

CHAPTER 373

GOVERNMENT - STATE

SENATE BILL 25-262

BY SENATOR(S) Amabile and Kirkmeyer, Bridges, Hinrichsen, Liston;
also REPRESENTATIVE(S) Bird and Taggart, Sirota, Garcia, Lindsay, Stewart K., Story, Valdez, Winter T.

AN ACT**CONCERNING CHANGES TO THE AMOUNT OF MONEY IN THE CAPITAL CONSTRUCTION FUND.**

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

SECTION 1. In Colorado Revised Statutes, 24-75-302, **amend** (1)(a), (2)(tt), (2)(uu), (2.3)(o), (2.3)(p), (2.5)(r), (2.5)(s), (3.7)(a), and (13); and **add** (1)(c), (2)(vv), (2.3)(q), (2.5)(t), and (3.7)(a.5) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account. (1) (a) ~~There is hereby created~~ The capital construction fund IS CREATED. The fund consists of ~~moneys~~ MONEY transferred to the fund by the general assembly and ~~moneys~~ MONEY credited to the fund pursuant to section 24-30-1310. ~~Moneys~~ MONEY in the capital construction fund may be appropriated for capital construction, capital renewal, controlled maintenance, or state highway reconstruction, repair, and maintenance projects as requested pursuant to section 43-1-113 (2.5); ~~C.R.S.~~; except that any ~~moneys~~ MONEY transferred to the capital construction fund for state highway reconstruction, repair, and maintenance projects may only be appropriated for such projects. The appropriation for projects must be set forth in a single line item as a total sum. For STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, all unappropriated balances in the fund at the close of any fiscal year must remain in the fund and may not revert to the general fund. For STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, THE STATE TREASURER SHALL TRANSFER ANY UNAPPROPRIATED BALANCES IN THE FUND OR ANY OTHERWISE UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR TO THE GENERAL FUND. All unexpended or unencumbered ~~moneys~~ MONEY from a capital construction fund appropriation to a state agency or state institution of higher education for any ~~fiscal year~~ reverts, FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, to the capital construction fund, AND, FOR STATE FISCAL YEARS COMMENCING

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

ON OR AFTER JULY 1, 2025, TO THE GENERAL FUND at the end of the period for which the ~~moneys are~~ MONEY IS appropriated. Except as provided in sections 2-3-1304 (1)(a.5) and 24-30-1303.7 (1), ~~C.R.S.~~, no portion of the unexpended balance of a state agency's or state institution of higher education's capital construction fund appropriation may be used by the state agency or the state institution of higher education for any additional projects that are beyond the scope or design of the original project without further approval by the capital development committee of such additional project. Anticipation warrants or checks may be issued against the revenues of the fund as provided by law. Except as provided in ~~subsection (7)~~ SUBSECTIONS (1)(c) AND (7) of this section, all interest earned from the investment of ~~moneys~~ MONEY in the capital construction fund must remain in the fund and become a part thereof.

(c) (I) FOR 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 CAPITAL CONSTRUCTION FUND TO THE CAPITAL CONSTRUCTION FUND.

(II) NOTWITHSTANDING SUBSECTION (1)(a) OF THIS SECTION, FOR 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 CAPITAL CONSTRUCTION FUND TO THE GENERAL FUND.

(2) The controller shall transfer a sum as specified in this subsection (2) from the general fund to the capital construction fund as money becomes available in the general fund during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made or on the date otherwise specified for the transfer. Transfers between funds pursuant to this subsection (2) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2) are as follows:

(tt) On April 1, 2024, eighteen million nine hundred seventy-one thousand one hundred dollars; ~~and~~

(uu) On July 1, 2024, one hundred sixty-two million seven hundred seventy-eight thousand two hundred eighty-five dollars; AND

(vv) ON JULY 1, 2025, ONE HUNDRED TWENTY-NINE MILLION FOUR HUNDRED NINETY-EIGHT THOUSAND THIRTY-THREE DOLLARS.

