

**Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 22-0479.01 Carolyn Kampman x4959

**HOUSE BILL 22-1329**

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**House Committees**  
Appropriations

**Senate Committees**  
Appropriations

**A BILL FOR AN ACT**

101      **CONCERNING THE PROVISION FOR PAYMENT OF THE EXPENSES OF THE**  
102                **EXECUTIVE, LEGISLATIVE, AND JUDICIAL DEPARTMENTS OF THE**  
103                **STATE OF COLORADO, AND OF ITS AGENCIES AND INSTITUTIONS,**  
104                **FOR AND DURING THE FISCAL YEAR BEGINNING JULY 1, 2022,**  
105                **EXCEPT AS OTHERWISE NOTED.**

**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>.)*

Provides for the payment of expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

SENATE  
3rd Reading Unamended  
April 7, 2022

SENATE  
Amended 2nd Reading  
April 6, 2022

HOUSE  
3rd Reading Unamended  
March 31, 2022

HOUSE  
Amended 2nd Reading  
March 30, 2022

institutions, for and during the fiscal year beginning July 1, 2022, except as otherwise noted.

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

2 **SECTION 1. Definitions - general provisions.** As used in this  
3 act, the following definitions and general provisions shall apply:

4 (1) Section 24-75-112, Colorado Revised Statutes, provides  
5 definitions in order to specify the purpose of certain line items of  
6 appropriation.

7 (2) The funds designated to constitute the state emergency reserve  
8 for the 2022-23 fiscal year are:

9 (a) The disaster emergency fund created in section 24-33.5-706  
10 (2)(a), C.R.S., up to a maximum of \$66,000,000;

11 (b) The state emergency reserve cash fund created in section  
12 24-77-104 (6), C.R.S., up to a maximum of \$232,200,000;

13 (c) The marijuana tax cash fund created in section 39-28.8-501  
14 (1), C.R.S., up to a maximum of \$100,000,000;

15 (d) The controlled maintenance trust fund created in section  
16 24-75-302.5 (2)(a), C.R.S., up to a maximum of \$38,800,000;

17 (e) The unclaimed property tourism promotion trust fund created  
18 in section 38-13-801.5 (1), C.R.S., up to a maximum of \$5,000,000;

19 (f) The major medical insurance fund created in section 8-46-202  
20 (1)(a), C.R.S., up to a maximum of \$25,000,000;

21 (g) The Colorado water conservation board construction fund  
22 created in section 37-60-121 (1)(a), C.R.S., up to a maximum of  
23 \$33,000,000.

24 **SECTION 2. Appropriation.** (1) The sums included in this  
25 section are appropriated out of any money in the general fund, the

1 indicated cash funds, and reappropriated funds, for the payment of the  
2 ordinary operating costs of the executive, legislative, and judicial  
3 departments of the state, and of its agencies and institutions, for and  
4 during the fiscal year beginning July 1, 2022; and:

5 (a) The figures in the column headed "item & subtotal" are the  
6 amounts made available by appropriation for expenditure within each line  
7 item, except for the figures that appear directly beneath a line, which  
8 figures are subtotals of the preceding line item appropriation amounts.  
9 The figures in the "total" column are the amounts made available by  
10 appropriation for expenditure by the department, division, institution, or  
11 program to which the totals relate.

12 (b) The figures in the "general fund", "general fund exempt",  
13 "cash funds", "reappropriated funds", and "federal funds" columns  
14 indicate the source of funds for the amounts authorized in the expenditure  
15 columns or the source of funds for the figures that are included for  
16 informational purposes only.

17 (c) The figures in the "general fund" and "general fund exempt"  
18 columns indicate the maximum amount that may be expended from the  
19 general fund for the purposes shown.

20 (d)(I) Where the letter "(M)" appears directly to the right of a  
21 general fund or general fund exempt figure, that general fund or general  
22 fund exempt appropriation, when combined with the related general fund  
23 or general fund exempt transfers from the centralized appropriations to  
24 the office of the executive director, is used to support a federally  
25 supported program and is the maximum amount of general fund or  
26 general fund exempt money that may be expended in that program, except  
27 where otherwise provided.

