

**First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 15-0770.02 Ed DeCecco x4216

**HOUSE BILL 15-1261**

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**HOUSE SPONSORSHIP**

**Young**, Hamner, Rankin

**SENATE SPONSORSHIP**

**Grantham**, Lambert, Steadman

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**House Committees**  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE MAXIMUM RESERVE FOR A CASH FUND WITH FEE**  
102 **REVENUE.**

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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.** There is generally a year-end limit on the amount of the uncommitted reserves in a cash fund with certain fee revenue. This limit is the target reserve, and it is equal to 16.5% of the amount expended from the cash fund during the fiscal year. If the uncommitted reserves exceed the target reserve for a covered cash fund, then the entity that collects the fees is required to reduce the fees, with

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.*

some exceptions.

**Section 1** of the bill makes the following changes related to the target reserve:

- ! Changes the name of the "target reserve" to the "maximum reserve" and the "alternative reserve balance" to the "alternative maximum reserve";
- ! Clarifies the definition of "fees";
- ! Raises the minimum amount of uncommitted reserves that a cash fund must have to be subject to the maximum reserve or alternative maximum reserve from \$50,000 to \$200,000;
- ! Repeals exemptions that appear in the statutes related to specific cash funds (**sections 4, 5, and 6**) and adds those funds to the general maximum reserve statute;
- ! Sunsets all of the cash funds that are exempt from the maximum reserve;
- ! Permits the state controller to average uncommitted reserves over a multi-year period for a cash fund related to a program that has a multi-year revenue-collection cycle or a revenue-contract period;
- ! Creates a process for an entity to seek from the joint budget committee a 3-year waiver from the maximum reserve, which waiver may establish an alternative maximum reserve or exempt the fund altogether;
- ! Repeals obsolete waivers from the target reserve; and
- ! Restricts spending from a cash fund as a penalty for having excess uncommitted reserves for 3 or more years in a row.

**Sections 2, 7, 9, 10, 11, and 12** include conforming amendments related to the changes in the names. **Sections 2, 7, 10, and 11** sunset alternative maximum reserves for cash funds. **Section 3** eliminates an unnecessary exemption from the target reserve. **Section 8** makes a conforming amendment related to the sunset of the exemption for the efficient schools and communities performance contracting fund from the maximum reserve.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-402, **amend**  
3 (2) (a), (2) (b), (2) (d), (2) (e) introductory portion, (2) (e) (III), (2) (e)  
4 (V), (3) (c), (5) (g), (5) (j), (5) (k), (5) (m), (5) (n), (5) (o), (5) (p), (5) (r),  
5 (5) (s), (5) (t), (5) (u), (5) (v), (5) (w), (5) (x), (5) (y), (5) (z), (5) (cc), (5)

1 (dd), and (8); **repeal** (2) (g), (3) (a), (3) (b), (5) (bb), (9), and (10); and  
2 **add** (2) (e.5), (5) (ee), (5) (ff), (5) (gg), (5) (hh), (5.5), (7.5), and (12) as  
3 follows:

4 **24-75-402. Cash funds - limit on uncommitted reserves -**  
5 **reduction in amount of fees - exclusions - repeal.** (2) For purposes of  
6 this section, unless the context otherwise requires:

7 (a) "Alternative MAXIMUM reserve" ~~balance~~ means a ~~minimum~~  
8 ~~reserve balance that exceeds the target reserve, a maximum reserve~~  
9 ~~balance that is less than the target reserve, or a maximum reserve balance~~  
10 ~~that exceeds the target reserve~~ MAXIMUM RESERVE BALANCE ESTABLISHED  
11 IN THE CONSTITUTION, BY LAW, OR THROUGH A JOINT BUDGET COMMITTEE  
12 WAIVER THAT IS DIFFERENT FROM SIXTEEN AND ONE-HALF PERCENT OF  
13 THE AMOUNT EXPENDED FROM A CASH FUND DURING THE FISCAL YEAR.  
14 THE TERM ALSO INCLUDES A MINIMUM RESERVE BALANCE ESTABLISHED  
15 IN THE CONSTITUTION OR BY LAW THAT IS GREATER THAN SIXTEEN AND  
16 ONE-HALF PERCENT OF THE AMOUNT EXPENDED FROM A CASH FUND  
17 DURING THE FISCAL YEAR AND THAT, FOR PURPOSES OF THIS SECTION, IS  
18 TREATED AS A MAXIMUM BALANCE.

19 (b) "Cash fund" means any fund, other than the state general fund  
20 created by section 24-75-201 and any federal fund, THAT IS established by  
21 law for a specific program or purpose AND THAT INCLUDES MONEYS FROM  
22 FEES.

23 (d) "Excess uncommitted reserves" means the amount of  
24 uncommitted reserves for a cash fund that exceeds the ~~target~~ MAXIMUM  
25 reserve ~~amount~~ OR ALTERNATIVE MAXIMUM RESERVE for that cash fund.

26 (e) "Fees" means any moneys collected OR RECEIVED by an entity;  
27 except that "fees" does not include:

1 (III) Any moneys appropriated OR TRANSFERRED from the state  
2 general fund;

3 (V) Any moneys received from charges or assessments, the  
4 amount of which are ESTABLISHED IN LAW AND OVER WHICH THE ENTITY  
5 HAS NO AUTHORITY TO CHANGE OR ARE OTHERWISE not determined by the  
6 entity;

7 (e.5) "MAXIMUM RESERVE" MEANS SIXTEEN AND FIVE-TENTHS  
8 PERCENT OF THE AMOUNT EXPENDED FROM A CASH FUND DURING THE  
9 FISCAL YEAR.

10 (g) ~~"Target reserve" means sixteen and five-tenths percent of the~~  
11 ~~amount expended from a cash fund during the fiscal year.~~

12 (3) (a) ~~At the end of the 1997-98 fiscal year, if the uncommitted~~  
13 ~~reserves of a cash fund exceed the target reserve, each entity that collects~~  
14 ~~one or more of the fees deposited in the cash fund shall by rule or as~~  
15 ~~otherwise provided by law reduce the amount of said fees as follows:~~

16 (I) ~~If the uncommitted reserves exceed sixteen and five-tenths~~  
17 ~~percent of the amount expended from the cash fund during the 1997-98~~  
18 ~~fiscal year but are less than fifty percent of the amount expended from the~~  
19 ~~cash fund during the 1997-98 fiscal year, the fees shall be reduced by an~~  
20 ~~amount calculated to result in an amount of uncommitted reserves by the~~  
21 ~~end of the 2000-01 fiscal year that does not exceed the target reserve for~~  
22 ~~the 2000-01 fiscal year;~~

23 (II) ~~If the uncommitted reserves equal fifty percent or more of the~~  
24 ~~amount expended from the cash fund during the 1997-98 fiscal year, the~~  
25 ~~fees shall be reduced by an amount calculated to result in an amount of~~  
26 ~~uncommitted reserves by the end of the 2002-03 fiscal year that does not~~  
27 ~~exceed the target reserve for the 2002-03 fiscal year.~~

1           (b) ~~Notwithstanding any provisions of this subsection (3) to the~~  
2 ~~contrary, the provisions of paragraph (a) of this subsection (3) shall not~~  
3 ~~apply to any cash fund for which an alternative reserve balance is~~  
4 ~~specified in the constitution or for which an alternative reserve balance~~  
5 ~~is otherwise established by law. If the actual amount of uncommitted~~  
6 ~~reserves exceeds the alternative reserve balance otherwise specified for~~  
7 ~~any cash fund, each entity that collects one or more of the fees deposited~~  
8 ~~in the cash fund shall by rule or as otherwise provided by law reduce the~~  
9 ~~amount of said fees. The amount of fee reduction shall be calculated to~~  
10 ~~reduce the uncommitted reserves to not more than the alternative reserve~~  
11 ~~balance otherwise specified for the cash fund by the end of the 2000-01~~  
12 ~~fiscal year.~~

13           (c) For the ~~2002-03 fiscal~~ 2014-15 FISCAL year and for each fiscal  
14 year thereafter, the uncommitted reserves of ~~any~~ A cash fund at the  
15 conclusion of ~~any~~ A given fiscal year shall not exceed the ~~target~~  
16 MAXIMUM reserve for that fiscal year; except that, for any cash fund for  
17 which an alternative MAXIMUM reserve ~~balance~~ is otherwise SET BY THE  
18 JOINT BUDGET COMMITTEE IN ACCORDANCE WITH SUBSECTION (8) OF THIS  
19 SECTION OR specified in the constitution or by law, the uncommitted  
20 reserves of ~~said~~ THE cash fund shall not exceed the alternative MAXIMUM  
21 reserve. ~~balance otherwise specified.~~ If the amount of uncommitted  
22 reserves of any cash fund at the conclusion of any given fiscal year  
23 exceeds the ~~target~~ APPLICABLE MAXIMUM reserve or ~~an~~ alternative  
24 MAXIMUM reserve, ~~balance otherwise specified for the cash fund in the~~  
25 ~~constitution or by law~~, each entity that collects one or more of the fees  
26 deposited in the cash fund shall by rule or as otherwise provided by law  
27 reduce the amount of one or more of ~~said~~ THE fees to an amount

1 calculated to result in an amount of uncommitted reserves of the cash  
2 fund for the current fiscal year that does not exceed the target  
3 CORRESPONDING MAXIMUM reserve or the alternative MAXIMUM reserve.  
4 ~~balance otherwise specified for the cash fund in the constitution or by~~  
5 ~~law.~~

6 (5) Notwithstanding any provision of this section to the contrary,  
7 the following cash funds are excluded from the limitations specified in  
8 this section:

9 [REDACTED]

10 (g) Any cash fund with uncommitted reserves of less than fifty  
11 TWO HUNDRED thousand dollars;

12 [REDACTED]

13 (j) The hazardous substance response fund created in section  
14 25-16-104.6, C.R.S., UNTIL THIS PARAGRAPH (j) IS REPEALED, EFFECTIVE  
15 JULY 1, 2017;

16 (k) The land and water management fund created in section  
17 36-1-148, C.R.S., UNTIL THIS PARAGRAPH (k) IS REPEALED, EFFECTIVE [REDACTED]  
18 JULY 1, 2017;

19 (m) The Colorado state fair authority cash fund created in section  
20 35-65-107, C.R.S., UNTIL THIS PARAGRAPH (m) IS REPEALED, EFFECTIVE  
21 JULY 1, 2017;

22 (n) The motorcycle operator safety training fund created in section  
23 43-5-504, C.R.S., UNTIL THIS PARAGRAPH (n) IS REPEALED, EFFECTIVE  
24 JULY 1, 2017;

25 (o) The cost containment fund created in section 8-14.5-108,  
26 C.R.S., UNTIL THIS PARAGRAPH (o) IS REPEALED, EFFECTIVE JULY 1, 2017;

27 (p) The workers' compensation cash fund created in section

1 8-44-112 (7), C.R.S., UNTIL THIS PARAGRAPH (p) IS REPEALED, EFFECTIVE  
2 JULY 1, 2017;

3

4 (r) The state commission on judicial performance cash fund  
5 created in section 13-5.5-107, C.R.S., UNTIL THIS PARAGRAPH (r) IS  
6 REPEALED, EFFECTIVE JULY 1, 2017;

7 (s) The Colorado disabled telephone users fund created in section  
8 40-17-104, C.R.S., UNTIL THIS PARAGRAPH (s) IS REPEALED, EFFECTIVE  
9 JULY 1, 2017;

10 (t) The Colorado bureau of investigation identification unit fund  
11 created in section 24-33.5-426, UNTIL THIS PARAGRAPH (t) IS REPEALED,  
12 EFFECTIVE JULY 1, 2017;

13 (u) The department of human services buildings and grounds cash  
14 fund created in section 26-1-133.5 (2), C.R.S., UNTIL THIS PARAGRAPH (u)  
15 IS REPEALED, EFFECTIVE JULY 1, 2017;

16 (v) The judicial department information technology cash fund  
17 created in section 13-32-114, C.R.S., UNTIL THIS PARAGRAPH (v) IS  
18 REPEALED, EFFECTIVE JULY 1, 2017;

19 (w) The private activity bond allocations fund created in section  
20 24-32-1709.5 (2), UNTIL THIS PARAGRAPH (w) IS REPEALED, EFFECTIVE  
21 JULY 1, 2017;

22 (x) The Colorado high cost administration fund created in section  
23 40-15-208 (3), C.R.S., UNTIL THIS PARAGRAPH (x) IS REPEALED,  
24 EFFECTIVE JULY 1, 2017;

25 (y) The public school construction and inspection cash fund  
26 created in section 24-33.5-1207.7 and the health facility construction and  
27 inspection cash fund created in section 24-33.5-1207.8, UNTIL THIS

