the state department enters into contracts pursuant to this subsection (3)(a), the state department shall publish on its website a copy of the contract, scope of work, and information regarding supervision of contractor deliverables.~~

(3.3) (a) AS USED IN THIS SUBSECTION (3.3), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "AUTOMATED AUDIT" MEANS AN RAC AUDIT THAT REVIEWS A PROVIDER'S APPLICATION OF CODING RULES AND DOES NOT REQUIRE A PROVIDER TO SUBMIT MEDICAL RECORDS TO BE AUDITED.

(II) "COMPLEX AUDIT" MEANS AN RAC AUDIT THAT REQUIRES A PROVIDER TO SUBMIT MEDICAL RECORDS TO BE AUDITED WHICH ARE INDIVIDUALLY REVIEWED BY A REPRESENTATIVE OF THE STATE DEPARTMENT OR THE STATE DEPARTMENT'S RAC VENDOR.

(III) "DENIAL RATE" MEANS THE PERCENTAGE OF REVIEWED CLAIMS ULTIMATELY DETERMINED TO INVOLVE IMPROPER PAYMENTS AFTER ALL ADMINISTRATIVE PROCESSES ARE COMPLETE, INCLUDING THE RESOLUTION OF AN APPEAL.

(IV) "RAC AUDIT" MEANS A RECOVERY AUDIT CONTRACTOR AUDIT CONDUCTED PURSUANT TO THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1396a (a)(42)(B).

(V) "RAC VENDOR" MEANS A VENDOR WHO MEETS THE

REQUIREMENTS OF 42 CFR 455.508 AND CONTRACTS WITH THE STATE DEPARTMENT TO PERFORM RECOVERY AUDIT CONTRACTOR AUDITS OF PROVIDERS ON BEHALF OF THE STATE DEPARTMENT.

(b) THE STATE DEPARTMENT MAY SOLICIT THE SERVICES OF AN RAC VENDOR THROUGH A CONTRACT ISSUED PURSUANT TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, AND PURSUANT TO THE FEDERAL REQUIREMENTS DETAILED IN 42 CFR 455.508, FOR THE PURPOSE OF CONDUCTING RAC AUDITS OF PROVIDERS TO IDENTIFY POSSIBLE MEDICAID OVERPAYMENTS AND UNDERPAYMENTS.

(c) (I) THE CONTRACT DESCRIBED IN SUBSECTION (3.3)(B) OF THIS SECTION MUST STATE THAT THE RAC VENDOR'S COMPENSATION IS CONTINGENT UPON THE AMOUNT OF OVERPAYMENTS THE STATE RECOVERS FROM A PROVIDER. AT THE EXPIRATION OF THE CURRENT CONTRACT BETWEEN THE STATE DEPARTMENT AND THE RAC VENDOR, THE STATE DEPARTMENT SHALL ESTABLISH CONTINGENCY FEE RATES BASED ON MARKET RATES DETERMINED BY THE RESULTS OF A COMPETITIVE PROCUREMENT PROCESS AND MAY NEGOTIATE LOWER RATES AS THE MARKET PROVIDES, WITH CONTINGENCY RATES NOT TO EXCEED SIXTEEN PERCENT OF RECOVERED PAYMENTS. THE STATE DEPARTMENT MUST ENSURE THAT THE CONTINGENCY FEE REQUIREMENTS ARE ADHERED TO THROUGH EFFECTIVE MONITORING AND ENFORCEMENT OF THE RAC VENDOR'S PERFORMANCE. FOR CONTRACTS ENTERED INTO AFTER THE EXPIRATION OF THE CONTRACT THAT ESTABLISHED CONTINGENCY FEE RATES FOR RAC VENDOR PAYMENTS, THE STATE DEPARTMENT SHALL STRUCTURE THE RAC VENDOR COMPENSATION BASED ON A TIERED PAYMENT SYSTEM THAT CORRESPONDS TO THE REQUIRED WORK UNLESS DOING SO CONFLICTS WITH FEDERAL DIRECTIVES IN MEDICAID GUIDANCE

PURSUANT TO 42 CFR 455 (F) OR RESULTS IN AN UNFAVORABLE IMPACT TO THE STATE'S GENERAL FUND.

(II) WHEN THE STATE DEPARTMENT ENTERS INTO A CONTRACT PURSUANT TO SUBSECTION (3.3)(b) OF THIS SECTION, THE STATE DEPARTMENT MUST PUBLISH ON ITS WEBSITE A COPY OF THE CONTRACT, SCOPE OF THE WORK, AND INFORMATION REGARDING SUPERVISION OF CONTRACTOR DELIVERABLES.

(III) THE CONTRACT DESCRIBED IN SUBSECTION (3.3)(b) OF THIS SECTION MUST REQUIRE THE RAC VENDOR TO:

(A) CONDUCT INFORMAL CONFERENCES OR PHONE CALLS WITH PROVIDERS OR PROVIDER ASSOCIATIONS TO DISCUSS THE RAC PROGRAM, PROCESSES, AND FINDINGS;

(B) CONDUCT PROVIDER OUTREACH AND EDUCATION ACTIVITIES, INCLUDING NOTIFYING PROVIDERS OF AUDIT POLICIES, PROTOCOLS, AND COMMON BILLING ERRORS;

(C) RESPOND TO PROVIDER QUESTIONS AND REQUESTS FOR INFORMATION WITHIN TWO BUSINESS DAYS AFTER RECEIVING THE QUESTION OR REQUEST FOR INFORMATION;

(D) RETURN, WITHIN THIRTY DAYS, THE CONTINGENCY FEE ASSOCIATED WITH INACCURATE AUDIT SCENARIOS THAT RESULTED IN PROVIDER REFUNDS AS PRESCRIBED BY THE STATE DEPARTMENT; AND

(E) COMPLY WITH THE SIXTY-DAY DEADLINE SET FORTH IN 42 CFR 455.508 TO ISSUE AN ADVERSE ACTION AND THE FORTY-FIVE DAY DEADLINE TO ISSUE AN INFORMAL CONSIDERATION DETERMINATION RESPONSE REQUIRED PURSUANT TO SECTION 25.5-4-301.

(d) THE RAC CONTRACT DESCRIBED IN SUBSECTION (3.3)(b) OF THIS SECTION MAY INCLUDE AN OPTION TO PAY THE RAC VENDOR TO

IDENTIFY UNDERPAYMENTS FOR CONSIDERATION IN FUTURE STATE DEPARTMENT BUDGET REQUESTS.

(e) (I) THE STATE DEPARTMENT SHALL IMPLEMENT A PROCESS TO VERIFY THAT THE RAC VENDOR'S STAFF WHO MAKE CLINICAL RAC AUDIT FINDINGS ARE APPROPRIATELY LICENSED PURSUANT TO INDUSTRY STANDARDS AND FEDERAL REQUIREMENTS, INCLUDING THAT THE RAC VENDOR HIRE QUALIFIED CODERS AND THAT THE RAC VENDOR'S STAFF WHO MAKE BILLING RAC AUDIT FINDINGS HAVE KNOWLEDGE OF MEDICAID BILLING AND CODING RULES AND GUIDANCE ADOPTED BY THE STATE DEPARTMENT.

(II) THE STATE DEPARTMENT MUST ENSURE THAT QUALIFIED CODERS HAVE RELEVANT CREDENTIALS FOR THE TYPE OF MEDICAL SERVICES BEING REVIEWED, IN ACCORDANCE WITH INDUSTRY STANDARDS.

(III) ANY COMPLEX AUDIT THAT REQUIRES A REVIEW OF MEDICAL RECORDS MUST BE CONDUCTED BY LICENSED CLINICAL STAFF WITH TRAINING AND COMPETENCY IN THE SPECIFIC TYPE OF COMPLEX AUDIT BEING CONDUCTED, IN ACCORDANCE WITH INDUSTRY STANDARDS. PROVIDERS MUST MAKE ALL RELEVANT MEDICAL RECORDS AND INFORMATION RELATED TO CLAIMS REVIEWED DURING THE COMPLEX AUDIT AVAILABLE TO THE RAC VENDOR WITHIN THE TIME LIMITS SPECIFIED IN THE INITIAL MEDICAL RECORDS REQUEST.

(IV) THE STATE DEPARTMENT SHALL FULLY INFORM THE RAC VENDOR OF ANY CHANGES TO THE STATE BILLING STANDARDS AND ENSURE THAT THE VENDOR ONLY APPLIES BILLING STANDARDS THAT WERE IN EFFECT AT THE SPECIFIED DATE OF SERVICE. THE STATE DEPARTMENT IS RESPONSIBLE FOR MONITORING COMPLIANCE WITH THIS REQUIREMENT AND TAKING APPROPRIATE ACTION TO ENSURE THE RAC VENDOR'S

COMPLIANCE.

(V) THE STATE DEPARTMENT SHALL ENSURE THAT THE RAC VENDOR COMPLIES WITH THE CONTRACT REQUIREMENTS DESCRIBED IN SUBSECTION (3.3)(b) OF THIS SECTION AND CONDUCTS RAC AUDITS IN A FAIR AND CONSISTENT MANNER.

(VI) THE STATE DEPARTMENT SHALL ENSURE THAT THE RAC VENDOR INCORPORATES INTO EACH AUDIT SCENARIO, WHETHER AN AUTOMATED AUDIT OR A COMPLEX AUDIT, THE FOLLOWING INFORMATION:

(A) FEDERAL STATUTES AND BILLING RULES AND STANDARDS THAT ARE APPLICABLE TO THE SPECIFIC PROVIDER DURING THE SPECIFIED DATES OF SERVICE FOR EACH AUDIT;

(B) STATE STATUTES, BILLING RULES AND STANDARDS, AND POLICIES AS DOCUMENTED IN THE STATE DEPARTMENT'S PROVIDER BILLING MANUALS AND PROVIDER BULLETINS, AS WELL AS IN PROGRAM GUIDANCE AND DIRECTIVES EFFECTIVE FOR THE SPECIFIC PROVIDER DURING THE SPECIFIED DATES OF SERVICE FOR EACH AUDIT; AND

(C) INPUT FROM THE STATE DEPARTMENT'S RAC STAFF AND MEDICAL DIRECTOR AS WELL AS ANY OTHER NECESSARY STATE DEPARTMENT STAFF BASED ON THE STAFF'S OR MEDICAL DIRECTOR'S REVIEW OF THE AUDIT SCENARIO.

(VII) WHEN AUDITING CLAIMS TO MAKE RAC AUDIT FINDINGS, THE STATE DEPARTMENT MUST ENSURE THAT THE RAC VENDOR FOLLOWS ALL RELEVANT AND APPROPRIATE FEDERAL BILLING GUIDELINES, REQUIREMENTS SET BY THE MEDICAID BILLING MANUAL, STANDARD CLINICAL GUIDELINES, AND ANY OTHER APPLICABLE STATE OR FEDERAL RULES AND REGULATIONS.

(f) THE STATE DEPARTMENT SHALL COMPREHENSIVELY REVIEW

ALL AUDIT TYPES PROPOSED BY THE RAC VENDOR AND MUST APPROVE, ADJUST, OR REJECT EACH AUDIT TYPE BEFORE THE RAC VENDOR CONDUCTS THE RAC AUDIT. THE STATE DEPARTMENT MUST REFUND PROVIDERS WHO SUBMITTED REPAYMENTS BASED ON INACCURATE AUDIT FINDINGS AND REQUIRE THE RAC VENDOR TO RETURN THE CONTINGENCY FEE ASSOCIATED WITH THE PAYMENTS WITHIN THIRTY DAYS.

(g) THE STATE DEPARTMENT SHALL REGULARLY REVIEW ACTIVE RAC AUDITS TO ENSURE COMPLIANCE WITH FEDERAL AND STATE REGULATION CHANGES AND POLICY UPDATES AND DISCONTINUE AN RAC AUDIT IF AND WHEN APPROPRIATE DUE TO A CHANGE IN FEDERAL OR STATE REGULATION OR POLICY UPDATES.

(h) CONSISTENT WITH 42 CFR 455.508 (f), RAC AUDITS AND REVIEWS CONDUCTED PURSUANT TO THIS SECTION MUST NOT REVIEW CLAIMS MORE THAN THREE YEARS AFTER THE EXPIRATION OF THE TIMELY FILING PERIOD. THE STATE DEPARTMENT MAY CONDUCT AN RAC AUDIT FOR A CLAIM FILED MORE THAN THREE YEARS AFTER THE EXPIRATION OF THE TIMELY FILING PERIOD IF REQUIRED BY A FEDERAL AUDIT THAT WOULD OTHERWISE RESULT IN COSTS TO THE GENERAL FUND OR, IF DIRECTED BY THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES, THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ANY OTHER FEDERAL AGENCY. IF AN RAC AUDIT IS INITIATED IN RESPONSE TO A FEDERAL DIRECTIVE, THE STATE DEPARTMENT MUST PROVIDE NOTICE TO AN IMPACTED PROVIDER AND INCLUDE THE REASON FOR THE RAC AUDIT AND ANY RELEVANT INFORMATION ABOUT THE FEDERAL REQUIREMENT IN THE NOTICE.

(i) THE RAC VENDOR SHALL NOT REQUIRE A PROVIDER TO UNDERGO MORE THAN THREE COMPLEX AUDITS PER CALENDAR YEAR. THE

NUMBER OF PROVIDER CLAIMS THAT UNDERGO COMPLEX AUDITS MUST NOT EXCEED ONE AND ONE-HALF PERCENT OF THE PROVIDER'S CLAIMS SUBJECT TO A POSSIBLE COMPLEX AUDIT FOR A GIVEN CALENDAR YEAR ACROSS ALL OF A PROVIDER'S LOCATIONS FOR PROVIDERS WITH AN ANNUAL MEDICAID REVENUE OF LESS THAN SEVENTY-FIVE MILLION DOLLARS. FOR PROVIDERS WITH AN ANNUAL MEDICAID REVENUE GREATER THAN SEVENTY-FIVE MILLION DOLLARS, THE RAC AUDIT LIMIT MUST NOT EXCEED THREE PERCENT. THIS APPLIES UNLESS A CONFLICT ARISES WITH FEDERAL DIRECTIVES IN MEDICAID GUIDANCE IN ACCORDANCE WITH 42 CFR 455(f). THIS PERCENT, THE NUMBER OF CLAIMS SUBJECT TO AN AUDIT, AND THE MAXIMUM NUMBER OF MONTHLY RECORD REQUESTS A PROVIDER RECEIVES MUST BE COMMUNICATED TO PROVIDERS AND REVIEWED ANNUALLY BY THE STATE DEPARTMENT.

(j) THE RAC VENDOR SHALL NOT REQUIRE A PROVIDER TO UNDERGO MORE THAN FOUR AUTOMATED AUDITS PER CALENDAR YEAR. THE NUMBER OF PROVIDER CLAIMS THAT UNDERGO AUTOMATED AUDITS MUST NOT EXCEED TWO PERCENT OF THE PROVIDER'S MEDICAID CLAIMS FOR A GIVEN CALENDAR YEAR ACROSS ALL OF THE PROVIDER'S LOCATIONS, OR A MAXIMUM OF ONE QUARTER OF ONE PERCENT OF THE PROVIDER'S CLAIMS PER FORTY-FIVE DAYS.

(k) WHEN CONDUCTING AUDITS, THE RAC VENDOR MUST:

(I) REQUEST PROVIDER RECORDS THAT ARE RELEVANT TO THE CLAIMS BEING AUDITED AND THAT DO NOT DUPLICATE INFORMATION ALREADY PROVIDED;

(II) NOT AUDIT THE VALIDITY OF A PROVIDER'S PRIOR AUTHORIZATION RECEIVED FROM THE STATE DEPARTMENT; AND

(III) FOR A COMPLEX AUDIT, NOT AUDIT CLAIMS THAT ARE ON THE

FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES INPATIENT-ONLY LIST AT THE DATE OF SERVICE FOR A LEVEL-OF-CARE DETERMINATION.

(l) (I) IF THE RAC VENDOR IDENTIFIES PRELIMINARY FINDINGS DURING THE RAC AUDIT, THE RAC VENDOR SHALL SEND THE PROVIDER A REPORT DETAILING THE PRELIMINARY FINDINGS, THE RATIONALE FOR THE PRELIMINARY FINDINGS, AND THE METHODOLOGY FOR HOW ANY OVERPAYMENTS WERE CALCULATED AND DETERMINED.

(II) FOR A COMPLEX AUDIT, A PROVIDER MAY REQUEST AN EXIT CONFERENCE MEETING TO DISCUSS THE PRELIMINARY FINDINGS WITH THE RAC VENDOR AND THE STATE DEPARTMENT MEDICAL DIRECTOR, OR THE STATE DEPARTMENT MEDICAL DIRECTOR'S DESIGNEE, PRIOR TO PARTICIPATING IN AN INFORMAL RECONSIDERATION. THE PROVIDER MAY PROVIDE ADDITIONAL INFORMATION SUPPORTING THE PROVIDER'S CLAIMS AT THE EXIT CONFERENCE MEETING. A PROVIDER MUST REQUEST AN EXIT CONFERENCE MEETING NO LATER THAN THIRTY DAYS AFTER THE RAC VENDOR SENDS THE PRELIMINARY FINDINGS TO THE PROVIDER. IF THE PROVIDER REQUESTS AN EXIT CONFERENCE MEETING, THE STATE DEPARTMENT OR THE RAC VENDOR MUST SCHEDULE THE EXIT CONFERENCE MEETING WITHIN SIXTY DAYS AFTER THE REQUEST IS MADE AND ON A MUTUALLY AGREED UPON DATE AND TIME.

(III) IF, BASED ON THE RAC AUDIT, THE STATE DEPARTMENT DETERMINES THAT AN OVERPAYMENT OCCURRED, THE NOTIFICATION TO THE PROVIDER REGARDING THE PRELIMINARY FINDINGS MUST INCLUDE A DEMAND FOR REPAYMENT AND A DESCRIPTION OF THE INFORMAL RECONSIDERATION PROCESS.

(IV) IF A PROVIDER DOES NOT REQUEST AN EXIT CONFERENCE

MEETING OR IF A PROVIDER PARTICIPATES IN AN EXIT CONFERENCE MEETING AND THE PRELIMINARY FINDINGS ARE NOT DISMISSED, THE PROVIDER MUST UNDERGO AN INFORMAL RECONSIDERATION BEFORE THE PROVIDER MAY FORMALLY APPEAL THE STATE DEPARTMENT'S DETERMINATION.

(V) THE STATE DEPARTMENT MUST NOT RECOVER AN OVERPAYMENT FROM A PROVIDER UNTIL THE INFORMAL RECONSIDERATION AND SUBSEQUENT FORMAL APPEAL, IF FILED, IS COMPLETE.

(VI) TO PARTICIPATE IN AN INFORMAL RECONSIDERATION, THE PROVIDER MUST:

(A) SUBMIT ALL MEDICAL RECORDS RELEVANT TO THE CLAIMS AND THE REASONING FOR THE PROVIDER'S DISAGREEMENT CONCERNING THE RAC AUDIT FINDINGS TO THE STATE DEPARTMENT WITHIN NINETY DAYS AFTER THE REQUEST FOR INFORMAL RECONSIDERATION IS MADE. THE RELEVANT MEDICAL RECORDS MUST ALLEGEDLY SUBSTANTIATE THE PROVIDER'S ARGUMENT TO OVERTURN ANY DISPUTED AUDIT FINDINGS TO ALLOW THE STATE DEPARTMENT AND THE RAC VENDOR TO RECONSIDER THE FINDINGS.

(B) WORK WITH THE STATE DEPARTMENT TO DETERMINE THE RELEVANT STAFF TO PARTICIPATE IN THE INFORMAL RECONSIDERATION. THE STAFF WHO PARTICIPATE MUST ATTEND AND PARTICIPATE IN GOOD FAITH IN AN EFFORT TO RESOLVE THE DISPUTE.

(C) REQUEST AN EXTENSION OF NO MORE THAN SIXTY DAYS AFTER THE DATE OF THE ORIGINALLY SCHEDULED INFORMAL RECONSIDERATION IF ADDITIONAL TIME IS NECESSARY TO ADEQUATELY PREPARE FOR THE INFORMAL RECONSIDERATION.

(VII) IF A PROVIDER PARTICIPATES IN AN INFORMAL RECONSIDERATION, THE STATE DEPARTMENT MUST:

(A) SCHEDULE AN INFORMAL RECONSIDERATION MEETING AT A MUTUALLY AGREED UPON DATE AND TIME AND TIMELY NOTIFY THE PROVIDER OF THE DATE AND TIME;

(B) REVIEW ALL MEDICAL RECORDS SUBMITTED BY THE PROVIDER PRIOR TO THE INFORMAL RECONSIDERATION MEETING;

(C) ATTEND AND PARTICIPATE IN THE INFORMAL RECONSIDERATION MEETING IN GOOD FAITH IN AN EFFORT TO RESOLVE THE DISPUTE;

(D) WORK WITH THE PROVIDER TO DETERMINE IF IT IS NECESSARY FOR THE STATE DEPARTMENT MEDICAL DIRECTOR, OR THE STATE DEPARTMENT MEDICAL DIRECTOR'S DESIGNEE, TO ATTEND THE INFORMAL RECONSIDERATION MEETING IN ORDER TO ASSESS THE APPROPRIATENESS OF THE DISPUTED FINDINGS INDEPENDENT OF THE RAC VENDOR; AND

(E) RESCHEDULE THE INFORMAL RECONSIDERATION MEETING ON A MUTUALLY AGREED UPON DATE AND TIME THAT TAKES PLACE NO LATER THAN NINETY DAYS AFTER THE ORIGINAL INFORMAL RECONSIDERATION MEETING DATE IF EITHER THE PROVIDER REQUESTS AN EXTENSION PURSUANT TO SUBSECTION (3.3)(l)(VI)(C) OF THIS SECTION OR THE STATE DEPARTMENT NEEDS ADDITIONAL TIME TO REVIEW THE SUBMITTED MEDICAL RECORDS.

(VIII) IF A PROVIDER REQUESTS A FORMAL APPEAL, THE PROVIDER MUST INCLUDE IN THE REQUEST AN EXPLANATION OF THE BASIS OF THE APPEAL IN ACCORDANCE WITH THE RULES ADOPTED BY THE STATE DEPARTMENT.

(m) (I) IF THE RAC VENDOR IDENTIFIES AN ALLEGED

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OVERPAYMENT DURING THE RAC AUDIT, THE RAC VENDOR MUST SEND THE PROVIDER A NOTICE OF ADVERSE ACTION OR NOTICE OF INFORMAL RECONSIDERATION DETAILING A DESCRIPTION OF THE BASIS OF THE ALLEGED OVERPAYMENT, THE RATIONALE FOR THE ALLEGED OVERPAYMENT, AND THE METHODOLOGY USED TO DETERMINE AND CALCULATE THE ALLEGED OVERPAYMENT.

(II) THE STATE DEPARTMENT SHALL PROVIDE NINETY DAYS FOR THE PROVIDER TO RESPOND TO THE NOTICE OF ADVERSE ACTION OR INFORMAL RECONSIDERATION DETERMINATION REPORTED BY THE RAC VENDOR.

(III) IF THE STATE DEPARTMENT OR THE RAC VENDOR FAILS TO ISSUE A NOTICE OF ADVERSE ACTION WITHIN THE SIXTY-DAY DEADLINE SET FORTH IN 42 CFR 455.508, OR FAILS TO COMPLY WITH THE FORTY-FIVE DAY DEADLINE TO ISSUE AN INFORMAL RECONSIDERATION DETERMINATION RESPONSE SET FORTH IN SECTION 25.5-4-301, ANY FINDINGS ISSUED AFTER THOSE DEADLINES ARE VOID AND THE STATE DEPARTMENT WAIVES ANY RIGHT TO RECOVER AN OVERPAYMENT.

(n) PROVIDERS ARE SUBJECT TO ALL STATE AND FEDERAL MEDICAID FRAUD, WASTE, AND ABUSE LAWS AND MUST COMPLY WITH ALL APPLICABLE PROGRAM INTEGRITY REQUIREMENTS. FAILURE TO COMPLY MAY RESULT IN REMOVAL FROM THE STATE MEDICAL ASSISTANCE PROGRAM, FINANCIAL PENALTIES, CIVIL LAWSUITS, OR CRIMINAL PROSECUTION PURSUANT TO 42 U.S.C. SEC. 1320a-7k(d), 42 U.S.C. SEC. 1320a-7, 31 U.S.C. SECS. 3729-3733, SECTIONS 24-31-808, 25.5-4-301, 25.5-4-303.5 TO 25.5-4-310, AND 10 CCR 2505-10, SEC. 8.076. BY PARTICIPATING IN THE MEDICAL ASSISTANCE PROGRAM, PROVIDERS ACKNOWLEDGE AND ACCEPT THEIR OBLIGATION TO ADHERE TO ALL STATE

AND FEDERAL LAWS GOVERNING MEDICAID FRAUD, WASTE, AND ABUSE, AND PROGRAM INTEGRITY.

(o) (I) THE STATE DEPARTMENT SHALL REVIEW RECOVERIES MADE DURING THE COVID-19 PUBLIC HEALTH EMERGENCY FOR INPATIENT HOSPITAL SERVICES RESULTING FROM OVERPAYMENTS IDENTIFIED BY THE RAC VENDOR TO IDENTIFY MISTAKEN APPLICATION OF STATE DEPARTMENT RULES REGARDING INPATIENT HOSPITAL SERVICES BY THE RAC VENDOR.

(II) ALL RECOVERIES FOR INPATIENT SERVICES WITH ZERO DOLLAR REIMBURSEMENT IDENTIFIED AS PLACE OF SERVICE OR LEVEL OF CARE OR LESS INTENSIVE CARE SETTING IN WHICH THE PATIENT MET THE DEPARTMENT'S DEFINITION OF AN INPATIENT SERVICE DESCRIBED IN STATE DEPARTMENT RULES AT THE DATE OF SERVICE MUST BE RECLAIMED BY THE STATE DEPARTMENT AND REIMBURSED TO THE HOSPITAL THAT FURNISHED THE INPATIENT HOSPITAL SERVICE CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION.

