

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 12-0713.01 Kate Meyer x4348

**HOUSE BILL 12-1248**

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**HOUSE SPONSORSHIP**

**Gerou**, Becker, Levy

**SENATE SPONSORSHIP**

**Lambert**, Hodge, Steadman

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**House Committees**  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE RECEIPT OF CERTAIN MONEYS BY THE DEPARTMENT**  
102 **OF LAW.**

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**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>.)*

**Joint Budget Committee.** The bill creates the legal services cash fund (fund), which consists of moneys paid by state agencies for legal services provided by the department of law (department). Moneys in the fund are annually appropriated for the costs of providing legal services. The bill also authorizes the department to accept and expend, consistent

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.*

with its duties and the laws of the state, gifts, grants, and donations.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-31-108, **amend**  
3 (1); and **add** (2.5) as follows:

4 **24-31-108. Receipt of moneys - subject to appropriation -**  
5 **exception for custodial moneys - legal services cash fund - creation -**  
6 **definition - repeal.** (1) (a) Except as otherwise provided in PARAGRAPH  
7 (b) OF THIS SUBSECTION (1) OR IN subsection (2) or (3) of this section, any  
8 moneys received by the attorney general and paid to the department of the  
9 treasury pursuant to section 24-31-101 (1) (d) ~~shall be~~ ARE subject to  
10 annual appropriation by the general assembly.

11 (b) (I) **THE** DEPARTMENT OF LAW IS AUTHORIZED TO SOLICIT,  
12 ACCEPT, AND EXPEND GIFTS, GRANTS, AND DONATIONS FROM PUBLIC AND  
13 PRIVATE SOURCES FOR THE PURPOSES OF THIS ARTICLE; EXCEPT THAT THE  
14 DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS  
15 SUBJECT TO CONDITIONS INCONSISTENT WITH THIS ARTICLE OR ANY OTHER  
16 LAW OF THE STATE. ALL MONEYS COLLECTED BY THE DEPARTMENT OF  
17 LAW PURSUANT TO THIS PARAGRAPH (b) SHALL BE TRANSMITTED TO THE  
18 STATE TREASURER TO BE CREDITED TO THE PARTICULAR FUND DEEMED  
19 MOST APPROPRIATE BY THE DEPARTMENT OF LAW AND SHALL BE  
20 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF LAW FOR THE  
21 PURPOSES OF THIS ARTICLE.

22 (II) THE DEPARTMENT OF LAW SHALL INCLUDE WITH ITS ANNUAL  
23 BUDGET REQUEST TO THE JOINT BUDGET COMMITTEE A REPORT  
24 DESCRIBING THE RECEIPT AND EXPENDITURE OF MONEYS UNDER THIS  
25 PARAGRAPH (b).

1 (III) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2015.

2 (2.5) THERE IS HEREBY CREATED IN THE STATE TREASURY THE  
3 LEGAL SERVICES CASH FUND, ALSO REFERRED TO IN THIS SUBSECTION (2.5)  
4 AS THE "FUND". THE DEPARTMENT OF LAW SHALL TRANSMIT ALL MONEYS  
5 RECEIVED FROM STATE AGENCIES AS PAYMENT FOR LEGAL SERVICES TO  
6 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND. THE  
7 MONEYS IN THE FUND AND ALL INTEREST EARNED ON SUCH MONEYS ARE  
8 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE  
9 DEPARTMENT OF LAW FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED  
10 WITH PROVIDING LEGAL SERVICES TO STATE GOVERNMENTAL ENTITIES  
11 AND FOR ANY OF THE DEPARTMENT'S LITIGATION EXPENSES. ANY  
12 UNEXPENDED MONEYS IN THE FUND AT THE END OF THE FISCAL YEAR  
13 SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR  
14 TRANSFERRED TO ANY OTHER FUND.

15 **SECTION 2. Effective date.** This act takes effect July 1, 2012.

16 **SECTION 3. Safety clause.** The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, and safety.