

**First Extraordinary Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 25B-0041.01 Jacob Baus x2173

**HOUSE BILL 25B-1015**

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**HOUSE SPONSORSHIP**

**Bradley and Bottoms,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Health & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING PROHIBITING STATE REIMBURSEMENT FOR CERTAIN**  
102             **SERVICES PROVIDED TO CERTAIN INDIVIDUALS, AND, IN**  
103             **CONNECTION THEREWITH, PROHIBITING REIMBURSEMENT FOR**  
104             **A PROVIDER WHO, OR ENTITY OR FACILITY THAT, PERFORMS,**  
105             **ASSISTS, OR REFERS A PERSON TO ABORTION OR**  
106             **GENDER-AFFIRMING HEALTH-CARE SERVICES AND PROHIBITING**  
107             **REIMBURSEMENT FOR MEDICAL SERVICES TO A PERSON WHO**  
108             **DOES NOT SATISFY CERTAIN CITIZENSHIP OR RESIDENCY**  
109             **REQUIREMENTS.**

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**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*

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.

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

The bill prohibits the department of health care policy and financing (HCPF) from reimbursing a:

- Health-care provider who, or entity or facility that, performs, assists in the performance of, or refers a person to abortion or gender-affirming health-care services; or
- A health-care provider, entity, or facility for providing medical services to a person who does not satisfy citizenship or residency requirements.

The bill makes related conforming amendments.

Under current law, HCPF administers the reproductive health-care program, the state medical assistance program, and the state children's basic health plan (collectively, "the programs") to certain individuals who are ineligible for the programs due to their immigration status. The bill repeals the programs and makes related conforming amendments.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds that:

4 (a) In order to preserve access to the state's medicaid health  
5 services, Colorado must prioritize essential health-care coverage for the  
6 most vulnerable populations in the state;

7 (b) Low-income children and families, the elderly, and individuals  
8 with disabilities rely on medicaid as an essential service that is a lifeline;

9 (c) In pursuit of sustaining long-term funding for the state's  
10 medicaid health services for Colorado citizens, the state must correctly  
11 allocate funding to essential health services that have a direct impact on  
12 Colorado citizens' health;

13 (d) Health first Colorado, Colorado's medicaid program, should  
14 not cover elective procedures. It should only cover procedures that are  
15 medically necessary for Colorado citizens.

16 (e) Previously, due to insufficient data, the state was unable to

1 accurately estimate the costs of Cover All Coloradans, OmniSalud,  
2 abortion, and gender mutilation. These fiscal impacts have led to a large  
3 discrepancy between the estimated costs and the true impact on health  
4 coverage for Colorado citizens.

5 (f) Now, it is estimated that the state has spent \$51 million on  
6 Cover All Coloradans, \$90 million on OmniSalud, \$6 million on  
7 abortions, and \$4.5 million on gender mutilation, totaling over \$150  
8 million that could otherwise be spent on Colorado citizens;

9 (g) While over \$150 million is spent on elective procedures for  
10 individuals and health-care coverage for undocumented individuals,  
11 Colorado is anticipating a 28% increase in premiums in 2026; and

12 (h) Although Amendment 79 permits the use of public funds for  
13 abortion, it does not explicitly require public funds to be used for  
14 abortion.

15 (2) Therefore, the general assembly declares that state medicaid  
16 funding must not be used for abortion or gender mutilation for an  
17 individual, or health services for an undocumented individual. These  
18 limitations will protect Colorado's commitment to prioritizing and  
19 protecting essential health-care coverage for the most vulnerable  
20 populations in the state and supporting the ethical use of taxpayer dollars  
21 that align with the state's core values.

22 **SECTION 2.** In Colorado Revised Statutes, **add** 25.5-4-415.5 as  
23 follows:

24 **25.5-4-415.5. Prohibition on reimbursement for abortion or**  
25 **gender-affirming health-care services - prohibition on**  
26 **reimbursement for medical services to a person who is not lawfully**  
27 **residing - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (a) "ABORTION" MEANS ANY MEDICAL PROCEDURE, INSTRUMENT,  
3 AGENT, OR DRUG USED TO TERMINATE THE PREGNANCY OF AN INDIVIDUAL  
4 KNOWN OR REASONABLY BELIEVED TO BE PREGNANT WITH AN INTENTION  
5 OTHER THAN TO INCREASE THE PROBABILITY OF A LIVE BIRTH.