(III) THE STATE DEPARTMENT SHALL CORRECT MISTAKES THAT LED TO IMPROPER RECOVERIES FROM HOSPITALS FOR INPATIENT SERVICES FURNISHED TO RECLAIM FEDERAL FUNDS PURSUANT TO 42 CFR 433.320(c).

(p) (I) THE STATE DEPARTMENT SHALL PUBLISH AND MAINTAIN ON ITS WEBSITE AN RAC AUDIT ACTIVITY REPORT FOR EACH RAC AUDIT AND REVIEW COMPLETED IN THE PRECEDING YEAR SUMMARIZING THE FINDINGS OF THOSE RAC AUDITS AND REVIEWS. THE INFORMATION POSTED ON THE STATE DEPARTMENT'S WEBSITE CONCERNING EACH RAC AUDIT MUST INCLUDE THE FOLLOWING INFORMATION:

(A) A SUMMARY OF THE AUDIT SCENARIO, THE STATE

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DEPARTMENT'S BILLING PRACTICES, AND POLICY GUIDELINES BEING REVIEWED BY THE RAC VENDOR;

(B) THE ERROR RATES IDENTIFIED DURING THE RAC VENDOR'S REVIEW;

(C) THE NUMBER AND AMOUNTS OF OVERPAYMENTS AND UNDERPAYMENTS IDENTIFIED BY THE RAC VENDOR;

(D) THE RECOVERIES COLLECTED BY THE STATE DEPARTMENT ON IDENTIFIED OVERPAYMENTS;

(E) THE NUMBER OF CLAIMS APPEALED AS A RESULT OF THE AUDIT; AND

(F) DETAILS ON THE AUDIT SCENARIOS AND BILLING STANDARDS USED BY THE RAC VENDOR AND POLICY GUIDANCE ON PROPER BILLING PRACTICES.

(II) IN ADDITION TO THE INFORMATION REQUIRED BY SUBSECTION (3.3)(p)(I) OF THIS SECTION, THE STATE DEPARTMENT SHALL PUBLISH AND MAINTAIN ON ITS WEBSITE INFORMATION ON THE NUMBER OF INFORMAL RECONSIDERATION MEETINGS THE STATE DEPARTMENT PARTICIPATED IN AND THE ASSOCIATED PERCENTAGE OF FINDINGS THAT WERE UPHELD, THE NUMBER OF APPEALS, AND CORRESPONDING DETERMINATIONS.

(q) ON OR BEFORE JANUARY 1, 2026, THE STATE DEPARTMENT SHALL PUBLISH ON ITS WEBSITE PROVIDER EDUCATION INFORMATION; RESOURCES TO ASSIST PROVIDERS IN UNDERSTANDING THE STATE DEPARTMENT'S MEDICAID BILLING MANUAL AND RULES; AND PROCEDURES RELATED TO RAC AUDITS, INCLUDING DOCUMENTATION REQUIREMENTS AND THE PROCESS FOR RESOLVING DISPUTES.

(r) AT LEAST QUARTERLY, THE STATE DEPARTMENT SHALL:

(I) CONDUCT MEDICAID BILLING TRAINING FOR PROVIDERS AND

HOLD MEETINGS WITH PROVIDERS TO GATHER FEEDBACK ON THE RAC AUDIT PROCESS. THE STATE DEPARTMENT SHALL PUBLISH MEETING DATES AND TIMES ON THE STATE DEPARTMENT'S WEBSITE AT LEAST TWO WEEKS PRIOR TO THE MEETINGS.

(II) CONDUCT TRAININGS FOR PROVIDERS AND HOLD STAKEHOLDER MEETINGS REGARDING AUDITS AND REVIEWS, DURING WHICH THE STATE DEPARTMENT AND RAC VENDOR MUST IDENTIFY COMMON BILLING ERRORS IDENTIFIED BY THE RAC VENDOR IN THE PREVIOUS QUARTER AND PROVIDE CLARIFICATION ON THE BILLING ERRORS.

(s) THE STATE DEPARTMENT SHALL WORK WITH SMALL OR RURAL PROVIDERS IN ORDER TO IDENTIFY AND IMPLEMENT OPPORTUNITIES TO REDUCE ADMINISTRATIVE BURDENS AND BETTER SUPPORT COMPLIANCE WITH MEDICAID BILLING PRACTICES, AS ADOPTED IN THE STATE DEPARTMENT'S MEDICAID BILLING MANUAL, AND EXPERIENCE WITH RAC AUDITS.

(t) THE STATE DEPARTMENT MUST SUBMIT AN ANNUAL REPORT TO THE JOINT BUDGET COMMITTEE THAT INCLUDES A DESCRIPTION OF THE FOLLOWING:

(I) THE DIVISIONS OF THE STATE DEPARTMENT THAT ARE INCLUDED IN THE REVIEW AND APPROVAL OF RAC AUDIT SCENARIOS AND THE ROLES AND RESPONSIBILITIES OF EACH DIVISION;

(II) THE RAC VENDOR'S COMPLIANCE WITH THE RESPONSE REQUIREMENT DESCRIBED IN SUBSECTION (3.3)(c)(III)(C) OF THIS SECTION;

(III) THE STATE DEPARTMENT'S OVERSIGHT AND ENFORCEMENT OF THE CONTRACTUAL REQUIREMENT THAT THE RAC VENDOR CONDUCT INFORMAL CONFERENCES OR PHONE CALLS WITH PROVIDERS OR PROVIDER

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ASSOCIATIONS TO DISCUSS THE RAC PROGRAM, APPEAL PROCESSES, AND FINDINGS;

(IV) THE TRAINING MATERIALS PREPARED BY THE RAC VENDOR AFTER EACH RAC AUDIT THAT IDENTIFY AND ADDRESS THE COMMON ERRORS AND ISSUES IDENTIFIED DURING THE AUDIT AND THE CONTENT AND MATERIALS THE RAC VENDOR USED TO EDUCATE PROVIDERS TO PREVENT ERRORS IN THE FUTURE;

(V) A SUMMARY OF THE RAC VENDOR'S OUTREACH AND EDUCATION ACTIVITIES;

(VI) A SUMMARY OF THE STATE DEPARTMENT'S WRITTEN POLICIES, PROCEDURES, AND GUIDANCE THAT ESTABLISH PROCESSES FOR THE STATE DEPARTMENT TO LOG PROVIDER COMMUNICATIONS, PROVIDE DIRECTION ON HOW STATE DEPARTMENT STAFF MUST RESPOND TO COMMUNICATIONS IN A TIMELY AND RELEVANT MANNER, AND HOW THE STATE DEPARTMENT INSTITUTED ROUTINE ANALYSIS OF PROVIDER COMMUNICATIONS TO INFORM DECISIONS ON PROGRAM IMPROVEMENTS; AND

(VII) THE TOTAL AMOUNT OF ALLEGED OVERPAYMENTS IDENTIFIED BY THE RAC VENDOR, THE PROPORTION OF THOSE OVERPAYMENTS THAT WERE RECOVERED, AND THE TOTAL AMOUNT PAID TO THE RAC VENDOR.

(u) THE STATE DEPARTMENT MAY ADOPT RULES, AS NECESSARY, TO IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION (3.3).

(3.5) (c) (I) The state department shall create a provider advisory group for recovery audits consisting of employees of the state department and members from different provider ~~groups~~ TYPES, including physicians, hospitals, and any other provider types directly impacted by audits conducted pursuant to this section, appointed by the executive director.

The provider advisory group shall meet at least quarterly to review quarterly activity reports required by ~~subsection (3)(a)(IX)~~ SUBSECTION (3.3)(m) of this section and advise the state department on issues providers experience with audits of the recovery audit contractors program.

(II) THE STATE DEPARTMENT AND THE RAC VENDOR MUST PROVIDE THE PROVIDER ADVISORY GROUP WITH THE OPPORTUNITY TO REVIEW RAC AUDIT SCENARIOS DURING THE PROVIDER ADVISORY GROUP'S QUARTERLY MEETINGS.

(III) THE STATE DEPARTMENT MUST GIVE PROVIDERS THE OPPORTUNITY TO ANONYMOUSLY DESCRIBE RAC AUDIT SCENARIOS THEY ARE EXPERIENCING AND ASK QUESTIONS ABOUT BILLING PRACTICES. THE STATE DEPARTMENT MUST INCLUDE RAC VENDOR STAFF AND THE RELEVANT STATE DEPARTMENT DIVISION STAFF IN THESE DISCUSSIONS. IF THE DISCUSSIONS LEAD THE STATE DEPARTMENT TO DETERMINE THAT AN AUDIT SCENARIO WAS INACCURATE, THE STATE DEPARTMENT MUST WORK WITH THE RAC VENDOR TO RESCIND THE RAC AUDIT.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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4/9/25

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

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LLS NO. 25-0973.01 Shelby Ross x4510 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Repeal the Adult Dental Fund

A BILL FOR AN ACT

CONCERNING REPEALING THE ADULT DENTAL FUND, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION AND MAKING AN APPROPRIATION.

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 repeals the adult dental fund (fund), which consists of money transferred to the fund from the unclaimed property trust fund. On June 30, 2025, the bill requires the state treasurer to transfer the unexpended and unencumbered balance of the fund to the unclaimed property trust fund. The bill reduces the annual

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

general appropriation to the department of health care policy and financing (state department) from the adult dental fund by $73,962,452 and appropriates $73,962,452 to the state department from the general fund.

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

SECTION 1. In Colorado Revised Statutes, 25.5-5-207, **add** (4)(d) as follows:

25.5-5-207. Adult dental benefit - adult dental fund - creation - legislative declaration - repeal. (4) (d) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER THE UNEXPENDED AND UNENCUMBERED BALANCE OF THE ADULT DENTAL FUND TO THE UNCLAIMED PROPERTY TRUST FUND CREATED IN SECTION 38-13-801.

(II) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 2. In Colorado Revised Statutes, 38-13-801, **amend** (1)(b); and **repeal** (2)(d)(II) and (3)(a) as follows:

38-13-801. Unclaimed property trust fund - creation - payments - interest - appropriations - records - rules. (1) (b) Except as provided in subsections ~~(2), (3),~~ ***(2)*** and (3.5) of this section, the principal of the trust fund shall not be expended except to pay claims made pursuant to this article 13. Money constituting the principal of the trust fund is not fiscal year spending of the state for purposes of section 20 of article X of the state constitution and is not subject to appropriation by the general assembly.

(2) (d) The following amounts constitute fiscal year spending for purposes of section 20 of article X of the state constitution:

(II) ~~Any money that is credited to the adult dental fund created in section 25.5-5-207 (4) as required by subsection (3) of this section;~~

(3) (a) ~~After reserving the amounts described in subsection (3)(b) of this section, the state treasurer shall transmit to the adult dental fund created in section 25.5-5-207 (4) an amount of principal and interest in the trust fund sufficient to implement the adult dental benefit pursuant to section 25.5-5-202 (1)(w).~~

SECTION 3. Appropriation - adjustments to 2025 long bill. (1) To implement this act, appropriations made in the annual general appropriation act for the 2025-26 state fiscal year to the department of health care policy and financing from the adult dental fund created in section 25.5-5-207 (4)(a), C.R.S., are decreased by $73,962,452 as follows:

Executive director's office, general administration

Personal services	$172,886
Health, life, and dental	$21,042
Short-term disability	$57
Paid family and medical leave insurance	$810
Unfunded liability amortization equalization disbursement payments	$10,957
Salary survey	$5,059
Step pay	$323
PERA direct distribution	$3,528
Workers' compensation	$552
Operating expenses	$9,245
Payment to risk management and property funds	$541
Leased space	$12,153
Payments to OIT	$41,698
CORE operations	$86

Executive director's office, utilization and quality review contracts

Professional services contracts	$88,750

Executive director's office, indirect cost recoveries

Indirect cost assessment	$8,504

Medical services premiums

Medical and long-term care services for Medicaid eligible individuals	$73,586,261

(2) For the 2025-26 state fiscal year, $73,962,452 is appropriated to the department of health care policy and financing. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

Executive director's office, general administration

Personal services	$172,886
Health, life, and dental	$21,042
Short-term disability	$57
Paid family and medical leave insurance	$810
Unfunded liability amortization equalization disbursement payments	$10,957
Salary survey	$5,059
Step pay	$323
PERA direct distribution	$3,528
Workers' compensation	$552
Operating expenses	$9,245
Payment to risk management and property funds	$541
Leased space	$12,153
Payments to OIT	$41,698

CORE operations	$86
Executive director's office, utilization and quality review contracts	
Professional services contracts	$88,750
Executive director's office, indirect cost recoveries	
Indirect cost assessment	$8,504
Medical services premiums	
Medical and long-term care services for Medicaid eligible individuals	$73,586,261

SECTION 4. Effective date. Section 2 of this act takes effect July 1, 2025, and the remainder of this act takes effect on passage.

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

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LLS NO. 25-0911.02 Pierce Lively x2059 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Proposition 123 Revenue Uses

A BILL FOR AN ACT

CONCERNING THE PERMISSIBLE USES OF STATE INCOME TAX REVENUE RAISED IN CONNECTION WITH PROPOSITION 123.

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. Among other things related to affordable housing, Proposition 123, which was approved by the voters at the 2022 statewide election, created the affordable housing support fund (fund) and continuously appropriated money from the fund to the division of housing within the department of local affairs (department) for enumerated uses relating to an affordable home ownership program and

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

a program serving persons experiencing homelessness and to the division of local government, also within the department, for enumerated uses relating to a local planning capacity development program. A specified percentage of money from the fund is allocated for the implementation of each program, and from each allocated percentage the division of housing or the division of local government, as applicable, is permitted to use up to 5% to pay for the direct and indirect costs of administering each program.

Beginning in state fiscal year 2026-27, the bill makes the expenditure of up to 5% of the money from each program's allocation of funding for administration of each program subject to annual appropriation by the general assembly and clarifies how that 5% amount is calculated.

<{***<u>The language in this paragraph will be included or modified accordingly depending on direction from JBC on Section 2 of the bill. See drafter notes that follow for more detail.</u>***}> The bill also allows the division of housing, subject to annual appropriation by the general assembly, to expend money under the program serving persons experiencing homelessness for:

! Capital needs at 2 state-owned supportive residential communities for persons experiencing homelessness (supportive residential communities); and

! Direct and indirect costs of operating the 2 supportive residential communities.

Proposition 123 also included a prohibition on the general assembly appropriating funds from the fund and the affordable housing financing fund to supplant other state support for affordable housing projects. The bill clarifies when appropriations from the fund and the affordable housing financing fund would violate this prohibition.

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

SECTION 1. In Colorado Revised Statutes, 29-32-103, **amend** (1) as follows:

29-32-103. Transfers of money - permitted uses of the fund - continuous appropriation. (1) (a) The affordable housing support fund is hereby created in the state treasury. The support fund ~~shall consist~~ CONSISTS of money deposited into it under subsection (3) of this section. The division of housing shall administer the support fund and expend the money in the support fund only for the purposes set forth in ~~sections~~ SECTION 29-32-104 (3)(a) and (3)(b). The division of local government in the department of local affairs created in section 24-32-103 shall expend the money in the support fund only for the purposes set forth in section 29-32-104 (3)(c). All money not expended or encumbered, and all interest earned on the investment or deposit of money in the support fund, ~~shall remain~~ REMAINS in the support fund and ~~shall~~ DOES not revert to the general fund or any other fund at the end of any fiscal year. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION AND SECTION 29-32-104 (3)(b)(II), all money transferred to the support fund pursuant to subsection (3) of this section is continuously appropriated to the division of housing for the purposes set forth in ~~sections~~ SECTION 29-32-104 (3)(a) and (3)(b) and, to the extent allocated by the division of housing, to the division of local government for the purposes set forth in section 29-32-104 (3)(c).

(b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, BEGINNING IN STATE FISCAL YEAR 2026-27, AND SUBJECT TO THE LIMITATIONS SET FORTH IN SECTION 29-32-104 (3)(a), (3)(b), AND (3)(c), THE DIVISION OF HOUSING OR THE DIVISION OF LOCAL GOVERNMENT MAY EXPEND MONEY FROM THE FUND FOR DIRECT AND INDIRECT COSTS OF ADMINISTERING THE PROGRAMS SET FORTH IN SECTION 29-32-104 (3)(a), (3)(b), AND (3)(c).

SECTION 2. In Colorado Revised Statutes, 29-32-104, **amend** (3) as follows:

29-32-104. Permissible expenditures - affordable housing programs - report - definitions. (3) The division of housing and the division of local government shall expend the money transferred to the support fund in section 29-32-103 (1) to support the following programs only:

(a) An affordable home ownership program administered by the division or one or more contractors of the division. The program shall offer home ownership down-payment assistance to first-time homebuyers and shall prioritize assistance, to the extent practicable, to first-generation homebuyers. The assistance shall be provided to households with income less than or equal to ~~120%~~ ONE HUNDRED TWENTY PERCENT of the area median income of households of that size in the territory or jurisdiction of local government or tribal government in which the housing is located, as calculated and published for a given year by the United States department of housing and urban development, and the cost of the monthly housing payment ~~towards~~ TOWARD mortgage principal, mortgage interest, property taxes, mortgage and homeowner's insurance, homeowner association fees, land lease fees, and metropolitan district fees shall not cost more than ~~35%~~ THIRTY-FIVE PERCENT of monthly household income. The program shall also make grants to ~~non-profits~~ NONPROFIT ORGANIZATIONS, local governments, tribal governments, community development financial institutions, and community land trusts to support affordable home ownership. The program shall also make grants or loans to groups or associations of mobile home owners and their assignees to assist them with the purchase of a mobile home park pursuant to section 38-12-217. Said grants and loans shall be used to support affordable home ownership for households with income less than or equal to ~~100%~~ ONE HUNDRED PERCENT of the area median income of households of that size in the territory or jurisdiction of local government or tribal government in which the households are located, as calculated and published for a given year by the United States department of housing and urban development, and the cost of the monthly housing payment ~~towards~~ TOWARD mortgage principal, mortgage interest, property taxes, mortgage and homeowner's insurance, homeowner association fees, land lease fees, and metropolitan district fees shall not cost more than ~~35%~~ THIRTY-FIVE PERCENT of monthly household income. All principal and interest payments on loans made under this ~~paragraph (a)~~ SUBSECTION (3)(a) shall be paid to the division and used by the division for the purposes set forth in this subsection (3). Up to ~~50%~~ FIFTY PERCENT of ~~monies~~ MONEY transferred to the support fund annually may be used for the program. The division shall determine how much of the available funding shall be allocated to each aspect of the program. The division may utilize up to ~~5%~~ FIVE PERCENT of the funds it ~~allocates~~ RECEIVES from the fund for the program ~~each state fiscal year~~ to pay for the direct and indirect costs of administering the program.

(b) (I) A program serving persons experiencing homelessness to be administered by the division. The program shall provide rental assistance, housing vouchers, and eviction defense assistance, including legal, financial, and case management, to persons experiencing homelessness or at risk of experiencing homelessness. The program shall also make grants or loans to ~~non-profit~~ NONPROFIT organizations, local governments, tribal governments, or private entities to support the development and preservation of supportive housing for persons experiencing homelessness, and other homelessness related activities the division determines contribute to the resolution of or prevention of homelessness, including housing programs paid for by ~~non-profit~~ NONPROFIT organizations, local governments, tribal governments, or private entities on a ~~pay for success~~ PAY-FOR-SUCCESS basis, meaning an organization, local government, tribal government, or private entity would receive financial support from the program upon achieving objectives contractually agreed upon with the division. All principal and interest payments on loans made under this ~~paragraph (b)~~ SUBSECTION (3)(b)(I) shall be paid to the division and used by the division for the purposes set forth in this subsection (3). Up to ~~45%~~ FORTY-FIVE PERCENT of ~~monies~~ MONEY transferred to the support fund annually may be used for the program. The division may utilize up to ~~5%~~ FIVE PERCENT of the funds it ~~allocates~~ RECEIVES from the fund for the program ~~each state fiscal year~~ to pay for the direct and indirect costs of administering the program.

<{***The following language in this subsection (3)(b)(II) has been drafted for the JBC's consideration. Staff is asking for direction as to whether the JBC would like to narrowly expand use of Prop 123 money from the support fund for funding for the state's two state-owned facilities that provide supportive housing for persons experiencing homelessness and make this money subject to annual appropriation.***}>

(II) THE PROGRAM SET FORTH IN SUBSECTION (3)(b)(I) OF THIS SECTION MAY ALSO:

(A) BEGINNING IN STATE FISCAL YEAR 2025-26 AND SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, PROVIDE FUNDING TO THE STATE OR ANY OTHER ENTITY FOR CAPITAL CONSTRUCTION NEEDS AT THE RIDGE VIEW SUPPORTIVE RESIDENTIAL COMMUNITY AND THE FORT LYON SUPPORTIVE RESIDENTIAL COMMUNITY; AND <{***Under the existing program serving persons experiencing homelessness administered by the division, the state is not eligible to receive grants or loans for providing homelessness related activities that the division***

determines contribute to the resolution of or prevention of homelessness. Beginning with the next fiscal year, this provision would specifically allow for the division to use the program to provide funding for capital construction needs at the two state-owned facilities that provide supportive housing to people experiencing homelessness.}>

(B) PROVIDE FUNDING TO THE STATE OR ANY OTHER ENTITY FOR DIRECT AND INDIRECT COSTS OF OPERATING TO THE RIDGE VIEW SUPPORTIVE RESIDENTIAL COMMUNITY AND THE FORT LYON SUPPORTIVE RESIDENTIAL COMMUNITY AND, BEGINNING IN STATE FISCAL YEAR 2026-27, PROVIDE SUCH FUNDING SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY;

(III) AS USED IN SUBSECTION (3)(b)(II) OF THIS SECTION:

(A) "FORT LYON SUPPORTIVE RESIDENTIAL COMMUNITY" MEANS THE PORTION OF THE FORT LYON PROPERTY THAT IS DESIGNATED BY THE DIVISION FOR PROVIDING HOMELESSNESS-RELATED ACTIVITIES THAT THE DIVISION DETERMINES CONTRIBUTE TO THE RESOLUTION OF OR PREVENTION OF HOMELESSNESS.

(B) "RIDGE VIEW SUPPORTIVE RESIDENTIAL COMMUNITY" MEANS, AS SET FORTH IN SECTION 24-32-730 (2)(a), THE RIDGE VIEW CAMPUS THAT, AFTER JULY 1, 2022, IS DESIGNATED BY THE DIVISION FOR PROVIDING HOMELESSNESS-RELATED ACTIVITIES THAT THE DIVISION DETERMINES CONTRIBUTE TO THE RESOLUTION OF OR PREVENTION OF HOMELESSNESS.

(c) A local planning capacity development program administered by the division of local government. The program shall provide grants to local governments and tribal governments to increase the capacity of local government and tribal government planning departments responsible for processing land use, permitting and zoning applications for housing projects. Up to ~~5% of monies~~ FIVE PERCENT OF MONEY transferred to the support fund annually may be used for the program. The division of local government may utilize up to ~~5%~~ FIVE PERCENT of the funds that the division of housing allocates from the fund for the program ~~each state fiscal year~~ to pay for the direct and indirect costs of administering the program.

SECTION 3. In Colorado Revised Statutes, 29-32-106, **amend** (1); **add** (3); and **repeal** (2) as follows:

29-32-106. Appropriation requirement for affordable housing projects - definition. (1) For any state fiscal year in which money is appropriated from the financing fund or the support fund in accordance with the requirements of this ~~article~~ ARTICLE 32, any such money appropriated must supplement and shall not supplant the level of ~~general fund and cash fund appropriations~~ STATE FUNDING SUPPORT for affordable housing programs for the state fiscal year 2022-23.

(2) ~~For purposes of determining the appropriations for affordable housing programs for the state fiscal year 2022-23, cash fund appropriations do not include any appropriations of money that originated from money the state received from the federal coronavirus state fiscal recovery fund.~~

(3) (a) THE GENERAL ASSEMBLY IS ONLY IN VIOLATION OF SUBSECTION (1) OF THIS SECTION IF, FOR A STATE FISCAL YEAR, THE GENERAL ASSEMBLY APPROPRIATES MONEY FROM THE FINANCING FUND OR THE SUPPORT FUND IN ACCORDANCE WITH THE REQUIREMENTS OF THIS ARTICLE 32 FOR AFFORDABLE HOUSING PROGRAMS AND THE TOTAL AMOUNT OF STATE FUNDING SUPPORT FOR AFFORDABLE HOUSING

PROGRAMS IS LESS IN THAT STATE FISCAL YEAR THAN THE TOTAL AMOUNT OF STATE FUNDING SUPPORT FOR AFFORDABLE HOUSING PROGRAMS DURING THE 2022-23 STATE FISCAL YEAR. <{***This approach could be problematic in a bad budget year. Does the JBC want to allow an exception to this requirement if the state is projected to fall below the state fiscal year spending limit? As an example, Prop 123 itself stated that: "If the Legislative Council Staff's March Economic and Revenue Forecast in any given year projects revenue for the next state fiscal year will fall below the revenue limit imposed under section 20 of article X of the state constitution, the general assembly may reduce the funding allocated to the office required by this section for the next state fiscal year in order to balance the state budget for said state fiscal year." (29-32-104 (5))***}>

(b) AS USED IN THIS SUBSECTION (3), UNLESS THE CONTEXT OTHERWISE REQUIRES, "STATE FUNDING SUPPORT" MEANS, FOR A STATE FISCAL YEAR, THE TOTAL OF:

(I) THE AMOUNT OF STATE MONEY APPROPRIATED FOR AFFORDABLE HOUSING PROGRAMS BY THE GENERAL ASSEMBLY IN THAT STATE FISCAL YEAR THAT ARE NOT APPROPRIATIONS OF MONEY:

(A) FROM THE SUPPORT FUND OR THE FINANCING FUND;

(B) THAT ORIGINATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND;

(C) FROM THE GENERAL FUND THAT WERE REFINANCED IN HOUSE BILL 24-1466;

(D) THAT THE STATE TREASURER TRANSFERRED TO THE HOUSING DEVELOPMENT GRANT FUND PURSUANT TO SECTION 24-22-118 (2);

(E) THAT THE STATE TREASURER TRANSFERED FROM THE

AFFORDABLE HOUSING AND HOME OWNERSHIP CASH FUND TO THE TRANSFORMATIONAL AFFORDABLE HOUSING REVOLVING FUND PURSUANT TO SECTION 24-32-731 (9)(d); OR

(F) THAT THE GENERAL ASSEMBLY APPROPRIATED FROM THE AFFORDABLE HOUSING AND HOME OWNERSHIP CASH FUND PURSUANT TO SECTION 24-32-721.3.