1           (II) In the event that additional federal funds are available for a  
2       federally supported program, the combined general fund or general fund  
3       exempt amount noted as "(M)" is reduced by the amount of federal funds  
4       earned or received in excess of the figure shown in the "federal funds"  
5       column for that program. In the event that the federal funds earned or  
6       received are less than the amount shown in the "federal funds" column,  
7       the combined general fund or general fund exempt amount noted as "(M)"  
8       is reduced proportionately. Where general fund or general fund exempt  
9       support is required as a condition for the acceptance of federal funds and  
10      the state matching requirements are reduced, the combined general fund  
11      or general fund exempt amount noted as "(M)" is reduced proportionately.  
12      This subsection (1)(d)(II) only applies to the general fund or general fund  
13      exempt amount that remains unexpended at the time of the change in  
14      federal requirements or funding. This subsection (1)(d)(II) does not apply  
15      to an appropriation noted as "(M)" to the department of health care policy  
16      and financing, unless the appropriation is in a line item for the executive  
17      director's office. It is intended that the general fund or general fund  
18      exempt amount and the federal funds amount be expended in equally  
19      proportioned amounts throughout the year.

20           (e)(I) The figures in the "cash funds" or "reappropriated funds"  
21      columns, including the figures in any related letter notes, indicate all  
22      non-general fund and non-general fund exempt sources and all nondirect  
23      federal fund sources and may be cash funds established by statute,  
24      nonstatutory cash accounts, tuitions, overhead reimbursements, certain  
25      fees, governmental and nongovernmental "third-party" payments,  
26      payments for services, and interagency transfers. Such figures indicate the  
27      maximum amount that may be expended from cash funds or the specified

1 cash fund sources for the purposes shown. The amount of each cash funds  
2 or reappropriated funds appropriation is expressly declared to be  
3 nonseverable from the agency, source, and purpose of such appropriation,  
4 and such amount shall not be used for any other agency, source, or  
5 purpose.

6 (II) The provisions of this subsection (1)(e) shall not apply where  
7 this act specifically provides otherwise or where cash funds are marked  
8 with an "(L)". The "(L)" designation refers to the funds of local  
9 governments or to the funds of service organizations from which the state  
10 purchases services, the amounts of which are not appropriated in this act  
11 and the inclusion of which is informational only.

12 (III) Whenever a state agency receives cash funds or  
13 reappropriated funds from a centralized appropriation made to the office  
14 of the executive director of such agency's department and this act does not  
15 set forth such funds as a duplicate appropriation to said receiving agency,  
16 the provisions of this subsection (1)(e) shall not apply to the receipt of  
17 such funds.

18 (IV) Whenever the controller creates an account solely for the  
19 purpose of establishing the obligation of a state agency to generate cash  
20 funds or reappropriated funds for distribution to another state agency to  
21 which such funds are appropriated by this act, the provisions of this  
22 subsection (1)(e) shall not apply to the account created or to such  
23 distribution.

24 (f) Where the letter "(H)" appears directly to the right of a cash  
25 funds or reappropriated funds figure, that appropriation, when combined  
26 with the related cash funds or reappropriated funds transfers from the  
27 centralized appropriations to the office of the executive director, is used

1 to support a federally supported program and is the maximum amount of  
2 cash funds or reappropriated money that may be expended in that  
3 program, except where otherwise provided. In the event that additional  
4 federal funds are available for the program, the combined cash funds or  
5 reappropriated funds amount noted as "(H)" shall be reduced by the  
6 amount of federal funds earned or received in excess of the figure shown  
7 in the "federal funds" column for that program. In the event that the  
8 federal funds earned or received are less than the amount shown in the  
9 "federal funds" column, the combined cash funds or reappropriated funds  
10 amount noted as "(H)" shall be reduced proportionately. Where cash  
11 funds or reappropriated funds support is required as a condition for the  
12 acceptance of federal funds and the state matching requirements are  
13 reduced, the combined cash funds or reappropriated funds amount noted  
14 as "(H)" shall be reduced proportionately. These provisions shall apply  
15 only to the cash funds or reappropriated funds amount which remains  
16 unexpended at the time of the change in federal requirements or funding.  
17 It is intended that the cash funds or reappropriated funds amount and the  
18 federal funds amount shall be expended in equally proportioned amounts  
19 throughout the year.

