



*Colorado Legislative Council Staff Fiscal Note*  
**STATE**  
**FISCAL IMPACT**

**Drafting Number:** LLS 10-1024  
**Prime Sponsor(s):** Rep. Ferrandino  
 Sen. Tapia

**Date:** March 26, 2010  
**Bill Status:** House Appropriations  
**Fiscal Analyst:** Sara McPhee (303-866-4782)

**TITLE:** CONCERNING TRANSFERS OF MONEYS RELATING TO CAPITAL CONSTRUCTION.

<b>Fiscal Impact Summary</b>	<b>FY 2009-2010</b>	<b>FY 2010-2011</b>	<b>FY 2011-12</b>
<b>State Revenue</b>			
<b>State Transfers or Diversions</b>			
Transfers from multiple sources to the General Fund	(\$19,122,763)	(\$10,448,537)	
Transfers from the General Fund to the Capital Construction Fund		(\$9,125,506)	
<b>State Expenditures</b>			
General Fund*	\$19,122,763	\$10,448,537	
Cash Funds			
Capital Construction Fund	(\$1,807,306)	\$9,125,506	
<b>FTE Position Change</b>	0.0 FTE	0.0 FTE	
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.			
<b>Appropriation Summary for FY 2010-2011:</b> See State Appropriations section.			
<b>Local Government Impact:</b> None.			

\* *The bill increases General Fund available, but does not require an appropriation.*

**Summary of Legislation**

The bill, recommended by the Joint Budget Committee, makes several transfers for FY 2009-10 and FY 2010-11 based on refinanced Certificates of Participation (COPs). It also makes a technical change to a \$9 million transfer in FY 2008-09 by specifying that the transfer to the Capital Construction Fund is from the General Fund rather than General Fund Exempt.

**Background.** The COPs for the following projects were refinanced in early 2010 to take advantage of the low interest rates:

- Federal Mineral Lease COPs for various capital construction projects at state institutions of higher education;
- Anschutz Medical Campus COPs; and
- Colorado State Penitentiary II COPs.

Because of the refinancing, the payment schedules for these projects were reduced for FY 2009-10 and FY 2010-11.

### State Transfers

The bill makes the transfers shown in Table 1.

<b>Table 1. Transfers under HB 10-1389</b>		
<b>Transfer</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>
Transfer from the Capital Construction Fund to the General Fund	\$13,317,845	
Transfer from the Higher Education Federal Mineral Lease Revenues Fund to the General Fund	750,000	7,000,000
Transfer from the Fitzsimons Trust Fund to the General Fund	5,054,918	3,448,537
Transfer from the General Fund to the Capital Construction Fund		8,625,506
Transfer from the General Fund Exempt to the Capital Construction Fund		500,000
<b>TOTAL</b>	<b>\$19,122,763</b>	<b>\$19,574,043</b>

### State Expenditures

The bill reduces expenditures from the Capital Construction Fund by \$1,807,306 in FY 2009-10 by repealing statutory appropriations to the fund. These transfers subsequently would have been transferred to the Corrections Expansion Reserve Fund.

### State Appropriations

In FY 2009-10, appropriations to the Capital Construction Fund are reduced by \$1,807,306.

### Departments Contacted

Treasury