

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 13-0702.01 Ed DeCecco x4216

SENATE BILL 13-115

SENATE SPONSORSHIP

Hodge, Steadman, Lambert

HOUSE SPONSORSHIP

Gerou, Duran, Levy

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE WASTE TIRE FEE**
102 **ADMINISTRATION CASH FUND.**

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 department of revenue currently collects a waste tire fee of \$1.50 on the sale of each new tire. The state treasurer is required to pay the department up to 1.66% of these fees for its direct and indirect costs associated with the administration of the fee. The bill creates a cash fund for this portion of the fees that are already

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.

HOUSE
2nd Reading Unamended
February 21, 2013

SENATE
3rd Reading Unamended
February 4, 2013

SENATE
2nd Reading Unamended
February 1, 2013

allocated to the department, and the general assembly is required to annually appropriate the moneys in the fund for the department's administrative expenses.

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

SECTION 1. In Colorado Revised Statutes, 25-17-202, **amend** (3) (a) introductory portion; and **add** (3) (c) as follows:

25-17-202. Waste tire fees - waste tire fee administration cash fund - created - definitions - appropriation - repeal. (3) (a) The department of revenue shall transmit the fees, together with a report of its direct and indirect administrative costs in complying with this section, to the state treasurer at the end of each calendar quarter. The state treasurer shall ~~pay to the department of revenue~~ CREDIT TO THE WASTE TIRE FEE ADMINISTRATION CASH FUND an amount equal to the department of revenue's direct and indirect administrative costs specified in ~~this paragraph~~ (a) THE REPORT; except that ~~this amount~~ THE AMOUNT CREDITED shall not exceed one and two-thirds percent of the total amount of fees credited pursuant to this paragraph (a). The state treasurer shall, subject to paragraph (b) of this subsection (3), credit the remaining fees as follows:

(c) THE WASTE TIRE FEE ADMINISTRATION CASH FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF THE MONEYS CREDITED THERETO PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3) AND ANY OTHER MONEYS APPROPRIATED TO IT. THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE THE MONEYS IN THE FUND TO THE DEPARTMENT OF REVENUE FOR ITS DIRECT AND INDIRECT ADMINISTRATIVE COSTS IN COMPLYING WITH THIS SECTION. ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND.

1 ANY UNEXPENDED AND UNENCUMBERED MONEYS IN THE FUND AT THE
2 END OF ANY GIVEN FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL
3 NOT REVERT TO THE GENERAL FUND.

4 **SECTION 2. Effective date.** This act takes effect July 1, 2013.

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