(II) THE REDUCTION IN STATE REVENUE FOR THE STATE FISCAL YEAR THAT IS ATTRIBUTABLE TO TAX EXPENDITURES CONCERNING AFFORDABLE HOUSING PROGRAMS THAT THE OFFICE OF STATE PLANNING AND BUDGETING PROJECTS DURING THE MARCH REVENUE FORECAST THAT IMMEDIATELY PRECEDES THE STATE FISCAL YEAR WILL BE CLAIMED IN THE STATE FISCAL YEAR; AND

(III) THE REDUCTION IN STATE REVENUE FOR THE STATE FISCAL YEAR THAT IS ATTRIBUTABLE TO TAX EXPENDITURES CONCERNING AFFORDABLE HOUSING PROGRAMS, IS NOT INCLUDED IN THE PROJECTION DESCRIBED IN SUBSECTION (3)(b)(II) OF THIS SECTION, AND IS DESCRIBED IN FISCAL NOTES PROVIDED BY THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY PURSUANT TO SECTION 2-2-322.

SECTION 4. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

DRAFT
4/16/25

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT

LLS NO. 25-1002.02 Jason Gelender x4330 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Mod Higher Ed Expenses Income Tax Incentive

A BILL FOR AN ACT

CONCERNING THE ADMINISTRATION OF THE INCOME TAX INCENTIVE FOR CERTAIN HIGHER EDUCATION COSTS INCURRED BY ELIGIBLE STUDENTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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 state allows a student pursuing higher education who satisfies statutorily specified eligibility criteria to claim an income tax incentive for amounts paid for tuition and fees for

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

qualifying academic semesters or terms that the student completes. The bill clarifies the statute that provides for the income tax incentives to improve the administration, including data tracking and reporting, of the incentive.

For the 2025-26 state fiscal year, $135,446 is appropriated to the department of revenue for use by the taxation business group to implement this bill.

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

SECTION 1. In Colorado Revised Statutes, 39-22-570, **amend** (2)(c), (3), (4)(a) introductory portion, (4)(b), (4)(c), and (6)(d); and **add** (2)(b.5), (2)(c.5), and (2)(d.5) as follows:

39-22-570. Tuition and fee tax incentive for qualifying students - tax preference performance statement - report - legislative declaration - definitions - repeal. (2) As used in this section, unless the context otherwise requires:

(b.5) "DEPENDENT STUDENT" MEANS A STUDENT WHO IS NOT AN INDEPENDENT STUDENT.

(c) "Eligible student" means an individual who:

(I) ~~Has matriculated at a Colorado public institution of higher education within two years of completion of~~ COMPLETED high school graduation or an equivalent ON OR AFTER JANUARY 1, 2024, OR IS CURRENTLY ENROLLED AS OF FALL 2024;

(I.5) HAS MATRICULATED AT A COLORADO PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN TWO ACADEMIC YEARS OF COMPLETION OF HIGH SCHOOL GRADUATION OR AN EQUIVALENT;

(II) Is designated as a degree- or credential-seeking UNDERGRADUATE student at a Colorado public institution of higher education for the semester or term for which an incentive is claimed;

(III) Qualifies for in-state tuition, as described in article 7 of title

23, for the semester or term for which the incentive is claimed; ~~and~~

(IV) Has completed a free application for federal student aid (FAFSA) or Colorado application for state financial aid (CASFA) for the semester or term for which an incentive is claimed; ~~that indicates that the student's household has an adjusted gross income that is ninety thousand dollars or less~~ AND

(V) HAS A HOUSEHOLD ADJUSTED GROSS INCOME FOR THE SECOND PRECEDING INCOME TAX YEAR THAT IS NINETY THOUSAND DOLLARS OR LESS.

(c.5) (I) "HOUSEHOLD ADJUSTED GROSS INCOME" MEANS:

(A) IN THE CASE OF A DEPENDENT STUDENT, THE SUM OF THE STUDENT'S AND THE PARENT'S OR PARENTS', AS APPLICABLE, ADJUSTED GROSS INCOMES TO THE EXTENT THAT THE PARENT'S OR PARENTS' INCOME IS TAKEN INTO ACCOUNT FOR PURPOSES OF 20 U.S.C. SEC. 1087oo (f);

(B) IN THE CASE OF A SINGLE INDEPENDENT STUDENT, THE STUDENT'S ADJUSTED GROSS INCOME; AND

(C) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(c.5)(II) OF THIS SECTION, IN THE CASE OF A MARRIED INDEPENDENT STUDENT, THE SUM OF THE STUDENT'S AND THE SPOUSE'S ADJUSTED GROSS INCOMES.

(II) IN THE CASE OF A STUDENT WHO IS DIVORCED OR SEPARATED, OR WHOSE SPOUSE HAS DIED, THE SPOUSE'S ADJUSTED GROSS INCOME IS DISREGARDED.

(d.5) "INDEPENDENT STUDENT" HAS THE SAME MEANING AS SET FORTH IN 20 U.S.C. SEC. 1087vv (d), AS AMENDED.

(3) (a) (I) For ~~each~~ THE income tax year commencing on or after January 1, 2025, but prior to ~~January 1, 2033~~ JANUARY 1, 2026, an eligible student is allowed an incentive against the income taxes imposed

by this article 22 for every qualifying semester or term completed during the academic year ending during the income tax year AND ANY OTHER QUALIFYING SEMESTER OR TERM COMPLETED DURING THE INCOME TAX YEAR.

(II) FOR EACH INCOME TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2026, BUT PRIOR TO JANUARY 1, 2033, AN ELIGIBLE STUDENT IS ALLOWED AN INCENTIVE AGAINST THE INCOME TAXES IMPOSED BY THIS ARTICLE 22 FOR EVERY QUALIFYING SEMESTER OR TERM COMPLETED DURING THE INCOME TAX YEAR.

(b) The amount of incentive allowed to an eligible student for each ~~income tax year~~ QUALIFYING SEMESTER OR TERM is equal to the amount paid by or for the benefit of the eligible student in tuition and fees to a Colorado public institution of higher education minus any scholarships or grants for ~~each~~ THE qualifying ~~semester or term during the academic year completed during the prior calendar year~~ SEMESTERS OR TERMS.

(c) WITH REGARD TO WHETHER AN INDIVIDUAL IS AN ELIGIBLE STUDENT OR WHETHER A SEMESTER OR TERM IS A QUALIFYING SEMESTER OR TERM, A COLORADO PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL TAKE INTO ACCOUNT THE FACTS AND CIRCUMSTANCES DETERMINED ON OR BEFORE JANUARY 15 FOLLOWING THE INCOME TAX YEAR AND SHALL DISREGARD ANY CHANGE IN FACTS OR CIRCUMSTANCES OCCURRING THEREAFTER.

(4) (a) Each Colorado public institution of higher education is required by ~~January 15~~ JANUARY 31, 2026, and every ~~January 15~~ JANUARY 31 thereafter until 2033, to electronically report each eligible student, UNLESS PROHIBITED BY FEDERAL LAW, IN WHICH CASE EACH

COLORADO PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL INSTEAD REPORT EACH STUDENT WHO SATISFIES THE QUALIFICATIONS FOR BEING AN ELIGIBLE STUDENT SET FORTH IN SUBSECTIONS (2)(c)(I) THROUGH (2)(c)(IV) OF THIS SECTION WITHOUT REGARD TO WHETHER THE STUDENT'S HOUSEHOLD ADJUSTED GROSS INCOME EXCEEDS THE LIMIT SET FORTH IN SUBSECTION (2)(c)(V) OF THIS SECTION, for any qualifying semester or term ~~completed during the academic year completed during the~~ FOR WHICH AN INCENTIVE IS ALLOWED PURSUANT TO THIS SECTION FOR THE prior calendar year to the department of higher education in a format prescribed by the department of higher education that includes:

(b) By January 31, 2026, and every January 31 thereafter through 2033, the Colorado public institution of higher education shall provide each eligible student, UNLESS PROHIBITED BY FEDERAL LAW, IN WHICH CASE EACH COLORADO PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL INSTEAD PROVIDE EACH STUDENT WHO SATISFIES THE QUALIFICATIONS FOR BEING AN ELIGIBLE STUDENT SET FORTH IN SUBSECTIONS (2)(c)(I) THROUGH (2)(c)(IV) OF THIS SECTION WITHOUT REGARD TO WHETHER THE STUDENT'S HOUSEHOLD ADJUSTED GROSS INCOME EXCEEDS THE LIMIT SET FORTH IN SUBSECTION (2)(c)(V) OF THIS SECTION, with a statement containing the information pertaining to that student's eligibility and the amount reported to the department of higher education pursuant to subsection (4)(a)(II) of this section. A COLORADO PUBLIC INSTITUTION OF HIGHER EDUCATION MAY PROVIDE THE STATEMENT ELECTRONICALLY AND IS NOT REQUIRED TO PROVIDE IT IN PHYSICAL FORM.

(c) The department of higher education is required by ~~January 31~~ FEBRUARY 15, 2026, and every ~~January 31~~ FEBRUARY 15 thereafter through 2034, to electronically report the information received pursuant to subsection (4)(a) of this section along with any later corrections or additions to the department of revenue in a format prescribed by the executive director.

(6) (d) (I) ON OR BEFORE DECEMBER 1, 2026, THE DEPARTMENT OF HIGHER EDUCATION, IN CONSULTATION WITH THE DEPARTMENT OF REVENUE, SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE AND THE HOUSE OF REPRESENTATIVES AND SENATE EDUCATION COMMITTEES, OR ANY SUCCESSOR COMMITTEES, THAT DESCRIBES THE IMPLEMENTATION OF THE TAX INCENTIVE AND INCLUDES AN ESTIMATE OF THE TOTAL AMOUNT OF TAX INCENTIVES CLAIMED PURSUANT TO THIS SECTION FOR INCOME TAX YEARS THAT COMMENCE IN 2025.

(II) On or before ~~June 30, 2027~~ DECEMBER 1, 2027, and each year thereafter until 2037, the department of higher education shall submit a report to the joint budget committee and the house of representatives and senate education committees, or any successor committees, including, for each institution, the average percentage of state and institutional financial aid allocated to the resident student population who have a family income of ninety thousand dollars or less in the three academic years prior to the academic year 2024-25, and in each academic year thereafter until 2034. The department of higher education shall include in the report AVAILABLE DATA ON student enrollment information for INCENTIVE RECIPIENTS, eligible NONRECIPIENTS, and noneligible students, disaggregated by income UNLESS PROHIBITED BY FEDERAL LAW, and shall include, once the ~~date is~~ DATA ARE available, disaggregated outcome measures by income, UNLESS PROHIBITED BY FEDERAL LAW, for INCENTIVE RECIPIENTS, eligible NONRECIPIENTS, and noneligible students, including but not limited to student retention ~~and~~ RATES, completion rates, AND STUDENT LOAN DEBT.

Each Colorado public institution of higher education shall annually report student level financial aid, TUITION AND FEE, student eligibility, and incentive eligibility information to the department of higher education that the department of higher education deems necessary TO CALCULATE THE COSTS OF THE INCENTIVE, to provide to the department of revenue for incentive administration or for inclusion in the report.

(III) TO ALLOW THE DEPARTMENT OF HIGHER EDUCATION TO COMPLETE THE REPORT THAT IT ANNUALLY SUBMITS AS REQUIRED BY SUBSECTION (6)(d)(I) OF THIS SECTION, THE DEPARTMENT OF REVENUE SHALL ANNUALLY PROVIDE TO THE DEPARTMENT OF HIGHER EDUCATION DATA THAT INDICATES WHETHER AN ELIGIBLE STUDENT HAS CLAIMED THE INCENTIVE.

SECTION 2. In Colorado Revised Statutes, 39-21-113, **add** (37) as follows:

39-21-113. Reports and returns - rule - repeal. (37) NOTWITHSTANDING THE CONFIDENTIALITY REQUIREMENTS OF THIS SECTION, THE EXECUTIVE DIRECTOR MAY PROVIDE THE DEPARTMENT OF HIGHER EDUCATION WITH INFORMATION OBTAINED PURSUANT TO THIS SECTION THAT INDICATES WHETHER AN ELIGIBLE STUDENT, AS DEFINED IN SECTION 39-22-570 (2)(c), HAS CLAIMED THE INCENTIVE, AS DEFINED IN SECTION 39-22-570 (2)(d), ALLOWED BY SECTION 39-22-570. ANY INFORMATION PROVIDED TO THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO THIS SUBSECTION (37) REMAINS CONFIDENTIAL, AND ALL EMPLOYEES OF THE DEPARTMENT OF HIGHER EDUCATION ARE SUBJECT TO THE LIMITATIONS SET FORTH IN SUBSECTION (4) OF THIS SECTION AND PENALTIES SPECIFIED IN SUBSECTION (6) OF THIS SECTION.

SECTION 3. Appropriation. (1) For the 2025-26 state fiscal year, $135,446 is appropriated to the department of revenue for use by the taxation business group. This appropriation is from the general fund. To implement this act, the division may use this appropriation as follows:

(a) $113,004 for personal services related to taxation services, which amount is based on an assumption that the division will require an additional 1.9 FTE; and

(b) $22,442 for operating expenses related to taxation services.

SECTION 4. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

DRAFT
4/16/25

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT

LLS NO. 25-1003.01 Alana Rosen x2606 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Colorado State Promise Program

A BILL FOR AN ACT

CONCERNING THE COLORADO PROMISE TO PROVIDE POSTSECONDARY TUITION AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION FOR ELIGIBLE COLORADO UNDERGRADUATE STUDENTS.

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 creates the Colorado state promise program (state program) in the department of higher education (department). The purpose of the state program is to provide tuition to Colorado students (students) who attend public institutions of higher education (institutions) in the state. Beginning in the 2026-27 state fiscal

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Dashes through the words indicate deletions from existing law.

year, the bill requires that institutions in the state ensure that students who meet certain requirements do not pay tuition. To be an eligible student, an individual must:

- Graduate from a Colorado high school or successfully pass a Colorado high school equivalency examination or its equivalent on or after January 1, 2024, and before the individual reaches 22 years of age;
- Enroll full-time at an institution within 2 years of graduating from a Colorado high school or successfully passing a Colorado high school equivalency examination or its equivalent;
- Have a household adjusted gross income of $60,000 or less;
- Complete a free application for federal student aid (FAFSA) and receive a maximum federal Pell grant or grant from a successor federal program that provides grants of a similar or greater size than the federal Pell grant;
- Apply for and receive a college opportunity fund stipend;
- Maintain satisfactory academic progress at the public institution; and
- Pursue, for the first time, a higher education degree as an enrolled student in an institution.

Funding sources to support the education of students participating in the state program include state financial aid, federal student aid, institutional sources, the college opportunity fund program, fee-for-service contracts, and grants.

The department may issue guidelines, as necessary, to ensure the state program is implemented at all institutions.

The department, in collaboration with institutions of higher education, shall:

- Solicit input from students, parents, K-12 education leaders, high school counselors, community organizations, postsecondary enrollment managers, public relations professionals, and other interested individuals to identify an accessible message for the state program and to identify mechanisms to disseminate the message; and
- Develop statewide messaging for K-12 educational staff, postsecondary institutions, community organizations, and other interested individuals that may be used to promote the state program.

On or before November 1, 2025, the department shall prepare and submit a preliminary status report on the statewide messaging to the education committees of the general assembly and the joint budget committee.

On or before December 1, 2026, the department shall prepare and submit a status report on the implementation of the state program to the education committees of the general assembly and the joint budget committee.

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

SECTION 1. In Colorado Revised Statutes, **add** 23-3.3-108 as follows:

23-3.3-108. Colorado state promise program - creation - requirements - guidelines - reports - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COLORADO STATE PROMISE PROGRAM" OR "STATE PROGRAM" MEANS THE COLORADO STATE PROMISE PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER EDUCATION CREATED IN SECTION 24-1-114.

(c) "ELIGIBLE STUDENT" MEANS A COLORADO IN-STATE UNDERGRADUATE STUDENT WHO MEETS THE REQUIREMENTS SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION AND WHO QUALIFIES FOR THE COLORADO STATE PROMISE PROGRAM.

(d) "FAFSA" MEANS THE FREE APPLICATION FOR FEDERAL STUDENT AID.

(e) "FULL-TIME" MEANS THAT A COLORADO IN-STATE UNDERGRADUATE STUDENT IS ENROLLED IN A PUBLIC INSTITUTION FOR AT LEAST TWELVE CREDIT HOURS PER SEMESTER OR TERM.

(f) (I) "HOUSEHOLD ADJUSTED GROSS INCOME" MEANS:

(A) IN THE CASE OF A DEPENDENT STUDENT, THE SUM OF THE STUDENT'S AND THE PARENT'S OR GUARDIAN'S OR PARENTS' OR GUARDIANS' ADJUSTED GROSS INCOMES TO THE EXTENT THAT THE

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PARENT'S OR GUARDIAN'S OR PARENTS' OR GUARDIANS' INCOME IS TAKEN INTO ACCOUNT FOR PURPOSES OF 20 U.S.C. SEC. 1087oo (f);

(B) IN THE CASE OF A SINGLE INDEPENDENT STUDENT, THE STUDENT'S ADJUSTED GROSS INCOME; AND

(C) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(f)(II) OF THIS SECTION, IN THE CASE OF A MARRIED INDEPENDENT STUDENT, THE SUM OF THE STUDENT'S AND THE SPOUSE'S ADJUSTED GROSS INCOMES.

(II) IN THE CASE OF A STUDENT WHO IS DIVORCED OR SEPARATED, OR WHOSE SPOUSE HAS DIED, THE SPOUSE'S ADJUSTED GROSS INCOME IS NOT INCLUDED.

(g) "INDEPENDENT STUDENT" HAS THE SAME MEANING AS SET FORTH IN 20 U.S.C. SEC. 1087vv (d).

(h) "IN-STATE UNDERGRADUATE STUDENT" HAS THE SAME MEANING AS "IN-STATE STUDENT" AS SET FORTH IN SECTION 23-7-102.

(i) "PUBLIC INSTITUTION" MEANS AN INSTITUTION THAT IS GOVERNED BY:

(I) THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM;

(II) THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO;

(III) THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL OF MINES;

(IV) THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTHERN COLORADO;

(V) THE BOARD OF TRUSTEES OF ADAMS STATE UNIVERSITY;

(VI) THE BOARD OF TRUSTEES OF WESTERN COLORADO UNIVERSITY;

(VII) THE BOARD OF TRUSTEES OF FORT LEWIS COLLEGE;

(VIII) THE BOARD OF TRUSTEES OF METROPOLITAN STATE UNIVERSITY OF DENVER;

(IX) THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION;

(X) THE BOARD OF TRUSTEES OF COLORADO MESA UNIVERSITY;

(XI) THE BOARD OF TRUSTEES OF COLORADO MOUNTAIN COLLEGE;

(XII) THE BOARD OF TRUSTEES OF AIMS COMMUNITY COLLEGE; OR

(XIII) A LOCAL SCHOOL DISTRICT OR A BOARD OF COOPERATIVE SERVICES THAT OPERATES AN AREA TECHNICAL COLLEGE, AS DEFINED IN SECTION 23-60-103. <{***JBC, would you like to allow Area Technical Colleges, Colorado Mountain College, or Aims community college to opt in to this program or would you like it to be mandatory as a condition of their state support? These institutions have requested to opt in.***}>

(j) "TUITION" MEANS THE BASE TUITION FOR AN ACADEMIC YEAR. "TUITION" DOES NOT INCLUDE DIFFERENTIAL TUITION OR FEES.

(2) THE COLORADO STATE PROMISE PROGRAM IS CREATED IN THE DEPARTMENT. THE PURPOSE OF THE STATE PROGRAM IS TO PROVIDE TUITION TO ELIGIBLE STUDENTS. BEGINNING IN THE 2026-27 STATE FISCAL YEAR, EACH PUBLIC INSTITUTION SHALL ENSURE THAT ELIGIBLE STUDENTS DO NOT PAY TUITION, IN ALIGNMENT WITH THE PUBLIC INSTITUTION'S PROMISE PROGRAM AND THE STATE PROGRAM; EXCEPT THAT CSU GLOBAL CAMPUS MAY OPT IN TO PARTICIPATE IN THE PROGRAM. EACH PUBLIC INSTITUTION SHALL USE ALL AVAILABLE FUNDING SOURCES TO ELIMINATE TUITION PAYMENTS FOR ELIGIBLE STUDENTS. FUNDING SOURCES TO SUPPORT THE EDUCATION OF ELIGIBLE STUDENTS INCLUDE STATE FINANCIAL AID, FEDERAL STUDENT AID, INSTITUTIONAL SOURCES, THE

COLLEGE OPPORTUNITY FUND PROGRAM CREATED IN SECTION 23-18-201 (1), FEE-FOR-SERVICE CONTRACTS, AND GRANTS.

(3) (a) UNLESS MODIFIED BY THE INSTITUTION PURSUANT TO SUBSECTION (4)(c) OF THIS SECTION, TO QUALIFY AS AN ELIGIBLE STUDENT, AN INDIVIDUAL MUST:

(I) GRADUATE FROM A COLORADO HIGH SCHOOL OR SUCCESSFULLY PASS A COLORADO HIGH SCHOOL EQUIVALENCY EXAMINATION OR ITS EQUIVALENT ON OR AFTER JANUARY 1, 2024, AND BEFORE THE INDIVIDUAL REACHES TWENTY-TWO YEARS OF AGE;

(II) ENROLL FULL-TIME AT A PUBLIC INSTITUTION AS AN IN-STATE UNDERGRADUATE STUDENT WITHIN TWO YEARS OF GRADUATING FROM A COLORADO HIGH SCHOOL OR SUCCESSFULLY PASSING A COLORADO HIGH SCHOOL EQUIVALENCY EXAMINATION OR ITS EQUIVALENT;

(III) HAVE A HOUSEHOLD ADJUSTED GROSS INCOME OF SIXTY THOUSAND DOLLARS OR LESS; EXCEPT THAT THERE MAY BE ADJUSTMENTS TO THE HOUSEHOLD ADJUSTED GROSS INCOME PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION;

(IV) ANNUALLY COMPLETE A FAFSA AND RECEIVE A MAXIMUM FEDERAL PELL GRANT OR GRANT FROM A SUCCESSOR FEDERAL PROGRAM THAT PROVIDES GRANTS OF A SIMILAR OR GREATER SIZE THAN THE FEDERAL PELL GRANT;

(V) APPLY FOR AND RECEIVE A COLLEGE OPPORTUNITY FUND STIPEND PURSUANT TO PART 2 OF ARTICLE 18 OF THIS TITLE 23;

(VI) MAINTAIN SATISFACTORY ACADEMIC PROGRESS AT THE PUBLIC INSTITUTION; AND

(VII) PURSUE, FOR THE FIRST TIME, AN UNDERGRADUATE CERTIFICATE OR DEGREE AS AN ENROLLED STUDENT IN A PUBLIC

INSTITUTION.

(b) THE STATE PROGRAM PROVIDES AN ELIGIBLE STUDENT TUITION TOWARD THE COMPLETION OF AN ELIGIBLE STUDENT'S FIRST BACHELOR'S DEGREE, ASSOCIATE DEGREE, OR A CERTIFICATE OF COMPLETION. IF THE ELIGIBLE STUDENT OBTAINS AN ASSOCIATE DEGREE OR A CERTIFICATE OF COMPLETION, THE ELIGIBLE STUDENT IS PERMITTED TO USE THE STATE PROGRAM TO PURSUE AN ASSOCIATE DEGREE OR A BACHELOR'S DEGREE; EXCEPT THAT A PUBLIC INSTITUTION MAY LIMIT THE STATE PROGRAM TO EIGHT SEMESTERS OR TO ONE HUNDRED FORTY-FIVE TOTAL CREDIT HOURS. THE STATE PROGRAM EXCLUDES CREDIT HOURS EARNED THROUGH CONCURRENT ENROLLMENT, AS DEFINED IN SECTION 22-35-103; ADVANCED PLACEMENT COURSES; INTERNATIONAL BACCALAUREATE COURSES; OR ANY OTHER CREDITS EARNED PRIOR TO HIGH SCHOOL GRADUATION.

(c) THE STATE PROGRAM PROVIDES TUITION FOR UP TO FIFTEEN CREDIT HOURS PER FALL OR SPRING SEMESTER OR TERM. A PUBLIC INSTITUTION MAY PROVIDE TUITION FOR MORE THAN FIFTEEN CREDIT HOURS PER FALL OR SPRING SEMESTER OR TERM THROUGH THE PUBLIC INSTITUTION'S PROMISE PROGRAM.

(4) (a) THE DEPARTMENT MAY ISSUE GUIDELINES, AS NECESSARY, TO IMPLEMENT THIS SECTION AT ALL PUBLIC INSTITUTIONS. THE GUIDELINES MAY ADDRESS, BUT ARE NOT LIMITED TO:

(I) CLARIFICATION ON MINIMUM STATE PROGRAM COMPONENTS; AND

(II) A PROCESS FOR PUBLIC INSTITUTIONS TO RECEIVE AND ADDRESS STUDENT COMPLAINTS REGARDING THE ADMINISTRATION OF THE STATE PROGRAM.

(b) THE DEPARTMENT SHALL WORK IN COLLABORATION WITH THE PUBLIC INSTITUTIONS TO DETERMINE THE APPROPRIATE DATA STANDARDS, METHODOLOGY OF DATA COLLECTION, AND DATES OF REPORTING FOR THE STATE PROGRAM. DATA COLLECTION MUST RELY PRIMARILY ON STUDENT UNIT RECORD DATA AND MUST MINIMIZE THE WORKLOAD FOR PUBLIC INSTITUTIONS AND THE DEPARTMENT.

