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**JOINT BUDGET COMMITTEE BILL**

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**SUMMARY OF H.B. 09-1222:  
CONCERNING THE ADMINISTRATION OF APPROPRIATED MONEYS.**

Prime Sponsors: Representative Ferrandino and Senator Keller

**Bill Summary**

This bill extends the repeal date of certain statutory sections authorizing the transfer of appropriations or over-expenditures of appropriations in order to close the state's accounting books at the end of the fiscal year. The bill also includes the Medicare Modernization Act of 2003 State Contribution Payment under the unlimited over-expenditure authority for the Medicaid program. Specifically, the bill extends the following repeal dates:

- 1) The transfer authority for conditional and centralized appropriations is extended from September 1, 2009 to September 1, 2014;
- 2) The transfer authority for appropriations and cash fund transfers between the Department of Health Care Policy and Financing and the Department of Human Services is extended from September 1, 2009 to September 1, 2014;
- 3) The transfer authority for intra departmental transfers between appropriations is extended from September 1, 2009 to September 1, 2014;
- 4) The over-expenditure as currently allowed for Departments is extended from July 1, 2009 to September 1, 2014; and
- 5) The over-expenditure authority as currently allowed for the Judiciary Department is extended from July 1, 2009 to September 1, 2014.

**Fiscal Impact**

This bill does not create an additional fiscal impact and does not need an appropriation clause. The last time that the repeal dates were extended (H.B. 04-1411), the bill was assessed as having no fiscal impact.

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### Background Information

#### Section 24-75-105, Section 24-75-106, Section 24-75-107, and Section 24-75-108

These sections allow for limited transfer authority of appropriations between line items. Specifically, centralized appropriations can be transferred between departments, agencies, or programs and certain appropriations can be transferred between the Department of Health Care Policy and Financing and the Department of Human Services in order to maximize federal funding when applicable. In addition, the statute allows the Governor and the Chief Justice of the Colorado Supreme Court for the Judicial Department, to make transfers between state departments in order to close the state fiscal year accounts as long as the transfers are for like purposes only. Like purposes include transfers from an operating expense line item to a utilities line item, from an operating expenses line item to a leased space line item, or from a utilities line item to a utilities line item. Any amount of transfers for a given fiscal year may not exceed \$2.0 million, except for those transfers associated with utilities, which do not have limitations.

#### Section 24-75-109

The provisions authorizing the State Controller to allow over-expenditures for the purpose of closing the state's books. Over-expenditures are limited to the following areas:

1. Medicaid programs (no limit);
2. Human Services for purposes other than Medicaid (\$1.0 million limit);
3. Other Executive Branch departments (\$1.0 million limit); and
4. Judicial Department (\$1.0 million limit).

House Bill 09-1222 also includes the Medicare Modernization Act (MMA) of 2003 State Contribution Payment under the unlimited Medicaid over-expenditure authority. Before the passage of the MMA, the expenditures for that program were Medicaid expenditures and were included under the over-expenditure authority. This bill clarifies that the MMA expenditures should retain the same over-expenditure authority that previously existed for those expenditures.