

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 13-0692.01 Esther van Mourik x4215

**HOUSE BILL 13-1185**

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**HOUSE SPONSORSHIP**

**Gerou and Duran, Levy**

**SENATE SPONSORSHIP**

**Steadman, Hodge, Lambert**

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**House Committees**

Public Health Care & Human Services

**Senate Committees**

Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING TRANSFERS MADE FROM THE OPERATIONAL ACCOUNT OF**  
102 **THE SEVERANCE TAX TRUST FUND FOR PROVIDING**  
103 **ENERGY-RELATED ASSISTANCE TO LOW-INCOME HOUSEHOLDS,**  
104 **AND, IN CONNECTION THEREWITH, ELIMINATING THE PAYMENT**  
105 **SCHEDULE FOR EACH FUND AND EQUALIZING DISTRIBUTIONS**  
106 **FOR THE 2012-13 STATE FISCAL YEAR.**

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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>.)*

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.*

SENATE  
3rd Reading Unamended  
March 13, 2013

SENATE  
2nd Reading Unamended  
March 12, 2013

HOUSE  
3rd Reading Unamended  
February 20, 2013

HOUSE  
2nd Reading Unamended  
February 19, 2013

**Joint Budget Committee.** Current statute provides a schedule that determines when transfers to 3 funds are made in a fiscal year from the operational account of the severance tax trust fund to provide energy-related assistance to low-income households. The bill repeals that statutory section on July 1, 2013. The effect of this repeal is that the transfers for providing energy-related assistance to low-income households will then be made to all 3 funds 3 times in a fiscal year rather than each fund getting only one transfer in a fiscal year. This will help ensure that any proportional reductions that might need to occur as allowed by law are borne equally by the 3 funds throughout the fiscal year.

The bill also provides a mechanism for the state treasurer to equalize the distributions for the 2012-13 state fiscal year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 39-29-109.3, **amend**  
3 (4) (c) as follows:

4 **39-29-109.3. Operational account of the severance tax trust**  
5 **fund - repeal.** (4) (c) (I) Except as provided in paragraph (b) of this  
6 subsection (4), the state treasurer shall make the transfers specified in  
7 paragraph (f) of subsection (2) of this section as follows:

8 (A) The transfers to the Colorado energy office low-income  
9 energy assistance fund shall be made on July 1;

10 (B) The transfers to the department of human services low-income  
11 energy assistance fund shall be made on January 4;

12 (C) The transfers to the energy outreach Colorado low-income  
13 energy assistance fund shall be made on April 1.

14 (II) If there are proportional reductions made to the transfers  
15 specified in this paragraph (c) pursuant to paragraph (b) of this subsection  
16 (4), the treasurer shall transfer on July 1 of the following fiscal year the  
17 amount of the proportional reduction to the fund that should have  
18 received that money from the funding for the following fiscal year as

1 specified in paragraph (f) of subsection (2) of this section and shall then  
2 distribute the remaining funding for the following fiscal year pursuant to  
3 the percentages specified in said paragraph (f).

4 (III) (A) NOTWITHSTANDING SUBPARAGRAPH (II) OF THIS  
5 PARAGRAPH (c), AND NOTWITHSTANDING SUBPARAGRAPH (III) OF  
6 PARAGRAPH (b) OF THIS SUBSECTION (4), THE TOTAL AMOUNT OF  
7 TRANSFERS SET FORTH IN SUBSECTION (2) OF THIS SECTION, INCLUDING  
8 THE TRANSFERS FOR PROVIDING ENERGY-RELATED ASSISTANCE TO  
9 LOW-INCOME HOUSEHOLDS SET FORTH IN PARAGRAPH (f) OF SUBSECTION  
10 (2) OF THIS SECTION, ARE PROPORTIONALLY REDUCED SUCH THAT ALL  
11 FUNDS RECEIVING TRANSFERS IN THE 2012-13 STATE FISCAL YEAR ARE  
12 ABSORBING THE SAME PROPORTIONAL REDUCTIONS BY THE END OF THE  
13 FISCAL YEAR WITHOUT REDUCING TRANSFERS THAT HAVE ALREADY BEEN  
14 MADE. THE STATE TREASURER SHALL TRANSFER THE APPROPRIATE  
15 AMOUNTS TO THE COLORADO ENERGY OFFICE LOW-INCOME ENERGY  
16 ASSISTANCE FUND, THE DEPARTMENT OF HUMAN SERVICES LOW-INCOME  
17 ENERGY ASSISTANCE FUND, AND THE ENERGY OUTREACH COLORADO  
18 LOW-INCOME ENERGY ASSISTANCE FUND NO LATER THAN APRIL 1, 2013.

19 (B) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2013.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.