

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 3, 2009
Date

Committee on Appropriations.

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

HB09-1094 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 6, after line 5, insert the following:

2 "SECTION 3. 42-1-217 (1), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **42-1-217. Disposition of fines and surcharges.** (1) All judges,
5 clerks of a court of record, or other officers imposing or receiving fines,
6 penalties, or forfeitures, except those moneys received pursuant to
7 sections 42-4-313 (3), 42-4-413, 42-4-1409, 42-4-1701 (5) (a), 42-8-105,
8 and 42-8-106, collected pursuant to or as a result of a conviction of any
9 persons for a violation of articles 1 to 4 (except part 3 of article 2) of this
10 title, shall transmit, within ten days after the date of receipt of any such
11 fine, penalty, or forfeiture, all such moneys so collected in the following
12 manner:

13 (f) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
14 CONTRARY, TEN PERCENT OF ANY FINE, PENALTY, OR FORFEITURE FOR A
15 VIOLATION OF SECTION 42-4-239 SHALL BE TRANSMITTED TO THE STATE
16 TREASURER, CREDITED TO THE GENERAL FUND, AND ALLOCATED AND
17 EXPENDED TO COVER THE DEPARTMENT OF REVENUE'S PERSONAL
18 SERVICES, OPERATING EXPENSES, AND CAPITAL OUTLAY COSTS
19 ASSOCIATED WITH SECTION 42-4-239. THE REMAINING NINETY PERCENT
20 OF ANY FINE, PENALTY, OR FORFEITURE FOR A VIOLATION OF SECTION
21 42-4-239 SHALL BE TRANSMITTED TO THE STATE TREASURER, CREDITED

1 TO THE HIGHWAY USERS TAX FUND, AND ALLOCATED AND EXPENDED AS
2 SPECIFIED IN SECTION 43-4-205 (5.5) (a), C.R.S."

3 Renumber succeeding sections accordingly.

4 Page 6, after line 5, insert the following:

5 **"SECTION 3. Appropriation.** (1) In addition to any other
6 appropriation, there is hereby appropriated, out of any moneys in the
7 general fund not otherwise appropriated, to the department of corrections,
8 for allocation to the management division, executive director's office
9 subprogram for the fiscal year beginning July 1, 2009 , the sum of forty-
10 two thousand dollars (\$42,000) , or so much thereof as may be necessary
11 for handsfree headsets.

12 (2) In addition to any other appropriation, there is hereby
13 appropriated, out of any moneys in the general fund not otherwise
14 appropriated, to the department of revenue, for allocation to the division,
15 of motor vehicles, for the fiscal year beginning July 1, 2009, the sum of
16 forty-seven thousand nine hundred seventy-seven dollars (\$47,977) and
17 1.2 FTE, or so much thereof as may be necessary, for the implementation
18 of this act.

19 (3) In addition to any other appropriation, there is hereby
20 appropriated, out of any moneys in the state highway fund created in
21 section 43-4-205 (5) (a), Colorado Revised Statutes, not otherwise
22 appropriated, to the department of transportation, for allocation to the
23 administration division, for the fiscal year beginning July 1, 2009, the
24 sum of two thousand one hundred dollars (\$2,100) cash funds, or so much
25 thereof as may be necessary for handsfree headsets."

26 Renumber succeeding sections accordingly.

27 Page 1, line 101, strike "**DRIVERS.**" and substitute "**DRIVERS, AND**
28 **MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**"

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