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HOUSE BILL 26-1407

BY REPRESENTATIVE(S) Brown and Taggart, Sirota, Story;
also SENATOR(S) Amabile and Kirkmeyer, Bridges.

CONCERNING STATE MONEY THAT WAS USED TO REFINANCE MONEY RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND, AND, IN CONNECTION THEREWITH, TRANSFERRING UNSPENT STATE MONEY TO THE GENERAL FUND, EXTENDING A DEADLINE FOR THE USE OF STATE MONEY, AND REDUCING APPROPRIATIONS.

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

SECTION 1. In Colorado Revised Statutes, 24-75-226.5, **add** (6.5) as follows:

24-75-226.5. ARPA refinance state money cash fund - creation - reduction in general fund appropriations - legislative intent - definitions - repeal.

(6.5) ON JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER FROM THE REFINANCE DISCRETIONARY ACCOUNT TO THE GENERAL FUND TWENTY-SEVEN MILLION NINE HUNDRED FIVE THOUSAND THREE HUNDRED

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

EIGHTY-FOUR DOLLARS.

SECTION 2. In Colorado Revised Statutes, 24-75-227, **amend** (3.8) as follows:

24-75-227. Revenue loss restoration cash fund - creation - allowable uses - definitions - repeal.

(3.8) (a) On June 30, 2025, the state treasurer shall transfer from the fund to the general fund twelve million four hundred sixty-one thousand four hundred ninety-four dollars and ten cents of money that did not originate from the money the state received from the coronavirus state fiscal recovery fund.

(b) ON JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND FOUR MILLION EIGHTY-FIVE THOUSAND TWO HUNDRED FORTY-SIX DOLLARS AND FORTY-NINE CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 3. In Colorado Revised Statutes, 24-75-228, **add** (5.3) as follows:

24-75-228. Economic recovery and relief cash fund - creation - allowable uses - interim task force - report - legislative declaration - definitions - repeal.

(5.3) ON JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND ONE MILLION NINE HUNDRED SEVENTY-FOUR THOUSAND SEVEN HUNDRED TWO DOLLARS AND TWENTY CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 4. In Colorado Revised Statutes, 24-75-230, **amend** (4.8); and **add** (4.5) and (4.9) as follows:

24-75-230. Behavioral and mental health cash fund - creation - allowable uses - task force - definitions - repeal.

(4.5) ON JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER

FROM THE FUND TO THE GENERAL FUND ONE MILLION FIVE THOUSAND EIGHT HUNDRED FIFTY DOLLARS AND TWENTY-FOUR CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND.

(4.8) ~~Pursuant to section 24-75-226.5 (6)~~, On December 31, 2026, the state treasurer shall transfer any unexpended and unencumbered money in the fund that originates from the ARPA refinance state money cash fund to the ARPA refinance state money cash fund; EXCEPT THAT, NOTWITHSTANDING SECTION 24-75-226.5 (6), THE STATE TREASURER SHALL NOT TRANSFER UNSPENT MONEY APPROPRIATED FROM THE FUND TO THE DEPARTMENT OF HUMAN SERVICES FOR CAPITAL CONSTRUCTION RELATED TO THE CONSTRUCTION OF A NEURO-PSYCH FACILITY AT THE COLORADO MENTAL HEALTH INSTITUTE AT FORT LOGAN.

(4.9) ON JUNE 30, 2027, THE STATE TREASURER SHALL TRANSFER THE UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE GENERAL FUND.

SECTION 5. In Colorado Revised Statutes, 24-75-219, **add** (7)(1) as follows:

24-75-219. Transfers - transportation - capital construction - definitions.

(7) In addition to any other transfers required by this section:

(1) ON JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER FROM THE STATE HIGHWAY FUND TO THE GENERAL FUND SEVEN HUNDRED FIFTY THOUSAND ONE HUNDRED NINETY DOLLARS AND SIX CENTS OF MONEY THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND.