6 (b) "GENDER-AFFIRMING HEALTH-CARE SERVICES" MEANS ANY  
7 DIAGNOSTIC, THERAPEUTIC, PHARMACOLOGICAL, PROCEDURAL, OR OTHER  
8 CARE THAT LEADS TO OR INVOLVES PUBERTY BLOCKERS, CROSS-SEX  
9 HORMONES, OR SURGERY FOR THE PURPOSE OF AFFIRMING A GENDER  
10 OTHER THAN THE PATIENT'S BIOLOGICAL SEX.

11 (2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE STATE  
12 DEPARTMENT SHALL NOT REIMBURSE A HEALTH-CARE PROVIDER WHO, OR  
13 AN ENTITY OR FACILITY THAT, PERFORMS, ASSISTS IN PERFORMING, OR  
14 REFERS A PERSON TO ABORTION OR GENDER-AFFIRMING HEALTH-CARE  
15 SERVICES. THIS SUBSECTION (2) DOES NOT PROHIBIT REIMBURSEMENT FOR  
16 THERAPEUTIC SERVICES THAT ARE NOT FOR THE PURPOSE OF AFFIRMING A  
17 GENDER OTHER THAN THE PERSON'S BIOLOGICAL SEX FOR AN ADULT OR  
18 FOR A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE IF THE PERSON'S  
19 PARENT OR LEGAL GUARDIAN PROVIDES CONSENT AND GUIDANCE TO THE  
20 THERAPEUTIC SERVICES.

21 (3) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE STATE  
22 DEPARTMENT SHALL NOT REIMBURSE A HEALTH-CARE PROVIDER, ENTITY,  
23 OR FACILITY FOR PROVIDING MEDICAL SERVICES TO A PERSON UNLESS THE  
24 PERSON IS A CITIZEN OR NATIONAL OF THE UNITED STATES OR IS  
25 LAWFULLY RESIDING.

26 **SECTION 3.** In Colorado Revised Statutes, 24-75-109, **repeal**  
27 **(1)(a.7) and (1)(a.8); and repeal as it will become effective January 1,**

1       **2026, (1)(a.9) as follows:**

2               **24-75-109. Controller may allow expenditures in excess of**  
3       **appropriations - limitations - appropriations for subsequent fiscal**  
4       **year restricted - repeal.** (1) For the purpose of closing the state's books,  
5       and subject to the provisions of this section, the controller may, on or  
6       after May 1 of any fiscal year and before the forty-fifth day after the close  
7       thereof, upon approval of the governor, allow any department, institution,  
8       or agency of the state, including any institution of higher education, to  
9       make an expenditure in excess of the amount authorized by an item of  
10      appropriation for such fiscal year if:

11              ~~(a.7) The overexpenditure is by the department of health care~~  
12      ~~policy and financing for the state medical assistance program, established~~  
13      ~~pursuant to section 25.5-2-104; or~~

14              ~~(a.8) The overexpenditure is by the department of health care~~  
15      ~~policy and financing for the state children's basic health plan, established~~  
16      ~~pursuant to section 25.5-2-105; or~~

17              ~~(a.9) The overexpenditure is by the department of health care~~  
18      ~~policy and financing for abortion care services provided pursuant to~~  
19      ~~sections 25.5-2-106 and 25.5-8-107 (1)(a)(VI); or~~

20              **SECTION 4.** In Colorado Revised Statutes, 25.5-1-201, **repeal**  
21      **(1)(f.5) as follows:**

22              **25.5-1-201. Programs to be administered by the department**  
23      **of health care policy and financing.** (1) The state department shall  
24      administer the following programs and perform the following functions:

25              ~~(f.5) The reproductive health-care program that provides~~  
26      ~~reproductive health-care services, as specified in section 25.5-2-103;~~