1 PARAGRAPH (y) IS REPEALED, EFFECTIVE JULY 1, 2017;

2 (z) The medical marijuana license cash fund created in section  
3 12-43.3-501, C.R.S., UNTIL THIS PARAGRAPH (z) IS REPEALED, EFFECTIVE  
4 JULY 1, 2017;

5 ~~(bb) The department of personnel revolving fund, but only with  
6 respect to the capital outlay reserve as defined in section 24-30-1108 (6)  
7 (b)(H);~~

8 (cc) The efficient schools and communities performance  
9 contracting fund created in section 24-38.5-109 (7), UNTIL THIS  
10 PARAGRAPH (cc) IS REPEALED, EFFECTIVE JULY 1, 2017;

11 (dd) The medical marijuana program cash fund, but only with  
12 respect to the portion of the fund transferred to or available for transfer  
13 to the health research subaccount created in section 25-1.5-106 (17) (d),  
14 C.R.S., UNTIL THIS PARAGRAPH (dd) IS REPEALED, EFFECTIVE JULY 1,  
15 2017;

16 (ee) THE PUBLIC SAFETY INSPECTION FUND CREATED IN SECTION  
17 8-1-151, C.R.S., UNTIL THIS PARAGRAPH (ee) IS REPEALED, EFFECTIVE  
18 JULY 1, 2017;

19 (ff) THE EMPLOYEE LEASING COMPANY CERTIFICATION FUND  
20 CREATED IN SECTION 8-70-114 (2) (g) (VI), C.R.S., UNTIL THIS  
21 PARAGRAPH (ff) IS REPEALED, EFFECTIVE JULY 1, 2017;

22 (gg) THE EMPLOYMENT AND TRAINING TECHNOLOGY FUND  
23 CREATED IN SECTION 8-77-109 (2) (a.9) (II) (A), C.R.S., UNTIL THIS  
24 PARAGRAPH (gg) IS REPEALED, EFFECTIVE JULY 1, 2017; AND

25 (hh) THE CONVEYANCE SAFETY FUND CREATED IN SECTION  
26 9-5.5-111 (2) (b), C.R.S., UNTIL THIS PARAGRAPH (hh) IS REPEALED,  
27 EFFECTIVE JULY 1, 2017.



1           (5.5) THE EXCLUSION FROM THE LIMITATIONS SPECIFIED IN THIS  
2 SECTION FOR A CASH FUND UNDER SUBSECTION (5) OF THIS SECTION  
3 APPLIES FOR THE LAST FISCAL YEAR PRIOR TO THE REPEAL OF THE  
4 EXCLUSION.

5           (7.5) UPON REQUEST BY AN ENTITY WITH A PROGRAM THAT HAS A  
6 MULTI-YEAR REVENUE-COLLECTION CYCLE OR REVENUE-CONTRACT  
7 PERIOD, THE STATE CONTROLLER MAY AVERAGE THE UNCOMMITTED  
8 RESERVES FROM THE CASH FUND RELATED TO THE PROGRAM OVER THE  
9 MULTI-YEAR PERIOD. NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
10 SECTION, THE UNCOMMITTED RESERVES ARE EQUAL TO THE AVERAGED  
11 AMOUNT FOR PURPOSES OF THIS SECTION.

12           (8) (a) Notwithstanding the ~~target~~ MAXIMUM reserve limitation  
13 ~~imposed pursuant to~~ in paragraph (c) of subsection (3) of this section, for  
14 fiscal years beginning on or after ~~July 1, 2000, the general assembly~~ JULY  
15 1, 2015, THE JOINT BUDGET COMMITTEE may grant a waiver of the ~~target~~  
16 MAXIMUM reserve ~~requirement specified in subsection (3) of this section~~  
17 FOR UP TO THREE YEARS for an entity that demonstrates a specific purpose  
18 for which the entity needs to maintain uncommitted reserves in an amount  
19 greater than the ~~target~~ MAXIMUM reserve. ~~for a specified, limited period~~  
20 ~~of time.~~ AS PART OF THE WAIVER, THE JOINT BUDGET COMMITTEE MAY  
21 ESTABLISH AN ALTERNATIVE MAXIMUM RESERVE FOR THE CASH FUND OR  
22 EXEMPT THE CASH FUND ALTOGETHER FROM ANY LIMITS ON  
23 UNCOMMITTED RESERVES. A specific purpose that may warrant a waiver  
24 pursuant to this subsection (8) includes, but is not limited to, purchase of  
25 a particular item of equipment or operation of a short-term program.