(c) THE STATE PROGRAM PROVIDES A MINIMUM LEVEL OF FINANCIAL SUPPORT TO ELIGIBLE STUDENTS. A PUBLIC INSTITUTION MAY OFFER ADDITIONAL FINANCIAL SUPPORT TO ELIGIBLE STUDENTS AND MAY INCORPORATE LESS RESTRICTIVE STANDARDS FOR A STUDENT TO BE ELIGIBLE FOR THE STATE PROGRAM AND TO BE ELIGIBLE FOR OTHER FORMS OF FINANCIAL AID AT THE PUBLIC INSTITUTION.

(d) PUBLIC INSTITUTIONS MAY ESTABLISH REASONABLE APPLICATION PROCEDURES FOR THE STATE PROGRAM, INCLUDING ESTABLISHING DEADLINES.

(e) PUBLIC INSTITUTIONS SHALL PRIORITIZE STATE FINANCIAL AID FOR ELIGIBLE STUDENTS.

(5) (a) IN AGREEMENT WITH THE PUBLIC INSTITUTIONS AND THE DEPARTMENT, THE JOINT BUDGET COMMITTEE MAY DETERMINE A HIGHER INCOME THRESHOLD TO ADJUST FOR INFLATION. IF THE INCOME THRESHOLD IS ADJUSTED PURSUANT TO THIS SUBSECTION (5)(a), THE JOINT BUDGET COMMITTEE, THE PUBLIC INSTITUTIONS, AND THE DEPARTMENT SHALL POST THE UPDATED INCOME THRESHOLD AMOUNT ON THEIR RESPECTIVE WEBSITES.

(b) (I) IN CONSULTATION WITH THE DEPARTMENT AND THE PUBLIC INSTITUTIONS, THE JOINT BUDGET COMMITTEE MAY SUSPEND OR REDUCE THE SCOPE OF THE STATE GUARANTEE BASED ON SIGNIFICANT REDUCTIONS

IN FEDERAL GRANT AID OR STATE SUPPORT FOR INSTITUTIONS OF HIGHER EDUCATION AND STUDENT FINANCIAL AID.

(II) IF THERE IS A SIGNIFICANT REDUCTION IN STATE SUPPORT AS DESCRIBED IN SUBSECTION (5)(b)(I) OF THIS SECTION, THE JOINT BUDGET COMMITTEE MUST SUSPEND OR REDUCE THE SCOPE OF THE STATE GUARANTEE ON OR BEFORE APRIL 1 PRIOR TO THE AFFECTED ACADEMIC YEAR.

(III) IF THERE IS A SIGNIFICANT REDUCTION IN FEDERAL GRANT AID AS DESCRIBED IN SUBSECTION (5)(b)(I) OF THIS SECTION, THE JOINT BUDGET COMMITTEE MUST SUSPEND OR REDUCE THE SCOPE OF THE STATE GUARANTEE AS SOON AS PRACTICABLE TO GIVE STUDENTS ADEQUATE WARNING OF THE SUSPENSION OR REDUCTION.

(IV) IF THE JOINT BUDGET COMMITTEE SUSPENDS OR REDUCES THE SCOPE OF THE STATE GUARANTEE PURSUANT TO THIS SUBSECTION (5)(b), THE JOINT BUDGET COMMITTEE, THE PUBLIC INSTITUTIONS, AND THE DEPARTMENT SHALL POST THE INFORMATION DESCRIBED IN THIS SUBSECTION (5)(b) ON THEIR RESPECTIVE WEBSITES.

(6) THE DEPARTMENT, IN COLLABORATION WITH INSTITUTIONS OF HIGHER EDUCATION, SHALL:

(a) SOLICIT INPUT FROM STUDENTS, PARENTS, K-12 EDUCATION LEADERS, HIGH SCHOOL COUNSELORS, COMMUNITY ORGANIZATIONS, POSTSECONDARY ENROLLMENT MANAGERS, PUBLIC RELATIONS PROFESSIONALS, AND OTHER INTERESTED INDIVIDUALS TO IDENTIFY AN ACCESSIBLE MESSAGE FOR THE STATE PROGRAM AND TO IDENTIFY MECHANISMS TO DISSEMINATE THE MESSAGE. THE DEPARTMENT SHALL EXAMINE HOW THE CRITERIA FOR THE STATE PROGRAM ALIGNS WITH CRITERIA FOR OTHER PUBLIC BENEFITS PROGRAMS FOR K-12 STUDENTS TO

HELP COMMUNICATE THE STATE PROGRAM TO K-12 STUDENTS AND FAMILIES.

(b) DEVELOP STATEWIDE MESSAGING FOR K-12 EDUCATIONAL STAFF, POSTSECONDARY INSTITUTIONS, COMMUNITY ORGANIZATIONS, AND OTHER INTERESTED INDIVIDUALS THAT MAY BE USED TO PROMOTE THE STATE PROGRAM. THE STATEWIDE MESSAGING MUST ADDRESS HOW THE STATE PROGRAM COMBINES WITH PUBLIC INSTITUTIONS' INDIVIDUAL PROMISE PROGRAMS AND THE TUITION AND FEE TAX CREDITS CREATED IN SECTION 39-22-570 (3).

(7) (a) ON OR BEFORE NOVEMBER 1, 2025, THE DEPARTMENT SHALL PREPARE AND SUBMIT A PRELIMINARY STATUS REPORT ON THE INFORMATION DESCRIBED IN SUBSECTION (6) OF THIS SECTION TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES, AND THE JOINT BUDGET COMMITTEE.

(b) (I) ON OR BEFORE DECEMBER 1, 2026, THE DEPARTMENT SHALL PREPARE AND SUBMIT A STATUS REPORT ON THE IMPLEMENTATION OF THE STATE PROGRAM TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES, AND THE JOINT BUDGET COMMITTEE.

(II) ON OR BEFORE DECEMBER 1, 2027, AS PART OF THE REPORT REQUIRED PURSUANT TO SECTION 39-22-570 (6)(d), THE DEPARTMENT SHALL SUBMIT A STATUS REPORT ON THE IMPLEMENTATION OF THE STATE PROGRAM AND PROVIDE RECOMMENDATIONS FOR STATUTORY CHANGES TO THE STATE PROGRAM.

(8) EACH PUBLIC INSTITUTION SHALL ANNUALLY CERTIFY TO THE DEPARTMENT THAT THE PUBLIC INSTITUTION IS OFFERING THE STATE

PROGRAM TO ALL ELIGIBLE STUDENTS.

SECTION 2. In Colorado Revised Statutes, 39-22-570, **amend** (6)(d) as follows:

39-22-570. Tuition and fee tax credit for qualifying students - tax preference performance statement - legislative declaration - definitions - report - repeal. (6) (d) On or before ~~June 30, 2027~~ DECEMBER 1, 2027, and each year thereafter until 2037, the department of higher education shall submit a report to the joint budget committee and the house of representatives and senate education committees, or any successor committees, including, for each institution, the average percentage of state and institutional financial aid allocated to the resident student population who have a family income of ninety thousand dollars or less in the three academic years prior to the academic year 2024-25, and in each academic year thereafter until 2034. The department of higher education shall include in the report student enrollment information for eligible and noneligible students, disaggregated by income, and shall include, once the date is available, disaggregated outcome measures by income for eligible and noneligible students, including but not limited to student retention and completion rates. THE DEPARTMENT OF HIGHER EDUCATION SHALL INCLUDE IN THE REPORT THE NUMBER OF STUDENTS ELIGIBLE FOR AND RECEIVING THE COLORADO STATE PROMISE PROGRAM CREATED IN SECTION 23-3.3-108 (2)(a) OR THE INSTITUTION'S PROMISE PROGRAM IF THE INSTITUTION'S PROMISE PROGRAM IS MORE GENEROUS THAN THE COLORADO STATE PROMISE PROGRAM. FOR THE REPORT DUE BY DECEMBER 1, 2027, THE DEPARTMENT SHALL INCLUDE AN UPDATE ON THE IMPLEMENTATION OF THE COLORADO STATE PROMISE PROGRAM AND PROVIDE RECOMMENDATIONS FOR STATUTORY CHANGES TO THE

COLORADO STATE PROMISE PROGRAM AS DESCRIBED IN SECTION 23-3.3-108 (7)(b)(II). Each Colorado public institution of higher education shall annually report student level financial aid, student eligibility, ~~and~~ INFORMATION ON THE COLORADO STATE PROMISE PROGRAM, AND TAX CREDIT incentive eligibility information to the department of higher education that the department of higher education deems necessary to provide to the department of revenue for incentive administration or for inclusion in the report.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

SECTION 3. Appropriation to the department of higher education for the fiscal year beginning July 1, 2024. In Session Laws of Colorado 2024, section 2 of chapter 519, (HB 24-1430), **amend** Part VII (2)(A); and **add** footnote 30a, as the Part VII affected totals are amended by section 1 of SB 25-094 and section 10 of SB 25-206, as follows:

Section 2. **Appropriation.**

PART VII

DEPARTMENT OF HIGHER EDUCATION

(2) COLORADO COMMISSION ON HIGHER EDUCATION AND HIGHER EDUCATION SPECIAL PURPOSE PROGRAMS

(A) Administration

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
~~Administration~~							
ADMINISTRATION[30a]	5,493,252		5,185,990		202,082[a]	105,180[b]	
			(38.5 FTE)		(0.4 FTE)	(1.0 FTE)	

[a] This amount shall be from private college and university fees paid pursuant to Section 23-1-125 (5), C.R.S., and Section 23-2-104.5, C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

[b] This amount shall be transferred from the Department of Education from the Preschool to Postsecondary Education Alignment line item in the Student Learning section for assistance in aligning public education with postsecondary and workforce readiness standards.

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
TOTALS PART VII							
(HIGHER EDUCATION)		$6,310,738,197	$474,893,564	$1,188,577,036[a]	$3,306,368,493[b]	$1,313,891,684	$27,007,420[c]

[a] This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

[b] Of this amount, $334,250,383 contains an (I) notation.

[c] This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

<u>30a</u> DEPARTMENT OF HIGHER EDUCATION, COLORADO COMMISSION ON HIGHER EDUCATION AND HIGHER EDUCATION SPECIAL PURPOSE PROGRAMS, ADMINISTRATION -- OF THE AMOUNT IN THIS LINE ITEM, $140,000 REMAINS AVAILABLE FOR EXPENDITURE UNTIL THE CLOSE OF THE 2025-26 STATE FISCAL YEAR.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

DRAFT
4/16/25

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT

LLS NO. 25-0480.01 Conrad Imel x2313 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: American Rescue Plan Act Funds

A BILL FOR AN ACT

CONCERNING THE USE OF MONEY RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND, AND, IN CONNECTION THEREWITH, TRANSFERRING THE UNSPENT STATE MONEY THAT REFINANCED THE MONEY RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND, REPEALING THE REQUIREMENT FOR RECRUITMENT OF HEALTH-CARE PROFESSIONALS FUNDED WITH REFINANCED MONEY, AND MAKING AND REDUCING APPROPRIATIONS.

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

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

http://leg.colorado.gov/.)

Joint Budget Committee. The state received money from the federal coronavirus state fiscal recovery fund pursuant to the "American Rescue Plan Act of 2021" (ARPA money). ARPA money was deposited into the "American Rescue Plan Act of 2021" cash fund, transferred to various other cash funds (recipient funds), and appropriated from recipient funds for various programs. House Bill 24-1466, enacted in 2024, refinanced appropriated ARPA money with state money (state refinance money).

The bill transfers ARPA money to recipient funds to cover the costs of projects funded with ARPA money and transfers unspent state refinance money from recipient funds to the general fund. The bill adjusts existing appropriations to reflect spent ARPA money and unspent state refinance money and amends program statutes to align with the appropriations adjustments.

ARPA money must be obligated by December 31, 2024, and spent by December 31, 2026. Under federal law, as explained in guidance from the United States department of the treasury, the state may reclassify obligated but unspent ARPA money after December 31, 2024, upon the occurrence of certain events (qualifying events). The bill reverts money upon a qualifying event from the recipient fund to the "American Rescue Plan Act of 2021" cash fund and appropriates that money to the governor for an alternate eligible use for which a general fund appropriation was made. Under existing law, the general fund appropriation is reduced by the amount of ARPA money spent for the line item of appropriation.

The bill repeals the requirement for the department of public health and environment to engage in recruitment and re-engagement of workers in the health-care profession because the bill ends the appropriation of money for that purpose.

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

SECTION 1. In Colorado Revised Statutes, 24-75-226, **amend** (4.3)(a); and **add** (3.6) as follows:

24-75-226. "American Rescue Plan Act of 2021" cash fund - creation - recipient funds - limitations - reporting - appropriations - reduction in general fund appropriations - report - legislative declaration - definitions - repeal. (3.6) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE FOLLOWING

RECIPIENT FUNDS THE FOLLOWING AMOUNTS OF MONEY THAT ORIGINATED FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND:

(a) TWO MILLION TWO HUNDRED FOURTEEN THOUSAND SEVEN HUNDRED FORTY-THREE DOLLARS AND THIRTY-TWO CENTS TO THE BEHAVIORAL AND MENTAL HEALTH CASH FUND, CREATED IN SECTION 24-75-230;

(b) THREE MILLION ONE HUNDRED SEVENTY-TWO THOUSAND THREE HUNDRED SIXTEEN DOLLARS AND FIFTY-SIX CENTS TO THE COLORADO HERITAGE COMMUNITIES FUND, CREATED IN SECTION 24-32-3207;

(c) NINE MILLION THREE HUNDRED THIRTY-FOUR THOUSAND EIGHT HUNDRED SEVENTY-TWO DOLLARS AND NINETY-NINE CENTS TO THE CONNECTING COLORADANS EXPERIENCING HOMELESSNESS WITH SERVICES, RECOVERY CARE, AND HOUSING SUPPORTS FUND, CREATED IN SECTION 24-32-732;

(d) FIVE MILLION SEVEN HUNDRED ONE THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS AND FORTY-EIGHT CENTS TO THE ECONOMIC RECOVERY AND RELIEF CASH FUND, CREATED IN SECTION 24-75-228;

(e) THIRTY-TWO THOUSAND NINE HUNDRED EIGHTY-EIGHT DOLLARS TO THE HEALTHY FORESTS AND VIBRANT COMMUNITIES FUND, CREATED IN SECTION 23-31-313;

(f) SEVENTEEN MILLION FIVE HUNDRED TWENTY-TWO THOUSAND FIVE HUNDRED NINETY DOLLARS AND FIFTY-FIVE CENTS TO THE LOCAL INVESTMENTS IN TRANSFORMATIONAL AFFORDABLE HOUSING FUND, CREATED IN SECTION 24-32-729;

(g) FIFTEEN MILLION THREE HUNDRED SIXTY THOUSAND EIGHT

HUNDRED FIFTY-TWO DOLLARS TO THE REGIONAL NAVIGATION CAMPUS CASH FUND, CREATED IN SECTION 24-32-727;

(h) TEN MILLION SIX HUNDRED EIGHTY-TWO THOUSAND SIXTY-SIX DOLLARS AND FIFTY-FIVE CENTS TO THE REVENUE LOSS RESTORATION CASH FUND, CREATED IN SECTION 24-75-227; AND

(i) TEN MILLION NINE HUNDRED SEVENTY-THREE THOUSAND FIVE HUNDRED EIGHTY-TWO DOLLARS AND TWENTY-FIVE CENTS TO THE STATE HIGHWAY FUND, CREATED IN SECTION 43-1-219.

(4.3) (a) (I) After December 31, 2024, any money in a recipient fund that originated from the coronavirus state fiscal recovery fund that was obligated as of December 31, 2024, but not expended on an eligible activity UPON A QUALIFYING EVENT OR at the conclusion of the appropriation reverts to the fund. Money that reverts to the fund pursuant to this subsection (4.3) is continuously appropriated through December 31, 2026, to any department designated by the governor FOR AN ALTERNATE ELIGIBLE USE OR for any purpose for which a general fund appropriation was made ~~in the general appropriation act for the state fiscal year in which the reversion occurred~~ AND AN OBLIGATION WAS INCURRED, AS REQUIRED IN SUBSECTION (4)(d) OF THIS SECTION, BEFORE DECEMBER 31, 2024.

(II) AS USED IN THIS SUBSECTION (4.3), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(A) "ALTERNATE ELIGIBLE USE" MEANS AN ELIGIBLE USE FOR WHICH MONEY THAT ORIGINATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND THAT BECOMES AVAILABLE AFTER A QUALIFYING EVENT MAY BE OBLIGATED AND EXPENDED IN ACCORDANCE WITH FEDERAL LAW, AS EXPLAINED IN GUIDANCE FROM THE UNITED STATES DEPARTMENT OF

THE TREASURY.

(B) "QUALIFYING EVENT" MEANS AN EVENT THAT RESULTS IN MONEY THAT ORIGINATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND BECOMING UNABLE TO BE SPENT FOR THE PURPOSE OBLIGATED AND THAT MAY BE RECLASSIFIED TO AN ALTERNATE ELIGIBLE USE IN ACCORDANCE WITH FEDERAL LAW, AS EXPLAINED IN GUIDANCE FROM THE UNITED STATES DEPARTMENT OF THE TREASURY.

SECTION 2. In Colorado Revised Statutes, 24-75-226.5, **amend** (2)(c) as follows:

24-75-226.5. ARPA refinance state money cash fund - creation - reduction in general fund appropriations - legislative intent - definitions - repeal. (2) (c) (I) There is created in the cash fund the refinance discretionary account. The refinance discretionary account consists of money credited to the account pursuant to subsection (4)(a) of this section. The account is continuously appropriated to any department designated by the governor for any allowable purpose under the "American Rescue Plan Act of 2021", including expenditures necessary to respond to the public health emergency with respect to COVID-19.

(II) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE REFINANCE DISCRETIONARY ACCOUNT TO THE GENERAL FUND SIX MILLION EIGHT HUNDRED SEVENTY-SEVEN THOUSAND TWO HUNDRED THIRTY-ONE DOLLARS AND SIXTY-FOUR CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 3. In Colorado Revised Statutes, 24-75-227, **add** (3.8) as follows:

24-75-227. Revenue loss restoration cash fund - creation -

allowable uses - definitions - repeal. (3.8) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND TWELVE MILLION FOUR HUNDRED SIXTY-ONE THOUSAND FOUR HUNDRED NINETY-FOUR DOLLARS AND TEN CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 4. In Colorado Revised Statutes, 24-75-228, **add** (3.8) as follows:

24-75-228. Economic recovery and relief cash fund - creation - allowable uses - interim task force - report - legislative declaration - definitions - repeal. (3.8) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND THIRTEEN MILLION EIGHT HUNDRED FOURTEEN THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS AND EIGHTY-SEVEN CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 5. In Colorado Revised Statutes, 24-75-230, **add** (4.3) as follows:

24-75-230. Behavioral and mental health cash fund - creation - allowable uses - task force - definitions - repeal. (4.3) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND SEVEN MILLION TWO HUNDRED SIXTY-ONE THOUSAND TWO HUNDRED EIGHT DOLLARS AND FIFTY-FIVE CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 6. In Colorado Revised Statutes, 24-75-219, **add** (7)(k) as follows:

24-75-219. Transfers - transportation - capital construction - definitions - repeal. (7) In addition to any other transfers required by this section:

(k) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE STATE HIGHWAY FUND TO THE GENERAL FUND TEN MILLION NINE HUNDRED SEVENTY-THREE THOUSAND FIVE HUNDRED EIGHTY-TWO DOLLARS AND TWENTY-FIVE CENTS THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 7. In Colorado Revised Statutes, 23-31-313, **add** (10)(a)(V) as follows:

23-31-313. Healthy forests - vibrant communities - funds created - outreach working group - loan program - legislative declaration - definitions - repeal. (10) **Healthy forests and vibrant communities fund.** (a) (V) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE HEALTHY FORESTS AND VIBRANT COMMUNITIES FUND TO THE GENERAL FUND THIRTY-TWO THOUSAND NINE HUNDRED EIGHTY-EIGHT DOLLARS THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 8. In Colorado Revised Statutes, 24-32-3207, **add** (6)(e) as follows:

24-32-3207. Colorado heritage communities fund - creation - source of funds. (6) (e) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE COLORADO HERITAGE COMMUNITIES FUND CREATED IN SUBSECTION (1) OF THIS SECTION TO THE GENERAL FUND THREE MILLION ONE HUNDRED SEVENTY-TWO THOUSAND THREE HUNDRED SIXTEEN

DOLLARS AND FIFTY-SIX CENTS THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 9. In Colorado Revised Statutes, 24-32-729, **add** (4)(d) as follows:

24-32-729. Transformational affordable housing through local investments - grant program - investments eligible for funding - report - definitions - repeal. (4) **Funds.** (d) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND SEVENTEEN MILLION FIVE HUNDRED TWENTY-TWO THOUSAND FIVE HUNDRED NINETY DOLLARS AND FIFTY-FIVE CENTS THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 10. In Colorado Revised Statutes, 24-32-732, **add** (5)(g.5) as follows:

24-32-732. Connecting Coloradans experiencing homelessness with services, recovery care, and housing supports grant program - funding - report - definitions - repeal. (5) **Connecting Coloradans experiencing homelessness with services, recovery care, and housing supports fund - transfer of money to the fund - appropriation.** (g.5) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND NINE MILLION THREE HUNDRED THIRTY-FOUR THOUSAND EIGHT HUNDRED SEVENTY-TWO DOLLARS AND NINETY-NINE CENTS THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 11. In Colorado Revised Statutes, 24-32-727, **add**

(8)(e) as follows:

24-32-727. Denver-metropolitan regional navigation campuses grant - regional navigation campuses cash fund - creation - definitions. (8) (e) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND FIFTEEN MILLION THREE HUNDRED SIXTY THOUSAND EIGHT HUNDRED FIFTY-TWO DOLLARS THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 12. In Colorado Revised Statutes, 23-3.9-302, **amend** (4)(a) and (4)(b) as follows:

23-3.9-302. Student educator stipend program - created - guidelines - appropriation - legislative declaration - definition - repeal. (4) (a) For the 2022-23 state fiscal year, the general assembly shall appropriate to the department ~~thirty-nine million dollars~~ MONEY from the economic recovery and relief cash fund created pursuant to section 24-75-228 to fund stipends for eligible students.

(b) The department or the stipend recipients shall spend or obligate any money received pursuant to this subsection (4) THAT ORIGINATED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND in accordance with section 24-75-226 (4)(d).

SECTION 13. In Colorado Revised Statutes, 23-3.9-303, **amend** (4)(a) and (4)(b) as follows:

23-3.9-303. Educator test stipend program - created - guidelines - repeal. (4) (a) For the 2022-23 state fiscal year, the general assembly shall appropriate to the department ~~three million dollars~~ MONEY from the economic recovery and relief cash fund created pursuant to section 24-75-228 to fund stipends for eligible students.

(b) The department or the stipend recipient shall spend or obligate any stipend money received pursuant to this subsection (4) THAT ORIGINATED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND in accordance with section 24-75-226 (4)(d).

SECTION 14. In Colorado Revised Statutes, 23-3.9-402, **amend** (1)(b) as follows:

23-3.9-402. Temporary educator loan forgiveness program - administration - eligibility. (1) (b) The general assembly shall appropriate to the commission ~~ten million dollars~~ MONEY from the economic recovery and relief cash fund created pursuant to section 24-75-228 to fund the temporary educator loan forgiveness program. The commission or a loan forgiveness recipient shall spend or obligate any money received pursuant to this section THAT ORIGINATED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND in accordance with section 24-75-226 (4)(d).

SECTION 15. In Colorado Revised Statutes, 24-46.3-604, **amend** (1) as follows:

24-46.3-604. Funding for program. (1) For the 2021-22 state fiscal year, the general assembly shall appropriate ~~twenty-five million dollars~~ MONEY from the workers, employers, and workforce centers cash fund created in section 24-75-231 (2)(a) to the department for allocation to the state council for the program. Any money appropriated in the 2021-22 state fiscal year that is not encumbered or expended at the end of that state fiscal year remains available for expenditure by the state council in subsequent state fiscal years without further appropriation. ANY MONEY RECEIVED PURSUANT TO THIS SUBSECTION (1) THAT ORIGINATED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY

FUND IS subject to the requirements ~~for obligating and expending money received under the ARPA as~~ specified in section 24-75-226 (4)(d).

SECTION 16. In Colorado Revised Statutes, 27-60-206, **amend** (5)(a) as follows:

27-60-206. Substance use workforce stability grant program - repeal. (5) (a) The general assembly shall appropriate to the state department ~~fifteen million dollars~~ MONEY from the behavioral and mental health cash fund created in section 24-75-230 for the grant program.

SECTION 17. In Colorado Revised Statutes, 27-60-405, **amend** (1) as follows:

27-60-405. Grant program funding - requirements - reports - appropriation. (1) The general assembly shall appropriate to the state department ~~fifty million seven hundred thousand dollars~~ MONEY from the behavioral and mental health cash fund created in section 24-75-230 to implement the grant program.

SECTION 18. In Colorado Revised Statutes, 27-60-505, **amend** (2) as follows:

27-60-505. Grant program funding - requirements - reports. (2) Of the money appropriated to the state department, regardless of the source, the BHA shall award grants in the following manner:

(a) ~~Thirty-five~~ AT LEAST THIRTY-FOUR million dollars for community investment grants, as described in section 27-60-502 (2); and

(b) ~~Forty~~ AT LEAST THIRTY-NINE million dollars for children, youth, and family services grants, as described in section 27-60-502 (3).