27              **SECTION 5.** In Colorado Revised Statutes, 25.5-4-201, **amend**

1 (1) as follows:

2 **25.5-4-201. Cash system of accounting - financial**  
3 **administration of medical services premiums - medical programs**  
4 **administered by department of human services - federal**  
5 **contributions - rules.** (1) The state department shall utilize the cash  
6 system of accounting, as enunciated by the governmental accounting  
7 standards board, regardless of the source of revenues involved, for all  
8 activities of the state department relating to the financial administration  
9 of any nonadministrative expenditure that qualifies for federal financial  
10 participation under Title XIX of the federal "Social Security Act", ~~and for~~  
11 ~~the administration of the state-funded health and medical care program,~~  
12 ~~created pursuant to section 25.5-2-104, and for the state children's basic~~  
13 ~~health plan, created pursuant to section 25.5-2-105,~~ except for  
14 expenditures under the program for the medically indigent, article 3 of  
15 this title 25.5.

16 **SECTION 6.** In Colorado Revised Statutes, 25.5-4-412, **amend**  
17 **as it will become effective January 1, 2026,** (2)(a)(IV) as follows:

18 **25.5-4-412. Family planning services - family-planning-related**  
19 **services - rules - definitions.** (2) As used in this section, unless the  
20 context otherwise requires:

21 (a) "Family-planning-related services" means services provided  
22 in a family planning setting as part of or as a follow-up to a family  
23 planning visit, including:

24 (IV) Any other medical diagnosis, treatment, or preventive service  
25 that is routinely provided pursuant to a family planning visit. ~~including~~  
26 ~~abortion care.~~

27 **SECTION 7.** In Colorado Revised Statutes, 25.5-4-503, **amend**

1 (2) as follows:

2 **25.5-4-503. Waiver applications - authorization.** (2) The state  
3 department shall pursue and, if approved, implement a demonstration  
4 waiver that authorizes the state to use federal medical assistance  
5 payments authorized pursuant to section 1903(v) of the federal "Social  
6 Security Act", as amended, in coordination with the division of insurance  
7 to enhance or expand a state-subsidized individual health coverage plan  
8 as defined in section 10-16-1203 (15). ~~and, only if needed to maximize~~  
9 ~~federal financial participation, for Coloradans receiving state medical~~  
10 ~~assistance pursuant to section 25.5-2-104 or 25.5-5-201 (6).~~ To the extent  
11 ~~such~~ federal funds are used to enhance or expand a state-subsidized  
12 individual health coverage plan, as defined in section 10-16-1203 (15),  
13 the health insurance affordability enterprise created pursuant to section  
14 10-16-1204 must receive, deposit into the health insurance affordability  
15 cash fund created in section 10-16-1206, and allocate the federal share of  
16 the medical assistance payments pursuant to section 10-16-1205 (2),  
17 subject to any conditions set forth in the approval of the waiver.

18 **SECTION 8.** In Colorado Revised Statutes, 25.5-5-103, **amend**  
19 (3)(a) as follows:

20 **25.5-5-103. Mandated programs with special state provisions**  
21 **- rules.** (3) (a) Emergency medical assistance ~~shall~~ **MUST** be provided to  
22 any person who is ~~not a citizen of the United States, including~~  
23 ~~undocumented aliens, aliens who are not qualified aliens, and qualified~~  
24 ~~aliens who entered the United States on or after August 22, 1996, who has~~  
25 A QUALIFIED ALIEN WITH an emergency medical condition and meets one  
26 of the categorical requirements set forth in section 25.5-5-101. ~~except that~~  
27 ~~such persons shall not be required to meet any residency requirement~~

1 other than that required by federal law.