(2.3) In addition to the sums transferred pursuant to subsections (2) and (2.5) of this section, the state treasurer and the controller shall transfer a sum as specified in this subsection (2.3) from the general fund to the information technology capital account created in subsection (3.7) of this section as money becomes available in the general fund during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made or on April 1 of the fiscal year if otherwise specified. Transfers between funds pursuant to this subsection (2.3) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2.3) are as follows:

(o) On July 1, 2023, sixty-three million nine hundred thirteen thousand nine hundred eighty-eight dollars; ~~and~~

(p) On July 1, 2024, seventy million eight hundred eleven thousand three hundred thirty-four dollars; AND

(q) ON JULY 1, 2025, TWENTY MILLION FIVE HUNDRED FIFTY-SEVEN THOUSAND FOUR HUNDRED THIRTY-THREE DOLLARS.

(2.5) In addition to the sums transferred pursuant to subsections (2) and (2.3) of this section, the state treasurer and the controller shall transfer a sum as specified in this subsection (2.5) from the general fund exempt account of the general fund created pursuant to section 24-77-103.6 to the capital construction fund as money becomes available in the general fund exempt account during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made. Transfers between funds pursuant to this subsection (2.5) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2.5) are as follows:

(r) On July 1, 2023, five hundred thousand dollars; ~~and~~

(s) On July 1, 2024, five hundred thousand dollars; AND

(t) ON JULY 1, 2025, FIVE HUNDRED THOUSAND DOLLARS.

(3.7) (a) There is ~~hereby~~ created a special account within the capital construction fund established pursuant to subsection (1) of this section to be known as the information technology capital account. The account consists of any money appropriated or transferred to the account by the general assembly. The general assembly may appropriate money in the account for information technology projects. The appropriation for information technology projects must be set forth in a single line item as a total sum. FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, all unappropriated balances in the account at the close of any fiscal year remain in the account and do not revert to the general fund. FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, THE STATE TREASURER SHALL TRANSFER ANY UNAPPROPRIATED BALANCES IN THE ACCOUNT OR ANY OTHERWISE UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE ACCOUNT AT THE END OF A FISCAL YEAR TO THE GENERAL FUND. All unexpended or unencumbered money from an information technology capital account appropriation to a state agency or state institution of higher education ~~for any fiscal year~~ reverts, FOR STATE FISCAL YEARS COMMENCING ON OR BEFORE JULY 1, 2024, to the account, AND, FOR STATE FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2025, TO THE GENERAL FUND at the end of the period for which the money is appropriated. No portion of the unexpended balance of a state agency's or state institution of higher education's information technology capital account appropriation may be used by the state agency or the state institution of higher education for any additional projects that are beyond the scope or design of the original project without further approval by the joint technology committee of the additional project. Anticipation warrants or checks may be issued against the revenues of the account as provided by law. ~~All interest earned from the investment of money in the account must remain in and become part of the account.~~

(a.5) (I) FOR 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 INFORMATION TECHNOLOGY CAPITAL ACCOUNT TO THE INFORMATION TECHNOLOGY CAPITAL ACCOUNT.

(II) NOTWITHSTANDING SUBSECTION (3.7)(a) OF THIS SECTION, FOR 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 INFORMATION TECHNOLOGY CAPITAL ACCOUNT TO THE GENERAL FUND.

(13) The fund includes money transferred pursuant to sections 24-33.5-706 (4.7), **39-28.8-501 (4.7)**, and 39-29-109.3 (10).

SECTION 2. In Colorado Revised Statutes, 39-28.8-501, **amend** (4.7)(b); and **add** (4.7)(c) as follows:

39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration - repeal. (4.7) (b) This subsection (4.7) is repealed, effective ~~July 1, 2025~~ JULY 1, 2026.

(c) ON JULY 1, 2025, THE STATE TREASURER SHALL TRANSFER THREE MILLION TWO HUNDRED THIRTY THOUSAND DOLLARS FROM THE FUND TO THE INFORMATION TECHNOLOGY CAPITAL ACCOUNT OF THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302 (3.7)(a).

SECTION 3. 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.

Approved: June 3, 2025