SECTION 6. Appropriation to the department of human services for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, **amend** section 10 of chapter 185, (HB22-1283), as amended by section 63 of chapter 429, (HB24-1466), as follows:

Section 10. **Capital construction appropriation.** For the 2022-23

state fiscal year, \$35,000,000 is appropriated to the department of human services. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, \$30,236,662 originates from the general fund and \$4,763,338 is of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation for capital construction related to the construction of a neuro-psych facility at the Colorado mental health institute at Fort Logan. Any money appropriated in this section not expended prior to July 1, 2023, THAT IS OF MONEY THE STATE RECEIVED FROM THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUND is further appropriated to the administration from July 1, 2023, through December 31, 2026, for the same purpose. ANY MONEY APPROPRIATED IN THIS SECTION NOT EXPENDED PRIOR TO JULY 1, 2023, THAT DID NOT ORIGINATE FROM THE MONEY THE STATE RECEIVED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND IS FURTHER APPROPRIATED TO THE ADMINISTRATION FROM JULY 1, 2023, THROUGH JUNE 30, 2027, FOR THE SAME PURPOSE. Money that originated from the federal coronavirus state fiscal recovery fund shall be obligated and expended in accordance with section 24-75-226, C.R.S.

SECTION 7. Appropriation to the department of health care policy and financing for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, section 6 of chapter 180, (HB 22-1302), **amend** (2), as amended by section 20 of chapter 474, Session Laws of Colorado 2023 (SB 23-214), and as further amended by section 77 of chapter 429, Session Laws of Colorado 2024 (HB 24-1466), as follows:

Section 6. **Appropriation.** (2) For the 2022-23 state fiscal year, ~~\$3,000,000~~ \$2,200,000 is appropriated to the department of health care policy and financing for use by the executive director's office, general administration. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S. Of this amount, \$1,245,147 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~\$1,754,853~~ \$954,853 originates from the general fund. To implement this act, the division may use this appropriation for the universal contract for behavioral health services. Any money appropriated in this section that is not expended prior to December 30, 2024, is further appropriated to the department for use prior to December 31, 2026, for the same purpose. Money that originated from the federal coronavirus state fiscal recovery fund shall be obligated and expended in accordance with

section 24-75-226, C.R.S.

SECTION 8. Appropriation to the department of early childhood for the fiscal year beginning July 1, 2022. In Session Laws of Colorado 2022, section 8 of chapter 345, (SB 22-213), **amend** (1) introductory portion, (1)(a), (1)(c), (1)(d), and (1)(e), as (1) introductory portion is amended by section 71 of chapter 429, Session Laws of Colorado 2024 (HB 24-1466) as follows:

Section 8. **Appropriation.** (1) For the 2022-23 state fiscal year, ~~\$49,500,000~~ \$47,883,011 is appropriated to the department of early childhood. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S., and is based on an assumption that the department will require an additional 9.6 FTE. Of this amount, \$15,464,449 is of money the state received from the federal coronavirus state fiscal recovery fund and ~~\$34,035,551~~ \$32,418,562 originates from the general fund. To implement this act, the department may use this appropriation for:

(a) ~~\$16,000,000~~ \$14,656,182 for use by the early learning access and quality division for the emerging and expanding child care grant program, which amount is based on an assumption that the division will require an additional 3.5 FTE;

(c) ~~\$15,000,000~~ \$14,737,721 for use by the early learning access and quality division for the early care and education recruitment and retention grant and scholarship program, which amount is based on an assumption that the division will require an additional 2.5 FTE;

(d) ~~\$7,500,000~~ \$7,492,769 for use by the early learning access and quality division for the family, friend, and neighbor training and support program, which amount is based on an assumption that the division will require an additional 2.8 FTE; and

(e) ~~\$1,000,000~~ \$996,339 for use by the community and family support division for the home visiting grant program, which amount is based on an assumption that the division will require an additional 0.3 FTE.

SECTION 9. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate

preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO