

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

REREVISED

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

LLS NO. 13-0939.01 Esther van Mourik x4215

SENATE BILL 13-236

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

HOUSE SPONSORSHIP

Levy, Duran, Gerou

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING TRANSFERS OF MONEYS RELATED TO CAPITAL**
102 **CONSTRUCTION.**

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. For the 2012-13 fiscal year, the bill increases the transfer from the general fund to the capital construction fund from \$60,491,314 to \$60,911,498.

For the 2013-14 fiscal year, the bill transfers \$192,566,495 from the general fund to the capital construction fund and \$500,000 from the

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
Amended 3rd Reading
April 5, 2013

HOUSE
Amended 2nd Reading
April 4, 2013

SENATE
3rd Reading Unamended
March 28, 2013

SENATE
Amended 2nd Reading
March 27, 2013

general fund exempt account of the general fund to the capital construction fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-302, **amend**
3 (2) introductory portion, (2) (y), (2.5) introductory portion, (2.5) (f), and
4 (2.5) (g); and **add** (2) (z) and (2.5) (h) as follows:

5 **24-75-302. Capital construction fund - capital assessment fees**
6 **- calculation.** (2) On July 1 of each year through ~~July 1, 2012~~ JULY 1,
7 2013, the state treasurer and the controller shall transfer a sum as
8 specified in this subsection (2) out of the general fund and into the capital
9 construction fund as moneys become available in the general fund during
10 the fiscal year beginning on said July 1. Transfers between funds pursuant
11 to this subsection (2) are not appropriations subject to the limitations of
12 section 24-75-201.1. The amounts transferred pursuant to this subsection
13 (2) are as follows:

14 (y) On July 1, 2012, ~~fifty-nine million nine hundred nineteen~~
15 ~~thousand three hundred nine~~ SIXTY MILLION THREE HUNDRED THIRTY-NINE
16 THOUSAND FOUR HUNDRED NINETY-THREE dollars, plus one hundred
17 twelve thousand six hundred forty-nine dollars pursuant to H.B. 08-1115,
18 enacted at the second regular session of the sixty-sixth general assembly;
19 plus three hundred seventy-five thousand four hundred ninety-five dollars
20 pursuant to S.B. 08-239, enacted at the second regular session of the
21 sixty-sixth general assembly; plus eighty-three thousand eight hundred
22 sixty-one dollars pursuant to S.B. 10-128, enacted at the second regular
23 session of the sixty-seventh general assembly.

24 (z) ON JULY 1, 2013, ONE HUNDRED EIGHTY-SIX MILLION TWO
25 HUNDRED FIFTEEN THOUSAND FOUR HUNDRED NINETY-THREE DOLLARS.

1 (2.5) In addition to the sums accrued pursuant to subsection (2) of
2 this section, on July 1 of each year through ~~July 1, 2012~~ JULY 1, 2013, the
3 state treasurer and the controller shall transfer a sum as specified in this
4 subsection (2.5) from the general fund exempt account of the general
5 fund created pursuant to section 24-77-103.6 to the capital construction
6 fund as moneys become available in the general fund exempt account
7 during the fiscal year beginning on said July 1. Transfers between funds
8 pursuant to this subsection (2.5) are not appropriations subject to the
9 limitations of section 24-75-201.1. The amounts transferred pursuant to
10 this subsection (2.5) are as follows:

11 (f) On July 1, 2011, five hundred thousand dollars; ~~and~~

12 (g) On July 1, 2012, five hundred thousand dollars; AND

13 (h) ON JULY 1, 2013, FIVE HUNDRED THOUSAND DOLLARS.

14 **SECTION 2.** In Colorado Revised Statutes, **add** 24-75-222 as
15 follows:

16 **24-75-222. Transfer of general fund surplus to Colorado water**
17 **conservation board construction fund - repeal.** (1) NOTWITHSTANDING
18 ANY PROVISION OF LAW TO THE CONTRARY, ON THE DATE ON WHICH THE
19 STATE CONTROLLER PUBLISHES THE COMPREHENSIVE ANNUAL FINANCIAL
20 REPORT OF THE STATE FOR THE FISCAL YEAR 2013-14, THE STATE
21 TREASURER SHALL TRANSFER TO THE COLORADO WATER CONSERVATION
22 BOARD CONSTRUCTION FUND CREATED IN SECTION 37-60-121, C.R.S.,
23 AN AMOUNT OF THE GENERAL FUND SURPLUS DESIGNATED IN
24 ACCORDANCE WITH SECTION 24-75-201 (1) FOR THE FISCAL YEAR 2013-14
25 THAT IS EQUAL TO THE LESSER OF THIRTY MILLION DOLLARS OR THE TOTAL
26 GENERAL FUND SURPLUS.

27 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

1 **SECTION 3.** In Colorado Revised Statutes, 12-47.1-1201, **repeal**
2 **(5) (c) (III) (C).**

3 **SECTION 4.** In Colorado Revised Statutes, 12-47.1-1201,
4 **amend (5) (c) (III) (E) as follows:**

5 **12-47.1-1201. State historical fund - administration -**
6 **legislative declaration - state museum cash fund - capitol dome**
7 **restoration fund.** (5) (c) (III) (E) Prior to the end of the 2014-15 state
8 fiscal year and after a complete accounting is available of the total in-kind
9 and monetary donations received through the fundraising program
10 established in section 2-3-1304.3, C.R.S., an end-of-project accounting
11 shall occur based on the final total cost of the dome restoration
12 construction project to ensure, through the annual general appropriations
13 act, supplemental appropriations acts, or transfers between funds, as
14 necessary, that all of the transfers from the state historical fund specified
15 in sub-subparagraphs (A), (B), and (C) (A) AND (B) of this subparagraph
16 (III), AND THE 2013-14 APPROPRIATION FROM THE CAPITAL
17 CONSTRUCTION FUND SPECIFIED IN SENATE BILL 13-230, are reduced,
18 dollar for dollar, by the combined total of moneys deposited into the
19 capitol dome restoration trust fund as specified in section 2-3-1304.3 (6)
20 (b), C.R.S., grants for repairs and safety improvements to the state capitol
21 dome and supporting structures made by the state historical society under
22 the grants process set forth in subsection (1) of this section, any money
23 received for the recycling of salvaged building materials from the state
24 capitol dome during the construction period, and any in-kind gifts and
25 donations, such as materials or labor, that resulted in the reduction of the
26 total cost of the construction. The total value of any in-kind gifts and
27 donations for purposes of the dollar-for-dollar reduction specified in this

1 sub-subparagraph (E) shall be calculated by the department of personnel
2 and approved by the capital development committee as specified in
3 section 2-3-1304.3 (6) (a) (II), C.R.S.

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