SECTION 19. In Colorado Revised Statutes, 25-1.5-102, **repeal** (1)(e) as follows:

25-1.5-102. Epidemic and communicable diseases - powers and

duties of department - rules - definitions. (1) The department has, in addition to all other powers and duties imposed upon it by law, the powers and duties provided in this section as follows:

(e) ~~For fiscal year 2022-23, the general assembly shall appropriate six million one hundred twenty thousand dollars from the economic recovery and relief cash fund created in section 24-75-228 to the department. The department shall use this appropriation for recruitment and re-engagement efforts of workers in the health-care profession with current or expired licenses and staffing. Any money remaining at the end of the 2022-23 state fiscal year from this appropriation is further appropriated to the department for the purposes of this section. The department shall obligate and spend the money received pursuant to this subsection (1)(e) in accordance with section 24-75-226 (4)(d).~~

SECTION 20. Appropriation to the department of corrections for the fiscal year beginning July 1, 2024. In Session Laws of Colorado 2024, **amend** section 48 of chapter 429, (HB 24-1466), as follows:

Section 48. **Appropriation - adjustments to 2024 long bill.** (1) For the 2024-25 state fiscal year, ~~$324,000,000~~ $323,863,231 is appropriated to the department of corrections. This appropriation is from the "American rescue plan act of 2021" cash fund created in section 24-75-226 (2), C.R.S., and is of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation for centrally appropriated personal services pursuant to section 24-75-226 (4)(a)(V), C.R.S. Amounts appropriated for centrally appropriated personal services may be expended by a department in any line item that includes a general fund appropriation for personal services up to the amount that is spent for personal services in the line item as of January 31, 2025.

(2) To implement this act and pursuant to section 24-75-226 (4.1)(c), C.R.S., the total general fund appropriation made in the annual general appropriation act for the 2024-25 state fiscal year to the department of corrections is decreased by ~~$324,000,000~~ $323,863,231. To implement the reduction in the department's total general fund appropriation, and pursuant to section 24-75-226 (4.1)(a)(II), C.R.S., the amount of general fund money appropriated in a line item for personal services expenses for state fiscal year 2024-25 is reduced by the amount of money from the "American rescue plan act of 2021" cash fund that is expended in a line item under subsection (1) of this section.

SECTION 21. Appropriation to the department of human services for the fiscal year beginning July 1, 2024. In Session Laws of Colorado 2024, **repeal** section 50 of chapter 429, (HB 24-1466), as follows:

~~Section 50. **Appropriation - adjustments to 2024 long bill.** (1) For the 2024-25 state fiscal year, $63,182,048 is appropriated to the department of human services. This appropriation is from the "American rescue plan act of 2021" cash fund created in section 24-75-226 (2), C.R.S., and is of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation for centrally appropriated personal services pursuant to section 24-75-226 (4)(a)(V), C.R.S. Amounts appropriated for centrally appropriated personal services may be expended by a department in any line item that includes a general fund appropriation for personal services up to the amount that is spent for personal services in the line item as of January 31, 2025.~~

~~(2) To implement this act and pursuant to section 24-75-226 (4.1)(c), C.R.S., the total general fund appropriation made in the annual general appropriation act for the 2024-25 state fiscal year to the department of human services is decreased by $63,182,048. To implement the reduction in the department's total general fund appropriation, and pursuant to section 24-75-226 (4.1)(a)(II), C.R.S., the amount of general fund money appropriated in a line item for personal services expenses for state fiscal year 2024-25 is reduced by the amount of money from the "American rescue plan act of 2021" cash fund that is expended in a line item under subsection (1) of this section.~~

SECTION 22. Appropriation to the departments of education, higher education, and public health and environment for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 5 of chapter 175, (SB 22-147), as section 5 (1) and (2) are amended by Session Laws of Colorado 2024, section 15 of chapter 257, (HB 24-1465), and as section 5 is amended by section 53 of chapter 429, (HB 24-1466), as follows:

Section 5. **Appropriation.** (1) For the 2022-23 state fiscal year, ~~$4,600,000~~ $4,600,001 is appropriated to the department of higher education for use by the regents of the university of Colorado. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, ~~$185,931~~ $269,681 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$4,414,069~~ $4,330,320 originates from the general fund. To implement this act, the regents may use this appropriation for the Colorado pediatric psychiatry consultation and access program. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the regents from July 1, 2023, through December 31, 2026, for the same purpose.

(2) For the 2022-23 state fiscal year, ~~$5,000,000~~ $5,000,001 is appropriated to the department of education. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S., and is based on an assumption that the department will require an additional 0.4 FTE. Of this amount, ~~$1,483,419~~ $2,018,639 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$3,516,581~~ $2,981,362 originates from the general fund. To implement this act, the department may use this appropriation for the behavioral health care professionals matching grant program. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the department from July 1, 2023, through December 31, 2026, for the same purpose.

(3) For the 2022-23 state fiscal year, ~~$1,500,000~~ $1,500,001 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S., and is based on an assumption that the division will require an additional 0.4 FTE. Of this amount, ~~$834,514~~ $1,011,764 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$665,486~~ $488,237 originates from the general fund. To implement this act, the division may use this appropriation for school-based health centers. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the division from July 1, 2023, through December 30, 2024, for the same purpose.

SECTION 23. Appropriation to the department of human

services, the judicial department, the department of public safety, and the department of corrections for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 12 (1) introductory portion, (1)(b), and (5) of chapter 193, (SB 22-196), as section 12 (1) introductory portion is amended by Session Laws of Colorado 2024, section 19 of chapter 257, (HB 24-1465), and as section 12 (1) introductory portion and (5) are amended by section 57 of chapter 429, (HB 24-1466), as follows:

Section 12. **Appropriation.** (1) For the 2022-23 state fiscal year, ~~$50,700,000~~ $49,700,000 is appropriated to the department of human services for use by the behavioral health administration. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, $26,186,515 is of money that the state received from the federal coronavirus state fiscal recovery fund and ~~$24,513,485~~ $23,513,485 originates from the general fund. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the department from July 1, 2023, through December 31, 2026, for the same purpose. To implement this act, the administration may use this appropriation as follows:

(b) ~~$49,748,648~~ $48,748,648 for health needs of persons in the criminal justice system.

(5) For the 2022-23 state fiscal year, ~~$3,000,000~~ $3,000,001 is appropriated to the department of corrections for use by institutions. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, ~~$2,554,126~~ $2,499,349 originates from the general fund and ~~$445,874~~ $500,652 is of money that the state received from the federal coronavirus state fiscal

recovery fund. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the department from July 1, 2023, through December 30, 2024, for the same purpose. To implement this act, the department may use this appropriation for operating expenses related to the mental health subprogram.

SECTION 24. Appropriation to the department of local affairs for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 4 (1) of chapter 288, (SB 22-211), as section 4 (1) is amended by Session Laws of Colorado 2024, section 20 of chapter 257, (HB 24-1465), and as section 4 (1) is amended by section 58 of chapter 429, (HB 24-1466), as follows:

Section 4. **Appropriation.** (1) For the 2022-23 state fiscal year, ~~$45,000,000~~ $45,000,001 is appropriated to the department of local affairs for use by the division of housing. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S., and is based on an assumption that the division will require an additional 2.3 FTE. Of this amount, ~~$910,000~~ $1,937,706 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$44,090,000~~ $43,062,295 originates from the general fund. To implement this act, the division may use this appropriation for ridge view campus. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the division from July 1, 2023, through December 31, 2026, for the same purpose.

SECTION 25. Appropriation to the department of public health and environment for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 12 (1) introductory portion and (1)(b) of chapter 179, (SB 22-226), as section 12 (1) introductory portion and (1)(b) are amended by Session Laws of Colorado 2024, section 21 of chapter 257, (HB 24-1465), and as section 12 (1) introductory portion is amended by section 59 of chapter 429, (HB 24-1466), as follows:

Section 12. **Appropriation.** (1) For the 2022-23 state fiscal year, ~~$31,120,000~~ $25,580,000 is appropriated to the department of public health and environment. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S. Of this amount, $10,157,425 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$20,962,575~~ $15,422,575 originates from the general fund. To implement this act, the department may use this appropriation as follows:

(b) ~~$6,120,000~~ $580,000 for use by disease control and public health response for immunization operating expenses; and

SECTION 26. Appropriation to the department of higher education for the fiscal year beginning July 1, 2021. In Session Laws of Colorado 2021, **amend** section 16 (1) of chapter 377, (HB 21-1330), as section 16 (1) is amended by Session Laws of Colorado 2024, section 22 of chapter 257, (HB 24-1465), and as section 16 (1) is amended by section 60 of chapter 429, (HB 24-1466), as follows:

Section 16. **Appropriation.** (1) For the 2021-22 state fiscal year, ~~$39,000,000~~ $37,966,939 is appropriated to the Colorado opportunity scholarship initiative fund created in section 23-3.3-1005 (1), C.R.S. This appropriation is from the workers, employers, and workforce centers cash fund created in section 24-75-231, C.R.S. Of this amount, ~~$28,536,561~~ $27,503,500 is of money the state received from the federal coronavirus state fiscal recovery and $10,463,439 originates from the general fund.

The department of higher education is responsible for the accounting related to this appropriation. To implement this act, the department may use this appropriation to implement section 23-3.3-1006, C.R.S.

SECTION 27. Appropriation to the department of education for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 4 (3) of chapter 189, (HB 22-1243), as section 4 (3) is amended by Session Laws of Colorado 2024, section 24 of chapter 257, (HB 24-1465), and as section 4 (3) is amended by section 61 of chapter 429, (HB 24-1466), as follows:

Section 4. **Appropriation.** (3) For the 2022-23 state fiscal year, ~~$2,000,000~~ $2,000,001 is appropriated to the department of education. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230, C.R.S. Of this amount, ~~$756,037~~ $1,015,335 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$1,243,963~~ $984,666 originates from the general fund. The department may use this appropriation for the behavioral health care professional matching grant program. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the department from July 1, 2023, through December 31, 2026, for the same purpose. Money that originated from the federal coronavirus state fiscal recovery fund shall be obligated and expended in accordance with section 24-75-226, C.R.S.

SECTION 28. Appropriation to the department of human services for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 4 of chapter 182, (HB 22-1281), as section 4 (1) introductory portion is amended by Session Laws of Colorado 2024, section 25 of chapter 257, (HB 24-1465), and as section

4 (1) introductory portion is amended by section 62 of chapter 429, (HB 24-1466), as follows:

Section 4. **Appropriation.** (1) For the 2022-23 state fiscal year, ~~$90,000,000~~ $86,854,947 is appropriated to the department of human services for use by the behavioral health administration. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, ~~$51,700,000~~ $51,697,072 is of money the state received from the federal coronavirus state fiscal recovery FUND and ~~$38,300,000~~ $35,157,875 originates from the general fund. Any amount appropriated in this section not expended prior to July 1, 2023, is further appropriated to the administration from July 1, 2023, through December 31, 2026, for the same purpose. To implement this act, the administration may use this appropriation as follows:

(a) ~~$75,000,000~~ $73,806,786 for the behavioral health-care continuum gap grant program, which amount is based on an assumption that the department will require 4.2 FTE in the 2022-23 state fiscal year and 3.8 FTE in the 2023-24 state fiscal year; and

(b) ~~$15,000,000~~ $13,048,161 for the substance use workforce stability grant program, which amount is based on an assumption that the department will require 0.8 FTE in the 2022-23 state fiscal year and 0.7 FTE in the 2023-24 state fiscal year.

SECTION 29. Appropriation to the department of human services for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 5 (1) introductory portion of chapter 183, (HB 22-1303), as section 5 (1) introductory portion is amended by Session Laws of Colorado 2024, section 27 of chapter 257, (HB

24-1465), and as section 5 (1) introductory portion is amended by section 64 of chapter 429, (HB 24-1466), as follows:

Section 5. **Appropriation.** (1) For the 2022-23 state fiscal year, ~~$13,745,437~~ $13,745,438 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, ~~$6,976,822~~ $6,916,193 originates from the general fund and ~~$6,768,615~~ $6,829,245 is of money the state received from the federal coronavirus state fiscal recovery fund. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the office from July 1, 2023, through December 31, 2025, for the same purpose. Money that originated from the federal coronavirus state fiscal recovery fund shall be obligated and expended in accordance with section 24-75-226, C.R.S. To implement this act, the department may use this appropriation as follows:

SECTION 30. Appropriation to the department of local affairs for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 2 of chapter 351, (HB 22-1356), as section 2 is amended by Session Laws of Colorado 2024, section 29 of chapter 257, (HB 24-1465), and as section 2 is amended by section 65 of chapter 429, (HB 24-1466), as follows:

Section 2. **Appropriation.** For the 2022-23 state fiscal year, ~~$35,000,000~~ $35,000,001 is appropriated to the department of local affairs for use by the division of local government. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S., and is based on an assumption that the division will require an additional 0.5 FTE. Of this amount, ~~$27,840,000~~

$32,470,496 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$7,160,000~~ $2,529,505 originates from the general fund. To implement this act, the division may use this appropriation for small community-based nonprofit infrastructure grants. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the division from July 1, 2023, through December 31, 2026, for the same purpose.

SECTION 31. Appropriation to the department of local affairs for the fiscal year beginning July 1, 2021. In Session Laws of Colorado 2021, **amend** section 12 (1) of chapter 356, (HB 21-1271), as section 12 (1) is amended by Session Laws of Colorado 2024, section 73 of chapter 429, (HB 24-1466), as follows:

Section 12. **Appropriation.** (1) For the 2021-22 state fiscal year, ~~$39,300,000~~ $39,300,001 is appropriated to the department of local affairs for use by the division of local government. This appropriation is from the Colorado heritage communities fund created in section 24-32-3207 (1), C.R.S., and is based on an assumption that the division will require an additional 0.9 FTE. Of this amount, ~~$20,138,800~~ $23,311,117 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$19,161,200~~ $15,988,884 originates from the general fund, including $9,300,000 transferred pursuant to section 24-32-3207 (6)(a)(II), C.R.S. To implement this act, the division shall use this appropriation for the affordable housing development incentives grant program created in section 24-32-130 (2), C.R.S.

SECTION 32. Appropriation to the department of higher education for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 9 (2)(a) of chapter 239, (HB 22-1220), as section 9 (2)(a) introductory portion is amended by Session Laws of Colorado 2024, section 75 of chapter 429, (HB 24-1466), as follows:

Section 9. **Appropriation.** (2) (a) For the 2022-23 state fiscal year, ~~$52,000,000~~ $47,249,144 is appropriated to the department of higher education. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S. Of this amount, ~~$44,300,000~~ $39,549,144 is of money the state received from the federal coronavirus state fiscal recovery fund and $7,700,000 originates from the general fund. To implement this act, the department may use this appropriation as follows:

(I) ~~$39,000,000~~ $35,613,390 for the student educator stipend program, which amount is based on an assumption that the department will require an additional 0.5 FTE;

(II) ~~$3,000,000~~ $2,218,550 for the educator test stipend program, which amount is based on an assumption that the department will require an additional 0.5 FTE; and

(III) ~~$10,000,000~~ $9,417,204 for the temporary educator loan forgiveness program.

SECTION 33. Appropriation to the departments of human services and public health and environment for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 56 (10) and (11) of chapter 225, (HB 22-1326), as section 56 (10) and (11) are amended by Session Laws of Colorado 2024, section 78 of chapter 429, (HB 24-1466), as follows:

Section 56. **Appropriation.** (10) For the 2022-23 state fiscal year, ~~$19,700,000~~ $19,700,001 is appropriated to the opiate antagonist bulk purchase fund created in section 25-1.5-115 (1)(a), C.R.S. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, ~~$12,241,000~~ $13,005,366 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$7,459,000~~ $6,694,635 originates from the general fund. The department of public health and environment is responsible for the accounting related to this appropriation.

(11) For the 2022-23 state fiscal year, ~~$6,000,000~~ $6,000,001 is appropriated to the harm reduction grant program cash fund created in section 25-20.5-1102 (1), C.R.S. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, ~~$1,560,481~~ $1,839,935 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$4,439,519~~ $4,160,066 originates from the general fund. The department of public health and environment is responsible for the accounting related to this appropriation.

SECTION 34. Appropriation to the department of early childhood for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 2 of chapter 346, (HB 22-1369), as section 2 of chapter 346 is amended by Session Laws of Colorado 2023, section 17 of chapter 474, (SB 23-214), and as section 2 is amended by Session Laws of Colorado 2024, section 79 of chapter 429, (HB 24-1466), as follows:

Section 2. **Appropriation.** For the 2022-23 state fiscal year, ~~$2,000,000~~ $2,000,001 is appropriated to the department of early childhood for use by the community and family support division. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228, C.R.S., and is based on an assumption that the department will require an additional 0.3 FTE. Of this amount, ~~$500,000~~ $543,725 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~$1,500,000~~ $1,456,276 originates from the general fund. To implement this act, the division may use this appropriation for the children's mental health program authorized in section 26.5-1-113, C.R.S. Any money appropriated in this section that is not expended prior to December 30, 2024, is further appropriated to the department for use prior to December 31, 2026, for the same purpose. Money that originated from the federal coronavirus state fiscal recovery fund shall be obligated and expended in accordance with section 24-75-226, C.R.S.

SECTION 35. Appropriation to the departments of human services and agriculture for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 6 (4) and (5) of chapter 375, (HB 22-1380), as section 6 (4) and (5) are amended by Session Laws of Colorado 2024, section 80 of chapter 429, (HB 24-1466), as follows:

Section 6. **Appropriation.** (4) For the 2022-23 state fiscal year, $1,000,000 is appropriated to the department of agriculture for use by agricultural services. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S., originates from the general fund, and is based on an assumption that agricultural services will require an additional 1.8 FTE. To implement this act, agricultural services may use this appropriation for the community food access program. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to agricultural services from July 1, 2023, through ~~December 30, 2024~~ DECEMBER 31, 2026, for the same purpose.

(5) For the 2022-23 state fiscal year, $7,000,000 is appropriated to the department of agriculture for use by agricultural services. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S. Of this amount, $2,909,500 is of money the state received from the federal coronavirus state fiscal recovery fund and $4,090,500 originates from the general fund. To implement this act, agricultural services may use this appropriation for the small food business recovery and resilience grant program and outreach. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to agricultural services from July 1, 2023, through ~~December 30, 2024~~ DECEMBER 31, 2026, for the same purpose.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

SECTION 36. Capital construction appropriations for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, section 3 of chapter 507, (HB 22-1329), **amend** Part I (1)(A), (1)(B), (1)(C), (1)(F), (1)(I), (2)(B), (2)(C), (2)(E), (2)(F), (2)(G), (2)(H), (2)(I), (2)(K), (2)(L), (2)(N), (2)(Q), (2)(R), (2)(T), (2)(U), (2)(V), (2)(W), Part II (1)(A), (1)(E), and Part III (2)(D), as Part I (2)(H) and the affected totals are amended by Session Laws of Colorado 2023, section 1 of chapter 473, (SB 23-135), and as the Part III affected totals are amended by Session Laws of Colorado 2024, section 2 of chapter 517, (HB 24-1203), as Part II (1)(E) and the affected totals are amended by section 32 of chapter 257, (HB 24-1465), and as Part I, Part II (1)(A), (1)(E), and Part III (2)(D) are amended by section 82 of chapter 429, (HB 24-1466), and as the grand totals are amended by section 3 of SB 25-111, as follows:

Section 3. **Capital Construction Appropriation.**

PART I

CONTROLLED MAINTENANCE

(1) STATE AGENCIES

(A) Department of Agriculture

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Fire Sprinkler Installation, Code Upgrades, 4-H Complex	1,432,425			1,432,425[a]		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$157,000~~ $281,822 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,275,425~~ $1,150,603 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(B) Department of Corrections

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Improve Door Security, Lower North, Buena Vista Correctional Facility	1,768,537					
Replace Roofs, Living Units and Support Buildings, Delta Correctional Center	1,689,002					
Replace Roof, Rifle Correctional Center	1,492,686					

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Replace Roof, Programs and Support Buildings, Trinidad Correctional Facility	1,991,473					
Replace Roof, Minimum Living Unit, Sterling Correctional Facility	1,109,909					
	8,051,607			8,051,607[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$4,704,936~~ $5,059,998 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$3,346,671~~ $2,991,609 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(C) Department of Education

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Install Fire Sprinklers and Update HVAC and ADA, Hubert Work Gymnasium, Colorado School for the Deaf and the Blind	1,988,134					
Roof Replacements, West and Argo Halls, Colorado School for the Deaf and the Blind	689,611					
Repair Parapet Walls, Industrial Building, Colorado School for the Deaf and the Blind	350,000					
	3,027,745			3,027,745[a]		

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
			APPROPRIATION FROM			
	$	$	$	$	$	$

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$2,917,745~~ $3,009,760 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$110,000~~ $17,985 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(F) Department of Human Services

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Refurbish Ash Conveyor System, Heat Plant, Colorado Mental Health Institute at Pueblo	1,966,852					
Refurbish HVAC and Mechanical Equipment, Zebulon Pike, Pueblo, and Spring Creek Youth Services Centers	1,016,426					

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Refurbish Secondary and Emergency Electrical Systems, Tier 1, Colorado Mental Health Institute at Pueblo	1,981,039					
Remove/Replace Plumbing and Life Safety Systems, Grand Mesa Youth Services Center	1,252,543					
Repair/Replace Sewer and Steam Producers, Colorado Mental Health Institute at Fort Logan	1,666,730					
Replace HVAC Systems, Platte Valley and Marvin Foote Youth Services Centers	682,682					
Replace Hydronic Valves, Southern District	1,015,351					

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
			APPROPRIATION FROM			
	$	$	$	$	$	$
Replace Roof, Platte Valley Youth Services Center	1,382,405					
Replace Roofs, Five Buildings, Colorado Mental Health Institute at Fort Logan	1,733,905					
Upgrade Interiors, Group Homes, Pueblo Regional Center	1,228,584					
	13,926,517			13,926,517[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$1,609,900~~ $3,223,075 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$12,316,617~~ $10,703,442 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(I) Department of Personnel

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Controlled Maintenance						
Emergency Account	2,000,000					
Replace Plumbing and Abate						
Asbestos, Centennial Building	1,465,818					
Replace Short Tunnel Roof,						
Capitol	1,794,236					
Upgrade/Replace HVAC						
Systems, 390 and 700 Kipling	1,741,938					
	7,001,992			7,001,992[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$4,306,503~~ $5,008,710 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$2,695,489~~ $1,993,282 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(2) INSTITUTIONS OF HIGHER EDUCATION						
(B) Arapahoe Community College						
Expand Sprinkler System, Main Building	1,885,584					
Replace HVAC Primary Equipment, Main Building	1,473,641					
	3,359,225			3,359,225[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$2,690,361~~ $2,744,768 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$668,864~~ $614,457 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(C) Auraria Higher Education Center

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Install Fire Sprinkler System, St. Cajetan's and PE Gymnasium	637,050					
Provide ADA Walkways, Curtis and Champa Streets and Classroom Courtyard	648,648					
Replace Mechanical System, King Center	1,909,778					
Replace Transformers at North Chiller and PE Events Center	518,943					
	3,714,419			3,714,419[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$1,356,735~~ $1,854,535 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$2,357,684~~ $1,859,884 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(E) Colorado Community College System at Lowry						
Replace Roof, Building 758	1,115,169					
Replace Chiller, Building 901	639,075					
Upgrade HVAC, Building 849	928,928					
Install New Windows and Doors, Building 905	1,260,504					
	3,943,676			3,943,676[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$3,134,576~~ $3,156,358 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$809,100~~ $787,318 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(F) Colorado Mesa University						
Replace Roof, Wubben/Science Building	379,682					
Replace HVAC, Fine Arts Building	1,683,875					
Upgrade HVAC, Wubben/Science Building	193,975					
	2,257,532			2,257,532[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$288,192~~ $660,581 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,969,340~~ $1,596,951 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(G) Colorado Northwestern Community College						
Repair/Replace Parking Lots and Adjacent Sidewalks, Rangely Campus	971,078					
Upgrade Electrical Service and Install Backup Generator, Johnson Building, Rangely Campus	1,554,542					
Upgrade Lighting, Rangely Campus	107,877					
	2,633,497			2,633,497[a]		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$1,175,802~~ $1,992,887 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,457,695~~ $640,610 originates from the General Fund. The portion of the total appropriation that originates from the Coronavirus State Fiscal Recovery Fund is rounded to a whole dollar amount and the amounts of the appropriation from the Coronavirus State Fiscal Recovery Fund and the General Fund may each be adjusted by up to one dollar for accounting purposes so long as the adjustment does not result in the total appropriation being exceeded.

(H) Colorado School of Mines

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Remediate Campus Fall Hazards	547,737			547,737[a]		
Repair Elevators, Five Buildings	618,036			618,036[a]		
Replace Hazardous Lab Controls, General Research Lab Building	632,795			632,795[a]		
Replace Hazardous Laboratory Exhaust Fans	1,511,564			1,511,564[a]		
	3,310,132					

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

[a] These amounts shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$1,440,132~~ $1,717,616 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,870,000~~ $1,592,516 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(I) Colorado State University

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Rehabilitate Irrigation Wells, San Luis Valley Research Center	326,040					
Replace Pitkin Eastern Switchgear	1,425,249					
Replace Roofs, A, D, and E Wings, Engineering Building	1,418,851					
Upgrade Campus Exterior Lighting	610,895					

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Upgrade Exterior ADA, Various Locations	354,458					
Upgrade Fire Lane and ADA Accessibility, Molecular & Radial Biosciences Building to Chemistry	1,464,774					
Upgrade Foothills Underground Electric, Rampart Road	1,995,242					
	7,595,509			7,595,509[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$6,141,517~~ $6,208,073 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,453,992~~ $1,387,436 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(K) Fort Lewis College						
Replace/Upgrade Building Fire Alarm Equipment, Campuswide	1,432,689					
Replace Roof, Aquatic Center	1,014,088					
Replace Roof, Whalen Gymnasium	1,532,694					
	3,979,471			3,979,471[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$2,696,782~~ $3,282,186 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,282,689~~ $697,285 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(L) Front Range Community College

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
			APPROPRIATION FROM			
	$	$	$	$	$	$
Replace Interior Mechanical System, Blanca Peak Building, Larimer Campus	2,379,000					
Replace Roof Top Units, Blanca Peak Building, Larimer Campus	1,985,000					
Replace Roof Top Units, South Roof, Westminster Campus	830,000					
	5,194,000			5,194,000[a]		

[a] Of this amount, $4,806,000 shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S., and $388,000 shall be from institutional reserves. Of the amount from the Revenue Loss Restoration Cash Fund, ~~$4,551,698~~ $4,571,665 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$254,302~~ $234,335 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(N) Morgan Community College						
Replace Roof-top Units, Cottonwood, Aspen, and Spruce Halls, and Bloedorn Center	1,153,423			1,153,423[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$48,970~~ $424,282 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,104,453~~ $729,141 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
(Q) Pueblo Community College						
Repair Exterior Walls, Gorsich Advanced Technology Center	1,371,505					
Replace Fire Suppression and Notification Panel	427,250					

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
			APPROPRIATION FROM			
	$	$	$	$	$	$
	1,798,755			1,798,755[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$173,965~~ $185,953 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,624,790~~ $1,612,802 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(R) Red Rocks Community College

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Replace East Wing Roof, Lakewood Campus	1,482,580			1,482,580[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), ~~C.R.S. Of this amount, $1,480,000~~ C.R.S., AND is of money the state received from the federal Coronavirus State Fiscal Recovery ~~Fund and $2,580 originates from the General~~ Fund.