26           (b) To request a waiver ~~pursuant to~~ IN ACCORDANCE WITH this  
27 subsection (8), an entity, during the annual budget-setting process, ~~shall~~

1 MUST present a plan to the joint budget committee that at a minimum  
2 specifies the specific purpose for which the entity needs to ~~maintain a~~  
3 ~~greater amount of uncommitted reserves the greater amount of~~  
4 ~~uncommitted reserves requested~~ THE WAIVER, WHETHER IT WOULD LIKE  
5 A MAXIMUM ALTERNATIVE RESERVE OR AN EXEMPTION, the time period  
6 for the waiver, and the plan for reducing any excess uncommitted  
7 reserves that may remain on completion of the waiver period. The joint  
8 budget committee, in determining whether to ~~recommend~~ APPROVE a  
9 waiver pursuant to this subsection (8), shall consider the purpose for  
10 which the entity has requested the waiver, the reasonableness of the time  
11 period for the waiver, and the effect the waiver may have on the state's  
12 ability to comply with the limitations on state fiscal year spending  
13 imposed pursuant to section 20 of article X of the state constitution.

14 (c) The joint budget committee ~~shall recommend legislation to~~  
15 MAY grant any waiver requested ~~pursuant to~~ IN ACCORDANCE WITH this  
16 subsection (8) that the committee deems appropriate. ~~The legislation, at~~  
17 ~~a minimum,~~ IN A WAIVER, THE COMMITTEE shall specify the fund for  
18 which the waiver is granted, ~~the greater amount of uncommitted reserves~~  
19 ~~authorized~~ WHETHER THERE IS AN ALTERNATIVE MAXIMUM RESERVE OR  
20 AN EXEMPTION, and the time period for the waiver.

21 (9) ~~For the fiscal year commencing on July 1, 2000, and ending~~  
22 ~~June 30, 2001, a waiver of the target reserve requirement specified in~~  
23 ~~subsection (3) of this section shall be allowed pursuant to paragraph (a)~~  
24 ~~of subsection (8) of this section for the following:~~

25 (a) ~~The educator licensure cash fund created in section~~  
26 ~~22-60.5-112, C.R.S., shall be allowed to retain an amount equal to two~~  
27 ~~hundred thirty-eight thousand seven hundred twenty-four dollars in~~

1 ~~excess uncommitted reserves;~~

2 ~~(b) The supplier database cash fund created in section~~  
3 ~~24-102-202.5 (2) shall be allowed to retain an amount equal to two~~  
4 ~~hundred eighty-nine thousand three hundred twenty-two dollars in excess~~  
5 ~~uncommitted reserves;~~

6 ~~(c) The emergency services medical services account of the~~  
7 ~~highway users tax fund created in section 25-3.5-603 (1), C.R.S., shall be~~  
8 ~~allowed to retain an amount equal to three hundred ninety-six thousand~~  
9 ~~seven hundred fifty dollars in excess uncommitted reserves;~~

10 ~~(d) The wildlife cash fund created in section 33-1-112 (1), C.R.S.,~~  
11 ~~shall be allowed to retain an amount equal to two million six hundred~~  
12 ~~twenty thousand four hundred eighty-eight dollars in excess uncommitted~~  
13 ~~reserves; and~~

14 ~~(e) The historical society enterprise services fund shall be allowed~~  
15 ~~to retain an amount equal to fifty-five thousand nine hundred sixty-six~~  
16 ~~dollars in excess uncommitted reserves.~~

17 ~~(10) For the fiscal year commencing July 1, 2008, and each fiscal~~  
18 ~~year thereafter, the public safety inspection fund created in section~~  
19 ~~8-1-151, C.R.S., shall not be subject to the limit on uncommitted reserve~~  
20 ~~funds pursuant to this section.~~

21 ~~(12) IF A CASH FUND HAS EXCESS UNCOMMITTED RESERVES FOR~~  
22 ~~THREE OR MORE FISCAL YEARS IN A ROW, THE STATE CONTROLLER SHALL~~  
23 ~~RESTRICT SPENDING OF ANY APPROPRIATION FROM THE CASH FUND FOR~~  
24 ~~THE NEXT FISCAL YEAR IN AN AMOUNT EQUAL TO THE LESSER OF THE~~  
25 ~~EXCESS UNCOMMITTED RESERVE OR THE APPLICABLE MAXIMUM RESERVE~~  
26 ~~OR ALTERNATIVE MAXIMUM RESERVE. THE ENTITY SHALL NOT EXPEND~~  
27 ~~ANY AMOUNT RESTRICTED PURSUANT TO THIS SUBSECTION (12) UNLESS~~

