An Act

HOUSE BILL 03-1329

BY REPRESENTATIVE(S) Rippy, Frangas, Fritz, Madden, Merrifield, Spradley, Stafford, and Williams S.;
also SENATOR(S) Johnson S. and Kester.

CONCERNING ADDITIONAL FUNDING TO ENCOURAGE THE BENEFICIAL USE OF WASTE TIRES, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. 25-17-202 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

25-17-202. Waste tire recycling development fee - cash fund created - repeal. (1) (a) (III) (A) THE RECYCLING DEVELOPMENT FEE IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (a) SHALL INCLUDE, IN ADDITION TO THE SEVENTY-FIVE CENT FEE, A SURCHARGE OF TWENTY-FIVE CENTS, WHICH SHALL BE CREDITED TO THE PROCESSORS AND END USERS OF WASTE TIRES CASH FUND CREATED IN SECTION 25-17-202.5.

(B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1, 2007.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Part 2 of article 17 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

25-17-202.5. Processors and end users of waste tires cash fund created - repeal. (1) THERE IS HEREBY CREATED, IN THE STATE TREASURY, THE PROCESSORS AND END USERS OF WASTE TIRES CASH FUND. SUCH FUND SHALL CONSIST OF THE FEE REVENUE COLLECTED PURSUANT TO SECTION 25-17-202 (1) (a) (III). MONEYS FROM THE FUND SHALL BE APPROPRIATED ANNUALLY TO THE DEPARTMENT OF LOCAL AFFAIRS FOR ALLOCATION TO THE DIVISION OF LOCAL GOVERNMENT FOR THE TO BE USED IN THE FOLLOWING AMOUNTS FOR THE FOLLOWING PURPOSES:

(a) SEVENTY-TWO PERCENT SHALL BE USED FOR THE PURPOSES DESCRIBED IN SECTION 24-32-114 (1) (c), C.R.S.

(b) TWENTY-EIGHT PERCENT SHALL BE USED FOR THE PURPOSES DESCRIBED IN SECTION 24-32-114 (1) (b), C.R.S.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2007.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the processors and end users of waste tires cash fund, created in section 25-17-202.5, Colorado Revised Statutes, not otherwise appropriated, to the department of local affairs, for the fiscal year beginning July 1, 2003, the sum of three hundred fifty-five thousand, nine hundred seventy-eight dollars ($355,978), or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Effective date - applicability. (1) This act shall take effect January 1, 2004.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever

is later.

(3) The provisions of this act shall apply to fees due on or after the applicable effective date of this act.

Lola Spradley SPEAKER OF THE HOUSE OF REPRESENTATIVES	John Andrews PRESIDENT OF THE SENATE
Judith Rodrigue CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Mona Heustis SECRETARY OF THE SENATE

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO