

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 10-0846.01 Troy Bratton

SENATE BILL 10-143

SENATE SPONSORSHIP

Morse,

HOUSE SPONSORSHIP

(None),

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REFUND OF MONEYS ERRONEOUSLY COLLECTED BY**
102 **THE COLORADO DEPARTMENT OF STATE ON OR AFTER A**
103 **CERTAIN DATE, AND, IN CONNECTION THEREWITH, AUTHORIZING**
104 **THE STATE CONTROLLER TO ISSUE WARRANTS TO REFUND SUCH**
105 **MONEYS TO THE PROPER PERSONS.**

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 applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill authorizes the state controller to refund to the proper

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

persons, upon the receipt of a voucher from the secretary of state, any moneys erroneously collected by the department of state on or after July 1, 2006.

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

2 **SECTION 1.** 24-21-104 (3) (d), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

4 **24-21-104. Fees of secretary of state.**

5 (3) (d) (XV) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (b) OF
6 THIS SUBSECTION (3) OR OF SECTION 24-30-203 TO THE CONTRARY, THE
7 STATE CONTROLLER IS AUTHORIZED, UPON RECEIPT OF A VOUCHER DRAWN
8 BY THE SECRETARY OF STATE, TO DEDUCT FROM THE DEPARTMENT OF
9 STATE CASH FUND ALL MONEYS ERRONEOUSLY COLLECTED BY THE
10 DEPARTMENT OF STATE PRIOR TO JULY 1, 2006, AND TO DRAW A WARRANT
11 TO REFUND SUCH MONEY TO THE PERSONS FROM WHOM IT WAS COLLECTED
12 OR RECEIVED. THE SECRETARY OF STATE SHALL TRANSFER ANY
13 ERRONEOUSLY COLLECTED MONEYS TO THE UNCLAIMED PROPERTY TRUST
14 FUND CREATED IN ARTICLE 13 OF TITLE 38, C.R.S., IF:

15 (A) THE ERRONEOUSLY COLLECTED MONEYS GO UNCLAIMED FOR
16 MORE THAN ONE YEAR AFTER THE CONTROLLER HAS DRAWN THE
17 WARRANT TO REFUND SUCH MONEYS;

18 (B) THE SECRETARY OF STATE CANNOT DETERMINE AN ADDRESS
19 FOR THE INTENDED RECIPIENT OF THE ERRONEOUSLY COLLECTED MONEYS;

20 OR

21 (C) THE SECRETARY OF STATE DETERMINES THAT THE AMOUNT OF
22 THE ERRONEOUSLY COLLECTED MONEYS OWED TO A RECIPIENT IS SO
23 SMALL AS TO MAKE THE REFUND PROCESS COST-PROHIBITIVE.

24 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.