(T) University of Colorado at Boulder

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
			APPROPRIATION FROM			
	$	$	$	$	$	$
Repair Exterior Structure, Hale Science	803,551					
Repair Exterior Structure, Macky Auditorium	1,363,493					
Replace Heat Exchangers, Fiske, Porter, DLC, Regent, and Theater Buildings	690,005					
Upgrade Elevators, Ramaley and SLHS Buildings	851,015					
	3,708,064			3,708,064[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$2,579,158~~ $3,449,196 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,128,906~~ $258,868 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(U) University of Colorado at Colorado Springs						
Install Fire Suppression,						
Cragmor Hall	1,058,476					
Modernize Elevators	553,164					
Replace Roof, Columbine Hall	1,423,323					
Upgrade HVAC Controls,						
Columbine Hall	1,020,018					
	4,054,981			4,054,981[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$3,032,224~~ $3,041,540 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$1,022,757~~ $1,013,441 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(V) University of Colorado Denver						
Improve Heating System,						
Building 500	970,439					
Repair Cagewash Exhaust						
System, R1 North	1,280,513					
Repair Exterior Curtain Walls,						
Academic Office Building	1,505,441					
Replace Chiller, Fitzsimons						
Building	1,742,483					
Upgrade Electrical Systems, CU						
Denver Building	1,209,056					
	6,707,932			6,707,932[a]		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$4,024,924~~ $4,756,856 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$2,683,008~~ $1,951,076 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(W) University of Northern Colorado

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Install Fire Sprinklers, Arts Annex Addition	242,722					
Replace Roof, Butler Hancock	1,429,785					
	1,672,507			1,672,507[a]		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$1,413,955~~ $1,671,248 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$258,552~~ $1,259 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
TOTALS PART I (CONTROLLED MAINTENANCE)		$115,055,040		$113,289,710		$1,765,330

PART II

STATE AGENCIES

(1) CAPITAL RENEWAL AND RECAPITALIZATION

(A) Department of Agriculture

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM: CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Replace Roof, HVAC, and Windows at Palace of Agriculture (Capital Renewal)	5,278,877			5,278,877[a]		

[a] This amount shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$170,000~~ $337,927 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$5,108,877~~ $4,940,950 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

(E) Department of Human Services

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Campus Utility Infrastructure, Colorado Mental Health Institute at Fort Logan (Capital Renewal)	19,114,483			19,114,483[a]		

			APPROPRIATION FROM			
	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Campus Utility Infrastructure, Colorado Mental Health Institute at Pueblo (Capital Renewal)	10,682,004			10,682,004[a]		
HVAC Replacement in Four Buildings, Colorado Mental Health Institute at Pueblo (Capital Renewal)	17,559,780			17,559,780[a]		
Suicide Risk Mitigation Continuation, Colorado Mental Health Institute at Pueblo	5,123,993			5,123,993[a]		
Depreciation Fund Capital Improvements	1,037,372			1,037,372[b]		
	53,517,632					

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

[a] These amounts shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of this amount, ~~$1,334,262~~ $2,391,667 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$51,145,998~~ $50,088,593 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

[b] This amount shall be from the Regional Center Depreciation Account in the Capital Construction Fund, created in Section 24-75-302 (3.8)(a), C.R.S.

TOTALS PART II						
(STATE AGENCIES)		$162,668,303	$6,092,930	$156,575,373		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

PART III

INSTITUTIONS OF HIGHER EDUCATION

(2) CAPITAL EXPANSION

(D) Colorado State University

	ITEM & SUBTOTAL	TOTAL	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Clark Building Revitalization	38,000,000			38,000,000[a]		
National Western Center Lease Purchase Payments	17,496,791			17,496,791[b]		
	55,496,791					

[a] Of this amount, $8,000,000 shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S., and $30,000,000 shall be from institutional sources and donations. Of the amount from the Revenue Loss Restoration Cash Fund, ~~$1,250,000~~ $2,628,103 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$6,750,000~~ $5,371,897 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

[b] This amount shall be from the National Western Center Trust Fund created in Section 23-31-902 (2), C.R.S.

TOTALS PART III (INSTITUTIONS OF HIGHER EDUCATION)		$232,162,963	$4,746,375	$227,097,486		
GRAND TOTALS (CAPITAL CONSTRUCTION)		$509,886,336	$10,963,407	$497,157,599[a]		$1,765,330[b]

[a] Of this amount, $300,000 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to Section 33-10-111 (4), C.R.S.

[b] This amount contains an (I) notation.

SECTION 37. Capital construction appropriations for the fiscal year beginning July 1, 2023. In Session Laws of Colorado 2023, section 3 of chapter 474, (SB 23-214), **amend** Part I (2)(F), (2)(G), and (2)(W), as the affected totals are amended by Session Laws of Colorado 2024, section 1 of chapter 517, (HB 24-1203), and as Part I (2)(F), (2)(G), and (2)(W), are amended by section 84 of chapter 429, (HB 24-1466), as follows:

Section 3. **Capital Construction Appropriation.**

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
PART I						
CONTROLLED MAINTENANCE						
(2) INSTITUTIONS OF HIGHER EDUCATION						
(F) Colorado School of Mines						
Replace Hazardous Lab Control, General Research Lab	1,031,531			1,031,531[a]		
Replace Hazardous Laboratory Exhaust Fans, Alderson Hall	1,510,726			1,510,726[a]		
	2,542,257					

[a] These amounts shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of these amounts, ~~$102,257~~ $131,563 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$2,440,000~~ $2,410,694 originates from the General Fund. The portion of the total appropriation that originates from the Coronavirus State Fiscal Recovery Fund is rounded to a whole dollar amount and the amounts of the appropriation from the Coronavirus State Fiscal Recovery Fund and the General Fund may each be adjusted by up to one dollar for accounting purposes so long as the adjustment does not result in the total appropriation being exceeded.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(G) Colorado State University						
Install Fire Sprinkler System, Gifford Building	737,888			737,888[a]		
Repair C Basin Sanitary Sewer Outfall	1,780,908			1,780,908[a]		
Replace Bridge, Mountain Campus	1,998,777			1,998,777[a]		
Replace Lead Joint Water Line	901,922			901,922[a]		
Replace Roof, Chemistry B and C Wings	1,755,306			1,755,306[a]		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Replace Transformer and Switchgear, Simons Building	1,598,734			1,598,734[a]		
Upgrade Accessibility, Campus-wide	373,640			373,640[a]		
Upgrade Chilled Water Line, Regional Biocontainment Laboratory	556,970			556,970[a]		
	9,704,145					

[a] These amounts shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of these amounts, ~~$2,406,262~~ $2,529,448 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$7,297,883~~ $7,174,697 originates from the General Fund. The portion of the total appropriation that originates from the Coronavirus State Fiscal Recovery Fund is rounded to a whole dollar amount and the amounts of the appropriation from the Coronavirus State Fiscal Recovery Fund and the General Fund may each be adjusted by up to one dollar for accounting purposes so long as the adjustment does not result in the total appropriation being exceeded.

(W) University of Northern Colorado

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
Chiller Replacement, Gunter Hall	1,258,686			1,258,686[a]		
Chiller Replacement, Ross Hall	1,790,718			1,790,718[a]		
Roof Replacement, Michener Library	1,559,161			1,559,161[a]		
	4,608,565					

[a] These amounts shall be from the Revenue Loss Restoration Cash Fund created in Section 24-75-227 (2)(a), C.R.S. Of these amounts, ~~$402,000~~ $439,299 is of money the state received from the federal Coronavirus State Fiscal Recovery Fund and ~~$4,206,565~~ $4,169,266 originates from the General Fund. THE PORTION OF THE TOTAL APPROPRIATION THAT ORIGINATES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS ROUNDED TO A WHOLE DOLLAR AMOUNT AND THE AMOUNTS OF THE APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE GENERAL FUND MAY EACH BE ADJUSTED BY UP TO ONE DOLLAR FOR ACCOUNTING PURPOSES SO LONG AS THE ADJUSTMENT DOES NOT RESULT IN THE TOTAL APPROPRIATION BEING EXCEEDED.

TOTALS PART I

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
(CONTROLLED MAINTENANCE)		$133,579,008	$89,888,437	$41,311,474		$2,379,097
GRAND TOTALS (CAPITAL CONSTRUCTION)		$490,393,778	$275,329,289	$212,685,392[a]		$2,379,097[b]

[a] Of this amount, $300,000 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1)(a), C.R.S., and appropriated pursuant to Section 33-10-111 (4), C.R.S.

[b] This amount contains an (I) notation.

SECTION 38. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

DRAFT
4/15/25

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

DRAFT

LLS NO. 25-1067.01 Pierce Lively x2059 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Inactive Cash Funds

A BILL FOR AN ACT

101 **CONCERNING THE BALANCES OF INACTIVE CASH FUNDS.**

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 requires the office of the state controller (office) to transfer, unless otherwise provided, on June 30, 2025, and each June 30 thereafter, the balance of any repealed cash fund to the general fund. The bill requires the office to annually submit a report to the joint budget committee that:

! Identifies any funds that have not been appropriated from in the last 2 state fiscal years and the balance of those funds; and

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

! Identifies the total amount that the office has transferred to the general fund from repealed cash funds.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-75-404 as follows:

24-75-404. Repealed cash funds - unused cash funds. (1) UNLESS OTHERWISE PROVIDED BY LAW, ON JUNE 30, 2025, AND ON EACH JUNE 30 THEREAFTER, THE OFFICE OF THE STATE CONTROLLER SHALL TRANSFER THE BALANCE OF ANY REPEALED CASH FUND TO THE GENERAL FUND.

(2) ON OR BEFORE NOVEMBER 1, 2025, AND EACH NOVEMBER 1 THEREAFTER, THE OFFICE OF THE STATE CONTROLLER SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY THAT:

(a) IDENTIFIES ANY CASH FUND THAT HAS BEEN INACTIVE, OTHER THAN THE CREDITING OF INTEREST AND INCOME FROM THE DEPOSIT OF MONEY IN THE CASH FUND, FOR THE IMMEDIATELY PRECEDING TWO STATE FISCAL YEARS AND THE BALANCE OF THOSE FUNDS; AND

(b) IDENTIFIES THE TOTAL AMOUNT THAT THE STATE CONTROLLER TRANSFERRED TO THE GENERAL FUND IN THE PRECEDING STATE FISCAL YEAR PURSUANT TO SUBSECTION (1) OF THIS SECTION.

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Joint Budget Committee Staff

Memorandum

To: Joint Budget Committee Members
From: Craig Harper and Phoebe Canagarajah, JBC Staff
Date: Wednesday, April 16, 2025
Subject: LLS 25-934 Transfer Cash Fund Investment Earnings to General Fund

Background

On March 4, 2025, the Committee authorized bill drafting for statewide decision item R1 (Transfer Certain Interest Income Subject to TABOR),[1] which is attached as LLS 25-934. The Committee's drafting authorization included two components:

1. For FY 2024-25 and FY 2025-26, transfer all interest earnings from specific cash funds to the General Fund.
2. Permanently transfer interest earnings from cash funds that *originate as General Fund*, including directing staff to search for additional cash funds that originate as General Fund.

JBC Staff worked internally and with the Executive Branch to identify additional cash fund candidates for interest transfers, especially those that originate as General Fund. Staff also offers additional cash funds that do *not* originate as General Fund but which the Committee may wish to consider for balancing purposes. Finally, the Office of State Planning and Budgeting (OSPB) has updated their interest earnings projections for the current year in alignment with the March 2025 OSPB revenue forecast (which the Committee selected for balancing).

This memorandum separates candidate cash funds into three categories: (1) funds previously approved by the Committee, with OPSB's updated earnings projections; (2) additional cash funds that *originate as General Fund* – which staff has generally included in the bill draft based on the Committee's previous direction; and (3) additional cash funds that do *not* originate as General Fund for the Committee's consideration.

Balancing Impact

The Committee's FY 2025-26 budget package assumes that this bill will make a total of $103.0 million General Fund available over the two-year period (FY 2024-25 and FY 2025-26). Falling short of that target requires the General Assembly to either reduce the General Fund obligations assumed in the budget package or make additional General Fund revenue available

[1] The March 4 JBC Staff memo is available at: https://leg.colorado.gov/sites/default/files/sw_r1-03-04-25.pdf

through some other mechanism. Conversely, exceeding that target would provide additional flexibility as the Committee works to balance.

Table 1 below summarizes the potential General Fund relief associated with each category of cash funds outlined in this memorandum. As shown in the table, staff estimates that:

- **<u>Funds previously approved by the Committee</u>** would provide **$99.8 million** over the two-year period, including:
  - $58.4 million in FY 2024-25
  - $41.5 million in FY 2025-26 (including FY 2025-26 interest earnings transfers on the Capital Construction Fund through S.B. 25-262).

  Staff notes that this total **falls $0.3 million short** of the original balancing assumption, due to adjusting to the March 2025 OSPB forecast and removing inapplicable cash funds.

- **<u>Additional funds originating as General Fund</u>** provide another **$7.0 million** over the two-year period. JBC Staff included these in the draft bill, in light of the Committee's prior decision to permanently transfer interest from cash funds that originate as General Fund. However, staff highlights the following:
  1. The bulk of the projected earnings are associated with housing programs in the Department of Local Affairs (which may cause concern for the Committee), and
  2. The Governor's Office opposes including most of these funds (see detail in Table 3).

- **<u>Additional funds that do *not* originate as General Fund</u>** provide another **$1.8 million** in projected earnings over the two-year period. All of these funds are associated with the Office of Economic Development and International Trade, and the Governor's Office opposes including all the funds in this category.

Table 1: Summary of Estimated Interest Transfers

Category	FY 2024-25 Forecast	FY 2025-26 Forecast	Two-year Total
Previously approved by JBC	$58,368,490	$29,157,111	$87,525,601
Capital-related for FY 2025-26 (in S.B. 25-262)	0	12,355,251	12,355,251
Subtotal - previously approved	$58,368,490	$41,512,362	$99,880,852
Not yet approved - originate as GF	3,729,586	3,319,327	7,048,913
Not yet approved - other sources	949,131	844,726	1,793,857
Total	$63,047,207	$45,676,415	$108,723,622

The Committee should note that the draft bill specifies the transfer amount for each cash fund for FY 2024-25. For FY 2025-26, the bill does not specify transfer amounts as it diverts all interest earned on the selected cash funds to the General Fund as it accrues.

Updated Projections for Approved Funds

The FY 2025-26 budget package assumed that this bill will make $103.0 million General Fund available over the two-year period for previously approved cash funds, based on the December 2024 OSPB revenue forecast. This included $59.1 million transferred in FY 2024-25 and $43.9 million in FY 2025-26. These cash funds are included in the draft bill.

Table 2 below shows updated transfer estimates based on the March 2025 OSPB forecast. Please note:

- Highlighted funds originate as General Fund. Based on the Committee's approval in March, the bill amends the statute for each of those funds to *permanently* divert interest earnings to the General Fund (other funds are only impacted for FY 2024-25 and FY 2025-26).
- Funds shown in ~~struck type~~ were approved in March but are not included in the bill draft, generally due to drafting or legal issues.

Table 2: Updated Estimates for Approved Cash Funds

Cash Fund	FY 2024-25 Forecast	FY 2025-26 Forecast	Revenue Source
Regular Capital Construction	16,366,359	0	General Fund
Local Government Severance Tax Fund	8,639,093	6,278,325	Severance
State Emergency Reserve Cash Fund	5,724,549	4,028,590	General Fund
Information Technology Capital Account	5,020,019	0	General Fund
Colorado Economic Development Fund	2,009,092	1,386,236	Mostly General Fund
Limited Gaming Fund	1,755,154	1,253,354	Limited Gaming Tax
Major Medical Fund	1,628,265	1,286,373	Premium Tax
Advanced Industries Acceleration Fund	1,255,543	948,701	Income Tax and Gaming
Water Supply Reserve Fund	1,137,987	894,770	Severance
Small Business Recovery and Resiliency Fund	1,063,526	827,186	Mixed
Colorado DRIVES Fund	994,945	890,109	Fees
Just Transition Cash Fund	831,645	626,011	General Fund
Correctional Treatment Cash Fund	805,393	463,960	General Fund
Indirect Cost Excess Recovery Fund (CDPHE)	779,575	741,450	Indirect Costs
Workers Compensation Cash Fund	733,147	496,470	Surcharge
Industrial and Manufacturing Operations Clean Air Grant Prog	732,850	557,823	General Fund
Legislative Department Cash	677,822	441,759	General Fund Reversions
Species Conservation Trust Fund	629,143	1,184,972	Severance
Natural Resources Damage Recoveries Fund	624,617	495,390	Damage Awards
Decommissioning Fund	585,705	472,158	Donations
Clean Air Building Investments Fund	572,255	463,319	General Fund
Sustainable Rebuilding Program Fund	557,969	443,084	General Fund
Innovative Housing Incentive Program Fund	547,924	733,357	General Fund
Colorado Firefighting Air Corps	466,960	814,223	Mostly General Fund
Clean and Renewable Energy Fund	466,802	453,611	Mixed
Nursing Home Penalty Cash Fund	462,929	288,712	Fines
Colorado Startup Loan Program Fund	400,627	471,225	General Fund

Table 2: Updated Estimates for Approved Cash Funds			
Cash Fund	FY 2024-25 Forecast	FY 2025-26 Forecast	Revenue Source
Geothermal Energy Grant Fund	338,202	261,051	General Fund
Energy Outreach Colorado Low-Income Energy Assistance Fund	332,974	62,264	Mixed
Subsequent Injury Fund	291,203	236,381	Premium Tax
Emergency Medical Services Account	285,294	201,540	Fees
Supplier Database Cash Fund	266,798	155,818	Fees
AIR Account of the HUTF	242,011	141,437	Emissions registration
Supplemental State Contribution Fund	196,909	139,195	Tobacco Master Settlement
Multidisciplinary Crime Prevention & Crisis Intervention Grant Fund	192,326	210,592	General Fund
Colorado Agricultural Future Loan Program Cash Fund	190,847	131,132	Mostly General Fund
CO Office of Film, Television and Media Operational Account	183,132	154,076	General Fund
Plant Health, Pest Control and Environmental Protection Fund	142,342	121,333	Fees
Colorado Heritage Communities Fund	105,306	145,935	General Fund
Community Access to Electronic Bicycles Cash Fund	82,680	226,824	General Fund
Wildfire Mitigation Capacity Development Fund	48,571	28,365	Severance and General Fund
~~Hazardous Substance Settlement Fund~~	~~N/A~~	~~N/A~~	~~Court awards~~
~~Process and End Users Fund~~	~~N/A~~	~~N/A~~	~~Waste Tries Fees~~
~~Ozone Season Transit Grant Program Fund~~	~~N/A~~	~~N/A~~	~~General Fund~~
~~General Fund - Unrestricted~~	~~N/A~~	~~N/A~~	~~General Fund~~
Total - Draft Bill (LLS 934)	$58,368,490	$29,157,111	
Capital Construction Fund Interest (SB 25-262)		12,355,251	
Total Interest Transfers to General Fund	$58,368,490	$41,512,362	

Staff recommends introducing the draft bill with at least the cash funds identified in Table 2. However, if the Committee wants to align with the original balancing assumption, then the bill requires another $0.3 million in projected interest.

Additional Funds Originating as General Fund

During the March discussion, the Committee approved a policy to permanently transfer all interest earnings from cash funds that originate as General Fund. Staff has identified an additional 11 cash funds where the revenues originate as General Fund (see Table 3 below).

Based on OSPB's estimates, these funds would provide an additional $7.0 million over the two-year period. However, staff notes the following:

- The Governor's Office opposes including the majority of these funds.
- The Housing Development Grant Fund in the Department of Local Affairs accounts for most of the total, but is a core fund source for the Department's housing programs.
- The projected earnings from the Transit-oriented Communities Infrastructure Fund would more than close the shortfall between Table 2 and the balancing assumption included in

the FY 2025-26 budget package. The Governor's Office opposes the use of this fund but JBC Staff believes that using it is defensible.

Table 3: Currently Unapproved - Originate as General Fund				
Cash Fund	FY 2024-25 Forecast	FY 2025-26 Forecast	Revenue Source	OSPB Position
Housing Development Grant Fund	2,821,157	2,510,829	Mixed	Opposes
Transit-oriented Communities Infrastructure Fund	634,662	564,849	General Fund - One-time Transfer	Opposes
Law Enforcement Workforce Recruitment, Retention, and Tuition Grant Fund	119,974	106,776	General Fund - Occasional Transfers	Opposes
Accessory Dwelling Unit Fee Reduction and Encouragement	49,741	44,269	General Fund - One-time Transfer	Opposes
Cannabis Resource Optimization	42,308	37,654	General Fund - One-time Transfer	Accepts
Streamlined Solar Permitting and Inspections	27,371	24,360	General Fund - One-time Transfer	Accepts
Community Revitalization Fund	13,468	11,986	General Fund - One-time Transfer	Opposes
State Agency Sustainability Revolving Fund	6,214	5,530	General Fund - Occasional Transfers	Opposes
Jail Standard Advisory Committee Cash Fund	6,075	5,407	General Fund - Ongoing	Neutral
Procurement Technical Assistance Cash Fund	4,331	3,854	General Fund - Ongoing	Opposes
Innovative Energy Fund	4,285	3,813	General Fund - Occasional Transfers	Approves
Total	$3,729,586	$3,319,327		

Unapproved and Non-General Fund

The final category of cash fund candidates originate as something other than General Fund. Staff notes that the list of potential cash funds for this category would include all cash funds that earn non-exempt interest (hundreds of cash funds). Given the potential concerns related to fee-based interest earnings (discussed in greater depth in the March memorandum), JBC Staff focused this research on funds that receive revenues from more general taxes.

Table 4 below shows four cash funds identified by JBC Staff, all of which happen to be in the Office of Economic Development and International Trade. All four funds are largely supported with limited gaming taxes, with a mix of additional sources that are also not fee-based. In total, these funds would provide an estimated $1.8 million over the two-year period, although the vast majority of those funds are from one source (the Travel and Tourism Promotion Fund). The Governor's Office opposes including all four of these funds.

Table 4: Currently Unapproved - Originate as Another Fund Source				
Cash Fund	FY 2024-25 Forecast	FY 2025-26 Forecast	Revenue Source	OSPB Position
Travel and Tourism Promotion Fund	855,369	761,278	Limited Gaming Funds, Unclaimed Property Interest	Opposes
Creative Industries Cash Fund	80,342	71,505	Limited Gaming Funds, Small General Fund transfer	Opposes
Travel and Tourism Additional Sources Fund	10,621	9,452	Limited Gaming Funds, Unclaimed Property Interest	Opposes
Advanced Industries Export Acceleration Cash Fund	2,799	2,491	Limited Gaming Funds, Income Tax Withholding	Opposes
Total	$949,131	$844,726		

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

REDRADT 4/14/25

Double underlining denotes changes from prior draft

DRAFT

LLS NO. 25-0934.01 Pierce Lively x2059 **COMMITTEE BILL**

Joint Budget Committee

BILL TOPIC: Transfer Cash Fund Investment Earnings to Gen Fund

A BILL FOR AN ACT

CONCERNING THE TRANSFER OF INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN CERTAIN CASH FUNDS INTO THE GENERAL FUND.

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/.)

For state fiscal year 2025-26 only, the bill directs the state treasurer to transfer all interest and income derived from the deposit and investment of money in the following funds and accounts to the general fund:

Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.

REDRAFT
4/14/25
Double underlining denotes changes from prior draft

- The workers' compensation cash fund;
- The decommissioning fund;
- The AIR account within the highway users tax fund;
- The supplier database cash fund;
- The emergency medical services account;
- The plant health, pest control, and environmental protection fund;
- The Colorado DRIVES vehicle services account;
- The nursing home penalty cash fund;
- The advanced industries acceleration cash fund;
- The indirect costs excess recovery fund;
- The limited gaming fund;
- The energy fund;
- The small business recovery and resiliency fund;
- The energy outreach Colorado low-income energy assistance fund;
- The Colorado economic development fund;
- The Colorado firefighting air corps fund;
- The Colorado agricultural future loan program cash fund;
- The subsequent injury fund;
- The major medical insurance fund;
- The species conservation trust fund;
- The water supply reserve fund;
- The local government severance tax fund;
- The wildfire mitigation capacity development fund;
- The water plan implementation cash fund; and
- The supplemental state contribution fund.

For state fiscal year 2025-26 and each state fiscal year thereafter, the bill directs the state treasurer to transfer all interest and income derived from the deposit and investment of money in the following funds and accounts to the general fund:

- The correctional treatment cash fund;
- The Colorado heritage communities fund;
- The multidisciplinary crime prevention and crisis intervention grant fund;
- The sustainable rebuilding program fund;
- The industrial and manufacturing operations clean air grant program cash fund;
- The geothermal energy grant fund;
- The clean air building investments fund;
- The community access to electric bicycles cash fund;
- The Colorado office of film, television, and media operational account cash fund;
- The Colorado startup loan program fund;

- The innovative housing incentive program fund;
- The information technology capital account;
- The state emergency reserve cash fund;
- The just transition cash fund;
- The capital construction fund;
- The legislative department cash fund;

- The employment support and job retention services program cash fund;

- The state agency sustainability revolving fund;
- The law enforcement workforce recruitment, retention, and tuition grant fund;
- The jail standard advisory committee cash fund;

- The innovative energy fund;
- The cannabis resource optimization cash fund;
- The streamlined solar permitting and inspection cash fund;

- The procurement technical assistance cash fund;
- The community revitalization fund;

- The transit-oriented communities infrastructure fund; and
- The accessory dwelling unit fee reduction and encouragement grant program fund.