2           **SECTION 9.** In Colorado Revised Statutes, 25.5-5-201, **repeal**  
3 (6) as follows:

4           **25.5-5-201. Optional provisions - optional groups - rules.**

5 (6) (a) ~~Beginning no later than January 1, 2025, a pregnant person who~~  
6 ~~is not a citizen and who is not eligible for medical assistance pursuant to~~  
7 ~~subsection (4) of this section is eligible to receive medical assistance~~  
8 ~~pursuant to this subsection (6)(a) if the individual meets the eligibility~~  
9 ~~requirements other than those related to citizenship and immigration~~  
10 ~~status.~~

11 (b) ~~A pregnant person who is eligible for medical assistance~~  
12 ~~pursuant to this subsection (6) remains continuously eligible for all~~  
13 ~~medical services pursuant to the medical assistance program for the~~  
14 ~~twelve-month postpartum period, so long as eligibility remains in effect~~  
15 ~~pursuant to subsection (4.5)(a) of this section.~~

16 (c) ~~The state department shall seek any necessary federal~~  
17 ~~approvals to maximize any available federal financial participation in~~  
18 ~~implementing this subsection (6). Benefits for services obtained pursuant~~  
19 ~~to this subsection (6) must be provided with only state funds if federal~~  
20 ~~financial participation is unavailable for such services.~~

21 (d) (I) ~~During its 2024 presentation to the joint budget committee~~  
22 ~~of the general assembly and in its presentation to the health and human~~  
23 ~~services committee of the senate and the health and insurance committee~~  
24 ~~of the house of representatives, or any successor committees, at the~~  
25 ~~hearing held pursuant to section 2-7-203 (2)(a) of the "State Measurement~~  
26 ~~for Accountable, Responsive, and Transparent (SMART) Government~~  
27 ~~Act", the state department shall report on its plans and progress in~~



1 implementing the coverage expansion created pursuant to this subsection  
2 (6):

3 (H) ~~Beginning January 1, 2026, and continuing every January~~  
4 ~~thereafter, the state department, in its presentation to the joint budget~~  
5 ~~committee of the general assembly and in its presentation to the health~~  
6 ~~and human services committee of the senate and the health and insurance~~  
7 ~~committee of the house of representatives, or any successor committees,~~  
8 ~~at the hearing held pursuant to section 2-7-203 (2)(a) of the "State~~  
9 ~~Measurement for Accountable, Responsive, and Transparent (SMART)~~  
10 ~~Government Act", shall report on the cost savings and health~~  
11 ~~improvements associated with the coverage expansion created pursuant~~  
12 ~~to this subsection (6):~~

13 **SECTION 10.** In Colorado Revised Statutes, 25.5-5-329, **amend**  
14 **as it will become effective January 1, 2026, (1)(b)(IV) as follows:**

15 **25.5-5-329. Family planning services - federal authorization**  
16 **- rules - definitions.** (1) As used in this section, unless the context  
17 otherwise requires:

18 (b) "Family-planning-related services" means services provided  
19 in a family planning setting as part of or as a follow-up to a family  
20 planning visit, including:

21 (IV) Any other medical diagnosis, treatment, or preventive service  
22 that is routinely provided pursuant to a family planning visit. ~~including~~  
23 ~~abortion care.~~

24 **SECTION 11.** In Colorado Revised Statutes, 25.5-5-335, **amend**  
25 **(2)(a), (2)(b), and (7)(b) as follows:**

26 **25.5-5-335. Continuous medical coverage for children and**  
27 **adults feasibility study - federal authorization - rules - report -**

1     **definition.** (2) At a minimum, the feasibility study must consider the  
2     costs; implementation factors, including county workload, training, and  
3     administrative burdens on the counties, information technology systems,  
4     upgrades, and associated costs; potential health benefits for individuals  
5     and communities, including disadvantaged and marginalized groups;  
6     impacts of increased use of preventive and high-value health services;  
7     administrative savings, including, but not limited to, reducing or  
8     eliminating eligibility processing for populations during the continuous  
9     eligibility period; reductions in administrative turnover and coverage loss;  
10    and, to the extent practicable, social and economic impacts with respect  
11    to the following:

12           (a) Allowing an eligible child, as defined in this article 5 and  
13    articles 2, 3, 6, and 8 of this title 25.5, ~~including children eligible under~~  
14    ~~sections 25.5-2-104 and 25.5-2-105~~, to remain continuously eligible for  
15    medical assistance and the children's basic health plan for twenty-four  
16    months after the last day of the month in which the child was enrolled;