1 THE RESTRICTION IS RELEASED. THE RESTRICTION IS RELEASED WHEN THE  
2 FUND IS IN COMPLIANCE WITH THE MAXIMUM RESERVE OR ALTERNATIVE  
3 MAXIMUM RESERVE REQUIREMENT OR WHEN THE JOINT BUDGET  
4 COMMITTEE APPROVES A WAIVER FOR THE EXCESS UNCOMMITTED  
5 RESERVES IN ACCORDANCE WITH SUBSECTION (8) OF THIS SECTION.

6 **SECTION 2.** In Colorado Revised Statutes, 5-6-203, **amend** (5)  
7 as follows:

8 **5-6-203. Fees.** (5) (a) The administrator shall determine the  
9 amount of the notification, volume, and license fees required in this  
10 section and in section 5-2-302 and may periodically reduce or increase the  
11 amount of one or more of the fees if necessary pursuant to section  
12 24-75-402 (3) and (4), C.R.S., to reduce the uncommitted reserves of the  
13 uniform consumer credit code cash fund created in section 5-6-204 to  
14 which all or any portion of one or more of the fees is credited. ~~except that~~

15 (b) IN ACCORDANCE WITH SECTION 24-75-402 (3) (c), C.R.S., FOR  
16 FISCAL YEARS PRIOR TO JULY 1, 2018, THE UNIFORM CONSUMER CREDIT  
17 CODE CASH fund ~~shall be~~ IS SUBJECT TO AN ALTERNATIVE MAXIMUM RESERVE  
18 ~~balance~~ OF ONE-THIRD OF THE AMOUNT EXPENDED DURING THE PREVIOUS FISCAL  
19 YEAR. FOR FISCAL YEARS THAT BEGIN ON OR AFTER JULY 1, 2018, THE FUND  
20 IS SUBJECT TO THE MAXIMUM RESERVE ESTABLISHED IN SECTION  
21 24-75-402, C.R.S.

22

23 **SECTION 3.** In Colorado Revised Statutes, 8-70-114, **amend** (2)  
24 (g) (VI) as follows:

25 **8-70-114. Employing unit - definitions - rules - employee**  
26 **leasing company certification fund.** (2) (g) (VI) Upon filing an annual  
27 certification under this section, an employee leasing company shall pay

1 a fee, as determined by rule of the department, not to exceed five hundred  
2 dollars. Fees collected pursuant to this section shall be transmitted to the  
3 state treasurer, who shall credit the same to the employee leasing  
4 company certification fund, referred to in this section as the "fund",  
5 which is hereby created in the state treasury. Moneys in the fund shall be  
6 subject to annual appropriation by the general assembly for  
7 implementation of this section. The moneys in the fund and interest  
8 earned on the moneys in the fund shall not revert to the general fund or  
9 be transferred to any other fund. ~~and shall be exempt from section~~  
10 ~~24-75-402, C.R.S.~~ No fee charged pursuant to this section shall exceed  
11 the amount reasonably necessary for the administration of this section.

12 **SECTION 4.** In Colorado Revised Statutes, 8-77-109, **amend** (2)  
13 (a.9) (II) (A) as follows:

14 **8-77-109. Employment support fund - employment and**  
15 **training technology fund - created - uses.**

16 (2) (a.9) (II) (A) Notwithstanding any provision of this subsection (2) to  
17 the contrary, on and after July 1, 2011, 0.0004 assessed against each  
18 employer's premium under section 8-76-102.5 (3) (a) or ten million  
19 dollars of all revenue collected annually under section 8-76-102.5 (3) (a),  
20 whichever is less, shall be credited to the employment and training  
21 technology fund, also referred to in this paragraph (a.9) as the "fund",  
22 which is hereby created in the state treasury. Any amount collected in  
23 excess of ten million dollars under this subparagraph (II) shall be credited  
24 to the unemployment compensation fund. Moneys in the fund shall be  
25 used for employment and training automation initiatives established by  
26 the director of the division. Moneys in the fund are subject to annual  
27 appropriation by the general assembly for the purposes of this paragraph

