

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0856.01 Jason Gelender x4330

SENATE BILL 14-104

SENATE SPONSORSHIP

Lambert, Hodge, Steadman

HOUSE SPONSORSHIP

Duran, May, Gerou

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 CONCERNING THE DISPOSITION OF DISPUTED PAYMENTS OF TOBACCO
102 LITIGATION SETTLEMENT MONEYS RECEIVED BY THE STATE.

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. Current law requires all disputed payments of tobacco litigation settlement moneys received by the state (disputed payments) to be credited to the general fund. The bill requires disputed payments to instead be credited to the tobacco litigation settlement cash fund and used to reduce the annual amount of accelerated

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.

payments allocated from that fund. Once there is no longer a need to make accelerated payments, disputed payments will again be credited to the general fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-1104.5,
3 **amend** (1.3) (a) (II), (1.3) (a) (III), and (5) (a) (I) as follows:

4 **24-75-1104.5. Use of settlement moneys - programs - repeal.**
5 (1.3) (a) For the 2012-13 fiscal year, and for each fiscal year thereafter,
6 the lesser of all settlement moneys received or the following amounts of
7 settlement moneys shall be allocated in each fiscal year in which the state
8 receives the moneys in the percentages or amounts specified and for the
9 programs, services, and funds specified in subsections (1) and (1.5) of
10 this section:

11 (II) For the 2013-14, 2014-15, 2015-16, and 2016-17 fiscal years,
12 and for the 2018-19 fiscal year and for each fiscal year thereafter, the
13 amount allocated pursuant to this subsection (1.3) for the prior fiscal year
14 less THE AMOUNT OF ANY DISPUTED PAYMENTS IN THE TOBACCO
15 LITIGATION SETTLEMENT CASH FUND THAT WERE CREDITED TO THE FUND
16 PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (5)
17 OF THIS SECTION AND LESS the amount of unexpended and unencumbered
18 moneys remaining in the tobacco litigation settlement cash fund at the end
19 of the prior fiscal year; and

20 (III) For the 2017-18 fiscal year, the amount allocated pursuant to
21 this subsection (1.3) for the 2016-17 fiscal year less fifteen million
22 dollars, LESS THE AMOUNT OF ANY DISPUTED PAYMENTS IN THE TOBACCO
23 LITIGATION SETTLEMENT CASH FUND THAT WERE CREDITED TO THE FUND
24 PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (5)

1 OF THIS SECTION, and less the amount of unexpended and unencumbered
2 moneys remaining in the tobacco litigation settlement cash fund at the end
3 of the 2016-17 fiscal year.

4 (5) (a) (I) The state treasurer shall credit all disputed payments
5 upon receipt ~~or if received prior to June 1, 2009, on June 1, 2009,~~ to the
6 TOBACCO LITIGATION SETTLEMENT CASH FUND; EXCEPT THAT THE STATE
7 TREASURER SHALL CREDIT ANY DISPUTED PAYMENTS RECEIVED DURING
8 ANY FISCAL YEAR THAT ARE NOT ALLOCATED UNDER SUBPARAGRAPH (II)
9 OR (III) OF PARAGRAPH (a) OF SUBSECTION (1.3) OF THIS SECTION TO THE
10 general fund. ~~On June 1, 2009, the state treasurer shall transfer the~~
11 ~~following amounts from the general fund:~~

12 ~~(A) One million dollars to the children's basic health plan trust~~
13 ~~created in section 25.5-8-105 (1), C.R.S.; and~~

14 ~~(B) Four hundred seventy-eight thousand dollars to the nurse~~
15 ~~home visitor program fund created in section 26-6.4-107 (2) (b), C.R.S.~~

16 **SECTION 2.** In Colorado Revised Statutes, 26-6.4-107, **repeal**
17 (2) (d) (III) as follows:

18 **26-6.4-107. Selection of entities to administer the program -**
19 **grants - nurse home visitor program fund - created.** (2) (d) (III) ~~In~~
20 ~~addition to all other moneys transferred to the fund pursuant to this~~
21 ~~paragraph (d), the state treasurer shall transfer moneys from the general~~
22 ~~fund to the fund as specified in section 24-75-1104.5 (5) (a) (I) (B);~~
23 ~~C.R.S.~~

24 **SECTION 3. Applicability.** This act applies to disputed
25 payments received on or after the effective date of this act.

26 **SECTION 4. 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.