17           (b) Allowing an eligible child, as defined in this article 5 and  
18    articles 2, 3, 6, and 8 of this title 25.5, ~~including children eligible under~~  
19    ~~sections 25.5-2-104 and 25.5-2-105~~ who are less than six years of age, to  
20    remain continuously eligible for medical assistance or the children's basic  
21    health plan without regard to a change in household income until the child  
22    reaches six years of age;

23           (7) (b) For purposes of seeking federal authorization pursuant to  
24    subsection (7)(a) of this section, an eligible child is, as defined in this  
25    article 5 and articles 2, 3, 6, and 8 of this title 25.5, ~~including a child~~  
26    ~~eligible pursuant to sections 25.5-2-104 and 25.5-2-105~~, and must be  
27    under three years of age. An eligible child shall remain continuously

1 eligible without regard to household income until the eligible child  
2 reaches three years of age; except that a child is no longer eligible and  
3 must be disenrolled from a medical assistance program if the state  
4 department becomes aware that the child has moved out of the state, the  
5 state department or county possesses facts indicating that the family has  
6 requested the child's voluntary disenrollment, the state department  
7 determines eligibility was erroneously granted, or the child is deceased.

8 **SECTION 12.** In Colorado Revised Statutes, 25.5-8-103, **amend**  
9 (4)(a)(I) and (4)(b)(I) as follows:

10 **25.5-8-103. Definitions - rules.** As used in this article 8, unless  
11 the context otherwise requires:

12 (4) "Eligible person" means:

13 (a) (I) A person who is less than nineteen years of age, who is a  
14 citizen or meets the immigration status requirements set forth in section  
15 25.5-8-109 (6), ~~or 25.5-8-109 (7)~~, whose family income does not exceed  
16 two hundred sixty percent of the federal poverty line, adjusted for family  
17 size, and who is not eligible for medical assistance pursuant to articles 4,  
18 5, and 6 of this title 25.5.

19 (b) (I) A pregnant person who is a citizen or meets the  
20 immigration status requirements set forth in section 25.5-8-109 (6), ~~or~~  
21 ~~25.5-8-109 (7)~~, whose family income does not exceed two hundred sixty  
22 percent of the federal poverty line, adjusted for family size, and who is  
23 not eligible for medical assistance pursuant to articles 4, 5, and 6 of this  
24 title 25.5.

25 **SECTION 13.** In Colorado Revised Statutes, 25.5-8-107, **repeal**  
26 (1)(i); and **repeal as it will become effective January 1, 2026**, (1)(a)(VI)  
27 as follows:

1           **25.5-8-107. Duties of the department - schedule of services -**  
2           **premiums - copayments - subsidies - purchase of childhood**  
3           **immunizations.** (1) In addition to any other duties pursuant to this article  
4           8, the department has the following duties:

5           (a) (VI) ~~In addition to the items specified in subsections (1)(a)(I),~~  
6           ~~(1)(a)(II), (1)(a)(III), and (1)(a)(V) of this section, and any additional~~  
7           ~~items approved by the medical services board, on and after January 1,~~  
8           ~~2026, the medical services board shall include abortion care in the~~  
9           ~~schedule of health-care services for all enrolled pregnant persons.~~

10          (i) (I) ~~The department shall develop and implement an outreach~~  
11          ~~strategy for Coloradans who become eligible for health coverage pursuant~~  
12          ~~to section 25.5-2-104, 25.5-2-105, 25.5-5-201 (6), or 25.5-8-109 (7). The~~  
13          ~~state department shall work with stakeholders to develop an outreach~~  
14          ~~strategy that includes:~~

15               (A) ~~Funding for community-based organizations to partner with~~  
16               ~~the department on outreach;~~

17               (B) ~~A method for providing information related to eligibility and~~  
18               ~~enrollment that can be provided to nonprofit partners, school districts, and~~  
19               ~~charter schools for outreach purposes; and~~

20               (C) ~~At a minimum, providing information related to eligibility and~~  
21               ~~coverage in English, Spanish, and in each language spoken by at least~~  
22               ~~two-and-one-half percent of the population of any county who speak~~  
23               ~~English less than very well, as defined by the United States bureau of the~~  
24               ~~census American community survey, and who speak the minority~~  
25               ~~language at home;~~