On June 30, 2025, the bill transfers specified amounts, which are the estimated amounts of interest and income derived from the deposit and investment of money in each of the foregoing funds and accounts in the 2024-25 state fiscal year, from each of those funds and accounts to the general fund.

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

SECTION 1. Legislative declaration. The general assembly finds and declares that the transfers from cash funds to the general fund on June 30, 2025, in this Senate Bill _______ are meant to transfer an amount equal to the interest and investment income that accrued in those cash funds during the 2024-25 state fiscal year.

SECTION 2. In Colorado Revised Statutes, 2-2-1601, **amend** (1)(c); and **add** (1)(d) as follows:

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4/14/25
Double underlining denotes changes from prior draft

2-2-1601. Legislative department cash fund - redistricting accounts - creation - definition - repeal. (1) (c) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT all interest ~~earned on the investment of moneys~~ AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY in the LEGISLATIVE DEPARTMENT CASH fund ~~shall be credited~~ to the LEGISLATIVE DEPARTMENT CASH fund.

(II) NOTWITHSTANDING SUBSECTION (1)(c)(III) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE LEGISLATIVE DEPARTMENT CASH FUND TO THE GENERAL FUND.

(III) Any ~~moneys~~ MONEY credited to the LEGISLATIVE DEPARTMENT CASH fund and unexpended at the end of any given fiscal year shall remain in the fund and shall not revert to the general fund.

(d) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SIX HUNDRED SEVENTY-SEVEN THOUSAND EIGHT HUNDRED TWENTY-TWO DOLLARS FROM THE LEGISLATIVE DEPARTMENT CASH FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (1)(d) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 3. In Colorado Revised Statutes, 8-44-112, **amend** (7)(a); and **add** (7)(a.5) as follows:

8-44-112. Surcharge on workers' compensation insurance premiums - workers' compensation cash fund - repeal. (7) (a) All ~~moneys~~ MONEY collected pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the workers' compensation cash fund, which fund is ~~hereby~~ created. The ~~moneys~~ MONEY in the workers' compensation cash fund ~~shall be~~ IS subject to annual appropriation by the general assembly for the direct and indirect costs of the administration of the "Workers' Compensation Act of Colorado", articles 40 to 47 of this ~~title. Any interest earned on the investment or deposit of moneys in the workers' compensation cash fund shall remain in the fund and shall not revert to the general fund of the state at the end of any fiscal year~~ TITLE 8.

(a.5) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE WORKERS' COMPENSATION CASH FUND TO THE WORKERS' COMPENSATION CASH FUND.

(II) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE WORKERS' COMPENSATION CASH FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SEVEN HUNDRED THIRTY-THREE THOUSAND ONE HUNDRED FORTY-SEVEN DOLLARS FROM THE WORKERS' COMPENSATION CASH FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (7)(a.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 4. In Colorado Revised Statutes, 8-46-101, **amend** (1)(b)(II) introductory portion; and **add** (1)(b)(III) as follows: <{***I was***

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not entirely sure what was causing the interest/investment income in this fund to stay in the fund, so I have guessed and amended the section accordingly.}>

8-46-101. Subsequent injury fund - repeal. (1) (b) (II) The unrestricted year-end balance of the subsequent injury fund, created pursuant to ~~subparagraph (I) of this paragraph (b)~~ SUBSECTION (1)(b)(I) OF THIS SECTION, for the 1991-92 fiscal year ~~shall constitute~~ CONSTITUTES a reserve, EXCEPT AS DESCRIBED IN SUBSECTION (1)(b)(III) OF THIS SECTION, as defined in section 24-77-102 (12), ~~C.R.S.~~ and, for purposes of section 24-77-103: ~~C.R.S.~~

(III) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SUBSEQUENT INJURY FUND TO THE SUBSEQUENT INJURY FUND.

(B) NOTWITHSTANDING ANY SUBSECTION OF THIS SECTION TO THE CONTRARY, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SUBSEQUENT INJURY FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED NINETY-ONE THOUSAND TWO HUNDRED THREE DOLLARS FROM THE SUBSEQUENT INJURY FUND TO THE GENERAL FUND. THIS SUBSECTION (1)(b)(III)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 5. In Colorado Revised Statutes, 8-46-202, **amend** (1)(b) introductory portion; and **add** (1)(b.5) as follows:

8-46-202. Major medical insurance fund - tax imposed - returns - repeal. (1) (b) The unrestricted year-end balance of the major medical insurance fund, created pursuant to ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION, for the 1991-92 fiscal year ~~shall constitute~~ CONSTITUTES a reserve, EXCEPT AS DESCRIBED IN SUBSECTION (1)(b.5) OF THIS SECTION, as defined in section 24-77-102 (12), ~~C.R.S.~~ and, for purposes of section 24-77-103: ~~C.R.S.~~

(b.5) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE MAJOR MEDICAL INSURANCE FUND TO THE MAJOR MEDICAL INSURANCE FUND.

(II) NOTWITHSTANDING ANY SUBSECTION OF THIS SECTION TO THE CONTRARY, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE MAJOR MEDICAL INSURANCE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE MILLION SIX HUNDRED TWENTY-EIGHT THOUSAND TWO HUNDRED SIXTY-FIVE DOLLARS FROM THE MAJOR MEDICAL INSURANCE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (1)(b.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 6. In Colorado Revised Statutes, 8-83-406, **amend** (1)(b) as follows:

8-83-406. Employment support and job retention services

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program cash fund - created - repeal. (1) (b) (I) ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~ At the end of any fiscal year, all unexpended and unencumbered money in the fund remains in the fund and shall not be credited or transferred to the general fund or any other fund.

(II) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(B) FOR STATE FISCAL YEARS COMMENCING ON AND AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER THREE THOUSAND ONE HUNDRED FORTY-NINE DOLLARS FROM THE FUND TO THE GENERAL FUND. THIS SUBSECTION (1)(b)(II)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 7. In Colorado Revised Statutes, 8-83-504, **amend** (1) as follows:

8-83-504. Just transition cash fund - transfer from general fund - transfer from account - definition - repeal. (1) (a) The just transition cash fund is created in the state treasury. The fund consists of money credited to the fund in accordance with section 39-29-108 (2)(d) and any other money that the general assembly may appropriate or transfer to the fund. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~

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Subject to annual appropriation by the general assembly, the office may expend money from the fund and the department may expend money from the coal transition workforce assistance program account of the fund created in section 8-83-504.5 (1) for purposes specified in this part 5, including paying for the office's direct and indirect costs in administering this part 5. Any unexpended and unencumbered money in the fund at the end of any fiscal year remains in the fund and shall not be credited or transferred to the general fund.

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE JUST TRANSITION CASH FUND TO THE JUST TRANSITION CASH FUND.

(II) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE JUST TRANSITION CASH FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER EIGHT HUNDRED THIRTY-ONE THOUSAND SIX HUNDRED FORTY-FIVE DOLLARS FROM THE JUST TRANSITION CASH FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (1)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

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SECTION 8. In Colorado Revised Statutes, 18-19-103, **amend** (4)(a); and **add** (4)(d)_____ as follows:

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18-19-103. Source of revenues - allocation of money - repeal. (4) (a) There is ~~hereby~~ created in the state treasury the correctional treatment cash fund, referred to in this ~~paragraph (a)~~ SUBSECTION (4)(a) as the "fund", which consists of ~~moneys~~ MONEY appropriated pursuant to section 39-28.8-501, ~~C.R.S., moneys~~ MONEY received by the state treasurer pursuant to ~~paragraph (d) of subsection (3) of this section and subsection (3.5)~~ SUBSECTIONS (3)(d) AND (3.5) of this section, and, in addition, each year, the general assembly shall appropriate at least two million two hundred thousand dollars generated from estimated savings from the enactment of Senate Bill 03-318, enacted in 2003, to the fund. The ~~moneys~~ MONEY in the fund shall be used for the purposes described in ~~paragraph (c) of subsection (5)~~ SUBSECTION (5)(c) of this section. ~~All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund.~~ Any ~~moneys~~ MONEY not appropriated by the general assembly shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

(d) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE CORRECTIONAL TREATMENT CASH FUND TO THE CORRECTIONAL TREATMENT CASH FUND.

(II) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE CORRECTIONAL TREATMENT CASH FUND TO THE GENERAL FUND.

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(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER EIGHT HUNDRED FIVE THOUSAND THREE HUNDRED NINETY-THREE DOLLARS FROM THE CORRECTIONAL TREATMENT CASH FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (4)(d)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 9. In Colorado Revised Statutes, 24-30-2304, **amend** (3) as follows:

24-30-2304. Revolving fund - definition - repeal. (3) (a) ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~ Any unexpended and unencumbered money remaining in the fund at the end of a fiscal year shall remain in the fund.

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON AND AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SIX THOUSAND TWO HUNDRED FOURTEEN DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (3)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 10. In Colorado Revised Statutes, 24-32-3207, **amend** (4) as follows:

24-32-3207. Colorado heritage communities fund - creation - source of funds - repeal. (4) (a) Except as otherwise provided in section 24-75-226 (4)(c)(II) AND SUBSECTION (4)(b) OF THIS SECTION, all money ~~including interest and income earned on the investment or deposit of money in the fund,~~ shall remain in the fund and shall not revert to the general fund of the state at the end of any fiscal year.

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) NOTWITHSTANDING SUBSECTIONS (3) AND (4)(a) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE COLORADO HERITAGE COMMUNITIES FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED FIVE THOUSAND THREE HUNDRED SIX DOLLARS FROM THE COLORADO HERITAGE COMMUNITIES FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (4)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 11. In Colorado Revised Statutes, 24-33-111, **amend** (2)(a)(I)(A); and **add** (2)(f)_____ as follows:

24-33-111. Conservation of native species - fund created -

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repeal. (2) **Species conservation trust fund - creation.** (a) (I) (A) There is ~~hereby~~ created in the state treasury the species conservation trust fund, which is subject to annual authorization by the general assembly to carry out the purposes of this section. The fund consists of all money transferred by the treasurer as specified in subsection (2)(a)(I)(B) of this section and all money appropriated to the fund pursuant to section 39-29-109.3 (1)(g)(I). ~~All income derived from the deposit and investment of money in the fund is credited to the fund.~~ At the end of any fiscal year, all unexpended money in the fund remains in the fund and shall not be credited or transferred to the general fund or any other fund. To the maximum extent practical, only interest from the fund shall be expended for activities pursuant to this section.

(f) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SPECIES CONSERVATION TRUST FUND TO THE FUND.

(II) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SPECIES CONSERVATION TRUST FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SIX HUNDRED TWENTY-NINE THOUSAND ONE HUNDRED FORTY-THREE DOLLARS FROM THE SPECIES CONSERVATION TRUST FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(f)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 12. In Colorado Revised Statutes, 24-33-117, **amend** (2) as follows:

24-33-117. Wildfire mitigation capacity development fund - established - financing - legislative intent - repeal. (2) (a) (I) ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the wildfire mitigation capacity development fund to the fund~~ FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE WILDFIRE MITIGATION CAPACITY DEVELOPMENT FUND TO THE FUND.

(II) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE WILDFIRE MITIGATION CAPACITY DEVELOPMENT FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FORTY-EIGHT THOUSAND FIVE HUNDRED SEVENTY-ONE DOLLARS FROM THE WILDFIRE MITIGATION CAPACITY DEVELOPMENT FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(a)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 13. In Colorado Revised Statutes, 24-33.5-527, **amend** (4)(b) as follows:

24-33.5-527. Multidisciplinary crime prevention and crisis intervention grant program - committee - fund - reports - repeal. (4) (b) (I) The state treasurer may invest any money in the fund not expended for the purpose of this section as provided by law. ~~The state treasurer shall credit all interest and income derived from the investment and deposit of money in the fund to the fund.~~ Any unexpended and unencumbered money remaining in the fund at the end of a fiscal year remains in the fund and is not credited or transferred to the general fund or another fund.

(II) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE MULTIDISCIPLINARY CRIME PREVENTION AND CRISIS INTERVENTION GRANT FUND TO THE MULTIDISCIPLINARY CRIME PREVENTION AND CRISIS INTERVENTION GRANT FUND.

(B) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE MULTIDISCIPLINARY CRIME PREVENTION AND CRISIS INTERVENTION GRANT FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED NINETY-TWO THOUSAND THREE HUNDRED TWENTY-SIX DOLLARS FROM THE MULTIDISCIPLINARY CRIME PREVENTION AND CRISIS INTERVENTION GRANT FUND TO THE GENERAL FUND. THIS SUBSECTION (4)(b)(II)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 14. In Colorado Revised Statutes, 24-33.5-528, **amend** (4)(b); and **add** (4)(e) as follows:

24-33.5-528. Law enforcement workforce recruitment, retention, and tuition grant program - committee - fund - reports -

repeal. (4) (b) The state treasurer may invest any money in the fund not expended for the purpose of this section as provided by law. ~~The state treasurer shall credit all interest and income derived from the investment and deposit of money in the fund to the fund.~~ Any unexpended and unencumbered money remaining in the fund at the end of a fiscal year remains in the fund and is not credited or transferred to the general fund or another fund.

(e) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED NINETEEN THOUSAND NINE HUNDRED SEVENTY-FOUR DOLLARS FROM THE LAW ENFORCEMENT WORKFORCE RECRUITMENT, RETENTION, AND TUITION GRANT FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (4)(e)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 15. In Colorado Revised Statutes, 24-33.5-1228, **amend** (3)(a); and **add** (3)(a.5) as follows:

24-33.5-1228. Colorado firefighting air corps - creation - powers - aircraft acquisitions required - center of excellence - unmanned aircraft systems study and pilot program - Colorado

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firefighting air corps fund - creation - report - rules - repeal. (3) (a) The division shall administer the Colorado firefighting air corps fund, which fund is ~~hereby~~ created in the state treasury. The division may seek and accept gifts, grants, reimbursements, investments, bond revenues, sales proceeds, commissions for services, sponsorships, advertising fees, licensing fees, profits, or donations from private or public sources for the purposes of this section. The fund consists of money transferred in accordance with subsection (3)(c) of this section; all money that may be appropriated to the fund by the general assembly; and all private and public funds received through gifts, grants, reimbursements, investments, bond revenues, sales proceeds, commissions for services, sponsorships, advertising fees, licensing fees, profits, or donations that are transmitted to the state treasurer and credited to the fund. ~~All interest earned from the investment of money in the fund is credited to the fund.~~ The money in the fund is continuously appropriated for the purposes indicated in subsection (3)(c) of this section. Any money not expended at the end of the fiscal year remains in the fund.

(a.5) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE COLORADO FIREFIGHTING AIR CORPS FUND TO THE COLORADO FIREFIGHTING AIR CORPS FUND.

(II) NOTWITHSTANDING SUBSECTION (3)(a) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF

MONEY IN THE COLORADO FIREFIGHTING AIR CORPS FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED SIXTY-SIX THOUSAND NINE HUNDRED SIXTY DOLLARS FROM THE COLORADO FIREFIGHTING AIR CORPS FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (3)(a.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 16. In Colorado Revised Statutes, 24-38.5-102.4, **amend** (1)(a)(I); and **add** (5) as follows:

24-38.5-102.4. Energy fund - creation - use of fund - definitions - report - repeal. (1) (a) (I) The energy fund is created in the state treasury. The principal of the fund consists of money transferred to the fund from the general fund; money transferred to the fund at the end of the 2006-07 state fiscal year and at the end of each succeeding state fiscal year from money received by the Colorado energy office; money received pursuant to the federal "American Recovery and Reinvestment Act of 2009", Pub.L. 111-5, or any amendments thereto; money received pursuant to revenue contracts, court settlement funds, supplemental environmental program funds, or the repayment or return of funds from eligible public depositories; money transferred to the fund pursuant to sections 6-7.5-110 (2)(a), 25-5-1406 (3)(a), and 25-7-1507 (3)(a); money received as gifts, grants, and donations; and any other money received by the Colorado energy office. ~~Interest and income earned on the deposit and investment of money in the energy fund are credited to the fund.~~ Money in the fund at the end of any state fiscal year remains in the fund and may

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not be credited to the state general fund or any other fund. Money in the fund may not be transferred to the innovative energy fund created in section 24-38.5-102.5.

(5) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE ENERGY FUND TO THE FUND.

(b) NOTWITHSTANDING SUBSECTION (1)(a)(I) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE ENERGY FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED SIXTY-SIX THOUSAND EIGHT HUNDRED TWO DOLLARS FROM THE ENERGY FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (5)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 17. In Colorado Revised Statutes, 24-38.5-102.5, **amend** (1)(a) as follows:

24-38.5-102.5. Innovative energy fund - creation - use of fund - definitions - repeal. (1) (a) (I) The innovative energy fund is ~~hereby~~ created in the state treasury. The principal of the fund consists of money transferred to the fund by the general assembly, money transferred at the end of each state fiscal year from money received by the Colorado energy office, or from revenue contracts, court settlement funds, supplemental program funds, repayment or return of funds from eligible public depositories, and gifts, grants, and donations, and any other money received by the Colorado energy office. ~~Interest and income earned on the~~

~~deposit and investment of money in the innovative energy fund is credited to the fund.~~ Money in the fund at the end of any state fiscal year remains in the fund and may not be credited to the state general fund or any other fund. Money in the fund may not be transferred to the energy fund created in section 24-38.5-102.4.

(II) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE INNOVATIVE ENERGY FUND TO THE INNOVATIVE ENERGY FUND.

(B) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE INNOVATIVE ENERGY FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FOUR THOUSAND TWO HUNDRED EIGHTY-FIVE DOLLARS FROM THE INNOVATIVE ENERGY FUND TO THE GENERAL FUND. THIS SUBSECTION (1)(a)(II)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 18. In Colorado Revised Statutes, 24-38.5-115, **amend** (7)(b) as follows:

24-38.5-115. Sustainable rebuilding program - fund - creation - policies - report - definitions - repeal. (7) (b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE

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TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED FIFTY-SEVEN THOUSAND NINE HUNDRED SIXTY-NINE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (7)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 19. In Colorado Revised Statutes, 24-38.5-116, **amend** (6)(b)(I); and **add** (6)(d) as follows:

24-38.5-116. Industrial and manufacturing operations clean air grant program - creation - eligibility - fund created - gifts, grants, or donations - transfer - legislative declaration - definitions - reporting - repeal. (6) **Fund.** (b) (I) Except as otherwise provided in subsection (6)(b)(II) of this section, the money in the fund is continuously appropriated to the office for the purposes set forth in this section. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~ Any unexpended and unencumbered money remaining in the fund at the end of a state fiscal year remains in the fund; except that the state treasurer shall transfer any money remaining in the fund at the end of the 2027-28 state fiscal year to the general fund.

(d) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) NOTWITHSTANDING SUBSECTION (6)(b)(I) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN

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ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SEVEN HUNDRED THIRTY-TWO THOUSAND EIGHT HUNDRED FIFTY DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (6)(d)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 20. In Colorado Revised Statutes, 24-38.5-117, **amend** (2) as follows:

24-38.5-117. Cannabis resource optimization cash fund - creation - gifts, grants, or donations - repeal. (2) (a) The money in the fund is continuously appropriated to the Colorado energy office for the purposes set forth in subsection (1) of this section. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FORTY-TWO THOUSAND THREE HUNDRED EIGHT DOLLARS FROM THE FUND TO THE GENERAL FUND.

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(B) THIS SUBSECTION (2)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 21. In Colorado Revised Statutes, 24-38.5-118, **amend** (7)(a)(II) as follows:

24-38.5-118. Geothermal energy grant program - creation - procedures - fund - report - definitions - legislative declaration - repeal. (7) **Fund.** (a) (II) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(B) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED THOUSAND SIX HUNDRED TWENTY-SEVEN DOLLARS FROM THE FUND TO THE GENERAL FUND. THIS SUBSECTION (7)(a)(II)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 22. In Colorado Revised Statutes, 24-38.5-119, **amend** (7)(b); and **add** (7)(c) as follows:

24-38.5-119. Streamlined solar permitting and inspection grant program - creation - eligibility - fund created - gifts, grants, or donations - reporting - legislative declaration - definitions - repeal. (7) (b) The money in the fund is annually appropriated by the general assembly to the office for the purposes set forth in this section. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~ Any unexpended and unencumbered money remaining in the fund at the end of a state fiscal year remains in the fund; except that the state treasurer shall transfer any money remaining in the fund at the end of the 2027-28 state fiscal year to the general fund.

(c) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER TWENTY-SEVEN THOUSAND THREE HUNDRED SEVENTY-ONE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (7)(c)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 23. In Colorado Revised Statutes, 24-38.5-406, **amend** (1); and **add** (4) as follows:

24-38.5-406. Clean air building investments fund - creation - use of fund - repeal. (1) The clean air building investments fund, referred to in this section as the "fund", is created in the state treasury. The principal of the fund consists of money transferred to the fund from the general fund and gifts, grants, and donations. ~~Interest and income earned on the deposit and investment of money in the fund are credited to the fund.~~

(4) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY

1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(b) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED SEVENTY-TWO THOUSAND TWO HUNDRED FIFTY-FIVE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 24. In Colorado Revised Statutes, 24-38.5-506, **amend** (2)(a); and **add** (4) as follows:

24-38.5-506. Community access to electric bicycles cash fund - creation - gifts, grants, or donations - transfer - repeal. (2) (a) Except as otherwise provided in subsection (2)(b) of this section, the money in the fund is continuously appropriated to the office for the purposes set forth in this part 5. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~ Any unexpended and unencumbered money remaining in the fund at the end of a state fiscal year remains in the fund; except that the state treasurer shall transfer any money remaining in the fund at the end of the 2026-27 state fiscal year to the general fund.

(4) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE COMMUNITY ACCESS TO ELECTRIC BICYCLES CASH FUND TO THE FUND.

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(b) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE COMMUNITY ACCESS TO ELECTRIC BICYCLES CASH FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER EIGHTY-TWO THOUSAND SIX HUNDRED EIGHTY DOLLARS FROM THE FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 25. In Colorado Revised Statutes, 24-46-105, **amend** (2) as follows:

24-46-105. Colorado economic development fund - creation - report - repeal. (2) (a) ~~The moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual appropriation by the general assembly, except as provided in subsection (2.5) of this section, for the purposes of this part 1. Any ~~moneys~~ MONEY not expended or encumbered from any appropriation at the end of any fiscal year ~~shall remain~~ REMAINS available for expenditure in the next fiscal year without further appropriation. ~~Any interest earned on the investment or deposit of moneys in the fund shall not be credited to the general fund of the state but shall instead be credited to the revolving account created in subsection (2.5) of this section.~~ Contributions of money, property, or services may be received from any state agency, county, municipality, federal agency, person, or corporation for use in carrying out the purposes of this part 1.

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL

CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE REVOLVING ACCOUNT CREATED IN SUBSECTION (2.5) OF THIS SECTION.

(II) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER TWO MILLION NINE THOUSAND NINETY-TWO DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 26. In Colorado Revised Statutes, 24-48.5-116, **amend** (5)(c); and **add** (5)(d) as follows:

24-48.5-116. Film, television, and media - performance-based incentive for film production in Colorado - Colorado office of film, television, and media operational account cash fund - creation - definition - repeal. (5) (c) All ~~moneys~~ MONEY not expended or encumbered ~~and all interest earned on the investment or deposit of moneys in the fund, remain~~ REMAINS in the fund and ~~do~~ DOES not revert to the general fund or any other fund at the end of any fiscal year. Any ~~moneys~~ MONEY not expended or encumbered from any appropriation at the end of any fiscal year ~~remain~~ REMAINS available for expenditure in the next fiscal year without further appropriation.

(d) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY

1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) NOTWITHSTANDING SUBSECTION (5)(c) OF THIS SECTION, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED EIGHTY-THREE THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (5)(d)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 27. In Colorado Revised Statutes, 24-48.5-117, **amend** (7)(d); and **add** (7)(d.5) as follows:

24-48.5-117. Advanced industry - grants - fund - definitions - repeal. (7) **Fund.** (d) As provided by law, the state treasurer may invest any unexpended ~~moneys~~ MONEY in the advanced industries acceleration cash fund. ~~All interest and income derived from the investment and deposit of moneys in the fund are credited to the fund.~~ Any unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund at the end of a fiscal year shall not be credited or transferred to the general fund or another fund; except that any unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund upon the repeal of this section ~~are~~ IS transferred to the general fund.

(d.5) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER

SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) NOTWITHSTANDING SUBSECTION (7)(d) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE MILLION TWO HUNDRED FIFTY-FIVE THOUSAND FIVE HUNDRED FORTY-THREE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (7)(d.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 28. In Colorado Revised Statutes, 24-48.5-121, **amend** (8)(c); and **add** (8)(e) as follows:

24-48.5-121. Procurement technical assistance program - fund - legislative declaration - definitions - repeal. (8) **Fund.** (c) ~~All interest and income derived from the investment and deposit of moneys in the fund are credited to the fund.~~ Any unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund at the end of a fiscal year shall not be credited or transferred to the general fund or another fund.

(e) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE

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FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FOUR THOUSAND THREE HUNDRED THIRTY-ONE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (8)(e)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 29. In Colorado Revised Statutes, 24-48.5-131, **amend** (9)(b) as follows:

24-48.5-131. Colorado startup loan program - fund - creation - policies - report - legislative declaration - definitions - repeal. (9) (b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund, except as otherwise provided in section 24-75-226 (4)(c)(II).