20 (g) Reappropriated funds means money appropriated again  
21 subsequent to an initial appropriation in the same fiscal year. The  
22 designation of money as reappropriated funds has no bearing on whether  
23 the money constitutes a grant from the state of Colorado pursuant to  
24 section 20 (2)(d) of article X of the state constitution.

25 (h)(I) The figures in the "federal funds" column earned or  
26 received under the following federal programs which are subject to a state  
27 match or which are subject to transfer to other block grants shall be limits

1 on the amount of expenditures of such funds, and such funds shall be  
2 expended in accordance with applicable state and federal statutes,  
3 including all provisions of this act:

4 Title XX Social Services Block Grant

5 Maternal and Child Health Block Grant

6 (II) The figures in the "federal funds" column earned or received  
7 under the following federal programs shall be limits on the amount of  
8 expenditures of such funds, and such funds shall be expended in  
9 accordance with applicable state and federal statutes, including all  
10 provisions of this act:

11 Child Care Development Funds

12 Temporary Assistance for Needy Families Block Grant

13 (III) The figures in the "federal funds" column for all other  
14 programs are anticipated federal funds, and, although these funds are not  
15 appropriated in this act, they are noted for the purpose of indicating the  
16 assumption used relative to those funds in developing the basic  
17 appropriations amounts.

18 (i) The general assembly accepts no obligation directly or  
19 indirectly for support or continuation of non-state-funded programs or  
20 grants where no direct or indirect state contribution is required.  
21 Furthermore, the general assembly accepts no obligation for costs  
22 incurred by or claimed against nonappropriated federally funded  
23 programs.

24 (j) No money appropriated by this act shall knowingly be paid to  
25 any organization, business firm, person, agency, or club which places  
26 restrictions on employment or membership based on sex, sexual  
27 orientation, race, age, marital status, creed, color, religion, national origin,

1 ancestry, or disability.

2 (k) Pursuant to section 24-30-202 (2), Colorado Revised Statutes,  
3 the controller shall examine all state contracts entered into during the  
4 fiscal year commencing July 1, 2022, to determine whether such contracts  
5 are authorized by an appropriation within this act, and, pursuant to section  
6 24-30-202 (3), Colorado Revised Statutes, no agency shall incur  
7 obligations by contract in excess of the amounts appropriated by this act.

8 (l)(I) Where the letter "(I)" appears directly to the right of a figure  
9 or in a letternote referencing a figure, that amount is not an appropriation,  
10 nor does it limit the expenditure of such money. The figure is included for  
11 informational purposes only. It provides a record of funds anticipated to  
12 be expended and, in some instances, may indicate assumptions used  
13 relative to those funds in developing appropriated amounts.

14 (II) The "(I)" notation applies to a general fund, general fund  
15 exempt, or cash funds figure when the amount is continuously  
16 appropriated to, or otherwise authorized by law to be spent by, a  
17 department or agency of state government pursuant to a provision of state  
18 statute or the state constitution.

19 (III) The "(I)" notation applies to a reappropriated funds figure  
20 when the amount is continuously appropriated to, or otherwise authorized  
21 by law to be spent by, a department or agency of state government  
22 pursuant to a provision of state statute or the state constitution or, in some  
23 instances, when the underlying federal funds source from which the  
24 amount is reappropriated is subject to the "(I)" notation.

25 (IV) The "(I)" notation applies to all federal funds except when the  
26 federal funds represent a limit on expenditures as specified in subsection  
27 (1)(h) of this section, when the letter "(M)" or "(H)" appears to the right



- 1 of a general fund, cash funds, or reappropriated funds figure in the same
- 2 line item, or when the general assembly has the authority to appropriate
- 3 the federal funds.