26               (H) ~~Approximately twelve and twenty-four months after~~  
27               ~~implementation of the strategy required pursuant to subsection (1)(i)(I) of~~

1 this section, the department shall convene stakeholders, including directly  
2 impacted individuals, service providers, and advocacy organizations that  
3 are diverse with regard to race, ethnicity, immigration status, sexual  
4 orientation, and gender identity and who are affected by higher rates of  
5 health disparities and inequities. The department shall report on the  
6 outreach and enrollment strategy outcomes, including enrollment of  
7 eligible persons into these programs compared to those persons who are  
8 eligible for coverage, but not enrolled.

9 **SECTION 14.** In Colorado Revised Statutes, 25.5-8-109, **repeal**  
10 (7) as follows:

11 **25.5-8-109. Eligibility - children - pregnant women - rules.**

12 (7) (a) ~~Beginning no later than January 1, 2025, notwithstanding any~~  
13 ~~other provision of law, the department shall provide benefits pursuant to~~  
14 ~~this article 8 to a pregnant person who is not a citizen and is not eligible~~  
15 ~~pursuant to subsection (6) of this section, so long as the pregnant person~~  
16 ~~meets the eligibility criteria other than those related to citizenship or~~  
17 ~~immigration status. Eligibility pursuant to this section extends~~  
18 ~~continuously through the twelve-month postpartum period, so long as~~  
19 ~~eligibility remains in effect pursuant to subsection (5.5)(a) of this section.~~

20 (b) ~~The department shall seek any necessary federal approvals to~~  
21 ~~maximize any available federal financial participation in implementing~~  
22 ~~this subsection (7).~~

23 (c) (I) ~~During its 2024 presentation to the joint budget committee~~  
24 ~~of the general assembly and in its presentation to the health and human~~  
25 ~~services committee of the senate and the health and insurance committee~~  
26 ~~of the house of representatives, or any successor committees, at the~~  
27 ~~hearing held pursuant to section 2-7-203 (2)(a) of the "State Measurement~~

1 for Accountable, Responsive, and Transparent (SMART) Government  
2 Act", the state department shall report on its plans and progress in  
3 implementing the coverage expansion created pursuant to this subsection  
4 (7).

5 (H) Beginning January 1, 2026, and continuing every January  
6 thereafter, the state department, in its presentation to the joint budget  
7 committee of the general assembly and in its presentation to the health  
8 and human services committee of the senate and the health and insurance  
9 committee of the house of representatives, or any successor committees,  
10 at the hearing held pursuant to section 2-7-203 (2)(a) of the "State  
11 Measurement for Accountable, Responsive, and Transparent (SMART)  
12 Government Act", shall report on the cost savings and health  
13 improvements associated with the coverage expansion created pursuant  
14 to this subsection (7).

15 (d) This subsection (7) constitutes state authority within the  
16 meaning of 8 U.S.C. sec. 1621 (d), as that law existed on January 1, 2022.

17 **SECTION 15.** In Colorado Revised Statutes, 25.5-8-109.3,  
18 **repeal** (1) as follows:

19 **25.5-8-109.3. Health services initiatives.** (1) To the extent  
20 federal financial participation is available, the department shall design  
21 and implement health service initiatives pursuant to section  
22 2105(a)(1)(D)(ii) of the federal "Social Security Act", as amended, to  
23 provide funding for continuous enrollment for the twelve-month  
24 postpartum period for a person who is enrolled in health-care coverage  
25 pursuant to section 25.5-5-201 (6) or 25.5-8-109 (7).

26 **SECTION 16.** In Colorado Revised Statutes, **repeal** 25.5-2-103,  
27 25.5-2-104, 25.5-2-105, and 25.5-2-106.

1           **SECTION 17. Safety clause.** The general assembly finds,  
2       determines, and declares that this act is necessary for the immediate  
3       preservation of the public peace, health, or safety or for appropriations for  
4       the support and maintenance of the departments of the state and state  
5       institutions.