

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0740.01 Jason Gelender x4330

HOUSE BILL 15-1148

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HOUSE SPONSORSHIP

**Brown,**

SENATE SPONSORSHIP

**(None),**

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**House Committees**

State, Veterans, & Military Affairs  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE TRANSFER OF THE STATE GENERAL FUND SURPLUS**  
102 **FOR THE 2014-15 STATE FISCAL YEAR TO THE STATE HIGHWAY**  
103 **FUND.**

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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>.)*

The unrestricted balance that remains in the general fund at the end of a state fiscal year is called the general fund surplus. The bill requires the state treasurer to transfer the general fund surplus for the 2014-15 state fiscal year to the state highway fund. The department of transportation may expend the money transferred for the implementation

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.*

of the strategic transportation investment program subject to a requirement that at least 10% of the money be expended for transit purposes or transit-related capital improvements.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 24-75-224 as  
3 follows:

4           **24-75-224. Transfer of general fund surplus for 2014-15 state**  
5 **fiscal year to state highway fund.** (1) NOTWITHSTANDING ANY  
6 PROVISION OF LAW TO THE CONTRARY, THE STATE TREASURER SHALL  
7 TRANSFER THE GENERAL FUND SURPLUS FOR THE 2014-15 STATE FISCAL  
8 YEAR TO THE STATE HIGHWAY FUND CREATED IN SECTION 43-1-219,  
9 C.R.S. THE STATE TREASURER SHALL MAKE THE TRANSFER ON THE DATE  
10 THAT THE STATE CONTROLLER PUBLISHES THE COMPREHENSIVE ANNUAL  
11 FINANCIAL REPORT OF THE STATE FOR THE 2014-15 STATE FISCAL YEAR.

12           (2) IN CALCULATING THE GENERAL FUND SURPLUS, THE STATE  
13 CONTROLLER SHALL ACCOUNT FOR OVEREXPENDITURES, EXPECTED  
14 ACCRUAL ADJUSTMENTS, REFUNDS REQUIRED UNDER SECTION 20 OF  
15 ARTICLE X OF THE STATE CONSTITUTION, AND THE STATUTORY RESERVE  
16 SPECIFIED IN SECTION 24-75-201.1 (1) (d) (XIV).

17           **SECTION 2.** In Colorado Revised Statutes, 43-4-206, **amend** (2)  
18 (a) introductory portion as follows:

19           **43-4-206. State allocation.** (2) (a) Notwithstanding the  
20 provisions of subsection (1) of this section, the revenues accrued to and  
21 transferred to the highway users tax fund pursuant to section 39-26-123  
22 (4) (a) or 24-75-219, C.R.S., or appropriated to the highway users tax  
23 fund pursuant to House Bill 02-1389, enacted at the second regular  
24 session of the sixty-third general assembly, and credited to the state

1 highway fund pursuant to section 43-4-205 (6.5) AND THE GENERAL FUND  
2 SURPLUS TRANSFERRED TO THE STATE HIGHWAY FUND PURSUANT TO  
3 SECTION 24-75-224, C.R.S., shall be expended by the department of  
4 transportation for the implementation of the strategic transportation  
5 project investment program in the following manner:

6 **SECTION 3. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, and safety.