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED THOUSAND SIX HUNDRED TWENTY-SEVEN DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (9)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 30. In Colorado Revised Statutes, 24-48.5-132, **amend** (5)(c) as follows:

24-48.5-132. Innovative housing incentive program - report - legislative declaration - definitions - repeal. (5) (c) (I) FOR STATE

FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED FORTY-SEVEN THOUSAND NINE HUNDRED TWENTY-FOUR DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (5)(c)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 31. In Colorado Revised Statutes, 24-48.5-317, **amend** (6)(b); and **add** (6)(c) as follows:

24-48.5-317. Community revitalization grants - fund - reporting - compliance with federal requirements - legislative declaration - notice to revisor of statutes - definitions - repeal. (6) (b) Except as otherwise required by this subsection (6)(b), all money not expended or encumbered ~~and all interest earned on the investment or deposit of money in the fund~~ must remain in the fund and shall not revert to the general fund or any other fund at the end of any fiscal year. The money in the fund is continuously appropriated to the division for the purposes of this section. Any money in the fund not expended or encumbered by December 31, 2022, reverts to the general fund; except that all money in the fund not expended or encumbered by December 31, 2022, that was transferred to the fund from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), reverts to the economic recovery and relief cash fund. <{***Given this provision, why is there still money in the fund and why are we not just emptying the fund?***}>

(c) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER THIRTEEN THOUSAND FOUR HUNDRED SIXTY-EIGHT DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (6)(c)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 32. In Colorado Revised Statutes, 24-48.5-608, **amend** (2) as follows:

24-48.5-608. Small business recovery and resiliency fund - repeal. (2) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the small business recovery and resiliency fund to the fund.

(b) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT

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AND INVESTMENT OF MONEY IN THE SMALL BUSINESS RECOVERY AND RESILIENCY FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE MILLION SIXTY-THREE THOUSAND FIVE HUNDRED TWENTY-SIX DOLLARS FROM THE SMALL BUSINESS RECOVERY AND RESILIENCY FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 33. In Colorado Revised Statutes, 24-50-609, **amend** (5) as follows:

24-50-609. State contributions - supplemental state contribution fund - creation - repeal. (5) (a) The supplemental state contribution fund is ~~hereby~~ created in the state treasury. The principal of the fund consists of tobacco litigation settlement ~~moneys~~ MONEY transferred by the state treasurer to the fund pursuant to section 24-75-1104.5 (1.7)(j). The principal of the fund is continuously appropriated to the department of personnel and shall be expended in its entirety in each fiscal year by the department to pay the costs of increased nonsupplemental state contributions, as defined in section 24-50-609.5 (3)(c)(II), and supplement the state contribution, as defined in section 24-50-609.5 (2)(d), for each eligible state employee, as defined in section 24-50-609.5 (2)(a), enrolled in a qualifying group benefit plan, as defined in section 24-50-609.5 (2)(c), as required by section 24-50-609.5; except that the department shall expend no more than the amount needed to pay the costs of increased nonsupplemental state contributions and reduce the employee contribution, as defined in section 24-50-609.5 (2)(b), of each eligible state employee for all qualifying group benefit plans to zero. The principal of the fund remains in the fund until expended and shall not be transferred to the general fund or any other fund. Interest and income earned on the deposit and investment of ~~moneys~~ MONEY in the fund ~~shall be credited to the fund, shall not be transferred to the general fund or to any other fund, and~~ shall be used by the department, subject to annual appropriation, solely to pay the costs of the department related to the supplementation of the state contribution for each eligible state employee required by section 24-50-609.5.

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SUPPLEMENTAL STATE CONTRIBUTION FUND TO THE SUPPLEMENTAL STATE CONTRIBUTION FUND.

(II) NOTWITHSTANDING SUBSECTION (5)(a) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SUPPLEMENTAL STATE CONTRIBUTION FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED NINETY-SIX THOUSAND NINE HUNDRED NINE DOLLARS FROM THE SUPPLEMENTAL STATE CONTRIBUTION FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (5)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 34. In Colorado Revised Statutes, 24-75-302, **add** (1)(c)(III) and (3.7)(a.5)(III) as follows: <{***Component on interest being***

credited to GF instead of CCF and IT subaccount for FYs commencing on or after July 1, 2025 done in SB262}>

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account - repeal. (1) (c) (III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SIXTEEN MILLION THREE HUNDRED SIXTY-SIX THOUSAND THREE HUNDRED FIFTY-NINE DOLLARS FROM THE CAPITAL CONSTRUCTION FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (1)(c)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

(3.7) (a.5) (III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FIVE MILLION TWENTY THOUSAND NINETEEN DOLLARS FROM THE INFORMATION TECHNOLOGY CAPITAL ACCOUNT TO THE GENERAL FUND.

(B) THIS SUBSECTION (3.7)(a.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 35. In Colorado Revised Statutes, 24-75-1401, **amend** (2) as follows:

24-75-1401. Indirect costs excess recovery fund - creation - departmental accounts - use of fund - definitions - repeal. (2) (a) The indirect costs excess recovery fund is created in the state treasury. A separate account for each principal department of state government other than the department of higher education is created within the fund. Before the close of the state's accounting system each fiscal year, the state treasurer shall credit all ~~moneys~~ MONEY collected by a state agency for indirect costs for the fiscal year in excess of the actual amount expended during the fiscal year to the account for the department that includes the agency. ~~The state treasurer shall credit all interest and income earned on the deposit and investment of moneys in any account of the fund to the account.~~

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE INDIRECT COSTS EXCESS RECOVERY FUND TO THE INDIRECT COSTS EXCESS RECOVERY FUND.

(II) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE INDIRECT COSTS EXCESS RECOVERY FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SEVEN HUNDRED SEVENTY-NINE THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS FROM THE INDIRECT COSTS EXCESS RECOVERY FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 36. In Colorado Revised Statutes, 24-77-104, **amend** (6)(a); and **add** (6)(a.5) as follows:

24-77-104. State emergency reserve - cash fund - creation - declaration of emergency - reimbursement of emergency reserve expenditures - definition - repeal. (6) (a) The state emergency reserve cash fund, referred to in this subsection (6) as the "fund", is ~~hereby~~ created in the state treasury. The fund consists of money transferred to the fund pursuant to subsection (6)(c) of this section, interest and income credited to the fund pursuant to section 24-75-226 (4)(c)(II), and any other money that the general assembly may appropriate to the fund. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the state emergency reserve cash fund to the fund.~~

(a.5) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FIVE MILLION SEVEN HUNDRED TWENTY-FOUR THOUSAND FIVE HUNDRED FORTY-NINE DOLLARS FROM THE STATE EMERGENCY RESERVE CASH FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (6)(a.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

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SECTION 37. In Colorado Revised Statutes, 24-102-202.5, **amend** (2)(a); and **add** (2)(c)_____ as follows:

24-102-202.5. Supplier database - fees - cash fund - program account - repeal. (2) (a) The executive director may require each business that wishes to be included in the database created pursuant to subsection (1) of this section to pay a registration fee as determined by the executive director. The executive director may set and collect ~~such~~ fees as ~~are~~ necessary to cover the direct and indirect costs that are incurred in implementing ~~the provisions of~~ this section. The revenue from such fees shall be transmitted to the state treasurer, who shall credit the same to the supplier database cash fund, which fund is ~~hereby~~ created. The general assembly shall make appropriations from ~~such~~ THE fund as necessary to implement ~~the provisions of~~ this section. All ~~moneys~~ MONEY not expended or encumbered ~~and all interest earned on the investment or deposit of the moneys in the fund~~ shall remain in the fund and shall not revert to the general fund or any other fund at the end of any fiscal year.

(c) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SUPPLIER DATABASE CASH FUND TO THE SUPPLIER DATABASE CASH FUND.

(II) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE SUPPLIER DATABASE CASH FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED NINETY-EIGHT DOLLARS FROM THE SUPPLIER DATABASE CASH FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(c)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 38. In Colorado Revised Statutes, 25-3.5-603, **amend** (1)(c); and **add** (1)(d) as follows:

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25-3.5-603. Emergency medical services account - creation - allocation of funds - repeal. (1) (c) At the end of any fiscal year, all unexpended and unencumbered ~~moneys~~ MONEY in the emergency medical services account shall remain therein and shall not be credited or transferred to the general fund or any other fund. ~~Any interest earned on the investment or deposit of moneys in the account shall also remain in the account and shall not be credited to the general fund.~~

(d) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE EMERGENCY MEDICAL SERVICES ACCOUNT TO THE EMERGENCY MEDICAL SERVICES ACCOUNT.

(II) NOTWITHSTANDING SUBSECTIONS (1)(b) AND (1)(c) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE EMERGENCY MEDICAL SERVICES ACCOUNT TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED EIGHTY-FIVE THOUSAND TWO HUNDRED NINETY-FOUR DOLLARS FROM THE EMERGENCY MEDICAL SERVICES ACCOUNT TO THE GENERAL FUND.

(B) THIS SUBSECTION (1)(d)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 39. In Colorado Revised Statutes, 25-11-113, **amend** (2)(a); and **add** (2)(c) as follows:

25-11-113. Forfeitures - deposit - radiation control -

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decommissioning fund - long-term care fund - repeal. (2) (a) ~~A fund to be known as~~ The decommissioning fund is ~~hereby~~ created in the state treasury. The fund ~~shall be~~ IS interest-bearing and invested to return the maximum income feasible as determined by the state treasurer and consistent with otherwise applicable state law. All ~~moneys~~ MONEY collected from decommissioning warranties pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the decommissioning fund. All ~~moneys~~ MONEY deposited in the fund ~~and all interest earned on moneys in the fund~~ shall remain in the fund for the purposes set forth in this ~~article~~ ARTICLE 11, and no part of the fund shall be expended or appropriated for any other purpose.

(c) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE DECOMMISSIONING FUND TO THE DECOMMISSIONING FUND.

(II) NOTWITHSTANDING SUBSECTIONS (2)(a) AND (2)(b) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE DECOMMISSIONING FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED EIGHTY-FIVE THOUSAND SEVEN HUNDRED FIVE DOLLARS FROM THE DECOMMISSIONING FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (6)(c)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

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SECTION 40. In Colorado Revised Statutes, 25-16-104.7, **amend** (1); and **add** (5) as follows:

25-16-104.7. Natural resource damage recoveries - fund created - repeal. (1) Except as provided in subsection (3) of this section, money recovered through litigation by the state acting as trustee of natural resources pursuant to the federal act or the OPA ~~and any interest derived therefrom, are~~ IS credited to the natural resource damage recovery fund, which fund is ~~hereby~~ created. The department may expend the custodial money in the fund without further appropriation for purposes authorized by the federal act or the OPA, including the restoration, replacement, or acquisition of the equivalent of natural resources that have been injured, destroyed, or lost as a result of a release of a hazardous substance or oil. In addition, the department shall use the money in the natural resource damage recovery fund in a manner that is consistent with any judicial order, decree, or judgment governing the use of any particular recovery credited to the fund.

(5) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE NATURAL RESOURCE DAMAGE RECOVERY FUND TO THE NATURAL RESOURCE DAMAGE RECOVERY FUND.

(b) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE NATURAL RESOURCE DAMAGE RECOVERY FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER

SIX HUNDRED TWENTY-FOUR THOUSAND SIX HUNDRED SEVENTEEN DOLLARS FROM THE NATURAL RESOURCE DAMAGE RECOVERY FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (5)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 41. In Colorado Revised Statutes, 25-20.5-801, **amend** (9)(b) as follows:

25-20.5-801. Community crime victims grant program - created - cash fund - repeal. (9) (b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (9)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 42. In Colorado Revised Statutes, 25.5-6-205, **amend** (3)(c) as follows:

25.5-6-205. Collection of penalties assessed against nursing facilities - creation of cash fund - repeal. (3) (c) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, all interest derived from the deposit and investment of ~~moneys~~ MONEY in the NURSING HOME PENALTY CASH fund shall be credited to the NURSING HOME PENALTY CASH fund.

(II) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE NURSING HOME PENALTY CASH FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FOUR HUNDRED SIXTY-TWO THOUSAND NINE HUNDRED TWENTY-NINE DOLLARS FROM THE NURSING HOME PENALTY CASH FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (3)(c)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 43. In Colorado Revised Statutes, 29-35-210, **amend** (8)(a)(I); and **add** (8)(a)(IV) as follows:

29-35-210. Transit-oriented communities infrastructure grant program - transit-oriented communities infrastructure fund - definitions - repeal. (8) **Transit-oriented communities infrastructure fund.** (a) (I) The transit-oriented communities infrastructure fund is created in the state treasury. The fund consists of money transferred to the fund pursuant to subsection (8)(a)(III) of this section, gifts, grants, and donations, and any other money that the general assembly may appropriate or transfer to the fund. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~

(IV) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(B) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SIX HUNDRED THIRTY-FOUR THOUSAND SIX HUNDRED SIXTY-TWO DOLLARS FROM THE FUND TO THE GENERAL FUND. THIS SUBSECTION (8)(a)(IV)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 44. In Colorado Revised Statutes, 29-35-405, **amend** (7)(a); and **add** (7)(d) as follows:

29-35-405. Accessory dwelling unit fee reduction and encouragement grant program - created - application - criteria - awards - fund - reporting requirements - rules - definitions - repeal. (7) (a) The accessory dwelling unit fee reduction and encouragement grant program fund is created in the state treasury. The fund consists of any money that the general assembly may transfer or appropriate to the fund and gifts, grants, or donations credited to the fund. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.~~

(d) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(II) FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER FORTY-NINE THOUSAND SEVEN HUNDRED FORTY-ONE DOLLARS FROM THE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (7)(d)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 45. In Colorado Revised Statutes, 30-10-530, **amend** (7)(b) as follows:

30-10-530. Jail standards advisory committee - creation - duties - cash fund - definition - repeal. (7) (b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the jail standards advisory committee cash fund to the fund.

(II) FOR STATE FISCAL YEARS COMMENCING ON AND AFTER JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE JAIL STANDARDS ADVISORY COMMITTEE CASH FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER SIX THOUSAND SEVENTY-FIVE DOLLARS FROM THE JAIL STANDARDS ADVISORY COMMITTEE CASH FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (7)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 46. In Colorado Revised Statutes, 35-1-106.3, **amend** (4); and **add** (4.5) as follows:

35-1-106.3. Plant health, pest control, and environmental protection cash fund - creation - repeal. (4) ~~All interest derived from the deposit and investment of money in the plant health, pest control, and~~

~~environmental protection cash fund shall be credited to the fund.~~ At the end of each fiscal year, all unexpended and unencumbered money in the fund shall remain in the fund and shall not be credited or transferred to the general fund or any other fund; except that the state treasurer shall transfer any unexpended and unencumbered money that is requested by the commissioner to be transferred from the plant health, pest control, and environmental protection cash fund to the emergency invasive-pest response fund created in section 35-1-106.4.

(4.5) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE PLANT HEALTH, PEST CONTROL, AND ENVIRONMENTAL PROTECTION CASH FUND TO THE PLANT HEALTH, PEST CONTROL, AND ENVIRONMENTAL PROTECTION CASH FUND.

(b) NOTWITHSTANDING SUBSECTION (4) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE PLANT HEALTH, PEST CONTROL, AND ENVIRONMENTAL PROTECTION CASH FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED FORTY-TWO THOUSAND THREE HUNDRED FORTY-TWO DOLLARS FROM THE PLANT HEALTH, PEST CONTROL, AND ENVIRONMENTAL PROTECTION CASH FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (4.5)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 47. In Colorado Revised Statutes, 35-1.2-105, **amend**

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(2) as follows:

35-1.2-105. Colorado agricultural future loan program cash fund - created - repeal. (2) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund.

(b) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED NINETY THOUSAND EIGHT HUNDRED FORTY-SEVEN DOLLARS FROM THE FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 48. In Colorado Revised Statutes, 39-29-109, **amend** (2)(c)(I); and **add** (2)(c)(I.5) as follows:

39-29-109. Severance tax trust fund - created - administration - distribution of money - legislative declaration - repeal. (2) (c) **The water supply reserve fund.** (I) There is created in the office of the state treasurer the water supply reserve fund, referred to in this subsection (2)(c) as the "fund", administered by the Colorado water conservation board. The state treasurer shall transfer money to the fund from the severance tax operational fund as specified in subsection (2)(a)(II.5)(B) of this section. The fund also includes any other money that the general assembly may appropriate or transfer to the fund. The money in the fund is continuously appropriated, for purposes authorized by this subsection

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(2)(c), to the Colorado water conservation board, referred to in this subsection (2)(c) as the "board". ~~All interest derived from the investment of money in the fund must be credited to~~ The statewide account of the fund ~~which account~~ is ~~hereby~~ created. Repayments of both the principal and interest on loans from the fund must be credited to the fund. Any balance remaining in the fund at the end of any fiscal year remains in the fund. The board shall allocate money by grant or loan from the fund only for water activities approved by a roundtable pursuant to article 75 of title 37. The approving roundtable is the roundtable for the basin in which a proposed water diversion or nonstructural activity would occur. If the applicant is a covered entity, as defined in section 37-60-126, the board shall allocate money by grant or loan from the fund only if the applicant has adopted a water conservation plan, as defined in section 37-60-126. The board, in consultation with the interbasin compact committee created in section 37-75-105, shall establish criteria and guidelines for allocating money from the fund, including criteria that ensure that the allocations will assist in meeting water supply needs identified pursuant to section 37-75-104 (2)(c), in a manner consistent with section 37-75-102, and facilitate both structural and nonstructural projects or methods. Eligible water activities include:

(I.5) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE FUND TO THE STATEWIDE ACCOUNT OF THE FUND CREATED IN SUBSECTION (2)(c)(I) OF THIS SECTION.

(B) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER

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SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE MILLION ONE HUNDRED THIRTY-SEVEN THOUSAND NINE HUNDRED EIGHTY-SEVEN DOLLARS FROM THE FUND TO THE GENERAL FUND. THIS SUBSECTION (1.5)(a)(I.5)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 49. In Colorado Revised Statutes, 39-29-110, **amend** (1)(a)(I); and **add** (10) as follows:

39-29-110. Local government severance tax fund - creation - administration - definitions - repeal. (1) (a) (I) There is created in the department of local affairs a local government severance tax fund. In accordance with section 39-29-108, portions of the state severance tax receipts must be credited to the local government severance tax fund. ~~All income derived from the deposit and investment of the money in the local government severance tax fund must be credited to the local government severance tax fund.~~

(10) (a) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND TO THE LOCAL GOVERNMENT SEVERANCE TAX FUND.

(b) NOTWITHSTANDING ANY SUBSECTION OF THIS SECTION TO THE CONTRARY, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE LOCAL GOVERNMENT SEVERANCE TAX FUND TO THE GENERAL FUND.

(c) (I) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER EIGHT MILLION SIX HUNDRED THIRTY-NINE THOUSAND NINETY-THREE DOLLARS FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND TO THE GENERAL FUND.

(II) THIS SUBSECTION (10)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 50. In Colorado Revised Statutes, 40-8.7-112, **amend** (2)(c); and **add** (2)(c.5) as follows:

40-8.7-112. Department of human services low-income energy assistance fund - energy outreach Colorado low-income energy assistance fund - Colorado energy office low-income energy assistance fund - creation ~~of~~ - definitions - repeal. (2) (c) The organization shall hold and administer all ~~moneys~~ MONEY it receives from the Colorado energy office pursuant to ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION in a separately identifiable account, the use of which shall be restricted to the purposes set forth in ~~paragraph (b) of this subsection (2)~~ SUBSECTION (2)(b) OF THIS SECTION. The organization shall maintain its books and records pertaining to any ~~moneys~~ MONEY received from the Colorado energy office in accordance with generally accepted accounting principles. If the organization commingles the ~~moneys~~ MONEY with other assets of the organization for investment purposes, the organization shall maintain accurate accounts of the investment ~~moneys~~ MONEY and shall credit or charge a pro rata portion of all investment earnings, gains, or losses to the account that holds the ~~moneys~~ MONEY received from the Colorado energy office pursuant to ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION. <{***I assume the last sentence of this subsection (2)(c) is why***

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this fund is listed here? If so, I will incorporate that language into (2)(c.5) below and not rely on the general language that is currently proposed for (2)(c.5)}>

(c.5) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE ENERGY OUTREACH COLORADO LOW-INCOME ENERGY ASSISTANCE FUND TO THE ENERGY OUTREACH COLORADO LOW-INCOME ENERGY ASSISTANCE FUND.

(II) NOTWITHSTANDING ANY SUBSECTION OF THIS SECTION TO THE CONTRARY, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE ENERGY OUTREACH COLORADO LOW-INCOME ENERGY ASSISTANCE FUND TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER THREE HUNDRED THIRTY-TWO THOUSAND NINE HUNDRED SEVENTY-FOUR DOLLARS FROM THE ENERGY OUTREACH COLORADO LOW-INCOME ENERGY ASSISTANCE FUND TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(c.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 51. In Colorado Revised Statutes, 42-1-211, **amend** (2) as follows:

42-1-211. Driver's license, record, identification, and vehicle enterprise solution - repeal. (2) (a) ~~There is hereby created~~ The Colorado DRIVES vehicle services account IS CREATED in the highway users tax fund for the purpose of providing funds for the development and operation of Colorado DRIVES, including operations performed under articles 2, 3, 4, 6, 7, and 12 of this title 42, to cover the costs of administration and enforcement of the motorist insurance identification database program created in section 42-7-604, and to purchase and issue license plates, decals, and validating tabs in accordance with article 3 of this title 42. Money received from the fees imposed by sections 38-29-138 (1), (2), (4), and (5), 42-1-206 (2)(a), 42-1-210 (1)(a)(II), 42-1-231, 42-1-233 (3)(b), 42-2-107 (1)(a)(I), 42-2-114 (2)(b), (2)(c)(I), (2)(c)(II), (2)(e), and (4)(a), 42-2-114.5 (1), 42-2-117 (1), 42-2-118 (1)(b)(I)(C) and (1.5)(b), 42-2-133 (2), 42-2-306 (2), 42-2-406 (1), (2), (3)(d), and (6), 42-2-508 (1), 42-3-107 (22), 42-3-213 (1)(b)(IV), 42-3-304 (18)(d)(I)(B), 42-3-306 (14), 42-3-312, 42-3-313 (2)(c)(I), 42-6-110 (1.7)(c), 42-6-137 (1), (2), (4), (5), and (6), and 42-6-138 (1)(a), (2), and (4) and any money received through gifts, grants, and donations to the account from private or public sources for the purposes of this section, shall be credited by the state treasurer to the Colorado DRIVES vehicle services account. ~~The state treasurer shall credit all interest and income derived from the deposit and investment of money in the Colorado DRIVES vehicle services account to the account.~~ The general assembly shall appropriate annually the money in the account for the purposes of this subsection (2). If any unexpended and unencumbered money remains in the account at the end of a fiscal year, the balance remains in the account and is not transferred to the general fund or any other fund.

(b) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT.

(II) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER NINE HUNDRED NINETY-FOUR THOUSAND NINE HUNDRED FORTY-FIVE DOLLARS FROM THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT TO THE GENERAL FUND.

(B) THIS SUBSECTION (2)(b)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 52. In Colorado Revised Statutes, 42-3-304, **amend** (18)(a); and **add** (18)(a.5) as follows:

42-3-304. Registration fees - passenger-mile taxes - clean screen fund - pilot program - report - rules - definitions - repeal. (18) (a) In addition to any other fee imposed by this section, the owner shall pay, at the time of registration, a fee of fifty cents on every item of Class A, B, or C personal property required to be registered pursuant to this ~~article. Such~~ ARTICLE 3. THE fee shall be transmitted to the state treasurer, who shall credit the same to a special account within the highway users tax fund, to be known as the AIR account, and such ~~moneys~~ MONEY shall be used, subject to appropriation by the general assembly, to cover the direct costs of the motor vehicle emissions activities of the department of public health and environment in the presently defined nonattainment area, and to pay for the costs of the commission in performing its duties under section 25-7-106.3. ~~C.R.S.~~ In the program areas within counties affected by this ~~article~~ ARTICLE 3, the authorized agent shall impose and retain an additional fee of up to seventy cents on every such registration to cover reasonable costs of administration of the emissions compliance aspect of vehicle registration. The department of public health and environment may accept and expend grants, gifts, and ~~moneys~~ MONEY from any source for the purpose of implementing its duties and functions under this section or section 25-7-106.3. ~~C.R.S.~~

(a.5) (I) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE AIR ACCOUNT TO THE AIR ACCOUNT.

(II) NOTWITHSTANDING SUBSECTION (1)(e) OF THIS SECTION TO THE CONTRARY, FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE AIR ACCOUNT TO THE GENERAL FUND.

(III) (A) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED FORTY-TWO THOUSAND ELEVEN DOLLARS FROM THE AIR ACCOUNT TO THE GENERAL FUND.

(B) THIS SUBSECTION (18)(a.5)(III) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 53. In Colorado Revised Statutes, 44-30-701, **amend** (1)(c) as follows:

44-30-701. Limited gaming fund - created - repeal. (1) There is ~~hereby~~ created in the office of the state treasurer the limited gaming fund. The fund shall be maintained and operated as follows:

(c) (I) The state treasurer shall invest the money in the limited gaming fund so long as said money is readily available to pay the expenses of the division. Investments shall be those otherwise permitted by state law. ~~and interest or any other return on the investments shall be paid into the limited gaming fund.~~

(II) (A) FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, AND ON OR AFTER JULY 1, 2026, THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE LIMITED GAMING FUND TO THE LIMITED GAMING FUND.

(B) FOR THE STATE FISCAL YEAR COMMENCING ON JULY 1, 2025, IN ACCORDANCE WITH SECTION 24-36-114 (1), THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE LIMITED GAMING FUND TO THE GENERAL FUND.

(C) ON JUNE 30, 2025, THE STATE TREASURER SHALL TRANSFER ONE MILLION SEVEN HUNDRED FIFTY-FIVE THOUSAND ONE HUNDRED FIFTY-FOUR DOLLARS FROM THE LIMITED GAMING FUND TO THE GENERAL FUND. THIS SUBSECTION (1)(c)(II)(C) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 54. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.