

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

INTRODUCED

LLS NO. 24-0779.01 Craig Harper x3481

HOUSE BILL 24-1430

HOUSE SPONSORSHIP

Bird, Sirota, Taggart

SENATE SPONSORSHIP

Zenzinger, Bridges, Kirkmeyer

House Committees
Appropriations

Senate Committees

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, 2024,**
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.

institutions, for and during the fiscal year beginning July 1, 2024, except as otherwise noted.

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, C.R.S., provides definitions in order to
5 specify the purpose of certain line items of appropriation.

6 (2) The funds designated to constitute the state emergency reserve
7 for the 2024-25 fiscal year are:

8 (a) The disaster emergency fund created in section 24-33.5-706
9 (2)(a), C.R.S., up to a maximum of \$134,225,000;

10 (b) The state emergency reserve cash fund created in section
11 24-77-104 (6)(a), C.R.S., up to a maximum of \$202,000,000;

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

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

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

18 (f) The Colorado water conservation board construction fund
19 created in section 37-60-121 (1)(a), C.R.S., up to a maximum of
20 \$33,000,000;

21 (g) The severance tax perpetual base fund created in section
22 39-29-109 (2)(a)(I.5), C.R.S., up to a maximum of \$35,000,000;

23 (h) Up to \$39,775,000 of state properties as follows:

24 (I) The capitol annex building located at 1375 Sherman Street,
25 Denver, Colorado, 80203, which has a value of \$28,225,000; and

1 (II) The state parking garage located at 1350 Lincoln Street,
2 Denver, Colorado, 80203, which has a value of \$11,554,000.

3 **SECTION 2. Appropriation.** (1) The sums included in this
4 section are appropriated out of any money in the general fund, the
5 indicated cash funds, and reappropriated funds, for the payment of the
6 ordinary operating costs of the executive, legislative, and judicial
7 departments of the state, and of its agencies and institutions, for and
8 during the fiscal year beginning July 1, 2024; and:

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

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

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

24 (d)(I) Where the letter "(M)" appears directly to the right of a
25 general fund or general fund exempt figure, that general fund or general
26 fund exempt appropriation, when combined with the related general fund
27 or general fund exempt transfers from the centralized appropriations to

1 the office of the executive director, is used to support a federally
2 supported program and is the maximum amount of general fund or
3 general fund exempt money that may be expended in that program, except
4 where otherwise provided.

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

24 (e)(I) The figures in the "cash funds" or "reappropriated funds"
25 columns, including the figures in any related letter notes, indicate all
26 non-general fund and non-general fund exempt sources and all nondirect
27 federal fund sources and may be cash funds established by statute,

1 nonstatutory cash accounts, tuitions, overhead reimbursements, certain
2 fees, governmental and nongovernmental "third-party" payments,
3 payments for services, and interagency transfers. Such figures indicate the
4 maximum amount that may be expended from cash funds or the specified
5 cash fund sources for the purposes shown. The amount of each cash funds
6 or reappropriated funds appropriation is expressly declared to be
7 nonseverable from the agency, source, and purpose of such appropriation,
8 and such amount shall not be used for any other agency, source, or
9 purpose.

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

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

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

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

24 (g) Reappropriated funds means money appropriated again
25 subsequent to an initial appropriation in the same fiscal year. The
26 designation of money as reappropriated funds has no bearing on whether
27 the money constitutes a grant from the state of Colorado pursuant to

1 section 20 (2)(d) of article X of the state constitution.

2 (h)(I) The figures in the "federal funds" column earned or
3 received under the following federal programs which are subject to a state
4 match or which are subject to transfer to other block grants shall be limits
5 on the amount of expenditures of such funds, and such funds shall be
6 expended in accordance with applicable state and federal statutes,
7 including all provisions of this act:

8 (A) Title XX Social Services Block Grant

9 (B) Maternal and Child Health Block Grant

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

15 (A) Child Care Development Funds

16 (B) Temporary Assistance for Needy Families Block Grant

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

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

1 (j) No money appropriated by this act shall knowingly be paid to
2 any organization, business firm, person, agency, or club which places
3 restrictions on employment or membership based on sex, sexual
4 orientation, race, age, marital status, creed, color, religion, national origin,
5 ancestry, or disability.

6 (k) Pursuant to section 24-30-202 (2), C.R.S., the controller shall
7 examine all state contracts entered into during the fiscal year commencing
8 July 1, 2024, to determine whether such contracts are authorized by an
9 appropriation within this act, and, pursuant to section 24-30-202 (3),
10 Colorado Revised Statutes, no agency shall incur obligations by contract
11 in excess of the amounts appropriated by this act.

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

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

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

1 amount is reappropriated is subject to the "(I)" notation.

2 (IV) The "(I)" notation applies to all federal funds except when the
3 federal funds represent a limit on expenditures as specified in subsection
4 (1)(h) of this section, when the letter "(M)" or "(H)" appears to the right
5 of a general fund, cash funds, or reappropriated funds figure in the same
6 line item, or when the general assembly has the authority to appropriate
7 the federal funds.