1 (a.9) and shall not revert to the general fund or any other fund at the end  
2 of any fiscal year. ~~The moneys in the fund are exempt from section~~  
3 ~~24-75-402, C.R.S.~~ If the balance of the unemployment compensation fund  
4 created in section 8-77-101 falls below one hundred million dollars, the  
5 moneys in the employment and training technology fund shall be  
6 allocated to the unemployment compensation fund. Once cumulative  
7 revenue to the employment and training technology fund equals one  
8 hundred million dollars, less any moneys transferred to the unemployment  
9 compensation fund, no additional moneys shall be credited to the  
10 employment and training technology fund but instead shall be allocated  
11 to the unemployment compensation fund. At any other time, the moneys  
12 in the employment and training technology fund may be allocated to the  
13 unemployment compensation fund at the discretion of the executive  
14 director of the department of labor and employment.

15 **SECTION 5.** In Colorado Revised Statutes, 9-5.5-111, **amend** (2)  
16 (b) as follows:

17 **9-5.5-111. Registration of existing conveyances - fund.**

18 (2) (b) Fees collected pursuant to this article shall be transmitted to the  
19 state treasurer, who shall credit the same to the conveyance safety fund,  
20 referred to in this article as the "fund", which is hereby created in the state  
21 treasury. Moneys in the fund shall be subject to annual appropriation by  
22 the general assembly and shall be used to implement this article. The  
23 moneys in the fund and interest earned on the moneys in the fund shall  
24 not revert to the general fund or be transferred to any other fund. ~~and shall~~  
25 ~~be exempt from section 24-75-402, C.R.S.~~

26 **SECTION 6.** In Colorado Revised Statutes, 24-32-1709.5,  
27 **amend** (2) (b) as follows:

1           **24-32-1709.5. Administrative costs of the department - private**  
2           **activity bond allocation fund - creation - rules.** (2) (b) FOR FISCAL  
3 YEARS PRIOR TO JULY 1, 2019, the fund is excluded from the limitations  
4 specified in section 24-75-402, AND the fund's ~~target~~ MAXIMUM reserve  
5 ~~shall be~~ IS three times the level of the prior year's spending authority from  
6 the fund. The uncommitted reserves of the fund shall not exceed the  
7 ~~target~~ MAXIMUM reserve. If the amount of uncommitted reserves of the  
8 fund at the conclusion of any given fiscal year exceeds the ~~target~~  
9 MAXIMUM reserve, the executive director shall reduce the amount of one  
10 or more of the fees specified in subsection (1) of this section to an amount  
11 calculated to result in an amount of uncommitted reserves of the fund for  
12 the current fiscal year that does not exceed the ~~target~~ MAXIMUM reserve.  
13 In calculating the reduction in fees, the executive director may take into  
14 account any increases in spending authority from the fund. If the  
15 executive director reduces the amount of a fee pursuant to this paragraph  
16 (b), the executive director may subsequently raise the amount of the fee  
17 so long as the projected amount of uncommitted reserves of the fund does  
18 not exceed the ~~target~~ MAXIMUM reserve. The executive director shall not  
19 increase the fee beyond any limits specified in subsection (1) of this  
20 section. FOR FISCAL YEARS THAT BEGIN ON OR AFTER JULY 1, 2019, THE  
21 FUND IS SUBJECT TO THE MAXIMUM RESERVE ESTABLISHED IN SECTION  
22 24-75-402.

23           **SECTION 7.** In Colorado Revised Statutes, 24-38.5-109, **amend**  
24 (7) as follows:

25           **24-38.5-109. Aggregation of efficiency or renewable energy**  
26 **projects in small or rural schools and small or rural communities in**  
27 **order to attract private sector investment through performance**

1 **contracting - legislative declaration - definitions.** (7) Notwithstanding  
2 ~~the requirements of section 24-75-402,~~ There is hereby created in the state  
3 treasury the efficient schools and communities performance contracting  
4 fund, referred to in this section as the "fund", consisting of the cost of  
5 issuance fees credited to the department of local affairs pursuant to  
6 paragraph (a) of subsection (4) of this section. The moneys in the fund are  
7 continuously appropriated by the general assembly to the department of  
8 local affairs for awarding grants as specified in paragraph (b) of  
9 subsection (4) of this section. In the event the department of local affairs  
10 cannot implement the grant program within existing resources, then the  
11 department of local affairs may expend up to five percent annually of the  
12 moneys in the fund to offset the costs incurred in implementing the grant  
13 program. The state treasurer may invest any moneys in the fund not  
14 expended for the purpose of this section as provided by law. The state  
15 treasurer shall credit all interest and income derived from the investment  
16 and deposit of moneys in the fund to the fund. Any unexpended and  
17 unencumbered moneys remaining in the fund at the end of a fiscal year  
18 remain in the fund and shall not be credited or transferred to the general  
19 fund or another fund.

