

HB1164_L.001

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB09-1164 be amended as follows:

1 Amend printed bill, page 2, line 13, strike "(8)," and substitute "(8) (c),";

2 strike line 14 and substitute the following:

3 "SECTION; EXCEPT THAT ONCE THE ELIGIBILITY EXPANSION ACCOUNT IS
 4 DISSOLVED PURSUANT TO SECTION 25.5-5-308 (8) (c) (III), C.R.S., THE
 5 STATE TREASURER SHALL CREDIT THE SURCHARGE TO THE BREAST AND
 6 CERVICAL CANCER PREVENTION AND TREATMENT FUND CREATED IN
 7 SECTION 25.5-5-308 (8) (a), C.R.S.";

8 line 22, strike "(8)," and substitute "(8) (a),".

9 Page 3, line 1, strike "amended" and substitute "amended, and the said
 10 25.5-5-308 (8) is further amended BY THE ADDITION OF A NEW
 11 PARAGRAPH,";

12 strike lines 25 through 27 and substitute the following:

13 "FEDERAL FINANCIAL PARTICIPATION WHEN THE STATE DEPARTMENT
 14 DETERMINES THAT THE AMOUNT OF MONEYS ACCUMULATED IN THE
 15 ELIGIBILITY EXPANSION ACCOUNT CREATED IN PARAGRAPH (c) OF
 16 SUBSECTION (8) OF THIS SECTION, INCLUDING ANY AMOUNTS PLEDGED OR
 17 PROMISED THROUGH A GIFT, GRANT, OR DONATION, IS SUFFICIENT TO
 18 SUSTAIN THE PROJECTED NUMBER OF ADDITIONAL PERSONS WHO WOULD
 19 BE ELIGIBLE FOR THE PROGRAM UNDER THIS SUB-SUBPARAGRAPH (B)."



1 Strike page 4.

2 Page 5, strike line 1 and substitute the following:

3 "(8) (a) There is hereby created in the state treasury the breast and
4 cervical cancer prevention and treatment fund, referred to in this
5 subsection (8) as the "fund". The fund shall consist of any moneys
6 credited thereto pursuant to section 24-22-115 (1), C.R.S., any gifts,
7 grants, and donations, and any moneys appropriated thereto by the general
8 assembly, AND ANY MONEYS TRANSFERRED FROM THE ELIGIBILITY
9 EXPANSION ACCOUNT PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH
10 (c) OF THIS SUBSECTION (8). Except as provided for in paragraph (b) of
11 this subsection (8), all moneys credited to the fund and all interest and
12 income earned on the moneys in the fund shall remain in the fund for the
13 purposes set forth in this section. Any unexpended and unencumbered
14 moneys remaining in the fund at the end of a fiscal year shall remain in
15 the fund and shall not be credited or transferred to the general fund or
16 another fund. The state department is encouraged to secure private gifts,
17 grants, and donations to fund the state costs of the breast and cervical
18 cancer prevention and treatment program.

19 (c) (I) THERE IS HEREBY CREATED, AS AN ACCOUNT WITHIN THE
20 FUND, THE ELIGIBILITY EXPANSION ACCOUNT, REFERRED TO IN THIS
21 SUBSECTION (8) AS THE "ACCOUNT". THE ACCOUNT SHALL CONSIST OF
22 MONEYS CREDITED THERETO PURSUANT TO SECTION 42-3-217.5 (3) (c),
23 C.R.S, AND ANY GIFTS, GRANTS, AND DONATIONS. MONEYS IN THE
24 ACCOUNT SHALL BE EXPENDED ONLY TO FUND THE COST TO EXPAND THE
25 ELIGIBILITY CRITERIA";

26 after line 11, insert the following:

27 "(II) NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (8),
28 ALL MONEYS CREDITED TO THE ACCOUNT AND ALL INTEREST AND INCOME
29 EARNED ON THE MONEYS IN THE ACCOUNT SHALL REMAIN IN THE ACCOUNT
30 FOR THE PURPOSES SET FORTH IN THIS PARAGRAPH (c) AND SHALL NOT BE
31 CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND
32 EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH (c).
33 THE STATE DEPARTMENT IS ENCOURAGED TO SECURE PRIVATE GIFTS,
34 GRANTS, AND DONATIONS TO HELP FUND THE COSTS TO EXPAND THE
35 ELIGIBILITY CRITERIA FOR PARTICIPATION IN THE BREAST AND CERVICAL
36 CANCER PREVENTION AND TREATMENT PROGRAM AS DESCRIBED IN THIS



1 PARAGRAPH (c).

2 (III) (A) UPON DETERMINING THAT THE AMOUNT OF MONEYS
3 ACCUMULATED IN THE ACCOUNT, INCLUDING ANY AMOUNTS PLEDGED OR
4 PROMISED THROUGH A GIFT, GRANT, OR DONATION, IS SUFFICIENT TO
5 SUSTAIN THE PROJECTED NUMBER OF ADDITIONAL PERSONS WHO WOULD
6 BE ELIGIBLE FOR THE PROGRAM UNDER SUB-SUBPARAGRAPH (B) OF
7 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (2) OF THIS
8 SECTION, AND UPON OBTAINING AUTHORITY TO RECEIVE FEDERAL
9 FINANCIAL PARTICIPATION FOR PERSONS ELIGIBLE UNDER
10 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF
11 SUBSECTION (2) OF THIS SECTION, THE STATE DEPARTMENT SHALL NOTIFY
12 THE JOINT BUDGET COMMITTEE THAT THE ACCOUNT BALANCE IS
13 SUFFICIENT TO EXPAND ELIGIBILITY FOR THE PROGRAM AND SHALL
14 REQUEST AN APPROPRIATION FOR THE FISCAL YEAR FOR WHICH THE
15 FEDERAL AUTHORITY HAS BEEN GRANTED TO FUND THE PERSONS ELIGIBLE
16 PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF
17 PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION.

18 (B) ONCE THE STATE DEPARTMENT HAS NOTIFIED THE JOINT
19 BUDGET COMMITTEE, THE STAFF DIRECTOR OF THE JOINT BUDGET
20 COMMITTEE SHALL REQUEST THAT THE STATE TREASURER TRANSFER THE
21 MONEYS IN THE ELIGIBILITY EXPANSION ACCOUNT TO THE BREAST AND
22 CERVICAL CANCER PREVENTION AND TREATMENT FUND AND DISSOLVE THE
23 ACCOUNT.

24 (C) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE WHEN THE
25 STATE TREASURER TRANSFERS THE BALANCE OF THE ELIGIBILITY
26 EXPANSION ACCOUNT TO THE BREAST AND CERVICAL CANCER PREVENTION
27 AND TREATMENT FUND AND DISSOLVES THE ACCOUNT. THE STATE
28 TREASURER SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING WHEN
29 THE CONDITIONS SPECIFIED IN THIS SUB-SUBPARAGRAPH (C) HAVE BEEN
30 SATISFIED."

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