20 **SECTION 8.** In Colorado Revised Statutes, 25-1.5-106, **amend**  
21 (17) (d) (II) as follows:

22 **25-1.5-106. Medical marijuana program - powers and duties**  
23 **of state health agency - rules - medical review board - medical**  
24 **marijuana program cash fund - subaccount - created - repeal.**  
25 (17) **Cash fund.** (d) (II) For the 2014-15 fiscal year and each fiscal year  
26 through 2018-19, the alternative ~~target~~ MAXIMUM reserve for purposes of  
27 section 24-75-402, C.R.S., for the medical marijuana program cash fund



1 ~~will be~~ IS sixteen and five-tenths percent of the amount in the fund,  
2 excluding the ten million dollars available for transfer to the subaccount  
3 and any amount in the subaccount.

4 **SECTION 9.** In Colorado Revised Statutes, 35-1-106.3, **amend**  
5 (5) as follows:

6 **35-1-106.3. Plant health, pest control, and environmental**  
7 **protection cash fund - creation.** (5) ~~Notwithstanding section 24-75-402,~~  
8 ~~C.R.S., the target reserve balance~~ IN ACCORDANCE WITH SECTION  
9 24-75-402 (3) (c), C.R.S., FOR FISCAL YEARS PRIOR TO JULY 1, 2020, THE  
10 ALTERNATIVE MAXIMUM RESERVE for the plant health, pest control, and  
11 environmental protection cash fund ~~shall be~~ IS fifty percent of the amount  
12 expended from the fund during each fiscal year. FOR FISCAL YEARS THAT  
13 BEGIN ON OR AFTER JULY 1, 2020, THE FUND IS SUBJECT TO THE MAXIMUM  
14 RESERVE ESTABLISHED IN SECTION 24-75-402, C.R.S.

15 **SECTION 10.** In Colorado Revised Statutes, 35-1-106.5, **amend**  
16 (2) as follows:

17 **35-1-106.5. Inspection and consumer services cash fund -**  
18 **creation.** (2) ~~Notwithstanding section 24-75-402 (2) (g), C.R.S., the~~  
19 ~~target reserve balance~~ IN ACCORDANCE WITH SECTION 24-75-402 (3) (c),  
20 C.R.S., FOR FISCAL YEARS THAT BEGIN PRIOR TO JULY 1, 2021, THE  
21 ALTERNATIVE MAXIMUM RESERVE for the inspection and consumer  
22 services cash fund ~~shall be~~ IS fifty percent of the amount expended from  
23 the fund during the fiscal year. FOR FISCAL YEARS THAT BEGIN ON OR  
24 AFTER JULY 1, 2021, THE FUND IS SUBJECT TO THE MAXIMUM RESERVE  
25 ESTABLISHED IN SECTION 24-75-402, C.R.S.

26 **SECTION 11.** In Colorado Revised Statutes, **amend** 38-25.5-105  
27 as follows:

1           **38-25.5-105. Department of revenue fees.** Except as provided in  
2 section 38-25.5-103.5, fees collected by the department of revenue  
3 pursuant to this article shall be deposited in the state treasury in the tax  
4 lien certification fund which is hereby created. Moneys so deposited and  
5 all interest earned on such moneys shall be used by the department of  
6 revenue for the purposes of this article in accordance with the annual  
7 appropriation by the general assembly and shall not be deposited in or  
8 transferred to the general fund; except that moneys in excess of the ~~target~~  
9 MAXIMUM reserve, as defined in ~~section 24-75-402 (2) (g)~~ SECTION  
10 24-75-402 (2) (e.5), C.R.S., that remain in the fund at the end of any state  
11 fiscal year commencing on or after July 1, 2000, shall be transferred to  
12 the general fund.

13           **SECTION 12. Applicability.** This act applies to fiscal years  
14 beginning on or after July 1, 2014.

15           **SECTION 13. Safety clause.** The general assembly hereby finds,  
16 determines, and declares that this act is necessary for the immediate  
17 preservation of the public peace, health, and safety.